

VOLUME 1

DRAFT ENVIRONMENTAL IMPACT REPORT

LAND USE ELEMENT/ZONING CODE  
AMENDMENTS AND MOBILITY ELEMENT UPDATE

TOWN OF MAMMOTH LAKES, CALIFORNIA

DRAFT EIR AND APPENDIX A

JUNE 2016



VOLUME 1

DRAFT ENVIRONMENTAL IMPACT REPORT

LAND USE ELEMENT/ZONING CODE  
AMENDMENTS AND MOBILITY ELEMENT UPDATE

TOWN OF MAMMOTH LAKES, CALIFORNIA

DRAFT EIR AND APPENDIX A

Prepared For:

Town of Mammoth Lakes  
Community and Economic Development Department  
437 Old Mammoth Road, Suite R  
Mammoth Lakes, California 93546

Prepared By:

ESA PCR  
201 Santa Monica Boulevard, Suite 500  
Santa Monica, California 90401

JUNE 2016



# Table of Contents

---

Page

## VOLUME 1

<b>EXECUTIVE SUMMARY .....</b>	<b>ES-1</b>
<b>1.0 INTRODUCTION .....</b>	<b>1-1</b>
<b>2.0 PROJECT DESCRIPTION.....</b>	<b>2-1</b>
<b>3.0 BASIS FOR CUMULATIVE ANALYSIS.....</b>	<b>3-1</b>
<b>4.0 ENVIRONMENTAL IMPACT ANALYSIS.....</b>	<b>4.1-1</b>
4.1 Aesthetics .....	4.1-1
4.2 Air Quality .....	4.2-1
4.3 Forestry Resources.....	4.3-1
4.4 Biological Resources.....	4.4-1
4.5 Cultural Resources.....	4.5-1
4.6 Greenhouse Gas Emissions .....	4.6-1
4.7 Land Use and Planning .....	4.7-1
4.8 Noise and Vibration.....	4.8-1
4.9 Population and Housing.....	4.9-1
4.10 Public Services.....	4.10-1
4.11 Transportation and Traffic.....	4.11-1
4.12 Utilities and Service Systems.....	4.12-1
<b>5.0 ALTERNATIVES .....</b>	<b>5-1</b>
1. Alternative 1: No Project Alternative .....	5-5
2. Alternative 2: Reduced Intensity Alternative .....	5-17
3. Alternative 3: Mobility Element update without the Main Street Reconfiguration .....	5-32
<b>6.0 OTHER MANDATORY CEQA CONSIDERATIONS .....</b>	<b>6-1</b>
<b>7.0 LIST OF PREPARERS AND PERSONS CONSULTED .....</b>	<b>7-1</b>
<b>8.0 REFERENCES .....</b>	<b>8-1</b>

## APPENDICES

Appendix A – Initial Study/Notice of Preparation/NOP Comment Letters/Minutes

## VOLUME 2

- Appendix B – Air Quality Worksheets
- Appendix C – Greenhouse Gas Emissions Worksheets
- Appendix D – Noise Worksheets
- Appendix E – Public Services
- Appendix F – Traffic Study

## List of Figures

		Page
2-1	Regional and Project Vicinity Map .....	2-3
2-2	Project Area for Land Use Element and Zoning Code Amendments .....	2-4
2-3	Zoning Districts .....	2-11
2-4	Proposed Revisions to the Land Use Diagram .....	2-19
2-5	Complete Streets.....	2-28
3-1	Cumulative Projects Map .....	3-5
4.1-1	General Plan Major View Corridors and Vistas.....	4.1-5
4.1-2	General Plan Vistas and Landmarks .....	4.1-6
4.1-3	Main Street Plan Conceptual Cross Section .....	4.1-7
4.1-4	Photograph Location Map.....	4.1-11
4.1-5	Area Photos.....	4.1-12
4.1-6	Area Photos.....	4.1-13
4.1-7	Area Photos.....	4.1-14
4.1-8	Existing Conditions - Winter Solstice Shadows (December 21) .....	4.1-17
4.1-9	Illustrative Conditions, (45 ft Building Heights) Winter Solstice Shadows (December 21) .....	4.1-33
4.1-10	Illustrative Conditions, (55 ft Building Heights) Winter Solstice Shadows (December 21) .....	4.1-34
4.8-1	Common Noise Levels .....	4.8-3
4.8-2	Noise Measurement Locations.....	4.8-9
4.11-1	Existing Intersection LOS Study Area .....	4.11-9

## List of Tables

		Page
ES-1	Summary of Project Impacts and Mitigation Measures.....	ES-5
2-1	Acreage in the Project Area Within Commercial Zoning Districts By Category .....	2-14
2-2	Comparison of Buildout Under Current Regulations and 2.0 FAR.....	2-15
2-3	Summary of Proposed Land Use Changes within the Commercial Designations .....	2-16
2-4	Buildout Analysis.....	2-24
3-1	Cumulative Projects List.....	3-2
4.2-1	Ambient Air Quality Standards.....	4.2-2
4.2-2	Great Basin Valley Air Basin Attainment Status (Mammoth Lakes Planning Area) .....	4.2-9
4.2-3	Pollutant Standards and Ambient Air Quality Data from Representative Monitoring Stations .....	4.2-12

## List of Tables (Continued)

	<b>Page</b>
4.2-4	Vehicle Miles Traveled ..... 4.2-22
4.2-5	Incremental Change in Peak Daily Operational Emissions – Land Use Element/Zoning Code Amendments and Mobility Element Update..... 4.2-26
4.2-6	Incremental Change in Peak Daily Operational Emissions – Land Use Element/Zoning Code Amendments..... 4.2-27
4.2-7	Incremental Change in Peak Daily Operational Emissions – Mobility Element Update ..... 4.2-28
4.2-8	CARB Recommendations on Siting New Sensitive Land Uses ..... 4.2-33
4.4-1	Vegetation Communities within the Proposed Road Improvement Areas ..... 4.4-15
4.4-2	Vegetation Communities within the Proposed MUP Areas ..... 4.4-17
4.5-1	Known Archaeological and Historical Resources Recorded Within or In the Immediate Vicinity of the Mobility Element Update Project Area (Multi-Use Path)..... 4.5-15
4.5-2	Known Archaeological and Historical Resources Recorded Within or In the Immediate Vicinity of the Mobility Element Update Project Area (Proposed Roads)..... 4.5-17
4.5-3	Known Archaeological and Historical Resources Recorded Within or In the Immediate Vicinity of the Mobility Element Update Project Area (Existing Class III Route, Planned Class II Bike Lane)..... 4.5-17
4.5-4	Known Archaeological and Historical Resources Recorded Within or In the Immediate Vicinity of the Mobility Element Update Project Area (Future Traffic Signals, Future Bridges, Planned Parking, and Planned Staging) ..... 4.5-18
4.5-5	Known Archaeological and Historical Resources Recorded Within or In the Immediate Vicinity of the Land Use Element/ Zoning Code Amendments Project Area..... 4.5-18
4.6-1	Estimated Greenhouse Gas Emissions Reductions Required by AB 32 ..... 4.6-5
4.6-2	State of California Greenhouse Gas Emissions..... 4.6-10
4.6-3	Incremental Change in Annual GHG Emissions – Land Use Element/Zoning Code Amendments and Mobility Element Update ..... 4.6-21
4.6-4	Incremental Change in Annual GHG Emissions – Land Use Element/Zoning Code Amendments ..... 4.6-22
4.6-5	Consistency with Applicable Greenhouse Gas Reduction Strategies..... 4.6-25
4.7-1	Town of Mammoth Lakes Municipal Code the Zoning Code Commercial District Standards..... 4.7-11
4.8-1	Town Exterior Noise Ordinance Standards..... 4.8-6
4.8-2	Town Construction Noise Standards..... 4.8-7
4.8-3	Summary of Ambient Noise Measurements..... 4.8-12
4.8-4	Maximum Noise Levels Generated by Typical Construction Equipment..... 4.8-18
4.8-5	Construction Average $L_{eq}$ Noise Levels by Distance and Construction Stage..... 4.8-19
4.8-6	Off-Site Traffic Noise Impacts ..... 4.8-21
4.8-7	Typical Vibration Velocities for Potential Project Construction Equipment..... 4.8-27
4.9-1	Mammoth Lakes Regional Housing Need Allocation by Income Group ..... 4.9-3
4.9-2	Summary of Projected Housing Units 2014-2019 by Category ..... 4.9-3
4.9-3	Quantified Objectives 2014-2019..... 4.9-4
4.9-4	Resident Population in Mammoth Lakes between 1990 and 2015..... 4.9-7
4.9-5	Estimated Population Using Current Methodology (PAOT Increment of Potential Population Increase Resulting from 2.0 FAR..... 4.9-12
4.9-6	Estimated Population Using Proposed Buildout Methodology Increment of Potential Population Increase Resulting from 2.0 FAR..... 4.9-13
4.9-7	Comparison of Projected Housing Supply to Housing Needs and Objectives ..... 4.9-16
4.10-1	Fire Station Equipment..... 4.10-4
4.10-2	Crime Statistics for the Town of Mammoth Lakes 2010-2014..... 4.10-13

# List of Tables (Continued)

	<b>Page</b>
4.10-3	Student Enrollment and Capacity for the MUSD 2015-2016 School Year .....4.10-19
4.10- 4	Parks and Recreational Facilities within Mammoth Lakes .....4.10-27
4.11-1	Existing Roadway Traffic Volumes ..... 4.11-6
4.11-2	Existing Levels of Service..... 4.11-8
4.11-3	Mammoth Mobility Element – Existing and Future Roadway Capacity .....4.11-19
4.11-4	Existing and Future Intersections Levels of Service .....4.11-21
4.11-5	Summary of Intersection LOS Impacts .....4.11-22
4.11-6	Summary of New Mitigation Measures .....4.11-23
4.12.1	Urban Water Management Plan - Current and Projected Service Area Population ..... 4.12-8
4.12-2	Water Shortage Contingency.....4.12-11
4.12-3	Customer Water Delivery in 2010.....4.12-13
4.12-4	Projected Customer Demand, 2015-2030.....4.12-13
4.12-5	Total Water Demand Past, Current, and Projected .....4.12-14
4.12-6	Water Supply by Source for Planning Scenarios at Town Buildout .....4.12-15
4.12-7	Projected Water Demand at 2030 Buildout Land Use Element/Zoning Code Amendments .....4.12-19
4.12-8	Wastewater Collection and Treatment (Acre Feet per Year).....4.12-23
4.12-9	Estimated Solid Waste Generated by Development Resulting from Proposed Amendments .....4.12-49
5-1	Significant LOS Impacts – Comparison of the No Project Alternative to the Project ..... 5-13
5-2	Reduced Intensity Alternative Summary of Proposed Land Use Changes within the Commercial Designations ..... 5-18
5-3	Reduced Intensity Alternative Reduction in Uses Compared to the Project ..... 5-19
5-4	Increment of Potential Population Increase for Alternative 2 Calculated Using PAOT and Proposed Methodology ..... 5-24
5-5	Comparison of the Project (Scenario 6) to the Reduced Intensity Alternative ..... 5-26
5-6	Water Demand – Comparison of the Reduced Intensity Alternative to the Project..... 5-28
5-7	Mobility Element Update Without the Main Street Plan Reconfiguration Alternative (Alternative 3) Reduction in Uses Compared to the Project ..... 5-32
5-8	Increment of Potential Population Increase for Alternative 3 Calculated According to PAOT and Proposed Methodology ..... 5-38
5-9	Comparison of the Project (Scenario 6) to Alternative 3 Significant LOS Impacts ..... 5-40
5-10	Water Demand – Comparison of Alternative 3 to the Project ..... 5-42
5-11	Comparison of Impacts Associated with the Alternatives and Impacts of the Project..... 5-47
5-12	Comparison of Alternatives - Ability to Meet Project Objectives ..... 5-51

# EXECUTIVE SUMMARY

---

This Draft Environmental Impact Report (EIR) has been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA, Public Resources Code sections 21000 et. seq.) with respect to the Town of Mammoth Lakes General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update (also referred to as the “Project”). In accordance with CEQA Guidelines §15123, this chapter of the EIR includes (1) a brief description of the Project; (2) issues raised during the Notice of Preparation process including areas of controversy known to the lead agency; (3) identification of potentially significant impacts and proposed mitigation measures or alternatives that would reduce or avoid those impacts; and (4) issues to be resolved including the choice among alternatives and whether and how to mitigate the potential significant impacts.

## 1. PROJECT DESCRIPTION

The Town of Mammoth Lakes General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update (the “Project”) includes the following General Plan Land Use Element Amendments focused on revisions to the development standards for the commercial areas:

1. Changing the allowable intensity of development within commercially designated and zoned areas to require a minimum of 0.75 Floor Area Ratio (FAR) and allow up to 2.0 FAR and removal of the density limits based on units and rooms per acre, which would result in an increase of up to approximately 336 residential units, 467 rooms, and 152,533 square feet of commercial development compared with allowable development under the current regulations;
2. Revisions to the boundaries of commercially designated land in the Land Use Element to match current commercial zoning boundaries in the Zoning Code;
3. Changing Land Use Element policy and text associated with regulating population growth from a People At One Time (PAOT) approach to an impact assessment based approach as well as a change in the buildout methodology; and,
4. Deleting Land Use Element Community Benefits Incentive Zoning (CBIZ) and modifying Transfer of Development Rights (TDR) policies.

The Town is also proposing Zoning Code Amendments associated with Item 1., above, regarding commercial development standards so that the General Plan and Zoning Code are consistent. In addition, consistent with assumptions in the buildout projections, the Town proposes a Zoning Code Amendment to allow 75 percent of the ground floor to be used for units or rooms (and other non-active uses) retaining the commercial uses along Primary and Secondary Active Frontages.

In addition, the Town is proposing to adopt and implement a Mobility Element Update. The Mobility Element Update addresses the two key concepts that are a focus of the 2007 General Plan: the triple-bottom line, which is the community’s social, economic, and natural capital, and “feet-first” transportation, which emphasizes and prioritizes non-motorized travel first, public transportation second, and vehicle last. The Mobility Element Update identifies a Complete Streets network, which includes physical improvements to the local and regional transportation systems. For example, proposed changes along Main Street (i.e.,

vacation of the frontage road), extensions of roadways (i.e., Tavern Road, Sierra Nevada Road, Callahan Way) and connections of streets (i.e., Thompsons Way, Shady Rest site, 7B Road, and USFS property). In addition, the Mobility Element Update identifies opportunities for new signals and roundabouts throughout Town.

A detailed discussion of the Project is provided in Chapter 2.0, *Project Description*, of this EIR.

## **2. ISSUES RAISED DURING NOTICE OF PREPARATION PROCESS**

The following summarizes the key potential environmental issues raised in response to the Notice of Preparation (NOP) and during the public scoping meeting (the numerical reference in parenthesis is the EIR chapter/section in which the analysis is provided) and areas of controversy known to the Town of Mammoth Lakes. The NOP comments are contained in Appendix A of this EIR.

### Aesthetics

- Visual quality of increased intensity in the commercial districts (refer to Section 4.1, *Aesthetics*, of this EIR);
- Shade/shadow and potential icing impacts (refer to Section 4.1, *Aesthetics*, of this EIR).

### Biological Resources

- Impacts on sensitive plant and animal species (refer to Section 4.4, *Biological Resources*, of this EIR);
- Impacts on streams wetlands (refer to Section 4.4, *Biological Resources*, of this EIR);

### Greenhouse Gases

- Impacts regarding greenhouse gas emissions associated with vehicle miles traveled and potential increase if workers commute to Town (refer to Section 4.6, *Greenhouse Gas Emissions*, of this EIR).

### Population and Housing

- Potential loss of affordable housing (refer to Section 4.9, *Population and Housing*, of this EIR).

### Public Services

- Impacts from increased intensity along commercial corridors (refer to Section 4.10, *Public Services* and Section 4.7 *Land Use and Planning*, of this EIR).
- Carrying capacity with regard to services and quality of life (refer to Section 4.10, *Public Services* and Section 4.7, *Land Use and Planning*, of this EIR).

### Transportation/Traffic

- Queuing at certain intersections (refer to Section 4.11, *Transportation*, of this EIR);

### Utilities and Service Systems

- Relocation of utilities with the reconfiguration of Main Street (refer to Section 4.12, Utilities and Service Systems, of this EIR).
- Stormwater control and water quality (refer to Section 4.12, Utilities and Service Systems, of this EIR).
- Impacts of increased density in commercial districts relative to water supply (refer to Section 4.12, Utilities and Service Systems, of this EIR).

### Alternatives

- Range of alternatives to minimize impacts to Biological Resources (refer to Section 4.4, Biological Resources and Chapter 6, Alternatives)

## **3. SUMMARY OF ENVIRONMENTAL IMPACTS**

This section provides a summary of impacts, mitigation measures, and impacts after implementation of the mitigation measures associated with implementation of the Project. The summary is provided by environmental issue area below in **Table ES-1, Summary of Project Impacts and Mitigation Measures**.

Section 15126.2(b) of the CEQA Guidelines requires that an EIR describe significant environmental impacts that cannot be avoided, including those effects that can be mitigated but not reduced to a less than significant level. As shown in Table ES-1, based on the analyses contained in this EIR, the Project would result in significant and unavoidable impacts in the following issue areas: Air Quality, Recreation, and Traffic. Other issues addressed in the Draft EIR, in which impacts were determined to be less than significant, include aesthetics; forestry resources; air quality (toxic air contaminants); biological resources; cultural resources; greenhouse gas emissions; land use and planning; noise and vibration; population and housing; public services (fire protection, law enforcement, schools, and libraries); transportation and circulation (consistency with plans); and utilities (water supply, wastewater, stormwater, and solid waste). With implementation of mitigation measures, no other significant and unavoidable impacts are expected to occur as a result of the Project.

Please see Section 4.2, *Air Quality*, Section 4.11, *Transportation and Traffic*, and Section 4.10.4, *Public Services – Parks and Recreation*, for further discussion of the issues resulting in significant and unavoidable impacts.

## **4. ALTERNATIVES THAT WOULD REDUCE OR AVOID SIGNIFICANT IMPACTS**

The *CEQA Guidelines* section 15126.6 requires an EIR to “describe a range of reasonable alternatives to the project, or to the location of the project, which will feasibly attain most of the basic objectives of the project but will avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” The *CEQA Guidelines* direct that selection of alternatives be guided by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice.

Chapter 5.0, Alternatives, includes an evaluation of the alternatives considered and evaluated in this EIR. As discussed therein, the alternatives analysis includes the following three alternatives: Alternative 1 - No

Project Alternative; Alternative 2 – Reduced Intensity Alternative; and Alternative 3 - Mobility Element Update Without the Main Street Reconfiguration.

The No Project Alternative (Alternative 1) represents the circumstance under which the Project does not proceed. Under the No Project Alternative, the proposed Land Use Element/Zoning Code Amendments would not occur. Thus, future development would occur in accordance with the existing General Plan and Zoning Code requirements with an FAR of 2.5 and a limit of 12 residential units per acre and 40 lodging rooms per acre in C-1 and C-2 designated areas. In October 2014, the Town Council eliminated the Community Benefits/Incentive Zoning (CBIZ) policy (Policy L.5.G) so that this mechanism for increasing density is no longer available. Future development in in C-1 and C-2 designated areas, including a minimum level 0.75 FAR and maximum 2.0 FAR with no unit cap, as proposed by the Project, would not be implemented. However, changes envisioned by the Zoning Code, such as creating a more pedestrian-friendly commercial area could occur with the Zoning

Table ES-1

Summary of Project Impacts and Mitigation Measures

	Mitigation Measures	Level of Significance After Mitigation
<b>4.1 Aesthetics</b>		
<p><b>Impact Statement AES-1 and AES-2:</b> Project implementation would not substantially block, obstruct, or change any scenic vista or other panoramic views that are available from public vantage points. Project implementation would also not substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Thus, Project implementation would result in less than significant impacts regarding scenic vistas and scenic resources.</p>	No mitigation measures are necessary.	Less Than Significant
<p><b>Impact Statement AES-3:</b> Changes to the built environment that would occur under the Mobility Element Update would complement existing development and the surrounding environment and would largely result in an improved and more visually cohesive visual character, particularly in the downtown area. The Land Use Element/Zoning Code Amendments would not alter the existing development standards, policies or design standards contained in the Town of Mammoth Lakes General Plan, Design Guidelines and Municipal Code. Therefore, buildout resulting from the Project would result in a less than significant impact to visual character and quality. However, construction activities may result in a temporary, visually unappealing quality. A mitigation measure is prescribed that would reduce construction impacts to a less than significant level.</p>	<p><b>MM AES-1:</b> Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material from public and sensitive viewers (e.g., residents and motorists/bicyclists/pedestrians), when feasible. Staging locations shall be indicated on the project Building Permit and Grading Plans and shall be subject to review by the Town of Mammoth Lakes Community and Economic Development Director in accordance with the Municipal Code requirements.</p>	Less Than Significant
<p><b>Impact Statement AES-4:</b> With implementation of the Town of Mammoth Lakes Outdoor Lighting Ordinance, the Project would not create a new source of light or glare that would substantially alter the character of off-site areas or that would result in substantial light spill or glare onto adjacent light-sensitive receptors. Therefore, impacts regarding light</p>	No mitigation measures are necessary.	Less Than Significant

**Table ES-1 (Continued)**

**Summary of Project Impacts and Mitigation Measures**

	Mitigation Measures	Level of Significance After Mitigation
<p>and glare would be less than significant.</p> <p><b>Impact Statement AES-5:</b> Since the Mobility Element Update would result in a reduction in the right-of-way width along Main Street, buildings along Main Street would be located closer to SR-203 and would shade portions of SR-203 for more than three hours between the hours of 9:00 A.M. and 3:00 P.M. PST during the Winter Solstice, potentially creating hazardous roadway conditions. With the implementation of the recommended mitigation measure, shade/shadow impacts would be reduced to less than significant levels.</p>	<p><b>MM AES-2:</b> Development projects, which include new buildings or a substantial addition to an existing structure, within the C-1 and C-2 designations shall prepare a shade/shadow analysis. If the analysis indicates that the project would result in shading on Main Street or Old Mammoth Road for more than three hours per day for longer than a week, the applicant of the proposed project shall provide approved and appropriate measures to mitigate potential vehicle and pedestrian safety hazards related to ice and snow. Such measures shall be reviewed and approved by the Town and/or Caltrans as appropriate and can include the following:</p> <ul style="list-style-type: none"> <li>▪ Install a snowmelt system, such as heat traced pavement, along the pedestrian and bicycle pathways.</li> <li>▪ Enter into a maintenance agreement with the Town and/or Caltrans to perform enhanced snow removal operations to ensure that ice related to shading impacts are sufficiently mitigated. Enhanced snow removal could include additional cindering, additional snow removal operations, or other effective ice removal techniques.</li> <li>▪ Participate in an assessment district to provide enhanced snow removal operations.</li> <li>▪ Specifically to mitigate hazards associated with vehicles traveling at an unsafe speed during winter conditions, measures may include but are not limited to funding for enhanced enforcement and driver awareness programs such as driver feedback signs (i.e. radar control speed signs or equivalent) to be placed on Main Street in areas adjacent to where the shading occurs.</li> </ul>	<p>Less Than Significant</p>

Table ES-1 (Continued)

Summary of Project Impacts and Mitigation Measures

4.2 Air Quality	Mitigation Measures	Level of Significance After Mitigation
<p><b>Impact Statement AIR-1:</b> Construction emissions associated with implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update, or the individual Land Use Element/Zoning Code Amendments or Mobility Element Update would not conflict with or obstruct implementation of the AQMP. Therefore, construction impacts would be less than significant. Operational emissions associated with implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update or the individual Mobility Element Update would comply with applicable AQMP regulations and would result in peak daily VMT that would not exceed the cap in the AQMP. Therefore, impacts would be less than significant. Operational emissions associated with implementation of the Land Use Element/Zoning Code Amendments with the existing roadway network would potentially result in peak daily VMT that exceeds the cap in the AQMP and potentially conflict with or obstruct implementation of the AQMP resulting in a potentially significant impact. Compliance with GPMM 4.2-1 and GPMM 4.2-2 would reduce impacts to a less than significant level.</p>	<p>No mitigation measures are necessary.</p>	<p>Less Than Significant</p>
<p><b>Impact Statement AIR-2:</b> Construction emissions associated with implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update or the Land Use Element/Zoning Code Amendments under the existing roadway network could potentially result in temporary and short-term significant impacts. Compliance with Mitigation Measures AIR-1 and AIR-2 would reduce construction emissions; however, impacts would be potentially significant and unavoidable. Construction activities associated with implementation of the Mobility</p>	<p><b>MM AIR-1:</b> Prior to the issuance of a grading or building permit, individual proposed projects shall comply with the following land preparation, excavation, and/or demolition mitigation measures during construction activities:</p> <ul style="list-style-type: none"> <li>▪ All soil excavated or graded should be sufficiently watered to prevent excessive dust. Watering should occur as needed with complete coverage of disturbed soil areas. Watering should be a minimum of twice daily on unpaved/untreated roads and on disturbed soil areas with active operations.</li> </ul>	<p>Construction and operation emissions - Significant and Unavoidable.</p>

**Table ES-1 (Continued)**

**Summary of Project Impacts and Mitigation Measures**

	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
<p>Element Update under existing land use development conditions would be required to comply with applicable State and GBUAPCD regulations and applicable air quality mitigation measures TSMM 4.B-2.A through 4.B-2.H and would result in less than significant impacts. The incremental change in peak daily operational emissions associated with implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update or the Land Use Element/Zoning Code Amendments under the existing roadway network would potentially exceed the significance thresholds and operational impacts would be considered potentially significant. Compliance with GPMM 4.2-1 and GPMM 4.2-2 and Mitigation Measure AIR-3 would reduce operational emissions; however, impacts would be potentially significant and unavoidable. The incremental change in peak daily operational emissions associated with implementation of the Mobility Element Update under existing land use development conditions would not exceed the significance thresholds and operational impacts would be considered less than significant.</p>	<ul style="list-style-type: none"> <li>▪ All clearing, grading, earth moving and excavation activities should cease: (a) during periods of winds greater than 20 mph (averaged over one hour), if disturbed material is easily windblown, or (b) when dust plumes of 20 percent or greater opacity impact public roads, occupied structures or neighboring property.</li> <li>▪ Vehicles traveling over unpaved roadways shall be limited to 15 miles per hour or less. Signs shall be posted at construction sites enforcing the speed limit.</li> <li>▪ All trucks hauling dirt, sand, soil, or other loose material shall be covered or maintain at least two feet or freeboards in accordance with the requirements of California Vehicle Code (CVC) Section 23114.</li> <li>▪ If more than 5,000 cubic yards of fill material will be imported or exported from the site, then all haul trucks shall be required to exit the site via an access point where a gravel pad, rumble pad, or similar control has been installed.</li> <li>▪ Streets adjacent to project construction areas shall be kept clean. Adjacent streets with visible dust, dirt, sand, or soil material accumulation shall be cleaned and the accumulated material removed using Town-approved street sweepers.</li> <li>▪ Stockpiles of soil or other fine loose material shall be stabilized by watering or other appropriate method to prevent wind-blown fugitive dust.</li> <li>▪ Where acceptable to the local fire department, weed control should be accomplished by mowing instead of discing, thereby, leaving the ground undisturbed and with a mulch covering.</li> </ul>	

**Table ES-1 (Continued)**

**Summary of Project Impacts and Mitigation Measures**

	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
	<p><b>MM AIR-2:</b> Prior to the issuance of a grading or building permit, individual proposed projects shall comply with the following construction equipment mitigation measures:</p> <ul style="list-style-type: none"> <li>▪ Construction equipment, on-road trucks, and emission control devices shall be properly maintained and tuned in accordance with manufacturer specifications.</li> <li>▪ Construction contractors shall be required to comply with California’s on-road and off-road vehicle emissions regulations, including the CARB idling restrictions and the USEPA/CARB on-road and off-road diesel vehicle emissions standards.</li> </ul> <p><b>MM AIR-3:</b> Prior to the issuance of a building permit, individual proposed projects shall comply with the following mitigation measures:</p> <ul style="list-style-type: none"> <li>▪ Provide direct pedestrian and bicycle access to off-site adjacent neighborhood amenities, parks, schools, shopping areas, existing bike paths, and transit stops in any residential development with a density of four or more residences per acre and in any mixed-use or commercial development. Low, medium, and high density developments should have curbs and sidewalks on both sides of the street.</li> <li>▪ For medium to high density residential, mixed-use, or commercial developments where transit services exist but no transit stop is located within 1/2 mile of the site, projects shall provide plans indicating locations of bus turnouts and loading areas with shelters that are acceptable to the local transit provider. This area will provide for future easement for bus turnouts and shelters. If transit service does not exist, but the project is within a transit district’s sphere of influence, provide a site at a location and size acceptable to the transit provider.</li> </ul>	

Table ES-1 (Continued)

Summary of Project Impacts and Mitigation Measures

	Mitigation Measures	Level of Significance After Mitigation
<p><b>Impact Statement AIR-3:</b> Project implementation would potentially result in significant cumulative considerable net increases of a criteria pollutant for which the project region is non-attainment, based on the applicable federal or state ambient air quality standards (including ozone precursors). Compliance with GPMMs 4.2-1 and DF 4.2-2 and Mitigation Measures AIR-1 through AIR-3 would reduce construction and operational emissions; however, impacts would be potentially significant and unavoidable.</p>	<p>MM AIR 1 through MM AIR-3</p>	<p>Cumulative - Significant and Unavoidable</p>
<p><b>Impact Statement AIR-4:</b> Construction activities associated with implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update or the Land Use Element/Zoning Code Amendments under the existing roadway network could potentially result in significant impacts with regard to incremental increase in cancer risks. Compliance with Mitigation Measure AIR-4 would reduce impacts to less than significant. Implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update or the Land Use Element/Zoning Code Amendments under the existing roadway network could potentially expose sensitive receptors or populations in the Project Area to substantial pollutant concentrations. Compliance with applicable State and GBUAPCD regulations as well as TSMM 4.B-2.A through 4.B-2.H and Mitigation Measure AIR-4 would reduce impacts to less than significant. Construction and operation of the Mobility Element Update under existing land use development conditions would be less than significant.</p>	<p><b>MM AIR-4:</b> Prior to the issuance of a grading or building permit, individual proposed projects shall comply with the following mitigation measures to reduce TAC impacts:</p> <ul style="list-style-type: none"> <li>▪ Projects locating sources of TAC emissions near sensitive receptors within the advisory guideline recommendations in the CARB <i>Air Quality and Land Use Handbook</i> (or future adopted subsequent document) shall conduct a screening or refined health risk assessment to sufficiently demonstrate that impacts would not exceed the adopted significance thresholds inclusive of project-level design features, as appropriate and feasible.</li> <li>▪ Projects requiring the use of substantial numbers of diesel-fueled heavy-duty construction equipment within 500 feet of sensitive receptors shall conduct a screening or refined health risk assessment to sufficiently demonstrate that impacts would not exceed the adopted significance thresholds inclusive of project-level design features, as appropriate and feasible.</li> </ul>	<p>Less Than Significant</p>
<p><b>4.3 Forestry Resources</b></p> <p><b>Impact Statement FOR-1:</b> The Mobility Element Update proposes the construction of new streets and MUPs within the Inyo National Forest lands that could potentially conflict</p>	<p>No mitigation measures are necessary.</p>	<p>Less Than Significant</p>

Table ES-1 (Continued)

Summary of Project Impacts and Mitigation Measures

	Mitigation Measures	Level of Significance After Mitigation
<p>with the designated forest use. However, the NFMA allows for permitted special use rights of way easements in which environmental and administrative effects are appropriately addressed. With compliance with the requirements of NFMA, the Project would be allowed within National Forest lands and would not conflict with designated forest uses or cause the rezoning of forest lands.</p> <p><b>Impact Statement FOR-2:</b> The development of new streets and MUPs could result in the removal of trees within the Inyo National Forest. The Project would not involve large tracts of forest lands or any associated removal of trees for timber. With the implementation of adopted and proposed mitigation measures, the Project would not result in the substantial loss of forest land or conversion of forest land to non-forest use.</p>	<p><b>MM FOR-1:</b> Mature, healthy, native trees shall be circumvented or avoided through the design of roadway alignments to the extent feasible. The need for replacement of trees shall be evaluated and implemented based on Healthy Forest and Fire Safe Council principles.</p>	<p>Less Than Significant</p>
<p><b>4.4 Biological Resources</b></p> <p><b>Impact Statement BIO-1:</b> Project elements are proposed within habitats that could support several special-status plant and wildlife species. In such cases, the loss of habitat and individuals of special-status species as well as migratory birds would be considered potentially significant. Compliance with MM BIO-1 through MM BIO-4 and applicable policies in the General Plan would reduce impacts to special-status plant and wildlife species and migratory birds to a less than significant level.</p>	<p><b>MM BIO-1 Willow Flycatcher:</b> Prior to approval of road improvement projects and MUPs proposed under the Mobility Element Update that have the potential to significantly disturb riparian vegetation associated with Mammoth Creek and its tributaries, the Town shall require a habitat evaluation by a biologist well versed in the requirements of willow flycatcher to be completed. If no suitable habitat for the species is identified within 300 feet of construction or maintenance activities, no further measures would be required in association with the project. If suitable habitat for the species is identified within 300 feet of such activities, the Town shall require that a survey be completed prior to construction by a qualified biologist for the species according to CDFW survey guidelines (Bombay et. al., May 29, 2003). This survey protocol requires a minimum of two surveys, one between June 15-25 and one during either June 1-14 or June 26-July 15. Surveys during these periods must be at least five days apart and the second survey shall be conducted no more than one week prior to clearing of vegetation and/or the operation of motorized heavy equipment. If the surveys determine the</p>	<p>Less Than Significant</p>

**Table ES-1 (Continued)**

**Summary of Project Impacts and Mitigation Measures**

	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
	<p>species is not present within 300 feet of the area to be affected by an individual project, no further action shall be required. If, however, willow flycatcher is determined to be present and is using habitat within 300 feet of Project-related activities, inclusive of nesting and foraging, the Town shall consult with CDFW prior to initiating any construction activities in the area. Consultation may entail the processing of a 2081 Incidental Take Permit that includes certain conditions to avoid and/or mitigate for potential impacts to the species. Such conditions could include, but not be limited to, restrictions on the time of year for construction, noise monitoring, restrictions on equipment use, and others.</p> <p><b>MM BIO-2 Migratory Birds:</b> To the extent practicable, brush and tree removal related to projects proposed under the Land Use Element and Zoning Code Amendments and Mobility Element Update shall be initiated outside of the nesting bird season, which is generally held to be from April 1 to August 31 in the Mammoth Lakes area, and shall be carried out with no more than a two week lapse in the work. If the Town deems this to not be practicable, the Town shall require a nesting bird survey by a monitoring biologist to be conducted within 300 feet (for songbirds) and 500 feet (for raptorial birds) of construction sites no more than one week prior to initiating construction to ensure no birds protected under the MBTA and/or State Fish and Game Code Section 3503 et seq. are harmed or harassed.</p> <p>If no active nests of songbirds and raptors are found within 300 feet and 500 feet, respectively, of the construction site, the work may begin. If active nests are found within the survey areas the Town shall delineate a buffer zone of 300 feet and 500 feet for songbirds and raptors, respectively, around the nest. Based on the nature of the work to be performed and the equipment to be used, the monitoring biologist may reduce the buffer zone based on intervening vegetation and topography. Such buffer zones shall remain in place until the young in the nest have fledged or the nest has failed, as determined by the monitoring biologist.</p>	

**Table ES-1 (Continued)**

**Summary of Project Impacts and Mitigation Measures**

	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
	<p>All projects involving removal of trees or vegetation capable of supporting nesting birds shall be subject to the requirements of this Mitigation Measure.</p> <p><b>MM BIO-3 Other Special-Status Wildlife:</b> As discussed earlier, there are a number of wildlife species of special concern to Federal and State resource agencies that are known or are expected to occur within the planned road improvement and MUP areas under the Mobility Element Update.</p> <ul style="list-style-type: none"> <li>▪ For such avian species, including northern goshawk, greater sage-grouse, yellow warbler, and great gray owl, implementation of MM BIO-2 for nesting birds will suffice in reducing impacts to these species to less than significant.</li> <li>▪ For such amphibian species, including the Mount Lyell salamander and Yosemite toad, where suitable habitat exists for these species, a thorough search of areas to be disturbed shall be made by construction personnel trained in the methods of searching for these species. If any amphibians are found, regardless of species, they will be captured and relocated in like habitat no less than 100 feet away from construction sites.</li> <li>▪ For such special-status mammal species with the potential to occur in conjunction with particular project components, including the Sierra Nevada red fox, Pacific marten, Sierra Nevada mountain beaver, Townsend’s western big-eared bat, and Mount Lyell shrew, and where suitable habitat for these species exists in the Project Area, pre-construction surveys shall be conducted by a biologist familiar with the sign of each species to identify signs of their presence or determine their absence no more than two weeks prior to initiating construction activities. Such surveys shall encompass the area to be disturbed and the habitat within 300 feet of construction activities. Due the secretive and/or nocturnal activity patterns of these species, the</li> </ul>	

**Table ES-1 (Continued)**

**Summary of Project Impacts and Mitigation Measures**

	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
	<p>following signs shall be used:</p> <ul style="list-style-type: none"> <li>○ Mount Lyell shrew – evidence of nests of dry leaves or grasses in stumps or under logs or piles of brush.</li> <li>○ Townsend’s western big-eared bat – evidence of occupation by colonies in caves, mine tunnels, and buildings.</li> <li>○ Sierra Nevada mountain beaver – evidence of extensive tunnels, runways and burrows beneath dense streamside vegetation.</li> <li>○ Pacific marten – evidence of den, normally in hollow trees or downed logs.</li> <li>○ Sierra Nevada red fox – evidence of den, normally on slopes with porous soils.</li> </ul> <p>If no evidence of the presence of any of these species is found, no further mitigation activities shall be required. However, if evidence of the presence of any of these species is observed, impacts will be avoided or minimized in one or more of the following ways and in consultation with CDFW and/or USFS: realigning roads and/or trails so as to retain a 100-foot buffer between the occupied site and construction activities and human use; suspending construction activities within 300 feet of the den, nest, or bat roosts during the breeding period, (generally held to be March 1 to July 31 for these species); verifying the actual occupation of dens, nests, or roosts by means such as placing tracking medium around the den or nest entrance or conducting a bat survey at the roost entrance at sunset; temporarily blocking the entrance of a den or nest verified to be unoccupied until after construction is completed.</p> <p><b>MM BIO-4 Special-Status Plants:</b> Prior to approval of individual projects proposed under the Land Use Element and Zoning Code Amendments and Mobility Element Update that are determined to have habitat suitable to support special-status plants, the Town shall require a</p>	

**Table ES-1 (Continued)**

**Summary of Project Impacts and Mitigation Measures**

	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
<p><b>Impact Statement BIO-2:</b> Project-related construction and maintenance activities could result in the loss of high priority inventory communities and drainage-associated vegetation under CDFW jurisdiction. These impacts would be considered potentially significant and may require Section 1602 Permit from CDFW. With the implementation of Section 1602 Permit and compliance with MM BIO-5 and applicable policies in the General Plan, impacts to special-status habitats and drainage-associated vegetation under CDFW jurisdiction would be reduced to a less than significant level.</p>	<p>survey be completed by a qualified botanist for special-status plant species within 100 feet on either side of a trail alignment or within the disturbance area of other proposed projects. These surveys shall be conducted during the blooming period for the potential occurring species, which is when they are most easily identifiable. For those species with at least a low potential to occur in the Project Area, this period is usually from late June to mid-August. If no special-status plant species are located within the area of disturbance, no further action shall be required. If special-status plant species are located within such areas and are likely to be impacted by and individual project, conservation actions shall be implemented. Such actions shall include, but not necessarily limited to, re-routing the trail alignment so as to avoid or minimize impacts to special-status plants while preserving an off-site population that is substantially larger than the population to be impacted, developing a transplantation program, and collecting seeds to move populations elsewhere out of harm’s way. These measures shall be developed in consultation with the CDFW and USFS.</p> <p><b>MM BIO-5 Special-Status Habitats:</b> Three vegetation types within the Project Area that are considered special-status: aspen forest and woodland, mixed willow riparian scrub, and montane wet meadow. To the extent practicable Project components shall avoid these vegetation types. In the event this is not practicable, impacts shall be minimized by restricting the Project footprint, including temporary and permanent impacts, to the minimum required to implement the project.</p> <p>In the event the Town elects to repair, maintain and/or improve trail crossings along stream courses and other drainage features (that often support the special-status vegetation types mentioned above) in association with individual projects proposed under the Project, prior to approval the Town shall notify and consult with the CDFW regarding the need for a Streambed Alteration Agreement (SAA). All work shall be</p>	<p>Less than Significant</p>

**Table ES-1 (Continued)**

**Summary of Project Impacts and Mitigation Measures**

	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
	<p>performed in compliance with the conditions set forth in the SAA, as determined by the CDFW. Such conditions may include the in-kind replacement or restoration of riparian habitat at a 1:1 ratio for temporary impacts and a 2:1 ratio for permanent impacts within the Project Area, or as otherwise directed by the CDFW. Alternatively, if the impacts are very minor, the CDFW may, at its discretion, allow the work to proceed under a letter of law without mitigation other than notification and consultation.</p> <p>As part of the SAA agreement process and prior to beginning construction within CDFW regulated drainages, a Habitat Mitigation and Monitoring Plan (HMMP) should be developed in coordination with the CDFW and USFS if necessary that ensures no net loss of riparian habitat value or acreage. The HMMP shall include, but not necessarily be limited to, the following:</p> <ul style="list-style-type: none"> <li>▪ The establishment of a reference site near regulated resources to be impacted that have similar hydrology, soil regimes, and exposure as the resources to be impacted.</li> <li>▪ The establishment of baseline conditions at the reference site regarding absolute native shrub and tree cover, woody shrub and tree stalk density, percentage cover by non-native plant species, and plant species diversity the vegetation using the Sorensen method within a 400 square foot prescribed reference plot.</li> <li>▪ The establishment of a restoration site to encompass the mitigation needs of one or more Project elements either on the Project element site or off site within the Mammoth Creek watershed.</li> <li>▪ A minimum 3-year establishment, monitoring, and maintenance</li> </ul>	

**Table ES-1 (Continued)**

**Summary of Project Impacts and Mitigation Measures**

	Mitigation Measures	Level of Significance After Mitigation
<p><b>Impact Statement BIO-3:</b> Buildout of vacant parcels and construction of road improvements and MUPs may affect wetlands and/or other jurisdictional features through potential dredging and filling activities. These impacts would be potentially significant and may require CWA Section 404 Permits from the ACOE, and a Section 401 Water Quality Certification from the RWQCB. With the implementation of such permits and compliance with MM BIO-6 and applicable polices in the General Plan, impacts would be reduced to less than significant levels.</p>	<p>(trash collection, weeding, etc.) period.</p> <ul style="list-style-type: none"> <li>▪ The establishment of the following success criteria within a 400 square foot prescribed plot within the restoration site – 70 % of baseline absolute cover by native shrubs and trees; 70 % of baseline woody shrub and tree stalk density; no more than 5% cover by non-native plant species; and a Sorensen value of 0.6.</li> </ul> <p><b>MM BIO-6 Federally Protected Wetlands:</b> Prior to any project approval for construction, repair, maintenance and/or improvements in association with individual projects proposed under the Land Use Element and Zoning Code Updates and Mobility Element Update within waters of the U.S. and federally protected wetlands, the Town shall notify and consult with the ACOE regarding the need for a Section 404 Permit and the RWQCB regarding the need for its 401 certification. All work shall be performed in compliance with the conditions set forth in the Permit, as determined by the ACOE. Such conditions may include the in-kind replacement or restoration of waters and/or wetlands at a ratio of 1:1 for temporary impacts and a ratio of 2:1 for permanent impacts within the Project Area, or as otherwise directed by the ACOE. Alternatively, if the impacts are less than 0.1 acre, the ACOE may, at its discretion, allow the work to proceed without mitigation other than notification and consultation.</p> <p>The mitigation shall use the same approach as is outlined above for the mitigation of impacts to CDFW regulated special-status habitats. As is usually the case, CDFW jurisdiction extends beyond that of ACOE and mitigation for impacts to CDFW regulated resources is inclusive of ACOE mitigation needs.</p>	<p>Less Than Significant</p>

Table ES-1 (Continued)

## Summary of Project Impacts and Mitigation Measures

	Mitigation Measures	Level of Significance After Mitigation
<p><b>Impact Statement BIO-4:</b> Because the majority of the Project Area is within the Town's UGB, impacts related to the movement of wildlife are not expected to be significant and no mitigation would be required.</p>	No mitigation measures are necessary.	Less than Significant
<p><b>Impact Statement BIO-5:</b> With the development of vacant parcels within the Town and construction associated with the road improvement and MUP projects, a number of trees would be removed. The Town's Tree Removal and Protection Ordinance requires a permit to remove certain species of trees and requires replacement of trees. Additionally, potential conflicts between humans and their pets and wildlife are likely to currently occur within and adjacent to the Project Area, particularly in the MUP areas, and as such, the Project could conflict with the management goals and standards and guidelines of the Inyo National Forest Land and Resource Management Plan (LRMP). These impacts could be significant; however, compliance with adopted mitigation measures and implementation of the prescribed mitigation measure would reduce any potential impacts to less than significant levels.</p>	No additional mitigation measures are necessary.	Less than Significant
<p><b>Impact Statement BIO-6:</b> At this time there are no adopted or on-going region-wide habitat conservation plans in the area that would be affected by implementation of the Project. Thus, no Project-related impacts would occur in this regard and no mitigation would be required.</p>	No mitigation measures are necessary.	No Impact
<p><b>4.5 Cultural Resources</b></p>		
<p><b>Impact Statement CUL-1:</b> Project-related demolition, construction, maintenance, and/or improvement activities would have the potential to cause a potentially significant impact to historical resources. Compliance with GPMM 4.14-1 and 4.14-3 and applicable policies in the General Plan</p>	No mitigation measures are necessary.	Less Than Significant

**Table ES-1 (Continued)**

**Summary of Project Impacts and Mitigation Measures**

	Mitigation Measures	Level of Significance After Mitigation
<p>would reduce impacts to historical resources to a less than significant level.</p> <p><b>Impact Statement CUL-2:</b> Project-related demolition, construction, maintenance, and/or improvement activities would have the potential to cause a potentially significant impact to archaeological resources. Compliance with TSMM 4.D-3 through TSMM 4.D-6 and applicable policies in the General Plan would reduce impacts to archaeological resources to a less than significant level.</p>	<p><b>TSMM 4.D-3:</b> The Town shall conduct a Phase I Cultural Resources Assessment of individual project areas to identify any archaeological resources within the area of a proposed project component. The Area of Potential Effect (APE) will be the focus of the analyses for projects located on federal lands per Section 106. The Phase I assessment shall include cultural resources records searches through the Eastern Information Center (as needed) and the Inyo National Forest Field Office, a Sacred Lands File search through the Native American Heritage Commission and follow-up Native American consultation, and a pedestrian survey of the Project area. <del>(Note: Surveys may not be required in areas of the TSMP and SHARP that have already been surveyed unless resources were identified, such a determination should be made in consultation with the Inyo National Forest).</del></p> <p>If resources are identified during the Phase I assessment, then a Phase II assessment shall be required, as described in Mitigation Measure 4.D.-4</p> <p>If no resources are identified as part of the assessment, no further analyses or mitigation shall be warranted, unless it can be determined that the project has a high potential to encounter buried archaeological or historical resources;</p> <p>If it determined that there is a moderate or high potential to encounter buried archaeological resources, appropriate mitigation shall be developed and implemented. Appropriate Mitigation may include <del>realignment of the trail</del> <b>redesign of the project</b> to avoid the sensitive area, in which case no additional mitigation would be required. If avoidance is not possible, appropriate mitigation may include but not be limited to the following: [...]</p>	<p>Less Than Significant</p>
<p><b>Impact Statement CUL-3:</b> Project-related construction, maintenance, and improvement activities would have the</p>	<p><b>TSMM 4.D-8:</b> If paleontological resources are encountered during implementation of the Project, ground-disturbing activities shall</p>	<p>Less Than Significant</p>

**Table ES-1 (Continued)**

**Summary of Project Impacts and Mitigation Measures**

	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
<p>potential to cause a potentially significant impact to paleontological resources. Compliance with TSM 4.D-8 and applicable policies in the General Plan would reduce impacts to paleontological resources to a less than significant level.</p>	<p>temporarily be redirected from the vicinity of the find. The Town shall immediately notify a qualified paleontologist of the find. The paleontologist shall coordinate with the Town as to the immediate treatment of the find until a proper site visit and evaluation is made by the paleontologist. Treatment may include the implementation of salvage excavations or preservation in place. <u>If preservation in place is not feasible, the paleontologist shall implement a paleontological salvage program to remove the resources from the project site. Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are submitted to their final repository. Any fossils collected shall be curated at a public, non-profit institution with a research interest in the materials, such as the University of California Museum of Paleontology or the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils. If no institution accepts the fossil collection, they shall be donated to a local school in the area for educational purposes. Accompanying notes, maps, and photographs shall also be filed at the repository and/or school.</u> The paleontologist shall prepare a final report on the find that shall include appropriate description of the fossils, treatment, and curation. A copy of the report shall be filed with the Town and an appropriate paleontological institution, and shall accompany any curated fossils. The paleontologist shall also determine the need for paleontological monitoring for any ground-disturbing activities in the area of the find thereafter. If paleontological resources are encountered on federal lands, ground-disturbing activities shall cease in the immediate vicinity of the find and the Inyo National Forest shall be contacted immediately. In such cases, the Inyo National Forest shall provide direction as to the appropriate evaluation, treatment, and curation of the find.</p>	
<p><b>Impact Statement CUL-4:</b> Project-related demolition, construction, maintenance, and improvement activities would have the potential to cause a potentially significant impact to human remains. Compliance with TSM 4.D-7 and applicable</p>	<p>No Mitigation Measures are necessary.</p>	<p>Less Than Significant</p>

**Table ES-1 (Continued)**

**Summary of Project Impacts and Mitigation Measures**

	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
<p>policies in the General Plan would reduce impacts to human remains resources to a less than significant level.</p> <p><b>4.6 Greenhouse Gases</b></p> <p><b>Impact Statement GHG-1:</b> Emissions of GHGs associated with implementation of the Land Use Element/Zoning Code Amendments, Mobility Element Update, or the combined Land Use Element/Zoning Code Amendments and Mobility Element Update would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Therefore, impacts would be less than significant.</p> <p><b>Impact Statement GHG-2:</b> Implementation of the Land Use Element/Zoning Code Amendments, Mobility Element Update, or the combined Land Use Element/Zoning Code Amendments and Mobility Element Update would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, impacts would be less than significant.</p> <p><b>4.7 Land Use and Planning</b></p> <p><b>Impact Statement LU-1:</b> The Land Use Element/Zoning Code Amendments and Mobility Element Update would not conflict with the objectives of the State of California General Plan Guidelines and the Neighborhood and District Character, Land Use, and Mobility Elements of the adopted Mammoth Lakes 2007 General Plan to vitalize the Town’s commercial area with active street fronts and to reduce automobile dependency. Because the Project would not conflict with adopted and accepted plans and policies, impacts with respect to land use would be less than significant.</p>	<p>No mitigation measures are necessary.</p> <p>No mitigation measures are necessary.</p> <p>No mitigation measures are necessary.</p>	<p>Less Than Significant</p> <p>Less Than Significant</p> <p>Less Than Significant</p>

Table ES-1 (Continued)

## Summary of Project Impacts and Mitigation Measures

	Mitigation Measures	Level of Significance After Mitigation
<p><b>Impact Statement LU-2:</b> The Project would not conflict with the purposes of the Town's Open Space/Stream Corridor Protection Overlay Zone or with the Inyo National Forest Land Resources and Management Plan. Therefore, impacts related to consistency with the Town's conservation-related regulation and Inyo National Forest Land Resources and Management Plan would be less than significant.</p>	No mitigation measures are necessary.	Less Than Significant
<p><b>4.9 Noise</b></p> <p><b>Impact Statement NOISE 1:</b> Construction activities associated with implementation of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update would comply with the daytime hours specified in the Town's Noise Ordinance. However, construction noise levels could temporarily exceed the noise limits in the Town's Noise Ordinance resulting in potentially significant short-term impacts to sensitive receptors. With incorporation of previously adopted mitigation measures and MM AES-1, temporary noise impacts to sensitive receptors would be reduced to less than significant.</p>	<p><b>MM AES-1:</b> Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material from public and sensitive viewers (e.g., residents and motorists/bicyclists/pedestrians), when feasible. Staging locations shall be indicated on the project Building Permit and Grading Plans and shall be subject to review by the Town of Mammoth Lakes Community and Economic Development Director in accordance with the Municipal Code requirements.</p>	Less Than Significant
<p><b>Impact Statement NOISE-2:</b> Implementation of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update improvements would not create a substantial permanent increase in traffic noise levels or stationary source noise levels at off-site noise-sensitive uses in excess of the applicable thresholds. Therefore, impacts would be less than significant.</p>	No mitigation measures are necessary.	Less Than Significant
<p><b>Impact Statement NOISE- 3:</b> Implementation of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update improvements could temporarily exceed the noise limits in the Town's Noise Ordinance resulting in potentially significant short-term impacts to sensitive</p>	See MM AES-1 above	Less Than Significant

Table ES-1 (Continued)

Summary of Project Impacts and Mitigation Measures

	Mitigation Measures	Level of Significance After Mitigation
<p>receptors. With incorporation of previously adopted mitigation measures and MM AES-1, temporary noise impacts to sensitive receptors would be reduced to less than significant.</p> <p><b>Impact Statement NOISE-4:</b> Construction activities associated with implementation of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update projects would result in sporadic, temporary vibration effects within and adjacent to the construction areas, which would exceed established thresholds applicable to the nearest off-site sensitive receptors. Thus, construction vibration impacts would be significant and mitigation is required. With implementation of mitigation measure NOISE-2, construction vibration impacts would be reduced to less than significant. Operation activities associated with implementation of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update would not generate excessive vibration levels to nearby sensitive off-site receptors. Thus, long-term vibration impacts would be less than significant.</p>	<p><b>MM NOISE-1:</b> Heavy construction equipment such as large dozers shall not operate within 43 feet from sensitive receptor locations. If heavy construction equipment would be required for construction, alternative methods shall be used such as small dozers.</p>	<p>Less Than Significant</p>
<p><b>4.9 Population and Housing</b></p> <p><b>Impact Statement PH-1:</b> The Land Use Element/Zoning Code Amendments would allow an increase in population density in the commercial districts compared with current regulations. The commercial districts are envisioned as mixed-use areas and the increase in density would support the clustering of uses in the downtown area. The potential increase in population would be approximately 3.8 percent greater than the Town buildout population anticipated in the 2007 General Plan and the increase in capacity would be evaluated pursuant to PIEC and CEQA review. As reflected in other sections of the Draft EIR, the 3.8 percent potential</p>	<p>No mitigation measures are necessary.</p>	<p>Less Than Significant</p>

Table ES-1 (Continued)

## Summary of Project Impacts and Mitigation Measures

	Mitigation Measures	Level of Significance After Mitigation
<p>population increase associated with the Land Use Element/Zoning Code Amendments, with the exception of Air Quality, Parks and Recreation, and Transportation, would not cause an exceedance of capacity for providing infrastructure and services.</p> <p><b>Impact Statement PH-2:</b> The Land Use Element/Zoning Code Amendments would not cause the displacement of population or housing. The amendments would accommodate additional housing opportunities in support of the Housing Element, and would not alter or interfere with implementation of the Town's affordable housing provisions. Impacts would be less than significant.</p>	No mitigation measures are necessary.	Less Than Significant
<p><b>4.10 Public Services</b></p> <p><b>Impact Statement FIRE-1-A:</b> Implementation of the Land Use Element/Zoning Code Amendments would not result in the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection and emergency services. Therefore, the Land Use Element/Zoning Code Amendments would result in a less than significant impact with regard to fire protection and emergency services.</p>	No mitigation measures are necessary.	Less Than Significant
<p><b>Impact Statement FIRE-1-B:</b> Implementation of the Mobility Element Update would not result in the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection. Therefore, the impact to fire services would be less than significant.</p>	No mitigation measures are necessary.	Less Than Significant

Table ES-1 (Continued)

Summary of Project Impacts and Mitigation Measures

	Mitigation Measures	Level of Significance After Mitigation
<p><b>Impact Statement POL-1-A:</b> Implementation of the Land Use Element/Zoning Code Amendments would not result in the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection. Therefore, the Project would result in a less than significant impact with regard to law enforcement.</p>	<p>No mitigation measures are necessary.</p>	<p>Less Than Significant</p>
<p><b>Impact Statement POL-1B:</b> Implementation of the Mobility Element Update would not result in the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection. Therefore, the Mobility Element Update would result in a less than significant impact with regard to law enforcement.</p>	<p>No mitigation measures are necessary.</p>	<p>Less Than Significant</p>
<p><b>Impact Statement SCH-1</b> The Land Use Element/Zoning Code Amendments would generate a need for new student space at the elementary, middle and high schools. However, any future development associated with the Land Use Element/Zoning Code Amendments would pay the required development fees as mechanisms for providing new school facilities and mitigating school impacts. Therefore, Impacts would be less than significant.</p>	<p>No mitigation measures are necessary.</p>	<p>Less Than Significant</p>
<p><b>Impact Statement PRK-1:</b> The Land Use Element/Zoning Code Amendments could result in an increase in the population in the commercially designated areas which could potentially increase the demand for existing neighborhood/regional parks and other recreational facilities. The potential increase in population could also require the expansion of new recreational facilities. This</p>	<p>No mitigation measures are necessary.</p>	<p>Significant and Unavoidable</p>

Table ES-1 (Continued)

Summary of Project Impacts and Mitigation Measures

	Mitigation Measures	Level of Significance After Mitigation
<p>impact would be significant and unavoidable.</p> <p><b>Impact Statement LIB-1:</b> The Project would increase the residential population in the downtown area which could potentially increase the demand for library services. As there is sufficient capacity to accommodate the increase in demand within the existing library, the impact would be less than significant.</p>	<p>No mitigation measures are necessary.</p>	<p>Less Than Significant</p>

**Table ES-1 (Continued)**

**Summary of Project Impacts and Mitigation Measures**

<b>4.11 Transportation and Traffic</b>	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
<p><b>Impact Statement TRAF-1:</b> All roadways in the study area have reserve capacity to accommodate the Project’s existing and future buildout scenarios. However, the Project would result in significant impacts on level of service at various intersections. Implementation of GPMM 4.3-10, as well as Mobility Element Update improvements that provide for certain signalized intersections, and recommended new mitigation measures would reduce impacts to less than significant levels. However, signal warrant studies and Caltrans approval would be required for new signals on Main Street. If signal warrants are not approved by Caltrans, impacts at Main Street intersections occurring under future scenarios would be significant and unavoidable.</p>	<p>See Table 4.11-6, <i>Summary of New Mitigation Measures</i>, which identifies the MMs relevant to the scenarios evaluated in the Traffic Study</p> <p><b>MM TRAF-1: Main Street/Mountain Boulevard.</b> A traffic signal shall be installed to achieve LOS D or better. Further analysis of a potential new signal, such as signal warrant analysis per the California Manual on Uniform Traffic Control Devices (CA MUTCD), is expected to be provided as a part of project-specific analysis (not needed for LOS mitigation).</p> <p><b>MM TRAF-2: Main Street/Mountain Boulevard.</b> A southbound right-turn lane on Mountain Boulevard shall be provided to achieve LOS D or better.</p> <p><b>MM TRAF-3: Old Mammoth Road/Minaret Road/Fairway Drive.</b> Improvements, such as the installation of a roundabout, restriping, or widening of the roadway, shall be implemented to ensure that the intersection operates at LOS D or better.</p> <p><b>MM TRAF-4: Main Street/Post Office:</b> A traffic signal shall be installed at the Main Street/Post Office intersection to achieve LOS D or better. Further analysis of potential new signals, such as signal warrant analysis per the CA MUTCD, is expected to be provided as part of project-specific analyses (not needed for LOS mitigation).</p> <p><b>MM TRAF-5: Main Street/Center Street:</b> A northbound right-turn on Center Street shall be provided to achieve LOS D or better. Further analysis of a potential new signal, such as signal warrant analysis per the CA MUTCD, is expected to be provided as a part of project-specific analyses (not needed for LOS mitigation).</p> <p><b>MM TRAF-6: Old Mammoth Road/ Tavern Road:</b> An eastbound right-turn lane shall be provided on Tavern Road to Old Mammoth Road to achieve LOS D or better.</p>	<p>Significant and Unavoidable</p>

Table ES-1 (Continued)

Summary of Project Impacts and Mitigation Measures

	Mitigation Measures	Level of Significance After Mitigation
<p><b>Impact Statement TRAF-2:</b> The Mobility Element Update incorporates policies and specific features that are intended to reduce roadway hazard resulting from a design feature or incompatible use. In addition, increases in density under the Land Use Element/Zoning Code Amendments would increase traffic volumes that would increase sensitivity to poor roadway design and increase vehicle/pedestrian conflicts. Implementation of the Mobility Element Update would address hazards associated with roadway design, snow removal, and other potentially conditions. As such, the impact of the Project related to road hazards would be less than significant.</p>	<p><b>MM TRAF- 7: Main Street/Forest Trail:</b> Southbound left-turn movements from Forest Trail onto Main Street shall be prohibited to achieve LOS D or better.</p> <p><b>MM TRAF 8: Main Street/Laurel Mountain Road:</b> A northbound right-turn lane shall be provided on Laurel Mountain Road to Main Street to achieve LOS D or better.</p> <p><b>MM TRAF-9: Old Mammoth Road/Sierra Nevada Road:</b> Eastbound and westbound right-turn lanes shall be provided at the Sierra Nevada Road approaches to achieve LOS D or better.</p> <p>No mitigation measures are necessary.</p>	<p>Less Than Significant</p>
<p><b>Impact Statement TRAF-3:</b> Existing General Plan and proposed Mobility Element Update Policies and Actions encourage coordination with Mammoth Lakes Fire Protection District and Police Department to maintain emergency access for development, including roads and utility lines. Site plans would be reviewed by the Fire Protection District for adequate emergency access. Implementation of roadway extensions and improved connectivity under the Mobility Element Update would not cause additional impediment and would, potentially, facilitate emergency access during</p>	<p>No mitigation measures are necessary.</p>	<p>Less Than Significant</p>

Table ES-1 (Continued)

## Summary of Project Impacts and Mitigation Measures

	Mitigation Measures	Level of Significance After Mitigation
operation. Therefore, impacts with respect to emergency access would be less than significant.		
<p><b>Impact Statement TRAF-4:</b> The Mobility Plan Update and Land Use Element/Zoning Code Amendments would support and implement policies of adopted plans and programs related to public transit, bicycle and pedestrian facilities. Because existing policies and plans would be supported, the Project would not conflict with adopted plans and policies. Therefore, impacts with respect to such plans and policies would be less than significant.</p>	No mitigation measures are necessary.	Less Than Significant
<b>4.12 Utilities and Service Systems</b>		
<p><b>Impact Statement WATER-1:</b> With the incorporation of General Plan mitigation measures and policies, in concert with development fees, plan check of service line upgrades, and construction of any new or upgraded facilities in compliance with the Water Code, it is anticipated that the construction of site-specific water main and ancillary facilities under the FAR increase would not result in significant environmental impacts. Impacts with respect to construction of treatment and conveyance infrastructure would be less than significant.</p>	No mitigation measures are necessary.	Less Than Significant
<p><b>Impact Statement WATER-2:</b> The proposed Land Use Element/Zoning Code Amendments relative to FAR would result in an incrementally higher growth projection than under the 2010 UWMP. However, the implementation of GPMM 4.11-1, General Plan Policy R.4.A, and the PIEC would not allow new development in excess of available supplies. Because available supplies would not be exceeded, and expanded entitlements would not be required, impacts with respect to water supply would be less than significant.</p>	No mitigation measures are necessary.	Less Than Significant

Table ES-1 (Continued)

## Summary of Project Impacts and Mitigation Measures

	Mitigation Measures	Level of Significance After Mitigation
<p><b>Impact Statement WW-1:</b> The proposed Land Use Element/Zoning Code Amendments would generate a measurable increase in wastewater flows that could potentially constrain existing sewer line capacity. With the implementation of Mitigation Measure WW-1 and the provisions of the MCWD's Sanitary Sewer Code, under which MCWD would not issue a sewer connection permit if conveyance systems do not have adequate capacity, impacts to sewer lines would be less than significant.</p>	<p>No mitigation measures are necessary.</p>	<p>Less Than Significant</p>
<p><b>Impact Statement WW-2:</b> The wastewater treatment facility would have adequate capacity to treat the projected incremental growth of 2,809 people by resulting from the Land Use Element/Zoning Code Amendments. Because population growth would not exceed the scheduled capacity of the treatment facility, impacts related to wastewater treatment would be less than significant.</p>	<p><b>MM WW-1:</b> During the review of an application by the MCWD for a wastewater permit, if deficiencies in local sewer lines resulting from the application would cause the denial of the sewer permit, the applicant shall install improvements that would comply with Division VII of the Sewer Code (as reviewed by the MCWD). Where general deficiencies are identified, the Sanitary Sewer Code already provides for the collection of fees for sewer main lines, new laterals and other infrastructure.</p>	<p>Less Than Significant</p>
<p><b>Impact Statement STRM-1</b> With the enforcement or incorporation of existing Municipal Code requirements, General Plan policies, and adopted mitigation measures, surface runoff from potential new development and implementation of the Mobility Element Update would not substantially reduce the capacities of the Town's existing storm drain system. Therefore, impacts with respect to drainage would be less than significant.</p>	<p><b>MM STRM-1:</b> Potential peak surface runoff shall be determined for all private projects. Suitable infiltration or other containment systems, such as dry wells, galleries, or basins, shall be designed to reduce net runoff increase to existing conditions. All infiltration devices shall be consistent with the Town Standards and shall be reviewed and approved by the Department of Public Works. The property owner shall perform inspection twice a year (Spring and Fall) and after major storm events and shall provide any needed maintenance or cleanout.</p>	<p>Less Than Significant</p>

**Table ES-1 (Continued)**

**Summary of Project Impacts and Mitigation Measures**

	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
<p><b>Impact Statement SW-1</b> The Land Use Element/Zoning Code Amendments would result in an increase in population and thus, an increase in solid waste disposal. While the Benton Crossing Landfill is scheduled for closure, the Town is committed to increasing waste diversion and the County anticipates that long haul or the use of a transfer station would occur in the future. Therefore, the Land Use Element/Zoning Code Amendments would result in a less than significant impact with regard to solid waste.</p>	<p>No mitigation measures are necessary.</p>	<p>Less Than Significant</p>
<p><b>Impact Statement SW-2</b> The Town will continue to comply with applicable State, and local regulatory requirements, which would further State laws and policies regarding diversion of landfill materials and efficient use of County landfill facilities. Therefore, the Project would not conflict with applicable statutes and regulations related to solid waste and impacts would be less than significant.</p>	<p>No mitigation measures are necessary.</p>	<p>Less Than Significant</p>

Code requirements of a build-to line, would occur under the No Project Alternative. In addition, under the No Project Alternative Policy L.1.A of the General Plan, which states: “Limit total peak population of permanent and seasonal residents and visitors to 52,000 people” would remain in effect to describe population intensity throughout the Town. With the maximum density limitations in place, a transfer of development rights ordinance may be desired by the Town. As such, no revisions would be made to the General Plan Land Use Element regarding transfer of development rights (TDR). In addition, under the No Project Alternative, the Mobility Element Update would not be adopted and implemented. Thus, the Town would not have a cohesive program of transportation system improvements and recommendations that would assist decision-makers, the public, Town staff, and developers in planning projects in a manner that would ultimately lead to a complete and integrated multi-modal system for the community. The reconfiguration of Main Street, which is the culmination of planning efforts in the Town, would not occur. Finally, without Mobility Element Update, the No Project Alternative would not be consistent with the California Complete Streets Act (AB 1358).

The Reduced Intensity Alternative (Alternative 2) would result in a reduction of potential development within the C-1 and C-2 designated areas. Under Alternative 2, Reduced Intensity Alternative, the Land Use Element/Zoning Code Amendments would result in a maximum 1.5 FAR in the commercially designated districts and the Mobility Element Update would be implemented. The Reduced Intensity Alternative would result in incrementally less development than would occur under the Project and would result in a reduction of approximately 114 residential units, up to between 213 to 254 fewer rooms, and about 25,187 square feet less of commercial (retail, service and office) floor area than under the Project. Under this Alternative, the Mobility Element Update would remain as proposed in the Project, including the reconfiguration of Main Street.

The Mobility Update without the Main Street Reconfiguration Alternative (Alternative 3) would include the Land Use Element/Zoning Code Amendments in particular the removal of the unit and room cap and provision for a 2.0 FAR, as well as the components of the Mobility Element Update, with the exception of the Main Street Plan. Under Alternative 3 approximately 2.6 acres of land created by the vacation of the frontage road would not be available for future development. Without the street vacation, Alternative 3 would result in a reduction of potential future development of 23 residential units, 40 lodging units, and 28,957 square feet of commercial floor area within the vacated area compared with estimated potential development under the Project. However, some portions of the Main Street Plan would be implemented, but it would be limited to certain improvements, such as parallel parking, detached bicycle lanes, landscaped median, turning lanes, and sidewalks adjacent to building fronts. However, under Alternative 3 the vacation of the frontage road would not occur.

## **Environmentally Superior Alternative**

A complete comparative summary of the environmental impacts anticipated under each alternative with the environmental impacts associated with the Project is provided in Table 5-11, *Comparison of Impacts Associated with the Alternatives and Impacts of the Project*, in Chapter 5, *Alternatives*, in this EIR, while a summary of the ability of each alternative to meet the project objectives is provided in Table 5-12, *Comparison of Alternatives - Ability to Meet Project Objectives*.

Section 15126.6(e)(2) of the *CEQA Guidelines* indicates that an analysis of alternatives to a proposed project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR. The *CEQA*

*Guidelines* also state that should it be determined that the No Project Alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives. With respect to identifying an environmentally superior alternative among those analyzed in this EIR, the range of feasible alternatives to be considered includes the: Alternative 1 - No Project Alternative; Alternative 2 - Reduced Intensity Alternative; and Alternative 3 - Mobility Element Update Without the Main Street Reconfiguration.

As indicated in Chapter 5, the No Project Alternative is considered the overall environmentally superior Alternative as it would incrementally reduce the Project's significant and unavoidable air quality and parks and recreation impacts. However, although some adverse impacts would be avoided under the No Project Alternative, several primary beneficial aspects of the Project with respect to the objectives of the General Plan would not be achieved. The Reduced Intensity Alternative would partially meet the objectives of the Project and also incrementally reduce the Project's less than significant impacts related to air quality, noise, public services and utilities. The Reduced Intensity Alternative would also incrementally reduce the Project's significant and unavoidable impact related to air quality and parks and recreational facilities. However, it would not reduce these impacts to less than significant levels. Although it would not implement the objectives of the General Plan to the same extent as the Project, because it involves less development than Alternative 3, it would be the environmentally superior to Alternative 3. Therefore, in accordance with the State *CEQA Guidelines* requirement to identify an environmentally superior alternative other than the No Project Alternative, a comparative evaluation of the remaining alternatives indicates that the Reduced Intensity Alternative would be the environmentally superior alternative.

While the Reduced Intensity Alternative is identified as the Environmentally Superior Alternative in this EIR, this does not mean it is selected as the Project by the Town. The Town will consider the analysis included within this EIR along with public input throughout the environmental review process in their decision-making process to approve the Project.



## **1.0 INTRODUCTION**



# 1.0 INTRODUCTION

---

This document is a Draft Environmental Impact Report (Draft EIR) that has been prepared at the direction and under the supervision of the Town of Mammoth Lakes (the “Town”) in accordance with the California Environmental Quality Act (CEQA) and the Guidelines for California Environmental Quality Act (CEQA Guidelines), as amended.<sup>1,2</sup> The Town of Mammoth Lakes General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update (the “Project”) includes in part Land Use Element Amendments focused on revisions to the development standards for the commercial areas, which would provide for increased flexibility and intensity of future development along commercially designated areas within the Town. Other proposed Land Use Element amendments include: revising the boundaries of commercially designated land in the Land Use Element to match current commercial zoning boundaries in the Zoning Code; changing Land Use Element policy and text associated with regulating population growth from a People At One Time (PAOT) approach to an impact assessment based approach as well as a change in the buildout methodology; and, deleting Land Use Element Community Benefits Incentive Zoning (CBIZ) and modifying Transfer of Development Rights (TDR) policies. The Town is also proposing Zoning Code Amendments regarding commercial development standards so that the General Plan and Zoning Code are consistent. In addition, consistent with assumptions in the buildout projections, the Town proposes a Zoning Code Amendment to allow 75 percent of the ground floor to be used for units or rooms (and other non-active uses) retaining the commercial uses along Primary and Secondary Active Frontages.

In addition, the Town is proposing to adopt and implement a Mobility Element Update. The Mobility Element Update addresses the two key concepts that are a focus of the 2007 General Plan: the triple-bottom line, which is the community’s social, economic, and natural capital, and “feet-first” transportation, which emphasizes and prioritizes non-motorized travel first, public transportation second, and vehicle last. The Mobility Element Update identifies a Complete Streets network, which includes physical improvements to the local and regional transportation systems. For example, reconfiguration of Main Street (i.e., vacation of the frontage road), extensions of roadways (i.e., Tavern Road, Sierra Nevada Road, Callahan Way) and connections of streets (i.e., Thompsons Way, Shady Rest site, 7B Road, and USFS property). In addition, the Mobility Element Update identifies opportunities for two future signals in Town.

A detailed discussion of the Project is provided in Chapter 2.0, *Project Description*, of this EIR.

## 1. PURPOSE OF THE EIR

The Town of Mammoth Lakes is the Lead Agency under CEQA responsible for preparing the EIR for the proposed Project (State Clearinghouse No. 2015052072). This EIR has been prepared in conformance with CEQA (California Public Resources Code Section 21000 et seq.), and the *CEQA Guidelines* (California Code of Regulations, Title 14, Section 15000 et seq.). The principal *CEQA Guidelines* sections governing content of this document are Sections 15120 through 15132 (Content of an EIR).

---

<sup>1</sup> *Public Resources Code Section 21000-21178.*

<sup>2</sup> *California Code of Regulations Title 14, Chapter 3, Section 15000-15387.*

In accordance with Section 15121 of the *CEQA Guidelines*, a primary purpose of this EIR is to provide decision-makers and the public with specific information regarding the environmental effects associated with the Project, identify ways to minimize the significant effects and describe reasonable alternatives to the project. Mitigation measures are provided in order to reduce the significance of impacts resulting from the Project. In addition, this EIR is the primary reference document in the formulation and implementation of a mitigation monitoring program for the proposed Project.

The Town, which has the principal responsibility of processing and approving the Project, will use and consider information in this EIR, along with other information that may be presented during the CEQA process, during the decision to approve, disapprove, or modify the proposed Project. Significant environmental impacts cannot always be mitigated to a level considered less than significant; in those cases, impacts are considered significant and unavoidable. In accordance with Section 15093(b) of the *CEQA Guidelines*, if a public agency approves a project that has significant impacts that are not substantially mitigated (i.e., significant unavoidable impacts), the agency shall state in writing the specific reasons for approving the project, based on the Final EIR and any other information in the public record for the project. This is termed, per Section 15093(b) of the *CEQA Guidelines*, a “statement of overriding considerations.”

This document analyzes the environmental effects of the Project to the degree of specificity appropriate to the current proposed actions, as required by Section 15146 of the *CEQA Guidelines*. This analysis considers the actions associated with the Project, to determine the short-term and long-term effects associated with their implementation. This EIR discusses both the direct and indirect impacts of this Project, as well as the cumulative impacts associated with other past, present, and reasonably foreseeable future projects. CEQA requires the preparation of an objective, full disclosure document to inform agency decision makers and the general public of the direct and indirect environmental effects of the project; provide mitigation measures to reduce or eliminate significant adverse effects; and identify and evaluate reasonable alternatives to the proposed project.

## **2. APPROACH OF THE EIR**

The Project is subject to a Program EIR because it constitutes a series of actions that can be characterized as one large project that is related: “...a) geographically; b) as logical parts in a chain of contemplated actions; and c) in connection with the issuance of...plans...to govern the conduct of a continuing program...” (CEQA Guidelines 15168[a]). A Program EIR generally establishes a foundation for “tiered” or project-level environmental documents that may be subsequently prepared in accordance with the overall program. According to CEQA Guidelines Section 15168(b), a Program EIR can provide the following advantages:

1. Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action;
2. Ensure consideration of cumulative impacts that might be slighted in a project-level analysis;
3. Avoid duplicative reconsideration of basic policy considerations;
4. Allow the lead agency to consider broad policy alternatives and program-wide mitigation measures at the earliest possible time when the agency has greater flexibility to deal with basic problems or cumulative impacts; and
5. Allow a reduction in paperwork.

The Program EIR analyzes, at a general level, the implications of the revised development standards and policies, including an increase in future development that may occur within the commercial areas of the Town. In this way, decision-makers and the public can get a sense of the overall physical effects of the whole Project. The purpose of the Program EIR is to focus attention to those aspects of a future project (often a long-range plan) that could bring about adverse physical impacts. A Program EIR in this way serves as a foundation for subsequent environmental documentation and/or clearance. CEQA Guidelines Section 15146 indicates that “the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR....”

The Program EIR identifies and analyzes the potential environmental impacts of the anticipated future development resulting from the Project’s amended development standards and policies as well as implementation of the Mobility Element Update, and proposes mitigation measures that would reduce those impacts determined to be significant. With the Program EIR, the Town and the public will be able to consider the Project in its entirety and the impacts associated with the Project’s revised development standards and policies and the Mobility Element Update, some of which might be overlooked if considered on a case-by-case basis. The Program EIR also allows for consideration of broad policy alternatives and their possible environmental effects in a more exhaustive manner than would otherwise be possible. Optimally, this process allows for development of program-wide mitigation measures at a stage when the Town has greater flexibility to deal with basic problems or cumulative environmental impacts, and provides an opportunity to reduce paperwork. Program-level analysis differs from project-level analysis, which benefits from detailed, specific plans of a project (i.e., grading, footprint) and usually applies more directly to actual construction.

Implementation of the majority of the anticipated future development resulting from the Project’s revised development standards and policies and implementation of the Mobility Element Update will require further project-level environmental analysis. In addition, some future development activities that require approval from other agencies may be subject to subsequent CEQA or NEPA review. In addition, if new information becomes known prior to implementation of an action that could lead to significant impacts, further environmental analysis would be required.

In addition, alternatives to the Project are presented to evaluate whether there are alternative Project scenarios that can further minimize or avoid significant impacts associated with the project.

### **3. COMPLIANCE WITH CEQA**

In compliance with the *CEQA Guidelines*, the Town has provided opportunities for the public to participate in the environmental review process. During the preparation of the EIR, an effort was made to contact various Federal, State, regional, and local government agencies and other interested parties to solicit comments and inform the public of the proposed Project.

#### **a. Draft EIR**

The Draft EIR is subject to a 45-day public review period, commencing June 24, 2016 and ending August 8, 2016, by responsible and trustee agencies, members of the public and other interested parties. In accordance with the provision of Sections 15085(a) and 15087(a)(1) of the *CEQA Guidelines*, the Town, serving as the Lead Agency has: 1) published a Notice of Availability of a Draft EIR in *The Sheet*, a newspaper

of general circulation, which states that the Draft EIR is available for review at: Town of Mammoth Lakes, Community & Economic Development Department, 437 Old Mammoth Road, Suite R, Mammoth Lakes, California 93546; Mammoth Lakes Library located at 400 Sierra Park Road, Mammoth Lakes, CA, 93546; and on the Town's website at <http://www.townofmammothlakes.ca.gov/> 2) prepared and transmitted a Notice of Completion (NOC) to the State Clearinghouse; and 3) sent notices to the last known name and address of all organizations and individuals who have previously requested such notice in writing. Proof of publication is available at the Town. All comments on the Draft EIR should be addressed to:

Sandra Moberly, Community & Economic Development Manager  
 Town of Mammoth Lakes  
 Community and Economic Development Department  
 437 Old Mammoth Road, Suite R  
 Mammoth Lakes, California 93546  
 Or via email at: [smoberly@townofmammothlakes.ca.gov](mailto:smoberly@townofmammothlakes.ca.gov)

Any public agency or members of the public desiring to comment on the Draft EIR must submit their comments in writing to the Town prior to the end of the public review period. Upon the close of the public review period, the Town will then proceed to evaluate and prepare responses to all relevant written comments received from both citizens and public agencies during the public review period.

The Final EIR will consist of the Draft EIR, corrections and additions to the Draft EIR, responses to comments addressing concerns raised by responsible agencies or reviewing parties and a mitigation monitoring and reporting program. After the Final EIR is completed, and at least 10 days prior to its certification, a copy of the response to comments on the Draft EIR will be provided or made available to all commenting parties.

## **b. Initial Study**

In accordance with Section 15063(a) of the *CEQA Guidelines*, prior to preparation of the Draft EIR, the Town prepared an Initial Study. The Initial Study determined that a number of environmental issue areas may be impacted by Project implementation. As a result, the Initial Study determined that this Draft EIR should address the Project's potentially significant impacts on a variety of environmental issue areas.

The EIR focuses primarily on changes in the environment that would result from the Project. The EIR identifies potentially significant impacts resulting from Project implementation and provides measures to mitigate potential significant impacts. This EIR addresses impacts in the following areas:

- Aesthetics;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Forestry Resources;
- Greenhouse Gas Emissions;
- Land Use/Planning
- Noise;
- Population/Housing;
- Public Services (fire protection, police protection, schools, parks and recreation, and library services);
- Transportation/Traffic; and
- Utilities and Service Systems (water, wastewater, stormwater, and solid waste)

Based on the Initial Study, issues for which no significant impacts are anticipated to occur are addressed in Chapter 6, *Other Environmental Considerations*, contained in this EIR.

### **c. Notice of Preparation and Scoping Meeting**

Pursuant to the provision of Section 15082 of the *CEQA Guidelines*, the Town circulated a Notice of Preparation (NOP) to public agencies, special districts, and members of the public for a 30-day period commencing May 29, 2015 and ending June 29, 2015. The purpose of the NOP was to formally convey that the Town is preparing a Draft EIR for the Project, and to solicit input regarding the scope and content of the environmental information to be included in the EIR. The Initial Study was circulated with the NOP.

As part of the NOP, the Town advertised a notice of public scoping meeting for the Project. The meeting was held during the regularly scheduled Planning and Economic Development Commission Meeting on Wednesday, June 10, 2015, in the Town's Council Chambers located within the Minaret Village Shopping Center at 437 Old Mammoth Road, Suite Z, Mammoth Lakes, California 93546. The meeting was held with the specific intent of affording interested individuals/groups and public agencies to assist the lead agency in determining the scope and focus of the EIR as described in the NOP and Initial Study.

The NOP/Initial Study was distributed for 30 days to various public agencies in order to receive input as to the scope and content of the environmental information to be provided in this EIR. Comments were received from State Clearinghouse, California Department of Transportation (CalTrans), California Department of Fish and Wildlife, Regional Water Quality Control Board, Mammoth Lakes Fire District, Mammoth Community Water District, and Mammoth Lakes Housing. The NOP, Initial Study, comments received on the NOP, and the minutes from the June 10, 2015 Planning and Economic Development Commission Meeting are provided in Appendix A, *Initial Study/Notice of Preparation/NOP Comment Letters/Minutes*, of this EIR. The NOP comments are summarized in the Executive Summary under the section entitled Areas of Controversy and Issues to be Resolved.

### **d. Incorporation by Reference**

CEQA Guidelines Section 15150 provides for an EIR to incorporate by reference all or portions of another document. The following two certified EIRs are hereby incorporated by reference into this document:

Final Program EIR – Town of Mammoth Lakes Trail System Master Plan Project, September 2011  
State Clearinghouse No. 2010111013

Final Program EIR – Town of Mammoth Lakes 2005 General Plan Update, May 2007  
State Clearinghouse No. 2003042155

These documents are available for public review during normal business hours at the Community and Economic Development Department office at 437 Old Mammoth Road, Suite R, Mammoth Lakes, California. The Trail System Master Plan EIR is relevant as trails are part of the Mobility Element Update and thus previous analyses are relevant to that portion of the Mobility Element Update. The General Plan Update EIR is relevant in that the EIR evaluated Townwide buildout under the General Plan that was adopted in 2007. Information from these two EIRs is summarized as relevant. For example, the history described in the cultural resources existing conditions has not changed. However, other issue areas, such as traffic, are based on new technical studies. Mitigation Monitoring and Reporting Programs (MMRPs) were adopted for the General Plan Update and the Trail System Master Plan. As such, the Town is currently implementing these mitigation measures. Therefore, these measures are provided in each of the sections in Chapter 4 of this EIR

and used as relevant to reduce potential impacts. It is envisioned that at the end of this EIR process for the Project, a comprehensive MMRP will be prepared for the Town's use.

#### 4. FORMAT OF THE EIR

The EIR includes eight chapters as well as appendices, which are organized as follows:

**Executive Summary.** This section presents a summary of the proposed Project and alternatives, potential impacts and mitigation measures, and impact conclusions. This section also summarizes the issues raised in the NOP comment letters regarding the scope and content of the EIR under the "Issues Raised During Notice of Preparation Process" subheading.

1. **Introduction.** This chapter provides: a description of the purpose of the EIR; CEQA compliance information relative to the proposed Project and the EIR; a brief overview of the environmental review process; and, outlines the organization of the EIR.
2. **Project Description.** This chapter describes the project location, project details and the Town's overall objectives for the Project.
3. **Basis for Cumulative Analysis.** This chapter contains a list of related projects anticipated to be built within the project vicinity.
4. **Environmental Impact Analysis.** This chapter contains the environmental setting, Project and cumulative impact analyses, mitigation measures, and conclusions regarding the level of significance after mitigation for each of the following environmental issues: Aesthetics, Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Land Use and Planning, Noise and Vibration, Population/Housing, Public Services, Transportation/Traffic, and Utilities and Service Systems.
5. **Alternatives.** This chapter evaluates the environmental effects of the Project alternatives, including the No Project Alternative. It also identifies the environmentally superior alternative.
6. **Other Mandatory CEQA Considerations.** This chapter includes a discussion of issues required by CEQA that are not covered in other sections. This includes unavoidable significant impacts, impacts found not to be significant, irreversible environmental changes, potential secondary effects caused by the implementation of the mitigation measures for the Project, and growth inducing impacts.
7. **List of Preparers.** This chapter lists all of the persons, public agencies, and organizations that were consulted or contributed to the preparation of this EIR.
8. **References.** This chapter lists all the references utilized in preparation of the EIR.

This EIR includes the environmental analysis prepared for the project and appendices as follows:

- Appendix A – Initial Study/Notice of Preparation/NOP Comment Letters/Minutes
- Appendix B – Air Quality Worksheets
- Appendix C – Greenhouse Gas Emissions Worksheets
- Appendix D – Noise Worksheets
- Appendix E – Public Services
- Appendix F – Traffic Study

## **2.0 PROJECT DESCRIPTION**



## 2.0 PROJECT DESCRIPTION

---

### INTRODUCTION

The Town of Mammoth Lakes (Town) is proposing the following General Plan Land Use Element Amendments focused on revisions to the development standards for the commercial areas:

1. Changing the allowable intensity of development within commercially designated and zoned areas to require a minimum 0.75 FAR and allow up to 2.0 FAR and removal of units and rooms per acre;
2. Revisions to the boundaries of commercially designated land in the Land Use Element to match current commercial zoning;
3. Changing Land Use Element policy and text associated with regulating population growth from a People At One Time (PAOT) approach to an impact assessment based approach as well as a change in the buildout methodology; and,
4. Deleting Land Use Element Community Benefits Incentive Zoning (CBIZ) and modifying Transfer of Development Rights (TDR) policies.

The Town is also proposing Zoning Code Amendments associated with Item 1. above, regarding commercial development standards so that the Zoning Code is consistent with the General Plan. In addition, consistent with assumptions in the buildout projections, the Town proposes a Zoning Code Amendment to allow 75 percent of the ground floor to be used for units or rooms (and other non-active uses) retaining the commercial uses along Primary and Secondary Active Frontages.

In addition, the Town is proposing to adopt and implement a Mobility Element Update. The Mobility Element Update addresses the two key concepts that are a focus of the 2007 General Plan: the triple-bottom line, which is the community's social, economic, and natural capital, and "feet-first" transportation, which emphasizes and prioritizes non-motorized travel first, public transportation second, and vehicle last.

Collectively, for purposes of CEQA, the Land Use Element and Zoning Code Amendments and the Mobility Element Update, reflect the Project.

### 1. REGIONAL SETTING AND PROJECT AREAS

The Town of Mammoth Lakes, a mountain resort community, is located in southwestern Mono County (see **Figure 2-1, Regional and Project Vicinity Map**). The Town is situated in California's Eastern Sierra region and is located approximately 300 miles north of Los Angeles, 170 miles south of Reno, Nevada and 35 air miles southeast of Yosemite Valley. Neighboring counties include: Alpine County to the north, Inyo County to the south, Fresno County to the southwest and Madera County to the west.

The Town's Municipal Boundary encompasses approximately 24 square miles; however, all but approximately four (4) square miles of this, defined by the Town's Urban Growth Boundary (UGB), are public

lands administered by the United States Department of Agriculture Forest Service, Inyo National Forest (USFS).<sup>1</sup>

### a. Land Use Element and Zoning Code Amendments

The specific Project Areas for the Land Use Element and Zoning Code Amendments, as numbered above, are described below:

1. and 2. The Project Area for the allowable intensity of development within commercially designated and zoned areas consists of approximately 122 acres designated in the General Plan as Commercial 1 (C-1) and Commercial 2 (C-2) within the UGB (see **Figure 2-2, Project Area for Land Use Element and Zoning Code Amendments**). These areas are zoned Mixed Lodging Residential (MLR), Downtown (D), and Old Mammoth Road (OMR). The C-1 and C-2 areas are located generally along Main Street and Old Mammoth Road. The portion of the Project Area along Main Street (State Route 203) extends from the Town's boundary on the east to an area just east of Minaret Road. The portion of the Project Area along Old Mammoth Road extends from SR 203 to just south of Chateau Road.
3. The Project Area for the shift from a People At One Time (PAOT) approach to an Impacts Assessment approach is the land within the UGB.
4. The Project Area relative to the General Plan amendments regarding CBIZ and TDR is the commercial lands within the UGB.

### b. Mobility Element Update

The Planning Area for the Mobility Element Update is shown in Figure 2-1 and is the same as the area for the General Plan. Regional access to the Town is provided via U.S. Highway 395, a state scenic highway which lies approximately three miles west of town. U.S. Highway 395 is the major surface transportation corridor in the Eastern Sierra region and primary inter-regional route connecting systems across four states. The Town is served primarily by State Route 203, which connects U.S. Highway 395 to the Town. State Route 203 traverses the developed part of town ending at Minaret Vista, west of the Mammoth Mountain Ski Area (MMSA). Air access to the Town is also available through the Mammoth Yosemite airport.

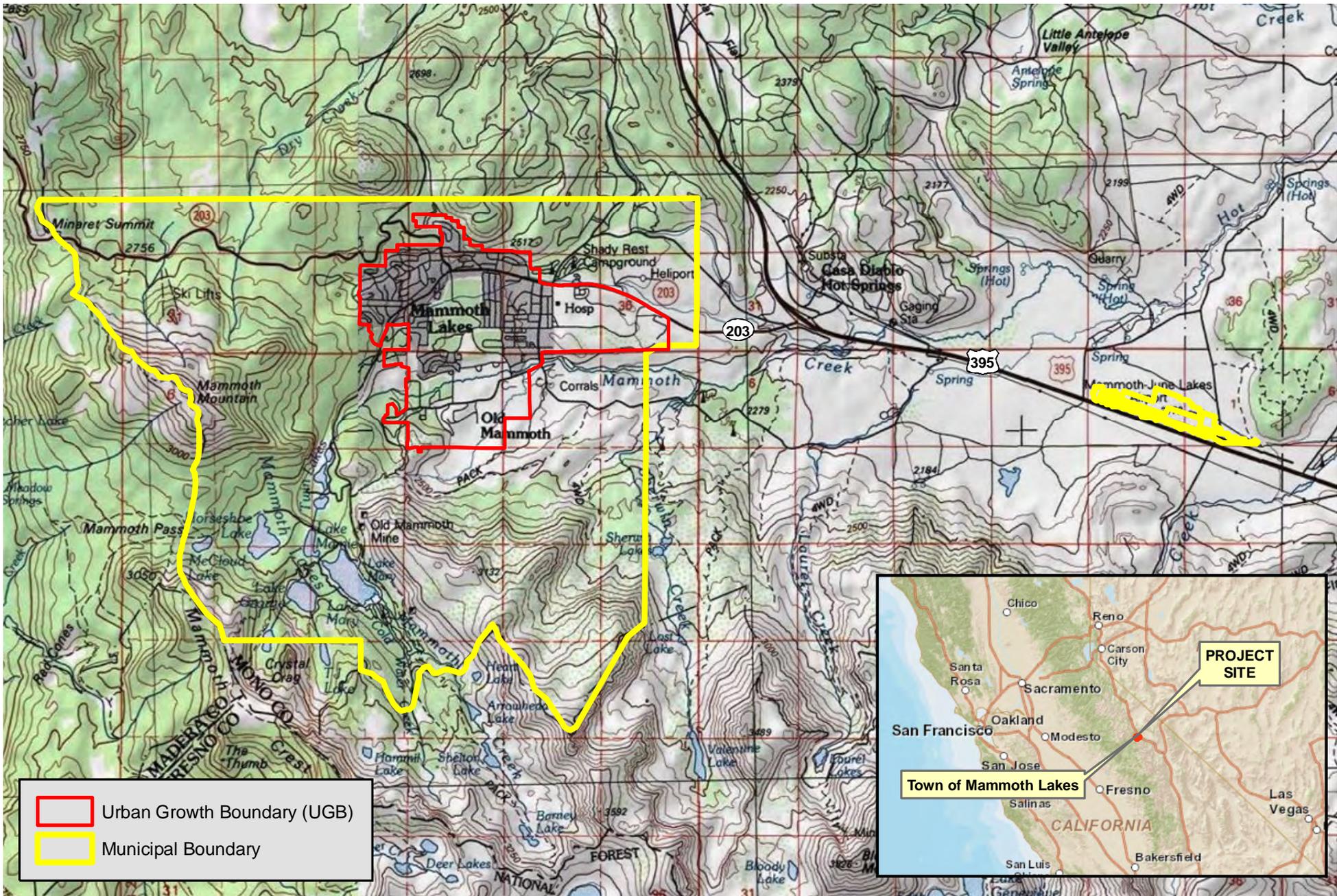
## 2. BACKGROUND

### a. 2007 General Plan

A general plan is a state-required document (Government Code Section 65300) that consists of a statement of development policies for development of a particular city or county (e.g., the Town of Mammoth Lakes). The General Plan expresses the Town's vision for its future and guides both long-term and day-to-day Town actions and decisions. The General Plan guides the level and type of development of land and infrastructure

---

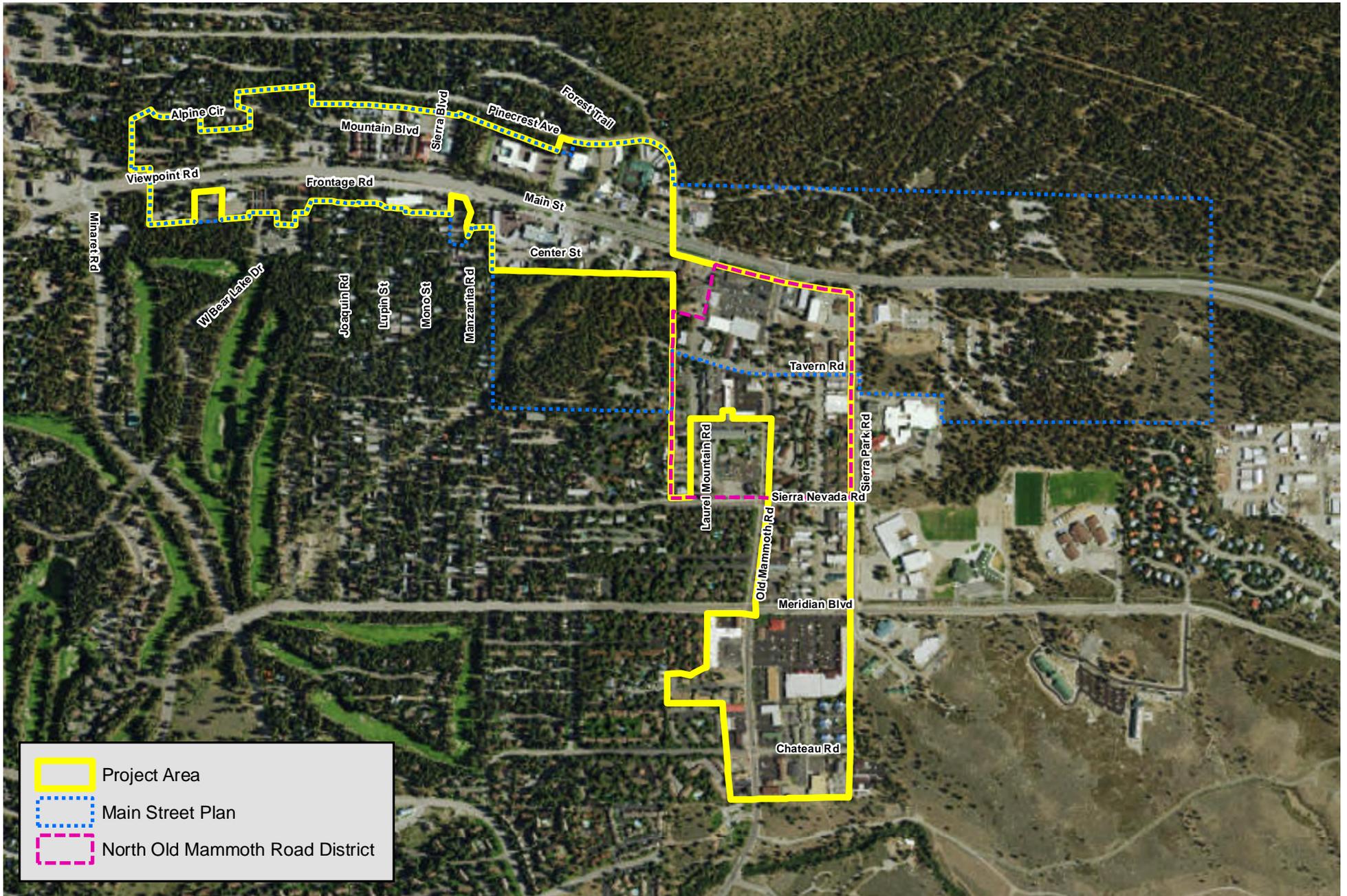
<sup>1</sup> The UGB is split into two non-contiguous areas. The primary UGB surrounds the Town's residential and commercial development and has an area of 4.0 square miles. Another UGB surrounds the airport and has an area of 0.3 square miles. Areas for all boundaries were calculated using the Town's GIS database.



### Regional and Project Vicinity Map

FIGURE  
**2-1**

Land Use Element/Zoning Code Amendment and Mobility Element Update  
 Source: USGS Topographic Series (Bloody Mountain, Convict Lake, Crestview, Crystal Crag, Dexter Canyon, Mammoth Mountain, Old Mammoth, Toms Place, Watterson Canyon, Whitmore Hot Springs, CA); PCR Services Corporation, 2014.



0 1,200 2,400 Feet

## Project Area for Land Use Element and Zoning Code Amendments

Land Use Element/Zoning Code Amendment and Mobility Element Update  
 Source: Microsoft (Aerial), 2010; PCR Services Corporation, 2015.

that will achieve the Town's physical, economic, social, and environmental goals. The General Plan consists of individual sections, or "elements," that address specific areas of concern, and also embody a comprehensive and integrated planning approach for the jurisdiction.

The Town of Mammoth Lakes completed a comprehensive update of the General Plan in 2007. The General Plan includes goals, policies, and actions relative to land uses and transportation within the Municipal Planning Area and more specifically within the UGB. As indicated above, the C-1 and C-2 land use designations constitute the Land Use Element and Zoning Code Amendments Project Area and are located generally along Main Street and Old Mammoth Road. The C-1 designation allows medium-scale, commercial mixed uses. The base density for residential uses is six (6) dwelling units to a maximum of 12 dwelling units per acre and a maximum of 40 hotel rooms per acre. Policy L.5.G of the 2007 General Plan allows an increase in density in the C-1 and C-2 Designations to no more than twice the maximum hotel room density, for hotel, motel, and similar transient lodging projects that specifically enhance the tourism, community, and environmental objectives of the Town. Thus, Policy L.5.G allows a maximum of 80 hotel rooms per acre with the provision of amenities, services, and/or environmental benefits above and beyond those required to meet the incremental demands of the project. The C-1 area is intended to create a transition zone to the more intensive C-2 and North Village areas. The C-2 designation allows for medium- and large-scale commercial mixed uses. The density of development is the same as in the C-1 area. Intended uses include retail and office space for services as well as visitor lodging and residential uses.

## **b. 2014 Zoning Code Update**

The Town's Zoning Code is the tool used to implement the General Plan. The Town updated the Zoning Code to be consistent with the 2007 General Plan pursuant to State law, which requires consistency between the General Plan and the Zoning Code. Town Council initiated the Zoning Code Update (ZCU) with the goal of incorporating the 2007 General Plan into the Zoning Code, promoting sustainability in town, promoting quality and design, as well as cleaning up and modernizing the Town's zoning regulations in an effort to provide a streamlined and user-friendly set of standards that would clearly establish the type of permitted development (and permit process) while supporting the Community Vision set forth in the 2007 General Plan.<sup>2</sup>

During the course of the ZCU, a proposal was made to regulate the intensity of development in the two commercially designated areas in the Town by using only a floor area ratio (FAR) approach, rather than continuing the use of a limitation on units or rooms per acre.<sup>3</sup> FAR is the relationship of the building square footage to the lot area. The purpose of using FAR is to allow greater flexibility within a development. The ZCU adopted by the Town Council in May 2014 allows for a 2.5 FAR in C-1 and C-2 designated areas, and retains the rooms/units per acre limitation in the MLR, D, and OMR districts.

<sup>2</sup> *The 2007 General Plan establishes the following Community Vision: "Surrounded by uniquely spectacular scenery and diverse four-season recreational opportunities, the community of Mammoth Lakes is committed to providing the very highest quality of life for our residents and the highest quality of experience for our visitors." The General Plan provides seven items on which Mammoth Lakes provides a high value in order to achieve this Community Vision. The seven items address, sustainability; being a great place to live and work; provision of adequate housing; being a premier, year-round resort; protecting the natural environment; design and development that complements the mountain setting; provision of transportation options (p. 7 of the 2007 General Plan).*

<sup>3</sup> *The General Plan envisioned the use of a FAR as it states in the C-1 and C-2 descriptions: "A minimum floor area ratio and amount of commercial uses will be established in the Zoning Code."*

### c. FAR Analysis

As indicated above, the Town's Zoning Code, consistent with the General Plan, currently allows an FAR of 2.5 with a limit of 12 residential units per acre and 40 lodging rooms per acre in C-1 and C-2 designated areas, and in the MLR, D, and OMR zoning districts. However, during the course of the ZCU, a proposal was made to use FAR alone to regulate the intensity of development in areas designated C-1 and C-2 in the General Plan. Thus, the Town undertook an FAR analysis in order to evaluate buildout in these areas with an FAR only limitation.

The methodology used to determine potential buildout using FAR with no unit or room cap required four steps: 1) conduct a land use inventory; 2) identify opportunity sites; 3) determine potential future use; 4) calculate potential buildout based on a set of assumptions developed with input from research conducted with architects, developers, and other jurisdictions, and review of Town documents.

First, a land use inventory was conducted of the C-1 and C-2 designated lands to identify parcels where development would likely occur within the timeframe of the General Plan. Next, potential future uses and buildout potential for these parcels was determined, including commercial square footage, number of dwelling units, and number of hotel rooms.

The FAR analysis was an iterative process that began with an assumed FAR of 2.5. After reviewing various iterations of potential buildout using a 2.5 FAR, comparing the numbers with other Town projections, and gaining input from the Town's traffic consultant, it was determined that a 2.5 FAR would result in substantially higher than anticipated buildout projections that were not considered appropriate or feasible for the Town. Accordingly, a determination was made to evaluate a lower FAR of 2.0.

The findings of the FAR analysis indicated that a 2.0 FAR could result in an increase in residential density within the MLR, D, and OMR zoning districts if development were to occur to the maximum allowable FAR. The findings of the FAR analysis with regard to lodging were that the 2.0 FAR could result in development that would be within the maximum intensity of 80 rooms per acres, assuming the provision of community benefits, which is allowed by the current regulations. Previously commercial (i.e., retail, service or office) development was limited by setbacks, heights, lot coverage, etc. Consistent with current assumptions for buildout in the Town and with existing levels of development, the average commercial development is assumed to have an FAR of about 0.25. Thus, the 2.0 FAR could result in a potential increase in commercial floor area within the MLR, D, and OMR districts.

The conclusions of the study were that the change to a maximum of 2.0 FAR with no cap on the density of units or rooms could result in an increase in the potential buildout that could occur within the Project Area. More specifically, an increase in the residential density (i.e., residential units per acre), could occur compared with the allowable development under the current regulations, which are based on the maximum number of units or rooms per acre.<sup>4</sup> In addition, commercial square footage, including retail, service, and office floor area, would be greater than under the current regulations. Based on the conclusions of the study, the Town elected to pursue adoption of a FAR only limitation on commercial development with a 2.0 FAR,

---

<sup>4</sup> Given the Town's direction to shift to an impacts approach, as discussed below, the change in the development standards are not equated with population (transient and/or non-transient).

along with associated environmental review. The Town also elected to add a minimum FAR requirement of 0.75 FAR.<sup>5</sup>

#### **d. People At One Time (PAOT)/Impact Assessment Policies and Buildout**

Given the nature of the Town as a mountain resort community, there is a permanent population as well as a seasonal population. Historically, the approach to assess and limit growth developed by the Town has been based on a “People At One Time” or PAOT concept. PAOT was established to describe population intensity and is a unique approach for regulating growth based on the Town’s specific characteristics. Accordingly, Policy L.1.A of the General Plan states: *“Limit total peak population of permanent and seasonal residents and visitors to 52,000 people.”*

In April 2009 the Town Council adopted the PAOT/Impact Assessment Policies, which included direction to *“(s)hift from PAOT based project evaluation to impact-based evaluation and mitigation.”* This shift to monitor growth through evaluation of the potential impacts of a project relative to the quality of life and the environment rather than to focus on a particular number of people that could result from development was based on limitations and difficulties associated with calculating and monitoring PAOT. Under the proposed approach, rather than using the Town’s PAOT model, which assumes 2.4 persons per permanent resident and 4.0 persons per transient unit, potential impacts would be assessed on a project-by-project basis through use of Project Impact Evaluation Criteria (PIEC) and/or environmental review, including but not limited to evaluations of air quality, including vehicle miles travelled (VMT); biological resources; cultural resources; geology and soils; hazards; hydrology; land use; noise; public services and utilities, including water demand; and transportation. An impacts-based approach is intended to help ensure that growth in the Town would not exceed the carrying capacity of infrastructure or other constraints, such as VMT and water supply, and that the potential for significant environmental impacts will be identified and mitigated to the extent feasible.

The proposed Land Use Element Amendments remove the PAOT related policy in order to move forward with the impact-based assessment rather than PAOT to monitor the Town’s growth. In addition, a change is proposed in the Town’s methodology for projecting buildout.

#### **Community Benefits Incentive Zoning**

Policy L.3.F. of the 2007 General Plan states: *“Ensure appropriate community benefits are provided through district planning and development projects.”* More specifically relative to the C-1 and C-2 designations, Policy L.5.G. of the General Plan allows a doubling of density for hotel, motel, and similar transient lodging projects. In 2009 the Town Council adopted Resolution 09-55, the Community Benefits/Incentive Zoning policy (CBIZ policy), which was intended to be a “bridge” between the General Plan and the District Planning work. Specifically, the CBIZ policy includes the following language:

<sup>5</sup> *For purposes of the environmental analysis the maximum FAR is generally used to ensure the evaluation of a worst case analysis. For example, the maximum FAR would result in greater development and therefore, the greatest number of trips as well as the greatest amount of noise. In the case of aesthetics the minimum FAR coupled with other development regulations, such as build to lines and setbacks, would serve to affect the visual character.*

*This Community Benefits Incentive Zoning policy is intended as a "bridge" framework, to be applied to all pending project applications and plan documents until the Town has completed Community Planning documents and codified them. Once codified, the Town will have substantially established land use and development policies (including clearly specified limits on height and density) that implement the Town of Mammoth Lakes General Plan.*

CBIZ has been used to allow an increase in density or height, or exceptions to setback requirements. If the density cap is removed and there is no limitation on density, CBIZ would not be necessary for density increases. In October 2014, the Town Council eliminated the CBIZ policy adopted by Resolution 09-55. Therefore, the Land Use Element Amendments propose the deletion of Policy L.5.G., which pertains to the C-1 and C-2 designations, from the General Plan.

### **Transfer of Development Rights**

Action L.3.H.1. of the General Plan indicates that the Town should prepare a transfer of development rights ordinance. The FAR regulatory approach would eliminate the density limitations within the Commercial Zones which would mean that density would lose value, as there would be no density maximums in the Commercial Zones. Therefore, the Town's Land Use Element Amendments propose a modification to Policy L.3.H and the deletion of Action L.3.H.1.

### **e. Mobility Element Update**

The 2007 General Plan includes a Mobility Element as required under state law.<sup>6</sup> However, after the adoption of the General Plan, the Town determined that an update of the Mobility Element was necessary. The primary purpose of the Mobility Element Update is to achieve the overarching goals of the General Plan with respect to the triple-bottom-line, which is the community's social, economic, and natural capital, and "feet-first" transportation strategies, which emphasizes and prioritizes non-motorized travel first, public transportation second, and vehicle last.

The Mobility Element is closely correlated with and supports the goals and policies of the General Plan Land Use Element. The Mobility Element provides the general location and extent of existing and proposed major thoroughfares, transportation routes, and other local transportation facilities in accordance with Government Code Section 65302(b). Government Code Sections 65302(b)(2)(A) and (B) require the Mobility Element to plan for a balanced, multimodal transportation network that meets the needs of all users of street, roads, and highways. "All users" by definition in the statute is "bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors." This requirement was established as part of Assembly Bill 1358, which is referred to as the California Complete Streets Act, as well as Caltrans Deputy Directive DD-64-R1, Complete Streets: Integrating the Transportation System.

While the Draft Mobility Element was completed in October 2011, the Town did not adopt the Mobility Element Update due to lack of funding for CEQA analysis. In 2013 the Town conducted a study along Main Street as a result of a decision to transform its Main Street corridor from an auto-dominated state highway that passes through town into a pedestrian oriented boulevard with downtown character. In February 2014

<sup>6</sup> Government Code §65302(b) uses the term "circulation element", but the Town's Mobility Element is intended to, and does, function as a circulation element.

the Town accepted the Main Street Plan, which envisions specific changes along Main Street, including an increase in the intensity of development and the removal of the frontage roads. Properties along Main Street are designated C-1 and C-2 and therefore would be affected by the changes discussed above regarding the development standards and the use of an FAR without density caps. Therefore, the Mobility Element Update was revised to reflect the Main Street Plan.

### 3. EXISTING CONDITIONS WITHIN THE PROJECT AREAS

The Project Area for the Land Use Element and Zoning Code Amendments comprises the C-1 and C-2 designated properties and the entire Planning Area for the Town is the Project Area for the Mobility Element Update. Conditions in these Project Areas are discussed below.

#### a. Land Use Element and Zoning Code Amendments Project Area

The C-1 and C-2 designated lands comprise approximately 122 acres located primarily along SR 203/Main Street and Old Mammoth Road. Figure 2-2 shows the Project Area and the area's relationship to other Town planning study areas (i.e., District Plans and Main Street Plan). The properties designated C-1, which include approximately 33 acres of land, are located along Main Street between the North Village District and Mono Street. The C-2 designation, which includes approximately 89 acres of land, is located primarily along Old Mammoth Road with a small area around the intersection of Old Mammoth Road and Main Street.

As discussed previously, the C-1 designation allows medium-scale, commercial mixed uses. The base density for residential uses is six (6) dwelling units to a maximum of 12 dwelling units per acre and a maximum of 80 hotel rooms per acre.<sup>7</sup> The C-1 area is a transitional zone between the more intensive C-2 and North Village areas. The C-2 designation allows for medium- and large-scale commercial mixed uses. The density of development is the same as in the C-1 area. Intended uses include retail and office space for services as well as visitor lodging and residential uses.

As discussed above and shown in **Figure 2-3, Zoning Districts**, there are three commercial zoning districts associated with the C-1 and C-2 designations: MLR, D, and OMR. Generally, the MLR district corresponds to the C-1 designation while the D and OMR generally correspond to the C-2 designation. There are approximately 26 acres of land zoned MLR, approximately 45 acres zoned D, and approximately 51 acres zoned OMR.

The lands zoned MLR, D, and OMR are currently developed with a mix of residential units, lodging, and commercial services for residents and visitors to the Town. There are a few scattered vacant parcels. The existing uses include retail, restaurants, cinema, equipment rental, storage, laundromat, gas stations, banks, pet supplies, offices, residences, churches, day care, visitor accommodations, and some construction related uses. Based on Town data, there are approximately 757 residential units,<sup>8</sup> approximately 537 lodging units,<sup>9</sup> and approximately 1,046,978 square feet of commercial floor area within the Project Area.<sup>10</sup>

<sup>7</sup> As indicated above, the density within the Commercial Land Use Designations is a base of 40 rooms per acre with the potential for double density pursuant to General Plan Policy L.5.G.

<sup>8</sup> Residential units – Includes condos, apartments, etc. This category includes all projects that were built according to the 12 units / acre requirement.

Main Street serves as the east-west thoroughfare through the Town. Currently, there is a frontage road that parallels both the north and south sides of Main Street, which creates a large setback for the businesses from the roadway. Angled parking is provided in pockets along portions of the frontage road. There are areas with slopes where the properties on the north side of Main Street sit above the road and areas on the south side that sit below Main Street. There is no sidewalk along Main Street or the frontage road. (In 2014 the Town Council accepted the Main Street Plan, which identifies changes to the Main Street corridor, which are incorporated into the Mobility Element Update that is discussed below.)

Old Mammoth Road runs north-south and intersects with Main Street to form the primary entrance for visitors into the Town. This area is primarily developed with commercial strip malls geared to the automobile with large surface parking lots on most parcels fronting the roadway and the buildings set back from the streets. Residential development is intermixed with commercial development and is primarily multi-family with a mix of large complexes and smaller 6- and 8-unit buildings. The buildings are low scale, generally one to two stories in height. Sidewalks are provided on both sides of the street.

## **b. Mobility Element Update Project Area**

As an element of the Town's General Plan, the planning area for the Mobility Element Update is consistent with the planning area established for the General Plan, which is shown in Figure 2-1. While the Mobility Element focuses on the transportation system within the Town's UGB, connectivity to areas outside of the UGB, including adjacent public lands and other regional transportation system is also considered.

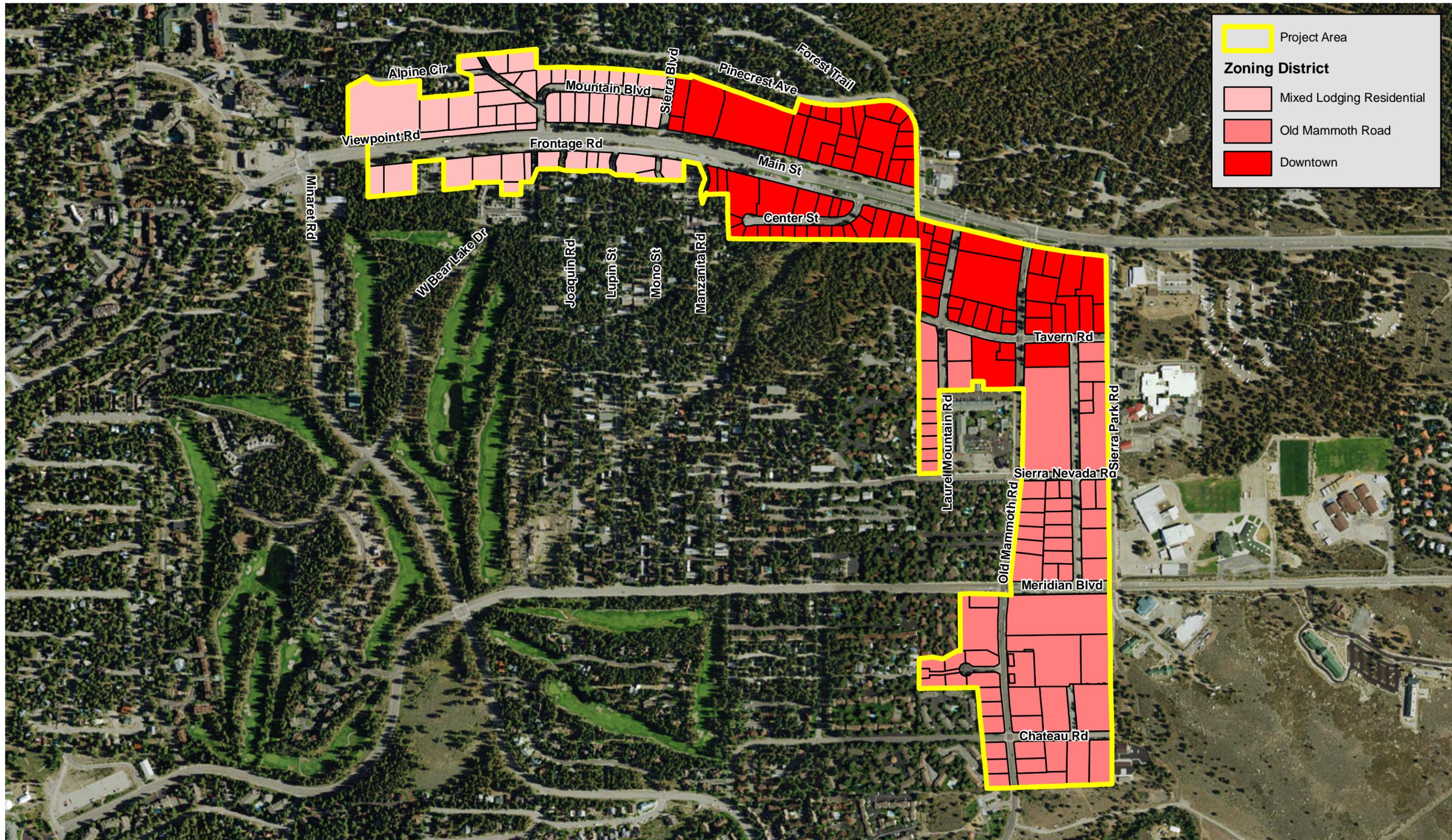
## **4. STATEMENT OF OBJECTIVES**

Section 15124(b) of the CEQA Guidelines states that a project description shall contain "a statement of the objectives sought by the proposed project." In addition, Section 15124(b) of the CEQA Guidelines further states that "the statement of objectives should include the underlying purpose of the project." As set forth by the CEQA Guidelines, the intent of the proposed Land Use Element and Zoning Code Amendments as well as the Mobility Element Update is to achieve a sustainable and integrated system of land use and transportation in the Town of Mammoth Lakes. More specifically, the proposed changes in the development standards and Mobility Element Update are to:

- Create flexibility in the development standards in the commercial districts through the removal of the unit/room cap and the use of a floor area ratio so as to focus on the overall size of a structure;
- Cluster greater density in the downtown area to reduce vehicle miles travelled;
- Create a park-once downtown area in which people park their vehicles once and walk throughout the area thereby reducing congestion and vehicle miles travelled;
- Create a vibrant and walkable downtown area through the increase of intensity of use and the reconfiguration of Main Street;

<sup>9</sup> *Lodging units – Includes hotels, motels, B & Bs, etc. This category does not include homes or condos that are used transiently or as second homes. Every room or unit is counted as a whole unit.*

<sup>10</sup> *Commercial Square Feet – Includes square footage in a structure used for any "commercial" purpose, including retail, office, and service. "Commercial" is any use that is not Residential or Lodging. This category includes for example, post office, day care, churches, and storage.*



**Project Area**

**Zoning District**

- Mixed Lodging Residential
- Old Mammoth Road
- Downtown

This page is intentionally blank.

- Establish a progressive and comprehensive multimodal transportation system that serves the needs of residents, employees, and visitors in a way that is connected, accessible, and safe.
- Promote integration with land use, efficient management of infrastructure, and “greening” measures to reduce water quality and greenhouse gas impacts associated with vehicle use.
- Contribute to a healthy economy through the development of an efficient and balanced transportation system that optimizes the movement of people and goods and efficiently manages infrastructure and resources.

## 5. DESCRIPTION OF THE PROPOSED PROJECT

The project consists of several amendments to the General Plan Land Use Element and to the Zoning Code to change the allowable intensity of development within commercially designated areas to allow up to 2.0 FAR and to remove units and rooms per acre development standards. The project also includes revisions to the boundaries of commercially designated land in the Land Use Element to match current commercial zoning districts. In addition, the project includes changing Land Use Element policy and text associated with regulating population growth through a People At One Time (PAOT) approach to an impact assessment based approach, revising the methodology for projecting buildout, deleting Policy L.3.F. related to community benefits, and modifying Transfer of Development Rights (TDR) policies. In addition, consistent with assumptions in the buildout projections, the Town proposes a Zoning Code Amendment to allow 75 percent of the ground floor to be used for units or rooms (and other non-active uses) retaining the commercial uses along Primary and Secondary Active Frontages. Finally, the project includes the adoption of the Mobility Element Update. The components of each of these changes is discussed below.

### a. Land Use Element Amendments

The following section describes the General Plan Land Use Element amendments associated with the change in the commercial development standards, revisions to the boundaries of commercial designated land, change in the PAOT approach to and impacts assessment approach, and associated changes regarding CBIZ and TDR policies.

#### FAR and Removal of Room and Unit Cap

The General Plan Land Use Element establishes the distribution and intensity of land use within the Town. The proposed amendments would not change the land use designations or the location of the types of development within the Town. The proposed amendments modify the intensity of development that could occur in the C-1 and C-2 designated areas. The amendments would allow up to a 2.0 FAR and would remove the units and rooms per acre development standard. Therefore, the use of FAR coupled with setbacks, maximum building heights, parking, and snow storage requirements established in the Zoning Code would establish the maximum building envelope in which the uses could be contained. The proposed change to a FAR with no room or unit cap would provide greater flexibility.

With the correction to the Land Use map discussed below, approximately 29 acres of land would be designated C-1 and approximately 93 acres of land would be designated C-2. As indicated in **Table 2-1, Acreage in the Project Area Within Commercial Zoning Districts By Category**, the commercial zoning districts contain approximately 29 acres zoned MLR; approximately 41 acres zoned D; and approximately 50 acres zoned OMR.

Table 2-1

## Acreage in the Project Area Within Commercial Zoning Districts By Category

District	Vacant	Intensify/Redevelop	No Change/Approved	Totals
MLR	1.5	3.0	25.4	29.9
D	4.5	15.6	21.2	41.3
OMR	2.3	0.5	48.0	50.8
<b>Totals</b>	<b>8.3</b>	<b>19.1</b>	<b>94.6</b>	<b>122.0</b>

*Frontage Road associated with Vacant or Intensify/Redevelop Lands: 2.6 acres (0.9 acres on the north side of Main Street and 1.7 acres on the south side of Main Street). Therefore, an additional 2.6 acres of land is assumed available for development.*

*Source: PCR Services Corporation, 2014*

For purposes of the environmental analysis, it is assumed that approximately 95 acres or about 78 percent of the land area within the MLR, D, and OMR zoning districts would not be expected to change. No additional units or substantial square footage is expected on this acreage because of one of the following factors: the age and characteristics of the existing development, an existing development approval, historical trends of development, or economic analysis of development that could be absorbed in the area.<sup>11</sup>

As shown in Table 2-1, there are approximately eight (8) acres of vacant land within the Project Area, all of which would be assumed to develop. Approximately 19 acres within the Project Area would likely intensify or redevelop. Of the approximately 122 acres within the Study Area, approximately 27 acres, or 22 percent of the land, would be subject to development, redevelopment, or intensification.

In February 2014 the Town accepted the Main Street Plan, which envisions specific changes along Main Street, including an increase in the intensity of development and the vacation of the frontage road. The purpose of the Main Street Plan is to transform the Main Street corridor from an auto-dominated state highway into a pedestrian-first street. A portion of the area evaluated in the Main Street Plan is located within the Project Area. There are approximately 2.6 acres of land within the frontage road associated with properties that could develop, redevelop, or intensify. Of the approximately 2.6 acres, approximately 0.9 acres would be located on the north side of Main Street and approximately 1.7 acres would be located on the south side of Main Street. Because additional development could occur as a result of the vacation of the frontage road, approximately half of the acreage, or 1.3 acres, was assumed available for mixed-use development.

**Table 2-2, Comparison of Buildout Under Current Regulations and 2.0 FAR**, compares the buildout that could occur in the Project Area under the existing regulations and buildout with a 2.0 FAR. Based on the FAR Analysis, the potential buildout using an FAR only approach could result in an increase in intensity of uses within the MLR, D, and OMR zoning districts compared with the buildout that could occur in the MLR, D, and OMR zoning districts under the current regulations. The 2.0 FAR could result in an estimated 76 rooms per acre for lodging and approximately 43 to 46 residential units per acre.

<sup>11</sup> *Mammoth Lakes Economic Forecast and Revitalization Strategies, Economic & Planning Systems, Inc., October 2011.*

**Table 2-2**

**Comparison of Buildout Under Current Regulations and 2.0 FAR  
(MLR, D, and OMR Zoning Districts)**

	<b>Buildout – Current Regulations</b>	<b>Buildout – 2.0 FAR</b>	<b>Change in Buildout Potential (Current Regs vs. 2.0 FAR)<sup>a</sup></b>
Commercial (Square Feet)	53,136 square feet <sup>b</sup>	483,154 square feet	+ 430,018 square feet
Lodging (Rooms)	524 to 1,048 rooms <sup>c</sup>	951 rooms	+427 to -97 rooms
Residential (Units)	117 units <sup>d</sup>	430 units	+ 313 units
Vacation of Frontage Road <sup>e</sup>		28,957 square feet 40 rooms 23 units	

<sup>a</sup> These numbers are the difference between development that could occur under current regulations minus development that could occur with a 2.0 FAR. This does not provide a net number, which would be deducting the existing square footage.

<sup>b</sup> The Zoning Code currently allows 2.5 FAR in the commercial districts with a limit on the number of rooms or residential units. While under the current regulations a project could develop 2.5 FAR of commercial floor area, for purposes of this comparison a 0.25 FAR is used as that relates to the level of development assumed in the Town’s traffic model.

<sup>c</sup> Assumes 40 to 80 rooms/acre; 40 rooms/acre is the base allowable intensity, with up to 80 rooms/acre allowed with the provision of community benefits.

<sup>d</sup> Assumes 12 units/acre.

<sup>e</sup> Assumes that one-half of the acreage associated with parcels that may develop, redevelop, or intensity could also develop. For analysis purposes this assumes that an additional 1.3 acres of land would be available for mixed use development as a result of the vacation of the frontage road. The projections assume that 25% of the square footage would be commercial uses and the 75% would be split between residential and lodging.

Source: PCR Services Corporation, 2014

**Table 2-3, Summary of Proposed Land Use Changes within the Commercial Designations**, summarizes the changes that could occur from the proposed change within commercially designated areas to allow up to 2.0 FAR including the removal of units and rooms per acre development standards.

The 2.0 FAR could result in an increase in intensity within the Downtown area. With the current regulations that require ground floor commercial space along certain streets, the area would likely be more mixed-use in nature.<sup>12</sup> The increase in intensity and requirement for mixed-use development within the Project Area would likely concentrate the development in a smaller geographic area. This in turn could help to create a more pedestrian-focused environment and would support the park-once approach in the downtown area.

The proposed General Plan amendments would modify the description of the C-1 and C-2 designations to reflect the minimum 0.75 FAR and maximum 2.0 FAR and to remove the density/intensity cap. The following shows the proposed amendments in strikethrough/underline:<sup>13</sup>

<sup>12</sup> For purposes of estimating development associated with 2.0 FAR, the ground floor was assumed to have a minimum of 25 percent commercial space and up to 75 percent units/rooms depending on the anticipated use.

<sup>13</sup> Strikethrough/underline is used to show the deleted and new text. The text shown in ~~strikethrough~~ is text to be deleted and the text shown in underline is new text.

Table 2-3

## Summary of Proposed Land Use Changes within the Commercial Designations

	Residential Units	Lodging Units	Commercial Floor Area
Existing	757 units <sup>a</sup>	537 rooms <sup>b</sup>	1,046,978 square feet <sup>c</sup>
Proposed 2.0 FAR Net Increase	+379 units <sup>d</sup>	+920 rooms <sup>e</sup>	+341,377 square feet <sup>f</sup>
Projected Buildout with 2.0 FAR (Existing + 2.0 FAR Buildout)	1,136 units	1,457 rooms	1,388,355 square feet
Current Regulations Net Increase	43 units <sup>g</sup>	453 to 977 rooms <sup>h</sup>	78,844 square feet <sup>i</sup>
Projected Buildout Under Current Regulations (Existing + Current Regulations Buildout)	800 units	990 to 1,514 rooms	1,235,822 square feet
<b>Net Change (Buildout with 2.0 FAR – Buildout Under Current Regulations)</b>	<b>+336 units</b>	<b>+467 room to -57 rooms</b>	<b>+152,533 square feet</b>

<sup>a</sup> Residential units – Includes condos, apartments, etc. This category includes all projects that were built according to the 12 units/acre requirement.

<sup>b</sup> Lodging units – Includes hotels, motels, B & Bs, etc. This category does not include homes or condos that are used transiently or as second homes. Every room or unit is counted as a whole unit.

<sup>c</sup> Commercial Square Feet – Includes square footage in a structure used for any “commercial” purpose, including retail, office, and service. “Commercial” is any use that is not Residential or Lodging. This category includes for example, post office, day care, churches, and storage.

<sup>d</sup> This is a net number which is the projected units minus existing units (430 projected units – 74 existing units = 356 net residential units). In addition, this includes the 23 residential units that could be developed as a result of the additional developable land from the vacation of the Main Street frontage road (356 net units + 23 units = 379 units).

<sup>e</sup> This is a net number which is the projected rooms minus existing rooms (951 projected rooms – 71 existing rooms = 880 net rooms). In addition, this includes the 40 rooms that could occur as a result of the additional developable land from the vacation of the Main Street frontage road (880 net rooms + 40 rooms = 920 rooms).

<sup>f</sup> This is a net number which is the projected square footage minus existing square footage (483,154 square feet – 170,734 square feet = 312,420 square feet). (This assumes that the existing square footage on parcels that would intensify would remain.) In addition, this includes 28,957 square feet that could occur as a result of the additional developable land from the vacation of the Main Street frontage road (312,420 net square feet + 28,957 square feet = 341,377 square feet).

<sup>g</sup> This is a net number which is the projected units under current regulations (12 units/acre) minus existing units (117 projected units – 74 existing units = 43 net units).

<sup>h</sup> This is a net number which is the projected rooms under current regulations (80 rooms/acre) minus existing rooms (524 to 1,048 projected rooms – 71 existing rooms = 453 to 977 net rooms).

<sup>i</sup> This assumes 0.25 FAR on vacant parcels that are considered for mixed use (7.24 acres, as remaining 1.01 acres are assumed to develop with residential use only). In addition, this assumes the existing non-residential square footage would be replaced at the same intensity as existing and assumes no increase of commercial square footage on parcels identified for intensification under the 2.0 FAR scenario.

Source: Town of Mammoth Lakes and PCR Services Corporation, 2014

**Commercial 1 (C-1)** The C-1 designation allows medium-scale, commercial mixed uses. ~~The base density for residential is six (6) to a maximum of twelve (12) residential dwelling units per acre and a maximum of forty (40) hotel rooms per acre. The minimum floor area ratio is 0.75 and the maximum floor area ratio is 2.0.~~ This designation is located along Main Street between the North Village district and Mono Street, and is intended to create a transition zone to the more intensive Commercial 2 and North Village designation. ~~A minimum floor area ratios and amount of commercial uses will be established in the Zoning Code.~~

**Commercial 2 (C-2)** This designation allows for the community’s medium- and large-scale commercial uses. ~~The base density for residential is six (6) to a maximum of twelve (12) residential dwelling units per acre~~

~~and a maximum of forty (40) hotel rooms per acre. The minimum floor area ratio is 0.75 and the maximum floor area ratio is 2.0. Intended uses include retail and office space for services as well as visitor lodging and residential uses. A minimum floor area ratio and amount of commercial uses will be established in the Zoning Code.~~

### **Land Use Diagram Amendment**

**Figure 2-4, *Proposed Revisions to the Land Use Diagram***, shows the changes to the Land Use Diagram to correct boundaries of the C-1, C-2 and HDR-1 designations to match the associated zoning. With the correction to the Land Use map, approximately 29 acres of land would be designated C-1 and approximately 93 acres of land would be designated C-2.

### **People At One Time Amendment**

The project includes an amendment to Policy L.1.A, which limits the PAOT to 52,000 people. Given that the Town has determined that an impacts-based assessment approach would be more meaningful to ensure that the projected and proposed growth do not exceed the Town's carrying capacity, the policy would be amended as follows:

~~L.1.A. Policy: Limit total peak population of permanent and seasonal residents and visitors to 52,000 people. Utilize Project Impact Evaluation Criteria (PIEC) to evaluate the relationship between growth, density, and population to ensure the balance of economic, social, and environmental factors so as to ensure that development does not exceed the carrying capacity of the Town.~~

### **Community Benefits Incentive Zoning Amendment**

CBIZ has been used to allow an increase in density or height, or exceptions to setback requirements. With the removal of the density cap, CBIZ would not be necessary for density increases. Therefore, the Town's General Plan amendments propose a deletion of Policy L.5.G. from the General Plan as follows:

~~L.5.G. Policy: In the C-1 and C-2 Designations, density may be increased to no more than twice the density for hotel, motel, and similar transient lodging projects that specifically enhance the tourism, community, and environmental objectives of the Town. This enhancement must be through the provision of amenities, services, and/or environmental benefits above and beyond those required to meet the incremental demands of the project. These amenities, services, and environmental benefits include, but are not limited to those listed under "Community Character" on page 24 of this General Plan. Any such increase shall further the Community Vision, shall be consistent with the discussion of "Build-out" on page 37 of this General Plan, shall be consistent with approved District Plans, and shall be subject to such rules, processes, and findings as may be adopted by the Town Council in its sole discretion.~~

### **Transfer Development Rights Amendment**

Action L.3.H.1. of the General Plan indicates that the Town should prepare a transfer of development rights ordinance. The FAR regulatory approach would eliminate the density limitations within the Commercial Zones which would mean that density would lose value as there would be no density maximums in the Commercial Zones. Therefore, the Town's General Plan amendments propose a modification to Policy L.3.H and the deletion of Action L.3.H.1 as follows:

~~L.3.H. Policy: Density may be clustered or transferred within clearly articulated district, master and, specific plans to enhance General Plan goals and policies. Development rights may also be transferred between districts when that transfer furthers protection of identified environmentally sensitive areas.~~

~~L.3.H.1. Action: Prepare a transfer of development rights ordinance describing the methods and findings for approving such density transfers.~~

### **General Plan Build Out**

In addition to the amendments discussed above, the discussion regarding buildout in the General Plan (p. 37 of the General Plan) would be revised to remove reference to the PAOT. Table 2-4, Buildout Analysis, provides the projected buildout using the proposed methodology. With the proposed revision to Policy L.1.A, replacing the use of PAOT with the PIEC evaluation, the methodology used to project buildout for the Town needs to be revised. The following, which would replace the discussion on p. 37 of the General Plan, describes the proposed methodology to determine buildout in the Town.<sup>14</sup>

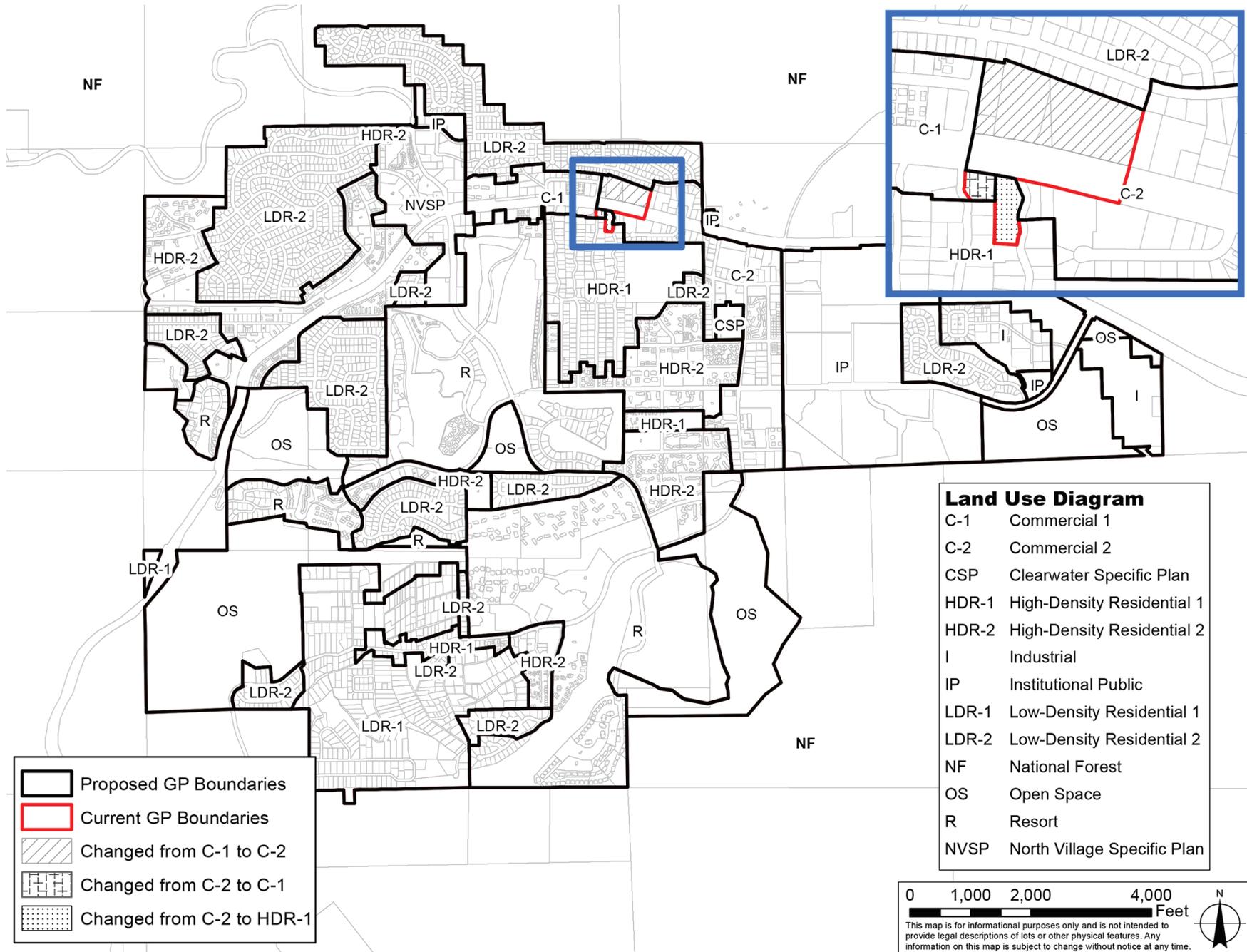
### **Build Out**

The Land Use Element of the General Plan establishes the location and intensity of planned land uses. Buildout, as described in this General Plan, refers to the maximum number of potential residential units and maximum amount of commercial, industrial, and non-residential square footage within the Town's municipal boundary. The General Plan buildout provides a framework for the future growth of the Town of Mammoth Lakes. While the buildout projection identifies areas for potential growth and development, it is not expected that the full buildout will be reached in the 20-year horizon of the General Plan.

The buildout shapes how the town will look and feel and guides municipal infrastructure and facility needs. The buildout also informs the Town's Capital Improvement Plan (CIP) that delineates the location and improvements associated with each public facility. CIPs are prepared based on the buildout information and are updated over time to reflect changing community conditions. The Development Impact Fee program is based on the Capital Improvement Plan and the anticipated future infrastructure and facility needs. Development Impact Fees fund only physical improvements and the General Fund finances operations and maintenance. Additionally, buildout projections are used by other partner agencies like the Mammoth Community Water District to inform their future planning of infrastructure and facilities.

The General Plan buildout captures significant population fluctuations caused by the seasonality of the Town's economy. Planning for facilities and infrastructure requires an understanding of these population fluctuations, as demand for some services are created by the permanent population and other demands are created by peak populations, which include permanent and visitor populations. For example, planning for facilities such as libraries, schools, and parks is based on the buildout of the permanent population. Utility planning (for water, sewer, etc.) is based on service usage during peak periods. Air quality limitations (measured in part by Vehicle Miles Traveled (VMT)) are also based on usage on the Town's Design Day which is the 7<sup>th</sup> busiest winter Saturday.

<sup>14</sup> Please see page 37 of the adopted General Plan for the existing Buildout discussion/methodology. Since the proposed text, which is presented above, is a replacement of the existing text and given the extensiveness of the discussion, the text is not shown in redline/strikeout.



## Proposed Revisions to the Land Use Diagram

This page is intentionally blank.

In the past, the Town used People at One Time (PAOT) as the metric for calculating buildout. After the General Plan was approved in 2007 using PAOT to calculate buildout, the Town Council reviewed PAOT and in 2009 adopted Resolution No. 09-22 which approved a shift away from PAOT-based project evaluation to impact based evaluation and mitigation, reflecting and including the following: The impacts in the 2007 General Plan FEIR Alternative 3: Reduced Development Alternative corresponding to 52,000 PAOT should be used as benchmarks and standards in evaluating projects and planning documents to acceptable impact levels. Additionally, in June of 2009 the Town Council adopted Resolution No. 09-34 which further emphasized the shift away from PAOT and recommended that the General Plan policy setting the peak population at 52,000 be amended to reflect the shift from PAOT to PIEC. The current buildout calculation reflects this shift away from counting people. The buildout presented here is based on residential and lodging units and commercial square footage which is a common practice in California to calculate General Plan buildout.

Although many different approaches can be used to make buildout projections, any forecast must acknowledge that because of changing demographics, market and economic conditions, numbers will be constantly changing. As a part of the update process in 2016, Town staff worked to make the buildout calculation as clear as possible using objective assumptions, with the goal that the buildout will be easily replicated in the future. Information from the Department of Finance, the Town's Development Impact Fee Population Analysis (July 2015), and the Town's GIS system, has been used to prepare the buildout projection.

**Policy:** The Town shall review and adjust, as needed, the General Plan's buildout calculations every five years. If construction of significant commercial/lodging/residential products has not occurred within the five year period, a summary of construction shall be prepared and included in the General Plan files but a detailed buildout analysis shall not be required.

### **Other Amendments**

As a result of the proposed amendments discussed above, cleanup of other portions of the General Plan would be necessary. Appendix A: Action Table and Appendix E: Useful Terms for Understanding the General Plan would be revised to reflect the changes. For example, the definitions for Community Benefit and PAOT would be deleted. In addition, the term and definition for Floor Area Ratio would be added.

#### **b. Zoning Code Amendments**

The proposed Zoning Code Amendments revise the allowable FAR in the MLR, D, and OMR zoning districts to reflect the 2.0 FAR that was determined to provide an appropriate level of development through the FAR Analysis. In addition, the Zoning Code Amendments would remove the unit and room cap that is currently specified in the code. No change is proposed to other development standards, such as setbacks, height, parking, and areas for snow removal. Thus, Section 17.24.010, Purpose, of the Zoning Code would be revised as follows:

**Downtown District (D).** Downtown (D) District is intended to provide a thriving mix of residential, non-residential, and lodging uses and a distinctive gateway entry into town, with a focus on ground-level commercial uses and active frontages. The development standards are intended to concentrate development along Main Street with a focus on shop front buildings that frame the street and provide an animated,

pedestrian-friendly environment with high visual quality. The minimum floor area ratio is 0.75 and the maximum FAR is 2.52.0. ~~Lodging development has a maximum density of 80 rooms/acre. Residential development has a maximum density of 12 units/acre.~~—The D zoning district is consistent with the Commercial 2 (C-2) land use designation of the General Plan.

**Old Mammoth Road (OMR).** The Old Mammoth Road (OMR) District is intended as an arts and culture district oriented toward medium scale commercial development along Old Mammoth Road, emphasizing community serving retail, artist galleries, office and service uses. It is intended to encourage a mix and intensity of uses in a pedestrian-scaled environment at a scale and form that is appropriate to its neighborhood context and adjacent residential uses and forms. The minimum floor area ratio is 0.75 and the maximum FAR is 2.52.0. ~~Lodging development has a maximum density of 80 rooms/acre. Residential development has a maximum density of 12 units/acre.~~—The OMR zoning district is consistent with the Commercial 2 (C-2) land use designation of the General Plan.

**Mixed Lodging/Residential (MLR) District.** The Mixed Lodging/Residential (MLR) District is intended to allow one or more of a variety of lodging, residential, and non-residential uses to encourage a mix of uses and

emphasize transient occupancy. The minimum floor area ratio is 0.75 and the maximum FAR is 2.52.0. ~~Lodging development has a maximum density of 80 rooms/acre. Residential development has a maximum density of 12 units/acre.~~—The MLR zoning district is consistent with the Commercial 1 (C-1) land use designation of the General Plan.

In addition, text would be added to Section 17.24.010 to clarify that while a maximum 2.0 FAR would be allowed, there are other development standards that must be met on a parcel. The 2.0 is considered a maximum allowable FAR and is not “by right” and may not be achieved on all parcels given site constraints and compliance with other standards. The proposed addition to the Zoning Code is as follows:

- A. The permissible Floor Area Ratio (FAR) for a particular project or parcel will be affected by applicable design requirements; height, setback, snow storage, parking, and stepback requirements; and other development and dimensional standards. Accordingly, the maximum theoretically possible FAR is not achievable in some instances. Nothing in this Zoning Code or in the Town’s General Plan waives any design requirement or excuses compliance therewith, or entitles any applicant, project, or parcel to receive the maximum theoretically possible FAR.

The Town also proposes an amendment to the Specific Limitations listed at the end of Table 17.24.020: Allowed Uses and Permit Requirements for Commercial Zoning Districts, of the Zoning Code to revise the uses that are allowed on the ground floor. Rather than require that the entire ground floor be occupied by commercial uses and consistent with the assumptions used in the FAR Analysis, the amendment would require uses along the street frontage to activate the street within a minimum depth of the building. The proposed amendment to Note 1 of Table 17.24.020 is as follows:

**Table 2-4**  
**Buildout Analysis**

Land Use Designation/Proposed Maximum DU/AC and FAR	Total Land Area (acres) <sup>a</sup>	Vacant Land Area (acres) <sup>a</sup>	Existing		Assumed Density and Intensity for Future Development <sup>d</sup>	New Future Units <sup>b e</sup>		New Commercial and Industrial (sq ft) <sup>c</sup>	Total Units at Buildout <sup>e</sup>	Total Population at Buildout <sup>f</sup>	Total Commercial and Industrial (sq ft) at Buildout <sup>c</sup>
			Existing Units <sup>b</sup>	Existing Commercial and Industrial (sq ft) <sup>c</sup>		Assumptions	Buildout Projections				
<b>RESIDENTIAL</b>											
Low-Density Residential 1 (LDR-1) - 2 DU/AC	208	61	287	-	2 DU/AC	122	N/A	409	1,419	N/A	
Low-Density Residential 2 (LDR-2) - 4 DU/AC	384	69	1,569	-	4 DU/AC	276	N/A	1,845	6,402	N/A	
High-Density Residential 1 (HDR-1) - 6-12 DU/AC	112	36	692	-	12 DU/AC	604	N/A	1,296	4,497	N/A	
High-Density Residential 2 (HDR-2) - 6-12 DU/AC, 36 rooms/AC	263	12	3,886	-	12 DU/AC	144	N/A	4,030	13,984	N/A	
Resort (R) - 6-8 DU/AC, 12-16 rooms/AC <sup>12</sup>	554	292	1,719	65,175	N/A	1,943	305,675	3,662	12,707	370,850	
<b>COMMERCIAL, INDUSTRIAL, AND INSTITUTIONAL PUBLIC</b>											
Commercial 1 (C-1) - 0.75 - 2.0 FAR 14	32	2	226	24,984	2.0 FAR	180	1,857	406	1,409	26,841	
Commercial 2 (C-2) - 0.75 - 2.0 FAR 14	90	8	559	1,021,994	2.0 FAR	659	339,520	1,218	4,226	1,361,514	
Industrial (I) 9 10	68	68	2	296,941	N/A	-	196,606	2	2	493,547	
Institutional Public (IP) 11	218	30	36	-	4 DU/AC	193	N/A	229	795	N/A	
<b>SPECIFIC PLAN</b>											
Clearwater Specific Plan (CSP) - 80 rooms/AC 7	6	N/A	74	11,948	80 rooms/AC	170	41,500	244	845	41,500	
North Village Specific Plan (NVSP) 7 13	57	29	599	131,033	1,359	1,359	3,967	1,958	6,794	135,000	
<b>OTHER</b>											
Airport (A)	192	N/A	N/A	7,250	N/A	N/A	40,000	N/A	N/A	40,000	
Open Space (OS)	317	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
National Forest (NF)	12,837	N/A	259	350,234	N/A	N/A	N/A	259	899	N/A	
<b>TOTAL</b>	<b>15,337</b>	<b>607</b>	<b>9,908</b>	<b>1,909,559</b>	<b>N/A</b>	<b>5,650</b>	<b>889,125</b>	<b>15,558</b>	<b>53,980</b>	<b>2,469,252</b>	

<sup>a</sup> Acres are given as adjusted gross acreages rounded to the nearest acre, which do not include right-of-ways.

<sup>b</sup> Consistent with Zoning Code Section 17.32.110.C.7 a hotel room is considered one-half of a unit.

<sup>c</sup> Includes all non-residential uses including post office, office uses, day care, retail, industrial, etc.

<sup>d</sup> Residential density is expressed as dwelling units per acre and commercial intensity is expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.

<sup>e</sup> Includes 172 units within the HDR-1 land use designation achieved through a Town or State density bonus.

<sup>f</sup> The total population number includes all residents/visitors in town with 100 percent occupancy. The vacancy rate fluctuates in town between a year-round vacancy rate of 72% to a seasonal vacancy rate of 10% (Tishler Bise DIF Report 2015). Assuming the seasonal vacancy rate the maximum population in town at buildout would be 48,582.

<sup>g</sup> The total number of units and square footage of retail and nonretail uses for Specific Plans were taken directly from the approved land use plans associated with each Specific Plan document.

Source: Town of Mammoth Lakes, 2016

This page is intentionally blank.

Table 17.24.020: Specific Limitations:

1. ~~Not allowed on the ground floor along Primary and Secondary Active Frontages.~~ Limited to no more than 75% of the ground floor area when located along Primary and Secondary Active Frontages. A minimum of 25% of the ground floor area shall be occupied by uses permitted by right or by Administrative Permit (i.e. active uses) and shall occupy the building or structure's frontage for a minimum depth of 20 feet (Administrative Permit required for depths less than 20 feet).

### c. Mobility Element Update

The Mobility Element is a component of the General Plan and guides the Town's investment and decision-making for transportation and accessibility improvements to the Town's system of roads, sidewalks, paths, bike lanes, trails, parking, and public transit. The Mobility Element Update establishes the Town's goals, policies, and actions necessary to achieve a progressive and comprehensive multimodal transportation system that serves the needs of residents, employees, and visitors in a way that is connected, accessible, and safe.

The Mobility Element Update involved research on emerging and practical transportation and land use principles, coordination with agencies that have jurisdiction within the defined planning area and immediate surrounding area (i.e., California Department of Transportation and Inyo National Forest (U.S. Forest Service) as well as other stakeholders, such as the Great Basin Unified Air Pollution Control District (GBUAPDC), Eastern Sierra Transit Authority (ESTA), United States Forest Service (USFS), Mammoth Mountain Ski Area (MMSA), and Mono County Local Transportation Commission (MCLTC). In addition, public participation played an important role in the development of the Mobility Element Update. Broad-based public outreach and community engagement was conducted to solicit feedback and input from the public about mobility issues and needs and to discuss potential solutions and priorities. Participation from all sectors of the community, including permanent residents, visitors, second home-owners, and other agencies and organizations, was encouraged. The Town provided a series of transportation-specific input opportunities, including two workshops, one all day open house, two "roadshow" trolley tours of the major transportation corridors, and an internet-based survey.

The framework of the Mobility Element Update reflects two key concepts that are a focus of the General Plan:

- The Triple-Bottom-Line – The community's social, economic, and natural capital, and
- "Feet-first" Transportation – emphasizes and prioritizes non-motorized travel first, public transportation second, and vehicle last.

The following are principles that guide the Mobility Element and help achieve the overarching goals of the General Plan:

- Complete streets: Serve all users and all abilities through bicycle, pedestrian, and vehicle infrastructure;
- Safety: A safe and accessible system is fundamental;
- Environment: Improve air quality, water quality and slow climate change;

- Management: Transportation infrastructure is an expensive and limited resource;
- Context-sensitive design: Design follows function, character, and environment;
- Public spaces and places: Streets are an important part of “place-making”;
- Community health: Improving transportation improves health;
- Affordability: Integration of housing and transportation planning can influence affordability; and
- Economy: Efficient transportation supports a strong economy.

The Mobility Element Update provides the framework for the Town’s existing and future multimodal transportation system. The future multimodal transportation system will be progressive and comprehensive and will serve the various needs of residents, employees, and visitors in a way that is connected, accessible, uncongested, and safe. The Mobility Element Update provides detailed guidance for each mode of transportation, including pedestrian, bicycle, transit, and vehicle. The Mobility Element Update is divided into sections addressing each mode of transportation. Each section includes a series of goals, policies, and actions that establish the framework necessary to address transportation needs and to make positive progress toward creating a sustainable and attractive transportation system consistent with the general Plans triple-bottom-line and feet-first concepts.

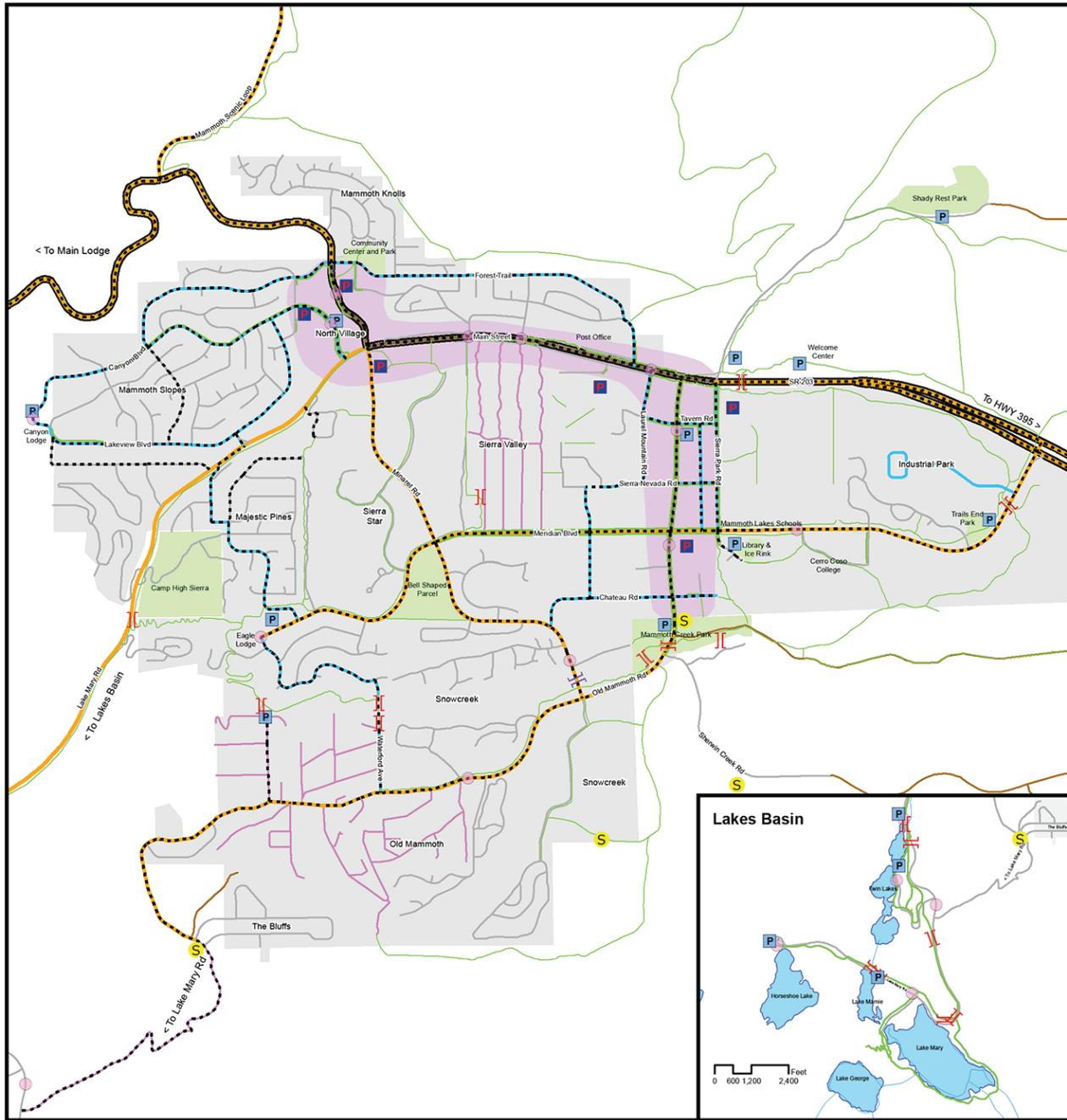
The Complete Streets section of the Element synthesizes all components of the transportation system and recognizes that streets must provide appropriate infrastructure for pedestrian, bicycle, and vehicle uses. Additionally, complete streets provide unique public spaces and the opportunity to enhance the character and quality of life in the Town. The Mobility Element recognizes that increasing the overall capacity of the system, by emphasizing improvements that reduce vehicle trips and focus on feet-first travel will be necessary.

The Mobility Element Update contains goals, policies, and action items for each of the following sections:

- Complete Streets
- Vehicle
- Pedestrian
- Bicycle
- Transit
- Parking
- Travel Demand Management
- Regional and Interregional Transportation

To carry out its primary objectives, the Mobility Element Update identifies the improvements to the local and regional transportation systems. **Figure 2-5, Complete Streets**, shows the street improvements that are proposed in the Mobility Element Update, which include the following:

**Figure 3-1**  
**Complete Streets**  
 Town of Mammoth Lakes  
 General Plan Mobility Element



- BIKEWAYS**  
Class II and class III on street bike lanes and routes.
- PEDESTRIAN ROUTES**  
Existing and future sidewalks and MUP's.
- STATE HIGHWAY**  
State Route 203
- ARTERIAL COMMERCIAL**  
Arterial Commercial street provide access for all forms of transportation, but should emphasize pedestrian and transit oriented design to encourage use of alternative modes.
- ARTERIAL**  
Arterial street connect the Towns neighborhoods to the commercial districts and recreation portals.
- COLLECTOR**  
Collector streets distribute vehicle and multimodal trips from local to arterial streets.
- LOCAL - SHARED STREETS**  
Shared Streets are typically not wide enough to accommodate separate zones for people walking, bicycling, parking or driving. Therefore, all uses must share the street.
- LOCAL - CONSTRAINED STREETS**  
These streets typically have "constrained" right-of-way and pavement width which generally does not meet Town Standards. All users share the street.
- UNIMPROVED STREETS**  
Unimproved streets are unpaved and do not meet Town Standards. Unimproved streets generally provide access to some recreation and campground areas and to some single-family residential parcels.
- PARKS AND COMMUNITY FACILITIES**  
Locations that should be easily accessed by pedestrians and investment focused.
- GENERAL PEDESTRIAN ZONE**  
Destination for pedestrians. Designed for pedestrian connections.
- URBAN GROWTH BOUNDARY**
- P** EXISTING PUBLIC PARKING
- P** PLANNED PUBLIC PARKING AREA  
Parking area will accommodate 50+ parking spaces.
- S** PLANNED STAGING AREA  
Staging area will accommodate 5-50 parking spaces.
- I** EXISTING BRIDGE / TUNNEL
- I** FUTURE BRIDGE / TUNNEL
- P** MAJOR TRANSIT STOP

Updated 7-7-2015



This page is intentionally blank.

- Main Street Reconfiguration – The Main Street Plan includes the vacation of the frontage roads and conversion to a four-lane cross-section with a center median and turn pockets. Implementation would likely be phased. Preliminary phases to provide basic infrastructure and pedestrian access would be constructed by the Town with major capital works being driven by new development on Main Street.
- USFS Property Connections – Provides connections within the USFS lands on the north side of Main Street. These connections would provide improved connectivity on the north side of Main Street and would be considered with potential future USFS development plans.
- Thompsons Way – Creates a new north-south street connection between Main Street and the Sierra Nevada Road Extension, parallel to Sierra Park Road that would provide access to the new courthouse, Mammoth Hospital, schools, and future civic center development.
- Tavern Road Extension – Extends Tavern Road to the east, which connects to Thompsons Way. The extension would primarily serve Mammoth Hospital and potential future development of the Civic Center parcel south of the new courthouse.
- Sierra Nevada Road Extension – Extends Sierra Nevada Road to the east to connect to the new Thompsons Way. This connection would create an additional east-west connection parallel to Meridian Boulevard near the schools and hospital.
- Shady Rest Site Connections – Provides connections within the Shady Rest Site between Center Street, Tavern Road, Dorrance Drive, and Chapparral Road/Arrowhead Drive. These connections would improve east-west and north-south connectivity in the center of town and would likely occur with development of the Shady Rest Site.
- Callahan Way Extension – Extends Callahan Way south to Dorrance Drive. This connection would provide improved access to Main Street from the Sierra Valley neighborhood and would likely occur with development of Sierra Star (Lodestar).
- 7B Road (Sierra Star Connector) – Connects Minaret Road to East Bear Lake Drive as well as to Main Street. This connection would provide required access to the future (approved) Mammoth Crossing and Tanavista projects as well as to Sierra Star (Lodestar). This connection would also provide enhanced emergency access to the Holiday Haus (approved) and the Chutes properties. This connection would likely occur with development of Sierra Star and Mammoth Crossing.

The Mobility Element Update identifies opportunities for new signals and roundabouts throughout Town. The location and implementation of these facilities will be carefully evaluated for public benefit and cost effectiveness as a traffic management facility.

## **6. APPROVALS AND PERMITS**

The Town of Mammoth Lakes is the lead agency under CEQA for the General Plan and Zoning Code Amendments as well as the adoption of the Mobility Element Update. The Mammoth Lakes Town Council will have final discretion over the General Plan and Zoning Code Amendments as well as the Mobility Element through adoption of these documents. No other approvals would be required.



## **3.0 BASIS FOR CUMULATIVE ANALYSIS**



### 3.0 BASIS FOR CUMULATIVE ANALYSIS

---

The California Environmental Quality Act (CEQA) requires that EIRs analyze cumulative impacts. As defined in *CEQA Guidelines* Section 15355, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other foreseeable projects causing related impacts in the vicinity of the Project. The cumulative impact is the change in the environmental impact that results from the incremental effect of the project when added to other past, present and future probable projects. *CEQA Guidelines* Section 15130(a) states that an EIR must discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in Section 15065(c)(a)(3). Where a lead agency is examining a project with an incremental effect that is not "cumulatively considerable," a lead agency need not consider that effect significant, but must briefly describe its basis for concluding that the incremental effect is not cumulatively considerable. However, an EIR should not discuss impacts which do not result in part from the project evaluated in the EIR. Furthermore, when the combined cumulative impact associated with the project's incremental effect and the effects of other projects is not significant, the EIR must briefly indicate why the cumulative impact is not significant and is not discussed in further detail in the EIR. A lead agency must identify facts and analysis supporting the lead agency's conclusion that the cumulative impact is less than significant.

In addition, *CEQA Guidelines* Section 15130(b) indicates that the analysis of cumulative impacts shall reflect the severity of the impacts and the likelihood of occurrence, but the discussion need not provide the same level of detail as is provided for the impacts attributable to the project alone. Instead, the discussion of cumulative impacts is guided by the standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of the other projects which do not contribute to the cumulative impact.

For an adequate discussion of significant cumulative impacts, the *CEQA Guidelines* (Section 15130(b)(1)(A) and (B)) allow an environmental impact report to determine cumulative impacts and reasonably foreseeable growth based on either of the following methods:

- A list of past, present, and probable future projects producing related or cumulative impacts; or
- A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental planning document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact.

For the purposes of the cumulative impacts analysis for the Project, the Town has opted to use a list of past, present, and probable future projects as well as buildout anticipated under the Town's General Plan. **Table 3-1**, *Cumulative Projects List*, provides the list of 26 projects that have been approved and are under construction and/or pending construction. **Figure 3-1**, *Cumulative Projects Map*, shows the location of the 26 cumulative projects. Although the projects listed in Table 3-1 serve as the primary bases for evaluation of cumulative impacts, the cumulative projects may vary among certain environmental issues, as the geographic contexts of certain issue areas may vary. However, in most of the analyses because the Project is long-range in nature, the cumulative analysis is based on the projected General Plan buildout.

Table 3-1

## Cumulative Projects List

No.	Project Name/Description	Address	Residential Units	Hotel Units	Hotel Bedrooms	Commercial square feet
1	Student Housing, Mammoth Lakes Foundation (UPA 2006-02)	1500 College Pkwy	74	N/A	N/A	N/A
2	Altis (DZA 12-001, TTM 12-001)	880 Bridges Ln	9 single family lots	N/A	N/A	N/A
3	Eagle Lodge (DZA 2005-03, ZCA 2005-01)	3256 Meridian Blvd	106 (dwelling unit equivalents)	N/A	N/A	TBD
4	Holiday Haus (VTTM 36-237, UPA 2005-15)	3863 and 3905 Main St	14 Workforce	77	120 (market rate)	N/A
5	Mammoth View (TTM 10-001)	41 Alpine Circle 11 Alpine Circle 200 Mountain Blvd 30 Viewpoint Rd 52 Viewpoint Rd 76 Viewpoint Rd 100 Viewpoint Rd	52	54	54	2,176 sf restaurant and bar; spa size TBD
6	Old Mammoth Place (VTTM 09-003) (DZA 15-001 & new TTM may supersede)	164, 202 and 248 Old Mammoth Rd	N/A	340	488	36,500 sf including retail and restaurant
6	Old Mammoth Place Amendment (DZA 15-001)	164, 202 and 248 Old Mammoth Rd	N/A	343	460 (343 suites & 117 lock-off units)	36,599 sf including retail and restaurant
7	Inn at the Village (DZA 13-001, TTM 13-002, UPA 13-003)	50 Canyon Blvd	N/A	67	67	TBD
8	Mammoth Crossing (DZA 2007-01, GPA 2009-02)	Northwest, southwest, and southeast corners Main St/Lake Mary Rd and Minaret Rd	66 WH (bedrooms)	N/A	742	40,500 sf commercial
9	Mammoth Hillside Phase I (TTM 36-235)	107 Lakeview Blvd 106 Lake Mary Rd 5 Canyon Blvd 15 Lake Mary Rd 17 Canyon Blvd 49 Canyon Blvd	24 WH	225	3.25	5,000 sf restaurant
10	Parking Structure NVSP (UPA 2007-02, TPM 36-226)	99 Canyon Blvd	N/A	N/A	N/A	N/A

**Table 3-1 (Continued)****Cumulative Projects List**

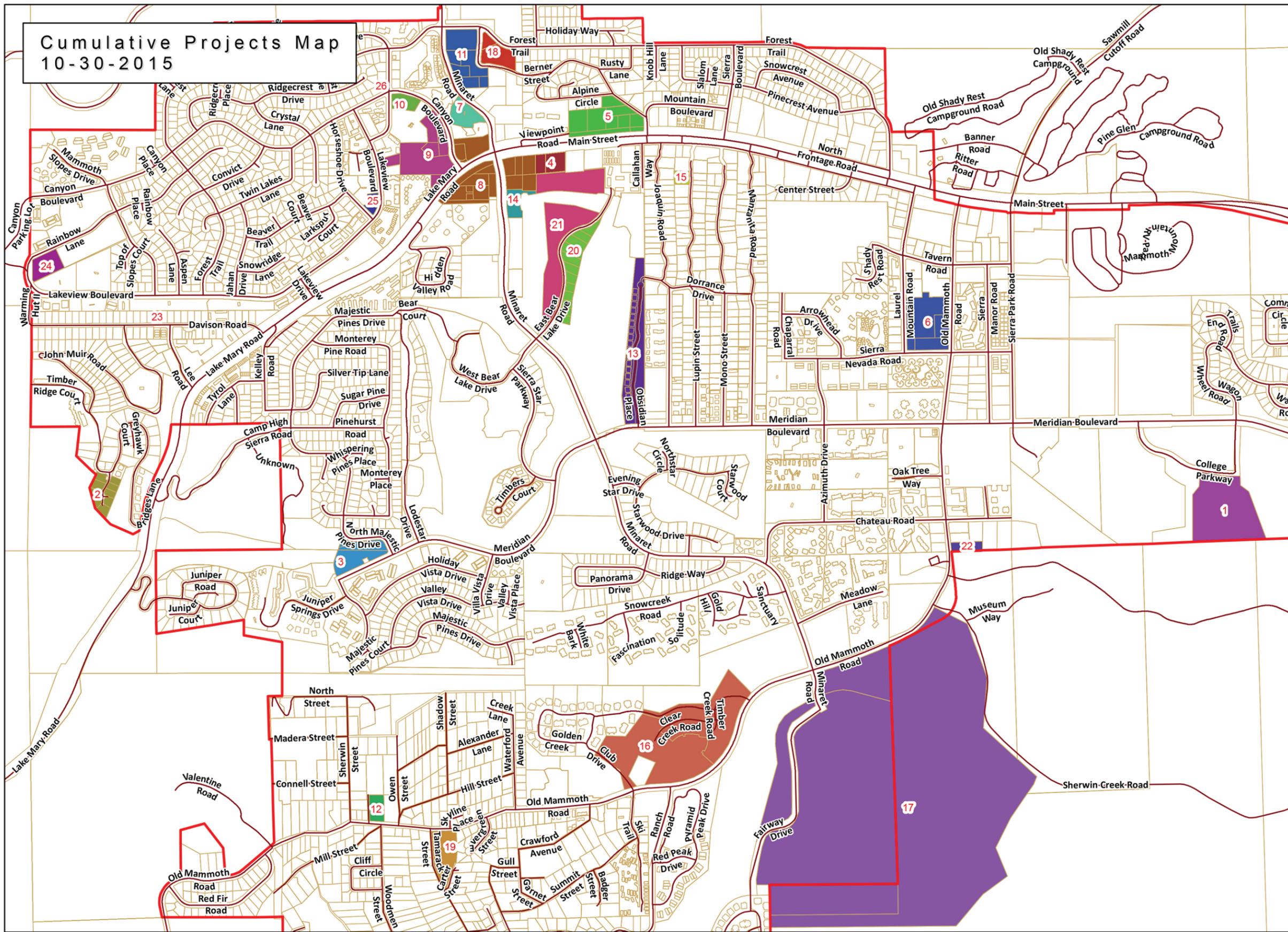
<b>No.</b>	<b>Project Name/Description</b>	<b>Address</b>	<b>Residential Units</b>	<b>Hotel Units</b>	<b>Hotel Bedrooms</b>	<b>Commercial square feet</b>
11	South Hotel (TTM 36-234)	6244 Minaret Rd 6220 Minaret Rd 111 Berner St 6180 Minaret Rd 6156 Minaret Rd 6158 Minaret Rd	N/A	251	299	5,300 sf restaurant, 1,000 sf commercial
12	Ettinger Condominiums (TTM 36-244, UPA 2006-15)	2144 Old Mammoth Rd	10	N/A	N/A	N/A
13	Tallus (TTM 36-216; TTM 13-003) (New map will supersede previous maps)	525 Obsidian Pl	9	N/A	N/A	N/A
13	Tallus Amendment (TTM 15-002)	525 Obsidian Pl	34 units (9 SFRs; 12 duplex's; 1 on-site manager's unit)	N/A	N/A	N/A
14	Tanavista (TTM 36-240, UPA 2006-08)	5880 Minaret Rd	45	N/A	N/A	N/A
15	Tihana Townhomes (TTM 36-243, UPA 2006-13)	48 Lupin St	9	N/A	N/A	N/A
16	Snowcreek VII (TTM 36-236, UPA 2005-11)	85 Old Mammoth Rd 1254 Old Mammoth Rd	118	N/A	N/A	N/A
17	Snowcreek VIII (ZCA 2006-04; Snowcreek MP Update 2007)	Various	790	200	400	10,000 sf hotel assoc. retail, 10,000 sf restaurants, bars/lounges
18	Vista Point (VTM 09-001)	94 and 151 Berner St	N/A	28	101	N/A
19	Danhakl (TPM 11-001)	70 Carter St	Subdivide one lot into 2 single family lots	N/A	N/A	N/A
20	Gray Bear I (TTM 14-001)	1500 E. Bear Lake Dr	12	N/A	N/A	N/A
21	Gray Bear II	1501 E Bear Lake Dr 1001 E Bear Lake Dr	32	N/A	N/A	N/A

**Table 3-1 (Continued)****Cumulative Projects List**

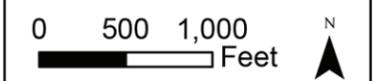
<b>No.</b>	<b>Project Name/Description</b>	<b>Address</b>	<b>Residential Units</b>	<b>Hotel Units</b>	<b>Hotel Bedrooms</b>	<b>Commercial square feet</b>
22	Mammoth Creek Inn Expansion (TTM 14-004)	663 Old Mammoth Rd	N/A	12	12 new condo-hotel rooms	N/A
23	Chalet Hestia (TPM 14-001)	196 Davison Rd	3	N/A	N/A	N/A
24	Mountainside (TTM 15-001)	413 Rainbow Ln	16 (2 SFRs & 7 Duplex's)	N/A	N/A	N/A
25	Hines (TPM 36-225; UPA 2007-01)	176 Lakeview Blvd 195 Horseshoe Dr	4	N/A	N/A	N/A
26	Hillside Duplex (DR 15-003)	113 Hillside Dr	2	N/A	N/A	N/A

Source: Town of Mammoth Lakes, 2015

# Cumulative Projects Map 10-30-2015



- 1 - Student Housing
- 2 - Altis
- 3 - Eagle Lodge
- 4 - Holiday Haus
- 5 - Mammoth View
- 6 - Old Mammoth Place
- 7 - Inn at the Village
- 8 - Mammoth Crossing
- 9 - Mammoth Hillside Phase I
- 10 - NV Parking Structure
- 11 - South Hotel
- 12 - Ettinger Condominiums
- 13 - Tallus
- 14 - Tanavista
- 15 - Tihana Townhomes
- 16 - Snowcreek VII
- 17 - Snowcreek VIII
- 18 - Vista Point
- 19 - Danhaki
- 20 - Gray Bear I
- 21 - Gray Bear II
- 22 - Mammoth Creek Inn Expansion
- 23 - Chateau Hestia
- 24 - Mountainside
- 25 - Hines
- 26 - Hillside Duplex



## Cumulative Projects Map

Land Use Element/Zoning Code Amendment and Mobility Element Update  
Source: Town of Mammoth Lakes, Mobility Element Update, 2015.

This page intentionally blank.

## **4.0 ENVIRONMENTAL IMPACT ANALYSIS**



## **4.0 ENVIRONMENTAL IMPACT ANALYSIS**

### **4.1 AESTHETICS**

---

This section addresses the potential for aesthetic impacts that could result from the increase in intensity that could occur in the commercial districts as a result of the Land Use Element/Zoning Code Amendments relative to FAR, and the changes that could result from the Mobility Element Update, particularly along Main Street. The analysis in this section is based on site surveys conducted in February 2014, June 2015 and August 2015. Amendments of General Plan People At One Time (PAOT) policies to Project Impact Evaluation Criteria (PIEC), and removing Community Benefits Incentive Zoning (CBIZ) and modifying Transfer of Development Rights (TDR) policies supported by the Land Use Element would not affect the visual character of potential development in the Town of Mammoth Lakes and as such are not included in the analysis.

More specifically, this section evaluates potential impacts on visual character, scenic views and vistas, light and glare, and shade/shadow. Visual quality refers to the overall aesthetic character of an area or a field of view. Aesthetic features often consist of unique or prominent natural or man-made attributes or several small features that, when viewed together, create a whole that is visually interesting or appealing. The evaluation of visual quality pertains to the degree and nature of contrast between the Project and its surroundings. The analysis of views focuses on the effects that the Project could have on existing views of scenic vistas or valued publicly available views of aesthetic resources such as views of Mammoth Mountain.

Artificial light impacts are typically associated with light that occurs during the evening and nighttime hours, and may include streetlights, illuminated signage, vehicle headlights, and other point sources. Uses such as residences are considered light sensitive since they are typically occupied by persons who have an expectation of privacy during evening hours and who are subject to disturbance by bright light sources. The analysis of lighting impacts focuses on whether the Project would cause or substantially increase lighting effects on light sensitive uses.

Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass or reflective materials, and to a lesser degree, from broad expanses of light-colored surfaces. Glare can also be produced during evening and nighttime hours by artificial light directed toward a light sensitive land use. The analysis of glare focuses on whether glare effects would interfere with glare sensitive activities.

Shading from buildings and structures has the potential to block sunlight. Although shading is common and expected in developed areas, and is considered a beneficial feature when it provides cover from excess sunlight and heat, it can have an adverse impact if it interferes with desired melting of snow/ice or sun-related activities for sensitive uses. Shade/shadow is evaluated because of changes that would result along Main Street as a part of the implementation of the Mobility Element Update.

## **1. ENVIRONMENTAL SETTING**

### **a. Regulatory Framework**

#### **(1) State of California**

##### **(a) State Scenic Highway Regulations**

California's official Scenic Highway designation was created by the Legislature in 1963 for the purpose of preserving and protecting scenic highway corridors from change that would diminish the aesthetic values of land adjacent to highways. Under Section 260 of the California Streets and Highway Code, the intent of the program is to protect and enhance California's natural beauty and to protect the social and economic values provided by the state's scenic resources. A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which a potential change affects the traveler's enjoyment of the view. A scenic corridor is the land generally adjacent to and visible from the highway and is identified using a motorist's line of vision. A reasonable boundary is selected when the view extends to the distant horizon.

United States Highway 395 (US-395), between Benton Crossing Road and the intersection with State Route 203 (SR 203) is designated by the State of California as a scenic highway. SR 203 is not a designated scenic highway. The Project Area for the Land Use Element/Zoning Code Amendments encompasses Main Street (SR 203) extending from the Town's boundary on the east to an area just east of Minaret Road and along Old Mammoth Road from SR 203 to just south of Chateau Road. This area does not include a scenic highway. The Draft Mobility Element includes areas which extend beyond the Town's Municipal Boundary to include surrounding areas which includes the portion of US 395 which is designated as a scenic highway.

#### **(2) Town of Mammoth Lakes**

##### **(a) General Plan**

The Mobility Element Update covers the area encompassed by the General Plan while the Project Area for the Land Use Element/Zoning Code Amendments focus on the downtown, commercially designated area along Main Street and Old Mammoth Road. Visual resources within the Town of Mammoth Lakes are addressed in the Community Vision, the Community Design Element, and the Neighborhood and District Character Elements of the General Plan. The Resource Management and Conservation Element also includes goals and policies to protect the Town's natural resources, which in turn serve to preserve aesthetic resources (i.e., trees and native vegetation).

The General Plan addresses the Town's dramatic setting as one of the major attractions to residents and visitors. In order to achieve the Community Vision the Town places a high value on maintaining exceptional standards for design and development that complement and are appropriate to the Eastern Sierra Nevada mountain setting and their sense of a "village in the trees" with small town charm.

The intent of the Neighborhood and District Character Element is to enhance the unique character of Mammoth Lakes through the careful development of individual sites and districts. The General Plan identifies twelve districts including the Main Street and Old Mammoth Road districts, which warrant special study, and four mountain portals and provides for specialized goals, policies and land use direction for each district and mountain portal with focused attention on land use, community design and economic development. Design guidelines and policies for these districts aim to encourage pedestrian activity and

opportunities for interaction within a mix of retail, office, commercial, and residential uses. Policies intend that new development be designed to be attractive with a high level of detail resulting in a pedestrian-oriented streetscape. Commercial corridors such as Main Street and Old Mammoth Road should be walkable year-round, vibrant, colorful, and accessible and the overall streetscape should include various pedestrian amenities such as street furniture, trees, flowers and planters, interesting sidewalk surfaces and public art.

The policies in the General Plan support the retention of major landscape characteristics and unique natural features such as large trees, Mammoth Mountain, Mammoth Rock, Crystal Crag, the Bluffs, the Sherwin Range, Long Valley, Mammoth Knolls, and Mammoth Crest. Major view corridors and vistas toward these important landscape features are identified in the General Plan, and are shown in **Figure 4.1-1**, *General Plan Major View Corridors and Vistas* and **Figure 4.1-2**, *General Plan Vistas and Landmarks*.

### **(b) Mobility Element (Adopted)**

In general, the focus of the adopted Mobility Element is on the transportation system within the Town's Urban Growth Boundary (UGB), although connectivity to areas outside of the UGB, including adjacent public lands and other regional transportation systems are considered, including air service. The adopted Mobility Element describes how the Town would achieve a progressive and integrated multi-modal transportation system, one that serves the various needs of residents, employees and visitors. The following goals and policies contained within the Mobility Element relate to aesthetics:

**GOAL M.8:** Enhance small town community character through the design of the transportation system.

- **Policy M.8.A:** Encourage traffic-calming techniques that protect residential neighborhoods and streets, enhance public safety, maintain small town character and enhance resort design objectives.
- **Policy M.9.A:** Require snow management methods that minimize environmental damage while optimizing road and pedestrian safety.
- **Policy M.9.C:** Support development of geothermal and solar heating opportunities for snow removal.

### **(c) Main Street Plan**

The Downtown Concept for Main Street (DCMS), accepted by the Town Council in September 2010, provides the primary policy foundation for the Main Street Plan. The Town Council accepted the Main Street Plan on February 19, 2014, which includes 1.5 miles of Main Street through downtown Mammoth Lakes near Minaret Road to the west and near the Mammoth Mountain RV to the east. The Main Street Plan establishes a future vision to transform Main Street into a vibrant, pedestrian-oriented center, serving residents and visitors through the creation of a 'grand avenue,' with parallel parking; new pedestrian and bicycle lanes; a landscaped median; and businesses moved up to the street, eliminating existing frontage roads to create new development opportunities. **Figure 4-1-3**, *Main Street Plan Conceptual Cross Section* illustrates the conceptual improvements along Main Street.

Major concepts within the Main Street Plan include:

- A multi-modal Main Street that is easily phased
- A positive and memorable image through improved gateways, streetscapes and landscapes
- Improved connectivity throughout Downtown
- A mixed-use Downtown with defined character areas
- New parks and open space
- Celebrated civic destinations
- Improved parking concepts

#### **(d) Trail System Master Plan**

The Trails System Master Plan (TSMP) adopted on October 19, 2011, envisions an integrated system of infrastructure and programs that support recreation and mobility simultaneously, by seamlessly connecting homes, hotels, businesses, recreation nodes, and backcountry experiences. The TSMP includes a strong focus on providing facilities that will improve access to trails from all modes of transportation in addition to new trails, paved pathways, signage and wayfinding and associated amenities. The TSMP also includes suggestions for other improvements such as sidewalks, crosswalks, bus stops, bike lanes, bicycle parking, summer maintenance, and snow removal. Guiding Principles and Recommendations in the TSMP related to aesthetic resources are as follows:

##### ***Guiding Principles***

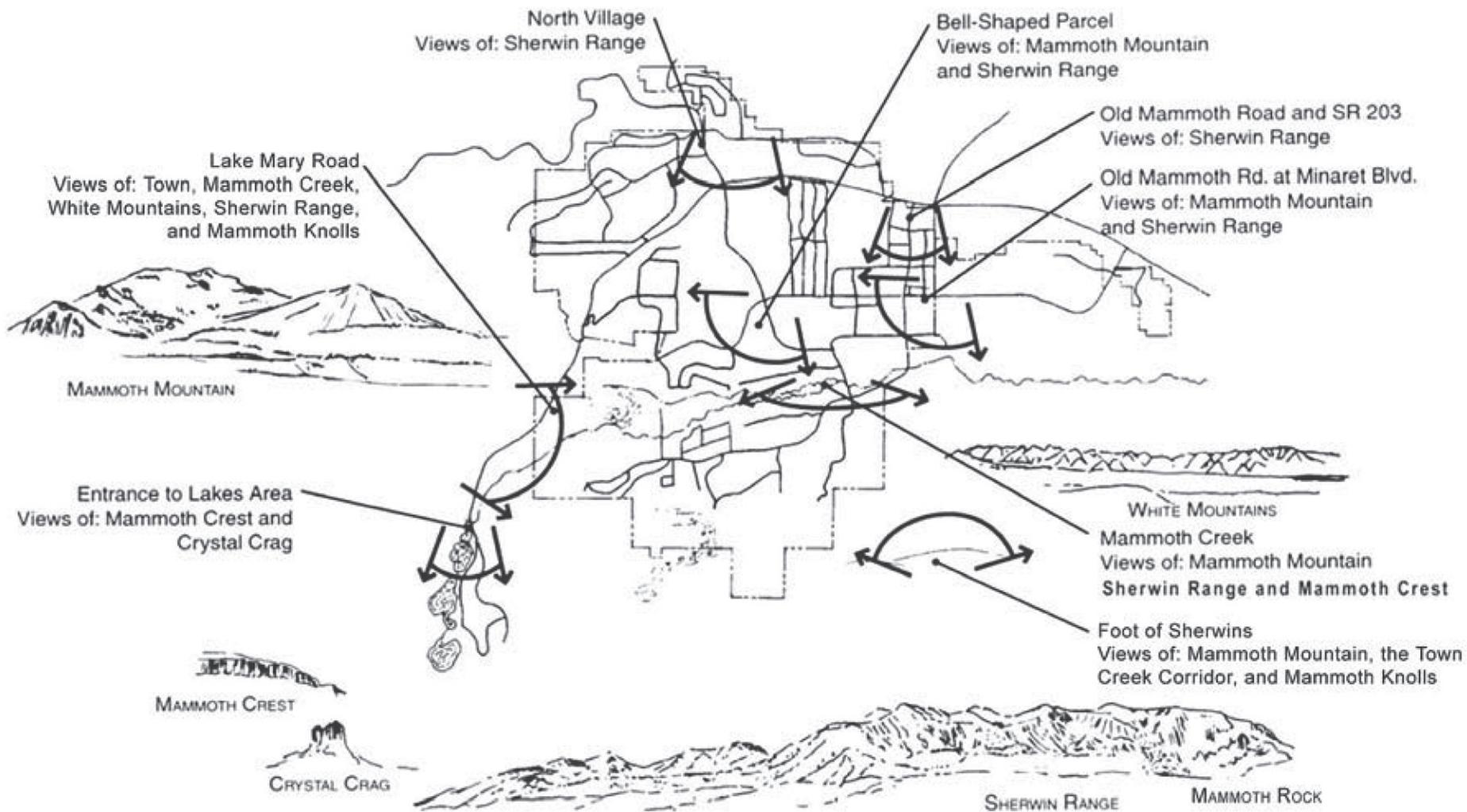
- The trails network must be developed in a way that maintains or enhances the small-town character of Mammoth Lakes.
- Providing access to the natural environment will be balanced with a respect for the natural environment. Sustainable design principles will guide the development of all recommended projects.

##### ***TSMP Recommendations***

- Recommendation MUP5: Lighting on Multi-Use Paths: Lighting should be considered for segments of multi-use paths that are not currently illuminated by adjacent street lighting. Due to the cost of installing and maintaining lighting, segments would be prioritized based on their potential demand for nighttime use.
- Recommendation B2: Bike Lanes on Major Streets (Arterials) includes painting, stenciling, and striping.
- Recommendation BP2: Bicycle Parking Designed by Local Artists.

#### **(e) Town of Mammoth Lakes Design Guidelines, 2005**

The Town of Mammoth Lakes Design Guidelines provides recommendations to be used in the Town's design review process. They are intended to promote high-quality and thoughtful site and building design; visually



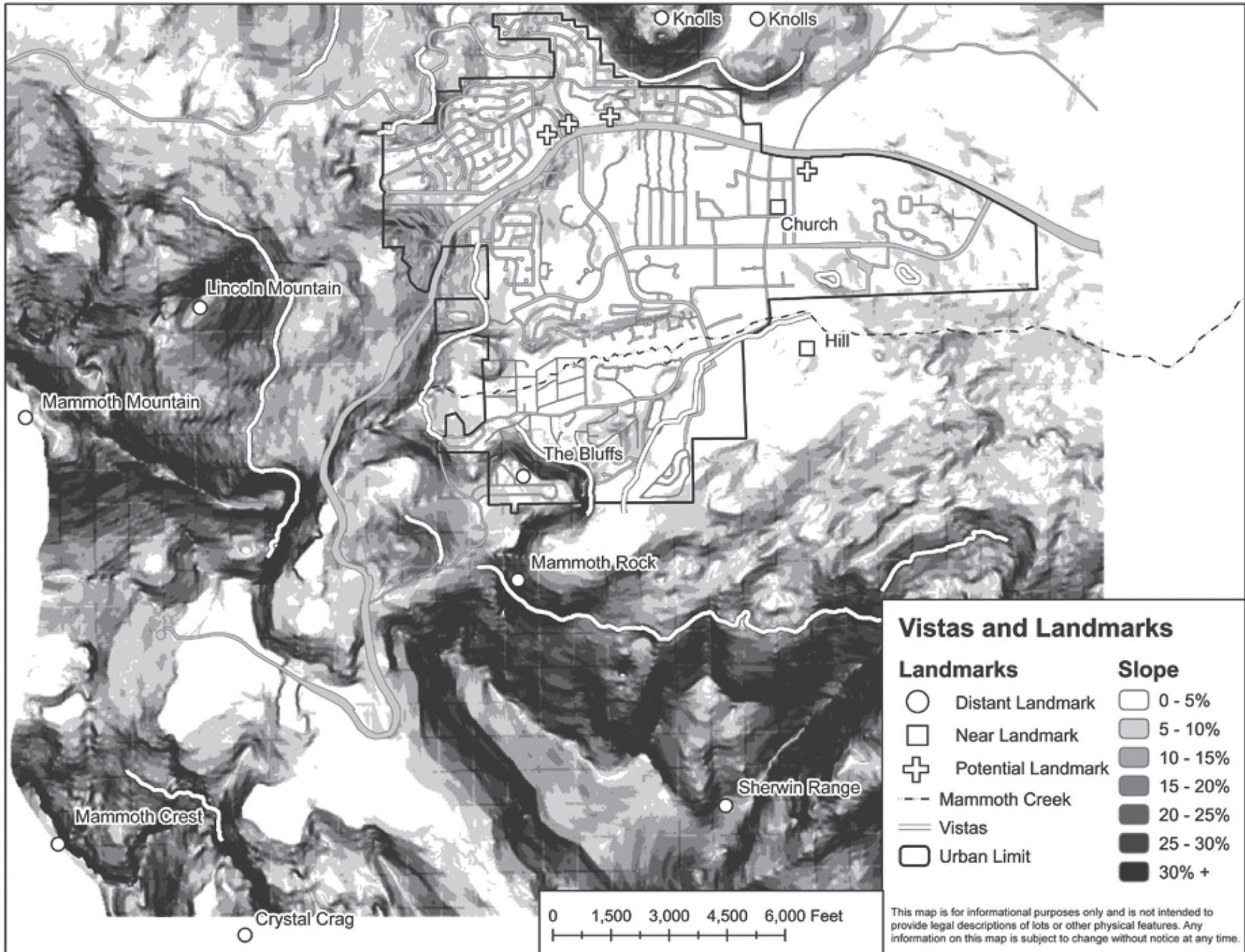
## General Plan Major View Corridors and Vistas

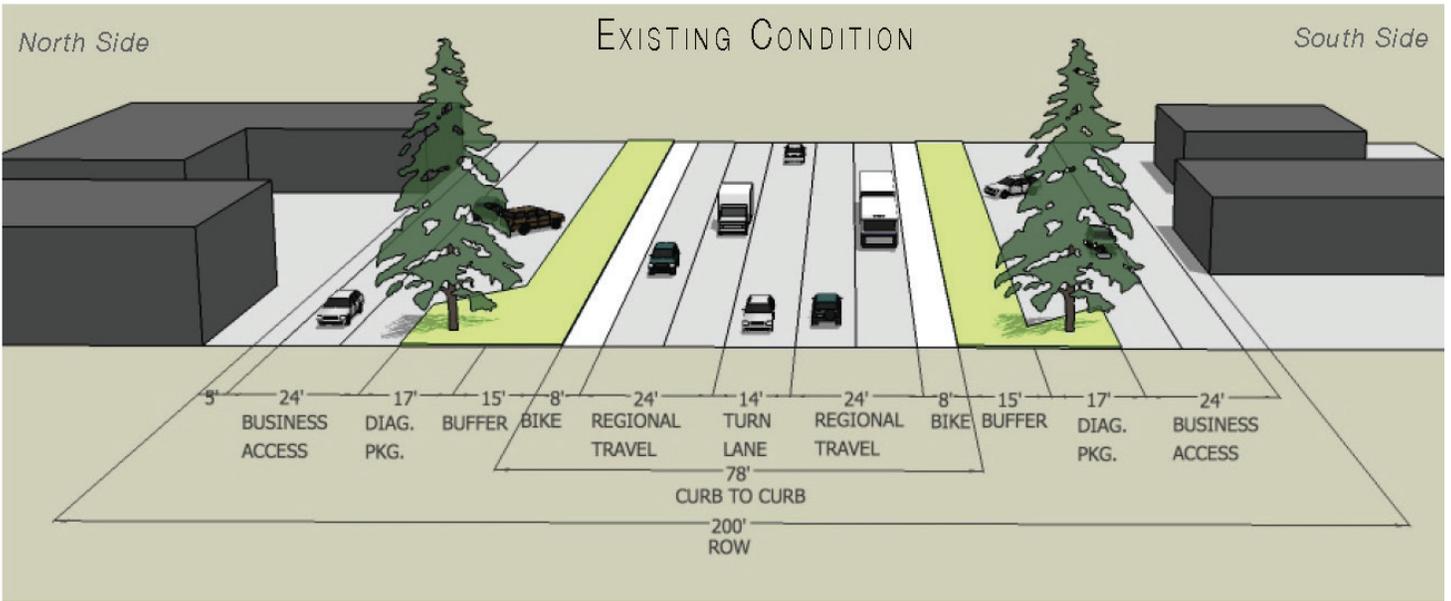
Land Use Element/Zoning Code Amendment and Mobility Element Update

Source: Town of Mammoth Lakes General Plan, 2007.

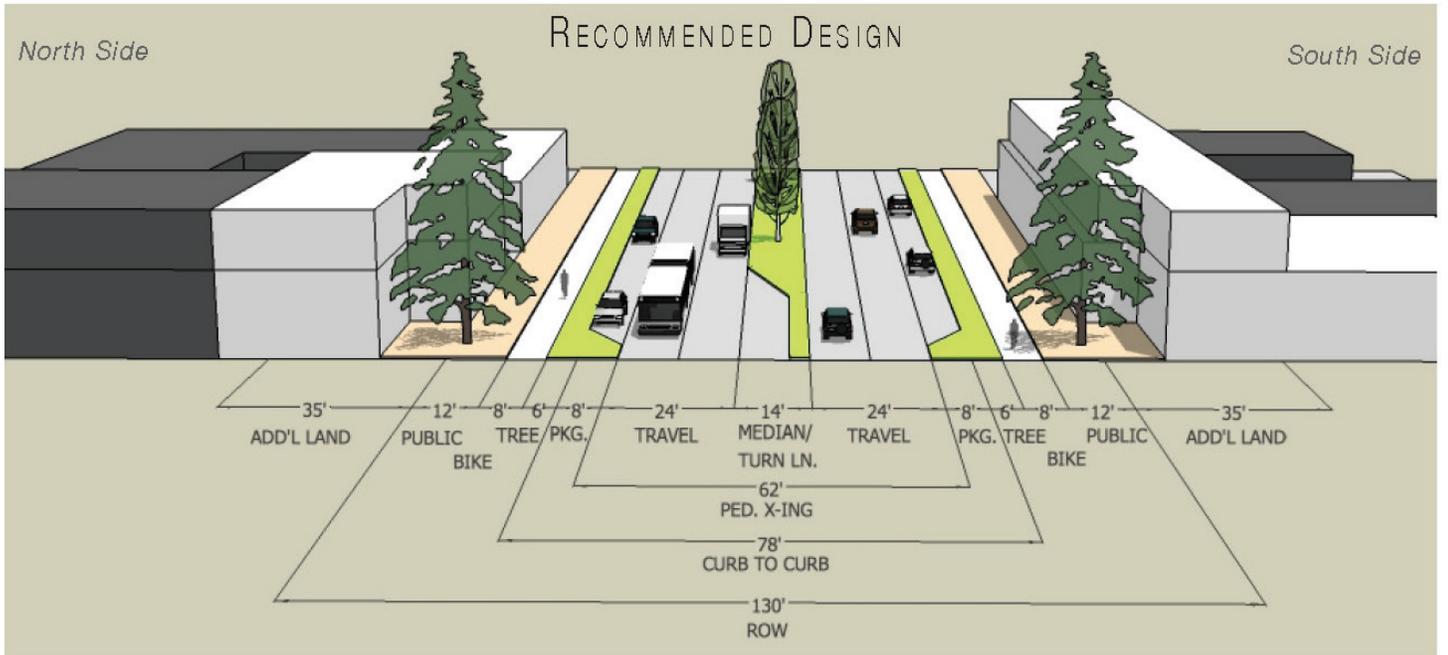
FIGURE

4.1-1





New buildings
  Existing buildings



### Main Street Plan Conceptual Cross Section

Land Use Element/Zoning Code Amendments and Mobility Element Update  
 Source: Winter & Co. ; PCR Services Corporation, 2015.

FIGURE  
**4.1-3**

This page intentionally blank.

interesting, appropriate, well-crafted and maintained buildings and landscaping; the use of durable high-quality, and natural materials that reflect Mammoth Lakes' character and mountain setting; and attention to the design and execution of building details and amenities in both public and private projects. The Town of Mammoth Lakes Design Guidelines apply to all commercial and residential development, except single-family residences. The Design Principles for Community Values (Section 1.2) aim to preserve and enhance the Town's small town image, while reflecting its unique natural setting and environment; encourage compatible design; maintain important views and vistas; provide functional and attractive pedestrian and bike circulation connections; and encourage the use of environmentally sensitive design.

#### **(f) Town of Mammoth Lakes Municipal Code**

Section 17.36.030, Outdoor Lighting Ordinance, of the Town Municipal Code sets forth rules and regulations for outdoor lighting within the Town. The purpose of Section 17.36.030 is to accomplish the following:

- To promote a safe, glare-free, and pleasant nighttime environment for residents and visitors;
- To protect and improve safe travel for all modes of transportation;
- To prevent nuisances caused by unnecessary light intensity, glare, and light trespass;
- To protect the ability to view the night sky by restricting unnecessary upward projection of light;
- To phase out existing non-conforming fixtures that violate this section, including those owned by the town and other public agencies; and
- To promote lighting practices and systems that conserve energy.

Section 17.36.030 of the Town Municipal Code also requires that an Outdoor Lighting Plan be submitted in conjunction with various applications including design review, conditional use permit, subdivision, or a building permit for a new structure or addition(s) of 25 percent or more in terms of gross floor area, seating capacity, or parking spaces (either with a single addition or cumulative additions). An Outdoor Lighting Plan is required for all new outdoor lighting installations on commercial (including four or more units of multi-family residences), industrial, public and institutional properties.

## **b. Existing Conditions**

### **(1) Visual Characteristics of Mammoth Lakes**

**Figure 4.1-4, *Photograph Location Map***, identifies the location of various photographs showing the visual character of the Project Area for the Land Use Element/Zoning Code Amendments within the Main Street and Old Mammoth Road area. As shown in in **Figure 4.1-5** through **Figure 4.1-7, *Area Photos***, the Town is an alpine resort community situated in a dramatic mountain valley surrounded by majestic peaks. Specifically, the Town is located within the Mammoth Lakes Basin at the eastern foothills of Mammoth Mountain which is located within the Sierra Nevada Mountain Range. Surrounding topography includes Mammoth Knolls to the north, the Long Valley to the east (with views to the Inyo National Forest to the far east), the White Mountains to the southeast, the Sherwin Mountain Range to the south, Mammoth Crest to the southwest, and Mammoth Mountain to the west. The surrounding forest weaves through the Town creating a unique, forested, rustic environment. The forests, mountains, and meadows in and around the Town primarily define its character. Native vegetation includes pine forest and meadow. Barren rock outcrops and talus slopes, and chaparral and sagebrush all add texture and color. Against the backdrop of the area's dramatic

natural landscapes, urban development in the Town provides a visual contrast. Roads, buildings, utility poles, and other man-made structures provide forms, textures, and colors that contrast with the natural environment. In addition, there is currently a network of trail facilities throughout the Town. The visual environment within the Project Area, specifically along Main Street and Old Mammoth Road, which contain the majority of the Town's commercial development are discussed in detail below.

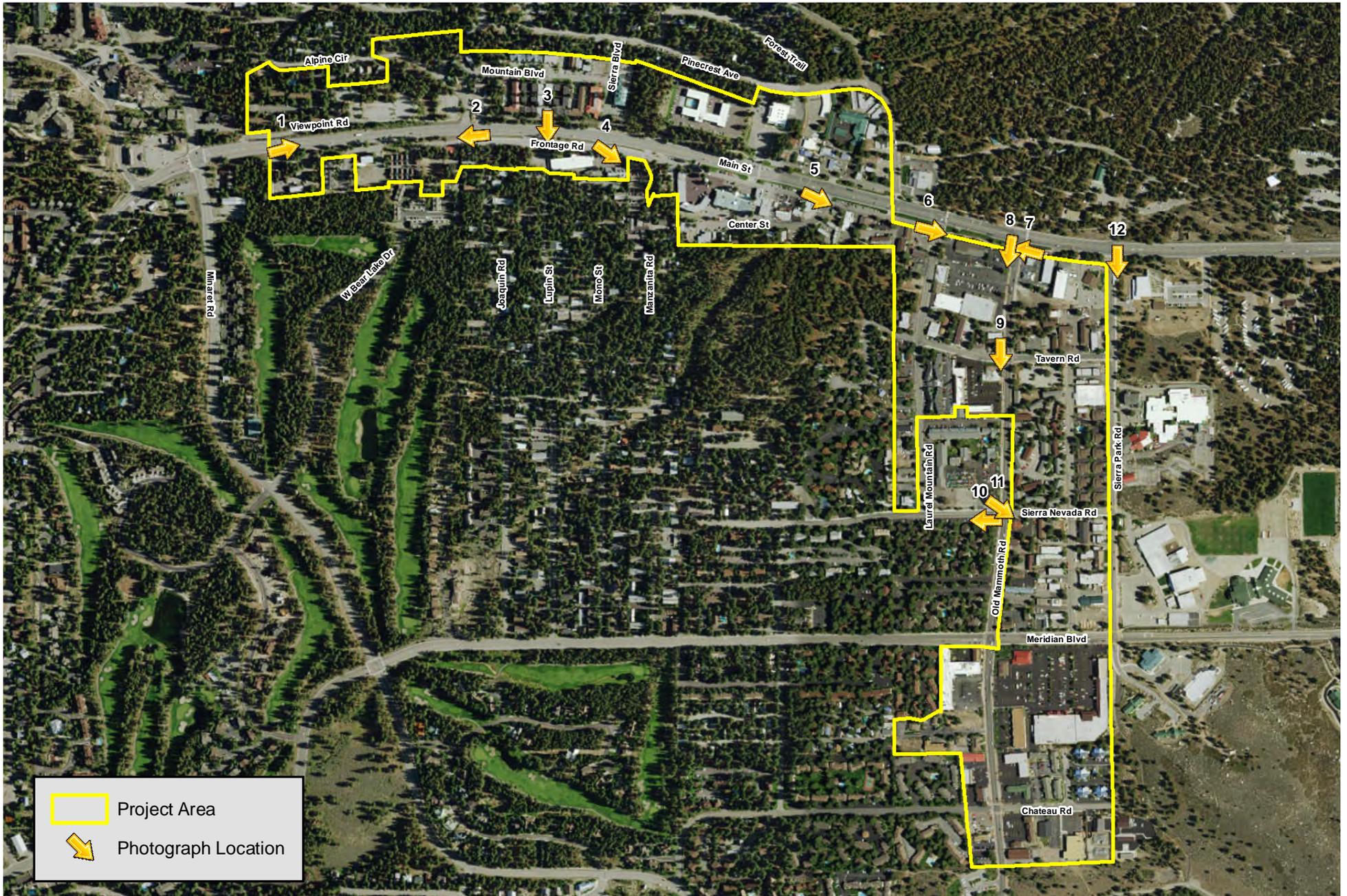
### **Main Street**

Main Street, or SR 203, serves as the main corridor for residents and visitors arriving to Mammoth Lakes, and the route to Mammoth Mountain Ski Area (MMSA). It also serves as the main commercial corridor in the Town. Main Street ascends in elevation from east to west. Significant grade changes are found from north to south at the west end of Main Street, while the east portion is relatively flat. The majority of Main Street from the eastern entry of town to Minaret Road has a 200-foot right-of-way (ROW), although it narrows in some locations to as little as 120 feet. The street itself includes four lanes of through traffic (two lanes in each direction) and a designated center left turn lane that ends west of Manzanita Road. A shoulder runs the entire length of the corridor on either side of the street adjacent to the curb and serves as a bike lane. Discontinuous two way frontage roads parallel Main Street along much of its south side and parts of the north side. Angled parking is available along the majority of the southern frontage road and portions of the northern frontage road.

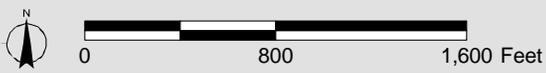
Main Street includes a mixture of architectural styles including alpine-inspired pitched roofs and A-frame style buildings, as well as more non-descript strip-commercial developments, standalone single-use commercial and office uses, motels and some residential uses. While many properties along Main Street have limited trees, the sense of a forest can be seen in the tree-covered hillsides and neighborhoods north of Main Street, and the backdrop of tree-tops rising behind buildings and rooflines. The trees contribute to a sense of place and create a wooded character to the area. In terms of the visual character of the built environment, Main Street does not present a particularly cohesive appearance. The overall characteristic is of low rise, one to three story buildings or small and medium complexes, set back from the street and separated from the street by surface parking lots and the frontage roads.

The north of Main Street is dominated by lodging uses, service stations, and commercial uses as well as public facilities such as the Town of Mammoth Lakes Post Office and the Mammoth Lakes Fire Protection District Fire Station. The north side of Main Street near Old Mammoth Road is under Forest Service jurisdiction and is developed as a recreational campground and programmatic support areas. The south side of Main Street is more intensely developed and is predominately developed with restaurants and retail uses with angled parking along the frontage road.

Transit stops and some pedestrian improvements, primarily consisting of sections of pedestrian paths, landscaping and other amenities have been implemented over time. A small circular pedestrian promenade located at the corner of Main Street and Old Mammoth Road includes decorative paving, trees and landscaping. The promenade extends into a curving pedestrian pathway with landscaping along the southeastern portion of Main Street. However the pedestrian path is incomplete along the south side of Main Street and often does not align with the frontages of the retail establishments. Pedestrian pathways do not exist along the west end of Main Street.



 Project Area  
 Photograph Location



### Photograph Location Map

Land Use Element/Zoning Code Amendment and Mobility Element Update  
 Source: USDA FSA (Aerial), 2014; PCR Services Corporation, 2015.

FIGURE  
**4.1-4**



Photograph 1: Main Street looking east near Minaret Road.



Photograph 2: Main Street looking west near Mountain Boulevard.



Photograph 3: Main Street and Lupin Street looking south.



Photograph 4: Frontage Road and Mono Street looking east.



Photograph 5: Commercial development near Main Street and Center Street looking southeast.



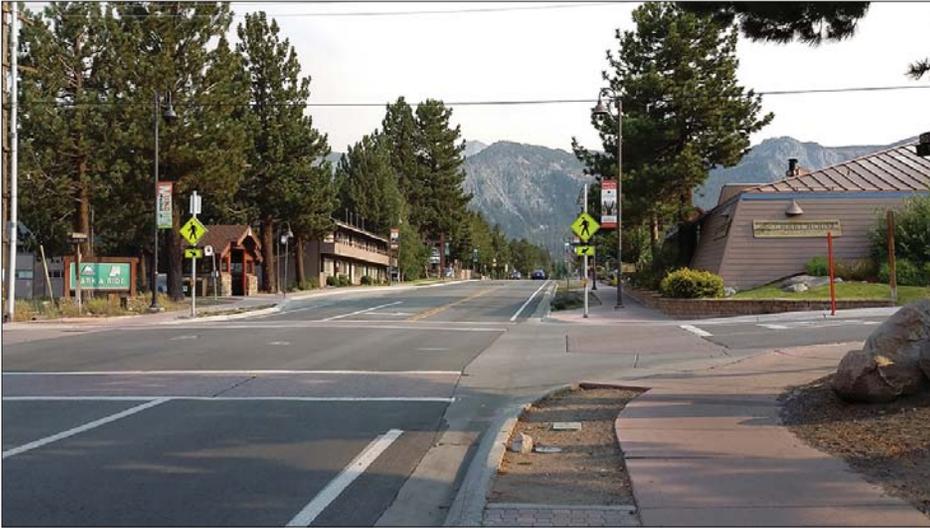
Photograph 6: View of pedestrian improvements on the south side of Main Street near Old Mammoth Road.



Photograph 7: Main Street facing west near Old Mammoth Road.



Photograph 8: Old Mammoth Road facing South near Main Street.



Photograph 9: Old Mammoth Road near Tavern Road looking south.



Photograph 10: Sierra Nevada Road and Old Mammoth Road looking west.



Photograph 11: Sierra Nevada Road and Old Mammoth Road looking southeast.



Photograph 12: Sierra Park Road looking south.

In terms of scenic views, the most notable views from Main Street are of the natural topography of Mammoth Mountain to the west and the Sherwin Range and Mammoth Rock to the south. The views from the public right-of-way are highly prized and help to define the Town's rustic character. Due to the size and elevation of Sherwin Range and Mammoth Rock, the tops of the mountain ranges remain visible from almost all locations along Main Street. However, in many instances, intervening buildings, trees and during winter conditions, high drifts of snow can obstruct full, expansive views of these mountains from mid-block areas along Main Street. As shown in Photograph 3, 9 and 12 in Figures 4.1-5 and 4.1-5, *Site Photographs*, the most panoramic views of Sherwin Range and Mammoth Rock are generally visible from Main Street near north/south corridors such as Lupin Street, Joaquin Road, Sierra Park Road, and Old Mammoth Road. Views of Mammoth Mountain to the west are available from most locations along Main Street.

### **Old Mammoth Road**

Old Mammoth Road is a primary, commercial corridor in Mammoth Lakes. The three-lane arterial (two lanes plus a center turn lane), extends to the south from its intersection with Main Street, with sidewalks along most of its length through the commercial district.

Compared to Main Street, Old Mammoth Road has a more pedestrian-oriented environment, with a narrower street width, continuous sidewalks and with more buildings located closer to the street edge. The majority of residential buildings are two stories in height. Old Mammoth Road is largely developed with commercial uses such as freestanding retail and restaurant buildings interspersed with residential, lodging, and mixed-use developments. Two large shopping centers Minaret Village Mall and Sierra Center Mall are located at the intersection of Old Mammoth Road and Meridian Boulevard. Most of the lots are developed, with a limited number of trees along property boundaries. The majority of parking is provided in surface lots, oriented to the side or rear of commercial buildings. Sidewalks are available along both sides of Old Mammoth Road in the downtown area.

Expansive views of Sherwin Range and Mammoth Rock to the south and the Knolls to the north exist due to the north/south orientation of the road.

### **Winter Conditions and Snow Management**

Because of the substantial snow fall that occurs during most winter months, visual conditions along Main Street and Old Mammoth Road can differ quite substantially between winter and summer. Snow must be removed and stored to keep roadways clear, and ice tends to build up, particularly on the north sides of buildings that receive limited sun exposure, creating potential safety hazards. When snow is piled up, it can block views of one story commercial/lodging uses, landscaping, and pedestrian paths.

While Old Mammoth Road has a snow removal management district for the streets and rights-of-way, Main Street lacks comprehensive snow management, which is currently performed by different entities in a number of ways. Caltrans, who owns and operates SR 203, clears snow from the highway and blows it onto the landscape buffer. Caltrans typically keeps a low level ice cap on Main Street to reduce the impact of vehicle chains on the roadway. The Town clears snow from the frontage roads and regularly removes ice as part of regular snow removal. If an icing condition is found it is remedied with cinders to provide traction and aid in melting the ice. The Town places the snow into the landscape buffer, which can create a

substantial snow berm that blocks the visibility of businesses.<sup>1</sup> To help solve the visibility problem, some business owners along Main Street contract with a third party to remove some of the snow berm in front of their business. The Town completed a Parking and Snow Management District Feasibility Study in June 2014, which evaluates ways to address funding for parking and snow management throughout the Main Street area and the rest of the Town. One of the recommendations of the Parking Snow Management Feasibility Study is to create a Property-Based Improvement District (PBID) to fund the management of a coordinated snow removal program of public and private properties along Main Street as well as potentially other areas of Downtown or the Village.

## (2) Light and Glare

There are primarily two sources of light intrusion within developed areas within the Town: 1) light emanating from structural interiors and passing through windows; and 2) light from exterior sources, such as street lighting, building illumination, security lighting, event lighting in the resort areas, vehicle headlights, slope grooming, and landscape lighting. Uses such as residences, hospitals, and hotels are considered light sensitive since they are typically occupied by persons who have expectations for privacy during evening hours and who are subject to disturbance by bright light sources. Glare results mainly from sunlight reflection off flat building surfaces with glass and reflective metal surfaces typically contributing to the highest degree of reflectivity. At night, lights from the Town illuminate the developed areas, particularly roadways providing contrast with the generally uninterrupted darkness of the surrounding mountains and forested lands.

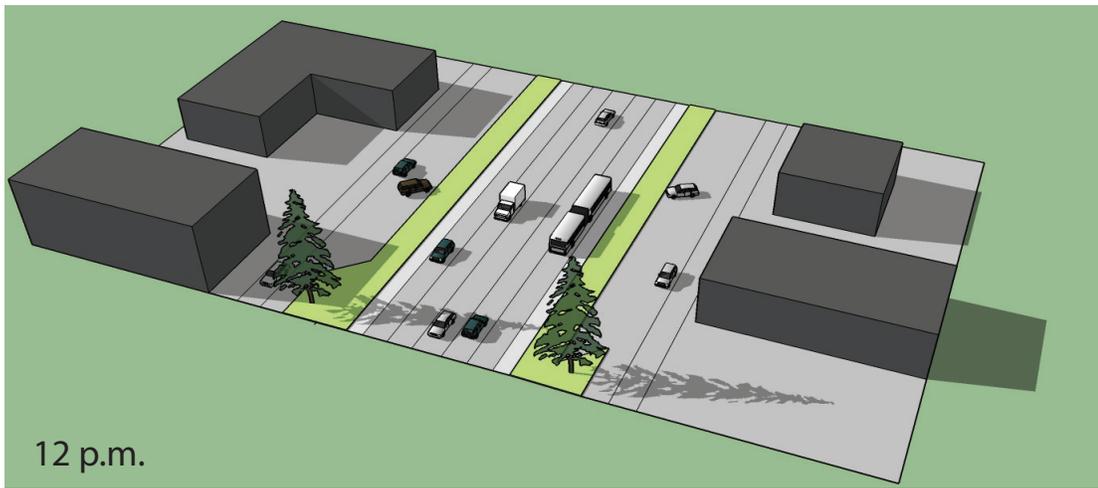
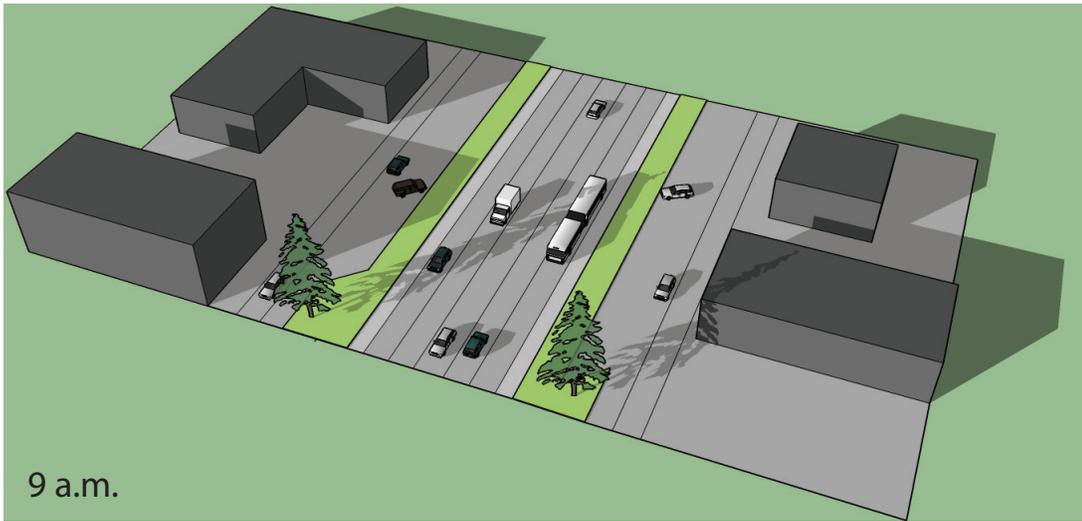
Preservation of dark night skies through appropriate lighting controls has been identified as an important community goal. Glare can also be produced during evening and nighttime hours by the reflection of artificial light sources, such as automobile headlights. Glare generation is typically related to either moving vehicles or sun angles, although glare resulting from reflected sunlight can occur regularly at certain times of the year. Glare-sensitive uses generally include residences and transportation corridors (i.e., roadways).

## (3) Shade/Shadow

The consequences of shadows on land uses can be positive, including cooling effects during warm weather, or negative, such as loss of warmth during cooler weather and loss of natural light. Shadow effects are dependent on several factors, including local topography, the height and bulk of a project's structural elements, sensitivity of surrounding uses, season, and duration of shadow projection. The users or occupants of certain land uses, such as residential, recreational, churches, schools, outdoor restaurants, and pedestrian areas have expectations for direct sunlight and warmth from the sun. These land uses are termed "shadow-sensitive."

Additionally, in areas subject to high amounts of snowfall, such as Mammoth Lakes, shade can prevent snow or ice from melting which can lead to slick roads and "black ice" conditions where roadway safety may become a concern. Due to its east/west configuration, Main Street is subject to shading impacts. Under existing conditions, as shown in **Figure 4.1-8, Existing Conditions - Winter Solstice Shadows (December 21)** during the winter solstice, the sun's lower elevation in the southern sky causes buildings to cast shadows in a

<sup>1</sup> Final Parking and Snow Management District Feasibility Study, Town Of Mammoth Lakes, accepted by the Town Council on July 2, 2014.



This page intentionally blank.

northwest, north, and northeast direction. These shadows extend on the frontage road, parking lots, and existing sidewalks within 60 feet of existing southern buildings for more than three hours. Therefore, the existing shadows create the potential for 'black ice' conditions to occur along these pedestrian and roadway areas. However, given the existing setback of the buildings from Main Street, the existing shadows do not extend on to Main Street for more than two hours under existing conditions. As described earlier, the Town regularly removes an ice as part of regular snow removal. If an icing condition is found it is remedied with cinders to provide traction and aid in melting the cap. Along Main Street, snow and ice removal is the responsibility of Caltrans, who own and maintain SR 203. Caltrans clears snow from the highway and blows it onto the landscape buffer. Caltrans typically keeps a low level ice cap on Main Street to reduce the impact of vehicle chains on the roadway.

## **2. METHODOLOGY AND THRESHOLDS**

### **a. Methodology**

The analysis of aesthetic impacts is based on a comparison of the policies and physical characteristics that could occur with implementation of the Project relative to existing conditions and to the significance thresholds as set forth in Appendix G of the CEQA Guidelines. As this is a Program EIR, the aesthetic analysis focuses on the conceptual nature of projected visual changes and the broad applicability of proposed policy changes. Subsequent focused environmental review may take place as individual projects are proposed.

The evaluation of visual quality pertains to the degree and nature of contrast between the Project and its surroundings. Implementation of the Land Use Element/Zoning Code Amendments would not change the development standards that establish the parameters of development or the allowed uses within the commercial districts. More specifically the amendments would not change the maximum building heights (45 to 55 feet), setbacks, articulation, or parking requirements that are set forth in the Town's Municipal Code. The change would, however, remove the cap for the number of units or rooms and development would be regulated through floor area ratio. Therefore, the Land Use Element/Zoning Code Amendments would not in and of themselves affect the visual character and style of future development that would occur in the downtown area. Future buildings would have heights of four to five stories (45 to 55 feet). These heights are currently permitted under the Zoning Code and Land Use Element/Zoning Code Amendments would not change these development standards, but as existing development has not yet been fully built out as allowed by the existing parameters in the Zoning Code new development could be taller than many of the existing one to three story structures currently located along Main Street and Old Mammoth Road.

Thus, the anticipated appearance in the commercial districts is compared with the existing visual quality to determine whether the visual character of the area would be degraded. The intent of the analysis is to determine if valued view resources would be blocked or diminished.

In terms of the Mobility Element Update, the primary changes would be the addition of sidewalks and trails and the changes that would occur along Main Street with the vacation of the existing frontage road. Thus, the Main Street right-of-way would become narrower and buildings would be located closer to SR 203. The analysis of views compares the changes resulting from the changes along Main Street to the quality of existing views. In addition, shading along Main Street is evaluated given the potential for ice on the roadway resulting from shade cast on the street with the buildings being located closer to SR 203. Shading diagrams were prepared to identify the potential increase in shadow-related impacts that could occur along Main

Street as a result of implementation of the Project since future building would be located closer to the street edge along Main Street as a result of the vacation of the frontage roads compared with building location under existing conditions. A generic building was defined based on the Town of Mammoth Lakes existing development regulations for height and setbacks in the D and MLR districts. The conceptual building was located on a site on the southern frontage of Main Street using the model provided by Winter and Company as part of the Town of Mammoth Main Street Plan developed in February 2014. The winter solstice was modeled since that represents the greatest potential shadow impacts since the sun's lower elevation in the southern sky causes buildings to cast shadows in a northwest, north, and northeast direction between the hours of 9:00 AM and 3:00 PM. The buildings shown in the shade/shadow analysis are conceptual in nature and represent a maximum envelope that could occur.

In addition, the potential increase in intensity of development would increase the light and glare compared with existing conditions. The analysis of light and glare identifies the location of light-sensitive land uses and describes the existing ambient conditions in the area and describes the future light and glare sources to determine whether light spill onto light-sensitive uses would occur.

## b. Thresholds

For purposes of this EIR, the Town utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether the Project would have a significant environmental impact regarding aesthetics. The Project would result in a significant impact with regard to aesthetics if the Project would:

- AES-1** Have a substantial adverse effect on a scenic vista.
- AES-2** Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic resources within a state scenic highway.
- AES-3** Substantially degrade the existing visual character or quality of the site and its surroundings.
- AES-4** Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

In addition to the thresholds from Appendix G of the State *CEQA Guidelines*, which are used to evaluate aesthetics, views, and light and glare, the changes that would occur could result in an increase in shadows particularly during the winter months. Therefore, to address potential shade/shadow impacts, the Town considers that the project would have a significant shade/shadow impact if the project would:

- AES-5** Result in shade/shadow on shadow-sensitive uses for more than three hours between the hours of 9:00 A.M. and 3:00 P.M. PST (between early November and mid-March), or for more than four hours between the hours of 9:00 A.M. and 5:00 P.M. PDT (between mid-March and early November).

### c. Applicable General Plan Goals/Policies and Adopted Mitigation Measures

This section provides the applicable General Plan goals and policies as well as measures from the adopted Mitigation Monitoring and Reporting Program (MMRP) from the General Plan Update and the Trails System Master Plan.

#### (1) General Plan

The following is a list of goals and policies contained in the 2007 General Plan Update that are applicable to the Project:

##### Community Design

**Goal C.1:** Improve and enhance the community's unique character by requiring a high standard of design in all development in Mammoth Lakes.

**Goal C.2:** Design the man-made environment to complement, not dominate, the natural environment.

##### Celebrate Public Spaces

- **Policy C.2.A:** Create well-designed and significant public spaces in resort/commercial developments to accommodate pedestrians and encourage social interaction and community activity.
- **Policy C.2.C:** Encourage development of distinct districts, each with an appropriate density and a strong center of retail, services or amenities.
- **Policy C.2.D:** Preserve and enhance special qualities of districts through focused attention on land use, community design and economic development.
- **Policy C.2.E:** Ensure that each district center is an attractive destination that is comfortable and inviting with sunny streets, plazas and sidewalks.
- **Policy C.2.F:** Improve visual appearance as well as pedestrian access and activity by requiring infill development patterns. Encourage rehabilitation and reorientation of existing strip commercial development consistent with neighborhood and district character.
- **Policy C.2.G:** Ensure that development in commercial areas provides for convenient pedestrian movement between adjoining and adjacent properties.
- **Policy C.2.H:** Support transit ridership and pedestrian activity by emphasizing district parking, shared parking, mixed use and other strategies to achieve a more efficient use of land and facilities.

##### Celebrate the Spectacular Natural Surroundings

- **Policy C.2.J:** Be stewards in preserving public views of surrounding mountains, ridgelines and knolls.

- **Policy C.2.K:** On prominent ridgelines and bluffs, substantial additions, modifications, renovation and rehabilitation to existing development shall incorporate measures to minimize visual intrusion.

### Careful Site Planning

- **Policy C.2.L:** Create a visually interesting and aesthetically pleasing built environment by requiring all development to incorporate the highest quality of architecture and thoughtful site design and planning.
- **Policy C.2.M:** Enhance community character by ensuring that all development, regardless of scale or density, maximizes provision of all types of open space, particularly scenic open space.
- **Policy C.2.N:** Plan the siting and design of buildings to preserve the maximum amount of open space, trees and natural features to be consistent with themes and district character.
- **Policy C.2.O:** Site development adjustments may be considered to preserve significant groups of trees or individual specimens. Replanting with native and compatible non-native trees to mitigate necessary tree removal is required.
- **Policy C.2.P:** Require mid-block connectors through long blocks as development and redevelopment occurs.
- **Policy C.2.Q:** Design development so that public spaces contribute to an overall sense of security and lack of vulnerability to crimes of opportunity.

### Distinctive Architecture

- **Policy C.2.T:** Use natural, high quality building materials to reflect Mammoth Lakes' character and mountain setting.
- **Policy C.2.U:** Require unique, authentic and diverse design that conveys innovation and creativity and discourages architectural monotony.

### Comfortable Building Height, Mass, and Scale

- **Policy C.2.V:** Building height, massing and scale shall complement neighboring land uses and preserve views to the surrounding mountains.
- **Policy C.2.W:** Maintain scenic public views and view corridors (shown in Figures 1 and 2) that visually connect community to surroundings.
- **Policy C.2.X:** Limit building height to the trees on development sites where material tree coverage exists and use top of forest canopy in general area as height limit if no trees exist on site.

### Community Design and Streetscape

**Goal C.3:** Ensure safe and attractive public spaces, including sidewalks, trails, parks and streets.

- **Policy C.3.D:** Development shall provide pedestrian oriented facilities, outdoor seating, plazas, weather protection, transit waiting areas and other streetscape improvements.
- **Policy C.3.E:** Ensure that landscaping, signage, public art, street enhancements and building design result in a more hospitable and attractive pedestrian environment. Require an even higher level of design quality and detail in commercial mixed use areas.

### Natural Environment

**Goal C.4:** Be stewards of natural and scenic resources essential to community image and character.

- **Policy C.4.A:** Development shall be designed to provide stewardship for significant features and natural resources of the site.
- **Policy C.4.D:** Retain the forested character of the town by requiring development to pursue aggressive replanting with native trees and other compatible species.
- **Policy C.4.E:** Limited tree thinning, and upper-story limbing may be permitted where needed to maintain public safety and the health of the forest but not for the enhancement of views.

### Night Sky, Light Pollution, and Glare

**Goal C.5:** Eliminate glare to improve public safety. Minimize light pollution to preserve views of stars and the night sky.

- **Policy C.5.A:** Require outdoor light fixtures to be shielded and down-directed so as to minimize glare and light trespass.
- **Policy C.5.B:** Enforce removal, replacement or retrofit of non-shielded or non-down-directed light fixtures

## (2) General Plan Mitigation Monitoring and Reporting Program

The Mitigation Monitoring and Reporting Program (MMRP) for the Town of Mammoth General Plan includes mitigation measures applicable to aesthetics. Since these are adopted measures, for purposes of this EIR these measures are applied where applicable to address the impacts of the Project. The following mitigation measures are from the Town's adopted General Plan MMRP:

**GPMM.4.1-1:** The Town shall enforce the existing setback requirements along Mammoth Creek as they apply to the remaining undeveloped parcels to protect this important biological and scenic corridor. As necessary to protect the resource, the Town shall secure easements as the remaining parcels develop to ensure that the corridor is permanently protected.

**GPMM 4.1-2:** The Town shall amend the Design Review Guidelines to include standards to assure that public and private facilities in the vicinity of the Main Street (SR203) and the Old Mammoth Road intersection shall be designed to present an attractive face to the road. The standards shall address such issues as building height and massing, tree

preservation, and lighting to ensure that public and private development in proximity to SR203, which is eligible for designation as a scenic highway, do not detract from scenic resources.

**GPMM 4.1-3:** The Town through its environmental and design review process shall ensure that development at the Mammoth Yosemite Airport that is visible from Highway 395 is consistent with State scenic highway regulations for Highway 395.

**GPMM 4.1-4:** The Town shall review the existing Lighting Ordinance and revise the ordinance, where feasible, to protect views of the night sky and to ensure that the intent of the Lighting Ordinance is met. The Lighting Ordinance shall be amended to consider the feasibility of restrictions on lighting that include, but are not limited to: unshielded bulbs wattage restrictions, complete shielding on fixtures, shielding of all lights on buildings over approximately 35 feet tall, cumulative wattage limits, and holiday lighting timing limits.

### **(3) Trail System Master Plan Mitigation Monitoring and Reporting Program**

The MMRP for the Town's TSMP also contains mitigation measures that are applicable to the aesthetic component of the Mobility Element Update. Since these are adopted measures, for purposes of this EIR, these measures are applied where applicable to address the impacts of the Project design features. The following mitigation measures are from the Town's adopted TSMP MMRP:

**TSMM4.A-3.A:** Trail development on slopes greater than 20 percent shall be avoided where feasible alternative alignments exist. If a feasible trail alignment does not exist, design features shall be employed to minimize erosion to the maximum extent feasible. Also refer to mitigation measures provided in Section 4.E, Geology/Soils, and Section 4.H, Hydrology and Water Quality, of this EIR, that also address soil erosion impacts.

**TSMM 4.A-3.B:** Mature, healthy, native trees shall be circumvented or avoided through the design of trail alignments to the extent feasible. The need for replacement of trees shall be evaluated and implemented based on Healthy Forest and Fire Safe Council principles.

**TSMM 4.A-3.C:** All disturbed areas, cuts, graded areas, and cleared areas should be stabilized and hydroseeded with an approved seed mix upon completion of the individual construction project, or as seasonally appropriate. Visually prominent cut areas that are too steep for re-vegetation shall be supported or covered with natural materials or materials that have a natural appearance.

**TSMM 4.A-3.D:** Retaining walls that are visually prominent shall be composed, to the extent feasible, of natural or natural-appearing materials, or finished or treated to give the appearance of natural materials. Generally, large, above-grade, plain concrete walls shall not be permitted.

**TSMM 4.A-3.E:** Adverse effects on natural features that stand out or are distinctive in a particular setting shall be avoided through the location and design of trail alignments. Where alignments cannot be avoided, additional screening vegetation shall be planted to obscure the trail relative to the adjacent feature.

**TSM 4.A-3.F:** Fill or debris piles and large construction equipment visible from public viewpoints shall be removed from construction sites as soon as practicable or located, covered and/or screened so as to minimize their visual appearance.

### 3. ENVIRONMENTAL IMPACTS

#### a. Scenic Vistas and Resources

**Threshold AES-1** The project would result in a significant impact if the project would have a substantial adverse effect on a scenic vista.

**Threshold AES-2** The project would result in a significant impact if the project would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic resources within a state scenic highway.

**Impact Statement AES-1 and AES-2:** *Project implementation would not substantially block, obstruct, or change any scenic vista or other panoramic views that are available from public vantage points. Project implementation would also not substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Thus, Project implementation would result in less than significant impacts regarding scenic vistas and scenic resources.*

#### Land Use Element/Zoning Code Amendments

Future development within commercial zones along Main Street and Old Mammoth Road would be infill development. No new development would occur on ridgeline areas or other elevated or exposed areas that could result in new development intruding or altering public views of valuable scenic resources such as Sherwin Ridge or Mammoth Rock. As described in the Section 1. B, Existing Conditions, valued scenic resources visible from the downtown areas primarily includes views of Sherwin Range and Mammoth Rock to the south and Mammoth Mountain to the west. Due to intervening development, trees, and snow drifts, the most expansive panoramic views of Sherwin Range and Mammoth Rock are generally visible from Main Street near north/south corridors such as Lupin Street, Joaquin Road, Sierra Park Road, and Old Mammoth Road. While new development could occur adjacent to these roadways, the existing public roadways of Old Mammoth Road, Lupin Street, Joaquin Road, Sierra Park Road and other north/south corridors, where scenic views of as Sherwin Ridge or Mammoth Rock are most pronounced would not be blocked or altered. In addition, the Land Use Element/Zoning Code Amendments would not change the existing development standards, such as height, setbacks, parking requirements, and lot coverage. The current standards take into account the goals and policies of the Town's General Plan. As such, panoramic views to the south of Sherwin Ridge or Mammoth Rock would remain. In addition, new development would also undergo environmental review on a site-specific basis per CEQA requirements and as part of the PIEC, which requires the evaluation of project impacts on a project-by-project basis. These requirements would ensure that structures would be sited in a way that would not have substantial adverse effects to scenic vistas in conformance with the Town's General Plan.

New development would also be subject to existing design standards and policies contained in the Town of Mammoth Lakes Design Guidelines and General Plan which aim to preserve valued scenic vistas. Specific General Plan policies include: Building height, massing and scale shall complement neighboring land uses and preserve views to the surrounding mountains (C.2.V.); Maintain scenic public views and view corridors

that visually connect community to surroundings (C.2.W); and Limit building height to the trees on development sites where material tree coverage exists and use top of forest canopy in general area as height limit if no trees exist on site (C.2.X). Guidelines in the Town of Mammoth Lakes Design Guidelines aim to enhance views as seen from the street or other public area and preserve existing trees and forest views. Thus, implementation of the Land Use Element/Zoning Code Amendments would not substantially block, obstruct, or change any scenic vista or other panoramic views to the south that are available from existing public vantage points. Therefore, implementation of the Land Use Element/Zoning Code Amendments would result in less than significant impacts regarding scenic vistas to the south.

### **Mobility Element Update**

The intent of the General Plan Mobility Element Update is to achieve an integrated multi-modal transportation system that serves the various needs of residents, employees and visitors and to ensure that Mammoth Lakes will be connected, accessible, uncongested and safe with emphasis on feet first, public transportation second, and car last. Key principles related to aesthetics include the encouragement of context-sensitive design; recognizing that streets are an important component of place-making; the promotion of urban design principles through transportation and land use planning; and the enhancement of small town community character through the design of the transportation system. The Mobility Element Update also supports the removal snow and ice in ways that minimize environmental damage while increasing year-round access to streets, sidewalks, paths, bicycle facilities, and transit stops and the development of alternative snow removal technologies or methods, such as geothermal, solar, and de-icing treatments.

Regarding views of scenic vistas to the west, the proposed Mobility Element Update would change the relative location of buildings along Main Street, which are now separated from Main Street by diagonal parking and an approximately 24-foot-wide frontage road. Under the Mobility Element Update, the frontage road and diagonal parking would be removed, which would allow for buildings to be located approximately 35 feet closer to Main Street. The vacation of the frontage road and location of buildings closer to Main Street would narrow the view corridor Mammoth Mountain and could affect panoramic views of Mammoth Mountain to the west that are currently visible from this area. Implementation of the Mobility Element Update would reduce the right-of-way along Main Street from its existing width of 200 feet to 130 feet. The proposed 130-foot width would be a sufficient to provide a view corridor to the west to maintain views of Mammoth Mountain. No change would occur to the development standards such as heights and building setbacks. While the amount of open area affording direct views of Mammoth Mountain along Main Street would be narrower compared to existing conditions, with a width of 130 feet, panoramic views of Mammoth Mountain to the west would remain visible from public vantages points along Main Street.

Implementation of the Mobility Element Update would also include trail and recreational facility improvements throughout the Town including street crossing and bike lane improvements, and a variety of facilities such as signage, parking, restrooms, transit service, and enhanced trail access at recreational nodes. As discussed in the Trail System Master Plan (TSMP) EIR, implementation of new trail systems are not anticipated to result in broad or tall built features that could substantially impede scenic vistas or panoramic views or other expansive vistas of the natural landscape available from public roads, highways, parks, and other public vantage points in the area. Any new structures that could impede scenic views would be subject to the Town's Design Guidelines and Design Review processes, as applicable. As such, evaluation of such projects would occur on an individual basis for consistency and conformity with the General Plan, Zoning

Code, and other approved plans, policies, and regulations. In addition, policies in the TSMP require that trails be designed to take advantage of natural drainage and natural land features. As such impacts to scenic resources associated with trails and bicycle improvements were determined in the TSMP EIR to be less than significant.

Similar to the Land Use Element/Zoning Code Amendments, any improvements occurring under the Mobility Element Update would undergo environmental review on a site-specific basis per CEQA requirements and as part of the PIEC, which requires the evaluation of impacts on a project-by-project basis to ensure that facilities and structures would be sited in a way that would not have substantial adverse effects to scenic vistas. New roadways or trails developed as part of the Mobility Element Update would be subject to design standards and design review that aim to preserve valued scenic vistas contained in the Town of Mammoth Lakes Design Guidelines and General Plan and would also be subject to GPMM.4.1-1 through GPMM .4.1-4 and TSMM4.A-3.A through TSMM4.A-3.F. Thus, implementation of the Mobility Element Update would not substantially block, obstruct, or change any scenic vista or other panoramic views to the south that are available from existing public vantage points. Because the facilities to be developed as part of the Project would not block or alter scenic vistas and the Project would not interfere with the intent of the California Scenic Highway Regulations to protect and enhance California's natural beauty and to protect the social and economic values provided by the state's scenic resources, the Project would not conflict with applicable policies of the California Scenic Highway Regulations. Therefore, implementation of the Mobility Element Update would result in a less than significant impact regarding scenic vistas and resources.

### Mitigation Measures

Since the implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would result in a less than significant impact with regard to scenic vistas and resources, no mitigation measures are necessary.

## b. Visual Character and Quality

**Threshold AES-3** The project would result in a significant impact if the project would substantially degrade the existing visual character or quality of the site and its surroundings.

**Impact Statement AES-3:** *Changes to the built environment that would occur under the Mobility Element Update would complement existing development and the surrounding environment and would largely result in an improved and more visually cohesive visual character, particularly in the downtown area. The Land Use Element/Zoning Code Amendments would not alter the existing development standards, policies or design standards contained in the Town of Mammoth Lakes General Plan, Design Guidelines and Municipal Code. Therefore, buildout resulting from the Project would result in a less than significant impact to visual character and quality. However, construction activities may result in a temporary, visually unappealing quality. A mitigation measure is prescribed that would reduce construction impacts to a less than significant level.*

### (1) Construction Activities

Construction activities generally contrast with the prevailing visual character of a local area. Implementation of the Land Use Element/Zoning Code Amendments would not in and of itself trigger new development in the downtown area, and any new development would be subject to existing Town

requirements. As discussed in Chapter 2, *Project Description*, the long-term buildout of the Mobility Element Update Project would include the removal of the frontage road along Main Street and the installation of new landscaping, street crossing improvements, on-street bike lanes, trails, and the provision of amenities as funding becomes available. Future construction activities could require excavation and the use of heavy machinery. Other aspects of construction could be the generation and hauling of waste materials and debris, temporary stockpiling, possible scrubbing and clearing of vegetation. Construction activities could cause temporary degradation of visual quality with effects on views from adjacent roadways or trails. Visual impacts could also be exacerbated if several projects were to be under construction concurrently. While construction activities would be short-term and would not substantially alter, degrade, eliminate or generate long-term contrast with the visual character of the surrounding area, impacts could be significant. As such, Mitigation Measure AES-1 is recommended below to reduce the impact of construction activities on visual character and quality.

## **(2) Operational Activities**

As described under existing conditions, currently the downtown commercial area lacks a cohesive, defined architecture style and aesthetic character. Individual properties are primarily single-use, free standing or strip commercial type development and have little landscaping. Businesses are mostly set behind surface parking lots and pedestrian infrastructure is largely absent. Along Main Street, frontage roads further blur the form of the street and separate storefronts from Main Street itself. While Old Mammoth Road has a more pedestrian-oriented character compared to Main Street, some parcels include large surface parking lots fronting the street edge and portions of Old Mammoth Road lack substantial landscaping, street furniture, and other pedestrian oriented features.

The Project would result in a more intensified downtown area than currently exists through the removal of the unit and room cap and the vacation of the frontage road along Main Street. However, implementation of the Mobility Element Update would result in various aesthetic improvements and unifying elements. A fundamental concept of the Main Street Plan is to create a memorable, positive aesthetic area within the downtown commercial area. These improvements have been incorporated into the Mobility Element Update. The aesthetic improvements would occur through the establishment of the complete street elements, as well as improved gateways, wayfinding signage, landscaping and street treatments such as benches, planters, and public art.

Implementation of the Mobility Element Update would result in a reduction of the right of way from 200 feet to 130 feet along Main Street. Buildings currently set back from the street, behind the frontage road, would be located at the street edge along Main Street creating a defined and cohesive street frontage. As shown in Figure 4.1-3, *Main Street Plan Conceptual Cross Section*, the streetscape would include wide sidewalks adjacent to new buildings with three zones: the building zone, the amenity zone, and the pedestrian zone. The building zone, adjacent to the buildings, would include an area for outdoor cafe seating, sidewalk sales racks, planters, stoops and other features often associated with commercial areas. The amenity zone would include streetscape furnishings such as benches and bike racks. Parking and vehicle travel lanes would be located adjacent to the amenity zone. Adjacent to this area would be a pedestrian sidewalk and parallel to the sidewalk would be a bicycle track or protected bike lane for bicyclists. While no change in the right-of-way width would occur on Old Mammoth Road, various pedestrian and bicycle improvements similar to Main Street would be provided as part of the Mobility Element Update. Old Mammoth Road would include continuous sidewalks and bicycle paths adjacent to the road and various pedestrian amenities such as street

furniture, landscaped areas, and public art. Thus, implementation of the Mobility Element Update would result in an improved and more visually cohesive visual character within the commercial core compared with current conditions.

Implementation of the Mobility Element Update improvements outside the downtown area would create new visible features and facilities, such as roadway striping; narrow lengths of pavement along roadways or easements, new traffic lights, and new public parking areas that would affect the visual character of the area. As discussed in the TSMP EIR, impacts to visual quality and character related to trail and bicycle improvements would be subject to the Town's Design Guidelines and Design Review processes, as applicable, which would evaluate projects for consistency and conformity with the General Plan, Zoning Code, and other approved plans, policies, and regulations. Therefore, impacts would be less than significant.

Improvements to existing roadways would not strongly contrast with the character and aesthetic value of the existing conditions. Therefore, such improvements would not negatively alter the existing visual character of the area. The creation of new roadways would be subject to the design parameters set forth in the Mobility Element Update which states the new roadways/improvements should be designed and sited to reflect the context of the surrounding environment. Furthermore, the creation of new roadways and improvements would be subject to the Town's Design Guidelines and Design Review processes. Thus, impacts on visual quality and character related to the Mobility Element Update would be less than significant.

Regarding changes related to the Land Use Element/Zoning Code Amendments, the change to FAR could result in an increase in intensity but would not alter the current development standards, such as heights or setbacks. As allowed by Code, the commercial area could have buildings that are four to five stories which are taller than many of the existing one to three story structures downtown. New development would be subject to design guidelines and development standards and would be required to be designed to be visually interesting and to reflect Mammoth Lakes' unique character and mountain setting. Due to compliance with the Town's development standards and design review guidelines, buildings would be designed to include an attractive interface with the pedestrian environment and would be designed with appropriate building material and color that would blend in with the surrounding environment. Therefore, impacts on visual quality and character indirectly related to the Land Use Element/Zoning Code Amendments would be less than significant.

### **Mitigation Measures**

As discussed above, potential impacts from construction activities could result in a significant aesthetic impact. Therefore, the following mitigation measure is recommended:

**MM AES-1:** Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material from public and sensitive viewers (e.g., residents and motorists/bicyclists/pedestrians), when feasible. Staging locations shall be indicated on the project Building Permit and Grading Plans and shall be subject to review by the Town of Mammoth Lakes Community and Economic Development Director in accordance with the Municipal Code requirements.

With the incorporation of design features and compliance with General Plan policies, the Project would not result in significant operational impacts to visual quality and character corridors. Therefore, no mitigation measures are necessary.

### c. Light and Glare

**Threshold AES-4** The project would result in a significant impact if the project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

**Impact Statement AES-4:** *With implementation of the Town of Mammoth Lakes Outdoor Lighting Ordinance, the Project would not create a new source of light or glare that would substantially alter the character of off-site areas or that would result in substantial light spill or glare onto adjacent light-sensitive receptors. Therefore, impacts regarding light and glare would be less than significant.*

Future development within the commercial districts along Main Street and Old Mammoth Road would be infill development within an already developed portion of the Town where light from roadways, buildings, signage and streetlights already substantially illuminate the area. All new development and improvements related to the Land Use Element/Zoning Code Amendments would be required to comply with the requirements of the Town of Mammoth Lakes Outdoor Lighting Ordinance which regulates nighttime lighting in order to promote a safe and pleasant nighttime environment for residents and visitors; to protect and improve safe travel for all modes of transportation; to prevent nuisances caused by unnecessary light intensity, direct glare, and light trespass; and to protect the ability to view the night sky by restricting unnecessary upward projection of light. With the exception of temporary lighting used for the construction or repair of roadways, utilities and lighting associated with improvements related to the Mobility Element Update would also be subject to the Town of Mammoth Lakes Outdoor Lighting Ordinance, which also provides regulations relative to street lighting.

Furthermore, new buildings and improvements would be subject to environmental and design review on a site-specific basis to ensure that light and glare impacts do not substantially increase the amount and intensity of nighttime lighting nor cause light spillover onto adjoining properties, do not reduce night sky visibility, and do not increase the potential for glare onto adjacent areas.

With implementation of the Town of Mammoth Lakes Outdoor Lighting Ordinance, lighting would be directed downward and would not create harsh contrasts or unnecessary light intensity, direct glare, and light trespass and would protect dark skies. As such, impacts with respect to light and glare would be less than significant.

#### Mitigation Measures

With compliance with applicable regulations, the Project would result in less than significant light and glare impacts. Therefore, no mitigation measures are necessary.

## d. Shade/Shadow

**Threshold AES-5:** The Project would have a significant shade/shadow impact if shadow-sensitive uses would be shaded more than three hours between the hours of 9:00 A.M. and 3:00 P.M. PST (between early November and mid-March), or for more than four hours between the hours of 9:00 A.M. and 5:00 P.M. PDT (between mid-March and early November).

**Impact Statement AES-5:** *Since the Mobility Element Update would result in a reduction in the right-of-way width along Main Street, buildings along Main Street would be located closer to SR 203 and would shade portions of SR 203 for more than three hours between the hours of 9:00 A.M. and 3:00 P.M. PST during the Winter Solstice, potentially creating hazardous roadway conditions. With the implementation of the recommended mitigation measure, shade/shadow impacts would be reduced to less than significant levels.*

During the winter solstice, the sun's lower elevation in the southern sky causes buildings to cast shadows in a northwest, north, and northeast direction, with a relatively narrow path of travel between sunrise and sunset. The sun's lower elevation on the horizon also results in longer shadows than during summer, spring and fall, particularly at midday, and therefore analysis of shadow impacts during the winter solstice considers the period of greatest potential for off-site shading impacts.

Implementation of the Land Use Element/Zoning Code Amendments would not alter existing regulatory requirements for development standards such as height, setbacks, and parking requirements. Therefore, no impacts to shade or shadow would occur as a result of implementation of the Land Use Element/Zoning Code Amendments. However, implementation of the Mobility Element Update would result in a reduction in the right-of-way width along Main Street and would include the removal of the frontage road and diagonal parking, allowing for future buildings to be located approximately 35 feet closer to Main Street than under current conditions. For example, the Mobility Element Update could allow the development of two 55-foot buildings, one on each side of Main Street that would be separated by the 130 foot right-of-way rather than the 200 foot right-of-way that exists today. These changes would increase the amount and duration of shadows along Main Street and the potential for hazardous roadway and sidewalk conditions.

Two conceptual scenarios were developed based on a potential height of 45 feet permitted in the Mixed Use Lodging Residential (MLR) Zone and a potential height of 55 feet permitted in the Downtown (D) Zone. The buildings shown in the shade/shadow analysis are conceptual in nature and represent a maximum envelope that could occur as part of the Mobility Element Update. **Figure 4.1-9, Illustrative Conditions, (45 ft Building Heights) Winter Solstice Shadows (December 21)** and **Figure 4.10 Illustrative Conditions, (55 ft Building Heights) Winter Solstice Shadows (December 21)** show the shadow that could result from a conceptual building located on Main Street during the winter solstice. It should be noted that the buildings shown in Figures 4.1-9 and 4.1-10 are conceptual in nature and represent a maximum envelope that could occur as part of Land Use Element/Zoning Code Amendments or Mobility Element Update. Individual building designs would be subject to a subsequent environmental review as individual projects are proposed.

As shown in Figure 4.1-9, with a building height of 45 feet, buildings along the southern portion of Main Street would shade sidewalks and bicycle lanes along the south side of Main Street for more than three hours between the hours of 11:00 AM to 3:00 PM. The shadows would also extend into the travel lanes south of the landscaped median along Main Street (lanes traveling west to east) for more than three hours during the

same time period. Shading of the future roadway lanes and bicycle and pedestrian pathways for three hour duration could lead to hazardous roadway and pedestrian and bicycle pathway conditions. As such, shading impacts on the sidewalk, bicycle lanes, and travel lanes south of the landscaped median would be considered to be potentially significant.

On the north side of Main Street, shadows would also extend to the westbound automobile lanes and bicycle and sidewalks. However, the duration of the shadow on the westbound travel lanes would be less than two hours and shading duration on bicycle and pedestrian areas would be less than one hour. Thus, shading impacts from future 45-foot buildings located on the north side of Main Street on automobile lanes and bicycle and pedestrian areas on that side of Main Street would be less than significant.<sup>2</sup>

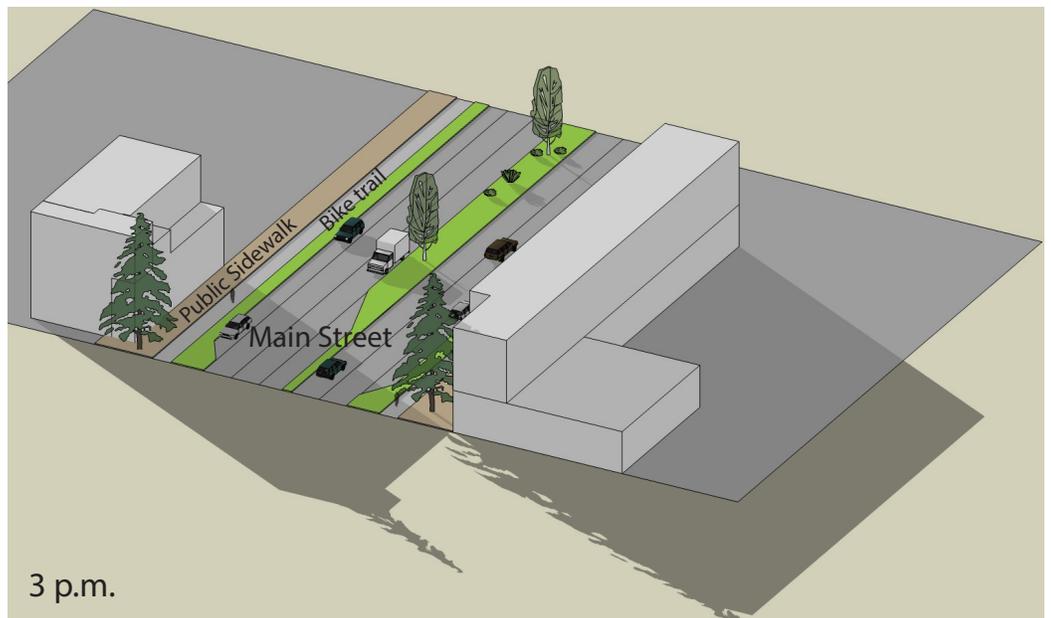
The same impacts would occur for building heights of 55 feet which could occur in the D zone (i.e., along Main Street generally west of Sierra Boulevard, to Sierra Park Road and portions of Old Mammoth Road near the intersection of Main Street). As shown in Figure 4.1-10, potential buildings along the southern portion of Main Street would shade sidewalks and bicycle lanes along the south side of Main Street and all travel lanes for more than three hours. While shadows would extend to bicycle and sidewalk areas along the north side of Main Street, the duration of the shadow would be less than two hours. Thus, with a 55-foot building located on the south side of Main Street, shading impacts on travel lanes and bicycle and pedestrian areas on the south side of Main Street would be potentially significant.

To ensure that shading of Main Street does not result in hazardous roadway conditions (i.e., ice and snow), a mitigation measure is recommended. MM AES-2 requires that a shade/shadow analysis be conducted for proposed new buildings or substantial additions in the C-1 and C-2 designations. If a significant shading impact would result, the mitigation measure requires that a snowmelt system shall be installed if necessary in the pedestrian and bicycle areas and/or enhanced snow removal through a maintenance agreement or participation in an assessment district would be implemented to address potential significant impacts on vehicle travel lanes. In addition, since vehicles travelling at unsafe speeds in winter conditions can result in accidents resulting in additional emergency calls, the measure includes funding to reduce these potential impacts. The Town of Mammoth Lakes shall review the methods and effectiveness of these measures during its implementation to ensure that hazardous roadway conditions do not occur. Implementation of the prescribed mitigation measure would reduce potentially significant hazardous roadway impacts as a result of shading to a less than significant level.

### Mitigation Measures

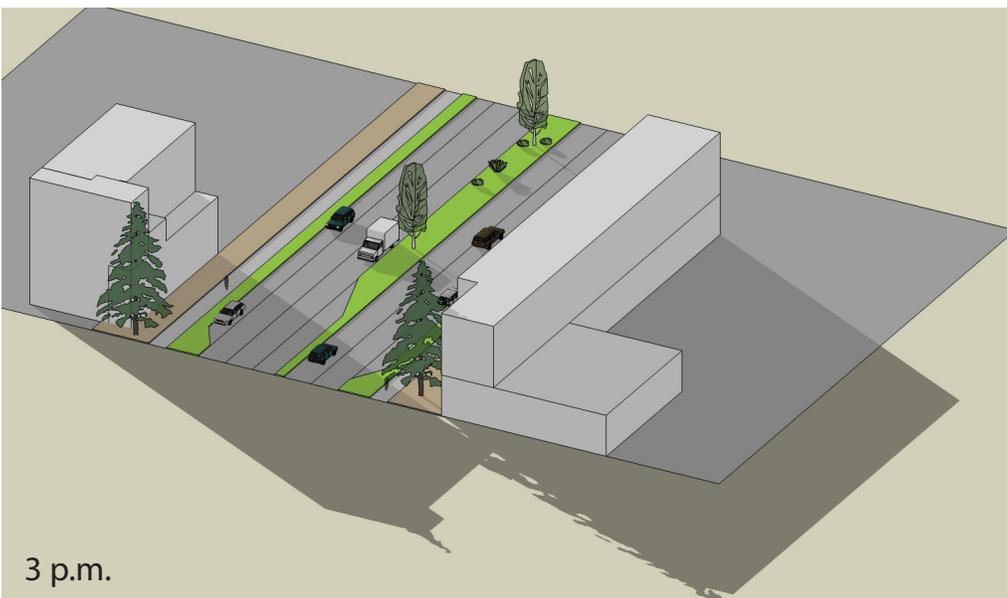
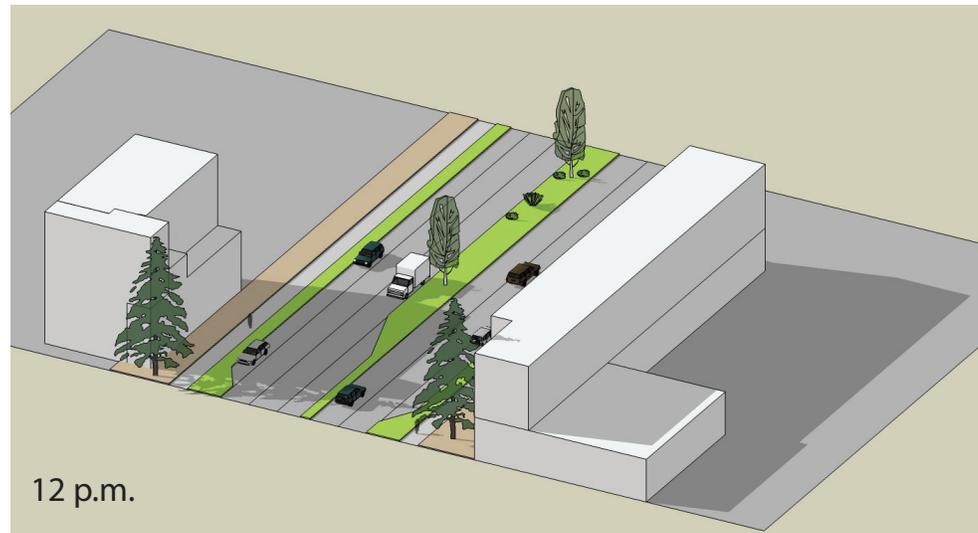
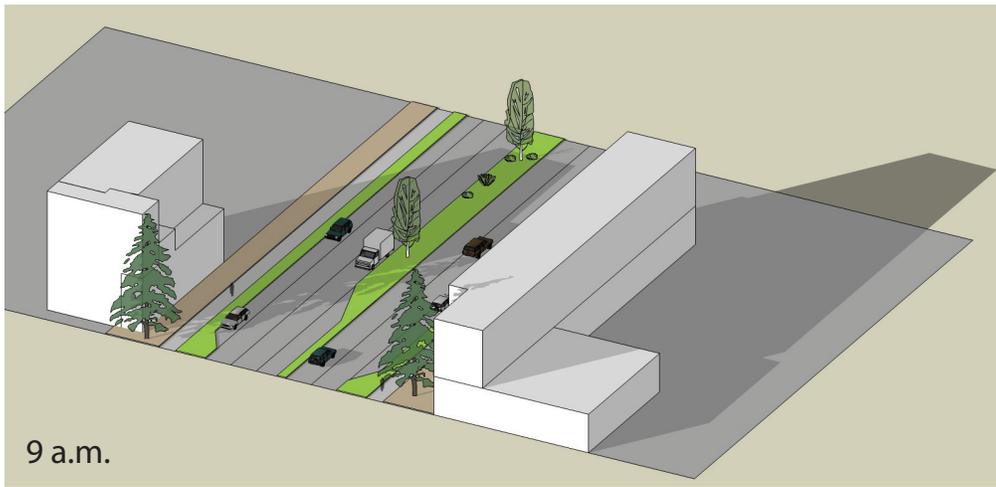
**MM AES-2:** Development projects, which include new buildings or a substantial addition to an existing structure, within the C-1 and C-2 designations shall prepare a shade/shadow analysis. If the analysis indicates that the project would result in shading on Main Street or Old Mammoth Road for more than three hours per day for longer than a week, the applicant of the proposed project shall provide approved and appropriate measures to mitigate potential vehicle and pedestrian safety hazards related to ice and snow. Such measures shall be reviewed and approved by the Town and/or Caltrans as appropriate and can include the following:

<sup>2</sup> *The model used to conduct the shade/shadow analysis does not take topography into account. If development occurred on the south side of Main Street at a higher elevation than the roadway, the length of the shadow would increase resulting in greater impacts. Conversely, if the property were at a lower elevation than the roadway, the extent of shadows would be reduced.*



NOTE: The buildings shown are conceptual in nature and represent a maximum envelope that could occur as part of Land Use Element/Zoning Code amendments or Mobility Element Update. However, these figures are for illustrative purposes only to understand generally the shade/shadow impacts that might occur. Individual building designs would be subject to a subsequent environmental review as individual projects are proposed.





NOTE: The buildings shown are conceptual in nature and represent a maximum envelope that could occur as part of Land Use Element/Zoning Code amendments or Mobility Element Update. However, these figures are for illustrative purposes only to understand generally the shade/shadow impacts that might occur. Individual building designs would be subject to a subsequent environmental review as individual projects are proposed.



**Illustrative Conditions, (55 ft Building Heights)  
Winter Solstice Shadows (December 21)**

Land Use Element/Zoning Code Amendments and Mobility Element Update  
Source: Winter & Co. ; PCR Services Corporation, 2015.

FIGURE  
**4.1-10**

- Install a snowmelt system, such as heat traced pavement, along the pedestrian and bicycle pathways.
- Enter into a maintenance agreement with the Town and/or Caltrans to perform enhanced snow removal operations to ensure that ice related to shading impacts are sufficiently mitigated. Enhanced snow removal could include additional cindering, additional snow removal operations, or other effective ice removal techniques.
- Participate in an assessment district to provide enhanced snow removal operations.
- Specifically to mitigate hazards associated with vehicles traveling at an unsafe speed during winter conditions, measures may include but are not limited to, funding for enhanced enforcement and driver awareness programs such as driver feedback signs (i.e. radar control speed signs or equivalent) to be placed on Main Street in areas adjacent to where the shading occurs.

#### **4. CUMULATIVE IMPACTS**

Cumulative impacts would be associated with the development of vacant parcels and redevelopment of already developed parcels in the Town's commercial area under the Land Use Element/Zoning Code Amendments and transportation improvements associated with the Mobility Element Update which would occur town wide.

Concurrent construction of several related projects within the Town in association with the Land Use Element/Zoning Code Amendments and Mobility Element Update could result in cumulative short-term impacts associated with construction activities. Construction activities for related projects in conjunction with the Project would require the use of heavy equipment and storage of materials at construction staging areas. Other aspects of construction could be the generation and hauling of waste materials and debris, temporary stockpiling, possible scrubbing and clearing of vegetation. These activities could cause temporary degradation of visual quality with effects on views from adjacent roadways or trails. As discussed above, temporary construction impacts associated with the Land Use Element/Zoning Code Amendments and Mobility Element Update would be short-term and would not substantially alter, degrade, eliminate or generate long-term contrast with the visual character of the surrounding area, impacts could be significant. Mitigation Measure AES-1, which would ensure screening of construction equipment and material from public and sensitive viewers (e.g., residents and motorists/bicyclists/pedestrians), when feasible, is recommended to reduce the potential impact of construction activities on visual character and quality. In accordance with Municipal Code requirements, all projects must indicate staging locations on plans that are subject to review by the Town of Mammoth Lakes Community and Economic Development Director. With implementation of Town requirements as well as Mitigation Measure AES-1, the Project would not contribute to a cumulative visual construction impact.

Regarding impacts after development, it is anticipated that all related projects would undergo environmental review on a site-specific basis to ensure that facilities and structures would be sited in a way that would not have substantial adverse effects to scenic vistas, aesthetics, light and glare and shade/shadow. New development would be subject to the Town's design standards and design review that aim to preserve valued scenic vistas and community character contained in the Town of Mammoth Lakes Design Guidelines and General Plan.

With the incorporation of design features and compliance with General Plan policies, the Project would not result in significant operational impacts to visual quality and character corridors. Therefore, no mitigation measures are necessary. Additionally, all new development would be required to comply with the requirements of the Town of Mammoth Lakes Outdoor Lighting Ordinance which regulates nighttime lighting in order to promote a safe and pleasant nighttime environment for residents and visitors; to protect and improve safe travel for all modes of transportation; to prevent nuisances caused by unnecessary light intensity, direct glare, and light trespass; and to protect the ability to view the night sky by restricting unnecessary upward projection of light.

With implementation of MM AES-2, the Project would not result in any significant shading impacts that would create potential hazardous roadway conditions. More specifically, MM AES-2 would require that if a project would result in a shading impact that a snowmelt system shall be installed if necessary in the pedestrian and bicycle areas and/or enhanced snow removal through a maintenance agreement or participation in an assessment district would be implemented to address potential significant impacts on vehicle travel lanes. In addition, since vehicles travelling at unsafe speeds in winter conditions can result in accidents resulting in additional emergency calls, the measure includes funding to reduce these potential impacts. Compliance with MM AES-2 would reduce shade/shadow impacts to less than significant. As the Project would not result in significant aesthetics impacts, the Project with the incorporation of mitigation measures and compliance with design standards, existing regulations and applicable policies as well as previously adopted mitigation measures, would result in a less than significant cumulative impact regarding aesthetics.

## **5. LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Implementation of the prescribed MM AES-1 would ensure that temporary visual quality construction impacts related to the construction of Mobility Element Update improvements would be less than significant. Mitigation Measure AES-2 would ensure that potential hazards resulting from shading impacts along Main Street related to implementation of the Mobility Element Update would be less than significant. Therefore, with the implementation of the recommended mitigation measures regarding construction activities and shade/shadow as well as compliance with design features and regulatory requirements and applicable policies, aesthetic impacts from the Land Use Element/Zoning Code Amendments and Mobility Element Update would be less than significant.

## 4.2 AIR QUALITY

---

### INTRODUCTION

This section addresses air emissions associated with the Land Use Element/Zoning Code Amendments and Mobility Element Update. The analysis provides an overview of applicable regulations, a description of existing conditions, and analysis of potential impacts on air quality and the consistency of the Project with air quality policies within the Great Basin Unified Air Pollution Control District (GBUAPCD)'s Air Quality Management Plan for the Town of Mammoth Lakes. The analysis of Project-generated air emissions focuses on whether the Project would cause an exceedance of an ambient air quality standard or appropriate significance threshold. Air quality technical data utilized in this section is included as Appendix B of this EIR.

### 1. ENVIRONMENTAL SETTING

#### a. Regulatory Framework

A number of statutes, regulations, plans, and policies have been adopted that address air quality issues. The Project Area and vicinity are subject to air quality regulations developed and implemented at the federal, state, and local levels.

##### (1) Federal

The federal Clean Air Act of 1963 was the first federal legislation regarding air pollution control and has been amended numerous times in subsequent years, with the most recent amendments occurring in 1990. At the federal level, the United State Environmental Protection Agency (USEPA) is responsible for implementation of certain portions of the Clean Air Act including mobile source requirements. Other portions of the Clean Air Act, such as stationary source requirements, are implemented by state and local agencies.

The Clean Air Act establishes federal air quality standards, known as National Ambient Air Quality Standards (NAAQS) and specifies future dates for achieving compliance. The Clean Air Act also mandates that the state submit and implement a State Implementation Plan for areas not meeting these standards. These plans must include pollution control measures that demonstrate how the standards will be met. The 1990 amendments to the Clean Air Act identify specific emission reduction goals for areas not meeting the NAAQS. These amendments require both a demonstration of reasonable further progress toward attainment and incorporation of additional sanctions for failure to attain or to meet interim milestones. The sections of the Clean Air Act which are most applicable to the Project include Title I (Nonattainment Provisions) and Title II (Mobile Source Provisions). Title I requirements are implemented for the purpose of attaining NAAQS for the following criteria pollutants: (1) Ozone(O<sub>3</sub>); (2) Nitrogen Dioxide (NO<sub>2</sub>); (3) Carbon Monoxide (CO); (4) Sulfur Dioxide (SO<sub>2</sub>); (5) Particulate Matter 10- microns (PM<sub>10</sub>); and (6) lead (Pb). The NAAQS were amended in July 1997 to include an 8-hour standard for O<sub>3</sub> and to adopt a NAAQS for Particulate Matter 2.5-microns (PM<sub>2.5</sub>). The NAAQS were amended in September 2006 to include an established methodology for calculating PM<sub>2.5</sub> as well as revoking the annual PM<sub>10</sub> threshold. **Table 4.2-1, Ambient Air Quality Standards,** shows the NAAQS for each criteria pollutant.

Table 4.2-1

Ambient Air Quality Standards

Pollutant	Average Time	California Standards <sup>a</sup>		National Standards <sup>b</sup>		
		Concentration <sup>c</sup>	Method <sup>d</sup>	Primary <sup>c,e</sup>	Secondary <sup>c,f</sup>	Method <sup>g</sup>
O <sub>3</sub> <sup>h</sup>	1 Hour	0.09 ppm (180 µg/m <sup>3</sup> )	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m <sup>3</sup> )		0.070 ppm (137 µg/m <sup>3</sup> )		
NO <sub>2</sub> <sup>i</sup>	1 Hour	0.18 ppm (339 µg/m <sup>3</sup> )	Gas Phase Chemi- luminescence	100 ppb (188 µg/m <sup>3</sup> )	None	Gas Phase Chemi- luminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m <sup>3</sup> )		53 ppb (100 µg/m <sup>3</sup> )	Same as Primary Standard	
CO	1 Hour	20 ppm (23 mg/m <sup>3</sup> )	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m <sup>3</sup> )	None	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10mg/m <sup>3</sup> )		9 ppm (10 mg/m <sup>3</sup> )		
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m <sup>3</sup> )		—	—	
SO <sub>2</sub> <sup>j</sup>	1 Hour	0.25 ppm (655 µg/m <sup>3</sup> )	Ultraviolet Fluorescence	75 ppb (196 µg/m <sup>3</sup> )	—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method) <sup>9</sup>
	3 Hour	—		—	0.5 ppm (1300 µg/m <sup>3</sup> )	
	24 Hour	0.04 ppm (105 µg/m <sup>3</sup> )		0.14 ppm (for certain areas) <sup>j</sup>	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas) <sup>i</sup>	—	
PM <sub>10</sub> <sup>k</sup>	24 Hour	50 µg/m <sup>3</sup>	Gravimetric or Beta Attenuation	150 µg/m <sup>3</sup>	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m <sup>3</sup>		—		
PM <sub>2.5</sub> <sup>k</sup>	24 Hour	No Separate State Standard		35 µg/m <sup>3</sup>	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	Gravimetric or Beta Attenuation	12.0 µg/m <sup>3</sup> <sup>k</sup>	15 µg/m <sup>3</sup>	
Lead <sup>l,m</sup>	30 Day Average	1.5 µg/m <sup>3</sup>	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m <sup>3</sup> (for certain areas) <sup>m</sup>	Same as Primary Standard	
	Rolling 3- Month Average <sup>m</sup>	--		0.15 µg/m <sup>3</sup>		
Visibility Reducing Particles <sup>n</sup>	8 Hour	Extinction coefficient of 0.23 per kilometer — visibility of ten miles or more (0.07 — 30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape.		<b>No Federal Standards</b>		
Sulfates (SO <sub>4</sub> )	24 Hour	25 µg/m <sup>3</sup>	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m <sup>3</sup> )	Ultraviolet Fluorescence			
Vinyl Chloride <sup>l</sup>	24 Hour	0.01 ppm (26 µg/m <sup>3</sup> )	Gas Chromatography			

**Table 4.2-1 (Continued)**

**Ambient Air Quality Standards**

Pollutant	Average Time	California Standards <sup>a</sup>		National Standards <sup>b</sup>		
		Concentration <sup>c</sup>	Method <sup>d</sup>	Primary <sup>c,e</sup>	Secondary <sup>c,f</sup>	Method <sup>g</sup>

- <sup>a</sup> California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM<sub>10</sub>, PM<sub>2.5</sub>, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
- <sup>b</sup> National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM<sub>10</sub>, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 micrograms/per cubic meter (µg/m<sup>3</sup>) is equal to or less than one. For PM<sub>2.5</sub>, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard.
- <sup>c</sup> Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
- <sup>d</sup> Any equivalent procedure which can be shown to the satisfaction of the California Air Resources Board to give equivalent results at or near the level of the air quality standard may be used.
- <sup>e</sup> National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
- <sup>f</sup> National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
- <sup>g</sup> Reference method as described by the USEPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the USEPA.
- <sup>h</sup> On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
- <sup>i</sup> To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb.
- <sup>j</sup> On June 2, 2010, a new 1-hour SO<sub>2</sub> standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO<sub>2</sub> national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated non-attainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.
- <sup>k</sup> On December 14, 2012, the national annual PM<sub>2.5</sub> primary standard was lowered from 15 µg/m<sup>3</sup> to 12.0 µg/m<sup>3</sup>.
- <sup>l</sup> The California Air Resources Board has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
- <sup>m</sup> The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 µg/m<sup>3</sup> as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated non-attainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
- <sup>n</sup> In 1989, the California Air Resources Board converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

Source: California Air Resources Board, Ambient Air Quality Standards (10/1/15), <http://www.arb.ca.gov/research/aaqs/aaqs2.pdf>. Accessed January 2016.

Title II of the Clean Air Act pertains to mobile sources, such as cars, trucks, buses, and planes. Reformulated gasoline, automobile pollution control devices, and vapor recovery nozzles on gas pumps are a few of the mechanisms the USEPA uses to regulate mobile air emission sources. The provisions of Title II have resulted in tailpipe emission standards for vehicles, which have strengthened in recent years to improve air quality. For example, the standards for NO<sub>x</sub> emissions have lowered substantially and the specification requirements for cleaner burning gasoline are more stringent.

## **(2) State of California**

### **(a) California Clean Air Act**

The California Clean Air Act, signed into law in 1988, requires all areas of the State to achieve and maintain the California Ambient Air Quality Standards (CAAQS) by the earliest practical date. The CAAQS are set at levels that protect human health, particularly that of infants and children, and incorporate an adequate margin of safety.<sup>1</sup> Table 4.2-1 shows the CAAQS currently in effect for each of the criteria pollutants as well as the other pollutants recognized by the State. As shown in Table 4.2-1, the CAAQS include more stringent standards than the NAAQS for most of the criteria air pollutants. In general, the California standards are more health protective than the corresponding NAAQS. In addition, the California Air Resources Board (CARB) has established standards for other pollutants recognized by the State, such as sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles.

### **(b) California Air Resources Board Air Quality and Land Use Handbook**

The CARB published the *Air Quality and Land Use Handbook* in April 2005 to serve as a general guide for considering impacts to sensitive receptors from facilities that emit toxic air contaminant (TAC) emissions. The recommendations provided therein are voluntary and do not constitute a requirement or mandate for either land use agencies or local air districts. The goal of the guidance document is to protect sensitive receptors, such as children, the elderly, acutely ill, and chronically ill persons, from exposure to TAC emissions. Some examples of CARB's recommendations include the following: (1) avoid siting sensitive receptors within 500 feet of a freeway, urban road with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day; (2) avoid siting sensitive receptors within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater), or within 50 feet of a typical gas dispensing facility; (3) avoid siting sensitive receptors within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units per day, or where transport refrigeration unit operations exceed 300 hours per week); and (4) avoid siting sensitive receptors within 300 feet of any dry cleaning operation using perchloroethylene and within 500 feet of operations with two or more machines.

### **(c) California Air Resources Board On-Road and Off-Road Vehicle Rules**

In 2004, CARB adopted an Airborne Toxic Control Measure (ATCM) to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter (DPM) and other air contaminants.<sup>2</sup>

<sup>1</sup> California Air Resources Board, "Final Report - Adequacy of California Ambient Air Quality Standards," <http://www.arb.ca.gov/research/aaqs/caaqs/ad-aaqs/ad-aaqs.htm>. Accessed July 2015. The Children's Environmental Health Protection Act (Senate Bill 25, Escutia, 1999) required CARB to review the standards to determine if they "adequately protect public health, including infants and children, with an adequate margin of safety."

<sup>2</sup> Calif. Code of Regulations, Title 13, Sec. 2485.

The measure applies to diesel-fueled commercial vehicles with gross vehicle weight ratings greater than 10,000 pounds that are licensed to operate on highways, regardless of where they are registered. In general, the measure prohibits idling for more than five minutes at any given time.

In 2008, CARB approved the Truck and Bus regulation to reduce NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from existing diesel vehicles operating in California (CARB Rules Chapter 1, Section 2025, subsection (h)).<sup>3</sup> The requirements were amended in December 2010 and apply to nearly all diesel fueled trucks and busses with a gross vehicle weight rating greater than 14,000 pounds. For the largest trucks in the fleet, those with a gross vehicle weight rating greater than 26,000 pounds, there are two methods to comply with the requirements. The first way is for the fleet owner to retrofit or replace engines, starting with the oldest engine model year, to meet 2010 engine standards, or better. This is phased over 8 years, starting in 2015 and would be fully implemented by 2023, meaning that all trucks operating in the State subject to this option would meet or exceed the 2010 engine emission standards for NO<sub>x</sub> and PM by 2023. The second option, if chosen, requires fleet owners, starting in 2012, to retrofit a portion of their fleet with diesel particulate filters achieving at least 85 percent removal efficiency, so that by January 1, 2016 their entire fleet is equipped with diesel particulate filters. However, diesel particulate filters do not typically lower NO<sub>x</sub> emissions. Thus, fleet owners choosing the second option must still comply with the 2010 engine emission standards for their trucks and busses by 2020.

In addition to limiting exhaust from idling trucks, CARB promulgated emission standards for off-road diesel construction equipment such of greater than 25 horsepower as bulldozers, loaders, backhoes and forklifts, as well as many other self-propelled off-road diesel vehicles. The regulation adopted by the CARB on July 26, 2007, aims to reduce emissions by installation of diesel soot filters and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission controlled models. Implementation is staggered based on fleet size (which is the total of all off-road horsepower under common ownership or control), with the largest fleets to begin compliance by January 1, 2014 (CARB Rules Chapter 9, Section 2449).<sup>4</sup> Each fleet must demonstrate compliance through one of two methods. The first option is to calculate and maintain fleet average emissions targets, which encourages the retirement or repowering of older equipment and rewards the introduction of newer cleaner units into the fleet. The second option is to meet the Best Available Control Technology (BACT) requirements by turning over or installing Verified Diesel Emission Control Strategies (e.g., engine retrofits) on a certain percentage of its total fleet horsepower. The compliance schedule requires that BACT turn overs or retrofits be fully implemented by 2023 in all equipment in large and medium fleets and across 100 percent of small fleets by 2028.

#### **(d) Title 24, Building Standards Code and CALGreen Code**

The California Energy Commission first adopted the Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels

<sup>3</sup> *Final Regulation Order, Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants from In-Use On-Road Diesel-Fueled Vehicles*, <http://www.arb.ca.gov/msprog/onrdiesel/documents/TBFinalReg.pdf>. Accessed July 2015.

<sup>4</sup> *Final Regulation Order, Regulation for In-Use Off-Road Diesel-Fueled Fleets*, <http://www.arb.ca.gov/regact/2010/offroadlsi10/finaloffroadreg.pdf>. Accessed July 2015.

would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods.

Part 11 of the Title 24 Building Standards Code is referred to as the California Green Building Standards Code. The purpose of the California Green Building Standards Code is to “improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality.”<sup>5</sup> The California Green Building Standards Code is not intended to substitute for or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission. The California Green Building Standards Code is mandatory for all new buildings constructed in the state and establishes mandatory measures that include energy efficiency, water conservation, material conservation, planning and design and overall environmental quality. The California Green Building Standards Code was most recently updated in 2013; the new measures took effect on July 1, 2014.

### **(3) Great Basin Valley Air Basin**

#### **(a) Great Basin Unified Air Pollution Control District**

The GBUAPCD, which covers the whole Great Basin Valley Air Basin (GBVAB), has jurisdiction over an area of approximately 13,975 square miles. This area includes all of Inyo, Mono and Alpine counties. The GBUAPCD was formed in 1974 when Inyo, Mono and Alpine Counties formed a joint powers agreement with the purpose of meeting and enforcing applicable Federal, State and local air quality regulations. While air quality in this area has improved, the GBUAPCD requires continued diligence to meet air quality standards.

Effective January 23, 2005, the Mono County portion of the GBVAB is designated as non-attainment for the state O<sub>3</sub> and PM<sub>10</sub> ambient air quality standards. Although Mono County is categorized as nonattainment of the state O<sub>3</sub> standard, an ozone implementation plan for attaining the ozone standard in Mono County is not required pursuant to the CARB *Ozone Transport: 2001 Review*, which states that “transport from the central portion of the [San Joaquin] Valley is responsible for ozone violations in Mammoth Lakes.”<sup>6</sup>

With respect to PM<sub>10</sub>, the GBUAPCD adopted the Air Quality Management Plan (AQMP) for the Town of Mammoth Lakes in November 1990, which identified PM<sub>10</sub> sources and mitigation strategies intended to attain the NAAQS. The AQMP identified emissions from wood-burning stoves and fireplaces and traffic-related road dust and cinders as the primary causes leading to exceedances of the federal PM<sub>10</sub> standard in the winter, exacerbated by the substantial influx of visitors to the Mammoth Lakes area during the ski season. The combination of periods of meteorological stagnation and increased visitation to the ski resorts result in violations of PM<sub>10</sub> standards. The AQMP included a number of control strategies, including a ban on new wood-burning devices, requirements to retrofit existing wood-burning devices, and a Town-wide limit on vehicle miles traveled (VMT). After adoption of the AQMP, monitored air pollution levels dropped

<sup>5</sup> California Building Standards Commission, *Guide to the 2013 California Green Building Standards Code, Residential (2013)*.

<sup>6</sup> California Air Resources Board, *Ozone Transport: 2001 Review, (April 2001) 45*.

substantially in Mammoth Lakes. Since 1993, the Mammoth Lakes planning area has not exceeded the federal 24-hour PM<sub>10</sub> NAAQS. The GBUAPCD adopted the 2014 update to the AQMP, which describes the improved air quality conditions in the Town of Mammoth Lakes. The update also incorporates revisions to GBUAPCD rules, including updating the Town-wide VMT limit from 106,600 to 179,708 miles per day, and a request for redesignation of Mammoth Lakes as attainment for the federal PM<sub>10</sub> standard. The USEPA approved the redesignation request in October 2015.

The GBUAPCD utilizes a permitting process to regulate emissions. The following list includes some of the rules and regulations that may apply to the Project:

- GBUAPCD Rule 200-A and 200-B. Permits Required: Before any individual builds or operates anything that may cause the issuance of air contaminants or the use of which may eliminate, reduce or control the issuance of air contaminants, such person must obtain a written authority to construct and permit to operate from an Air Pollution Control Officer.
- GBUAPCD Rules 401 and 402. Fugitive Dust and Nuisance: Rule 401 requires that airborne particles remain at their place of origin under normal wind conditions. Proper mitigation techniques approved by the GBUAPCD must be implemented to ensure that fugitive dust is contained. This does not apply to dust emissions discharged through a stack or other point source. Rule 402 states that any air discharge that may cause injury or detriment, nuisance or annoyance, or damage to any public property or considerable number of people is regulated. This rule discusses the health and safety issues that may interfere with public and private areas surrounding the site.
- GBUAPCD Rules 404-A and Rule 404-B. Particulate Matter and Oxides of Nitrogen: Rule 404-A states that a person shall not discharge from any source whatsoever, particulate matter in excess of 0.3 grains per standard dry cubic foot of exhaust gas. Rule 404-B states that a person shall not discharge from fuel burning equipment having a maximum heat input rate of more than 1.5 billion BTU per hour (gross), flue gas having a concentration of nitrogen oxides calculated as Nitrogen Dioxide (NO<sub>2</sub>) in parts per million of flue gas by volume at 3 percent oxygen: 125 ppm with natural gas fuel, or 225 ppm with liquid or solid fuel. Additionally, a person shall not discharge from sources other than combustion sources, nitrogen oxides, calculated as nitrogen dioxide, 250 parts per million (ppm) by volume.
- GBUAPCD Rule 431. PM Reduction Control Measures: Requirements include vacuum street sweeping of wood stove cinders, requires VMT reduction measures for new developments, and limits peak VMT in the Town to 179,708 VMT.

### **(b) Regional Comprehensive Plan**

The GBVAB lies outside of a metropolitan planning organization (MPO). It is identified as an Isolated Rural area, meaning that its emissions are not part of an emissions analysis of any MPO's transportation plan or Transportation Improvement Program. Therefore, the Town of Mammoth Lakes is not subject to a Regional Comprehensive Plan to guide growth and transportation issues in the area.

#### **(4) Town of Mammoth Lakes**

##### **(a) Mammoth Lakes Plans and Policies**

The Mammoth Lakes General Plan, last updated in 2007, is designed to promote the public health, safety and general welfare of the community. The Plan is a comprehensive, long term and an internally consistent document that sets forth goals and policies to govern decisions of the Town with respect to the community's future. The Air Quality Element includes goals and policies related to attaining the air quality standards and reducing air pollution. Refer to Subsection 4.2.2.c for a list of these goals and policies.

##### **(b) Mammoth Lakes Municipal Code**

Chapter 8.30 of the Municipal Code (Town Particulate Emissions Regulations) requires the Town to include a limit of 179,708 VMT in its review of proposed development projects, incorporate street sweeping measures, and implement restrictions on wood-burning stoves and fireplaces, and other measures consistent with applicable GBUAPCD Rule 431 listed above.

#### **b. Existing Conditions**

##### **(1) Regional Context**

The Project Area is located in the GBVAB, which consists of an area of approximately 13,975 square miles and includes all of Inyo, Mono and Alpine counties. **Table 4.2-2, Great Basin Valleys Air Basin Attainment Status (Mammoth Lake Planning Area)**, provides a summary of the GBVAB's attainment status with respect to federal and state standards. The GBVAB is designated as having attained state standards for all pollutants except ozone and respirable particulate matter (PM<sub>10</sub>) (24-hour average) and having attained all federal standards. Therefore, discussion of impacts for this Project will focus on those pollutants. According to the *2014 Update Air Quality Maintenance Plan and Redesignation Request for the Town of Mammoth Lakes*, the Town of Mammoth Lakes was previously designated as non-attainment for the federal PM<sub>10</sub> standards; however, ambient levels have not exceeded the national PM<sub>10</sub> standards since 1993 and the GBUAPCD submitted a redesignation request to CARB and the USEPA.<sup>7</sup> CARB approved the redesignation request in September 2014 and the USEPA approved the redesignation request in October 2015.

Certain air pollutants have been recognized to cause notable health problems and consequential damage to the environment either directly or in reaction with other pollutants, due to their presence in elevated concentrations in the atmosphere. Such pollutants have been identified and regulated as part of the overall endeavor to prevent further deterioration and facilitate improvement in the prevalent air quality. The following pollutants are regulated by the USEPA and, therefore, are subject to emission reduction measures adopted by federal, state and other regulatory agencies. These pollutants are referred to as "criteria air pollutants" as a result of the specific standards, or criteria, which have been adopted for them. The NAAQS and CAAQS for each of the monitored pollutants are summarized in Table 4.2-1. The NAAQS and CAAQS have been set at levels considered safe to protect public health, including the health of sensitive populations such as asthmatics, children, and the elderly with a margin of safety; and to protect public welfare, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings. A brief description of the health effects of these criteria air pollutants are provided below.

<sup>7</sup> *Great Basin Unified Air Pollution Control District, 2014 Update Air Quality Maintenance Plan and Redesignation Request for the Town of Mammoth Lakes, May 5, 2014.*

Table 4.2-2

## Great Basin Valley Air Basin Attainment Status (Mammoth Lakes Planning Area)

Pollutant	National Standards	California Standards
Ozone	Attainment	Non-attainment
Nitrogen Dioxide	Attainment	Attainment
Carbon Monoxide	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment
PM <sub>10</sub>	Attainment	Non-attainment
PM <sub>2.5</sub>	Attainment	Attainment
Lead	Attainment	Attainment
Visibility Reducing Particles	N/A	Attainment
Sulfates	N/A	Attainment
Hydrogen Sulfide	N/A	Attainment
Vinyl Chloride	N/A	N/A <sup>a</sup>

N/A = not applicable

<sup>a</sup> In 1990 the California Air Resources Board identified vinyl chloride as a toxic air contaminant and determined that it does not have an identifiable threshold. Therefore, the California Air Resources Board does not monitor or make status designations for this pollutant.

Source: United States Environmental Protection Agency, EPA Region 9 Air Quality Maps, <http://www.epa.gov/region9/air/maps/>. Accessed April 2016; California Air Resources Board, Area Designations Maps/State and National, <http://www.arb.ca.gov/DESIG/ADM/ADM.htm>. Accessed April 2016.

**O<sub>3</sub>:** Ozone is a secondary pollutant formed by the chemical reaction of volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>) under favorable meteorological conditions such as high temperature and stagnation episodes. Ozone concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable. An elevated level of ozone irritates the lungs and breathing passages, causing coughing, and pain in the chest and throat thereby increasing susceptibility to respiratory infections and reducing the ability to exercise. Effects are more severe in people with asthma and other respiratory ailments. Long-term exposure may lead to scarring of lung tissue and may lower the lung efficiency.

**VOCs.** VOCs are typically formed from combustion of fuels and/or released through evaporation of organic liquids. Some VOCs are also classified by the State as toxic air contaminants. These are compounds comprised primarily of atoms of hydrogen and carbon. Internal combustion associated with motor vehicle usage is the major source of hydrocarbons, as are architectural coatings. Emissions of VOCs themselves are not “criteria” pollutants; however, they contribute with NO<sub>x</sub> to formation of O<sub>3</sub> and are regulated as O<sub>3</sub> precursor emissions.

**NO<sub>2</sub> and NO<sub>x</sub>:** NO<sub>x</sub> is a term that refers to a group of compounds containing nitrogen and oxygen. The primary compounds of air quality concern include NO<sub>2</sub> and nitric oxide (NO), which can quickly oxidize in the atmosphere to form NO<sub>2</sub>. Ambient air quality standards have been promulgated for NO<sub>2</sub>, which is a reddish-brown, reactive gas. The principle form of NO<sub>x</sub> produced by combustion is NO, but NO reacts quickly in the atmosphere to form NO<sub>2</sub>, creating the mixture of NO and NO<sub>2</sub> referred to as NO<sub>x</sub>. Major sources of NO<sub>x</sub> emissions include power plants, large industrial facilities, and motor vehicles. Emissions of NO<sub>x</sub> are a precursor to the formation of ground-level ozone. NO<sub>2</sub> can potentially irritate the nose and throat, aggravate lung and heart problems, and may increase susceptibility to respiratory infections, especially in people with asthma. According to the California Air Resources Board (CARB), “NO<sub>2</sub> is an oxidizing gas capable of

damaging cells lining the respiratory tract. Exposure to NO<sub>2</sub> along with other traffic-related pollutants, is associated with respiratory symptoms, episodes of respiratory illness and impaired lung functioning. Studies in animals have reported biochemical, structural, and cellular changes in the lung when exposed to NO<sub>2</sub> above the level of the current state air quality standard. Clinical studies of human subjects suggest that NO<sub>2</sub> exposure to levels near the current standard may worsen the effect of allergens in allergic asthmatics, especially in children.”<sup>8</sup> NO<sub>2</sub> also contributes to the formation of PM<sub>10</sub>. The terms “NO<sub>x</sub>” and “NO<sub>2</sub>” are sometimes used interchangeably. However, the term “NO<sub>x</sub>” is primarily used when discussing emissions, usually from combustion-related activities. The term “NO<sub>2</sub>” is primarily used when discussing ambient air quality standards. More specifically, NO<sub>2</sub> is regulated as a criteria air pollutant under the Clean Air Act and subject to the ambient air quality standards, whereas NO<sub>x</sub> and NO are not. In cases where the thresholds of significance or impact analyses are discussed in the context of NO<sub>x</sub> emissions, it is based on the conservative assumption that all Project-related NO<sub>x</sub> emissions would oxidize in the atmosphere to form NO<sub>2</sub>.

**CO:** Carbon monoxide is primarily emitted from combustion processes and motor vehicles because of incomplete combustion of fuel. Elevated concentrations of CO weaken the heart’s contractions and lower the amount of oxygen carried by the blood. It is especially dangerous for people with chronic heart disease. Inhalation of CO can cause nausea, dizziness, and headaches at moderate concentrations and can be fatal at high concentrations.

**SO<sub>2</sub>:** Major sources of SO<sub>2</sub> include power plants, large industrial facilities, diesel vehicles, and oil-burning residential heaters. Emissions of sulfur dioxide aggravate lung diseases, especially bronchitis. It also constricts the breathing passages, especially in asthmatics and people involved in moderate to heavy exercise. Sulfur dioxide potentially causes wheezing, shortness of breath, and coughing. High levels of particulate appear to worsen the effect of sulfur dioxide, and long-term exposures to both pollutants leads to higher rates of respiratory illness.

**PM<sub>10</sub> and PM<sub>2.5</sub>:** The human body naturally prevents the entry of larger particles into the body. However, small particles including fugitive dust, with an aerodynamic diameter equal to or less than ten microns (PM<sub>10</sub>) and even smaller particles with an aerodynamic diameter equal to or less than 2.5 microns (PM<sub>2.5</sub>), can enter the body and are trapped in the nose, throat, and upper respiratory tract. These small particulates could potentially aggravate existing heart and lung diseases, change the body’s defenses against inhaled materials, and damage lung tissue. Some types of particulate could become toxic after inhalation due to the presence of certain chemicals and their reaction with internal body fluids. The elderly, children, and those with chronic lung or heart disease are most sensitive to PM<sub>10</sub> and PM<sub>2.5</sub>. In children, studies have shown associations between PM exposure and reduced lung function and increased respiratory symptoms and illnesses.<sup>9</sup> Lung impairment can persist for two to three weeks after exposure to high levels of particulate matter.

“Fugitive dust” is atmospheric dust resulting from both natural and anthropogenic disturbance of soil and other granular material. Fugitive dust particles are comprised mainly of soil minerals (i.e. oxides of silicon,

<sup>8</sup> California Air Resources Board, “Nitrogen Dioxide – Overview,” <http://www.arb.ca.gov/research/aaqs/caaqs/no2-1/no2-1.htm>. Accessed January 2015.

<sup>9</sup> California Air Resources Board, “Particulate Matter – Overview,” <http://www.arb.ca.gov/research/aaqs/caaqs/pm/pm.htm>. Accessed January 2015.

aluminum, calcium, and iron), but can also consist of sea salt, pollen, spores, etc. PM<sub>10</sub> is predominately comprised of windblown dust or other operations involving solid particulate materials. PM<sub>2.5</sub> is more likely the result of fuel combustion and photochemical reactions. PM<sub>2.5</sub> is both directly emitted and formed via chemical reactions in the atmosphere from precursor pollutants such as NO<sub>x</sub>, SO<sub>x</sub>, and ammonia. However, most fugitive dust particles are larger than PM<sub>10</sub> particulates and thus would not comprise either PM<sub>10</sub> or PM<sub>2.5</sub>.

**Pb:** Lead is emitted from industrial facilities and from the sanding or removal of old lead-based paint. Smelting or processing the metal is the primary source of lead emissions, which is primarily a regional pollutant. Lead affects the brain and other parts of the body's nervous system. Exposure to lead in very young children impairs the development of the nervous system, kidneys, and blood forming processes in the body.

## **(2) Local Area Conditions**

### **(a) Meteorology and Pollutant Levels**

The Project Area is located in the Town of Mammoth Lakes in Mono County. Located on the eastern slope of the Sierra Nevada Mountains, the Town has a dry climate with clear skies, excellent visibility, hot summers, and wide fluctuations in daily temperatures. The average minimum temperature is in the upper 20s (degrees Fahrenheit), while the average maximum temperature is in the mid- to high 50s. Most of the precipitation in this area (approximately 70 percent) occurs between November and February. Spring is the windiest season, with fast-moving northerly weather fronts. During the day, southerly winds result from the strong solar heating of the mountain slopes, causing upslope circulation. Summer winds are northerly at night as a result of cool air draining from higher to lower elevations. The mean annual wind speed in Mammoth Lakes is less than 11 miles per hour (mph).

The extent and severity of the air pollution problem in the GBVAB is a function of the area's natural physical characteristics (weather and topography), as well as man-made influences (development patterns and lifestyle). The Mono County portion of the GBVAB has a non-attainment status for ozone (State standards only); however, as discussed previously, non-attainment of ozone is associated with the effect of transported pollution from outside of Mono County, rather than local generation of ozone or ozone precursors. All of the GBVAB is designated non-attainment for the PM<sub>10</sub> State standard.

Although Mono County is categorized as non-attainment for the State ozone standard, there is no ozone implementation plan for attainment in Mono County, nor is one required under State law. As outlined in the 2001 CARB Ozone Transport Review, the CARB classifies the contribution of transported pollution from one air basin to another to be either overwhelming, significant, inconsequential, or some combination of the three. The CARB Ozone Transport Review is a statewide assessment of ozone transport between air basins. According to the CARB, ozone levels would improve in the air basin only when substantial mitigation measures are more fully implemented in upwind air basins. Local sources are not considered to have a considerable impact on ambient levels due to the climactic patterns of the eastern slopes of the Sierra Nevada Mountains.

### (b) Existing Pollutant Levels at Nearby Monitoring Stations

Air quality is monitored by the GBUAPCD at a number of locations throughout the GBVAB. Currently, there are 19 monitoring sites in the GBVAB. The monitoring station most representative of the Project Area is the Mammoth Lakes-Gateway Home Center monitoring station, located on Highway 203 and Old Mammoth Road. The station only monitors ambient concentrations of PM<sub>10</sub>. Although Mono County is designated as non-attainment for the state ozone standard, there has been no ozone monitoring in the County since 2002. According to the CARB *Ozone Transport: 2001 Review*, “transport from the central portion of the [San Joaquin] Valley is responsible for ozone violations in Mammoth Lakes.”<sup>10</sup> The most recent data available from Mammoth Lakes-Gateway Home Center monitoring station encompasses the years 2010 to 2014. The data shown in **Table 4.2-3, Pollutant Standards and Ambient Air Quality Data from Representative Monitoring Stations**, indicate the PM<sub>10</sub> pollutant trends for the Project Area.

**Table 4.2-3**

**Pollutant Standards and Ambient Air Quality Data from Representative Monitoring Stations**

Pollutant Standard and Data	2011	2012	2013	2014	2015
<b>PM<sub>10</sub> (24 hour)</b>					
Maximum Concentration (µg/m <sup>3</sup> ) – Federal <sup>a</sup>	101	56	133	130	84
Maximum Concentration (µg/m <sup>3</sup> ) – State <sup>b</sup>	105	42	82	38	51
Measured Days > NAAQS (150 µg/m <sup>3</sup> ) <sup>c</sup>	0	0	0	0	0
Measured Days > CAAQS (50 µg/m <sup>3</sup> ) <sup>c</sup>	5	0	6	0	1

ppm = parts per million; µg/m<sup>3</sup> = micrograms per cubic meter

<sup>a</sup> Federal data excludes exceptional events.

<sup>b</sup> State data may include exceptional events. State and national statistics may differ for the following reasons: (1) State statistics are based on California approved samplers, whereas national statistics are based on samplers using federal reference or equivalent methods. State and national statistics may therefore be based on different samplers. (2) State statistics for 1998 and later are based on local conditions. National statistics are based on standard conditions. (3) State criteria for ensuring that data are sufficiently complete for calculating valid annual averages are more stringent than the national criteria.

<sup>c</sup> Measurements are usually collected every six days. Measured days counts the days that a measurement was greater than the level of the standard.

Source: California Air Resources Board, *Air Quality Data Statistics*, <http://www.arb.ca.gov/adam/>. Accessed April 2016; U.S. Environmental Protection Agency, *AirData*, [http://www.epa.gov/airdata/ad\\_rep\\_mon.html](http://www.epa.gov/airdata/ad_rep_mon.html). Accessed April 2016. Data excludes exceptional events.

### (c) Existing Emissions

The Town of Mammoth Lakes is currently developed with a mix of residential units, hotel/lodging, commercial services, including outdoor and recreational uses, for residents and visitors to the Town, and limited industrial uses. The existing uses include retail, restaurants, cinema, equipment rental, storage, laundromat, gas stations, banks, pet supplies, offices, residences, churches, day care, visitor accommodations, and some construction related uses. The existing development within the Project Area and Townwide is provided in Chapter 2.0, *Project Description*. The Transportation Impact Analysis for the Project<sup>11</sup> provides an estimate of the existing VMT for the Town of Mammoth Lakes. According to the Transportation Impact

<sup>10</sup> California Air Resources Board, *Ozone Transport: 2001 Review*, (April 2001) 45.

<sup>11</sup> LSC Transportation Consultants, Inc., *Mammoth Mobility Element Transportation Impact Analysis*, 2016.

Analysis the existing VMT estimates for the Town roadways included in the modeling analysis is 152,844 VMT on a peak day or approximately 41.3 million VMT per year.

Sources of emissions in the Project Area consist primarily of energy, water, and solid waste sources from commercial uses within the approximately 122-acre commercially designated area that would be covered by the proposed Land Use Element/Zoning Code Amendments and mobile sources associated with vehicle travel along Town roadways that would be affected by both the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update. Under CEQA, the baseline environmental setting is established as the time that environmental assessment commences. Therefore, the existing Project Area emissions serves as the baseline and the operational air quality impacts for the Project are assessed based on the incremental change in emissions from future development resulting from the proposed Land Use Element/Zoning Code Amendments and improvements occurring under the Mobility Element Update.

#### **(d) Sensitive Receptors**

Certain population groups, such as children, elderly, and acutely and chronically ill persons (especially those with cardio-respiratory diseases) are considered more sensitive to the potential effects of air pollution than others. Sensitive receptors in the Town of Mammoth Lakes include: residences, schools, hospitals, and day care facilities.

## **2. METHODOLOGY AND THRESHOLDS**

### **a. Methodology**

The evaluation of potential impacts to air quality that may result from the construction and long-term operations of the Project is conducted as follows:

#### **(1) Consistency with Air Quality Plan**

The GBUAPCD's 2014 update to the AQMP contains a comprehensive list of maintenance measures to ensure that the region continues to meet the NAAQS. Projects that are consistent with the assumptions used in the AQMP do not interfere with attainment because the growth is included in the projections utilized in the formulation of the AQMP. Thus, projects, uses, and activities that are consistent with the applicable growth projections and control strategies used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed project-specific emissions thresholds. The Project is assessed based on its consistency with applicable AQMP measures.

With regard to  $PM_{10}$ , the AQMP contains pollution control strategies directed at reducing emissions and maintaining attainment of the NAAQS and includes a Town-wide limit of 179,708 VMT per day to ensure  $PM_{10}$  emissions from vehicle exhaust and re-suspended road dust and cinders would not cause an exceedance of the federal 24 hour  $PM_{10}$  standard. Therefore, a consistency analysis is performed for the Project to assess compliance with the federal 24-hour  $PM_{10}$  standard.

#### **(2) Construction Impacts**

Construction activity that would occur as a result of the Land Use Element/Zoning Code Amendments and Mobility Element Update has the potential to generate emissions through the use of heavy-duty construction

equipment and through vehicle trips generated from construction workers traveling to and from construction sites. In addition, fugitive dust emissions would result from grading, soil movement and construction activities and evaporative emissions would occur from the application of architectural coatings and the laying of asphalt pavement.

Specific project-level developments are not proposed as part of this Project. As a result, specific project-level information, such as construction schedules and import and export soil quantities, are not known and it is not possible to quantify the emissions associated with project-level construction. For the purposes of conducting a programmatic assessment of the Project, construction-related air quality impacts are qualitatively assessed by evaluating consistency with applicable CARB and GBUAPCD measures to reduce construction-related emissions from the combustion of fossil fuels and from fugitive dust. The analysis also qualitatively assesses consistency with construction measures in the AQMP.

### **(3) Operational Impacts**

The analysis of a project's impact on regional air quality during long-term project operations typically considers emissions from mobile sources and stationary area sources. Mobile source emissions are generated from vehicle trips and include exhaust emissions as well as fugitive dust emissions from tire wear, brake wear, and re-suspended road dust and cinders. Area source emissions are generated from the combustion of natural gas or wood (for hot water, heat, or cooking) or other fossil fuel (boilers, landscaping equipment, etc.), and use of consumer products that contain volatiles and solvents.

The Project's change to a maximum of 2.0 FAR with no cap on the density of units or rooms could potentially increase the amount of development in the commercially designated areas compared to existing conditions. The potential increase in commercial uses would result in increased operational emissions from mobile source and area source emissions. Operational air quality impacts are assessed based on the incremental increase in emissions compared to the existing baseline conditions.

The incremental change in operational emissions are estimated using CARB's updated version of the on-road vehicle emissions factor (EMFAC) model and the California Emissions Estimator Model (CalEEMod) software. Mobile source emissions are estimated based on CARB's updated version of the on-road vehicle emissions factor (EMFAC) model. The most recent version is EMFAC2014, which "represents ARB's current understanding of motor vehicle travel activities and their associated emission levels."<sup>12</sup> Mobile source emissions are based on the VMT estimates provided in the Transportation Impact Analysis for the Project.<sup>13</sup> The estimated VMT takes into account trip reductions based on applicable physical and operational Project characteristics including internal capture from co-locating commercial and residential uses in close proximity. The emission factors from EMFAC2014 are applied to the VMT to obtain mobile source emissions. Emissions from re-suspended road dust and cinders are calculated outside of CalEEMod consistent with the methodology used in the AQMP since the model does not adequately account for cinders.

<sup>12</sup> California Air Resources Board, *Mobile Source Emissions Inventory*, <http://www.arb.ca.gov/msei/categories.htm#emfac2014>. Accessed November 2015. "USEPA approval is expected by the end of 2015. USEPA will provide a transition period during which either version may be used. Therefore, in anticipation of USEPA approval, use of EMFAC2014 before the end of the year is appropriate."

<sup>13</sup> LSC Transportation Consultants, Inc., *Mammoth Mobility Element Transportation Impact Analysis*, 2016.

CalEEMod, which is an emissions inventory model developed by CARB in consultation with the air quality management districts and air pollution control districts in the state, was used to forecast the daily regional emissions from stationary area sources that would occur during long-term Project operations. Area source emissions are based on natural gas (building heating and water heaters), landscaping equipment, and consumer product usage (including paints) rates provided in CalEEMod. Natural gas usage factors for the Project land uses are calculated within CalEEMod using the CEC's CEUS data set.<sup>14</sup> This data set provides energy intensities of different land uses throughout the state and different climate zones. However, since the data from the CEUS is from 2002, correction factors are incorporated to account for compliance with the Title 24 Building Standards Code.

Operational air quality impacts are assessed based on the incremental change in emissions compared to baseline conditions. Under CEQA, the baseline environmental setting is established as the time that environmental assessment commences. Therefore, operational air quality impacts are assessed based on the net increase from full buildout of new development under the Project (Land Use Element/Zoning Code Amendments and Mobility Element Update).

Emissions of CO are produced in greatest quantities from motor vehicle combustion and are usually concentrated at or near ground level because they do not readily disperse into the atmosphere, particularly under cool, stable (i.e., low or no wind) atmospheric conditions. Localized areas where ambient concentrations exceed state and/or federal standards are termed CO hotspots. The potential for the Project to cause or contribute to the formation of off-site CO hotspots are evaluated using data from the Transportation Impact Analysis for the Project.<sup>15</sup> In traffic studies, the term "level of service" (LOS) describes traffic performance at intersections or along roadway segments, and is generally expressed as a letter grade (A through F, with an A grade meaning the freest-flowing traffic). Traffic researchers and planning agencies generally assign LOS ratings to intersections based on the ratio of traffic volume (or demand) to capacity (V/C). Lower V/C ratios correspond to better performance (freer-flowing traffic). Quantitative analyses is performed for those intersections predicted to experience a substantial decrease in LOS or increase in V/C at full buildout of the Project. If intersections would experience a substantial decrease in LOS or increase in V/C, the potential for the intersection to cause or contribute to a CO hotspot is based on the intersection traffic volumes and previous CO hotspot analyses conducted at congested intersections.

#### **(4) Toxic Air Contaminants**

The analysis of potential TAC impacts is based on TAC emissions from the Project impacting off-site sensitive receptors. The Project does not result in a long-term increase in the use of TAC-containing products (fuels, maintenance products, etc.) or the introduction of sensitive receptors near to existing TAC sources. Therefore, quantitative analysis of potential TAC impacts from the Project is not warranted and impacts are assessed qualitatively based on land use compatibility guidelines for sensitive uses and common sources of TAC emissions.

---

<sup>14</sup> California Energy Commission, *California Commercial End-Use Survey*, <http://capabilities.itron.com/CeusWeb/Chart.aspx>. Accessed December 2013.

<sup>15</sup> LSC Transportation Consultants, Inc., *Mammoth Mobility Element Transportation Impact Analysis*, (2016).

## b. Thresholds of Significance

For purposes of this EIR, the Town of Mammoth Lakes has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether a project would have a significant environmental impact regarding air quality. Based on applicable Project components and Appendix G questions, the Project would result in a significant impact with regard to traffic if the Project would:

- AIR-1:** Conflict with or obstruct implementation of the applicable air quality plan.
- AIR-2:** Violate any air quality standard or contribute substantially to an existing or projected air quality violation.
- AIR-3:** 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).
- AIR-4:** Expose sensitive receptors to substantial pollutant concentrations.

Neither the Town of Mammoth Lakes nor the GBUAPCD have established numerical air quality significance thresholds for quantitatively determining air quality impacts in accordance with the criteria listed above. CEQA allows Lead Agencies to rely on standards or thresholds promulgated by other agencies. Projects in the GBVAB have previously used the numerical standards of the Mojave Desert Air Quality Management District (MDAQMD) in prior CEQA reviews (such as the Rock Creek Canyon Specific Plan EIR, Mono County, July 2010). Because the air quality and pollutant attainment status in portions of the Mojave Desert Air Basin (MDAB) are similar to those of the GBVAB, the numerical thresholds set for the MDAB by the MDAQMD are considered adequate to serve as significance thresholds for the Project. The significance criteria discussed below are currently recommended to translate the State *CEQA Guidelines* thresholds into numerical values or performance standards. Based on criteria set forth in the *MDAQMD CEQA and Federal Conformity Guidelines*, the Project would have a significant impact with regard to operational emissions under threshold AIR-2 if the following would occur:

- Operational emissions from both direct and indirect sources would exceed any of the following prescribed threshold levels: (1) 137 pounds per day for VOC; (2) 137 pounds a day for NO<sub>x</sub>; (3) 550 pounds per day for CO; (4) 137 pounds per day for SO<sub>2</sub>; (5) 82 pounds per day for PM<sub>10</sub>; and (6) 82 pounds per day for PM<sub>2.5</sub>.<sup>16</sup>

Appendix G issues pertaining to odors were determined to have less than significant impacts in the Initial Study and are, thus, not evaluated further in this analysis. Odors from construction activities would be temporary and short-lived and would not be noticeable beyond the immediate vicinity. Long-term odors are typically associated with industrial uses, such as sewage treatment facilities and landfills and therefore, would not occur. Components under the proposed Land Use Element/Zoning Code Amendments that would

<sup>16</sup> *Mojave Desert Air Quality Management District, California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, February 2009, <http://www.mdaqmd.ca.gov/Modules/ShowDocument.aspx?documentid=1806>. Accessed August 2015.*

not directly affect air quality are the changes in the commercially designated land use to match existing commercial zoning and deleting Land Use Element CBIZ and TDR policies. As a result, no further analysis of odors is required.

### c. Applicable General Plan Goals/Policies and Adopted Mitigation Measures

The Mammoth Lakes General Plan, last updated in 2007, is designed to promote the public health, safety and general welfare of the community. The Plan is a comprehensive, long term and an internally consistent document that sets forth goals and policies to govern decisions of the Town with respect to the community's future. The air quality goals and policies applicable to the Project include:

#### (1) General Plan

##### (a) Air Quality

**GOAL R.10:** Protect health of community residents by assuring that the town of Mammoth Lakes remains in compliance with or improves compliance with air quality standards.

- **Policy R.10.A:** Support regional air quality improvement efforts.
- **Policy R.10.D:** Mitigate impacts on air quality resulting from development through design, participation in Town air pollution reduction programs, and/or other measures that address compliance with adopted air quality standards.
- **Policy R.10.E:** The Town of Mammoth Lakes will strive to attain and maintain the National Ambient Air Quality Standard (NAAQS) for PM<sub>10</sub>.
- **Action R.10.E.2:** The Town will continue to require project level environmental reviews (EIR's and Negative Declarations) to address the incremental increase in PM<sub>10</sub> levels from the project(s).
- **Action R.10.E.3:** In the event that the project level reviews show that the Town is likely to exceed the NAAQS, permits will not be issued until mitigation is developed that demonstrate compliance with the NAAQS.
- **Policy R.10.G:** Reduce air pollutants during construction through implementation of Best Management Practices (BMPs).

#### (2) Mitigation Monitoring and Reporting Program

The Mitigation Monitoring and Reporting Program (MMRP) for the Town of Mammoth Lakes General Plan includes mitigation measures applicable to air quality. Since these are adopted measures, for purposes of this EIR, the following measures are applicable to the Project:

**GPMM 4.2-1:** The Town shall limit the total Town VMT to the level specified in Municipal Code Section 8.30.110. The Town shall require a VMT analysis for specific projects in those cases where the project would result in 500 daily vehicle trips for incorporation into the AQMP model. VMT analyses shall be conducted early in the environmental review process so that mitigation may be included in the project design.

**GPMM 4.2-2:** The Town shall evaluate PM<sub>10</sub> levels on an annual basis using the AQMP model. The Town shall conduct surveys, as needed, to establish an accurate inventory of wood burning and pellet burning appliances, to validate assumptions regarding annual and daily wood and pellet usage patterns, to determine compliance rates with “No Burn” days, and to monitor effectiveness of VMT-reducing implementation measures. The Town shall condition or restrict future development as necessary to manage Town wide VMT at levels that ensure compliance with federal PM<sub>10</sub> NAAQS. The Town shall limit the total Town VMT to a level that, when modeled, shows PM<sub>10</sub> levels are less than the federal standard of 150 µg/m<sup>3</sup>.

The MMRP for the Town of Mammoth Lakes Trails System Master Plan (TSMP) includes mitigation measures applicable to air quality. Since these are adopted measures, for purposes of this EIR, the following measures are applicable to the Project:

**TSMM 4.B-2.A:** All active portions of the construction site shall be watered to prevent excessive amounts of dust.

**TSMM 4.B-2.B:** On-site vehicles' speed shall be limited to 15 miles per hour (mph).

**TSMM 4.B-2.C:** All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized.

**TSMM 4.B-2.D:** All material excavated or graded shall be 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.

**TSMM 4.B-2.E:** 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.

**TSMM 4.B-2.F:** All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.

**TSMM 4.B-2.G:** The Town shall limit the extent of mass grading for all simultaneous TSMP construction and maintenance activities to no more than 5 acres of active disturbance daily.

**TSMM 4.B-2.H:** The Town shall limit TSMP construction activities in the following manner so as to ensure exhaust emissions shall not exceed the established daily thresholds for gaseous pollutants: No more than 20 pieces of construction equipment operating simultaneously per 8-hour day, or 16 pieces operating 10 hours per day, averaging 200 hp rated engine capacity. Each on-road delivery or haul truck traveling approximately 200 miles per day equals one piece of non-road equipment, and shall be included in the daily limit.

### 3. ENVIRONMENTAL IMPACTS

**Threshold AIR-1** The project would result in a significant impact if the project would conflict with or obstruct implementation of the applicable air quality plan.

**Impact Statement AIR-1:** *Construction emissions associated with implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update, or the individual Land Use Element/Zoning Code Amendments or Mobility Element Update would not conflict with or obstruct implementation of the AQMP. Therefore, construction impacts would be less than significant. Operational emissions associated with implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update or the individual Mobility Element Update would comply with applicable AQMP regulations and would result in peak daily VMT that would not exceed the cap in the AQMP. Therefore, impacts would be less than significant. Operational emissions associated with implementation of the Land Use Element/Zoning Code Amendments with the existing roadway network would potentially result in peak daily VMT that exceeds the cap in the AQMP and potentially conflict with or obstruct implementation of the AQMP resulting in a potentially significant impact. Compliance with GPMM 4.2-1 and GPMM 4.2-2 would reduce impacts to a less than significant level.*

Pursuant to the Clean Air Act, the GBUAPCD is required to reduce emissions of criteria pollutants for which the Great Basin is in federal non-attainment. As established above, while Mono County is designated as non-attainment for ozone, there is no ozone AQMP applicable to the Town. As discussed previously, the CARB has determined that transport of emissions from the central portion of the San Joaquin Valley is responsible for ozone violations in Mammoth Lakes.<sup>17</sup> As a result, sources of ozone and ozone pre-cursor emissions (i.e., VOC, NO<sub>x</sub>) within the Town do not jeopardize the region's attainment of the ozone standards.

The Town of Mammoth Lakes was designated as an attainment area for the federal PM<sub>10</sub> standards in 2015 and has an adopted Town of Mammoth Lake's PM<sub>10</sub> AQMP.<sup>18</sup> Therefore, certain Project-related activities may be subject to emission control strategies contained within the AQMP.<sup>19</sup>

#### (a) Land Use Element/Zoning Code Amendments and Mobility Element Update Impacts

Construction emissions associated with implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update would not be expected to occur on peak emissions inventory days for the Mammoth Lakes Planning Area. As stated in the AQMP, construction emissions are "seasonal and are absent during the winter when high PM<sub>10</sub> concentrations occur."<sup>20</sup> Further, "unpaved roads are either snow covered or muddy during the winter season and outdoor building and roadway construction activities generally do not take place until around May when the weather warms."<sup>21</sup> When Project construction activities would occur during the warmer months, construction fleet equipment would be

<sup>17</sup> California Air Resources Board, *Ozone Transport: 2001 Review*, (April 2001) 45.

<sup>18</sup> Great Basin Unified Air Pollution Control District and the Town of Mammoth Lakes, *Air Quality Maintenance Plan and Redesignation Request for the Town of Mammoth Lakes*, May 5, 2014.

<sup>19</sup> Great Basin Unified Air Pollution Control District and the Town of Mammoth Lakes, *Air Quality Maintenance Plan and Redesignation Request for the Town of Mammoth Lakes*, May 5, 2014.

<sup>20</sup> *Ibid.*, p. 17.

<sup>21</sup> *Ibid.*, p. 17.

required to comply with the CARB promulgated emission standards for off-road diesel construction equipment, which would minimize exhaust emissions of PM<sub>10</sub> and PM<sub>2.5</sub> as well as NO<sub>x</sub>. In addition, construction associated with facilities covered in the TSMP, which focuses on non-motorized facilities for alternative forms of transportation, including pedestrians, bicyclists, and cross country skiers, would be required to comply with the applicable air quality mitigation measures TSMM 4.B-2.A through 4.B-2.H as listed above. As a result, construction activities under the combined Land Use Element/Zoning Code Amendments and Mobility Element Update would not conflict with or obstruct implementation of the AQMP and construction impacts would be less than significant.

Operation of the Project would result in emissions associated with mobile sources traveling within the town of Mammoth Lakes, from area and stationary sources associated with building energy usage, landscaping equipment, and from evaporative sources such as architectural coatings, solvents, cleaners, and other household and commercial products. The major contributors to ambient PM<sub>10</sub> concentrations in the town of Mammoth Lakes are particulate matter from residential wood combustion and re-suspended road dust from mobile sources. The Town of Mammoth Lakes adopted control measures for residential wood combustion and re-suspended road dust in the 1990 AQMP. Control measures for wood combustion include the following:

- Replacement or removal of existing uncertified residential wood combustion appliances at the time of sale of a property;
- Limit the maximum number of residential wood combustion appliances in new construction to one certified appliance plus one pellet fueled appliance;
- Institute voluntary and mandatory wood burning curtailment days; and
- Implement a public education program;

The 2014 AQMP amended the wood burning control measures as follows:

- Section 8.30.040 B. This section is modified to clarify that no new wood burning appliances may be installed in multi-family developments (one pellet-fueled heater per dwelling unit is allowed). Prohibition of new wood burning appliances in multi-family projects has been the policy of the Town. The proposed revision formalizes that practice and implements General Plan Policy R.10.3.
- Section 8.30.080, Mandatory Curtailment. This section has been modified to include all wood burning appliances, except pellet stoves, in the no-burn day program. Currently, EPA certified stoves are exempted under Town regulations, but are required to participate under the District regulations.

The Town of Mammoth Lakes also adopted measures for controlling re-suspended road dust in the 1990 AQMP, which included the establishment of a cap on VMT within the Town. The Town is required to evaluate development projects and other Town-approved activities that affect vehicle trips against the VMT cap. The 2014 AQMP incorporated revised traffic modeling and additional roadway segments and established an updated peak VMT cap of 179,708 miles on any given day. The air quality modeling demonstrates that this overall level of traffic would not cause an exceedance of the NAAQS.

Development that would occur as a result of the Land Use Element/Zoning Code Amendments and Mobility Element Update would comply with the applicable requirements in the AQMP. Implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would result in an increase in daily VMT as compared to existing conditions. Based on the traffic impact analysis, the combined Land Use Element/Zoning Code Amendments and Mobility Element Update would result in an estimated peak daily VMT of 178,638 under full buildout conditions, which is greater than the existing peak daily VMT of 152,844 miles (see **Table 4.2-4, Vehicle Miles Traveled**, for the derivation of VMT estimates)<sup>22</sup> but less than the VMT cap of 179,708 in the AQMP. In Mammoth Lakes, with the combined Land Use Element/Zoning Code Amendments and Mobility Element Update, a threefold increase in sidewalk coverage in the General Pedestrian Zone, which corresponds to commercial districts along Main Street and Old Mammoth Road is likely to result in a 4.2 percent decrease in VMT generated by trips within the pedestrian zone. The bike lanes would increase by 127 percent which would result in a 32 percent increase in bicycle mode share for a total bike mode share of 4.6 percent. As shown in Table 4.2-4, an increase in sidewalk development in the General Pedestrian Zone results in a decrease of 330 miles with implementation of the Mobility Element Update (Scenario 6). In addition, the higher mode split associated with the increase in bicycle lanes would reduce total miles by 1,932 (see Table 4.2-4 as well as additional information below under (c) for derivation of VMT estimates). As the Project would comply with applicable AQMP requirements and the VMT would not exceed the AQMP cap, the combined Land Use Element/Zoning Code Amendments and Mobility Element Update would not conflict with implementation of the AQMP and operational impacts would be considered less than significant.

#### **(b) Land Use Element/Zoning Code Amendments Impacts**

Construction emissions associated with development that would occur as a result of the proposed Land Use Element/Zoning Code Amendments under the existing roadway network would not be expected to occur on peak emissions inventory days for the Mammoth Lakes Planning Area. As discussed previously, construction activities associated with land use development and roadway improvements would result in seasonal emissions and would not occur on days associated with high PM<sub>10</sub> concentrations. When Project construction activities would occur during the warmer months, construction fleet equipment would be required to comply with the CARB promulgated emission standards for off-road diesel construction equipment, which would minimize exhaust emissions of PM<sub>10</sub> and PM<sub>2.5</sub> as well as NO<sub>x</sub>. As a result, construction activities associated with development under the proposed Land Use Element/Zoning Code Amendments would not conflict with or obstruct implementation of the AQMP and construction impacts would be less than significant.

Operation of the Project would result in emissions associated with mobile sources traveling within the Town of Mammoth Lakes, from area and stationary sources associated with building energy usage, landscaping equipment, and from evaporative sources such as architectural coatings, solvents, cleaners, and other household and commercial products.

Development that would occur as a result of the Land Use Element/Zoning Code Amendments would comply with the applicable requirements in the AQMP. Based on the traffic impact analysis, full buildout under the proposed Land Use Element/Zoning Code Amendments with the existing roadway network could potentially exceed the VMT cap with an estimated peak daily VMT of 184,217, which is greater than the existing peak

<sup>22</sup> LSC Transportation Consultants, Inc., Mammoth Mobility Element Transportation Impact Analysis, (2016).

Table 4.2-4

## Vehicle Miles Traveled

VMT Parameter	Scenario 3- General Plan Buildout With Existing Roadway Network	Scenario 4- General Plan Buildout With Mobility Element Update	Scenario 5- Land Use Element/ Zoning Code Amendments With Existing Roadway Network	Scenario 6- Land Use Element/ Zoning Code Amendments With Mobility Element Update	VMT Cap <sup>a</sup>
Peak Daily VMT from Model	179,233	179,826	184,217	180,900	179,708
VMT of Trips with both ends within General Pedestrian Zone <sup>b</sup>	—	6,230	—	7,895	—
Mobility Element Update Pedestrian Network Adjustment	—	4.2%	—	4.2%	—
Pedestrian VMT Reduction under Mobility Element Update	—	260	—	330	—
Miles of Bicycle Lanes	7.5	17.0	7.5	17.0	—
Percent Bicycle Mode Share <sup>c</sup>	3.5%	4.6%	3.5%	4.6%	—
Bicycle VMT based on Mode Share	6,273	8,144	6,448	8,379	—
Bicycle VMT reduction under Mobility Plan Update	—	1,871	—	1,932	—
<b>Adjusted VMT</b>	<b>179,233</b>	<b>173,695</b>	<b>184,217</b>	<b>178,638</b>	<b>179,708</b>
Percent above/below VMT Cap	-0.3%	-3.3%	2.5%	-0.6%	—

Scenario 1 (not shown): Existing Conditions with Existing Roadways with a VMT of 152,844.

Scenario 2 (not shown): Existing Conditions with Mobility Element Update Roadways with a VMT of 149,444.

Scenario 3: Future General Plan with Existing Roadways.

Scenario 4: Future General Plan with Mobility Element Update Roadways.

Scenario 5: Future Land Use/Zoning Code Amendments with Existing Roadways.

Scenario 6: Future Land Use/Zoning Code Amendments with Mobility Element Update Roadways.

<sup>a</sup> Town of Mammoth Lakes, Municipal Code, Chapter 8.30 (Town Particulate Matter Ordinance).

<sup>b</sup> The "General Pedestrian Zone" is defined in the Mobility Element Update as extending from North Village along Main Street to Sierra Park Road and continuing along Old Mammoth Road to Chateau Road.

<sup>c</sup> Increases in Mode Share are based on increases in bicycle lane miles and Inyo County Active Transportation Plan (LSC, 2016).

Source: LSC, Town of Mammoth Lakes Transportation Impact Analysis, April 2016.

daily VMT of 152,844 miles (see Table 4.2-4 above as well as additional information below under (c) for derivation of VMT estimates)<sup>23</sup> and greater than the VMT cap of 179,708 in the AQMP. As a result, the proposed Land Use Element/Zoning Code Amendments (without the Mobility Element Update) would potentially conflict with implementation of the AQMP and operational impacts would be considered potentially significant and would require mitigation.

### (c) Mobility Element Update Impacts

Construction emissions associated with the proposed Mobility Element Update under existing land use development conditions would not be expected to occur on peak emissions inventory days for the Mammoth

<sup>23</sup> LSC Transportation Consultants, Inc., Mammoth Mobility Element Transportation Impact Analysis, (2016).

Lakes Planning Area. Construction activities associated with roadway improvements would result in seasonal emissions and would not occur on days associated with high PM<sub>10</sub> concentrations. When roadway construction activities would take place, construction fleet equipment would be required to comply with the CARB promulgated emission standards for off-road diesel construction equipment, which would minimize exhaust emissions of PM<sub>10</sub> and PM<sub>2.5</sub> as well as NO<sub>x</sub>. In addition, construction associated with facilities covered in the TSMP, which focuses on non-motorized facilities for alternative forms of transportation, including pedestrians, bicyclists, and cross country skiers, would be required to comply with the applicable air quality mitigation measures TSMM 4.B-2.A through 4.B-2.H as listed above. Construction sites associated with the proposed Mobility Element Update would be spread throughout the area and would occur over a span of several years. As a result, multiple construction projects are not likely to simultaneously impact the same local sensitive receptors. Therefore, construction activities under the proposed Mobility Element Update would not conflict with or obstruct implementation of the AQMP and construction impacts would be less than significant.

Implementation of the Mobility Element Update under existing land use development conditions would result in a reduction in daily VMT as compared to existing conditions without the Mobility Element Update. Based on the traffic impact analysis, the Mobility Element Update would result in an estimated peak daily VMT of 149,444 under existing conditions compared to a VMT of 152,844 under existing conditions without the Mobility Element Update. Similarly, implementation of the Mobility Element Update under future General Plan development conditions would result in a peak daily VMT of 173,695 compared to a VMT of 179,233 under future General Plan conditions without the Mobility Element Update.<sup>24</sup> The trip generation rates account for existing bicycle and pedestrian use in that trip generation is lower than it would be if there were no bicycle or pedestrian trips.<sup>25</sup> The effects of proposed improved pedestrian connectivity in the Town's commercial districts, an increase in Class II bicycle lanes, and future transit improvements under the Mobility Element Update are taken into account in the evaluation of total trips (expressed as VMT) that would occur under the various analysis scenarios. According to *An Assessment of Urban Form and Pedestrian and Transit Improvements as an Integrated GHG Reduction Strategy*, a direct correlation exists between increase in sidewalk coverage and reduction in traffic. A threefold increase in sidewalk coverage in the General Pedestrian Zone, which corresponds to commercial districts along Main Street and Old Mammoth Road is likely to result in a 4.2 percent decrease in VMT generated by trips within the pedestrian zone. A correlation also occurs between miles of bike lanes and increase in the bicycle mode in the overall mode split. The current bicycling mode split in Mammoth Lakes is 3.5 percent, based on *2010-2014 American Community Survey 5-Year Estimates*.<sup>26</sup> According to the *Inyo County Active Transportation Plan (ATP) 2016*, a doubling of the miles of bike lanes would likely result in a 25 percent increase in bicycle mode share. In Mammoth Lakes, with the Mobility Element Update, the bike lanes would increase by 127 percent which would result in a 32 percent increase in bicycle mode share for a total bike mode share of 4.6 percent. The benefits of increased pedestrian activity and the bicycle mode split are illustrated in Table 4.2-4 for the various scenarios analyzed. As shown in Table 4.2-4, an increase in sidewalk development in the General Pedestrian Zone results in a decrease of 260 miles with implementation of the Mobility Element Update (Scenario 4). In addition, the higher mode split associated with the increase in bicycle lanes would reduce total miles by 1,871 (Scenario 4). As VMT would not exceed the AQMP cap, the proposed Mobility Element

<sup>24</sup> LSC Transportation Consultants, Inc., *Mammoth Mobility Element Transportation Impact Analysis*, (2016).

<sup>25</sup> LSC Transportation Consultants, Inc., *Mammoth Mobility Element Transportation Impact Analysis*, (2016).

<sup>26</sup> U.S. Census Bureau, *American FactFinder, Data Set B08301 (Means of Transportation to Work, Mammoth Lakes, 2010-2014)*, <http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>. Accessed April 2016.

Update would not conflict with implementation of the AQMP and operational impacts would be considered less than significant.

### Mitigation Measures

Implementation of the Land Use Element/Zoning Code Amendments under the existing roadway network would potentially result in development that could exceed the daily VMT cap in the AQMP and potentially result in emissions of PM<sub>10</sub> that would cause an exceedance of the NAAQS. The MMRP for the Town is required to implement GPMM 4.2-1 and GPMM 4.2-2 as discussed previously. Compliance with GPMMs 4.2-1 and 4.2-2 would reduce impacts to less than significant levels. No additional feasible mitigation measures are identified or required.

**Threshold AIR-2** The project would result in a significant impact if the project would violate any air quality standard or contribute substantially to an existing or projected air quality violation.

**Impact Statement AIR-2:** *Construction emissions associated with implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update or the Land Use Element/Zoning Code Amendments under the existing roadway network could potentially result in temporary and short-term significant impacts. Compliance with Mitigation Measures AIR-1 and AIR-2 would reduce construction emissions; however, impacts would be potentially significant and unavoidable. Construction activities associated with implementation of the Mobility Element Update under existing land use development conditions would be required to comply with applicable State and GBUAPCD regulations and applicable air quality mitigation measures TSMM 4.B-2.A through 4.B-2.H and would result in less than significant impacts. The incremental change in peak daily operational emissions associated with implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update or the Land Use Element/Zoning Code Amendments under the existing roadway network would potentially exceed the significance thresholds and operational impacts would be considered potentially significant. Compliance with GPMM 4.2-1 and GPMM 4.2-2 and Mitigation Measure AIR-3 would reduce operational emissions; however, impacts would be potentially significant and unavoidable. The incremental change in peak daily operational emissions associated with implementation of the Mobility Element Update under existing land use development conditions would not exceed the significance thresholds and operational impacts would be considered less than significant.*

#### (a) Land Use Element/Zoning Code Amendments and Mobility Element Update Impacts

Construction activities that would occur as a result of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update would cause temporary, short-term emissions of air pollutants such as VOCs and NO<sub>x</sub>, which are ozone precursors, and PM<sub>10</sub> and PM<sub>2.5</sub>. Construction activities in the Project Area would also occur without implementation of the Land Use Element/Zoning Code Amendments in accordance with existing land use zoning under the current General Plan. Emissions would be generated by construction equipment during various activities, such as grading and excavation, infrastructure construction, building demolition, and architectural coating activities. Information regarding specific development projects, soil conditions, and the location of sensitive receptors in relation to the various projects would be needed in order to quantify the level of impact associated with construction activity. However, given the amount of development associated with implementation of the Land Use Element/Zoning Code Amendments along with the Mobility Element Update, it is reasonable to assume that on a programmatic-level, some large-scale construction activity could exceed GBUAPCD thresholds. Actual

significance would be determined on a project-level basis as future development applications are submitted and more detailed information regarding construction activity becomes available. Construction activities would be required to comply with applicable State and GBUAPCD regulations including the CARB on-road and off-road vehicle rules that limit idling to five minutes and require construction fleets to meet stringent NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> exhaust standards, and GBUAPCD Rules 401 and 402 (Fugitive Dust and Nuisance) that limit fugitive dust emissions. However, even with compliance of these rules and regulations, construction of the land uses permitted by the Land Use Element/Zoning Code Amendments and mobility improvements under the Mobility Element Update would have the potential to contribute substantially to an existing or projected air quality violation. As a result construction impacts would be considered potentially significant.

Operation of the land uses developed pursuant to implementation of the Land Use Element/Zoning Code Amendments and the Mobility Element Update would result in area and mobile source emissions generated by future development and population growth. Full buildout under the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update would result in a peak daily VMT of 178,638 miles per day. The incremental change from existing conditions in peak daily emissions of VOCs, NO<sub>x</sub>, CO, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> from the land uses under the Land Use Element/Zoning Code Amendments and implementation of the Mobility Element Update is provided in **Table 4.2-5, Incremental Change in Peak Daily Operational Emissions – Land Use Element/Zoning Code Amendments and Mobility Element Update**. As shown in Table 4.2-5, the incremental change in operational emissions associated with future growth in accordance with the Land Use Element/Zoning Code Amendments and Mobility Element Update compared to existing conditions would potentially exceed the thresholds for PM<sub>10</sub> and PM<sub>2.5</sub> and potentially to contribute substantially to an existing or projected air quality violation (CAAQS or NAAQS). Although buildout of the Land Use Element/Zoning Code Amendments and Mobility Element Update would result in an increase in the total amount of vehicle miles traveled, emissions of mobile source exhaust pollutants, in particular VOC, NO<sub>x</sub>, and CO, are expected to decline due to improved vehicle emission standards and fuel economy standards that have been adopted by the USEPA and State of California. Operational impacts from implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would be potentially significant.

#### **(b) Land Use Element/Zoning Code Amendments Impacts**

Construction activities that would occur as a result of the Land Use Element/Zoning Code Amendments under the existing roadway network would cause temporary, short-term emissions of air pollutants such as VOCs and NO<sub>x</sub>, which are ozone precursors, and PM<sub>10</sub> and PM<sub>2.5</sub>. Construction activities in the Project Area would also occur without implementation of the Land Use Element/Zoning Code Amendments in accordance with existing land use zoning under the current General Plan. Given the amount of development associated with implementation of the Land Use Element/Zoning Code Amendments, it is reasonable to assume that on a programmatic-level, some large-scale construction activity could occur. Actual significance would be determined on a project-level basis as future development applications are submitted and more detailed information regarding construction activity becomes available. Construction activities would be required to comply with applicable State and GBUAPCD regulations including the CARB on-road and off-road vehicle rules that limit idling to five minutes and require construction fleets to meet stringent NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> exhaust standards, and GBUAPCD Rules 401 and 402 (Fugitive Dust and Nuisance) that limit fugitive dust emissions. However, even with compliance of these rules and regulations, construction of the land uses permitted by the Land Use Element/Zoning Code Amendments would have the potential to contribute substantially to an existing or projected air quality violation (CAAQS or NAAQS). As a result construction impacts would be considered potentially significant.

Table 4.2-5

**Incremental Change in Peak Daily Operational Emissions – Land Use Element/Zoning Code Amendments  
and Mobility Element Update  
(Pounds per Day)**

Emission Source	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Land Use Element/Zoning Code Amendments and Mobility Element Update</b>						
Entrained Road Dust – Cinders/Paved Road <sup>a</sup>	—	—	—	—	992	244
Mobile – Exhaust, Tire and Break Wear <sup>b</sup>	-16	-22	-137	<1	2	1
Stationary – Area Sources	9	<1	<1	<1	<1	<1
Stationary – Energy Sources	<1	1	<1	<1	<1	<1
<b>Incremental Change in Emissions</b>	<b>-7</b>	<b>-21</b>	<b>-137</b>	<b>&lt;1</b>	<b>995</b>	<b>244</b>
<b>Significance Threshold</b>	<b>55</b>	<b>55</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>Exceed Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>

Energy and area emissions are calculated using the CalEEMod emissions model. Energy sources include natural gas consumption. Area sources include landscaping equipment fuel consumption, residential consumer products and miscellaneous sources (e.g., architectural coatings). Mobile source (exhaust, tire and break wear) emissions are calculated using EMFAC2014. Numbers may not add up exactly due to rounding.

<sup>a</sup> PM<sub>10</sub> and PM<sub>2.5</sub> emissions for these sources are based on the methodology in Great Basin Air Pollution Control District, 2014 Update Air Quality Maintenance Plan and Redesignation Request for the Town of Mammoth Lakes, (May 2014).

<sup>b</sup> The incremental change in emissions for this source is negative because mobile source exhaust pollutants are expected to decline in the future due to improved vehicle emission standards and fuel economy standards that have been adopted by the USEPA and State of California.

Source: ESA PCR, 2016

Operation of the land uses developed pursuant to implementation of the Land Use Element/Zoning Code Amendments under the existing roadway network would result in area and mobile source emissions generated by future development and population growth. Full buildout under the proposed Land Use Element/Zoning Code Amendments would result in a peak daily VMT of 184,217 miles per day. The incremental change from existing conditions in peak daily emissions of VOCs, NO<sub>x</sub>, CO, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> from the development of new land uses under the Land Use Element/Zoning Code Amendments is provided in **Table 4.2-6, Incremental Change in Peak Daily Operational Emissions – Land Use Element/Zoning Code Amendments**. As shown in Table 4.2-6, the incremental change in operational emissions associated with future growth in accordance with the Land Use Element/Zoning Code Amendments compared to existing conditions would exceed the thresholds for PM<sub>10</sub> and PM<sub>2.5</sub> and potentially contribute substantially to an existing or projected air quality violation (CAAQS or NAAQS). Although buildout of the Land Use Element/Zoning Code Amendments would result in an increase in the total amount of vehicle miles traveled, emissions of mobile source exhaust pollutants, in particular VOC, NO<sub>x</sub>, and CO, are expected to decline due to improved vehicle emission standards and fuel economy standards that have been adopted by the USEPA and State of California. Operational impacts from implementation of the Land Use Element/Zoning Code Amendments would be potentially significant.

Table 4.2-6

**Incremental Change in Peak Daily Operational Emissions – Land Use Element/Zoning Code Amendments  
(Pounds per Day)**

<b>Emission Source</b>	<b>VOC</b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>SO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
<b>Land Use Element/Zoning Code Amendments</b>						
Entrained Road Dust – Cinders/Paved Road <sup>a</sup>	—	—	—	—	1,207	296
Mobile – Exhaust, Tire and Break Wear <sup>b</sup>	-16	-21	-135	<1	2	1
Stationary – Area Sources	9	<1	<1	<1	<1	<1
Stationary – Energy Sources	<1	1	<1	<1	<1	<1
<b>Incremental Change in Emissions</b>	<b>-6</b>	<b>-21</b>	<b>-135</b>	<b>&lt;1</b>	<b>1,210</b>	<b>297</b>
<b>Significance Threshold</b>	<b>55</b>	<b>55</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>Exceed Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>

*Energy and area emissions are calculated using the CalEEMod emissions model. Energy sources include natural gas consumption. Area sources include landscaping equipment fuel consumption, residential consumer products and miscellaneous sources (e.g., architectural coatings). Mobile source (exhaust, tire and break wear) emissions are calculated using EMFAC2014. Numbers may not add up exactly due to rounding.*

<sup>a</sup> *PM<sub>10</sub> and PM<sub>2.5</sub> emissions for these sources are based on the methodology in Great Basin Air Pollution Control District, 2014 Update Air Quality Maintenance Plan and Redesignation Request for the Town of Mammoth Lakes, (May 2014).*

<sup>b</sup> *The incremental change in emissions for this source is negative because mobile source exhaust pollutants are expected to decline in the future due to improved vehicle emission standards and fuel economy standards that have been adopted by the USEPA and State of California.*

Source: ESA PCR, 2016

### (c) Mobility Element Update Impacts

Construction activities that would occur as a result of the Mobility Element Update under existing land use development conditions would cause temporary, short-term emissions of air pollutants such as VOCs and NO<sub>x</sub>, which are ozone precursors, and PM<sub>10</sub> and PM<sub>2.5</sub> from roadway improvement activities. Emissions would be generated by construction equipment during various activities, such as demolition of existing asphalt, grading, and new asphalt paving. The scope of construction activities associated with implementation of the Mobility Element Update would generally be limited to roadway construction, sidewalks, trails, bicycle lanes, and reconfiguration of Main Street. Roadway construction activities would be required to comply with applicable State and GBUAPCD regulations including the CARB on-road and off-road vehicle rules that limit idling to five minutes and require construction fleets to meet stringent NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> exhaust standards, and GBUAPCD Rules 401 and 402 (Fugitive Dust and Nuisance) that limit fugitive dust emissions. Construction associated with facilities covered in the TSMP, which focuses on non-motorized facilities for alternative forms of transportation, including pedestrians, bicyclists, and cross country skiers, would be required to comply with the applicable air quality mitigation measures TSMM 4.B-2.A through 4.B-2.H as listed above. Construction sites associated with the proposed Mobility Element Update would be spread throughout the area and would occur over a span of several years. As a result, construction activities would not likely be intensive and would not result in regional impacts. Therefore, it is reasonable to conclude that construction activity would likely not exceed significance thresholds. As a result construction impacts would be considered less than significant.

Implementation of the Mobility Element Update under existing land use development conditions would result in reduced VMT as compared to existing or future conditions. Under the Mobility Element Update, peak daily VMT would be reduced from 152,844 miles to 149,444 miles under existing development conditions. Under future General Plan conditions, the Mobility Element Update would reduce peak daily VMT from 179,233 miles to 173,695 miles at full buildout. The incremental change from existing conditions in peak daily emissions of VOCs, NO<sub>x</sub>, CO, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> as a result of implementation of the Mobility Element Update is provided in **Table 4.2-7, Incremental Change in Peak Daily Operational Emissions – Mobility Element Update**. As shown in Table 4.2-7, the incremental change in operational emissions associated with the Mobility Element Update would not exceed the thresholds. Operational impacts from implementation of the Mobility Element Update would be less than significant.

**Table 4.2-7**

**Incremental Change in Peak Daily Operational Emissions – Mobility Element Update  
(Pounds per Day)**

<b>Emission Source</b>	<b>VOC</b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>SO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
<b>Mobility Element Update</b>						
Entrained Road Dust – Cinders/Paved Road <sup>a</sup>	—	—	—	—	-131	-32
Mobile – Exhaust, Tire and Break Wear <sup>b</sup>	-1	-1	0	0	-0.1	0
<b>Incremental Change in Emissions</b>	<b>-1</b>	<b>-1</b>	<b>0</b>	<b>0</b>	<b>-131</b>	<b>-32</b>
<b>Significance Threshold</b>	<b>55</b>	<b>55</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>Exceed Threshold?</b>	No	No	No	No	No	No

*Mobile source (exhaust, tire and break wear) emissions are calculated using EMFAC2014. Numbers may not add up exactly due to rounding.*

<sup>a</sup> *PM<sub>10</sub> and PM<sub>2.5</sub> emissions for these sources are based on the methodology in Great Basin Air Pollution Control District, 2014 Update Air Quality Maintenance Plan and Redesignation Request for the Town of Mammoth Lakes, (May 2014).*

<sup>b</sup> *The incremental change in emissions for this source is negative because the Mobility Element Update results in a decrease in VMT.*

Source: ESA PCR, 2016

### Mitigation Measures

Implementation of the Land Use Element/Zoning Code Amendments or the combined Land Use Element/Zoning Code Amendments and Mobility Element Update could potentially result in construction and operational impacts that could exceed the thresholds. Therefore, the following mitigation measures are recommended:

**MM AIR-1:** Prior to the issuance of a grading or building permit, individual proposed projects shall comply with the following land preparation, excavation, and/or demolition mitigation measures during construction activities:

- All soil excavated or graded should be sufficiently watered to prevent excessive dust. Watering should occur as needed with complete coverage of disturbed soil areas. Watering should be a minimum of twice daily on unpaved/untreated roads and on disturbed soil areas with active operations.

- All clearing, grading, earth moving and excavation activities should cease: (a) during periods of winds greater than 20 mph (averaged over one hour), if disturbed material is easily windblown, or (b) when dust plumes of 20 percent or greater opacity impact public roads, occupied structures or neighboring property.
- Vehicles traveling over unpaved roadways shall be limited to 15 miles per hour or less. Signs shall be posted at construction sites enforcing the speed limit.
- All trucks hauling dirt, sand, soil, or other loose material shall be covered or maintain at least two feet or freeboards in accordance with the requirements of California Vehicle Code (CVC) Section 23114.
- If more than 5,000 cubic yards of fill material will be imported or exported from the site, then all haul trucks shall be required to exit the site via an access point where a gravel pad, rumble pad, or similar control has been installed.
- Streets adjacent to project construction areas shall be kept clean. Adjacent streets with visible dust, dirt, sand, or soil material accumulation shall be cleaned and the accumulated material removed using Town-approved street sweepers.
- Stockpiles of soil or other fine loose material shall be stabilized by watering or other appropriate method to prevent wind-blown fugitive dust.
- Where acceptable to the local fire department, weed control should be accomplished by mowing instead of discing, thereby, leaving the ground undisturbed and with a mulch covering.

**MM AIR-2:** Prior to the issuance of a grading or building permit, individual proposed projects shall comply with the following construction equipment mitigation measures:

- Construction equipment, on-road trucks, and emission control devices shall be properly maintained and tuned in accordance with manufacturer specifications.
- Construction contractors shall be required to comply with California's on-road and off-road vehicle emissions regulations, including the CARB idling restrictions and the USEPA/CARB on-road and off-road diesel vehicle emissions standards.

**MM AIR-3:** Prior to the issuance of a building permit, individual proposed projects shall comply with the following mitigation measures:

- Provide direct pedestrian and bicycle access to off-site adjacent neighborhood amenities, parks, schools, shopping areas, existing bike paths, and transit stops in any residential development with a density of four or more residences per acre and in any mixed-use or commercial development. Low, medium, and high density developments should have curbs and sidewalks on both sides of the street.
- For medium to high density residential, mixed-use, or commercial developments where transit services exist but no transit stop is located within 1/2 mile of the site, projects shall provide plans indicating locations of bus turnouts and loading areas with shelters that are acceptable to the local transit provider. This area will provide for future easement for bus turnouts and shelters. If transit service does not exist, but the project is within a transit district's sphere of influence, provide a site at a location and size acceptable to the transit provider.

**Threshold AIR-3** The project would result in a significant impact if the project would 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).

**Impact Statement AIR-3:** *Project implementation would potentially result in significant cumulative considerable net increases of a criteria pollutant for which the project region is non-attainment, based on the applicable federal or state ambient air quality standards (including ozone precursors). Compliance with GPMMs 4.2-1 and DF 4.2-2 and Mitigation Measures AIR-1 through AIR-3 would reduce construction and operational emissions; however, impacts would be potentially significant and unavoidable.*

### **(a) Land Use Element/Zoning Code Amendments and Mobility Element Update Impacts**

The Mammoth Lakes portion of the GBVAB is designated as nonattainment for ozone (State standard only) and a nonattainment area for PM<sub>10</sub> (State standard only). The area was previously designated as non-attainment for the federal PM<sub>10</sub> standard, but the USEPA approved the redesignation to attainment request in October 2015. The GBUAPCD does not have numerical thresholds for criteria pollutants to determine whether implementation of the Land Use Element/Zoning Code Amendments would result in a cumulatively considerable net increase of ozone precursors or PM<sub>10</sub> emissions. However, as discussed previously, CARB has determined that the ozone exceedance in the Mammoth Lakes Planning Area is the result of pollution generated in the San Joaquin Valley. Implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would not result in a cumulatively considerable increase in ozone and ozone precursor emissions during construction or operations (i.e., VOC, NO<sub>x</sub>) and ozone impacts would be less than significant.

Implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would result in PM<sub>10</sub> emissions, primarily from re-entrained road dust. As discussed previously, full buildout of the Land Use Element/Zoning Code Amendments and Mobility Element Update would result in peak daily VMT that would not exceed the cap in the AQMP. However, as shown previously in Table 4.2-5, the incremental change in emissions of PM<sub>10</sub> would exceed the numeric daily emission thresholds. Therefore, development under the Land Use Element/Zoning Code Amendments and Mobility Element Update would potentially result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment (i.e., State standard for PM<sub>10</sub>) and impacts would be considered potentially significant.

### **(b) Land Use Element/Zoning Code Amendments Impacts**

As discussed previously, CARB has determined that the ozone exceedance is the result of pollution generated in the San Joaquin Valley, transported by air currents and winds over the Sierra Nevada's into the Mammoth Lakes Planning Area and is not a condition substantially generated by Town activities or policies. Implementation of the Land Use Element/Zoning Code Amendments would not result in a cumulatively considerable increase in ozone and ozone precursor emissions during construction or operations (i.e., VOC, NO<sub>x</sub>) and ozone impacts would be less than significant.

Implementation of the Land Use Element/Zoning Code Amendments would result in PM<sub>10</sub> emissions, primarily from re-entrained road dust. As discussed previously, full buildout of the Land Use

Element/Zoning Code Amendments would result in peak daily VMT that exceeds the cap in the AQMP. Further, as shown previously in Table 4.2-6, the incremental change in emissions of PM<sub>10</sub> would exceed the numeric daily emission thresholds. Therefore, development under the Land Use Element/Zoning Code Amendments would potentially result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment (i.e., State standard for PM<sub>10</sub>) and impacts would be considered potentially significant.

### (c) Mobility Element Update Impacts

CARB has determined that the ozone exceedance in the Mammoth Lakes Planning Area is the result of pollution generated in the San Joaquin Valley. Implementation of the Mobility Element Update would not result in a cumulatively considerable increase in ozone and ozone pre-cursor emissions during construction or operations (i.e., VOC, NO<sub>x</sub>) and ozone impacts would be less than significant.

Implementation of the Mobility Element Update would result in reduced daily VMT as compared to existing conditions and future General Plan buildout conditions. Therefore, the Mobility Element Update would not result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment and impacts would be considered less than significant.

### Mitigation Measures

Implementation of GPMM 4.2-1 and GPMM 4.2-2 and compliance with Mitigation Measures AIR-1 through AIR-3 would reduce construction and operational emissions. No additional feasible mitigation measures are identified.

**Threshold AIR-4** The project would result in a significant impact if the project would expose sensitive receptors to substantial pollutant concentrations.

**Impact Statement AIR-4:** *Construction activities associated with implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update or the Land Use Element/Zoning Code Amendments under the existing roadway network could potentially result in significant impacts with regard to incremental increase in cancer risks. Compliance with Mitigation Measure AIR-4 would reduce impacts to less than significant. Implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update or the Land Use Element/Zoning Code Amendments under the existing roadway network could potentially expose sensitive receptors or populations in the Project Area to substantial pollutant concentrations. Compliance with applicable State and GBUAPCD regulations as well as TSMM 4.B-2.A through 4.B-2.H and Mitigation Measure AIR-4 would reduce impacts to less than significant. Construction and operation of the Mobility Element Update under existing land use development conditions would be less than significant.*

### (a) Land Use Element/Zoning Code Amendments and Mobility Element Update Impacts

Construction activities that would occur as a result of the Land Use Element/Zoning Code Amendments and Mobility Element Update would cause temporary, short-term emissions of TACs. In addition, incidental amounts of toxic substances such as oils, solvents, and paints would be used during construction. These sources of TAC emissions would comply with applicable CARB and GBUAPCD rules for their manufacture and use. Construction equipment would be required to comply with the CARB Air Toxics Control Measure that

limits diesel powered equipment and vehicle idling to no more than five minutes at a location, and the CARB In-Use Off-Road Diesel Vehicle Regulation which requires construction equipment meet the USEPA/CARB certified Tier 4 standards by 2023 for large and medium fleets and 2028 for small fleets.

The Office of Environmental Health and Hazard Assessment (OEHHA) is responsible for developing guidelines for performing health risk assessments (HRAs). In March 2015, OEHHA adopted new guidelines which results in numeric life-time health risk values to be approximately two to three times higher than those calculated under the previous guidelines. The GBUAPCD, the responsible air quality regulatory agency for the Mammoth Lakes Planning Area, has not provided guidance on the March 2015 OEHHA guidelines. However, another air quality regulatory agency, the South Coast Air Quality Management District (SCAQMD), has stated that a typical one-acre office project with a six-month construction duration could result in a significant health risk impact with regard to construction emissions.<sup>27</sup> Given the amount of development associated with implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update, it is reasonable to assume that on a programmatic-level, some large-scale construction activity could occur, which could potentially result in significant impacts with regard to incremental increase in cancer risks. The GBUAPCD, the responsible air quality regulatory agency for the Mammoth Lakes Planning Area, has not provided guidance on the March 2015 OEHHA guidelines. Therefore, it is conservatively assumed that, based on SCAQMD's estimated health risk impacts for typical construction activities, implementation of the Land Use Element/Zoning Code Amendments could result in a potentially significant incremental increase in health risk during construction. Therefore, impacts related to construction TAC emissions would be considered potentially significant.

Development permitted under the Land Use Element/Zoning Code Amendments and Mobility Element Update could place sensitive land uses or populations near local intersections or heavily traveled roadways associated with air pollutant emissions, including TACs. In addition, a variety of TAC emissions could be released from various operational activities (i.e., diesel equipment and vehicles) associated with implementation of the Land Use Element/Zoning Code Amendments. Emissions are controlled at the local and regional level through the Town's planning process and the GBUAPCD permitting process. Specifically, any stationary sources associated with implementation of the Land Use Element/Zoning Code Amendments would be subject to further study prior to the issuance of any necessary air quality permits.

The CARB *Air Quality and Land Use Handbook* provides recommendations for siting sensitive land uses near the following specific sources of air pollution: high traffic freeways and roads; distribution centers; rail yards; ports; refineries; chrome plating facilities; dry cleaners; and large gas dispensing facilities. The allowed land uses in the Land Use Element/Zoning Code Amendments would not include rail yards, ports, refineries, or chrome plating facilities; therefore, these uses are not discussed further. Advisory recommendations for the remaining land uses are provided in **Table 4.2-8, CARB Recommendations on Siting New Sensitive Land Uses**. CARB considers these recommendations to be advisory. The recommendations are not mandated by State law, but only serve as a general guidance to lead agencies when considering land use projects. The *Air Quality and Land Use Handbook* states that it is up to lead agencies to balance other

<sup>27</sup> South Coast Air Quality Management District, *Presentation – Potential Impacts of New OEHHA Risk Guidelines on SCAQMD Programs*. <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2014/may-specsess-8b.pdf>. Accessed May 2015.

Table 4.2-8

## CARB Recommendations on Siting New Sensitive Land Uses

Source Category	Advisory Recommendations
Freeways and High-Traffic Roads	<ul style="list-style-type: none"> <li>Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day.</li> </ul>
Distribution Centers	<ul style="list-style-type: none"> <li>Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week).</li> <li>Take into account the configuration of existing distribution centers and avoid locating residences and other new sensitive land uses near entry and exit points</li> </ul>
Dry Cleaners using Perchloroethylene	<ul style="list-style-type: none"> <li>Avoid siting new sensitive land uses within 300 feet of any dry cleaning operation. For operations with two or more machines, provide 500 feet. For operations with 3 or more machines, consult with the local air district.</li> <li>Do not site new sensitive land uses in the same building with perchloroethylene dry cleaning operations.</li> </ul>
Gasoline Dispensing Facilities	<ul style="list-style-type: none"> <li>Avoid siting new sensitive land uses within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater).</li> <li>A 50-foot separation is recommended for typical gas dispensing facilities.</li> </ul>

Source: California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*, (2005).

considerations, including housing and transportation needs, economic development priorities, and other quality of life issues.<sup>28</sup>

Development under the Land Use Element/Zoning Code Amendments would generally result in an increase in density in the Town's center. Therefore, it is possible that sensitive uses could be located near sources of TAC emissions within the distances specified in the CARB advisory recommendations (see Table 4.2-8). As a result, impacts related to operational TAC emissions would be considered potentially significant.

The potential for implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update to cause or contribute to CO hotspots is based on the change in the LOS at roadway intersections. The Transportation Impact Analysis for the Project<sup>29</sup> indicates that development under the Land Use Element/Zoning Code Amendments and Mobility Element Update could result in traffic conditions that would exceed the LOS standards at several of the analyzed roadway intersections, primarily along Main Street and Old Mammoth Road. Under the Land Use Element/Zoning Code Amendments and Mobility

<sup>28</sup> California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*, (2005) 4.

<sup>29</sup> LSC Transportation Consultants, Inc., *Mammoth Mobility Element Transportation Impact Analysis*, (2016).

Element Update, the highest traffic volume at these intersections would be approximately 27,300 vehicles per day.

The GBUAPCD is in attainment of the CO standards and does not monitor CO. The nearest CO monitoring station to the Town is located in Fresno County, which recorded peak values between years 2013 through 2015 of 2.4 parts per million (ppm) over a one-hour average and 1.7 ppm over an eight-hour average. The potential for CO hotspot impacts is based on a comparative analysis from CO hotspots modeling conducted by the SCAQMD its 2003 AQMP for the four worst-case intersections in areas under its jurisdiction (i.e., South Coast Air Basin). The maximum impacted intersection had an average daily traffic volume of about 100,000 vehicles per day.<sup>30</sup> The evidence provided in Table 4-10 of Appendix V of the SCAQMD 2003 AQMP shows that the peak modeled CO concentration due to vehicle emissions was 4.6 ppm (one-hour average) and 3.2 ppm (eight-hour average).<sup>31</sup> Based on this information and the peak daily traffic volumes under the Land Use Element/Zoning Code Amendments and Mobility Element Update, the CO hotspot concentrations (vehicle emissions plus background) would be expected to be approximately 3.7 ppm (one-hour average) and 2.6 ppm (eight-hour average) or less, which is less than the thresholds of 20 ppm (one-hour average) and 9.0 ppm (eight-hour average). Thus, implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would not cause or contribute to the formation of CO hotspots and no further CO analysis is warranted or required. Impacts would be considered less than significant.

#### **(b) Land Use Element/Zoning Code Amendments Impacts**

As discussed previously, construction activities that would occur as a result of the Land Use Element/Zoning Code Amendments would cause temporary, short-term emissions of TACs. Construction equipment would be subject to USEPA and CARB regulations designed to limit exposure to TACs during construction activities, including the CARB anti-idling Air Toxics Control Measure and the In-Use Off-Road Diesel Vehicle Regulation. Given the amount of development associated with implementation of the Land Use Element/Zoning Code Amendments, it is reasonable to assume that on a programmatic-level, some large-scale construction activity could occur, which could potentially result in significant impacts with regard to incremental increase in cancer risks. The GBUAPCD, the responsible air quality regulatory agency for the Mammoth Lakes Planning Area, has not provided guidance on the March 2015 OEHHA guidelines. Therefore, it is conservatively assumed that, based on SCAQMD's estimated health risk impacts for typical construction activities, implementation of the Land Use Element/Zoning Code Amendments could result in a potentially significant incremental increase in health risk during construction. Therefore, impacts related to construction TAC emissions would be considered potentially significant.

Development permitted under the Land Use Element/Zoning Code Amendments could place sensitive land uses or populations near local intersections or heavily traveled roadways associated with air pollutant emissions, including TACs. In addition, a variety of TAC emissions could be released from various operational activities (i.e., diesel equipment and vehicles) associated with implementation of the Land Use Element/Zoning Code Amendments. As discussed previously, development under the Land Use Element/Zoning Code Amendments would generally result in an increase in density in the Town's center. Therefore, it is possible that sensitive uses could be located near sources of TAC emissions within the

<sup>30</sup> *South Coast Air Quality Management District, 2003 Air Quality Management Plan, Appendix V: Modeling and Attainment Demonstrations, (2003) V-4-24.*

<sup>31</sup> *The eight-hour average is based on a 0.7 persistence factor, as recommended by the SCAQMD.*

distances specified in the CARB advisory recommendations (see Table 4.2-8). As a result, impacts related to operational TAC emissions would be considered potentially significant.

The potential for implementation of the Land Use Element/Zoning Code Amendments to cause or contribute to CO hotspots is based on the change in the LOS at roadway intersections. The Transportation Impact Analysis for the Project<sup>32</sup> indicates that development under the Land Use Element/Zoning Code Amendments could result in traffic conditions that would exceed the LOS standards at several of the analyzed roadway intersections, primarily along Main Street and Old Mammoth Road. Under the Land Use Element/Zoning Code Amendments, the highest traffic volume at these intersections would be approximately 23,400 vehicles per day.

The CO hotspot concentrations (vehicle emissions plus background) would be expected to be approximately 3.5 ppm (one-hour average) and 2.4 ppm (eight-hour average) or less, which is less than the thresholds of 20 ppm (one-hour average) and 9.0 ppm (eight-hour average). Thus, implementation of the Land Use Element/Zoning Code Amendments would not cause or contribute to the formation of CO hotspots and no further CO analysis is warranted or required. Impacts would be considered less than significant.

### **(c) Mobility Element Update Impacts**

Construction activities that would occur as a result of the Mobility Element Update would cause temporary, short-term emissions of TACs. The scope of construction activities associated with implementation of the Mobility Element Update would generally be limited to roadway construction, sidewalks, trails, bicycle lanes, and reconfiguration of Main Street and would generally not require prolonged and intensive use of heavy-duty equipment. Construction equipment would be subject to USEPA and CARB regulations designed to limit exposure to TACs during construction activities, including the CARB anti-idling Air Toxics Control Measure and the In-Use Off-Road Diesel Vehicle Regulation. Construction associated with facilities covered in the TSMP would be required to comply with the applicable air quality mitigation measures TSMM 4.B-2.A through 4.B-2.H as listed above. Construction sites associated with the proposed Mobility Element Update would be spread throughout the area and would occur over a span of several years. As a result, multiple construction projects are not likely to simultaneously impact the same local sensitive receptors. Therefore, construction TAC impacts would be considered less than significant.

Implementation of the Mobility Element Update would result in reduced VMT as compared to existing or future conditions. Under the Mobility Element Update, peak daily VMT would be reduced from 152,844 miles to 149,444 miles under existing development conditions. Under future General Plan conditions, the Mobility Element Update would reduce peak daily VMT from 179,233 miles to 173,695 miles. Therefore, operational mobile source TACs would generally be reduced and impacts from implementation of the Mobility Element Update would be less than significant.

Similarly, implementation of the Mobility Element Update would be expected to reduce overall CO concentrations from vehicle emissions. While some roadway intersections may see an incremental increase in traffic volumes, compared to existing conditions or existing General Plan buildout conditions, the effect on CO hotspot concentrations would be minor and would not result in exceedances of the standards. Therefore,

---

<sup>32</sup> LSC Transportation Consultants, Inc., Mammoth Mobility Element Transportation Impact Analysis, (2016).

operational CO hotspot impacts from implementation of the Mobility Element Update would be less than significant.

### Mitigation Measures

Implementation of GPMM 4.2-1 and GPMM 4.2-2 and compliance with Mitigation Measures AIR-1 through AIR-3 would reduce construction and operational emissions. The following mitigation measure is recommended:

**MM AIR-4:** Prior to the issuance of a grading or building permit, individual proposed projects shall comply with the following mitigation measures to reduce TAC impacts:

- Projects locating sources of TAC emissions near sensitive receptors within the advisory guideline recommendations in the CARB *Air Quality and Land Use Handbook* (or future adopted subsequent document) shall conduct a screening or refined health risk assessment to sufficiently demonstrate that impacts would not exceed the adopted significance thresholds inclusive of project-level design features, as appropriate and feasible.
- Projects requiring the use of substantial numbers of diesel-fueled heavy-duty construction equipment within 500 feet of sensitive receptors shall conduct a screening or refined health risk assessment to sufficiently demonstrate that impacts would not exceed the adopted significance thresholds inclusive of project-level design features, as appropriate and feasible.

## 4. CUMULATIVE IMPACTS

The air quality analyses included in this section evaluates the future development scenario as a whole, with development permitted by the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update. Therefore, analysis of air quality from implementation of the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update represents both the project impacts and cumulative effects. As a result of adding the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update to the regional land use and transportation baseline, the associated air emissions produced under proposed Land Use Element/Zoning Code Amendments and Mobility Element Update are considered identical to the cumulative condition for CEQA purposes.

### a. Construction

The GBUAPCD does not have numerical thresholds to determine whether the Project would result in a cumulatively considerable net increase of PM<sub>10</sub> or ozone precursors. However, as discussed above, O<sub>3</sub> impacts are primarily the result of pollution generated in the San Joaquin Valley. The Town does not have control over the timing or sequencing of the related projects. Therefore, any quantitative analysis to ascertain daily construction emissions that assumes multiple and concurrent construction projects would be highly speculative.

With respect to the project's construction-period air quality emissions and cumulative Basin-wide conditions, the GBUAPCD has developed strategies to reduce criteria pollutant emissions pursuant to Clean Air Act mandates. Accordingly, the project and the related projects would comply with GBAUPCD Rule 200-

A, 200-B, Rules 401 and 402, and implement all feasible mitigation measures including TSMM 4.B-2.A through 4.B-2.H, as applicable. In addition, the project and related projects would comply with adopted AQMP emissions control measures. Nonetheless, as discussed previously, even with compliance of these rules and regulations, as well as with Mitigation Measures AIR-1 and AIR-2, construction of land uses permitted by the combined Land Use Element/Zoning Code Amendments and Mobility Element Update or the Land Use Element/Zoning Code Amendments under the existing roadway network would have the potential to contribute substantially to an existing or projected air quality violation of the State standards. As a result construction impacts would be considered potentially cumulatively considerable and impacts would be significant and unavoidable.

## **b. Operation**

The GBUAPCD's approach for assessing cumulative impacts related to operations is based on the attainment of ambient air quality standards in accordance with the requirements of the Federal and State Clean Air Acts. A significant impact may occur if a project would add a cumulatively considerable contribution of a federal or State non-attainment pollutant. Because the Basin is currently in nonattainment for the State ozone and PM<sub>10</sub> standards, related projects could exceed an air quality standard or contribute to an existing or projected air quality exceedance. Cumulative impacts to air quality are evaluated under two sets of thresholds for CEQA. In particular, CEQA Guidelines Sections 15064(h)(3) provide guidance in determining the significance of cumulative impacts. Specifically, Section 15064(h)(3) states in part that:

*A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency...*

For purposes of the cumulative air quality analysis with respect to CEQA Guidelines Section 15064(h)(3), the project's incremental contribution to cumulative air quality impacts is determined based on compliance with the Town of Mammoth Lakes AQMP.

A project is deemed inconsistent with air quality plans if it results in population and/or employment growth that exceeds growth estimates in the applicable air quality plan. The AQMP relies upon growth projections adopted by the General Plan. Consequently, implementation of DF 4.2-1 and DF 4.2-2 would result in compliance with the AQMP. Because traffic generated by the Project with implementation of DF 4.2-1 and DF 4.2-2 would not exceed the Town's VMT cap, the Project would not conflict with or obstruct implementation of the applicable air quality plan under the AQMP.

Nonetheless, as shown previously in Table 4.2-5 and Table 4.2-6, the incremental change in emissions of PM<sub>10</sub> would exceed the numeric daily emission thresholds. Therefore, development under the combined Land Use Element/Zoning Code Amendments and Mobility Element Update or the Land Use Element/Zoning Code Amendments under the existing roadway network would potentially result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment (i.e., PM<sub>10</sub>)

under the State standards. Even with compliance with applicable regulations, as well as implementation of DF 4.2-1 and DF 4.2-2 and Mitigation Measure AIR-3, operational impacts would be considered potentially cumulatively considerable and impacts would be significant and unavoidable.

## **5. LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Compliance with GPMM 4.2-1 and GPMM 4.2-2 would reduce potentially significant AQMP impacts associated with implementation of the Land Use Element/Zoning Code Update to a less than significant level. Implementation of GPMM 4.2-1 and GPMM 4.2-2, TSMM 4.B-2.A through 4.B-2.H, and compliance with the prescribed Mitigation Measure AIR-1 through AIR-3 would reduce Project and cumulative construction and operational PM<sub>10</sub> and PM<sub>2.5</sub> emissions related to the Land Use Element/Zoning Code Amendments or the combined Land Use Element/Zoning Code Amendments and Mobility Element Update; however, even with implementation of the recommended mitigation measures, Project and cumulative construction and operation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update or the Land Use Element/Zoning Code Amendments under the existing roadway network could potentially contribute substantially to an existing or projected air quality violation or result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment (i.e., PM<sub>10</sub>) under the State standards and impacts would be significant and unavoidable. CO hotspot impacts would be less than significant and no mitigation would be required. Compliance with Mitigation Measure AIR-4 would ensure that potential Project and cumulative TAC impacts would be less than significant.

## 4.3 FORESTRY RESOURCES

---

The majority of lands peripheral to the Town's Urban Growth Boundary (UGB) are located within the Inyo National Forest and administered by the United States Department of Agriculture Forest Service (USFS). Some of the proposed improvements in the Mobility Element Update include the construction of roads or multi-use-paths (MUPs) within Inyo National Forest lands. The proposed Land Use Element/Zoning Code Amendments are applicable to the Town's commercial districts and would not affect forest lands. This section addresses applicable programs and plans [i.e., Inyo National Forest Land Resources and Management Plan (LRMP)], existing conditions, and the potential for the Mobility Element Update to have an impact on forestry resources. This section is based in part on the Trails System Master Plan (TSMP) EIR, which is incorporated by reference. For a discussion regarding potential impacts to trees within the UGB, please see Section 4.1, Aesthetics, and 4.2, Biological Resources, of this EIR.

### 1. ENVIRONMENTAL SETTING

#### a. Regulatory Framework

##### 1. Federal

###### (a) USDA Forest Service Region 5

The USDA Forest Service (or USFS) Region 5, also known as the Pacific Southwest Region, has responsibility for 20 million acres of National Forest land in California, including the Inyo National Forest, and assists the state and private forest landowners in forest management. The Region's State & Private Forestry (S&PF) program provides financial and technical assistance to state and local governments, Native American groups private organizations, urban communities and others to help protect forest resources and assist landowners in practicing good stewardship and quality land management. Forest conditions, especially in Southern California and the Sierra Nevada, are of particular concern in Region 5 because, according the USFS, dense and overgrown areas combined with the influx of people into California's wildlands have created the potential for disastrous wildfires. As such, Region 5 places emphasis on actively managing forests by reducing dangerous accumulations of hazardous fuels to protect people, watersheds, and habitat.<sup>1</sup>

###### (b) National Forest Management Act

The National Forest Management Act (NFMA), which establishes the USDA Forest Service as the managers of the nation's forests, provides that all forested lands in the National Forest System shall be maintained as appropriate forest cover with species of trees, degree of stocking, rate of growth, and conditions of stand designed to secure maximum benefits of multiple use in accordance with land management plans (Section 4. Section 3(d)(1)). Under Section 11 Section 13, Limitations on Timber Removal, the Secretary of Agriculture shall limit the sale of timber from each national forest on a sustained-yield basis. Respectively, the NFMA prohibits the cutting or otherwise damaging any timber, tree, or other forest product, except as authorized by a special-use permit. Under 36 Code of Federal Regulations (CFR) 261.6 (a) cutting, removing, or otherwise damaging any timber, tree, or other forest product, except as authorized by Federal law,

---

<sup>1</sup> <http://www.fs.usda.gov/detail/r5/about-region/?cid=stelprd5274212>, accessed September 1, 2015.

regulation, permit, contract, special use authorization is prohibited and (b) no tree can be cut before a Forest Office has marked it or otherwise designated the tree for cutting. The special-uses program authorizes uses on national forest land that provide a benefit to the general public and protect public and natural resources values. 36 CFR 1.1 allows a permit to be issued to authorize an otherwise prohibited or restricted activity or impose a public use limit. The activity authorized by a permit shall be consistent with applicable legislation, federal regulations and administrative policies, and based upon a determination that public health and safety, environmental or scenic values, natural or cultural resources, scientific research, implementation of management responsibilities, proper allocation and use of facilities, or the avoidance of conflict among visitor use activities will not be adversely impacted.

36 CFR 251.50 (a) establishes the scope of “special use” permits on National Forest lands. According to this statute, all uses of National Forest System lands, improvements, and resources, except those authorized by the regulations governing shared use of roads are designated “special uses.” Before conducting a special use, individuals or entities must submit a proposal to the authorized officer and must obtain a special use authorization from the appropriate office. 36 CFR 251.53 (j) allows temporary or permanent easements for road rights-of-way over lands and interests in land administered by the Forest Service.

### **(c) Inyo National Forest Land and Resource Management Plan**

The purpose of the Inyo National Forest Land and Resource Management Plan (LRMP) is to provide integrated multiple resource management direction for all Inyo National Forest resources. Chapter 2 of the LRMP identifies issues and concerns identified during the development of the plan. Identified needs are the construction of trails and the improvement of existing trails; the need for trails specific to cross-country trails, hiking and handicapped trails; the need to locate, design, and construct trails to provide the desired experience while minimizing resource damage. The LRMP identifies the greatest need for new trails in concentrated recreation use areas and Nordic ski areas.

The LRMP includes monitoring of more than 20 broad resource categories ranging from air quality to wilderness. Chapter 5 (Management Direction) of the LRMP provides management goals, objectives, standards and guidelines, prescriptions and direction for each of the 20 management areas. Proposed roadway and MUP improvements are located in both LRMP Management Area No. 8 (Mammoth Escarpment) and Management Area No. 9 (Mammoth). A goal of the LRMP is to continue a land and resource management program with non-federal lands through special use administration, landownership adjustment, and other measures. Another goal is to provide a broad range of developed and dispersed recreational opportunities.

LRMP policies include the acquisition of lands with easements to assure access to public lands and resources. A general objective of the LRMP is to construct and maintain facilities to regional standards and to design at least 10 percent for the physically limited.

Objectives and guidelines related to Management Areas No. 8 and No. 9 include the following:

Management Area No. 8 (the regional forested area around the Town of Mammoth Lakes):

- Identify and program dispersed trail facilities in the Mammoth Lakes Basin, including hiking and equestrian trail opportunities in all areas and bicycle trails in the Lakes Basin. Include opportunities for mountain bike trails within the Management Area. Interface the trail system with the community.

Management Area No. 9 (the forested area in proximity to the Town of Mammoth Lakes UGB)

- Provide trail interface opportunities with the community of Mammoth Lakes.

## 2. State

### (a) California Code of Regulations, Title 14

The California Code of Regulations (CCR), Title 14, Div. 1.5, requires any person who wishes to convert timberland to uses other than growing timber on all but non-federal lands, to obtain a conversion permit from the California Department of Forestry and Fire Protection (CalFire). Timberland is defined by Public Resources Code (PRC) Section 4526 to be land, other than federal land, which "...is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber." The Board of Forestry has defined commercial species to include conifers but not hardwoods. Under Title 14 [RM-73 (1102.1bc)], uses that are exempt from the State's Conversion and Timber Harvesting Plan Requirements (Notice of Timber Operations) include the removal of trees for public rights of way. Title 14 would only be applicable to private, state, county or other non-federal lands. Title 14, Section 1280 also provides for Fire Hazard Severity Zones (FHSV) for counties in the state. For instance, based on CalFire input, Tom's Place (south of Lake Crowley) is upgraded from "moderate" to "high" to reflect greater hazard potential in Pinyon pine and juniper areas of relatively deep soils. No such designation has been applied to the Mammoth Lakes area.

### (b) Sierra Nevada Forest and Community Initiative Action Plan

State Assembly Bill 2600 (enacted in 2004) created the Sierra Nevada Conservancy (SNC), the responsibility of which is to (i) reduce the risk of natural disasters, such as fire; (ii) support efforts that advance both environmental preservation and the economic well-being of Sierra residents in a complimentary manner; and (iii) aid in the preservation of working landscapes for California's state, federal, and private forest lands (approximately 10.5 million acres). The SNC, in partnership with the USFS, launched the Sierra Nevada Watershed Improvement Program, a collaborative program to restore the health of California's primary watersheds through increased investment and needed policy changes. The resulting policies are set forth in the Sierra Nevada Forest and Community Initiative (SNFCI) Action Plan (adopted December 4, 2014).

The focus of the SNFCI Action Plan is to address key issues and impediments affecting successful achievement of increased forest resiliency through restoration in the Sierra Nevada Region. This plan largely serves as a regional blueprint to guide the development of watershed level plans. According to the SNFCI, the restoration and protection of the health of forests and other habitat and landscapes is the primary focus of the health of California's primary water source. Key objectives of the Action Plan are to:

- Identify and quantify the specific projects needed to restore Sierra Nevada forests to a state of resilience and the cost of their implementation. This data will include factors beyond the natural landscape, including but not limited to wood and biomass processing infrastructure capacity and local capacity for collaboration.
- Increase state and federal investment in forest restoration activities, as well as securing investment from downstream beneficiaries and the private sector. The SNFCI Action Plan will be used as an engagement tool to attract investment in the Sierra Nevada by clearly identifying the benefits of restoring forest resiliency, as well as the negative consequences of failing to do so.
- Address state and federal policy issues that will remove impediments and increase the pace and scale of forest restoration and improving the socioeconomic well-being of Sierra communities. While additional investment for needed restoration is critical, this plan identifies a number of policy issues currently serve as impediments to restoration.

### 3. County

#### (a) Mono County Regional Transportation Plan and General Plan Update

The purpose of the adopted Mono County General Plan (1992) is to establish policies to guide decisions on future growth, development, and conservation of natural resources in the unincorporated area of the county. The plan reflects community-based planning and includes individual area plans for Mono County communities. As discussed in the adopted General Plan, approximately 94 percent of the land in Mono County is publicly owned; approximately 88 percent of the public land is managed by the USFS, and other public agencies. According to the adopted General Plan, because such a great percentage of the land in the county remains open space and since the County has no direct authority over much of that land, one of Mono County's main concerns about open space is coordinating county policies with the land use policies of the agencies managing the public lands.<sup>2</sup> The County is also concerned about the impacts of federal open space policies on county resources.

The Mono County General Plan Update (2015) also states that the County has limited direct planning authority over only a small percentage of the lands in the county and, therefore, must work with other land managers to manage the natural resources in the area.<sup>3</sup> Under the adopted General Plan and Draft General Plan Update, the unincorporated County area around the Town of Mammoth Lakes is designated as Resource Management (RM),<sup>4</sup> which is intended to recognize and maintain a wide variety of values in the lands outside the existing communities. According to the General Plan Update, land use designations reflect federal designations.

#### b. Existing Conditions

The Inyo National Forest covers parts of the Sierra Nevada Mountains of California and the White Mountains of California and Nevada. The forest, which stretches from the east side of Yosemite to south of Sequoia National Park, covers approximately 1,903,381 acres and nine designated wilderness areas that protect over 800,000 acres. Geographically, it is split in two, on each side of the Long Valley Caldera and Owens Valley.

<sup>2</sup> *Mono County General Plan, Conservation and Open Space Element, 2012, page V-3).*

<sup>3</sup> *Mono County General Plan, page II-105, 2015.*

<sup>4</sup> *Mono County General Plan, Figure 72.*

The forest also harbors approximately 238,000 acres of old-growth forests, the most abundant of which are Lodgepole Pine and Jeffrey Pine, which occur in the Town of Mammoth Lakes and vicinity. Forest lands in the Sierra Nevada Mountains are used for recreational purposes or as timber and biomass harvested under state and federal regulations. The condition of existing forests has been impacted by climatological effects and drought in recent years. According to the SNC, Sierra forests and meadows play a role in ensuring water quality and reliability for the state and ongoing drought, rising temperatures, and changing precipitation patterns create an urgent situation for the forests and the state as a whole.<sup>5</sup> As discussed in the SNC's "Drought and the Sierra Nevada" report, Sierra forests are overgrown and unhealthy. Current drought conditions will likely increase the frequency of large, damaging wildfires. The SNC has listed USFS forests as having 75 percent "high severity" for wildfire and National Park Service forests as the lowest severity at 46 percent.<sup>6</sup> CalFire identified the East Sierra Subregion as having the smallest high priority landscape, with approximately 36,250 acres.<sup>7</sup> Forests to the north and northeast of the Town of Mammoth Lakes are shown as having low standing biomass per acre<sup>8</sup> and no productive forest priority for CalFire's "landscape priority for restoring forests from pest impacts" and low priority for preventing "future pest outbreaks in forests."<sup>9</sup> Forests in Mono County are also indicated by CalFire to have the lowest (0 – 1 percent) watershed priority for restoration of wildfire damaged ecosystems.<sup>10</sup>

However, dead and dying coniferous trees are evident throughout the Inyo National Forest. According to the Inyo National Forest website, drought is a major factor which has contributed to the population explosion of mountain pine beetle, which has resulted in broad areas of diseased and dying trees. This outbreak is estimated to have started in 2005 and still appears to be active. Areas of Inyo National Forest, such as White Wing Mountain, June Mountain, Rock Creek-Hilton Lakes, and Gibbs Lake have been severely infested, some sites losing up to 95 percent of overstory cover. Groups of up to 50 trees are found to be completely infested and dead. June Mountain appears the hardest hit, with beetle populations still moving east toward Highway 395.<sup>11</sup>

According to the SNC, the East Subregion of Sierra forests, including Mono County has the fewest acres of productive forestland (just over half a million acres) and the highest public ownership, including Inyo National Forest and Bureau of Land Management (BLM) Lands. These constitute approximately 97 percent of the forest ownership. According to SNC's System's Indicator report, productive forest types in Mono County are primarily "Eastside Pine," with small areas of "mixed conifer."<sup>12</sup> These resources occur in the region of June Lake and Mammoth Lakes, to the west and north and to the east/northeast of these areas in the mountain regions forming the edges of the Long Valley Caldera and Owen Valley. This area is generally framed by Mammoth Mountain on the west and Mono Lake Basin Road (State Route 120), between U.S. Route 395 and U.S. Route 6, to the north and east.

<sup>5</sup> *Sierra Nevada Conservancy, Drought and the Sierra Nevada, April 2015.*

<sup>6</sup> *Sierra Nevada Conservancy, Op. Cit., Figure 7, Percentage of Acreage in Each Condition Class by Land Ownership, page 12.*

<sup>7</sup> *Sierra Nevada Conservancy, Op. Cit., Figure 8, Landscape Priority for Addressing Wildlife Threat by Subregion, page 14,*

<sup>8</sup> *Sierra Nevada Conservancy, Op. Cit., Figure 18, Forest Biomass – Tons of Standing Biomass per Acre, page 28.*

<sup>9</sup> *Sierra Nevada Conservancy, Op. Cit., Figure 15 and 16, pages 22 and 23.*

<sup>10</sup> *Sierra Nevada Conservancy, Op. Cit., Figure 13, page 19.*

<sup>11</sup> <http://www.fs.usda.gov/main/inyo/learning/nature-science>, accessed September 1, 2015.

<sup>12</sup> *Sierra Nevada Conservancy, Op. Cit., Figure 1, Productive Forest Types in the SNC Region, page 5.*

## 2. METHODOLOGY AND THRESHOLDS

### a. Methodology

The analysis focuses on the proposed improvements identified in the Mobility Element Update that could impact forestry resources. More specifically, the conceptual alignments shown in the Mobility Element Update (i.e., MUPs and roads) evaluated to determine if the conceptual alignments would cause the potential removal of forest trees or substantial timber resources. The evaluation of impacts describes the locations of new roads and MUPs within the Inyo National Forest and the potential effects on forest resources and the applicability of existing regulations pertinent to potential tree removal or loss. Where removal of trees is anticipated, mitigation measures are offered to reduce impacts discussed in the evaluation.

### b. Thresholds

For purpose of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether the Project would have a significant environmental impact regarding forestry resources. The Project would result in a significant impact to forestry resources if the Project would:

**FOR-1** Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 1220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).

**FOR-2** Result in the loss of forest land or conversion of forest land to non-forest use.

The Land Use Element/Zoning Code Amendments would affect properties within the commercial districts in the Town's UGB. As such, the Land Use Element/Zoning Code Amendments would not affect lands that are zoned as forest land or forestry resources. Therefore, this section focuses on the improvements proposed as part of the Mobility Element Update.

### c. Applicable General Plan Goals/Policies and Adopted Mitigation Measures

The Town of Mammoth Lakes General Plan and Zoning Code address the effects of development within the Town. However, because the General Plan and Zoning Code do not address forestry resources within the Inyo National Forest, they are not applicable to the following environmental analysis. The Mitigation Monitoring and Reporting Program (MMRP) for the TSMP EIR contains the following mitigation measures that are applicable to the trails component of the Mobility Element Update, which are located within Inyo National Forest lands:

**TSMM 4.A-3.B:** Mature, healthy, native trees shall be circumvented or avoided through the design of trail alignments to the extent feasible. The need for replacement of trees shall be evaluated and implemented based on Healthy Forest and Fire Safe Council principles.

**TSMM 4.G-1:** As individual projects are implemented under the TSMP, the Town shall undertake actions when applicable to reduce the risk of wildfires. On National Forest lands, these actions shall be coordinated with the USFS to ensure consistency with that agency's

standards and guidelines. Specific actions may include but are not limited to: 1) maintain and incorporate design features to facilitate use of MUPs and other facilities, where feasible and appropriate to accommodate emergency vehicles; 2) provide signage at trail heads and along trails relating to fire prevention (i.e., No Smoking signs, fire danger level signs); 3) provide fuel modification and other fuel treatment applications within Project Areas where appropriate; 4) ensure the maintenance and patrol of trails in the Project Area; and, 5) enforce curfews or other rules to limit unwanted activity in Project Areas during daylight hours and after-hours.

### 3. ENVIRONMENTAL IMPACTS

**Threshold FOR-1:** The project would result in a significant impact if the project would conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).

**Impact Statement FOR-1:** *The Mobility Element Update proposes the construction of new streets and MUPs within the Inyo National Forest lands that could potentially conflict with the designated forest use. However, the NFMA allows for permitted special use rights of way easements in which environmental and administrative effects are appropriately addressed. With compliance with the requirements of NFMA, the Project would be allowed within National Forest lands and would not conflict with designated forest uses or cause the rezoning of forest lands.*

The Mobility Element Update proposes the construction of new streets, including streets to the north of Main Street, in the vicinity of the Old Mammoth Road north terminus, and the construction or extension of MUPs outside the UGB. Anticipated new or extended MUPs within the Inyo National Forest include MUP's along Mammoth Scenic Loop, extensive new MUPs in the Shady Rest Park area, a MUP around Lake Mary and a MUP to the south of the Snowcreek Area. New streets and MUPs outside the UGB would extend into Inyo National Forest land surrounding the Town of Mammoth Lakes. However, no new roadways or MUPs under the Mobility Element Update would encroach into USFS "Wilderness" areas, which are more highly restrictive than the nearby Inyo National Forest lands. No other public or private properties outside the UGB, such as BLM or Los Angeles Department of Water and Power (LADWP) lands would be affected by new road or trail projects. Under the Mobility Element Update, no stands of forest trees that are not within the future road and MUP rights of way would be removed for commercial timber or other uses.

Because National Forest lands are designated for the maintenance of forest resources, any development within the National Forest, including the construction of streets and trails that would result in the potential removal of trees, would potentially conflict with the National Forest designation and be subject to the requirements of the NFMA. The NFMA prohibits the cutting or otherwise damaging of any timber, tree, or other forest product, except as authorized by a special-use permit. The special-uses program authorizes uses on national forest land that provide a benefit to the general public and protect public and natural resources values. NFMA allows a permit to be issued to authorize an otherwise prohibited or restricted activity or impose a public use limit, if the activity would be consistent with applicable legislation, federal regulations and administrative policies, and based upon a determination that public health and safety, environmental or scenic values, implementation of management responsibilities, or proper allocation and use of facilities would not be adversely impacted. The NFMA also establishes the scope of special use permits on National

Forest lands, which under 36 CFR251.53 (j) allows temporary or permanent easements for road rights-of-way over lands and interests in land administered by the Forest Service.

The proposed roadways and MUPs would qualify as special uses under the NFMA. The adopted mitigation measures, which are incorporated into the Project from the MMRP for the TSMP, would reduce environmental and scenic effects of the proposed MUPs to less than significant levels. The reduction of a Project's environmental impacts is a key requirement of the NFMA in allowing a special use. Environmental impacts and any respective mitigation measures associated with new street development are addressed throughout the analyses contained in this Draft EIR. In particular, Sections 4.1, Aesthetics, and 4.4, Biological Resources, of this Draft EIR provide analyses of the proposed street improvements relative to visual impacts and impacts on biological resources. As described in the respective sections of this Draft EIR, the Mobility Element Update would not result in adverse environmental and scenic effects. In addition, management responsibilities of public uses, new streets and MUPs would be assumed by the Town of Mammoth Lakes. The use and allocation of facilities would be appropriately managed as required under the NFMA. As such, these uses would be consistent with the NFMA requirements for permitted easements and would not conflict with the National Forest designation or cause the rezoning of National Forest lands to other uses.

The Project would also be consistent with the objectives of the LRMP, which comprises the regional forest area around the Town of Mammoth Lakes. The applicable LRMP policy is to identify and program dispersed trail facilities in the Mammoth Lakes Basin, including opportunities for mountain bike trails within the Management Area and to interface the trail system with the community. Because the Mobility Element Update would be consistent with the requirements of the NFMA and with the objectives of the LRMP, it would not conflict with the objectives of the Inyo National Forest's designated uses. Impacts with respect to forest land would be less than significant.

### Mitigation Measures

Impacts related to forestry resources zoning would be less than significant and no mitigation measures are necessary.

**Threshold FOR-2:** The Project would result in a significant impact if the Project would result in the substantial loss of forest land or conversion of forest land to non-forest use.

**Impact Statement FOR-2:** *The development of new streets and MUPs could result in the removal of trees within the Inyo National Forest. The Project would not involve large tracts of forest lands or any associated removal of trees for timber. With the implementation of adopted and proposed mitigation measures, the Project would not result in the substantial loss of forest land or conversion of forest land to non-forest use.*

Roadways outside the UGB would be limited to a few streets to the north of Main Street in the proximity of the Main Street/Old Mammoth Road intersection. MUPs would extend into forested areas along the Mammoth Scenic Loop, multiple paths in the Shady Rest Park area, and around Lake Mary. Because these areas are heavily forested, the development of trails and the roads would result in the removal of forest trees. The final design for the proposed MUPs would comply with TSMM 4.A-3.B, which requires that healthy, native trees would be circumvented or avoided through the design of trail alignments to the extent feasible. Mitigation Measure FOR-1, below, would provide similar consideration in the final alignment of

future streets in the National Forest land. The lands along the edges of the future roadways and MUPs within Inyo National Forest land are not intended for other development or conversion of forest land to non-forest uses. With the implementation of these measures, the removal of forest trees for future street and MUP rights of way would not result in the substantial loss of forest land or conversion of forest land to non-forest use alignments.

The location of roads and trails within the Inyo National Forest would also have the secondary effects of exposing forest land to human-caused fire and, as such, a potential loss of forestry resources. TSMM 4.G-1 would reduce this potential effect to a less than significant level in relation to new road and trail development. Because this implementation measure would address increased risk of wildfire and the rights of way easements through forest lands would not affect large tracts of contiguous forest trees adjacent to the MUPs or road alignments, impacts with respect to the loss of forestry resources would be less than significant.

### Mitigation Measures

The roadway alignments could result in the removal of trees on the National Forest land, which could result in a significant impact. Therefore, the following mitigation measure is recommended.

**MM FOR-1:** Mature, healthy, native trees shall be circumvented or avoided through the design of roadway alignments to the extent feasible. The need for replacement of trees shall be evaluated and implemented based on Healthy Forest and Fire Safe Council principles.

## 4. CUMULATIVE IMPACTS

The Town of Mammoth Lakes current related projects are not located within USFS lands or other areas with forestry resources and, as such, would not significantly impact forestry resources. The construction of any other private or public development projects within National Forest lands would be considered related in that these projects could result in the removal of forest trees. Under the Town's Parks and Recreation Master Plan, the Town would potentially expand services on Inyo National Forest lands in Shady Rest Park, Mammoth Creek Park East, and Sherwin Area Recreation Master Plan (SHARP) area. The MND developed for the Town of Mammoth Lakes Parks and Recreation Master Plan found that potential development of these parks would have less than significant impacts on forestry resources<sup>13</sup> The Mono County Master Plan anticipates expanded recreational facilities in the June Lake Loop, a forested area in the Inyo National Forest located approximately 10.5 miles to the northwest of the Town of Mammoth Lakes. The Mono County Regional Transportation Plan and General Plan Update did not identify any potential impacts on forestry resources resulting from the County General Plan Buildout, including the June Lake Loop.<sup>14</sup>

Any expansion of Town of Mammoth Lakes and Mono County recreational facilities in the Inyo National Forest would be subject to special permit approvals under the NFMA, which is intended to protect forestry resources. The analysis above determined that potential trails and roads within USFS lands under the Mobility Element Update would not result in significant impacts on forestry resources. A special use permit under NFMA authorizes uses on national forest land that provide a benefit to the general public and do not

<sup>13</sup> *Town of Mammoth Lakes, MND for the Parks and Recreation Master Plan, 2012.*

<sup>14</sup> *County of Mono, Regional Transportation Plan and General Plan Update EIR, July 31, 2015.*

adversely impact the environment. Special uses must be determined by the USFS to protect public and natural resources; to provide public health, safety, and environmental benefits; and to not allow for a substantial loss in forestry resources. Because all recreational expansions or uses within USFS land must comply with NFMA, and Town of Mammoth Lakes and Mono County related projects were found to be not significant, the related projects in combination with the Mobility Element Update would not result in cumulatively significant impacts on forestry resources.

## **5. LEVEL OF SIGNIFICANCE AFTER MITIGATION**

The Mobility Element Update would result in significant impacts with respect to substantial loss of forest land or conversion of forest land to non-forest use. However, with the incorporation of previously adopted mitigation measures and the implementation of MM FOR-1, impacts would be reduced to a less than significant level.

## 4.4 BIOLOGICAL RESOURCES

---

### INTRODUCTION

This section describes the existing biological resources that occur or have the potential to occur within the Project Area and vicinity. In addition, a description of applicable regulations is provided. The analysis evaluates the potential impacts to biological resources that could occur in association with the development of property in the commercial districts and the implementation of the Mobility Element. The Land Use Element/Zoning Code Amendments would modify the development regulations and no specific projects are proposed at this time. Likewise, the roadway and trail alignments are conceptual in nature. Therefore, the analysis is evaluated at a program-level. With a programmatic study, such as this EIR, subsequent projects carried out under the proposed Land Use Element/ Zoning Code Amendments and Mobility Element Update may warrant site specific biological assessments and surveys once plans have been prepared.

### 1. ENVIRONMENTAL SETTING

#### a. Regulatory Framework

As part of the proposed Project's review and approval there are a number of performance criteria and standard conditions that must be met. These include compliance with all of the terms, provisions, and requirements of applicable laws that relate to Federal, State, and local regulating agencies for impacts to biological resources. The following provides an overview of the applicable regulations with regard to the biological resources that may be present within the Project Area.

#### (1) Federal

##### (a) Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) protects individuals as well as any part, nest, or eggs of any bird listed as migratory. In practice, Federal permits issued for activities that potentially impact migratory birds typically have conditions that require pre-disturbance surveys for nesting birds. In the event nesting is observed, a buffer area with a specified radius must be established, within which no disturbance or intrusion is allowed until the young have fledged and left the nest, or it has been determined that the nest has failed. If not otherwise specified in the permit, the size of the buffer area varies with species and local circumstances (e.g., presence of busy roads, intervening topography, etc.), and is based on the professional judgment of a monitoring biologist. A list of migratory bird species protected under the MBTA is published by U.S. Fish and Wildlife Service (USFWS).

##### (b) Federal Clean Water Act, Sections 401 and 404

The mission of the Regional Water Quality Control Board (RWQCB) is to develop and enforce water quality objectives and implement plans that will best protect the beneficial uses of the state's waters, recognizing local differences in climate, topography, geology, and hydrology. The California RWQCB is responsible for implementing compliance not only with state codes such as the California Water Code, but also some federal acts such as Section 401 of the Clean Water Act (CWA). Section 401 of the CWA requires that any applicant for a federal permit for activities that involve a discharge to waters of the state shall provide the federal permitting agency with a certification from the state in which the discharge is proposed that states that the

discharge will comply with the applicable provisions under the federal CWA.<sup>1</sup> As such, before the USACE will issue a CWA Section 404 permit, applicants must apply for and receive a Section 401 water quality certification (WQC) from the RWQCB. The RWQCB regulates “discharging waste, or proposing to discharge waste, within any region that could affect “waters of the state” (Water Code § 13260 (a)), pursuant to provisions of the Porter-Cologne Water Quality Control Act which defines RWQCB jurisdictional “waters of the state” as “any surface water or groundwater, including saline waters, within the boundaries of the state” (Water Code § 13050 (e)).

With the exception of isolated waters and wetlands, most discharges of fill to waters of the state are also subject to a CWA Section 404 permit. If a CWA Section 404 permit is not required for the project, the RWQCB may still require issuance of Waste Discharge Requirements (WDR) under the Porter-Cologne Water Quality Control Act. The RWQCB may regulate isolated waters that are not under jurisdiction of the USACE through issuance of WDR’s. However, projects that obtain a Section 401 WQC are simultaneously enrolled in a statewide general WDR. Processing of Section 401 WQC’s generally requires submittal of 1) a construction storm water pollution prevention plan (SWPPP), 2) a final water quality technical report that demonstrates that post-construction storm water Best Management Practices (BMPs) comply with the local design standards for municipal storm drain permits (MS4 permits) implemented by the State Water Resources Control Board effective January 1, 2011, and 3) a conceptual Habitat Mitigation and Monitoring Plan (HMMP) to compensate for permanent impacts to RWQCB waters, if any. In addition to submittal of a CEQA document, a WQC application typically requires a discussion of avoidance and minimization of impacts to RWQCB jurisdictional resources, and efforts to protect beneficial uses as defined by the local RWQCB basin plan for the project. The RWQCB cannot issue a Section 401 WQC until the project CEQA document is certified by the lead agency.

### **(c) Federal Endangered Species Act (FESA)**

The Federal Endangered Species Act of 1973 (FESA) defines an “endangered” species as “any species which is in danger of extinction throughout all or a significant portion of its range”. A “threatened” species is defined as “any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range”. Under provisions of Section 9(a)(1)(B) of the FESA it is unlawful to “take” any listed species. “Take” is defined in Section 3(18) of FESA as to: “...harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Further, the USFWS, through regulation, has interpreted the terms “harm” and “harass” to include certain types of habitat modification as forms of “take”. These interpretations, however, are generally considered and applied on a case-by-case basis and often vary from species to species. In a case where a property owner seeks permission from a federal agency for an action which could affect a federally-listed plant or animal species, the property owner and agency are required to consult with USFWS. Section 9(a)(2)(b) of the FESA addresses the protections afforded to listed plants.

Within the last ten years the USFWS instituted changes in the listing status of candidate species abandoning the C1/C2 model. Former C1 candidate species are now considered federal candidate species (FC). Some of the USFWS field offices (e.g., Sacramento) maintain lists of federal Species of Concern (FSC). Federal Species of Concern is not a term that is defined in the federal Endangered Species Act. Rather, it is an informal term that is used to characterize species whose population are or appear to be in decline and warrant

---

<sup>1</sup> 33 USC 1341 (a) (1).

conservation. These species receive no legal protection and the use of the term FSC does not mean that they will eventually be proposed for listing.<sup>2</sup> Therefore, this term is not used in this assessment. For purposes of this assessment, the following acronyms are used for federal status species:

FE	Federally listed as Endangered
FT	Federally listed as Threatened
FPE	Federally proposed for listing as Endangered
FPT	Federally proposed for listing as Threatened
FPD	Federally proposed for delisting
FC	Federal candidate species (former Category 1 candidates)

#### **(d) USDA Forest Service Species**

The National Forest Management Act (NFMA) of 1976 and its implementing regulations require the United States Forest Service (USFS) to ensure a diversity of animal and plant communities and maintain viable populations of existing native species as part of their multiple use mandate. The USFS sensitive species program is a proactive approach to conserving species to ensure the continued existence of viable, well-distributed populations, and to maintain biodiversity of National Forest Service lands.<sup>3</sup> In addition, the Secretary of Agriculture's policy on fish and wildlife (Department Regulation 9500-4) directs the USFS to avoid actions "which may cause a species to become threatened or endangered."

The USFS defines sensitive species as those animal and plant species identified by a regional forester for which population viability is a concern. This may be a result of significant current or predicted downward trends in habitat that would reduce a species' existing distribution or significant current or predicted downward trends in density or population numbers.<sup>4</sup>

The USFS maintains a list of sensitive wildlife and plant species. This list consists of rare plants and animals which are given special management consideration to ensure their continued viability within the national forests.<sup>5</sup>

#### **(e) Inyo National Forest Land and Resource Management Plan**

The USFS Inyo National Forest Land and Resource Management Plan (LRMP) establishes the management, direction, and long-range goals for the Inyo National Forest (USFS 1988).<sup>6</sup> Management goals for the USFS include (but are not limited to) the following:

<sup>2</sup> *Sacramento Fish & Wildlife website: [http://sacramento.fws.gov/es/spp\\_concern.htm](http://sacramento.fws.gov/es/spp_concern.htm)*

<sup>3</sup> *United State Forest Service (USFS). 2007. Threatened, Endangered, & Sensitive Species Program Bulletin. February 2007. Available online at <http://www.fs.fed.us/biology/tes/index.html>*

<sup>4</sup> *USFS. 1997. Forest Service Manual, Section 2670.5*

<sup>5</sup> *Murphy, Leeann. 2009. Wildlife Biologist, Inyo National Forest. Email communication with Linda Robb, Senior Biologist, PCR Services Corporation on November 16, 19, and 20, 2009.*

<sup>6</sup> *USFS. 1988. Inyo National Forest Land and Resources Management Plan. Inyo County Planning Department. Independence, CA.*

- Protect and improve riparian area-dependent resources while allowing for management of other compatible uses.
- Protect or improve the habitats of threatened or endangered species in cooperation with state and other federal agencies.
- Protect sensitive plants to ensure they will not become threatened or endangered.
- Manage wildlife habitat to provide species diversity, ensure that viable populations of existing native wildlife is maintained, and that the habitats of management emphasis species are maintained or improved.

Forest-wide Standards and Guidelines provide specific guidelines for the management of each resource to ensure its enhancement and protection. These include (but are not limited to) the following:

#### ***Riparian Areas***

- Protect streams, streambanks, lakes, wetlands, and shorelines, and the plants and wildlife dependent on these areas.
- Prevent adverse riparian area changes in water temperature, sedimentation, chemistry, and water flow.
- Rehabilitate and/or fence riparian areas that consistently show resource damage.
- Allow new developments and surface disturbance in riparian areas only after on-site evaluations have determined that resources are not adversely affected, or mitigation of any adverse impacts is identified and incorporated into the project design.

#### ***Sensitive Plants***

- Allow no new disturbance of identified sensitive plant habitat without direction from Interim Management Guidelines, Species Management Guides, or an environmental analysis.
- Complete inventories of project areas and areas of disturbance if there is potential habitat or known population locations identified.

#### ***Wildlife – Threatened, Endangered, and Sensitive Wildlife Species***

- Cooperate with the USFWS and the California Department of Fish and Wildlife (CDFW)<sup>7</sup> in the management of threatened and endangered species.
- Submit proposals for actions that might affect the continued existence of a threatened or endangered species to the USFWS for formal consultation.

#### ***Wildlife – Management Indicator Species***

- Management Indicator Species (MIS) are wildlife species identified in the USFS MIS Amendment Record of Decision (ROD) signed December 14, 2007. The list of MIS was developed under the 1982 National Forest System LRMP Rule and amended by the 2007 SNF MIS Amendment ROD. Forest

<sup>7</sup> As of January 1, 2013, the former California Department of Fish and Game name has been changed to the California Department of Fish and Wildlife.

Service resource managers are directed to analyze the effects of Proposed Project Alternatives on the habitat of each MIS affected by such projects and monitor populations and/or habitat trends of each MIS.

The following habitat or ecosystem components and corresponding USFS's MIS are included under the 2007 USFS MIS Amendment ROD.

- Riverine and lacustrine: aquatic macroinvertebrates
- Shrubland (west-slope chaparral types): fox sparrow (*Passerella iliaca*)
- Sagebrush: greater sage-grouse (*Centrocercus urophasianus*)
- Oak-associated hardwood and hardwood/conifer: mule deer (*Odocoileus hemionus*)
- Riparian: yellow warbler (*Dendroica petechia*)
- Wet meadow: Pacific tree frog (*Pseudacris regilla*)
- Early- and mid-seral coniferous forest: mountain quail (*Oreortyx pictus*)
- Late-seral open canopy coniferous forest: sooty (blue) grouse (*Dendragapus obscurus*)
- Late-seral closed-canopy coniferous forest: California spotted owl (*Strix occidentalis occidentalis*), Pacific marten (*Martes caurina*), and northern flying squirrel (*Glaucomys sabrinus*)
- Snags in green forest: hairy woodpecker (*Picoides villosus*)
- Snags in burned forest: black-backed woodpecker (*Picoides arcticus*)

## (2) State

### (a) State of California Fish and Game Code, Section 1602

Section 1602 of the California Fish and Game Code requires any entity (e.g., person, state or local government agency, or public utility) who proposes a project that will substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake to notify the CDFW of the proposed project. In the course of this notification process, the CDFW will review the proposed project as it affects streambed habitats within the project area. The CDFW may then place conditions on the Section 1602 clearance to avoid, minimize, and mitigate any potentially significant adverse impacts within CDFW jurisdictional limits.

### (b) California's Endangered Species Act

California's Endangered Species Act (CESA) defines an endangered species as:

*...a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.*

The State defines a threatened species as:

*...a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the commission as rare on or before January 1, 1985 is a threatened species.*

Candidate species are defined as:

*...a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list.*

Candidate species may be afforded temporary protection as though they were already listed as threatened or endangered at the discretion of the Fish and Wildlife Commission. Unlike the FESA, CESA does not include listing provisions for invertebrate species.

Article 3, Sections 2080 through 2085, of the CESA addresses the taking of threatened or endangered species by stating:

*...no person shall import into this State, export out of this State, or take, possess, purchase, or sell within this State, any species, or any part or product thereof, that the commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided.*

Under the CESA, “take” is defined as, “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.”

Additionally, some special-status mammals and birds are protected by the State as Fully Protected Mammals or Fully Protected Birds, as described in the California Fish and Wildlife Code, Sections 4700 and 3511, respectively.

California Species of Special Concern are species designated as vulnerable to extinction due to declining population levels, limited ranges, and/or continuing threats. Informally listed species are not protected per se, but warrant consideration in the preparation of biological assessments.

For purposes of this assessment, the following acronyms are used for State status species:

SE	State listed as Endangered
ST	State listed as Threatened
SR	State Rare
SCE	State Candidate for Endangered
SCT	State Candidate for Threatened
SCD	State Candidate for Delisting
SFP	State Fully Protected
SSC	California Species of Special Concern

### (c) State of California Fish and Game Code, Section 350.5

Section 3503.5 of the California Fish and Game Code states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Activities that result in the abandonment of an active bird of prey nest may also be considered in violation of this code. In addition, California Fish and Game Code, Section 3511 prohibits the taking of any bird listed as fully protected, and California Fish and Game Code, Section 3515 states that it is unlawful to take any non-game migratory bird protected under the MBTA. Disturbances at active nesting territories should be avoided during the nesting season, typically, April 1 through August 31 in the Mammoth Lakes area.

### (d) California Native Plant Society

The California Native Plant Society (CNPS) is a private plant conservation organization dedicated to the monitoring and protection of special-status species in California. The CNPS has compiled an inventory comprised of the information focusing on geographic distribution and qualitative characterization of Rare, Threatened, or Endangered vascular plant species of California.<sup>8</sup> The list serves as the candidate list for listing as Threatened and Endangered by CDFW. The CNPS has developed five categories of rarity, of which Ranks 1A, 1B, and 2 are particularly considered special-status:

- Rank 1A Presumed extinct in California.
- Rank 1B Plants Rare, Threatened, or Endangered in California and elsewhere.
- Rank 2 Plants Rare, Threatened, or Endangered in California, but more common elsewhere.
- Rank 3 Plants about which we need more information – a review list.
- Rank 4 Plants of limited distribution – a watch list.

The CNPS recently added “threat ranks” which parallel the ranks used by the California Natural Diversity Database (CNDDDB), which is CDFW species account database. These ranks are added as a decimal code after the CNPS Rank (e.g., Rank 1B.1). The threat codes are as follows:

- 1 – Seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat);
- 2 – Fairly endangered in California (20-80% occurrences threatened);
- 3 – Not very endangered in California (<20% of occurrences threatened or no current threats known).

Special-status species that occur or potentially could occur within the study area are based on one or more of the following: (1) the direct observation of the species within the study area during any field surveys; (2) a record reported in the CNDDDB; and (3) the study area is within known distribution of a species and contains appropriate habitat.

<sup>8</sup> CNPS, *Rare Program. 2015. Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society, Sacramento, CA. Website <http://www.rareplants.cnps.org>.*

### **(e) Special Interest Species**

The CDFW, and most local agencies, and special interest groups, such as the CNPS publish watch lists of declining species. Species on these lists are a part of the special interest species assessment. Special interest species, species of concern, and candidates for state and/or federal listing are also included in the special interest species discussion.

Inclusion of species described in this analysis is based on the following:

- Direct observation of the species or its sign in the Project Area or immediate vicinity during surveys conducted for this study or reported in previous biological studies;
- Sighting by other qualified observers;
- Record reported by the CNDDDB published by the CDFW;<sup>9</sup>
- Presence or location of specific species lists provided by private groups (e.g., CNPS); or
- Site lies within known distribution of a given species and contains appropriate habitat.

## **(3) Regional**

### **(a) Upper Owens River Watershed Management Plan**

In March, 2007, through funding provided by a grant from the State Water Resources Control Board, Mono County, and The Mono County Collaborative Planning Team completed the upper Owens River Watershed Management Plan. Goals of the upper Owens River Watershed Management Plan include maintaining and improving the aquatic habitat of Hot Creek and Mammoth Creek, maintaining existing wetlands, and maintaining and improving riparian habitat. Potential actions to facilitate these goals include the following:

- Guide development away from wetland margins and do not develop wetland areas;
- Explore opportunities for land trades with areas of lesser quality habitat;
- Suggest conservation easements on wetland parcels;
- Remove and improve roads in riparian areas;
- Remove nonessential stream crossings, and remove development from riparian zones; and
- Restore degraded riparian areas.

## **(4) County**

### **(a) Mono County Regional Transportation Plan and General Plan Update**

The purpose of the adopted Mono County General Plan (1992) is to establish policies to guide decisions on future growth, development, and conservation of natural resources in the unincorporated area of the county. The plan reflects community-based planning and includes individual area plans for Mono County

<sup>9</sup> CDFW (California Department of Fish and Wildlife). 2015. *California Natural Diversity Database (available by subscription) and Rarefind*. CDFW: Sacramento, California.

communities. As discussed in the adopted General Plan, approximately 94 percent of the land in Mono County is publicly owned; approximately 88 percent of the public land is managed by the USFS, and other public agencies. According to the adopted General Plan, because such a great percentage of the land in the county remains open space and since the County has no direct authority over much of that land, one of Mono County's main concerns about open space is coordinating county policies with the land use policies of the agencies managing the public lands.<sup>10</sup> The County is also concerned about the impacts of federal open space policies on county resources.

The Mono County General Plan Update (2015) adopted on December 14, 2015 also states that the County has limited direct planning authority over only a small percentage of the lands in the county and, therefore, must work with other land managers to manage the natural resources in the area.<sup>11</sup> Under the adopted General Plan and Draft General Plan Update, the unincorporated County area around the Town of Mammoth Lakes is designated as Resource Management (RM),<sup>12</sup> which is intended to recognize and maintain a wide variety of values in the lands outside the existing communities. According to the General Plan Update, land use designations reflect federal designations.

One of the goals of the Mono County General Plan is to “maintain an abundance and variety of vegetation, aquatic and wildlife types in Mono County for recreational use, natural diversity, scenic value, and economic benefits.”<sup>13</sup> This goal is accomplished through a number of policies including the following:

- Future development shall mitigate impacts to biological resources to a level of less than significant or avoid potential significant impacts;
- Threatened and endangered plants and wildlife and their habitats shall be protected and restored;
- Native plants, sensitive plants, and plants “of exceptional scientific, ecological, or scenic value” shall be protected and restored;
- Construction activities shall be prohibited in sensitive habitats prior to environmental review;
- Soil conservation practices shall be utilized during construction;
- The acquisition of valuable wildlife habitat by land conservation organizations or federal or state land management agencies shall be encouraged;
- OHV use shall be restricted in valuable habitats;
- Water quality for fishery habitat shall be maintained by enforcing the policies of the Conservation/Open Space Element of the Mono County General Plan;
- Efforts shall be made to regulate in-stream flows and lake levels for the purposes of maintaining fisheries and other riparian-dependent biological resources;
- Efforts shall be made to manage fisheries “in accordance with their biological capabilities”;

<sup>10</sup> *Mono County General Plan, Conservation and Open Space Element, 2012, page V-3.*

<sup>11</sup> *Mono County General Plan, page II-105, 2015.*

<sup>12</sup> *Mono County General Plan, Mono County General Plan, Figure 72.*

<sup>13</sup> *Mono County Planning Department. 1993. Mono County General Plan. Biological Resources.*

- Non-consumptive use of existing fisheries shall be promoted;
- Efforts to support the reintroduction of trout in appropriate locations shall be made; and
- CDFW fish stocking efforts shall be supplemented with a “county-supported stocking program”.

## (5) Local

### (a) Town of Mammoth Lakes General Plan

The value of the Town’s forest setting and occurrence of forest trees throughout the Urban Growth Boundary (UGB), as well as within the broader municipal boundary and planning area is reflected in the Town’s General Plan. The General Plan recognizes that recreational public access throughout the town and connection to the surrounding forest is essential. The General Plan Community Design Element recognizes that the community is set within the forest and that trees and the natural landscape are prominent and create a sense of scale and a strong aesthetic. The Community Design Element states that Mammoth Lakes will develop as a village in the trees and that the community supports the retention of major landscape characteristics and unique natural features, such as trees.<sup>14</sup> The Community Design Element also encourages maintaining the forested character of the Town’s streets and to retain natural pockets of forest within the UGB and surrounding area.

The General Plan Resource Management and Conservation Element sets forth policies and goals to encourage the role of the Town in conserving the area’s natural resources and Goal R.1 states: “Be stewards of habitat, wildlife, fisheries, forests and vegetation resources of significant biological, ecological, aesthetic and recreational value”.<sup>15</sup> Policy R.1.A is to be stewards of important wildlife and biological habitats within the UGB; Policy R.1.B is that development shall be stewards of Special Plant species and natural communities and habitats; Policy R.1.D is to be stewards of primary wildlife habitats through construction of active and passive recreation away from habitat; and Policy R.1.I is to encourage the management of forest resources in and adjacent to the town to ensure forest health, minimize insect and pathogen outbreaks and reduce fuel loading. Action R.1.B.1 is to minimize removal of native vegetation and trees.

### (b) Special Use Permits

The Town is located within the Eastern Sierra conifer forest and forest trees, such as Lodgepole pine (*Pinus contorta* ssp. *murrayana*), Jeffrey pine (*Pinus jefferyi*), and other conifers, are located along most of the Town’s urban streets. These occur as specimen trees and stands within the Town’s developed and undeveloped properties. Many Town recreational facilities, including several miles of paved multi-use paths (MUPs), are located within the Inyo National Forest surrounding the UGB. These facilities are forested in character and contain notable stands of Jeffrey pines and other older growth trees. Facilities within the Inyo National Forest operate under Special Use Permits granted to the Town by the USDA Forest Service.

### (c) Town of Mammoth Lakes Zoning Code

The Town of Mammoth Lakes Zoning Code reflects the value that the General Plan places on the Town’s and the surrounding National Forest’s existing forest resources. Zoning Code Section 17.36.140 regulates the

<sup>14</sup> *Town of Mammoth Lakes General Plan, 2007, page 16.*

<sup>15</sup> *Town of Mammoth Lakes General Plan, 2007, page 44.*

protection and removal of certain trees and reflects the Town's interest in maintaining existing forest trees based on their important environmental, aesthetic and health benefits. Under Code Section 17.36.140, benefits from trees include, but are not limited to, enhancement of the character and beauty of the community as a "Village in the Trees," protection of property values, provision of wildlife habitat, reduction of soil erosion, noise buffering, wind protection, and visual screening for development. Zoning Code Sections 17.24.040(D) and 17.36.050(B) require the preservation of existing trees and vegetation within commercial, residential and industrial zones to the maximum extent possible.

The Zoning Code also provides exemptions to the ban on tree removal. These apply to trees that present an immediate safety hazard to life or property, as determined by the Town Manager, Director, Building Official, Public Works Director, or other official. Tree removal performed by the Town, public utilities, or other public agencies in public utility easements or public rights-of-way is also permitted under the Zoning Code. In addition, tree removal for fuel reduction on public land or tree removal performed in conjunction with an approved fuel reduction program or activity is exempt. Exemptions also include trees that are visibly dead or felled in a natural event; and coniferous and deciduous trees with a diameter at breast height (DBH) of less than 12 inches.

Under Code Section 17.36.140.G, a development site that includes tree removal must provide an approved Tree Removal and Protection Plan, including tree protection measures or obtain a separate tree removal permit. Code Section 17.36.140.I requires mitigation for tree removal in certain circumstances, including replacement plantings. If required, replacement shall be limited to plantings in areas suitable for tree replacement with species identified in the Town's Recommended Plant List. The replacement ratio shall be determined by the Director. If required, the minimum replacement tree size shall be seven gallons. Replacement requirements may also be determined based on the valuation of the tree as determined by a Registered Professional Forester (RPF) or arborist. The property owner shall maintain plantings to a level approved by the Director.

## **b. Existing Conditions**

### **(1) Vegetation Communities**

The following provides a discussion of the existing vegetation resources found within the entire Project Area, which consists of individual or mixed plant communities as shown in **Figure 4.4-1, Vegetation Map**.<sup>16</sup> Plant communities found within each Project component are more specifically described in sections (a) *Land Use and Zoning Code Amendments* and (b) *Mobility Element Update*, below.

#### **Aspen Forest and Aspen Woodland**

Aspen forest consists of dense groves of quaking aspen (*Populus tremuloides*) as the sole or dominant tree in the canopy, which can grow up to 65 feet in height. The understory in this community is typically sparse, but includes a variety of small shrubs and herbaceous perennials. Scrubby quaking aspen thickets may occur at the edges in areas of relatively dry soil or at high altitudes. Additional species include mountain snowberry

<sup>16</sup> Due to the scale of the Project, the following descriptions summarize the basic characteristics and constituent species of plant communities as stand-alone elements. In cases where two or three of these communities are mixed, the vegetation shares characteristics and constituent species from each of the component parts.

(*Symphoricarpus rotundifolius*), interior rose (*Rosa woodsii* var. *ultramontana*), mountain alder (*Alnus incana*), ranger's buttons (*Sphenosciadium capitellatum*), common yarrow (*Achillea millefolium*), wax currant (*Ribes cereum*), Sierra onion (*Allium campanulatum*), meadow goldenrod (*Solidago canadensis* ssp. *elongata*), and narrow-leaved willow (*Salix exigua*).

Aspen woodland consists of quaking aspen as the sole or dominant tree in the tree canopy. In contrast to aspen forests, trees in aspen woodland tend to be less than 115 feet in height with an intermittent or open canopy. This plant community characteristically occurs at elevations between 5,000 feet and 10,000 feet in depressions and swales, on slopes, at meadow margins, along stream corridors, and on colluvial toe slopes where soils are typically deep, well developed, and seasonally or permanently saturated. Additional species typically include willow (*Salix* spp.), lodgepole pine, white fir (*Abies concolor*), mountain alder, common yarrow, ranger's buttons, mountain snowberry, sticky cinquefoil (*Drymocallis glandulosa*), mountain meadow rue (*Thalictrum fendleri*), and scarlet gilia (*Ipomopsis aggregata*).

For the purpose of this assessment, the terms "forest" and "woodland" are used to describe quaking aspen dominated vegetation types as a whole.

### Great Basin Sagebrush Scrub

Great Basin sagebrush scrub consists of mostly soft-woody shrubs, usually lacking an understory and intermixed with areas consisting of bare ground. This plant community typically grows at elevations between 1,000 feet and 10,000 feet on plains, alluvial fans, pediments, lower slopes, and valley bottoms, and along seasonal and perennial stream channels, and dry washes. Great Basin sagebrush (*Artemisia tridentata*) is the dominant species of this plant community, and growth occurs mostly in late spring and early summer. This plant community is dormant during the winter and occurs on a wide variety of soils and terrain, from rocky, well-drained slopes to fine-textured, valley soils with a high water table. Other characteristic species include four-wing saltbush (*Atriplex canescens*), rubber rabbitbrush (*Ericameria nauseosus*), Idaho fescue (*Festuca idahoensis*), antelope bitterbrush (*Purshia tridentata*), and Great Basin wild rye (*Elymus cinereus*).

### Conifer Forest

Conifer forest consists of an open to dense forest of coniferous evergreens up to 250 feet in height. Within the basic conifer forest classification, there are various alliances that are dominated by individual species. In mixed conifer forest, dominant species within the Project Area include lodgepole pine, white fir, western white pine (*Pinus monticola*), and Jeffrey pine. Lodgepole pine and Jeffrey pine are most commonly the dominants or co-dominants; however, there is considerable mixing of all of the above mentioned pine species. The understory typically consists of scattered broadleaved mesophytic shrubs and small trees. Species characteristic of this community may also include currant (*Ribes* spp.), manzanita (*Arctostaphylos* sp.), chinquapin (*Chrysolepis sempervirens*) and California lilac (*Ceanothus* spp.).

Conifer forest predominates much of the landscape surrounding the Town and occurs as scattered fragments within the Town's UGB. Jeffrey pine forest is characterized as a tall, open forest dominated by Jeffrey pine with sparse understories of either montane chaparral or Great Basin sagebrush scrub. This community occurs on dry, cold sites, especially on well-drained slopes, ridges, or cold air accumulation basins up to approximately 9,500 feet. Characteristic species include Jeffrey pine (dominant), Great Basin sagebrush, antelope bitterbrush, huckleberry oak (*Quercus vaccinifolia*), and snowberry. Lodgepole pine forest is

characterized by dense forest of slender trees dominated by lodgepole pine, which grow up to 130 feet tall. More open stands also occur within drier sites, where trees reach 65 feet tall. Dense stands of lodgepole pines typically have a sparse understory with small shrubs and perennial herbs occurring within the forest openings. Lodgepole pine forest typically occurs at elevations between 5,000 feet and 11,150 feet with cool, dry summers and long winters with abundant snowfall. This community tolerates a variety of soil conditions and moisture levels; however, it most commonly occurs on rocky, well-drained soils. Characteristic species include lodgepole pine (dominant), quaking aspen, cinquefoil (*Dryocallis* spp.), heather (*Phyllodoce* spp.), and wintergreen (*Pyrola* spp.).

### **Mixed Willow Riparian Scrub**

Mixed willow riparian scrub consists of a relatively open to dense shrubby streamside thicket consisting of a mixture of willow species as the dominant species in the shrub canopy. Species in this community include arctic willow (*Salix arctica*), narrow-leaved willow (*Salix exigua*), Lemmon's willow (*Salix lemmonii*), shining willow (*Salix lucida* ssp. *lasiandra*), yellow willow (*Salix lutea*), tea-leaved willow (*Salix planifolia*), corn lily (*Veratrum californicum*), fireweed (*Epilobium angustifolium*), spike mallow (*Sidalcea oregano* ssp. *spicata*), western blue flag (*Iris missouriensis*), seep monkeyflower (*Mimulus guttatus*), mountain snowberry, meadow goldenrod, common yarrow, and horse-mint (*Agastache urticifolia*). This plant community occurs throughout the eastern Sierra Nevada up to elevations of approximately 12,500 feet. It requires seasonally or perennially saturated soils and, consequently, is found primarily along large tributary drainages.

### **Montane Wet Meadow**

Montane meadow vegetation is characterized by a dense growth of sedges and other perennials herbs. Typically, it occurs between 4,000 feet and 8,500 feet. The main growth period for this plant community is from late spring through summer with a dormancy period in the winter. This community occurs on fine-textured, somewhat permanently moist or wet soils. Montane wet meadows are often a successional stage in the filling of lakebeds with soil and often are characterized by young trees encroaching from the margins. Plant species observed within this community include epilobium (*Epilobium ciliatum*), smoothstem willow-herb (*Epilobium glaberrimum*), fireweed, corn lily, wandering daisy (*Erigeron peregrinus* var. *hirsutus*), sedge (*Cyperus* sp.), Kelly's tiger lily (*Lilium kelleyanum*), leopard lily (*Lilium pardalinum*), yampah (*Perideridia parishii* ssp. *latifolia*), arrow-leaf butterweed (*Senecio triangularis*), meadow goldenrod, western blue flag, Sierra rein orchid (*Platanthera leucostachys*), monkshood (*Aconitum columbianum*), swamp onion (*Allium validum*), meadow paintbrush (*Castilleja miniata* ssp. *miniata*), Brewer's mitrewort (*Mitella breweri*), cow parsnip (*Heracleum lanatum*), sticky cinquefoil, mountain meadow rue, rush, horsetail (*Equisetum* sp.), seep monkeyflower, slender cinquefoil (*Potentilla gracilis*), common yarrow, elephant's head (*Pedicularis groenlandica*), spike mallow, dented silk-moss (*Plagiothecium denticulatum*), common green bryum moss (*Bryum pseudotriquetrum*), ribbed bog moss (*Aulacomnium palustre*), and water speedwell (*Veronica anagallis-aquatica*).

### **Montane Chaparral**

Montane chaparral is associated with mountainous terrain from mid to high elevations from 3,000 feet to over 10,000 feet. It occurs throughout the mountain ranges in southern California, the Sierra Nevada, and the Cascade mountain ranges in central and northern California. Montane chaparral can be found on shallow to deep soils, on all exposures, and from gentle to relatively steep slopes. It has the potential to dominate

more xeric sites, but occurs locally throughout the coniferous zone. The growth form of montane chaparral plant species can vary from tree-like to prostrate. When mature, it generally becomes extremely dense. The composition of montane chaparral varies markedly throughout California depending on elevation, geography, soil type, and slope aspect. In the Mammoth Lakes region, dominant species include manzanita (*Arctostaphylos nevadensis* and *A. patula*), lilac (*Ceanothus cordulatus*, *C. integerrimus*, and *C. velutinus*), and bitter cherry (*Prunus emarginata*).

### **Developed and Disturbed**

Developed and disturbed habitats are found throughout the Town and along roads. While there are portions within the Town that support native trees, shrubs and groundcovers, much of the Town is characterized by hardscape surfaces, bare ground, non-native plants, and ornamental plantings.

#### **(a) Land Use Element/ Zoning Code Amendments**

There are undeveloped parcels located within the commercial districts along Main Street and Old Mammoth Road. While these parcels are mostly characterized by disturbed areas, some of the parcels support, at least in part, conifer forest community described above. Many of the developed and disturbed parcels occur along Old Mammoth Road in the eastern portion of the Town. Parcels dominated by pine trees with some areas of disturbance are mainly located adjacent to open areas supporting pine trees along Main Street in the northern portion of the Town. Based on U.S. Geological Survey (USGS) 7.5-minute Old Mammoth topographic quadrangle map,<sup>17</sup> a few of the parcels appear to support a blue line stream.

#### **(b) Mobility Element Update**

##### ***Road Improvements***

The Mobility Element Update identifies eight (8) road improvement projects, as shown in Figure 2-5 in this EIR. In addition to the eight (8) identified improvement projects, the proposed Sierra Park Road Extension is planned to cross Mammoth Creek, which is included in all discussions pertaining to the Mobility Element Update. Two additional roads are planned to run parallel to the proposed MUPs 4-5, N-1, N-2, and N-3 (see *Multi-Use Path* section below). Because these areas extend through the same habitats, existing biological resources and potential project-related impacts within these areas are discussed in sections pertaining to MUPs. All of the proposed road improvements are contained within the UGB. The road improvements would mostly involve construction within areas of the Town that are already developed and/or disturbed. However, some improvements are planned in sections of the Town that are relatively undisturbed and support native vegetation communities, including aspen forest and aspen woodland, great basin sagebrush scrub, conifer forest, and montane wet meadow. The major vegetation communities occurring within areas planned for road improvements are presented in **Table 4.4-1, *Vegetation Communities within the Proposed Road Improvement Areas***. Vegetation communities are listed in order of most prevalent to least prevalent.

<sup>17</sup> United States Geological Survey (USGS). 1983. *Old Mammoth, California topographic quadrangle map*.

**Table 4.4-1****Vegetation Communities within the Proposed Road Improvement Areas**

<b>Improvement Project</b>	<b>Vegetation Communities</b>
Main Street Plan <sup>a</sup>	<ul style="list-style-type: none"> <li>▪ Disturbed/Developed</li> </ul>
USFS Property Connections <sup>b</sup>	<ul style="list-style-type: none"> <li>▪ Developed/Disturbed</li> <li>▪ Conifer Forest</li> </ul>
Thompsons Way	<ul style="list-style-type: none"> <li>▪ Great Basin Sagebrush Scrub</li> <li>▪ Conifer Forest</li> <li>▪ Developed/Disturbed</li> </ul>
Tavern Road Extension	<ul style="list-style-type: none"> <li>▪ Great Basin Sagebrush Scrub</li> <li>▪ Conifer Forest</li> <li>▪ Developed/Disturbed</li> </ul>
Sierra Nevada Road Extension	<ul style="list-style-type: none"> <li>▪ Great Basin Sagebrush Scrub</li> <li>▪ Developed/Disturbed</li> </ul>
Shady Rest Site Connections <sup>b</sup>	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Montane Wet Meadow</li> <li>▪ Developed/Disturbed</li> </ul>
Callahan Way Extension	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Developed/Disturbed</li> </ul>
7B Road (Sierra Star Connector)	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Developed/Disturbed</li> </ul>
Sierra Park Road Extension	<ul style="list-style-type: none"> <li>▪ Great Basin Sage Scrub</li> <li>▪ Developed Disturbed</li> <li>▪ Aspen Forest and Aspen Woodland</li> </ul>

<sup>a</sup> Although mostly developed, there are some planted street trees along Main Street.

<sup>b</sup> USFS Property Connections and Shady Rest Site Connections cross unnamed blue line streams based on USGS topographic mapping.

Source: ESA PCR, 2015.

The Main Street Plan includes the vacation of the frontage roads and conversion to a four-lane cross-section with a center median and turn pockets, which primarily would occur on developed and/or disturbed land. Although the Main Street Plan is proposed along a highly developed street within the Town, there are a number of native pine trees planted along Main Street. The USFS Property Connections would provide connections within the USFS lands on the north side of Main Street, primarily along Forest Trail. Additionally, there are a number of roads proposed between Forest Trail and Sawmill Cutoff, adjacent to the Mammoth Lakes Fire Department. These connections would provide improved connectivity on the north

side of Main Street and would be considered with potential future USFS development plans. The Inyo National Forest lies directly north of Forest Trail, which supports primarily conifer forest habitat. Conifer forest habitat and an unnamed USGS mapped blue line stream also occur in the area between Forest Trail and Sawmill Cutoff.

The Thompsons Way Improvement Project, the Sierra Nevada Road Extension, and Tavern Road Extension are generally located south of Main Street and east of Old Mammoth Road in the eastern portion of the Town. The vegetation types within these areas are dominated by Great Basin sagebrush scrub intermixed with some areas of conifer forest and developed and/or disturbed land. The Sierra Nevada Road Extension would pass through an area dominated by Great Basin sagebrush scrub with some areas of developed and/or disturbed land.

The Callahan Way Extension and 7B Road (Sierra Star Connector) are generally located south of Main Street and east of Joaquin Road in the western portion of the Town. Callahan Way Extension and 7B Road (Sierra Star Connector) areas are dominated by conifer forest with some areas of developed and/or disturbed land.

The Shady Rest Site Connections are generally located south of Main Street and north of Sierra Nevada Road in the center of the Town. The area is dominated by conifer forest with some disturbed areas, primarily from existing trails. Based on USGS topographic mapping, there is an unnamed blue line stream that occurs in the northwestern portion of the Shady Rest Site Connections, which supports montane wet meadow habitat.<sup>18</sup> The vegetation in this area was previously mapped by BonTerra Consulting in 2007 for a project called Hidden Creek Crossing, which appears consistent with current aerial photographs.<sup>19</sup>

The Sierra Park Road Extension would provide a direct connection between Meridian Boulevard and Mammoth Creek Road. The majority of this proposed road would traverse through Great Basin sage scrub habitat with scattered conifer trees. The section of the extension near Mammoth Creek appears to support aspen forest and aspen woodland.

## **(2) Multi-Use Paths (MUPs)**

In addition to the road improvement described above, the Mobility Element Update includes the implementation of a proposed network of MUPs, which are proposed within the UGB as well as within adjacent Inyo National Forest lands. As stated previously, a number of the MUPs proposed as a part of this Mobility Element Update were previously described in the Trails System Master Plan (TSMP) EIR, which was certified on October 19, 2011 (SCH#2010111013). A total of 38 MUPs are proposed as a part of the Mobility Element Update, including 17 MUPs that were previously described as part of the TSMP project (MUP 2-1 through 4-5) and 24 newly proposed MUPs (MUP N-1 through N-24). Design guidelines for MUPs specify that they will be between 10 feet and 12 feet wide. The proposed MUPs will traverse several natural communities, including those trails within the developed portions of the Town, and will potentially be located in any of the vegetation communities previously identified, including aspen forest and aspen woodland, great basin sagebrush scrub, conifer forest, mixed willow riparian scrub, montane meadow, and

<sup>18</sup> *United States Geological Survey (USGS). 1983. Old Mammoth, California topographic quadrangle map.*

<sup>19</sup> *BonTerra Consulting. 2007. Hidden Creek Crossing Project Site Draft Biological Technical Report. Prepared for RBF Consulting. October 16, 2007.*

montane chaparral. The major vegetation communities present within MUPs is displayed in **Table 4.4-2, *Vegetation Communities within the Proposed MUP Areas***, below. Although MUPs previously proposed for the TSMP project are in the same general location, some of the MUPs have a slightly altered conceptual alignment, which are identified in Table 4.4-2. One (1) MUP (MUP 3-3) was previously proposed in the TSMP project but is not proposed as a part of the Mobility Element Update and has not been completed. MUPs 3-1, 3-4, 3-7, and 3-11 were previously proposed for the TSMP project and have been completed.

**Table 4.4-2****Vegetation Communities within the Proposed MUP Areas**

<b>MUP</b>	<b>Name</b>	<b>From</b>	<b>To</b>	<b>Vegetation Communities</b>
<i>Evaluated in TSMP EIR</i>				
MUP 2-1 <sup>a</sup>	Main Path (4a) – Town Loop	Mammoth Creek Park	Minaret Road	<ul style="list-style-type: none"> <li>▪ Aspen Forest and Aspen Woodland</li> <li>▪ Great Basin Sagebrush Scrub</li> </ul>
MUP 2-2	Lodestar Connector	Majestic Pines Drive	Hidden Valley Road	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> </ul>
MUP 3-2 <sup>b</sup>	Elementary School Connector	Main Path - Town Loop	Sierra Nevada Road Extension	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Developed and Disturbed</li> </ul>
MUP 3-5 <sup>b</sup>	Manzanita Connector	Manzanita Road	Chaparral Road Extension	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Montane Wet Meadow</li> <li>▪ Developed and Disturbed</li> </ul>
MUP 3-6	MCWD Access	Main Path - Town Loop	MCWD Facility	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Great Basin Sagebrush Scrub</li> </ul>
MUP 3-8	Hidden Valley to Minaret Connector	Hidden Valley Road	Minaret Road	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Developed and Disturbed</li> </ul>
MUP 3-9 <sup>b</sup>	Center Street to Hidden Creek Connector	Chaparral Road Extension	West Tavern Road Extension	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Developed and Disturbed</li> </ul>
MUP 3-10 <sup>b</sup>	Manzanita to Tavern Connector	Chaparral Road	North Extension from Arrowhead Road	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Developed and Disturbed</li> </ul>
MUP 3-12 <sup>c</sup>	North Village to St. Anton Connector	East of Minaret	St. Anton Circle	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Developed and Disturbed</li> </ul>
MUP 3-13	Eagle Path	Eagle Lodge	Lake Mary Road	<ul style="list-style-type: none"> <li>▪ Developed and Disturbed</li> </ul>
MUP 4-1 <sup>b,c</sup>	Shady Rest Park Path Extension	Main Street Connector	Shady Rest Path	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Great Basin Sagebrush Scrub</li> <li>▪ Developed and Disturbed</li> </ul>
MUP 4-2	Forest Trail to Shady Rest Connector	Forest Trail	MUP N-13	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Great Basin Sagebrush Scrub</li> </ul>
MUP 4-3 <sup>b,c</sup>	Knolls Path (south route)	Forest Trail to Shady Rest Connector (MUP 4-2)	Minaret Road	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Great Basin Sagebrush Scrub</li> </ul>

Table 4.4-2 (Continued)

## Vegetation Communities within the Proposed MUP Areas

<u>MUP</u>	<u>Name</u>	<u>From</u>	<u>To</u>	<u>Vegetation Communities</u>
MUP 4-4 <sup>a,b</sup>	Mammoth Creek Path	Town Loop	MCWD Facility	<ul style="list-style-type: none"> <li>▪ Great Basin Sagebrush Scrub</li> <li>▪ Montane Chaparral</li> </ul>
MUP 4-5 <sup>c</sup>	Sherwin/Snowcreek Connector	Old Mammoth Road	Snowcreek VIII Access/Egress Point	<ul style="list-style-type: none"> <li>▪ Great Basin Sagebrush Scrub</li> </ul>
<b><i>Trails Proposed in the Mobility Element Update</i></b>				
MUP N-1		Old Mammoth Road	Fairway Drive	<ul style="list-style-type: none"> <li>▪ Great Basin Sagebrush Scrub</li> <li>▪ Developed and Disturbed</li> </ul>
MUP N-2 <sup>c</sup>		Sherwin Creek Road	Fairway Circle	<ul style="list-style-type: none"> <li>▪ Great Basin Sagebrush Scrub</li> <li>▪ Developed and Disturbed</li> </ul>
MUP N-3		Snowcreek VIII Access/Egress Point	Fairway Drive	<ul style="list-style-type: none"> <li>▪ Great Basin Sagebrush Scrub</li> </ul>
MUP N-4 <sup>c</sup>		Snowcreek VIII Access/Egress Point	South Snowcreek Resort	<ul style="list-style-type: none"> <li>▪ Great Basin Sagebrush Scrub</li> <li>▪ Montane Chaparral</li> <li>▪ Montane Wet Meadow</li> <li>▪ Developed/Disturbed</li> </ul>
MUP N-5		Chateau Road	Mammoth Creek Park	<ul style="list-style-type: none"> <li>▪ Great Basin Sagebrush Scrub</li> </ul>
MUP N-6		Cerro Coso Community College	Mono County Library and Ice Rink	<ul style="list-style-type: none"> <li>▪ Great Basin Sagebrush Scrub</li> <li>▪ Montane Chaparral</li> </ul>
MUP N-7		Main Street	Town Loop	<ul style="list-style-type: none"> <li>▪ Great Basin Sagebrush Scrub</li> <li>▪ Conifer Forest</li> </ul>
MUP N-8		Thompson Way Extension	Sierra Nevada Road Extension	<ul style="list-style-type: none"> <li>▪ Great Basin Sagebrush Scrub</li> <li>▪ Conifer Forest</li> <li>▪ Developed and Disturbed</li> </ul>
MUP N-9		Thompson Way Extension	Sierra Park Road	<ul style="list-style-type: none"> <li>▪ Developed and Disturbed</li> </ul>
MUP N-10		Chaparral Road	Manzanita Road	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Developed and Disturbed</li> </ul>
MUP N-11 <sup>c</sup>		Southern portion of Shady Rest Park path Extension (MUP 4-1)	Shady Rest Park/Sawmill Cutoff Road	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Great Basin Sagebrush Scrub</li> <li>▪ Developed and Disturbed</li> </ul>
MUP N-12		Shady Rest Park/Sawmill Cutoff Road	Sawmill Cutoff Road	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> </ul>
MUP N-13		Shady Rest Path at Sawmill Cutoff Road	Forest Trail to Shady Rest Connector	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> </ul>
MUP N-14		Main Street	East Bear Lake Drive	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Developed and Disturbed</li> </ul>

Table 4.4-2 (Continued)

## Vegetation Communities within the Proposed MUP Areas

MUP	Name	From	To	Vegetation Communities
MUP N-15		East Bear Lake Drive	Minaret Road	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Developed and Disturbed</li> </ul>
MUP N-16		MUP N-14	Main Street	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Developed and Disturbed</li> </ul>
MUP N-17 <sup>c</sup>		Minaret Road	MUP N-18	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> </ul>
MUP N-18		Minaret Road	Lake Mary Road	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Developed and Disturbed</li> </ul>
MUP N-19		Minaret Road	Meridian Boulevard	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Great Basin Sagebrush Scrub</li> <li>▪ Developed and Disturbed</li> <li>▪</li> </ul>
MUP N-21 <sup>c</sup>		Main Street at Minaret Road	Meadow Lane at Minaret Road	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> <li>▪ Developed and Disturbed</li> </ul>
MUP N-22 <sup>e</sup>		Lake Mary Road	Lake Mary Road	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> </ul>
MUP N-23 <sup>e</sup>		Lake George Road	Around Lake Mary Road	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> </ul>
MUP N-24 <sup>e</sup>		Lake George Road	MUP N-22	<ul style="list-style-type: none"> <li>▪ Conifer Forest</li> </ul>

<sup>a</sup> The conceptual alignments of these MUPs run parallel to Mammoth Creek.

<sup>b</sup> The conceptual alignments of the proposed MUPs for the Mobility Element Update are slightly altered from those proposed in the TSMP BRA and EIR.

<sup>c</sup> The conceptual alignments of these MUPs cross unnamed blue line stream based on UGSG topographic mapping.

<sup>d</sup> The conceptual alignments of MUPs N-22, -23, and -24 are in the vicinity of Lake Mary.

Source: ESA PCR, 2016.

### (3) Wildlife

The plant communities discussed above provide habitat for wildlife. Following are discussions of wildlife populations categorized by taxonomic group that may be found within the general Project Area. While focused surveys were not performed for this Project, general field and reconnaissance-level surveys were previously conducted for the TSMP project and are discussed in further detail in Section 2(a), Methodology, below.

#### (a) Invertebrates

The Project Area is expected to support populations of a diverse assortment of invertebrates due to the number of diverse plant communities, including aquatic macroinvertebrates within Mammoth Creek.<sup>20</sup>

<sup>20</sup> Aquatic macroinvertebrates is a MIS associated within riverine and lacustrine habitats for the Sierra Nevada Forests.

### (b) Fish

A number of focused surveys for fish species have been conducted for areas within the Project Area and vicinity since 1992.<sup>21</sup> During these surveys, brown trout (*Salmo trutta*), rainbow trout (*Oncorhynchus mykiss*), and brook trout (*Salvelinus fontinalis*) have been detected within the Project Area and vicinity. Within the Project Area, Mammoth Creek is perennial stream that could potentially support these fish species.

### (c) Amphibians

Terrestrial amphibian species may or may not require standing water for reproduction. Terrestrial species avoid desiccation by burrowing underground; within crevices in trees, rocks, and logs; and under stones and surface litter during the day and dry seasons. Due to their secretive nature, terrestrial amphibians are rarely observed, but may be quite abundant if conditions are favorable. Aquatic amphibians are dependent on standing or flowing water for reproduction. Such habitats include fresh water marshes and open water (reservoirs, permanent and temporary pools and ponds, and perennial streams). Many aquatic amphibians will utilize vernal pools as breeding sites. These pools are temporary in duration and form following winter and spring rains.

Mammoth Creek is a perennial stream that occurs within the Project Area, which could potentially support amphibian species. The Project Area, particularly within and adjacent to Mammoth Creek, has the potential to support a few amphibian species, including Sierran treefrog (*Pseudarcis sierra*)<sup>22</sup> and western toad (*Anaxyrus boreas*). However, during Martin's 2009 surveys throughout the Mammoth Lakes Basin, the Sierran treefrog was found or detected only around Lake Mary and Twin Lakes. None were found or detected along Mammoth Creek or in Mammoth Meadows.<sup>23</sup> Martin also noted that the staff at the Valentine

<sup>21</sup> Beak Consultants Incorporated. November 1994. Mammoth Creek 1994 Fish Community Survey.

-- November 1993. Mammoth Creek 1993 Fish Community Survey.

-- November 1992. Mammoth Creek Fish Community Survey.

KDH. April 2006. Mammoth Creek 2004 Fish Community Survey.

-- September 2004. Mammoth Creek 2003 Fish Community Survey.

-- July 2003. Mammoth Creek 2002 Fish Community Survey.

-- June 2002. Mammoth Creek 2001 Fish Community Survey.

-- June 2001. Mammoth Creek 2000 Fish Community Survey.

-- March 1998. Mammoth Creek 1997 Fish Community Survey.

Horseshoe Canyon Biological Consultants. December 1999. Mammoth Creek 1999 Fish Community Survey.

Sierra Nevada Aquatic Research Laboratory (SNARL). January 1997. Mammoth Creek 1996 Fish Community Survey.

-- 1995. Mammoth Creek 1995 Fish Community Survey.

Thomas R. Payne & Associates. January 16, 2009. October 2008 Mammoth Creek Fish Community Survey.

-- December 24, 2007. October 2007 Mammoth Creek Fish Community Survey.

-- December 28, 2006. October 2006 Mammoth Creek Fish Community Survey.

<sup>22</sup> Sierran treefrog is a MIS associated with wet meadow and freshwater emergent wetland habitats for the Sierra Nevada Forests.

<sup>23</sup> Martin, David. 2010. Canorus Ltd. Personal communication via email with Linda Robb, Senior Biologists, PCR Services Corporation on January 25.

Reserve have seen “one or two in some 20 years”. Therefore, significant populations of the Sierran treefrog are not expected within the Project Area.

#### (d) Reptiles

Reptiles, as a group, occupy a much broader spectrum of habitats than amphibians. Reptilian diversity and abundance typically varies with habitat type and character. Some species prefer only one or two natural communities; however, most will forage in a variety of communities. A number of reptile species prefer open habitats that allow free movement and high visibility. Most species occurring in open habitats rely on the presence of small mammal burrows for cover and escape from predators and extreme weather.

One reptile species, mountain garter snake (*Thamnophis elegans*), was previously detected during field surveys conducted for the TSMP project. Several other species have the potential to occur within the Project Area, including rubber boa (*Charina bottae*), Sierra alligator lizard (*Elgaria coerulea*), Sierra fence lizard (*Sceloporus occidentalis*), and sagebrush lizard (*Sceloporus graciosus*).

#### (e) Birds

The vegetation communities within the Project Area provide foraging and cover habitat for year-round and seasonal residents. Bird species detected during field and reconnaissance surveys conducted for the TSMP project included turkey vulture (*Cathartes aura*), red-tailed hawk (*Buteo jamaicensis*), northern flicker (*Colaptes auratus*), hairy woodpecker (*Picoides villosus*), olive-sided flycatcher (*Contopus cooperi*), western wood-pewee (*Contopus sordidulus*), cliff swallow (*Petrochelidon pyrrhonota*), violet-green swallow (*Tachycineta thalassina*), black-billed magpie (*Pica hudsonia*), American robin (*Turdus migratorius*), black-headed grosbeak (*Pheucticus melanocephalus*), western tanager (*Piranga ludoviciana*), dark-eyed junco (*Junco hyemalis*), fox sparrow<sup>24</sup>, green-tailed towhee (*Pipilo chlorurus*), red-winged blackbird (*Agelaius phoeniceus*), brown-headed cowbird (*Molothrus ater*), common grackle (*Quiscalus quiscula*), pine siskin (*Carduelis pinus*), Stellar’s jay (*Cyanocitta stelleri*), Brewer’s blackbird (*Euphagus cyanocephalus*), Clark’s nutcracker (*Nucifraga columbiana*), mountain chickadee (*Poecila gambeli*), and American crow (*Corvus brachyrhynchos*).

Several additional species have the potential to occur in the Project Area. These include (but are not limited to) American kestrel (*Falco sparverius*), mountain quail<sup>25</sup>, great horned owl (*Bubo virginianus*), belted kingfisher (*Ceryle alcyon*), brown creeper (*Certhia americana*), mountain bluebird (*Sialia currucoides*), orange-crowned warbler (*Vermivora celata*), yellow-rumped warbler (*Dendrioca coronate*), yellow warbler,<sup>26</sup> and Wilson’s warbler (*Wilsonia pusilla*).

#### (f) Mammals

Most mammals are either nocturnal, reclusive, or both, and are more often detected by their sign, denning sites, etc., or through live-trapping (rodents). Mammals previously observed during field and

<sup>24</sup> Fox Sparrow is a MIS associated with shrubland habitat for the Sierra Nevada Forests.

<sup>25</sup> Mountain quail is a MIS associated with early- and mid-seral coniferous forest habitat for the Sierra Nevada Forests.

<sup>26</sup> Yellow warbler is a MIS associated with montane riparian and valley foothill riparian habitats for the Sierra Nevada Forests.

reconnaissance surveys conducted for the TSMP project by sight, scat, tracks, or other means include mule deer, snowshoe hare (*Lepus americanus*), Botta's pocket gopher (*Thomomys bottae*), western gray squirrel (*Sciurus griseus*), California ground squirrel (*Spermophilus beecheyi*), golden-mantled ground squirrel (*Spermophilus beecheyi*), chipmunk (*Tamias sp.*), and black bear (*Ursus americanus*).

Several additional species have the potential to occur in the Project Area. These include (but are not limited to) broad-footed mole (*Scapanus latimanus*), big brown bat (*Eptesicus fuscus*), northern flying squirrel, lodgepole chipmunk (*Tamias speciosus*), deer mouse (*Peromyscus maniculatus*), coyote (*Canis latrans*), gray fox (*Urocyon cinereoargenteus*), long-tailed weasel (*Mustela frenata*), Pacific marten<sup>27</sup>, mountain lion (*Felis concolor*), bobcat (*Lynx rufus*), and raccoon (*Procyon lotor*).

#### (4) Wildlife Movement

Wildlife corridors link together areas of suitable habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. The fragmentation of open space areas by urbanization creates isolated "islands" of wildlife habitat. In the absence of habitat linkages that allow movement to adjoining open space areas, various studies have concluded that some wildlife species, especially the larger and more mobile mammals, will not likely persist over time in fragmented or isolated habitat areas because such conditions preclude the USFS infusion of new individuals and genetic USFS information into isolated populations.<sup>28, 29, 30, 31</sup>

Corridors effectively act as links between different populations of a species. A group of smaller populations (termed "demes") linked together via a system of corridors is termed a "metapopulation." The long-term health of each deme within the metapopulation is dependent upon its size and the frequency of interchange of individuals (immigration vs. emigration). The smaller the deme, the more important immigration becomes, because prolonged inbreeding with the same individuals can reduce genetic variability. Immigrant individuals that move into the deme from adjoining demes mate with individuals and supply that deme with new genes and gene combinations that increases overall genetic diversity. An increase in a population's genetic variability is generally associated with an increase in a population's health and long-term viability.

Corridors mitigate the effects of habitat fragmentation by: (1) allowing animals to move between remaining habitats, which allows depleted populations to be replenished and promotes genetic diversity; (2) providing escape routes from fire, predators, and human disturbances, thus reducing the risk that catastrophic events (such as fires or disease) will result in population or local species extinction; and (3) serving as travel routes

<sup>27</sup> Northern flying squirrel and Pacific marten are MIS associated with late-seral closed-canopy coniferous forest habitat for the Sierra Nevada Forests.

<sup>28</sup> MacArthur, R. M. and E. O. Wilson. 1967. *The Theory of Island Biogeography*. Princeton University Press: Princeton, New Jersey

<sup>29</sup> Soule, M. E. 1987. *Viable Populations for Conservation*. Sinaur Associates Inc., Publishers, Sunderland, Massachusetts.

<sup>30</sup> Harris, L. D. and P. B. Gallagher. 1989. *New initiatives for wildlife conservation: the need for movement corridors*. Pages 11-34 in G. Mackintosh, ed. *Preserving communities and corridors*. Defenders of Wildlife. Washington D.C. 96 pp.

<sup>31</sup> Bennett, A. F. 1990. *Habitat Corridors and the Conservation of Small Mammals in a Fragmented Forest Environment*. *Landscape Ecol.* 4:109-122

for individual animals as they move within their home ranges in search of food, water, mates, and other needs.<sup>25, 32, 33, 34</sup>

Wildlife movement activities usually fall into one of three movement categories: (1) dispersal (e.g., juvenile animals from natal areas, individuals extending range distributions); (2) seasonal migration; and (3) movements related to home range activities (foraging for food or water, defending territories, searching for mates, breeding areas, or cover). Although the nature of each of these types of movement is species specific, large open spaces will generally support a diverse wildlife community representing all types of movement. Each type of movement may also be represented at a variety of scales from non-migratory movement of amphibians, reptiles, and some birds, on a “local” level to many square mile home ranges of large mammals moving at a “regional” level. A number of terms have been used in various wildlife movement studies, such as “wildlife corridor,” “travel route,” and “wildlife crossing” to refer to areas in which wildlife move from one area to another. To clarify the meaning of these terms and facilitate the discussion on wildlife movement in this study, these terms are defined as follows:

**Travel Route:** A landscape feature (such as a ridgeline, drainage, canyon, or riparian strip) within a larger natural habitat area that is used frequently by animals to facilitate movement and provide access to necessary resources (e.g., water, food, cover, den areas). The travel route is generally preferred because it provides the least amount of topographic resistance in moving from one area to another; it contains adequate food, water, and/or cover while moving between habitat areas; and provides a relatively direct link between target habitat areas.

**Wildlife Corridor:** A piece of habitat, usually linear in nature, that connects two or more habitat patches that would otherwise be fragmented or isolated from one another. Wildlife corridors are usually bounded by urban land areas or other areas unsuitable for wildlife. The corridor generally contains suitable cover, food, and/or water to support species and facilitate movement while in the corridor. Larger, landscape-level corridors (often referred to as “habitat or landscape linkages”) can provide both transitory and resident habitat for a variety of species.

**Wildlife Crossing:** A small, narrow area, relatively short in length and generally constricted in nature, that allows wildlife to pass under or through an obstacle or barrier that otherwise hinders or prevents movement. Crossings typically are manmade and include culverts, underpasses, drainage pipes, and tunnels to provide access across or under roads, highways, pipelines, or other physical obstacles. These are often “choke points” along a movement corridor.

Local scale wildlife movement likely occurs within the Project Area as well as its surrounding vicinity. The Project Area contains habitat that supports a variety of common species of invertebrates, amphibians, reptiles, birds, and mammals. The home range and average dispersal distance of many of these species may be entirely contained within the Project Area and immediate vicinity. Numerous populations of insects,

<sup>32</sup> Noss, R. F. 1983. *A Regional Landscape Approach to Maintain Diversity*. *BioScience*. 33:700-706.

<sup>33</sup> Fahrig, L. and G. Merriam. 1985. *Habitat Patch Connectivity and Population Survival*. *Ecology*. 66:1762-1768

<sup>34</sup> Simberloff, D. and J. Cox. 1987. *Consequences and Costs of Conservation Corridors*. *Conserv.Biol*. 1:63-71.

amphibians, reptiles, small mammals, and a few bird species may find all of their resource requirements within the Project Area and its immediate vicinity. Riparian areas and other natural landscape features located in and around the Project Area can serve as natural guides for wildlife along travel routes. Local movement by small and medium-sized mammals such as California ground squirrel, Botta's pocket gopher, deer mouse, long-tailed weasel, Pacific marten, and gray fox may occur within the Project Area. Occasionally, individuals expanding their home range or dispersing from their natal range will attempt to disperse from the Project Area.

It is also possible for migratory individuals to utilize the Project Area for cover and water resources. The Round Valley and Casa Diablo Mule Deer Herds are known to use areas in the vicinity of the Project Area for portions of their migrations from winter ranges in the lowlands to summer ranges within the higher elevations of the Sierra Nevada. The deer migratory routes are illustrated in Figure 10 included in the TSMP BRA, which is on file with the Town. Predators, such as the mountain lion have also been known to make migrations that directly correlate temporally and spatially with those of mule deer in the region (Pierce, et al. 1999).<sup>35</sup>

#### **(a) Mule deer**

Although not considered a special-status wildlife species, mule deer are considered an important harvest species by the CDFW. The Town is located within the Eastern Sierra Nevada Deer Assessment Unit. Deer populations within the Town consist of Rocky Mountain mule deer from the Round Valley and Casa Diablo herds. Some deer from both herds use the Doe Ridge area throughout the summer. These herds are migratory. Deer herd management plans were prepared by the CDFW in the mid 1980's for both herds. Management objectives include enhancing important winter, holding, migratory, and fawning habitats. Migratory movements occur over a six to ten week period. Deer begin their spring migration in April or May after occupying holding areas to feed and regain strength lost over the winter. When the snow recedes and forage is available at their higher elevation summer ranges (usually mid-June), they migrate to these areas.

The Round Valley herd range encompasses approximately 2,000 square miles and includes the west slope of the Sierra Nevada to the San Joaquin Ridge. The Mammoth Pass herd segment of the Round Valley herd uses a route that heads westerly below Mammoth Rock, passes through the Mammoth Lakes Basin, and then crosses over Mammoth Pass into the Middle Fork of the San Joaquin River Drainage.<sup>36</sup> The Project Area is located within the Mammoth Lakes Basin.

The Casa Diablo herd's winter range includes the lower elevations near Benton, California to the north end of Owen's Valley. Some deer from this herd migrate across Doe Ridge towards their summer range on the higher elevations of the eastern Sierra Nevada (between June Lake and Lee Vining). The Mammoth Lakes Basin, which is located south-southeast of the Project Area, is utilized as a migratory corridor and holding

---

<sup>35</sup> Pierce, B.M., V.C. Bleich and R.T. Bowyer. 1999. *Population dynamics of mountain lions and mule deer: top-down or bottom-up regulation? Final Report. Deer Herd Management Plan Implementation Program. California Department of Fish and Game. Sacramento, California.*

<sup>36</sup> PCR Services Corporation. 2005. *Revised Draft Program, Environmental Impact Report. Town of Mammoth Lakes 2005 General Plan Update. October 2005.*

area by the Round Valley Herd. The Casa Diablo Herd utilizes an area approximately 8 to 9 miles to the northwest of the Project Area and 6 to 7 miles north of the Town.<sup>37</sup>

Approximately 75 percent of the Round Valley Herd leaves their wintering grounds in the Round Valley, which is located approximately 20 miles southeast of the Project Area, to migrate in a northerly direction along the toe of the Eastern Sierra to the Mammoth Lakes Basin.<sup>38</sup> The herd utilizes the Mammoth Lakes Basin as a holding area for approximately eight weeks while they forage and wait for winter snows to recede from the mountain passes. Following the snowmelt, some deer leave the approximately 11,300-acre holding area to traverse over the Mammoth Crest via McGee, Hopkins, Solitude, Mammoth, and San Joaquin passes to their preferred summering grounds in the Sierra Nevada between the Sierra Nevada's western slope and the San Joaquin Ridge. Those deer that do not continue their migration beyond the Mammoth Lakes Basin remain there until the herd makes its way back to the Round Valley in the fall months.<sup>39</sup>

The Town's 2007 General Plan identifies three distinct migration corridors for the Round Valley Herd, which occur within the vicinity of the Project Area:

1. The Solitude Pass/Duck Lake herd segment leaves the holding area and migrates to summer ranges through the Solitude Pass located in the Sherwin Range, and Duck Pass located approximately three (3) miles south of the holding area.
2. The Mammoth Pass herd segment of the Round Valley Herd migrates along a route that heads westerly below Mammoth Rock, passes through the Mammoth Lakes Basin, and then crosses over Mammoth Pass into the Middle Fork of the San Joaquin River Drainage.
3. The San Joaquin herd segment migrates across the Sierra crest over San Joaquin Ridge between Minaret Summit and Deadman Pass from the western portion of the holding area.

A fairly consistent timeline of movement is generally observed for the Round Valley Herd's annual migration. Interannual temporal variability does occur, however, with respect to migrations. Variability in migration timing is generally dependent on environmental factors that affect food and habitat requirements.<sup>40</sup> The Round Valley Herd begins to appear in the Mammoth Lakes Basin during the spring. Migrants typically occupy the basin from April through June. Around mid-June most deer that are going to continue their journey to summering grounds in the higher elevations of the Sierra have left the Mammoth Lakes Basin. Not all deer continue on to the higher elevations. Some choose to spend their summers in and around the

---

<sup>37</sup> Jones and Stokes. 1999. *Final Report: An assessment of the Sandhouse Project's Effects on Mule Deer Movement and Mortality Along State Route 395 in Mono County*. Report submitted to California Department of Transportation, District 9.

<sup>38</sup> Taylor, T. 1996. *Snowcreek Ski Area Deer Study, 1995 Spring and Fall Migration Study*. Prepared for Dempsey Construction Corporation, Mammoth Lakes, California.

<sup>39</sup> Town of Mammoth Lakes. 2007. *Section 4.3, Biological Resources, General Plan Update EIR*. pp. 4-60 – 4-61.

<sup>40</sup> French, D.P., M. Reed, J. Calambokidis, and J.C. Cabbage. 1989. *A simulation model of seasonal migration and daily movements of the northern fur seal*. *Ecological Modeling* 48:193-219.

holding area.<sup>41</sup> The Round Valley Herd will begin to return to its wintering grounds in the fall months as temperatures drop and snow begins to accumulate.

The Mammoth Lakes Basin holding area represents the point where migration associated areas are most closely located to the Project Area. Deer from the Round Valley Herd generally occupy an area south and west of U.S. Route 395, and between Tobacco Flats to the east and Mammoth and Sherwin Creeks to the west. This area is known as the Sherwin Holding Area. The close proximity of these two areas presents a high likelihood for members of the Round Valley Herd to occur within the Project Area during the spring through fall months.

### **(b) Mountain Lion**

Mountain lions were once the broadest ranging terrestrial mammals in the western hemisphere, ranging from British Columbia to southern Chile and Argentina, and from coast to coast in North America.<sup>42, 43</sup> As time has passed, land use changes, extermination campaigns, and hunting pressure have diminished the geographic range of the mountain lion to rocky, mountainous, and relatively unpopulated areas.<sup>37, 44</sup>

A wide range of habitats, including swamps, riparian woodlands, and open space with ample brush and/or woodland cover, are utilized by mountain lions throughout their range. This highly adaptable species is found in North America between sea level and approximately 11,500 feet above MSL.<sup>38</sup>

Mule deer make up the bulk of the mountain lion's diet throughout North America. Some experts have observed mule deer constituting over 90 percent of a mountain lion's diet.<sup>37</sup> This rate has been known to vary between seasons.<sup>39</sup> Small to medium sized mammals, birds, and reptiles are also opportunistically consumed by mountain lions.<sup>30</sup>

Home range figures are highly variable throughout the mountain lion's range with males typically utilizing larger home ranges than females. Pierce, et al. documented home ranges between 425 km<sup>2</sup> and 817 km<sup>2</sup> (164 miles<sup>2</sup> and 315 miles<sup>2</sup>) for mountain lions in the Round Valley area of California. Mountain lions are generally solitary in nature, but home ranges have been known to overlap.<sup>30, 45</sup>

Pierce, et al. observed an interesting connection between mountain lion home range size and behavior of their prey.<sup>30</sup> Mountain lions from the Round Valley that primarily preyed on migratory mule deer had home ranges that rarely changed over time. Contrastingly, mountain lions that primarily preyed on non-migratory

<sup>41</sup> Carey, D., T.R. Thomas, and H. Altman. 2004. *Environmental Assessment: Upper Basalt Geothermal Exploration Project (EA Number: CA-170-05-04)*. Report submitted to U.S. Department of the Interior, Bureau of Land Management, Bishop Resource Area.

<sup>42</sup> Logan, K.A. and L.L. Sweanor. 2001. *Desert Puma: Evolutionary ecology and conservation of an enduring carnivore*. Washington, D.C.: Island Press.

<sup>43</sup> NatureServe. 2006. *NatureServe Explorer: An online encyclopedia of life [web application]*. Version 6.0. NatureServe, Arlington, Virginia. <http://www.natureserve.org/explorer>. (Accessed 7 November 2006).

<sup>44</sup> Currier, M.J.P. 1983. *Felis concolor*. *Mammalian Species* 200:1-7. Ecosign Mountain Resort Planners Ltd., 1997. *Mammoth Mountain Master Plan*. November 1997.

<sup>45</sup> Sweanor, L.L., K.A. Logan, and M.G. Hornocker. 2000. *Cougar dispersal patterns, metapopulation dynamics, and conservation*. *Conservation Biology* 14:798-808.

mule deer tended to make seasonal migrations that corresponded to mule deer movements, both spatially and temporally. Home ranges for mountain lions that were contiguous throughout the year were larger than those with distinct summer and winter ranges.

The Round Valley mountain lion population exhibited two different modes of migration. Some lions tended to move rather slowly along the deer herd's migratory route, but did not show signs of having a discontinuous home range. Other lions moved more rapidly and had distinct summer and winter ranges that mirrored those of the Round Valley Herd.

Mountain lions that followed the migration of the Round Valley Herd to the Sherwin Holding Area have a high potential to occur within the Project Area. Logan and Sweanor documented transient behavior in numerous mountain lion populations.<sup>37</sup> They also describe the possibility of mountain lions making the change from transient behavior to territorial multiple times throughout its life. Transient behavior, as described by Logan and Sweanor, usually occurs because of one or a combination of four potential conditions: (1) population isolation; (2) an extremely low, patchy, or migratory food base; (3) an extremely diffuse mountain lion population; and (4) inability to compete. If transient lions make their way into the Sherwin Holding Area it is possible that they could wander into the Project Area in search of food, mates, or establishment of a new home range.

## **(5) Jurisdictional Waters and Wetlands**

In California, certain drainage features and the associated riparian resources fall under the regulatory jurisdiction of the ACOE, RWQCB, and CDFW. These features can include: perennial, intermittent and ephemeral streams; lakes, ponds, and other impounded water bodies; and wet meadows and wetlands. Whereas the ACOE and RWQCB use the ordinary high water mark to determine their jurisdiction, CDFW may include the bed, banks and associated riparian habitat within its jurisdiction. There are numerous jurisdictional features throughout the Project Area. Most notably, Mammoth Creek and its tributaries are regulated by one or more of the above mentioned agencies.

## **(6) Special-Status Species and Habitats**

The following subsections indicate the habitats, as well as plant and animal species, present or potentially present in the Project Area that have been afforded special recognition. Sources used to determine the potential occurrence of special-status resources in the vicinity of the site include USFWS Database of Occurrences,<sup>46</sup> CNPS,<sup>47</sup> and a number of CDFW resources, including CNDDDB;<sup>48</sup> Special Vascular Plants,

<sup>46</sup> U.S. Department of the Interior. Fish and Wildlife Service (USFWS). 2009. Database of occurrences.

<sup>47</sup> CNPS, Rare Program. 2015. Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society, Sacramento, CA. Website <http://www.rareplants.cnps.org>.

<sup>48</sup> CDFW (California Department of Fish and Wildlife). 2015. California Natural Diversity Database (available by subscription) and Rarefind. CDFW: Sacramento, California.

Bryophytes, and Lichens List;<sup>49</sup> and State and Federally Listed Endangered, Threatened and Rare Plants of California.<sup>50</sup>

### (a) Special-Status Plant Communities Within the Project Area

The Project Area supports plant communities considered special-status by the CDFW's CNDDDB due to their scarcity and/or because they support state and/or federal listed endangered, threatened, or rare vascular plants and animals. These communities are considered highest-inventory priority communities by the CDFW, indicating that they are declining in acreage throughout their range due to land use changes. These communities are described previously and include montane wet meadow, aspen forest and woodland, and willow scrub, and any mixed community comprised in part by one of these plant communities. These communities constitute wetland and riparian natural communities.

### (b) Special-Status Plant Species Within the Project Area

Special-status plants include those listed, or candidates for listing, by the USFWS and CDFW, and species considered special-status by the CNPS (particularly Ranks 1A, 1B, and 2).<sup>51</sup> The literature search methodology is explained in further detail in Section 2(a) below.

A total of 91 special-status plant species were reported in the CNDDDB and CNPS to occur within the vicinity of the Project Area. The majority of these species were presented in Table 4, *Sensitive Plant Species*, in the TSMP BRA. Of the 91 special-status plant species, 11 new species were reported within the vicinity since the 2011 literature search performed for TSMP BRA, including Tulare rockcress (*Boecheera tularensis*), Geyer's sedge (*Carex geyeri*), fell-fields claytonia (*Claytonia megarhiza*), short-pedicelled cleomella (*Cleomella brevipes*), golden goodmania (*Goodmania luteola*), seep kobresia (*Kobresia myosuroides*), long seta hump moss (*Meesia longisetata*), bog sandwort (*Minuartia stricta*) naked-stemmed phacelia (*Phacelia gymnoclada*), slender-leaved pondweed (*Stuckenia filiformis* ssp. *alpine*), and golden violet (*Viola purpurea* ssp. *aurea*). The majority of the 91 species are not expected to be present due to a lack of suitable habitat and/or the Project Area is outside of the species' range. Of the 91 special-status plant species, 24 species were determined to have the potential to occur within the Project Area based on the presence of suitable habitat. These species are listed below and their CNPS ranks are in parentheses:

- Long Valley milk-vetch, *Astragalus johannis-howellii* (CNPS 1B.2);
- Lemmon's milk-vetch *Astragalus lemmonii* (CNPS 1B.2);
- Kern milk-vetch, *Astragalus lentiginosus* var. *kernensis* (CNPS 1B.2);
- Smooth saltbush, *Atriplex pusilla* (CNPS 2B.3);
- Hockett Meadows lupine, *Lupinus lepidus* var. *culbertsonii* (CNPS 1B.3);

<sup>49</sup> CDFW. 2009. *Special Vascular Plants, Bryophytes, and Lichens List*. Quarterly publication. 80 pp.

<sup>50</sup> CDFW, Habitat Conservation Division. 2009. *Wildlife & Habitat Data Analysis Branch. State and Federally Listed Endangered and Threatened Animals of California*. 12pp.

<sup>51</sup> CNPS List 1A species are presumed extinct in California, List 1B species are rare or endangered in California and elsewhere, and List 2 species are rare or endangered in California but more commonly found elsewhere.

- Father Crowley's lupine *Lupinus padre-crowleyi* (CNPS 1B.2);
- Scalloped moonwort, *Botrychium crenulatum* (CNPS 2B.2);
- Common moonwort, *Botrychium lunaria* (CNPS 2.3);
- Tall draba, *Draba praealta* (CNPS 2B.3);
- Blandow's bog moss, *Helodium blandowii* (CNPS 2B.3);
- Alkali ivesia, *Ivesia kingii* var. *kingi* (CNPS 2B.2);
- Seep kobresia (CNPS 2B.2);
- Long seta hump moss (CNPS 2B.3);
- Small-flowered grass-of-Parnassus, *Parnassia parviflora* (CNPS 2B.2);
- Scalloped-leaved lousewort, *Pedicularis crenulata* (CNPS 2B.2);
- Naked-stemmed phacelia (CNPS 2B.3);
- Inyo phacelia, *Phacelia inyoensis* (CNPS 1B.2);
- Golden violet (CNPS 2B.2);
- Inyo County star-tulip, *Calochortus excavates* (CNPS 1B.1);
- Alkali tansy-sage, *Sphaeromeria potentilloides* var. *nitrophila* (CNPS 2B.2);
- Little bulrush, *Trichophorum pumilum* (CNPS 2B.2);
- Marsh arrow-grass, *Triglochin palustris* (CNPS 2B.3);
- Slender-leaved pondweed, *Potamogeton filiformis* (CNPS 2.2); and
- Robbins' pondweed, *Potamogeton robbinsii* (CNPS 2B.3).

The above listed plants only include those with a CNPS ranking of 1 or 2; however, there are a number of CNPS-ranked species with a ranking of 3 or 4 that have the potential to occur within the Project Area. Subalpine fireweed (*Epilobium howellii*) is ranked on CNPS as a 4.3 and was observed during field surveys conducted for the TSMP project.

### (c) Special-Status Wildlife Species Within the Project Area

Special-status wildlife species include those species listed as endangered or threatened under the federal ESA or CESA, candidates for listing by USFWS or CDFW, and SSC<sup>52</sup> to the CDFW. In addition, species considered sensitive by the USFS (FSS)<sup>53</sup> have also been included and analyzed in this document to provide a

<sup>52</sup> California Species of Special Concern (SSC) are species designated as vulnerable to extinction due to declining population levels, limited ranges, and/or continuing threats. Informally listed species are not protected per se, but warrant consideration in the preparation of biological assessments.

<sup>53</sup> USFS Sensitive Species (FSS) are defined by the Forest Service as "those plants and animals species identified by a Regional Forester for which population viability is concern, as evidenced by: (a) significant current or predicted downward trends in population numbers or density; (b) significant current or predicted downward trends in habitat capability that would reduce a species' existing distribution." (United States Forest Service. 1997. Forest Service Manual, Section 2670.5).

comprehensive list of species. The literature search methodology is explained in further detail in Section 2(a) below.

A total of 39 special-status wildlife species were reported in the CNDDDB as occurring in the vicinity of the Project Area, with the majority of these species not expected to be present due to a lack of suitable habitat. A total of 12 species were determined to potentially occur within the Project Area based on the presence of suitable habitat, which are listed below with their Federal and/or State listing in parentheses:

- Mount Lyell salamander, *Hydromantes platycephalus* (California Species of Special Concern [SSC]);
- Yosemite toad (Federally Threatened [FT], USFS Sensitive [FSS]);
- Northern goshawk, *Accipiter gentilis* (SSC, FSS);
- Great gray owl, *Strix nebulosa* (State Endangered [SE], FSS);
- Greater sage-grouse (SSC, FSS);
- Yellow warbler (SSC);
- Willow flycatcher, *Empidonax traillii* (SE, FSS);
- Mount Lyell shrew, *Sorex lyelli* (SSC);
- Townsend's western big-eared bat, *Corynorhinus townsendii* (State Candidate Threatened [SCT], SSC, FSS);
- Sierra Nevada mountain beaver, *Aplodontia rufa californica* (SSC);
- Pacific marten (FSS); and
- Sierra Nevada red fox, *Vulpes vulpes necator* (ST, FS: Sensitive).

The literature review results were generally consistent with results obtained and presented in Table 4, *Sensitive Wildlife Species*, in the TSMP BRA, which also lists the same 12 species above to have a potential to occur in the TSMP project area. Only one new species, Swainson's hawk (*Buteo swainsoni*) (ST), was recorded within the vicinity of the Project Area since the 2011 literature search. Swainson's hawk is not expected to occur within the Project Area due to lack of suitable habitat, namely grasslands. The sole record of this species was updated in CNDDDB in 2013, but the species record was from sightings in 1977 and 1978.

As previously mentioned, focused surveys for fish species have been conducted for areas within the vicinity of the Project Area since 1992 excluding 1998. No special-status fish have the potential to occur within the Project Area.

## **(7) Critical Habitat**

The Project Area is not within designated critical habitat for any listed plant or wildlife species.

## 2. METHODOLOGY AND THRESHOLDS OF SIGNIFICANCE

### a. Methodology

#### (1) Approach

Direct impacts are considered to be those that involve the loss, modification or disturbance of natural habitats (i.e., vegetation or plant communities), which, in turn, directly affect plant and wildlife species dependent on that habitat. Direct impacts also include the destruction of individual plants or wildlife, which is typically the case in species of no or low mobility (i.e., plants, amphibians, reptiles, and small mammals). The collective loss of individuals in these manners may also directly affect regional population numbers of a species or result in the physical isolation of populations thereby reducing genetic diversity and, hence, population stability.

Indirect impacts are considered to be those that involve the effects of increases in ambient levels of sensory stimuli (e.g., noise, light), unnatural predators (e.g., domestic cats and other non-native animals), and competitors (e.g., exotic plants, non-native animals). Indirect impacts may be associated with the construction and/or eventual habitation/operation of a project; therefore, these impacts may be both short-term and long-term in their duration. These impacts are commonly referred to as “edge effects” and may result in changes in the behavioral patterns of wildlife and reduced wildlife diversity and abundance in habitats adjacent to project sites. Such impacts include increased pollutant discharges to receiving water bodies such as wetlands or marine environments, harassment by humans and/or their pets, light and glare, or increased ambient noise levels.

The determination of impacts in this analysis is based on both the features of the Project and the biological values of the habitat and/or sensitivity of plant and wildlife species potentially affected. The General Plan Policies, mitigation measures currently adopted by the Town, and recommended mitigation measures to address Project impacts are discussed in section 3.0, *Environmental Impacts*, below.

The direct and indirect impacts determined to be less than significant include impacts to biological resources that are relatively common or exist in a degraded or disturbed state, rendering them less valuable as habitat, or impacts that do not meet or exceed the significance thresholds defined below. Those impacts determined to be significant are those that do meet the thresholds of significance defined below. Specific considerations included the overall size of habitats to be affected, previous land uses and disturbance history, the surrounding environment and regional context, the biological diversity and abundance, the presence of special-status plant and wildlife species, the importance to regional populations of these species, and the degree to which habitats within the Project Area are limited or restricted in distribution on a regional basis and, therefore, are considered special-status in themselves.

In addition to the previously discussed road improvements and MUPs, the Mobility Element Update considers other transportation elements such as on-street bike lanes, pedestrian and transit routes, and parking lots. Since these improvements would generally be located within existing roadways and disturbed areas, these improvements would not affect biological resources; therefore, they are not analyzed in this assessment. As also noted earlier, the impact analysis for this assessment is programmatic for all Project components. In order to accommodate the multi-faceted nature of the Project, the following impact analysis is organized into two subsections. Project impacts related to each Project component are discussed

separately under subsection (a) Land Use Element/Zoning Code Amendments and subsection (b) Mobility Element Update. Within subsection (b), road improvements and MUPs are addressed separately. Although this analysis addresses individual project components, the proposed road and MUP alignments are conceptual in nature, and are expected to undergo additional refinement as they are implemented.

This assessment of biological resources was based primarily on information compiled for the TSMP project. Although the TSMP project area includes some areas outside of the Project Area described for this Draft EIR, many areas do overlap. As such, biological resources within the Project Area were partly identified based on the presence of vegetation communities previously described or were observed during field surveys conducted for the TSMP project. Field and reconnaissance surveys were conducted for the TSMP project by PCR and LSA Associates (LSA) biologists, although no protocol focused surveys were conducted. In addition, USFS biologists provided PCR with the results of special-status plant surveys they conducted in the vicinity of proposed MUP N-4. Field surveys are described in further detail in section (3) *Field Investigations*, below.

In addition to work performed for the TSMP project, this assessment was based on 2013 Google Earth aerials<sup>54</sup>, USGS topographic mapping<sup>55</sup>, and photographs that were taken of the 14 vacant parcels and some of the road improvement areas in 2015.<sup>56</sup> The proposed road improvement and MUP areas were evaluated using the aerials and topographic maps with an approximate 300-foot buffer surrounding the linear Project components on each side.

It should be noted that there are other planned improvements outlined in the Mobility Element Update, such as the installation of pedestrian routes, bike routes, traffic signals, bridge stream crossings, parking lots, and construction staging areas. The majority of these improvements are planned within areas of the Town that are already developed or disturbed and therefore, are not evaluated in this analysis.

## (2) Literature Review

This Draft EIR summarizes information gained in part for the TSMP BRA. An updated literature review was performed, which was compared to the literature review performed in 2011. The purpose of the literature review was to determine special-status plant and animal species known to occur within the vicinity of the Project Area and to locate any additional occurrences of special-status species that were submitted subsequent to the record search performed in 2011. The 2011 record search included six (6) USGS 7-minute quadrangles: *Old Mammoth*, *Mammoth Mountain*, *Whitmore Hot Springs*, *Convict Lake*, *Crystal Crag*, and *Bloody Mountain*. An updated 9-quadrangle search was performed on October 21, 2015 using CNDDDB<sup>57</sup> and CNPS,<sup>58</sup> which included the six (6) previously named quadrangles as well as *June Lake*, *Crestview*, and *Dexter*

<sup>54</sup> Google Earth Pro. 2013. Town of Mammoth Lakes. <http://www.google.com/earth/index.html>,

<sup>55</sup> United States Geological Survey (USGS). 1983. *Old Mammoth, California topographic quadrangle map*.

<sup>56</sup> Photographs were taken by PCR Associate Principal Luci Hise-Fisher on June 9 and 10, 2015.

<sup>57</sup> CDFW (California Department of Fish and Wildlife). September 2015 and October 2011. *California Natural Diversity Database (available by subscription) and Rarefind. CDFW: Sacramento, California*.

<sup>58</sup> CNPS (California Native Plant Society). September 2015 and October 2011. *Inventory of Rare and Endangered Plants of California. California Native Plant Society. Available online (<http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi>).*

*Canyon*.<sup>59</sup> Federal register listings, protocols, and species data published by the USFWS and CDFW were reviewed in conjunction with anticipated federally and state listed species potentially occurring within the vicinity. Information pertaining to special-status species provided by the USFS was also reviewed. In addition, several regional flora and fauna field guides were utilized to assist in the identification of species and suitable habitats (e.g., Weden 2005 and Laws 2007).<sup>60</sup>

### **(3) Field Investigations**

Although no field surveys were conducted for the purpose of this Project, field and reconnaissance-level surveys were performed within the Project Area and vicinity for the TSMP project. Field surveys for the TSMP project occurred on July 3<sup>rd</sup>, 5<sup>th</sup> and 6<sup>th</sup>, 2009<sup>61</sup> and reconnaissance surveys within the vicinity of the Project Area were performed on August 31 and September 1, 2010. During field and reconnaissance surveys, notes were taken regarding general site conditions, vegetation, potential jurisdictional areas of the ACOE and CDFW, and suitability of habitat for various special interest elements.

#### **(a) Plant Community Mapping**

Vegetation community classifications are based on descriptions used in the TSMP BRA and EIR, which follow a basic classification system that is considered appropriate for the scale of the proposed Project. In addition, a generalized vegetation map was prepared, as shown in Figure 4.4-1. The vegetation map was prepared using CalVeg data obtained from the California Department of Forestry and Fire Protection (CAL FIRE).<sup>62</sup>

#### **(b) General Plant Inventory**

All plant species observed during surveys conducted by LSA and PCR for the TSMP project were either identified in the field or collected and later identified using taxonomic keys. Plant taxonomy follows Hickman.<sup>63</sup> Common plant names, when not available from Hickman, were taken from Munz.<sup>64</sup> Because common names vary significantly between references, scientific names are included upon initial mention of each species; common names consistent throughout the report are employed thereafter. All plant species observed were included in Appendix A, *Floral and Faunal Compendium*, of the TSMP BRA.

#### **(c) Special-Status Plant Surveys**

Special-status plants include those listed by the USFWS, CDFW, and CNPS (particularly Ranks 1A, 1B, and 2). Focused special-status plant surveys were not conducted by either LSA or PCR for the TSMP project in 2011.

<sup>59</sup> Only one additional species was reported in the 2015 9-quadrangle record search when compared to the 2011 record search, namely the prairie falcon (*Falco mexicanus*). This species was not considered to have a potential to occur within the Project Area due to lack of suitable habitat, particularly grasslands and desert scrubland.

<sup>60</sup> Weden, Norman F. Ph.D. February 2005. *A Sierra Nevada Flora*. Wilderness Press. Berkeley, California.

<sup>61</sup> Field surveys were conducted by LSA Biologists Wendy Walters and Sarah Barrera and reconnaissance surveys were performed by PCR Director of Biological and Regulatory Services Steve Nelson.

<sup>62</sup> CAL FIRE (California Department of Forestry and Fire Protection). 2011. CalVeg. Available online (<http://frap.fire.ca.gov/data/frapgisdata-subset.php>).

<sup>63</sup> Hickman, J. C. 1993. *The Jepson Manual: Higher Plants of California*. Berkeley: University of California Press.

<sup>64</sup> Munz, P.A. 1968. *A California Flora and Supplement*. Berkeley: University of California Press.

However, focused surveys were performed by USFS Botanists Kristen Dutcher, Paul Satterthwaite, and Sue Weis within the vicinity of MUP N-4 on July 20 and August 20, 2010 (Dutcher and Satterthwaite, 2010). The results of their findings are incorporated herein where appropriate.

#### **(d) General Wildlife Inventory**

All wildlife species and diagnostic signs (call, tracks, nests, scat, remains, or other sign) of species observed within the Project Area and vicinity during field and reconnaissance surveys conducted for the TSMP project were recorded in field notes by both LSA and PCR. Binoculars and regional field guides were utilized for the identification of wildlife, as necessary. Wildlife taxonomy follows Stebbins<sup>65</sup> for amphibians and reptiles, the American Ornithologists' Union<sup>66</sup> for birds, and Jameson and Peeters<sup>67</sup> for mammals. Scientific names are used during the first mention of a species; common names only are used in the remainder of the text. A list of all wildlife species detected is included in Appendix A, *Floral and Faunal Compendium*, of the TSMP BRA.

#### **(e) Special-Status Wildlife Species**

No focused surveys for special-status wildlife species were conducted by either LSA or PCR for the TSMP project in 2011. Rather, an evaluation of habitat conditions and their suitability to support listed and/or species of concern to federal and State wildlife agencies were performed. This evaluation included an assessment of habitat characteristics and how they fit with the habitat requirements of special-status species that include the Project Area within their range.

#### **(f) Jurisdictional Waters**

Delineations of the potential jurisdictional waters and wetlands were not conducted. However, areas within the Project Area and vicinity that may potentially fall under the jurisdiction of ACOE under Section 404 of the CWA or CDFW under Sections 1600 et seq. of the California Fish and Game Code were identified. During site visits performed for the TSMP project, general site characteristics were noted including presence of any hydrological conditions (including any drainage patterns, surface inundation, or saturated soils) or vegetation potentially indicative of the presence of water for an extended period of time within a site. Soil samples were not collected and wetland data forms were not prepared.

It should be noted that the findings and conclusions presented in this Draft EIR and the TSMP BRA regarding the location and extent of wetlands and other waters subject to regulatory jurisdiction represent the professional opinions of LSA and/or PCR. These findings and conclusions are to be considered preliminary until verified by the ACOE and CDFW.

---

<sup>65</sup> Stebbins, R. C. 2003. *A Field Guide to Western Reptiles and Amphibians*, third edition. Boston: Houghton-Mifflin.

<sup>66</sup> American Ornithologists' Union. 1998. *The American Ornithologists' Union Checklist of North American Birds*. 7th Edition. American Ornithologists' Union, Washington, D.C.

<sup>67</sup> Jameson, Jr., E. W., and H. J. Peeters. 1988. *California Mammals*. Berkeley: University of California Press.

### (g) Regional Connectivity/Wildlife Movement Corridor Assessment

The analysis of wildlife movement is based on USFS information compiled from the literature for the TSMP BRA. Within the past 30 years there have been a number of studies regarding the regional movements of deer herds, and the Town has delineated a deer migration route in its General Plan. As for other species, aerial photographs and topographic maps were used to determine likely wildlife movement patterns. Relative to corridor issues, the focus of this assessment is to determine if the buildout in the commercial districts and introduction of new roads and trails within the Project Area would have significant impacts on the regional wildlife movement.

#### b. Thresholds of Significance

For purpose of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether the Project would have a significant environmental impact regarding biological resources. The Project would result in a significant impact to biological resources if the Project would:

- BIO-1:** Result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (refer to Impact Statement BIO-1).
- BIO-2:** Result in a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (refer to Impact Statement BIO-2).
- BIO-3:** Result in a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (refer to Impact Statement BIO-3).
- BIO-4** 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 (refer to Impact Statement BIO-4).
- BIO-5** Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (refer to Impact Statement BIO-5).
- BIO-6** Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan (refer to Impact Statement BIO-6).

## c. Applicable General Plan Goals/Policies and Adopted Mitigation Measures

### (1) General Plan

The following is a list of applicable goals and policies contained in the Town's Resource Management and Conservation Element of the General Plan:

#### (a) Habitat Resources

**Goal R.1:** Be stewards of habitat, wildlife, fisheries, forests and vegetation resources of significant biological, ecological, aesthetic and reactional value.

- **Policy R.1.A:** Be stewards of important wildlife and biological habitats within the Town's municipal boundary.
- **Policy R.1.B:** Development shall be stewards of Special Status plant and animal species and natural communities and habitats.
- **Policy R.1.C:** Prior to development, projects shall identify and mitigate potential impacts to site-specific sensitive habitats, including special status plant, animal species and mature trees.
- **Policy R.1.D:** Be stewards of primary wildlife habitats through public and/or private management programs. For example, construction of active and passive recreation and development areas away from the habitat.
- **Policy R.1.J:** Live safely with wildlife within our community.

#### (b) Healthy Ecosystems

**Goal R.2:** Maintain a healthy regional natural ecosystem and provide stewardship for wetlands, wet meadows and riparian areas from development-related impacts.

- **Policy R.2.B:** Be stewards of forested areas, wetlands, streams, significant slopes and rock outcroppings. Allow stands of trees to continue to penetrate the community to retain the mountain character of Mammoth Lakes. Minimize tree removal for development to the greatest extent possible.
- **Policy R.2.C:** Avoid wetland disturbance to greatest extent possible by requiring all feasible project modifications.
- **Policy R.2.D:** Mapped intermittent streams should not be placed in culverts.

#### (c) Mammoth Creek

**Goal R.3:** Preserve and enhance the exceptional natural, scenic and recreational value of Mammoth Creek.

- **Policy R.3.A:** Prohibit development in the vicinity of Mammoth Creek that does not maintain minimum established setbacks and protect stream-bank vegetation.
- **Policy R.3.C:** Restore degraded areas within and adjacent to Mammoth Creek, in association with contiguous development projects or as off-site mitigation.

## (2) General Plan Update Mitigation Measures

The Mitigation Monitoring and Reporting Program (MMRP) for the Town of Mammoth Lakes General Plan Update includes a mitigation measure applicable to biological resources. Since this is an adopted measure, for purposes of this EIR, this measure is applied where relevant and necessary to address the significant impacts of the Project. The following mitigation measure is from the Town's adopted General Plan MMRP:

**GPMM 4.3-1 Wildlife Corridors:** The Town shall require developers of residential properties to include a disclosure statement that Mammoth Lakes is an area of habitat for mountain lions which indicates a potential risk, particularly to children and small pets.

## (3) Trails System Master Plan Mitigation Measures

The adopted MMRP for the Town of Mammoth Lakes TSMP also includes mitigation measures that are applicable to the biological resources relative to the new MUPs. Since these are adopted measures, for purposes of this EIR, these measures are applied where relevant and necessary to address the significant impacts of the Project. The following mitigation measures are from the Town's adopted TSMP MMRP:

**TSMM 4.C-1 Willow Flycatcher:** Prior to approval of individual projects proposed under the TSMP or PRMP that have the potential to significantly disturb riparian vegetation associated with Mammoth Creek and its tributaries, the Town shall require a habitat evaluation by a biologist well versed in the requirements of willow flycatcher to be completed. If no suitable habitat for the species is identified within 300 feet of construction or maintenance activities, no further measures would be required in association with the project. If suitable habitat for the species is identified within 300 feet of such activities, prior to construction the Town shall require that a survey be completed by a qualified biologist for the species according to CDFG survey guidelines (Bombay et. al., May 29, 2003). This survey protocol requires a minimum of two surveys, one between June 15-25 and one during either June 1-14 or June 26-July 15. Surveys during these periods must be at least five days apart and the second survey shall be conducted no more than one week prior to clearing of vegetation and/or the operation of motorized heavy equipment. If the surveys determine the species is not present within 300 feet of the area to be affected by an individual project, no further action shall be required. If, however, willow flycatcher is determined to be present and is using habitat within 300 feet of Project-related activities, inclusive of nesting and foraging, the Town shall consult with CDFG prior to initiating any construction activities in the area. Consultation may entail the processing of a 2081 Incidental Take Permit that includes certain conditions to avoid and/or mitigate for potential impacts to the species. Such conditions could include, but not be limited to, restrictions on the time of year for construction, noise monitoring, restrictions on equipment use, and others.

**TSM 4.C-2 Nesting Birds:** To the extent practicable, brush and tree removal activities for trail and facilities and major construction activity shall be initiated outside of the nesting bird season, which is generally held to be from April 1 to August 31 in the Mammoth Lakes area, and shall be carried out with no more than a two week lapse in the work. If the Town deems this to not be practicable the Town shall require a nesting bird survey by a monitoring biologist to be conducted within 300 feet (for songbirds) and 500 feet (for raptorial birds) of construction sites no more than one week prior to initiating construction to ensure no birds protected under the MBTA and/or State Fish and Game Code Section 3503 et seq. are harmed or harassed.

If no active nests of songbirds and raptors are found within 300 feet and 500 feet, respectively, of the construction site, the work may begin. If active nests are found within the survey areas the Town shall delineate a buffer zone of 300 feet and 500 feet for songbirds and raptors, respectively, around the nest. Based on the nature of the work to be performed and the equipment to be used, the monitoring biologist may reduce the buffer zone based on intervening vegetation and topography. Such buffer zones shall remain in place until the young in the nest have fledged or the nest has failed, as determined by the monitoring biologist.

All projects involving removal of trees or vegetation capable of supporting nesting birds shall be subject to the requirements of this Mitigation Measure.

**TSM 4.C-3 Other Sensitive Wildlife:** As discussed earlier, there are a number of wildlife species of concern to federal and State resource agencies that are known or are expected to occur in the Project area.

- For such avian species, implementation of the mitigation measure for nesting birds below will suffice in reducing impacts to these species to less than significant.
- For such amphibian species, including the Mount Lyell salamander and Yosemite toad, where suitable habitat exists for these species in the project area, a thorough search of areas to be disturbed shall be made by construction personnel trained in the methods of searching for these species. If any amphibians are found, regardless of species, they will be captured and relocated in like habitat no less than 100 feet away from construction sites.
- For such sensitive mammal species with the potential to occur in conjunction with particular project components, including the Sierra Nevada red fox, American marten, Sierra Nevada mountain beaver, Townsend's western big-eared bat, and Mount Lyell shrew, and where suitable habitat for these species exists in the project area, pre-construction surveys shall be conducted by a biologist familiar with the sign of each species to identify signs of their presence or determine their absence no more than two weeks prior to initiating construction activities. Such surveys shall encompass the area to be disturbed and the habitat within 300 feet of construction activities. Due the secretive and/or nocturnal activity patterns of these species, the following signs shall be used:
  - Sierra Nevada red fox – evidence of den, normally on slopes with porous soils.
  - American marten – evidence of den, normally in hollow trees or downed logs.

- Sierra Nevada mountain beaver – evidence of extensive tunnels, runways and burrows beneath dense streamside vegetation.
- Townsend’s western big-eared bat – evidence of occupation by colonies in caves, mine tunnels, and buildings
- Mount Lyell shrew – evidence of nests of dry leaves or grasses in stumps or under logs or piles of brush.

If no evidence of the presence of any of these species is found, no further mitigation activities shall be required. However, if evidence of the presence of any of these species is observed, impacts will be avoided or minimized in one or more of the following ways and in consultation with CDFG and/or USFS: realigning trails and relocating new facilities so as to retain a 100-foot buffer between the occupied site and construction activities and human use; suspending construction activities within 300 feet of the den, nest, or bat roosts during the breeding period, (generally held to be March 1 to July 31 for these species); verifying the actual occupation of dens, nests, or roosts by means such as placing tracking medium around the den or nest entrance or conducting a bat survey at the roost entrance at sunset; temporarily blocking the entrance of a den or nest verified to be unoccupied until after construction is completed.

**TSM 4.C-4 Sensitive Plants:** Prior to approval of individual projects proposed under the TSMP that are located in areas not previously surveyed for sensitive plant species, and that are determined to have habitat suitable to support such plants, the Town shall require that a survey be completed by a qualified botanist for sensitive plant species within 100 feet on either side of a trail alignment or within the disturbance area of other proposed facilities. These surveys shall be conducted during the flowering period for the target species when they are most readily detectable. For those species with at least a low potential to occur in the Project area, this period is usually from late June to mid-August. For reference, the flowering period for individual species is provided in Table 5, *Sensitive Plant Species*, in the Project’s BRA (Appendix E of this Draft EIR). If no sensitive plant species are located within the area of disturbance, no further action shall be required. If sensitive plant species are located within such areas and are likely to be impacted by an individual project, conservation actions shall be implemented. Such actions shall include, but not necessarily be limited to re-routing the trail alignment so as to avoid or minimize impacts to sensitive plants while preserving an off-site population that is substantially larger than the population to be impacted, developing a transplantation program, and collecting seeds to move populations elsewhere out of harm’s way. These measures shall be developed in consultation with the CDFG and USFS.

**TSM 4.C-5 Sensitive Habitats:** As previously noted, there are three vegetation types within the Project area that are considered sensitive. These are aspen forest and woodland, mixed willow riparian, and montane wet meadow. To the extent practicable new trails and other recreational facilities shall avoid these vegetation types. In the event this is not practicable impacts will be minimized by restricting the Project footprint, including temporary and permanent impacts, to the minimum required to implement the project. Mitigation for trees that are necessary to remove has also been incorporated in the Project’s Aesthetics and Visual Resources assessment.

In the event the Town elects to repair, maintain and/or improve trail crossings along stream courses and other drainage features (that often support the sensitive vegetation

types mentioned above) in association with individual projects proposed under the TSMP, prior to project approval the Town shall notify and consult with the CDFG regarding the need for a Streambed Alteration Agreement (SAA). All work shall be performed in compliance with the conditions set forth in the SAA, as determined by the CDFG. Such conditions may include the in-kind replacement or restoration of riparian habitat at a 1:1 ratio for temporary impacts and a 2:1 ratio for permanent impacts within the Project Area, or as otherwise directed by the CDFG. Alternatively, if the impacts are very minor, the CDFG may, at its discretion, allow the work to proceed under a letter of law without mitigation other than notification and consultation.

As part of the SAA agreement process and prior to beginning construction within CDFG regulated drainages, a Habitat Mitigation and Monitoring Plan (HMMP) should be developed in coordination with the CDFG and USFS if necessary that ensures no net loss of riparian habitat value or acreage. The HMMP shall include, but not necessarily be limited to, the following:

- The establishment of a reference site near regulated resources to be impacted that have similar hydrology, soil regimes, and exposure as the resources to be impacted.
- The establishment of baseline conditions at the reference site regarding absolute native shrub and tree cover, woody shrub and tree stalk density, percentage cover by non-native plant species, and plant species diversity the vegetation using the Sorensen method (Stiling, 1999) within a 400 square foot prescribed reference plot.
- The establishment of a restoration site to encompass the mitigation needs of one or more Project elements either on the Project element site or off site within the Mammoth Creek watershed.
- A minimum 3-year establishment, monitoring, and maintenance (trash collection, weeding, etc.) period.
- The establishment of the following success criteria within a 400 square foot prescribed plot within the restoration site – 70 % of baseline absolute cover by native shrubs and trees; 70 % of baseline woody shrub and tree stalk density; no more than 5% cover by non-native plant species; and a Sorensen value of 0.6.

The HMMP shall be subject to CDFG approval and may require additional measures in addition to the mitigation discussed above. Because the implementation of individual projects proposed under the TSMP is expected to occur over several years, the Town should also explore the processing of a Programmatic SAA with CDFG.

Also of note, the Project's Hydrology and Water Quality assessment identified several mitigation measures which are consistent with the protection of sensitive riparian and wet meadow vegetation. These include: measures that control erosion; avoidance of wet areas, springs, wetlands, and the lower portions of slopes; crossing structures at stream crossings; and, the establishment of 5 foot wide vegetation buffers between trails, streams, and wetlands. Implementation of these mitigation measures would further reduce the potential impacts to sensitive habitats.

**TSM4.C-6 Federally Protected Wetlands:** In the event the Town elects to construct, repair, maintain and/or improve trail crossing in association with individual projects proposed under the TSMP within waters of the U.S. and federally protected wetlands, prior to project approval the Town shall notify and consult with the ACOE regarding the need for a Section 404 Permit and the RWQCD regarding the need for its 401 certification. All work shall be performed in compliance with the conditions set forth in the Permit, as determined by the ACOE. Such conditions may include the in-kind replacement or restoration of waters and/or wetlands at a ratio of 1:1 for temporary impacts and a ratio of 2:1 for permanent impacts within the Project Area, or as otherwise directed by the ACOE. Alternatively, if the impacts are less than 0.1 acre, the ACOE may, at its discretion, allow the work to proceed without mitigation other than notification and consultation.

The mitigation shall use the same approach as is outlined above in Section 6.1.5 for the mitigation of impacts to CDFG regulated resources. As is usually the case, CDFG jurisdiction extends beyond that of ACOE and mitigation for impacts to CDFG regulated resources is inclusive of ACOE mitigation needs.

**TSM4.C-7 Local Policies or Ordinances:** In order to educate trail and facility users about the potential for human/wildlife conflicts, the Town shall install signage at all new entry points to the trail system that include warning signs. The signs shall explain the risks and potential dangers that could be encountered by trail use and include instructions for what to do in case of a potential human/wildlife conflict. The signage should include, but not necessarily be limited to the following: refer to the Police Department/Wildlife Management Officer, USFS personnel and/or CDFW personnel as appropriate when dealing with bears; prohibitions on feeding wildlife; warnings against approaching wildlife; and user responsibilities for removing trash.

### 3. ENVIRONMENTAL IMPACTS

**Threshold BIO-1:** The project would have a significant impact if the project would result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

**Impact Statement BIO-1:** *Project elements are proposed within habitats that could support several special-status plant and wildlife species. In such cases, the loss of habitat and individuals of special-status species as well as migratory birds would be considered potentially significant. Compliance with MM BIO-1 through MM BIO-4 and applicable policies in the General Plan would reduce impacts to special-status plant and wildlife species and migratory birds to a less than significant level.*

#### a. Land Use Element/Zoning Code Amendments Impacts

While the Land Use Element/Zoning Code Amendments would not directly result in new development within the Town, buildout of the 14 vacant parcels within the commercially designated areas are evaluated. These parcels are mostly located within areas that are already developed and/or disturbed and therefore, support a limited number of biological resources. However, a few parcels reside within areas that support some native vegetation, and therefore, could potentially support special-status species.

### **(1) Special-Status Plant Species**

Although the majority of parcels are developed and likely do not support any special-status plant species, some parcels do support areas of native vegetation primarily characterized by conifer forest habitat. Special-status plant species with the potential to occur within the Project Area and that are associated with conifer forest habitat include Kern milk-vetch, Father Crowley's lupine, slender-leaved pondweed, Blandow's bog moss, long seta hump moss, scalloped moonwort, common moonwort, seep kobresia, and marsh arrowgrass. Kern milk-vetch and Father Crowley's lupine are associated with drier soils and may have a potential to occur in the conifer forest-dominated parcels. However, the remaining seven (7) species are typically associated with hydric conditions, such as meadows and seeps, which the majority of the parcels appear to lack; therefore, these would be unlikely to occur. A few of the parcels appear to support an unnamed blue line stream. Therefore, these parcels may provide hydric soil conditions that could potentially support the seven species typically associated with conifer forest habitats and hydric conditions. Additionally, subalpine fireweed, a CNPS-ranked 4.3 species, has the potential to occur where hydric conditions are present. Conducting habitat suitability evaluations and/or special-status plant surveys prior to development within parcels dominated by conifer forest habitats as outlined in MM BIO-4, below, and Policies R.1.B and R.1.C in the General Plan, above, would reduce any potential impacts to special-status plant species to less than significant. MM BIO-4 parallels the recommendations outlined in TSMM 4.C-4 was specifically designed for impacts to special-status plant species due to the construction of trails and other projects analyzed in the TSMP EIR. The wording in MM 4.C-4 has been rephrased to include any project analyzed under the Land Use Element/Zoning Code Amendments and Mobility Element Update.

### **(2) Special-Status Wildlife Species**

Because the vacant parcels are located within a highly developed area of the Town, special-status amphibian and mammal species are not likely to use the native vegetation for habitat since higher quality resources exist in close proximity to north of the Town's UGB. However, parcels dominated by conifer forest habitat support potential nesting and foraging habitat for migratory birds, including the special-status species northern goshawk. Project impacts resulting from the development of vacant parcels would require the removal of vegetation. It is a violation of the federal Migratory Bird Treaty Act to disturb actively nesting birds either directly (e.g., brush and tree removal) or indirectly (e.g., excessive construction noise). Should a violation occur during implementation of Project elements, there could be potentially significant impacts to migratory birds. Compliance with MM BIO-2, below, and Policies R.1.B, R.1.C, and R.1.J in the 2007 General Plan, above, would reduce potentially significant effects to migratory birds to less than significant. MM BIO-2 parallels the recommendations outlined in TSMM 4.C-2 of the TSMP EIR, which was a mitigation measure specifically designed for impacts to migratory birds due to the construction of trails and other projects analyzed in the TSMP EIR. The wording in TSMM 4.C-2 has been rephrased to include any project analyzed under the Land Use Element/ Zoning Code Amendments and Mobility Element Update and are introduced as MM BIO-2.

### **b. Mobility Element Update Impacts**

The Mobility Element Update road improvements and MUPs traverse through a variety of native plant communities, particularly the proposed MUPs, which have the potential to support special-status plant and wildlife species. Potential special-status species that occur within each component of the Mobility Element Update improvement areas are described below.

## (1) Special-Status Plant Species

### Road Improvements

Although road improvements are surrounded by developed areas within the Town, many of the improvements would extend existing roads through native vegetation communities. The Main Street Plan is not expected to support special-status plant species due to the high-level of vehicular and pedestrian use. The majority of native plant species along Main Street were previously removed for development. Nonetheless, there are scattered native trees, mainly Jeffrey pines, planted along Main Street that have the potential to support migratory bird species (see discussion regarding special-status wildlife, below). Thompson Way, Tavern Road Extension, Sierra Nevada Road Extension, and Sierra Park Road Extension support some areas of Great Basin sagebrush scrub. Special-status plant species that have a potential to occur within the Project Area and are associated with Great Basin sagebrush scrub include Long Valley milk-vetch, Lemmon's milk vetch, smooth saltbush, alkali ivesia, naked-stemmed phacelia, golden violet, and Father Crowley's lupine. However, many of these species are typically associated with Great Basin sagebrush and hydric conditions, such as the presence of meadows and seeps. The road extensions that are proposed to extend through Great Basin sagebrush scrub are not within or adjacent to areas that support meadows and seeps. Therefore, only Long Valley milk-vetch, naked-stemmed phacelia, golden violet, and Father Crowley's lupine may have a potential to occur within these three road extension areas.

The USFS Property Connections, Thompson Way, Tavern Road Extension, Shady Rest Site Connections, Callahan Way Extension, and 7B Road (Sierra Star Connector) support some areas of conifer forest. As previously mentioned, many of the special-status plant species associated with conifer forest habitat are also associated with hydric conditions. The majority of these road extensions appear to be within drier conditions; therefore, Kern milk-vetch and Father Crowley's lupine have a potential to occur within Thompson Way, Tavern Road Extension, and Callahan Way Extension road improvement areas. There are unnamed blue line streams that occur within the USFS Property Connections and Shady Rest Site Connections road improvement areas, which have the potential to support hydric conditions. Therefore, species associated with both conifer forest and hydric conditions, including Slender-leaved pondweed, Blandow's bog moss, long seta hump moss, scalloped moonwort, common moonwort, seep kobresia, and marsh arrow-grass, may have the potential to occur. Additionally, subalpine fireweed, a CNPS ranked 4.3 species, has the potential to occur.

The unnamed blue line streams that occurs in the northwestern portion of the Shady Rest Site Connections appears to support montane wet meadow habitat, which was also previously mapped by BonTerra Consulting in 2007.<sup>68</sup> Although the current drought may have promoted drier conditions, a review of aerial photographs from 2013 seem to suggest that montane wet meadow habitat still exists within this area. There are a number of special-status species that are documented within the vicinity of the Project Area that have a potential to occur within montane wet meadow habitat, including scalloped moonwort, Inyo County star-tulip, tall draba, Blandow's bog moss, alkali ivesia, seep kobresia, Hockett Meadows lupine, long seta hump moss, small-flowered grass-of-Parnassus, scalloped-leaved lousewort, Inyo phacelia, Robbins'

<sup>68</sup> BonTerra Consulting. 2007. *Hidden Creek Crossing Project Site Draft Biological Technical Report*. Prepared for RBF Consulting. October 16, 2007.

pondweed, alkali tansy-sage, little bulrush, and marsh arrow-grass. Additionally, subalpine fireweed, a CNPS-ranked 4.3 species, has the potential to occur within the Shady Rest Site Connections.

The Sierra Park Road Extension is proposed to cross Mammoth Creek, which supports aspen woodland and aspen forest habitat. Special-status plant species with the potential to occur along Mammoth Creek may include such species as little bulrush, Father Crowley's lupine, and slender-leaved pondweed, which are typically associated with riparian areas. Other hydrophytic species previously mentioned may also have the potential to occur along Mammoth Creek.

Conducting habitat assessments and/or special-status plant surveys within areas supporting suitable habitat prior to development within the road improvement areas as outlined in MM BIO-4, below, and Policies R.1.B and R.1.C in the 2007 General Plan, above, would reduce any potential impacts to special-status plant species to less than significant.

### **Multi-Use Paths (MUPs)**

As mentioned previously, many of the MUP alignments proposed are conceptual in nature, and are expected to undergo additional refinement as they are implemented. Therefore, the MUP areas will generally be addressed as a single unit unless otherwise specified.

The 38 proposed MUPs would traverse through several natural communities (even within developed portions of the Town) and can potentially be located in any of the vegetation communities previously identified, including aspen forest and aspen woodland, great basin sagebrush scrub, conifer forest, mixed willow riparian scrub, montane meadow, and montane chaparral. The majority of MUPs are proposed within areas that are dominated by conifer forest habitat and some areas of Great Basin sagebrush scrub, where special-status plant species associated with these habitats mentioned in the preceding sections have the potential to occur. The conceptual alignments for proposed MUPs 2-1 and 4-4 run parallel to Mammoth Creek, MUPs 3-12, 4-1, 4-3, 4-5, N-2, N-4, N-11, N-17, and N-21 appear to cross unnamed blue line streams, and MUPs N-22, N-23, and N-24 are proposed adjacent to Lake Mary.

As previously mentioned, USFS botanists surveyed within the vicinity of MUP N-4 for special-status plant species on July 20 and August 20, 2010 (Dutcher and Satterthwaite, 2010). No sensitive, threatened, endangered, or proposed plant species were located during the survey. However, the botanists did determine there was potential habitat for sensitive plant species in Kerry Meadow through which a portion of the proposed trail may be located.

Conducting habitat assessments and/or special-status plant surveys within areas supporting suitable habitat prior to development within the road improvement areas as outlined in TSMM 4.C-4 would reduce any potential impacts to special-status plant species to less than significant.

## (2) Special-Status Wildlife Species

### Road Improvements

The majority of the road improvements are mostly proposed within existing developed areas. However, some road alignments are proposed through areas that support conifer forest, Great Basin sagebrush scrub, and montane wet meadow habitats. Because the majority of the proposed road improvement projects are located within a highly developed area of the Town, special-status amphibian and mammal species are not likely to use native vegetation for habitat within these areas since higher quality resources exist outside of the Town's UGB. The exception to this is the Sierra Park Road Extension, which crosses Mammoth Creek. The willow flycatcher has a low to moderate potential to nest in riparian habitat associated with Mammoth Creek and its tributaries. According to the 2007 General Plan, potential habitat for the willow flycatcher occurs along Mammoth Creek directly upstream of U.S. Highway 395 and upstream from the creek's intersection with Minaret Road.<sup>69</sup> The portion of the Sierra Park Road Extension that is proposed to cross Mammoth Creek has a potential to support willow flycatcher as well as special-status amphibian species. Compliance with MM BIO-1 and MM BIO-3, below, and Policies R.1.B, R.1.C, and R.1.J in the 2007 General Plan, above, would reduce potentially significant impacts to willow flycatcher and special-status amphibians to less than significant, respectively. MM BIO-1 and MM BIO-3 parallel the TSMM 4.C-1 and TSMM 4.C-3 from the TSMP MMRP, which were specifically designed for impacts to willow flycatcher and other special-status wildlife species due to the construction of trails and other projects analyzed in the TSMP. The wording in TSMM 4.C-1 and TSMM 4.C-3 has been rephrased to include any project analyzed under the Land Use Element/Zoning Code Amendments and Mobility Element Update.

Road improvements proposed within areas dominated by aspen forest and aspen woodland, conifer forest, and Great Basin sagebrush scrub habitat could potentially support habitat for migratory birds, including the special-status species northern goshawk. Compliance with MM BIO-2, below, and Policies R.1.B, R.1.C, and R.1.J in the 2007 General Plan, above, would reduce potentially significant effects to migratory birds to less than significant.

No other special-status wildlife species are expected to occur within the road improvement areas.

### Multi-Use Paths (MUPs)

The 38 proposed MUPs would traverse through several natural communities (even within the developed portions of the Town) and can potentially be located in any of the vegetation communities previously identified, including aspen forest and aspen woodland, great basin sagebrush scrub, conifer forest, mixed willow riparian scrub, montane meadow, and montane chaparral. These vegetation communities have the potential to support special-status wildlife species.

Four (4) federal or state listed wildlife species have the potential to occur within the Project Area, including Yosemite toad (FT), great gray owl (SE), willow flycatcher (SE), and Sierra Nevada red fox (ST). The USFWS

---

<sup>69</sup> *Town of Mammoth Lakes. 2007. Section 4.3, Biological Resources, General Plan Update. p. 4-54.*

has not designated critical habitat for any of these species within the Project Area. No other federal/state listed species have the potential to occur in the Project Area.

Additionally, there are eight (8) wildlife species that are not federal or state listed species but are considered special-status, such as California Species of Special Concern (SSC) and USFS Sensitive Species (FSS). These species include Mount Lyell salamander (SSC), northern goshawk (SSC, FSS), greater sage-grouse (SSC, FSS), yellow warbler (SSC), Mount Lyell shrew (SSC), Townsend's western big-eared bat (SCT, SSC, FSS), Sierra Nevada mountain beaver (SSC), and Pacific marten (FSS).

The twelve special-status species mentioned above have the potential to occur within MUP alignment areas, particularly those that are proposed outside of the UGB and within special-status habitats. Since many of the proposed MUP alignments are conceptual in nature, habitat occurring within planned MUP areas should be reviewed as the individual projects are approved. For those MUPs that occur within potentially suitable habitat for special-status wildlife species, compliance MM BIO-3, below, and Policies R.1.B, R.1.C, and R.1.J in the General Plan, above, would reduce any impacts to a less than significant level.

Additionally, the majority of the MUPs traverse through areas that support potential nesting and foraging habitat for migratory birds. Project impacts resulting from the construction of MUPs will require the removal of vegetation. It is a violation of the federal Migratory Bird Treaty Act to disturb actively nesting birds either directly (e.g., brush and tree removal) or indirectly (e.g., excessive construction noise). Should this occur during implementation of Project elements, such a violation would represent a potentially significant impact. It should be noted that this potential impact may be associated with all elements and areas of the Project, including elements within the developed Town area. Compliance with MM BIO-2, below, and Policies R.1.B, R.1.C, and R.1.J in the General Plan, above, would reduce potentially significant effects to migratory birds to less than significant.

Those MUPs that are adjacent to riparian habitat associated with Mammoth Creek, especially mixed willow riparian scrub, have a potential to support willow flycatcher. Proposed MUPs 2-1 and N-21 both are adjacent to Mammoth Creek and occur within riparian habitat, which may provide suitable foraging and breeding habitat for willow flycatchers. Compliance with MM BIO-1, below, and Policies R.1.B, R.1.C, and R.1.J in the General Plan, above would reduce potentially significant impacts to willow flycatcher to less than significant.

### **Mitigation Measures**

The development of vacant parcels and redevelopment of already developed parcels could result in impacts to special-status plant species and migratory birds. Additionally, the installment of new roads and MUPs could result in an impact to special-status plant species and special-status wildlife species, including willow flycatcher and migratory birds. Therefore, the following mitigation measures are recommended:

**MM BIO-1 Willow Flycatcher:** Prior to approval of road improvement projects and MUPs proposed under the Mobility Element Update that have the potential to significantly disturb riparian vegetation associated with Mammoth Creek and its tributaries, the Town shall require a habitat evaluation by a biologist well versed in the requirements of willow flycatcher to be completed. If no suitable habitat for the species is identified within 300 feet of construction

or maintenance activities, no further measures would be required in association with the project. If suitable habitat for the species is identified within 300 feet of such activities, the Town shall require that a survey be completed prior to construction by a qualified biologist for the species according to CDFW survey guidelines (Bombay et. al., May 29, 2003). This survey protocol requires a minimum of two surveys, one between June 15-25 and one during either June 1-14 or June 26-July 15. Surveys during these periods must be at least five days apart and the second survey shall be conducted no more than one week prior to clearing of vegetation and/or the operation of motorized heavy equipment. If the surveys determine the species is not present within 300 feet of the area to be affected by an individual project, no further action shall be required. If, however, willow flycatcher is determined to be present and is using habitat within 300 feet of Project-related activities, inclusive of nesting and foraging, the Town shall consult with CDFW prior to initiating any construction activities in the area. Consultation may entail the processing of a 2081 Incidental Take Permit that includes certain conditions to avoid and/or mitigate for potential impacts to the species. Such conditions could include, but not be limited to, restrictions on the time of year for construction, noise monitoring, restrictions on equipment use, and others.

**MM BIO-2 Migratory Birds:** To the extent practicable, brush and tree removal related to projects proposed under the Land Use Element and Zoning Code Amendments and Mobility Element Update shall be initiated outside of the nesting bird season, which is generally held to be from April 1 to August 31 in the Mammoth Lakes area, and shall be carried out with no more than a two week lapse in the work. If the Town deems this to not be practicable, the Town shall require a nesting bird survey by a monitoring biologist to be conducted within 300 feet (for songbirds) and 500 feet (for raptorial birds) of construction sites no more than one week prior to initiating construction to ensure no birds protected under the MBTA and/or State Fish and Game Code Section 3503 et seq. are harmed or harassed.

If no active nests of songbirds and raptors are found within 300 feet and 500 feet, respectively, of the construction site, the work may begin. If active nests are found within the survey areas the Town shall delineate a buffer zone of 300 feet and 500 feet for songbirds and raptors, respectively, around the nest. Based on the nature of the work to be performed and the equipment to be used, the monitoring biologist may reduce the buffer zone based on intervening vegetation and topography. Such buffer zones shall remain in place until the young in the nest have fledged or the nest has failed, as determined by the monitoring biologist.

All projects involving removal of trees or vegetation capable of supporting nesting birds shall be subject to the requirements of this Mitigation Measure.

**MM BIO-3 Other Special-Status Wildlife:** As discussed earlier, there are a number of wildlife species of special concern to Federal and State resource agencies that are known or are expected to occur within the planned road improvement and MUP areas under the Mobility Element Update.

- For such avian species, including northern goshawk, greater sage-grouse, yellow warbler, and great gray owl, implementation of MM BIO-2 for nesting birds will suffice in reducing impacts to these species to less than significant.
- For such amphibian species, including the Mount Lyell salamander and Yosemite toad, where suitable habitat exists for these species, a thorough search of areas to be disturbed shall be made by construction personnel trained in the methods of searching for these species. If any amphibians are found, regardless of species, they will be captured and relocated in like habitat no less than 100 feet away from construction sites.
- For such special-status mammal species with the potential to occur in conjunction with particular project components, including the Sierra Nevada red fox, Pacific marten, Sierra Nevada mountain beaver, Townsend's western big-eared bat, and Mount Lyell shrew, and where suitable habitat for these species exists in the Project Area, pre-construction surveys shall be conducted by a biologist familiar with the sign of each species to identify signs of their presence or determine their absence no more than two weeks prior to initiating construction activities. Such surveys shall encompass the area to be disturbed and the habitat within 300 feet of construction activities. Due the secretive and/or nocturnal activity patterns of these species, the following signs shall be used:
  - Mount Lyell shrew – evidence of nests of dry leaves or grasses in stumps or under logs or piles of brush.
  - Townsend's western big-eared bat – evidence of occupation by colonies in caves, mine tunnels, and buildings.
  - Sierra Nevada mountain beaver – evidence of extensive tunnels, runways and burrows beneath dense streamside vegetation.
  - Pacific marten – evidence of den, normally in hollow trees or downed logs.
  - Sierra Nevada red fox – evidence of den, normally on slopes with porous soils.

If no evidence of the presence of any of these species is found, no further mitigation activities shall be required. However, if evidence of the presence of any of these species is observed, impacts will be avoided or minimized in one or more of the following ways and in consultation with CDFW and/or USFS: realigning roads and/or trails so as to retain a 100-foot buffer between the occupied site and construction activities and human use; suspending construction activities within 300 feet of the den, nest, or bat roosts during the breeding period, (generally held to be March 1 to July 31 for these species); verifying the actual occupation of dens, nests, or roosts by means such as placing tracking medium around the den or nest entrance or conducting a bat survey at the roost entrance at sunset; temporarily blocking the entrance of a den or nest verified to be unoccupied until after construction is completed.

**MM BIO-4** Special-Status Plants: Prior to approval of individual projects proposed under the Land Use Element and Zoning Code Amendments and Mobility Element Update that are

determined to have habitat suitable to support special-status plants, the Town shall require a survey be completed by a qualified botanist for special-status plant species within 100 feet on either side of a trail alignment or within the disturbance area of other proposed projects. These surveys shall be conducted during the blooming period for the potential occurring species, which is when they are most easily identifiable. For those species with at least a low potential to occur in the Project Area, this period is usually from late June to mid-August. If no special-status plant species are located within the area of disturbance, no further action shall be required. If special-status plant species are located within such areas and are likely to be impacted by an individual project, conservation actions shall be implemented. Such actions shall include, but not necessarily limited to, re-routing the trail alignment so as to avoid or minimize impacts to special-status plants while preserving an off-site population that is substantially larger than the population to be impacted, developing a transplantation program, and collecting seeds to move populations elsewhere out of harm's way. These measures shall be developed in consultation with the CDFW and USFS.

**Threshold BIO-2:** The project would result in a significant impact if the project would result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

**Impact Statement BIO-2:** *Project-related construction and maintenance activities could result in the loss of high priority inventory communities and drainage-associated vegetation under CDFW jurisdiction. These impacts would be considered potentially significant and may require Section 1602 Permit from CDFW. With the implementation of Section 1602 Permit and compliance with MM BIO-5 and applicable policies in the General Plan, impacts to special-status habitats and drainage-associated vegetation under CDFW jurisdiction would be reduced to a less than significant level.*

### a. Land Use Element/Zoning Code Amendment Impacts

Because the vacant parcels occur within a heavily developed portion of the Town, many of the parcels are already developed and/or disturbed and do not support native vegetation communities. However, blue line streams are indicated on USGS 7.5-minute topography through some of the parcels. Although these parcels do not appear to support any special-status habitats pursuant to CDFW regulation, it should be noted that any future activities within the Project Area that could affect stream beds, banks, or associated vegetation (e.g., parcel development, stream crossing repair/ maintenance/ improvement, bank stabilization) may also be regulated by Section 1602 of the California State Fish and Game Code. Under the jurisdiction of the CDFW such impacts would be considered potentially significant and may require a Streambed Alteration Agreement (SAA) from the CDFW. Compliance with MM BIO-5, below, and Policies R.1.A and R.1.D in the 2007 General Plan, above, would reduce any potential impacts to vegetation under CDFW jurisdiction less than significant levels. MM BIO-5 parallels the recommendations outlined in TSMM 4.C-5 of the TSMP MMRP, specifically designed for impacts to special-status habitats due to the construction of trails and other projects in the TSMP. The wording in TSMM 4.C-5 has been rephrased to include any project analyzed under the Land Use Element/Zoning Code Amendments and Mobility Element Update.

## b. Mobility Element Update Impacts

### Road Improvements

The majority of the proposed road improvements would occur within areas that support vegetation communities that are not considered special-status pursuant to CDFW regulation. However, montane wet meadow was previously mapped within the Shady Rest Site Connections and the portion of Sierra Park Road Extension that crosses Mammoth Creek supports aspen forest and aspen woodland, which are both considered a special-status habitat. Impacts to special-status habitats would be considered potentially significant. Additionally, the USGS mapped blue line streams that are within the proposed road alignments for the USFS Property Connections and Shady Rest Site Connections could support associated vegetation under CDFW jurisdiction and vegetation associated with Mammoth Creek would be under CDFW jurisdiction. Vegetation associated with any drainage would be regulated by Section 1602 of the California State Fish and Game Code. Under the jurisdiction of the CDFW such impacts would be considered potentially significant and may require a Streambed Alteration Agreement (SAA) from the CDFW. Compliance with MM BIO-5, below, and Policies R.1.A and R.1.D in the General Plan, above, would reduce any potential impacts to less than significant levels.

### Multi-Use Paths (MUPs)

The majority of the proposed road improvements would occur within areas that support vegetation communities that are not considered special-status habitats pursuant to CDFW regulation. However, the alignments for the proposed MUPs 2-1, 3-5, and N-4 would occur within areas that support habitat considered special-status. MUP 2-1 would run parallel to Mammoth Creek and appears to support aspen forest and aspen woodland habitat. MUP 3-5 and MUP N-4 are proposed within an area previously mapped as montane wet meadow habitat. MUP-21 would cross Mammoth Creek and appears to support both montane wet meadow and mixed willow riparian scrub habitats. These habitats are considered special-status pursuant to CDFW and impacts would be considered potentially significant. Additionally, a number of proposed MUPs appear to cross blue line streams, including MUPs 3-12, 4-1, 4-3, 4-5, N-2, N-4, N-11, N-17 and N-21. Areas where MUPs are proposed to cross blue line streams as well as Mammoth Creek should be evaluated to determine if potential wetlands or other jurisdictional features exist prior to development. Vegetation associated with drainages would be regulated by Section 1602 of the California State Fish and Game Code. Under the jurisdiction of the CDFW such impacts would be considered potentially significant and may require a Streambed Alteration Agreement (SAA) from the CDFW. Compliance with MM BIO-5, below, and Policies R.1.A and R.1.D in the General Plan, above, would reduce any potential impacts to less than significant levels.

### Mitigation Measures

The construction of proposed projects under the Land Use Element/ Zoning Code Amendments and Mobility Element Update may result in impacts to special-status habitats and drainage-associated vegetation under CDFW jurisdiction. Therefore, the following mitigation measure is recommended:

**MM BIO-5 Special-Status Habitats:** Three vegetation types within the Project Area that are considered special-status: aspen forest and woodland, mixed willow riparian scrub, and montane wet meadow. To the extent practicable Project components shall avoid these

vegetation types. In the event this is not practicable, impacts shall be minimized by restricting the Project footprint, including temporary and permanent impacts, to the minimum required to implement the project.

In the event the Town elects to repair, maintain and/or improve trail crossings along stream courses and other drainage features (that often support the special-status vegetation types mentioned above) in association with individual projects proposed under the Project, prior to approval the Town shall notify and consult with the CDFW regarding the need for a Streambed Alteration Agreement (SAA). All work shall be performed in compliance with the conditions set forth in the SAA, as determined by the CDFW. Such conditions may include the in-kind replacement or restoration of riparian habitat at a 1:1 ratio for temporary impacts and a 2:1 ratio for permanent impacts within the Project Area, or as otherwise directed by the CDFW. Alternatively, if the impacts are very minor, the CDFW may, at its discretion, allow the work to proceed under a letter of law without mitigation other than notification and consultation.

As part of the SAA agreement process and prior to beginning construction within CDFW regulated drainages, a Habitat Mitigation and Monitoring Plan (HMMP) should be developed in coordination with the CDFW and USFS if necessary that ensures no net loss of riparian habitat value or acreage. The HMMP shall include, but not necessarily be limited to, the following:

- The establishment of a reference site near regulated resources to be impacted that have similar hydrology, soil regimes, and exposure as the resources to be impacted.
- The establishment of baseline conditions at the reference site regarding absolute native shrub and tree cover, woody shrub and tree stalk density, percentage cover by non-native plant species, and plant species diversity the vegetation using the Sorensen method within a 400 square foot prescribed reference plot.
- The establishment of a restoration site to encompass the mitigation needs of one or more Project elements either on the Project element site or off site within the Mammoth Creek watershed.
- A minimum 3-year establishment, monitoring, and maintenance (trash collection, weeding, etc.) period.
- The establishment of the following success criteria within a 400 square foot prescribed plot within the restoration site – 70 % of baseline absolute cover by native shrubs and trees; 70 % of baseline woody shrub and tree stalk density; no more than 5% cover by non-native plant species; and a Sorensen value of 0.6.

**Threshold BIO-3:** The project would result in a significant impact if the project would result in a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

**Impact Statement BIO-3:** *Buildout of vacant parcels and construction of road improvements and MUPs may affect wetlands and/or other jurisdictional features through potential dredging and filling activities. These impacts would be potentially significant and may require CWA Section 404 Permits from the ACOE, and a Section 401 Water Quality Certification from the RWQCB. With the implementation of such permits and compliance with MM BIO-6 and applicable polices in the General Plan, impacts would be reduced to less than significant levels.*

### **a. Land Use Element/ Zoning Code Amendments Impacts**

Based on USGS topographic mapping, there are unnamed blue line streams that run through some of the parcels. At the time of proposed development parcels should be evaluated to determine if potential wetlands or other jurisdictional features exist prior to development. If jurisdictional features, including wetlands, exist within the parcel, impacts could be considered potentially significant under the jurisdiction of the ACOE such and may require a CWA Section 404 Permit from the ACOE, and a Section 401 Water Quality Certification from the RWQCB. Additionally, any future activities within the Project Area that could affect stream beds, banks, or associated riparian vegetation could also be regulated by Section 1602 of the California State Fish and Game Code. Impacts with respect to federally protected wetlands and other jurisdictional features would be reduced to less than significant levels through compliance with MM BIO-6, below, and Polices R.2.B, R.2.C, R.2.D, R.3.A, and R.3.C in the General Plan, above. BIO-6 parallels the recommendations outlined in TSMM 4.C-6 of the TSMP MMRP, specifically designed for impacts to federally protected wetlands due to the construction of trails and other projects analyzed in the TSMP EIR. The wording in TSMM 4.C-6 has been rephrased to include any project analyzed under the Land Use Element/ Zoning Code Amendments and Mobility Element Update.

### **b. Mobility Element Update Impacts**

#### **Road Improvements**

Based on USGS topographic mapping, USFS Property Connections and Shady Rest Site Connections appear to cross unnamed blue line streams. Additionally, portions of Shady Rest Site Connections support montane wet meadow and a portion of Sierra Park Road Extension crosses Mammoth Creek. The areas where these road improvements are proposed should be evaluated to determine if potential wetlands or other jurisdictional features exist prior to development. If jurisdictional features, including wetlands, exist within the road improvement areas, impacts could be considered potentially significant under the jurisdiction of the ACOE such and may require a CWA Section 404 Permit from the ACOE, and a Section 401 Water Quality Certification from the RWQCB. Additionally, any future activities within the Project Area that could affect stream beds, banks, or associated riparian vegetation could also be regulated by Section 1602 of the California State Fish and Game Code. Impacts with respect to federally protected wetlands and other jurisdictional features would be reduced to less than significant levels through compliance with MM BIO-6, below, and Polices R.2.B, R.2.C, R.2.D, R.3.A, and R.3.C in the General Plan, above.

## Multi-Use Paths (MUPs)

A number of proposed MUPs appear to cross blue line streams, including MUPs 3-12, 4-1, 4-3, 4-5, N-2, N-4, N-11, N-17, and N-21. Areas where MUPs are proposed to cross blue line streams should be evaluated to determine if potential wetlands or other jurisdictional features exist prior to development. In particular, MUP 2-1 is proposed to align directly parallel to Mammoth Creek, which would fill in a gap on the Main Path along Old Mammoth Road between Mammoth Creek Park and Minaret Road. The alignment of MUP 4-4 is also proposed to run parallel to Mammoth Creek; however the alignment appears to be setback from the stream banks and may not affect any jurisdictional features or hydrophytic vegetation. Mammoth Creek is considered a perennial stream and is likely to fall under ACOE, RWQCB, and CDFW jurisdiction due to the presence of moist soils and obligate hydrophytic plant species on the banks of the Creek. These also indicate that the banks likely contain wetlands that would also fall under ACOE/RWQCB jurisdiction and impacts would require Section 404/401 Permits. All riparian vegetation associated with Mammoth Creek and blue line streams would be under CDFW jurisdiction. Impacts to federally protected wetlands and other jurisdictional features associated with the construction of MUPs would be reduced to less than significant levels through compliance with MM BIO-6, below, and Policies R.2.B, R.2.C, R.2.D, R.3.A, and R.3.C in the General Plan, above.

## Mitigation Measures

The construction of proposed projects under the Land Use Element/Zoning Code Amendments and Mobility Element Update could result in impacts to federally protected wetlands and/or other jurisdictional features under ACOE/RWQCB jurisdiction. Therefore, the following mitigation measure is recommended:

**MM BIO-6 Federally Protected Wetlands:** Prior to any project approval for construction, repair, maintenance and/or improvements in association with individual projects proposed under the Land Use Element and Zoning Code Updates and Mobility Element Update within waters of the U.S. and federally protected wetlands, the Town shall notify and consult with the ACOE regarding the need for a Section 404 Permit and the RWQCB regarding the need for its 401 certification. All work shall be performed in compliance with the conditions set forth in the Permit, as determined by the ACOE. Such conditions may include the in-kind replacement or restoration of waters and/or wetlands at a ratio of 1:1 for temporary impacts and a ratio of 2:1 for permanent impacts within the Project Area, or as otherwise directed by the ACOE. Alternatively, if the impacts are less than 0.1 acre, the ACOE may, at its discretion, allow the work to proceed without mitigation other than notification and consultation.

The mitigation shall use the same approach as is outlined above for the mitigation of impacts to CDFW regulated special-status habitats. As is usually the case, CDFW jurisdiction extends beyond that of ACOE and mitigation for impacts to CDFW regulated resources is inclusive of ACOE mitigation needs.

**Threshold BIO-4:** The project would result in a significant impact if the project would 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 nursery sites.

**Impact Statement BIO-4:** *Because the majority of the Project Area is within the Town's UGB, impacts related to the movement of wildlife are not expected to be significant and no mitigation would be required.*

#### **(a) Land Use Element/Zoning Code Amendment Impacts**

All of the vacant parcels are located within the commercially designated areas of the Town and are adjacent to developed parcels. Therefore, development of the vacant parcels and/or the redevelopment of already developed lands as a result of implementation of the Land Use Element/Zoning Code Amendments would not interfere with wildlife movement.

#### **(b) Mobility Element Update Impacts**

##### **Road Improvements**

The proposed road improvements are all contained within the UGB and roads primarily traverse through areas of the Town that are already developed. Although the development of the proposed roads may result in disturbances to local wildlife movement, those species adapted to urban areas would be expected to persist following the installment of the roads. The road improvement areas are not expected to facilitate wildlife movement on a regional scale.

##### **Multi-Use Paths (MUPs)**

There are a number of MUPs that are proposed to extend outside of the UGB. However, fairly intensive recreational activities, including hiking, biking and riding, are already occurring within these areas. Thus, any wildlife movement that is occurring today through these areas does so in the presence of humans and their recreational activities, and is expected to continue uninterrupted. Intensification of overall human use would occur as MUPs are installed; however, the MUPs are considered minimally invasive and are not considered to be an agent for habitat fragmentation and habitat isolation.

##### **Mitigation Measures**

Impacts related to migratory wildlife and corridors would be less than significant and no mitigation measures are necessary.

**Threshold BIO-5:** The project would result in a significant impact if the project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

**Impact Statement BIO-5:** *With the development of vacant parcels within the Town and construction associated with the road improvement and MUP projects, a number of trees would be removed. The Town's Tree Removal and Protection Ordinance requires a permit to remove certain species of trees and requires replacement of trees. Additionally, potential conflicts between humans and their pets and wildlife are likely to currently occur within and adjacent to the Project Area, particularly in the MUP*

*areas, and as such, the Project could conflict with the management goals and standards and guidelines of the Inyo National Forest Land and Resource Management Plan (LRMP). These impacts could be significant; however, compliance with adopted mitigation measures and implementation of the prescribed mitigation measure would reduce any potential impacts to less than significant levels.*

The Town is located within the East Sierra conifer forest and cited in the Town's General Plan and the Zoning Code as a "Village in the Trees." The Zoning Code describes the importance of trees in the protection of property values, provision of wildlife habitat, reduction of soil erosion, noise buffering, wind protection, and visual screening for development. New streets and MUPs on vacant or undisturbed properties has the potential to remove specimen forest trees.

In addition, the redevelopment of buildings closer to the street has the potential to remove forest trees occurring within the current roadway right-of-way, particularly along Main Street. All tree removal within the UGB must be performed in accordance with the Town's Tree Removal and Protection Ordinance, as enforced under Zoning Code Section 17.36.140. This ordinance regulates the protection and removal of certain trees. Under Section 17.36.140.G, a development site that includes tree removal must provide an approved Tree Removal and Protection Plan, including tree protection measures, or obtain a separate tree removal permit. Code Section 17.36.140.I requires mitigation for tree removal, including replacement plantings at a ratio determined by the Director. If required, replacement must be limited to plantings in areas suitable for tree replacement with species identified in the Town of Mammoth Lakes' Recommended Plant List.<sup>70</sup> The minimum replacement tree size is seven gallons. Replacement requirements may also be determined based on the valuation of the tree as determined by a Registered Professional Forester (RPF) or arborist. The property owner is also required to maintain plantings to a level approved by the Director. With the implementation of existing Zoning Code requirements, impacts to biological resources resulting from development of properties would be less than significant.

Code Section 17.36.140 also allows cutting of trees for public rights of way. As such, roads and MUP's that require tree cutting would be consistent with the intent of the Zoning Code Section 17.36.140, the purpose of which is to protect trees and to reflect the Town's interest in maintaining existing forest trees. Although the location of new streets and MUPs under the Mobility Element Update is conceptual in nature and no specific right-of-way designs have been developed, the construction of new trails and streets could result in an adverse impact on the Town's existing forestry resources. As such, mitigation is recommended. Mitigation Measure (MM) BIO-1 would require the replacement of removed trees within the UGB, including street trees, in accordance with the Town's Recommended Plant List. Compliance with MM BIO-1 (below), Policies R.1.B, R.1.C, and R.2.B in the General Plan (above), and existing Zoning Code requirements (above), impacts with respect to the removal of trees within the UGB would be less than significant.

### **Inyo National LRMP**

It is expected that with implementation of the Project by the Town, the Project will be consistent with local policy and ordinances as well as USFS land use and conservation plans. As previously outlined in section (1) above, the Town's 2007 General Plan Resource Management and Conservation Element includes policies

<sup>70</sup> Mammoth Community Water District. 2014. *Water Efficient Landscape Regulations User Guide*. Mammoth Lakes, CA. May 2014.

specifically directed at: sound stewardship of important wildlife and biological habitats, as well as special status plant and animal species; mitigation for potential impacts to special-status habitats, including special-status plant and animal species and mature trees; construction of active and passive recreation away from habitat areas; support of fishery management activities; and living safely with wildlife.

Nonetheless, conflicts between humans and their pets and wildlife such as bears, mountain lions and coyotes are likely to currently occur within and adjacent to the Project Area. Given the natural setting of much of the Project Area, particularly the MUP areas outside of the UGB, it is inevitable that potential conflicts with wildlife would occur so long as humans (and their pets) continue to visit and use the Project Area and its trail systems. Such conflicts potentially include, but are not limited to harassment of wildlife by off-leash dogs, or by humans approaching wildlife, the feeding of wildlife, the discharge of weapons at or in proximity to wildlife, noise associated with snowmobiles and Off-Highway Vehicles, and human disturbance of breeding and foraging activities, all of which are detrimental normal wildlife behavior. Conversely, in some cases, human/wildlife conflicts have resulted in injury, often severe, to humans.

In addition, the adoption and implementation of the Project would need to be cognizant of the Inyo National LRMP and the management goals and standards and guidelines it contains. Specifically, these goals, standards and guidelines stress the conservation of riparian areas, special-status plants, wildlife, and special-status wildlife species. By complying with GPMM 4.3-1, TSMM 4.C-7, MM BIO-1 through MM BIO-7, and policies in the General Plan, the Project would be consistent with local policies and ordinances and any impacts would be reduced to less than significant levels.

### Mitigation Measures

The development of vacant parcels and construction associated with the road improvement and MUP projects could result in the removal of trees within the Town, which could result in a significant impact. Therefore, the following mitigation measure is recommended:

**MM BIO-7:** All street and trail construction within the UGB resulting in the removal of healthy specimen trees, including street trees, shall replace any removed tree on a one to one basis. Trees must be selected from the Town's Recommended Plant List to the satisfaction of the Director.

**Threshold BIO-6:** The project would result in a significant impact if the project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

**Impact Statement BIO-6:** *At this time there are no adopted or on-going region-wide habitat conservation plans in the area that would be affected by implementation of the Project. Thus, no Project-related impacts would occur in this regard and no mitigation would be required.*

There are no Habitat Conservation Plans or Natural Community Conservation Plans in place within the Project Area. As indicated in the General Plan EIR,<sup>71</sup> there are a number of other approved plans that are within the Project Area, including Owens Basin Wetland and Aquatic Species Recovery Plan Inyo and Mono Counties, California,<sup>72</sup> Draft Recovery Plan for the Sierra Nevada Bighorn Sheep (*Ovis canadensis californiana*),<sup>73</sup> Riparian Bird Conservation Plan for 14 Priority Riparian-Dependent Species,<sup>74</sup> and Greater Sage-Grouse Conservation Plan for the Bi-State Area of Nevada and Eastern California.<sup>75</sup>

Through compliance with design features and policies outlined in the General Plan as well as implementation of MM BIO-1 through MM BIO-7, biological resources would be protected during construction activities associated with Project. These design features, policies, and mitigation measures would serve to reinforce the Town's commitment to the preservation of biological resources.

### Mitigation Measures

The Project would not conflict any Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan with respect to migratory wildlife or corridors, and no mitigation measures are necessary.

## 4. CUMULATIVE IMPACTS

The development of vacant parcels and redevelopment of already developed parcels under the Land Use Element/Zoning Code Amendments and the road improvements and MUPs identified in the Mobility Element Update are primarily within the UGB of the Town. Although biological resources are present within these areas, the majority of project-related construction activities would occur within areas that are already developed and/or disturbed. Nonetheless, a number of mitigation measures are proposed to protect special-status plant and wildlife species, jurisdictional features and wetlands, and healthy trees that occur within the Town. With the implementation of these mitigation measures and compliance with policies outlined in the General Plan and design features, the biological resources within the Town would be protected. In addition to this Project, there are a total 26 related projects currently in the Town of Mammoth Lakes. The related projects are primarily within the Town's UGB and would be subject to the same policies contained in the General Plan. As such, impacts from the Project would not be considered cumulatively significant.

## 5. LEVEL OF SIGNIFICANCE AFTER MITIGATION

With the implementation of MM BIO-1 through MM BIO-4 as well as Policies R.1.B, R.1.C, and R.1.J in the General Plan, impacts to special-status plant and wildlife species, including willow flycatcher and migratory birds would be reduced to a less than significant level. With respect to special-status habitats and drainage-

<sup>71</sup> *Town of Mammoth Lakes. 2007. Section 4.3, Biological Resources, General Plan Update EIR. pp. 4-86 – 4-87.*

<sup>72</sup> *USFWS. 1998. Owens Basin Wetland and Aquatic Species Recovery Plan Inyo and Mono Counties, California. Portland, Oregon.*

<sup>73</sup> *USFWS. 2007. Recovery Plan for the Sierra Nevada Bighorn Sheep. Sacramento, California.*

<sup>74</sup> *Riparian Habitat Joint Venture. 2004. Version 2.0. The Riparian Bird Conservation Plan: a Strategy for Reversing the Decline of Riparian Associated Birds in California. California Partners in Flight. Stinson Beach, California.*

<sup>75</sup> *Sage-Grouse Conservation Team. 2004. Greater Sage-Grouse Conservation Plan for Nevada and Eastern California, First Edition.*

associated vegetation under CDFW jurisdiction, with implementation of a Section 1602 Permit and compliance with MM BIO-5 and Policies R.1A and R.1.D in the General Plan, impacts would be reduced to a less than significant level. With regard to federally protected wetlands and other drainage features under ACOE/RWQCD jurisdiction, with implementation of Section 404/401 Permits and compliance with MM BIO-6 and Policies R.2.B, R.2.C, R.2.D, R.3.A, and R.3.C in the General Plan, impacts would be reduced to a less than significant level. Potentially significant impacts to substantial loss of healthy trees within the Town's UGB would be reduced to a less-than-significant level with the incorporation of the adopted mitigation measures and implementation of MM BIO-1. The Project would not result in significant impacts with respect to migratory wildlife or corridors, and no mitigation measures are necessary. The Project would not conflict any Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan with respect to migratory wildlife or corridors, and no mitigation measures are necessary.

## 4.5 CULTURAL RESOURCES

---

This section evaluates potential impacts on cultural resources (i.e., archaeological, historical or built-environment, and paleontological resources) that could occur in association with the Land Use Element/Zoning Code Amendments (i.e., future development of property in the commercial districts) and improvements associated with the Mobility Element Update.

### 1. ENVIRONMENTAL SETTING

#### a. Regulatory Framework

Numerous laws and regulations require federal, state, and local agencies to consider the effects of a Proposed Project on cultural resources. These laws and regulations establish a process for compliance, define the responsibilities of the various agencies proposing the action, and prescribe the relationship among other involved agencies (e.g., State Historic Preservation Office and the Advisory Council on Historic Preservation). The National Historic Preservation Act (NHPA) of 1966, as amended, CEQA, and the California Register of Historical Resources (California Register), Public Resources Code (PRC) 5024, are the primary federal and state laws governing and affecting preservation of historic resources of national, state, regional, and local significance. Other relevant regulations at the local level include the Town's General Plan. A description of the applicable laws, regulations, and guidelines is provided in the following paragraphs.

#### (1) Federal Level

##### (a) National Environmental Policy Act of 1969

The National Environmental Policy Act (NEPA) directs federal agencies to prepare a detailed statement of the environmental impacts of any "major federal action significantly affecting the quality of the human environment." These statements are usually known as Environmental Assessments (EA) or Environmental Impact Statements (EIS). The "human environment" consists of many aspects, including what NEPA terms "cultural resources." Under NEPA, cultural resources include historic properties as defined under Section 106 of the NHPA which is described in more detail in the following Section. Cultural resources also include the cultural use of the physical and natural environment, social institutions, lifeways, religious practices, and other cultural institutions.

##### (b) Section 106 of the National Historic Preservation Act of 1966 (Section 106)

Compliance with Section 106 requires a sequence of steps, often referred to as the "Section 106 process." The steps include (1) identification of the area that will be affected by the proposed undertaking ("area of potential effect" [APE]); (2) identification of historic or archaeological properties; (3) evaluation of the eligibility of the properties for listing on the National Register of Historic Places; (4) determination of the level of effect of the undertaking on eligible properties; and (5) consultation with concerned parties and agreement in the form of a Memoranda of Agreement (MOA) on avoidance, minimization, or mitigation of adverse effects on eligible properties. These steps are described in more detail, as follows:

As defined in the NHPA (36 CFR 800.16(d)), an APE “is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if such properties exist. The area of potential effect is influenced by the scale and nature of the undertaking and may be different for different kinds of effects caused by the undertaking.” Federal agencies define the cultural resources APE in consultation with the State Historic Preservation Office (SHPO). The APE may or may not match the footprint of the project area.

Identification of historic or archaeological properties is done by means of pedestrian survey and research in appropriate historical and archaeological archives. The Secretary of the Interior has set out guidelines for qualifications for archaeologists and historians responsible for identifying, evaluating, recording, and providing treatment for historical and archaeological resources (36 CFR 61). These guidelines are updated and published by the National Park Service (NPS 1983).

Evaluation of archaeological and historical property significance follows the significance criteria of the National Register of Historic Places (National Register). The National Register was established by the NHPA in 1966 to serve as “an authoritative guide to be used by Federal, State, and local governments, private groups and citizens to identify the Nation’s cultural resources and to indicate what properties should be considered for protection from destruction or impairment.” (36 CFR § 60.2). The National Register recognizes properties that are significant at the national, state and local levels. Guidelines for nomination require that significant resources exhibit aspects of important themes in American history, architecture, archaeology, engineering, and culture and possess integrity of location, design, setting, materials, workmanship, feeling, and association and that;

- a. are associated with events that have made a significant contribution to the broad patterns of our history; or
- b. that are associated with the lives of persons significant in our past; or
- c. that embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction; or
- d. that have yielded or may be likely to yield, information important to history or prehistory

In addition to meeting the Criteria for Evaluation, a property must have integrity. “Integrity is the ability of a property to convey its significance.”<sup>1</sup> According to *National Register Bulletin 15 (NRB)*, the National Register recognizes seven aspects or qualities that, in various combinations, define integrity: location, design, setting, materials, workmanship, feeling, and association. In assessing a property’s integrity, the National Register criteria recognize that properties change over time, therefore, it is not necessary for a property to retain all its historic physical features or characteristics. The property must retain, however, the essential physical features that enable it to convey its historic identity.<sup>2</sup>

<sup>1</sup> *National Register Bulletin 15*, p. 44.

<sup>2</sup> “A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property’s historic character. Because feeling and association depend on individual perceptions, their retention alone is never sufficient to support eligibility of a property for the National Register.” *Ibid*, 15, p. 46.

For properties that are considered significant under National Register Criteria A and B, the *National Register Bulletin, How to Apply the National Register Criteria for Evaluation* states that a property that is significant for its historic association is eligible if it retains the essential physical features that made up its character or appearance during the period of its association with the important event, historical pattern, or person(s).<sup>3</sup>

In assessing the integrity of properties that are considered significant under National Register Criterion C, the *National Register Bulletin, How to Apply the National Register Criteria for Evaluation* provides that a property important for illustrating a particular architectural style or construction technique must retain most of the physical features that constitute that style or technique.<sup>4</sup>

Archaeological sites, in contrast to historical resources, are most often eligible under Criterion D for their “information potential.” For properties eligible under Criterion D, less attention is given to their overall condition, than if they were being considered under Criteria A, B, or C. Archeological sites, in particular, do not exist today exactly as they were formed as there are always cultural and natural processes that alter the deposited materials and their spatial relationships. For properties eligible under Criterion D, integrity is based upon the property’s potential to yield specific data that addresses important research questions.<sup>5</sup>

Adverse effects occur when an undertaking may directly or indirectly alter characteristics of a historic property that qualify it for inclusion in the National Register. Examples of adverse effects include physical destruction or damage; alteration not consistent with the Secretary of the Interior’s Standards; relocation of a property; change of use or physical features of a property’s setting; visual, atmospheric, or audible intrusions; neglect resulting in deterioration; or transfer, lease, or sale of a property out of Federal ownership or control without adequate protections (36 CFR 800.5(a)). Effects of the proposed undertaking on eligible properties are determined by analysis and agreement between federal agencies, the SHPO, and other concerned parties.

The California SHPO, the Office of Historic Preservation (OHP), established by the NHPA to implement historic preservation management at the state level, is mandated to review National Register nominations, maintain data on historic properties that have been identified but not yet nominated, and consult with Federal agencies during Section 106 review. Concurrence of the OHP on site evaluations and recommendations with respect to National Register eligibility and project effects will be required.

MOAs on avoidance, minimization, or mitigation of adverse effects on eligible properties are developed through the course of the project by federal agencies, SHPO, and other parties concerned with the preservation and disposition of cultural resources, including Native American groups with affiliation to the project site.

---

<sup>3</sup> *Ibid.*

<sup>4</sup> “A property that has lost some historic materials or details can be eligible if it retains the majority of the features that illustrate its style in terms of the massing, spatial relationships, proportion, pattern of windows and doors, texture of materials, and ornamentation. The property is not eligible, however, if it retains some basic features conveying massing but has lost the majority of the features that once characterized its style.” *Ibid.*

<sup>5</sup> *National Register Bulletin 15, p. 46.*

The Section 106 review process should run parallel and be integrated with the NEPA process and the results of Section 106 compliance should be completed and incorporated into the final NEPA Environmental Assessment.

### **(c) Paleontological Resources Preservation Act (PRPA)<sup>6</sup>**

On March 30, 2009, the Paleontological Resources Preservation Act (PRPA) became law when President Barack Obama signed the Omnibus Public Land Management Act (OPLMA) of 2009, Public Law 111-011. P.L. 111-011, Title VI, Subtitle D on Paleontological Resources Preservation (OPLMA-PRP) (123 Stat. 1172; 16 U.S.C. 470aaa) requires the Secretaries of the Interior and Agriculture to manage and protect paleontological resources on Federal land using scientific principles and expertise. The OPLMA-PRP includes specific provisions addressing management of these resources by the Bureau of Land Management (BLM), the National Park Service (NPS), the Bureau of Reclamation (BOR), the Fish and Wildlife Service (FWS), and the U.S. Forest Service (USFS) of the Department of Agriculture.

The OPLMA-PRP affirms the authority for many of the policies the Federal land managing agencies already have in place for the management of paleontological resources such as issuing permits for collecting paleontological resources, curation of paleontological resources, and confidentiality of locality data. The statute establishes new criminal and civil penalties for fossil theft and vandalism on Federal lands. The OPLMA-PRP only applies to Federal lands and does not affect private lands. It provides authority for the protection of paleontological resources on Federal lands including criminal and civil penalties for fossil theft and vandalism.

Consistent with existing policy, the OPLMA-PRP also includes provisions allowing for casual or hobby collecting of common invertebrate and plant fossils without a permit on Federal lands managed by the BLM, the BOR, and the U.S. Forest Service, under certain conditions. Casual collecting is not allowed within the National Parks or other lands managed by the National Park Service. As directed by the Act, the Federal agencies will begin developing regulations, establishing public awareness and education programs, and inventorying and monitoring federal lands.

## **(2) State Level**

### **(a) California Register of Historical Resources**

The California OHP, as an office of the California Department of Parks and Recreation, implements the policies of the NHPA on a statewide level. The OHP also maintains the California Historic Resources Inventory. The State Historic Preservation Officer (SHPO) is an appointed official who implements historic preservation programs within the State's jurisdictions.

Created by Assembly Bill 2881, which was signed into law on September 27, 1992, the California Register is "an authoritative listing and guide to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change."<sup>7</sup> The criteria for eligibility

<sup>6</sup> Discussion adapted from <http://www.blm.gov>

<sup>7</sup> California Public Resources Code § 5024.1(a).

for the California Register are based upon National Register criteria.<sup>8</sup> Certain resources are determined by the statute to be automatically included in the California Register, including California properties formally determined eligible for, or listed in, the National Register of Historic Places.<sup>9</sup>

To be eligible for the California Register, a prehistoric or historic property must be significant at the local, state, and/or federal level under one or more of the following criteria:

- a. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- b. Is associated with the lives of persons important in our past;
- c. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- d. Has yielded, or may be likely to yield, information important in prehistory or history.

A resource eligible for the California Register must meet one of the criteria of significance described above and retain enough of its historic character or appearance (integrity) to be recognizable as a historical resource and to convey the reason for its significance. It is possible that a historic resource may not retain sufficient integrity to meet the criteria for listing in the National Register, but it may still be eligible for listing in the California Register.

Additionally, the California Register consists of resources that are listed automatically and those that must be nominated through an application and public hearing process. The California Register automatically includes the following:

- California properties listed on the National Register and those formally Determined Eligible for the National Register.
- California Registered Historical Landmarks from No. 770 onward.
- Those California Points of Historical Interest that have been evaluated by the OHP and have been recommended to the State Historical Commission for inclusion on the California Register.

Other resources that may be nominated to the California Register include:

- Historical resources with a significance rating of Category 3 through 5.<sup>10</sup>
- Individual historical resources.
- Historical resources contributing to historic districts.
- Historical resources designated or listed as local landmarks, or designated under any local ordinance, such as an historic preservation overlay zone.

<sup>8</sup> California Public Resources Code § 5024.1(b).

<sup>9</sup> California Public Resources Code § 5024.1(d).

<sup>10</sup> Those properties identified as eligible for listing in the National Register, the California Register, and/or a local jurisdiction register.

### **(b) California Environmental Quality Act**

CEQA is the principal statute governing environmental review of projects occurring in the State. CEQA requires lead agencies to determine if a proposed project would have a significant effect on archaeological or historical resources (PRC Sections 21000 *et seq.*). As defined in Section 21083.2 of the PRC a “unique” archaeological resource is an archaeological artifact, object, or site, about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

In addition, CEQA Guidelines section 15064.5 broadens the approach to CEQA by using the term “historical resource” instead of “unique archaeological resource.” The CEQA Guidelines recognize that certain historical resources may also have significance. The CEQA Guidelines recognize that a historical resource includes: (1) a resource in the California Register of Historical Resources; (2) a resource included in a local register of historical resources, as defined in PRC section 5020.1 (k) or identified as significant in a historical resource survey meeting the requirements of PRC section 5024.1 (g); and (3) any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California by the lead agency, provided the lead agency’s determination is supported by substantial evidence in light of the whole record.

If a lead agency determines that an archaeological site is a historical resource, the provisions of section 21084.1 of the PRC and section 15064.5 of the CEQA Guidelines apply. If an archaeological site does not meet the criteria for a historical resource contained in the CEQA Guidelines, then the site is to be treated in accordance with the provisions of PRC section 21083, which is a unique archaeological resource. The CEQA Guidelines note that if an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. (CEQA Guidelines §15064.5(c)(4)).

Paleontological resources are afforded protection by environmental legislation set forth under CEQA. Appendix G (part V) of the *CEQA Guidelines* provides guidance relative to significant impacts on paleontological resources, stating that “a project will normally result in a significant impact on the environment if it will ...disrupt or adversely affect a paleontological resource or site or unique geologic feature.” The *Guidelines* do not define “directly or indirectly destroy,” but it can be reasonably interpreted as the physical damage, alteration, disturbance, or destruction of a paleontological resource. The *Guidelines* also do not define the criteria or process to determine whether a paleontological resource is significant or “unique.” Section 5097.5 of the PRC specifies that any unauthorized removal of paleontological remains is a misdemeanor. Further, California Penal Code Section 622½ states that damage or removal of archaeological or historical resources (which may be interpreted to include paleontological resources) on public or private lands constitutes a misdemeanor.

### **(3) Local Level**

#### **(a) Town of Mammoth Lakes General Plan**

The Town's General Plan sets forth goals and policies to encourage the role of the Town in identifying and conserving the area's cultural resources. Applicable goals and policies are contained in the Arts, Culture, Heritage, and Natural History Element as well as the Parks, Open Space, and Recreation Element. Specific goals and policies are provided in Section 2.c below.

### **b. Existing Conditions**

#### **(1) Prehistoric Background**

In terms of environmental change and recognized cultural developments, prehistory is most easily discussed and understood chronologically. Table 1, *Chronology of the High Sierra and Eastern Slopes*, of the Cultural Resources Assessment contained in Appendix F of this Draft EIR, provides the detailed chronologies of the prehistory of the western Great Basin including the eastern slope of the Sierra Nevada. According to Table 1, regional phases begin with the Pre-Archaic Phase (12,000 to 7,500 years ago) and continue through the Early Archaic Phase (7,500 to 4,000 years ago), the Middle Archaic Phase (7,500 to 4,000 years ago), and the Late-Archaic Phase (1,500 to 400 years ago).

#### **(a) Pre-Archaic (ca. 12,000-7,500 Years Before Present [YBP])**

Little is known of Paleo-Indian peoples in inland southern California, and the cultural history of this period follows that of North America in general. Recent discoveries in the Americas have challenged the theory that the first Americans migrated from Siberia, following a route from the Bering Strait into Canada and the Northwest Coast some time after the Wisconsin Ice Sheet receded (ca. 14,000 YBP), and before the Bering Land Bridge was submerged (ca. 12,000 YBP). A coastal migration route somewhat before that time is also possible. The timing, manner, and location of this crossing are a matter of debate among archaeologists, but the initial migration probably occurred as the Laurentide Ice Sheet melted along the Alaskan Coast and interior Yukon. The earliest radiocarbon dates from the Paleo-Indian Period in North America come from the Arlington Springs Woman site on Santa Rosa Island. These human remains date to approximately 13,000 YBP (Johnson, et al. 2002). Other early Paleo-Indian sites include the Monte Verde Creek site in Chile (Meltzer, et al. 1997) and the controversial Meadowcroft Rockshelter in Pennsylvania. Both sites have early levels dated roughly at 12,000 YBP. Life during the Paleo-Indian Period was characterized by highly mobile hunting and gathering. Prey included megafauna such as mammoth and technology included a distinctive flaked stone toolkit that has been identified across much of North America and into Central America. They likely used some plant foods, but the Paleo-Indian toolkit recovered archaeologically does not include many tools that can be identified as designed specifically for plant processing.

The rate of movement from the coast to inland California locations such as the Mammoth Lakes region is not known (see Rockman 2003), but may have been relatively rapid. Many early California sites, characterized as Late Paleoindian/Early Archaic period, are located near pluvial desert valley lakes formed by glacial meltwaters that are now evaporated or much reduced in size (Moratto 1984). Lakeshore occupation sites often include artifacts such as large projectile points (e.g., Lake Mohave or Mojave), flaked stone debitage, and fire-affected rock concentrations.

The megafauna that appear to have been the focus of Paleo-Indian life went extinct during a warming trend that began approximately 10,000 years ago, and both the extinction and climatic change (which included warmer temperatures in desert valleys and reduced precipitation in mountain areas) were factors in widespread cultural change. Subsistence and social practices continued to be organized around hunting and gathering, but the resource base was expanded to include a wider range of plant and game resources. Technological traditions also became more localized and included tools specifically for the processing of plants and other materials. This constellation of characteristics has been given the name “Archaic” and it was the most enduring of cultural adaptations to the North American environment.

#### **(b) Early Archaic Period (ca. 7,000-4,000 YBP)**

The Early Archaic in the Mammoth Lakes region is known as the Little Lake Phase, dating from ca. 7,500 to 3,150 YBP. Between 7,500 and 5,500 YBP, the period is not as well-defined for the rest of the Western Great Basin. The climate in the middle Holocene was generally hot and dry. During this time, people used base camps adjacent to rivers, and used temporary task-based camps at higher altitudes on a seasonal basis. These lithic scatters higher than 6,000 feet above mean sea level are thought to be hunting camps. Diagnostic tools of the Early Archaic include Pinto and Little Lake series projectile points. The Early Archaic economy was still organized around hunting of large game.

#### **(c) Middle Archaic Period (ca. 4,000-1,500 YBP)**

Bettinger and Taylor (1974) refer to the Middle Archaic as the Newberry Phase (3,150-1,350 YBP) in the southern section of the Eastern Sierra Front. The Middle Archaic is characterized by a transition from the Early Archaic emphasis based on hunting to a more diversified subsistence base that included the exploitation of plant and small animal resources. Grinding stones appear in the archaeological record for the first time in the region. This is consistent with the archaeological remains recovered from Mammoth Creek Cave and Hot Creek Shelters. Large bifaces were fashioned to export raw material. Elko and Humboldt series dart points were common. Site types include quarries, multipurpose camps located in upland valleys, and seed camps located near springs and creeks. Base camps contained features such as pithouses, storage areas, and burials. Seasonal camps were often reoccupied year after year. Kobari and others (1980) suggest that high altitude resources were also exploited as hunting camps were located at high elevations, such as the Casa Diablo and Long Valley Caldera.

#### **(d) Late Archaic (ca. 1,500-400 YBP)**

The Late Archaic in the region is subdivided into the Haiwee Phase (1,350 to 650 YBP) and the Marana Phase (650 YBP to EuroAmerican contact). During this time, a wide range of resources and ecozones were exploited. There was an increased emphasis on plant resources, and small game hunting replaced large game hunting. There were many technological changes during the Late Archaic. For example, the bow and arrow replaced the atlatl and darts. Diagnostic artifacts include Rose Spring, Eastgate, and Desert Side-Notched projectile points and brownware ceramics (after 900 YBP). Rosegate projectile points are characteristic of the Haiwee Phase, while small Desert Side-Notched and Cottonwood arrow points, and brownware ceramics define the Marana. Steatite disk beads are also common. Obsidian trade was thought to be east-west from Mono Lake and Long Valley Caldera over the Sierra Nevada. As the climate again oscillated to a warmer and drier regime, the area also experienced significant human population increase. With the shift to dryer conditions came a shift to piñon exploitation. Higher elevations continued to be exploited at this time (Bettinger 1977). After 750 YBP, wild crop irrigation and lowland base camps were

common. It was during the Late Archaic that flat slab schist milling stones, milling slicks, and bedrock mortars apparently first appeared. The Marana Phase sites are thought to represent Owens Valley Paiute pre-contact sites, as the Owens Valley Paiute were the occupants of the region at the time of contact.

### **(e) Ethnographic Context**

The following ethnographic summary of the Owens Valley Paiute is derived in part from the Cultural Resources section of *Revised Draft Program Environmental Impact Report for the Town of Mammoth Lakes General Plan Update* (Town of Mammoth Lakes 2005). In addition, Sven Liljeblad and Catherine S. Fowler (1986) provide a comprehensive synthesis of the Owens Valley Paiute.

Traditionally, groups of Owens Valley Paiute have occupied an area from the town to approximately 60 miles to the east and 100 miles to the south. A ten to 15 mile-wide band of land immediately north-northeast of the Town was jointly used by Owens Valley Paiute and Northern Paiute groups from Mono Lake. This territory includes all of Owens Valley, Round Valley, Long Valley, Fish Lake Valley, and Deep Springs Valley. While both Paiute groups speak Western Numic languages, the Northern Paiute speak Northern Paiute and the Owens Valley Paiute speak Owens Valley Paiute (Nancy Peterson Walter 2005). Other neighboring groups, on the west side of the Sierra Nevada (the Monache) and south of the Town on both flanks of the mountains (Monache and Owens Valley Paiute) speak other dialects of Mono and share many cultural bonds.

The Owens Valley Paiute occupied the Owens Valley on a year-round basis with many semi-sedentary settlements located on major rivers and streams along the west side of the valley. Closer to the town, in both Long Valley and in the Mammoth Basin, the pre-contact and historic use of the area by the Owens Valley Native American groups has been vaguely documented. However, according to Wally Woolfenden, the ethnographic notes of F.S. Hules and F.J. Essene from the 1930s, and oral interviews of local people from the 1970s clearly document the year-round occupation of Long Valley by the Long Valley Paiute (a subgroup of the Owens Valley Paiute), during the 1800s and 1900s. Jeff Burton cites the work of Emma Lou Davis, Matthew Hall (1983), E.W. Gifford, and Helen Doyle in suggesting that Long Valley included an indigenous population of Northern Paiute in historic times, and provided resources and refuge on an occasional basis to Northern Paiute from Mono Lake, to Monache and Miwok from the west side of the Sierra, and to surrounding Mono-speaking groups of Paiute from Benton, Round Valley, and Owens Valley.

In contrast to the Owens Valley Paiute, the Long Valley Paiute are said to have been highly mobile in historic times, constantly moving in search of food resources and often utilizing resources beyond Long Valley. This movement included frequent trips over the Sierra crest, through Mammoth Pass, in order to collect acorns and to fish and hunt in the San Joaquin River drainage, and area within North Fork Mono Territory. Such trips sometimes occurred in winter, at which time moccasins and snowshoes were worn for snow travel.

In the vicinity of Mammoth Lakes, Mammoth Mountain is reported by Julian Steward as being a scared place as it stands on the border between the Monache (western Mono) and the Owens Valley Paiute (eastern Mono), and is considered to be the place of origin in all Mono-speakers' traditional myths. The actual locations of human origin there are marked by particular geographic features. Elsewhere in Mammoth Basin, ethnographic use by Long Valley Paiute and others is assumed to be seasonal rather than year round.

Owens Valley Paiute groups traded extensively with their neighbors in order to acquire additional foods as well as ornaments, money, and other commodities. Items traded included salt, piñon pine nuts, seeds,

obsidian, sinew-backed bows, rabbit skin blankets, deerskins, moccasins, mountain sheepskin, fox skin leggings, balls of tobacco, baskets, basketry water bottles waterproofed with pitch, wooden hot rock lifters, and red and white pigments, in exchange for shell money (e.g., disc beads, tubular clam beads, and more recently, glass beads), acorns and acorn meal, finely-constructed Yokuts baskets, cane for arrows, manzanita berries, squaw berries, and elderberries from the Monache. The Mono Paiute traded salt, piñon pine nuts, piagi (i.e., Pandora moth larvae), brine fly larvae, rabbit skin blankets, baskets, pumice stones, and red and white pigments to the Sierra Miwok, in exchange for shell money, acorns, baskets, arrows, a fungus used in paints, manzanita berries, elderberries, and squaw berries.

In Owens Valley, the population was sedentary, with year-round occupation in permanent villages and short-term visits to temporary camps for resource procurement. Leadership was hereditary, and headmen were responsible for organizing communal work projects and festivals that may have served to redistribute resource surpluses as well as to fulfill other social functions. As for the other groups using Long Valley, the Monache and the Southern Sierra Miwok groups were probably similar in their social organization to the Owens Valley Paiute, with at least some hereditary rulers and semi-permanent villages. Some researchers have postulated that any indigenous Long Valley groups that may have existed would have followed a pattern closer to that of the Mono Lake Paiute (and other Great Basin groups) than that of Owens Valley Paiute, due to similarities in environmental constraints. However, Long Valley residents may have been closely tied to the Owens Valley Paiute through kinship and trade.

Long Valley offered a variety of food resources during snow-free months. In the spring, Tui chub, speckled dace, and Owens sucker may have been dished from creeks, while roots, wild onions and greens along creeks and meadows might have replenished dwindling winter stores. Small game, deer, and antelope could have been hunted nearby. In the summer, grass seeds may have been collected from meadows and drier upland areas. Fall subsistence activities of both the Mono Lake and Owens Valley Paiute revolved around the collection of piñon. Piagi are another food resource available every two years in the Jeffery pine forests. Piagi were collected as they descended the Jeffery pine trees during mid to late summer. Nancy Peterson Walter, a local ethnologist, has extensive knowledge of the Owens Valley Paiute's exploitation of piagi (Fowler and Walter 1985). Also, there are several recorded archaeological sites in the region that are associated with piagi exploitation (Weaver and Basgall 1986).

Much of the trade and travel likely occurred during the summer months, when the high Sierra passes were free of deep snow. Inter- and intra-regional trade may have had extensive ramifications for subsistence and settlement systems of the Owens Valley and Long Valley areas. It is proposed that an elaborate exchange system might account for the relatively complex sociopolitical organization of the Owens Valley Paiute.

## **(2) Historic Background<sup>11</sup>**

The historic context developed below presents important themes associated within the historical development of Mammoth Lakes, California, where the proposed project is located. Research indicates the property is associated with the following historical themes: the Explorers, Early Ranching, Mining and

---

<sup>11</sup> Adapted from J.F. Burton, *Further Investigations of the Snowcreek Archaeology Site, Mammoth Lakes, California, Trans-Sierran Archaeological Research to Trans-Sierran Archaeology No. 21, July 1992* and C.L. Furnis, *An archaeological Reconnaissance Report for the Lake Mary Road Bike Route, Mammoth Lakes, Mono County, California, Final Report, December 18, 2001.*

Settlement (1829-1880); Gold Discovery and Boom (1870-1900); Transportation (1877 – 1940); Early Development of Recreation (1900-1950); and Post World War II Tourism (1945 – 1960).

### **(a) The Explorers, Early Ranching, Mining, and Settlement (1829 – 1880)**

The first Euro American contact with Owens Valley, eastern California and western Nevada, is thought to have occurred when the English fur trapper Peter Skene Ogden of the Hudson's Bay Company who wandered into Owens Valley thinking he reached the Great Salt Lake en-route to the Colorado River in 1829 to 1830.<sup>12</sup> Four years later, the first documents explorer of the eastern Sierra is Joseph Walker who crossed the Sierra Nevada at Walker Pass, then proceeded north through Owens Valley, then over to Benton Hot Springs, and east into present day Nevada. In the 1840s and 1850s, various emigrant guides and U.S. military personnel passed through the region, but few said it was an inviting place to settle. Their reports of the eastern Sierra front probably saved the area from settlement, which began in earnest in the early 1860s.

Ranching began in Owens Valley by the Paiute in 1861 as a way of supplying food to the early mining camps in Inyo and Mono counties. European-American settlement soon supplanted most Paiute settlements, with conflict and concomitant forced removal of most Owens Valley Paiute to Fort Tejon, California, by the United States troops. It was not until the late 1870s that permanent settlement took place at Mammoth Lakes, though a few individuals had combed the area in search of the Lost Cement Mine in the summer of 1861.

### **(b) Gold Discovery and Boom (1870 – 1900)**

A gold mining claim, the Alpha, was staked on the slope of Mineral Hill (now called Red Mountain) in June 1877, initiating the establishment of the Lake Mining District.<sup>13</sup> Shortly after other claims followed and in 1878 most of these claims were purchased by a group of San Francisco investors who formed the Mammoth Mining Company. The mining district included the Mammoth Mining Company headquarters, mill, a small settlement, and mines were established approximately 0.5 mile north of the mines at Mill City, remnants of which are located within the project site. In the late 1870s, four camps were established near the mining activity with a fluctuating population of a thousand. The four camps were Mineral Park, located about one-mile north of Mineral Hill in a meadow, Mill City, located about 0.5 mile north of Mineral Hill, the largest camp, Mammoth City, located at the foot of Mineral Hill, and finally, Pine City, located west of the mines and approximately 1,500 feet north of Lake Mary.

A sawmill built at Mineral Park provided most of the industry for the camp, though a brewery, saloons, stores, hotel, stable, boardinghouse, and toll house represented other commercial endeavors, in addition to some 12 or so cabin residences. Mammoth City reportedly had 400 or 500 residents in 1880, while the smaller Pine City (also called Lake City) boasted a population of 17 persons in the same year, which included one engineer, one grocer, one toll road operator, one laborer, two miners, three blacksmiths, and four housewives. Both communities were within or in the vicinity of the Town. An unknown number of Paiute were said to have participated in mining and settlement at the Mammoth area in the 1870s and 1880s.

<sup>12</sup> Peter Matranga, *The Sherwin Project: A Cultural Resources Inventory and Assessment Mammoth Lakes, Mono County, California, Research Archeology, Project No. MO/I-2007(P), July 2007, 24.*

<sup>13</sup> *USDA Forest Service: Heritage Resource Site Record, Hayden Cabin (CA-MNO-2760-H), 1993, 1.*

Although surrounded by lakes, the mining camps and the mill were situated so that they required water to be transported to them by means of ditches and flumes. In 1878, one covered flume was constructed from the north end of Twin Lakes to Mill City, the Bodle Ditch, while a second flume and diversion works were erected bringing water for domestic use to Pine City and to Mammoth City, farther up the road. Fragments of the Bodle Ditch are located within the Town. Presumably, the ditches continued in use until the mining camps were abandoned, mostly by the early 1880s.

The Lake Mining District boom was short-lived. By 1880, the Mammoth Mining Company folded, along with the surrounding mining camps;<sup>14</sup> and Mammoth City burned down the same year. Only a few people lingered on in the area thereafter. Other mines a few miles south of Pine City operated through the 1880s, while renewed attempts at working the Mammoth Mine on Red Mountain took place in the 1890s. Because these mines were abandoned in the late 19<sup>th</sup> century and left to deteriorate, few historic structures or associated mine features are extant.

### **(c) Transportation (1877 – 1940)**

In order to move people, animals, food, equipment, and supplies in and out of the area, roads were needed; however, roads did not exist in the area prior to 1877. There were established Paiute trails over the Sierra, to the east, north, and south along the valleys; however, these trails could not support wagons and stagecoaches. Fortunately, the mining towns established in the 1860s already had links to the outside world. Roads were soon constructed to Benton (east) and to Bodie (north), since each town already had connections with Carson City, and indirectly with Reno, and the transcontinental railroad. Jim Sherwin constructed a toll road south from Mammoth City to Round Valley in the late 1870s that connected to a road he constructed from Bishop Creek to Round Valley in the early 1870s, providing the Lake District with access to railroads, markets and larger population centers through the Mojave Desert.

Forging links to the west was another matter. This required a route directly over the crest of the Sierra Nevada, traversing elevations of over 9,000 feet through Mammoth Pass. The result was the Fresno Flats Road which became a toll trail west of Lake Mary. J.S. French located and developed the 54-mile long trail and led saddle trains over the mountains to Fresno Flats (now Oakhurst) and back twice a week. This service and trail enabled miners and other goods from the San Joaquin Valley of California to directly travel to Mammoth City and the other camps. Beef cattle were moved over this trail, providing fresh meat for the Mammoth mountain-dwellers. According to Adele Reed, the Fresno Flats Trail was still in use in the 1930s, serving prospectors, sheepherders, USFS personnel, and Native Americans.<sup>15</sup>

### **(d) Early Development of Recreation (1900 – 1950)**

At the turn of the century the community moved out of the lakes basin, where the failed mines were located, to Old Mammoth. The local economy once dependent upon mining, shifted towards tourism. A topographic map from 1913 demonstrates the population shift. Old Mammoth in 1913 was comprised of seven buildings located adjacent to an early road network. As the population grew, hotels, sawmills, stores, and barns were established.

<sup>14</sup> *USDA Forest Service: Heritage Resource Site Recor, Hayden Cabin (CA-MNO-2760-H), 1993, 1.*

<sup>15</sup> *Adele Reed, Old Mammoth, Palo Alto, Ca: Genny Smith Books, 1982.*

Charles F. Wildasinn and his family built the first resort, the Wildasinn Hotel, around the turn-of-the-century, located between Mammoth Creek and Windy Flat meadow and located within the Town<sup>16</sup>. Later he added a small store. In 1918, Charles Summers established Mammoth Camp and constructed a hotel, boardinghouse, barn, and corrals. Later in 1923, a garage was constructed at Mammoth Camp, signifying the era of the automobile. In the early 1920s, a greater number of summer residents came to the area to camp and fish. Small cabins were built, as well as a post office. Unfortunately in 1927 a fire destroyed most of Mammoth Camp.

In 1908, The Home Lumber Company purchased and moved the Wildasinn Sawmill from the north side of Mammoth Creek to the vicinity of the present-day Shady Rest Campground.<sup>17</sup> The mill is depicted on the 1913 topographic map with the notation of “sawmill” and a scatter of seven buildings. The mill operated intermittently from 1908 to 1920. In 1920, interest in the mill was purchased by Fred and Arthur Hess and renamed the Hess Lumber Company. Under the new owners the mill operated from until 1930. In 1926 the mill was burned and rebuilt. After the death of Fred Hess in 1930, the mill and equipment was dismantled and moved to Bishop, California.

### **(e) Automobile Transportation, Tourism and Infrastructure (1917-1945)**

In 1917, the first Ranger Station for the Mammoth Ranger District was established in the Inyo National Forest located along the road to the Lakes Basin (Old Mammoth Road) in Mammoth Meadow.<sup>18</sup> The site of the first ranger station is depicted on the Topographic map from 1914, in the Antelope Valley to the east of Mammoth. The Ranger station was located in one of three recreational residence tracts, created as part of the Forest Service effort to attract campers, hunters, and fisherman to the National Forest. The Ranger station began to issue 99 year permits to build summer cabins in the 1920s. Nearly 100 cabins were constructed before World War II.<sup>19</sup>

After 1920, several resorts and campgrounds were established around the lakes and hundreds of small family cabins were built. One such cabin was the Hayden Cabin, constructed by the civil engineer Walter Emmett Hayden constructed between 1927 and 1938, as a summer residence. In 1925, the first rented tent houses were erected at Lake Mary, followed a few years later by the Crystal Trap Lodge situated at the south end of Lake Mary. In 1923, the Wildyrie resort was developed at Lake Mary, and around this same time, the Tamarack Lodge housed fishermen at Twin Lakes. Support and related services followed, including packers, guides, ice-harvesting, dairies, gas stations, restaurants, bakeries, and more.

After World War I, the transportation infrastructure was improved and the region experienced increasingly intense development and seasonal recreational use. Old Mammoth Road, which had served as the main thoroughfare since 1877, needed substantial improvement to support and attract additional tourism. The construction of Lake Mary Road in 1920 opened up the Lakes Basin to automobile traffic, and State Highway 203 was constructed in 1937. Branching off from Highway 395 near Casa Diablo, SR 203 was constructed north of the old road and made the Mammoth area more accessible to summer tourists. Most of the

<sup>16</sup> *USDA Forest Service: Heritage Resource Site Record, Hayden Cabin (CA-MNO-2760-H), 1993, 1.*

<sup>17</sup> *Evaluation of Significance: Archaeological Reconnaissance Form. Home Lumber Company Sawmill (CA-MNO-622). Mammoth County Park Expansion/Hazard Reduction. 1975.*

<sup>18</sup> *USDA Forest Service: Heritage Resource Site Record, Hayden Cabin (CA-MNO-2760-H), 1993, 2.*

<sup>19</sup> *USDA Forest Service: Heritage Resource Site Record, Hayden Cabin (CA-MNO-2760-H), 1993, 1.*

community, along with businesses, migrated to the new highway and built the town of new Mammoth, the present town of Mammoth Lakes, at the intersection of Old Mammoth Road and SR 203. The 1914 topographic map as revised in 1934 demonstrates the shift in population.

The Mammoth Ranger station relocated to near the new highway in 1938, and two houses for rangers were also constructed.<sup>20</sup> During this time the Civilian Conservation Corps (CCC), was building roads and campgrounds at the Lakes Basin, Convict Lake, and near camp headquarters at Shady Rest.

#### **(f) Post World War II Tourism (1945 - 1960)**

After the end of World War II, the Mammoth area was Southern California's most popular destinations for winter and summer sports and leisure. Winter skiing became a new major attraction at Mammoth in the 1940s, bringing enthusiasts and additional, specialized developments to the area from that time forward to the present. The 1953 Topographic map demonstrates the rapid growth of the Mammoth Lakes area. There are higher concentrations of buildings around the road networks of Old Mammoth and Mammoth Lakes in comparison to older topographic maps.

## **2. METHODOLOGY AND THRESHOLDS**

### **a. Methodology and Results**

The analysis presented in the section is based on record searches. Given the broad programmatic nature of the Project, no pedestrian surveys were conducted. A number of Multi-Use Paths (which are proposed as part of this Mobility Element Update) were previously analyzed in the Environmental Impact Report for the Trail System Master Plan (TSMP) performed by PCR in 2011. A total of 38 Multi-Use Paths (MUPs) are proposed as a part of the Mobility Element Update, including 15 MUPs that were previously described as part of the TSMP project (MUP 2-1 through 4-5) and 23 newly proposed MUPs that have not been described (MUP N-1 through N-22). Although MUPs previously proposed for the TSMP project are in the same general location, some of the MUPs have a slightly altered conceptual alignment. One (1) MUP (MUP 3-3) was previously proposed for the TSMP project but is not proposed as a part of the Mobility Element Update and has not been completed. MUPs 3-1, 3-4, 3-7 and 3-11 were previously proposed for the TSMP project and are now complete.

#### **(1) Cultural Resources Records Search**

On August 24, 2015, PCR archaeologist, Mrs. Fatima Clark conducted an in-house records search at the Eastern Information Center (EIC) at the University of California, Riverside and focused on plotting cultural resources within a one-quarter mile radius of the Mobility Element Update and the Land Use Element/Zoning Code Amendments (i.e., commercially designated lands) project areas. On September 8, 2015, Mrs. Clark requested all copies of the cultural resource California Department of Parks and Recreation (DPR) Site Forms for resources that had been recorded within a one-quarter mile radius of the project areas. The purpose of the records search is to determine whether or not there are previously recorded archaeological or historical resources within the project areas that require evaluation and treatment. The results also provide a basis for assessing the potential for project areas to contain buried cultural resources.

---

<sup>20</sup> *Adele Reed, Old Mammoth, Palo Alto, Ca: Genny Smith Books, 1982.*

The results of PCR's cultural resources records search through the EIC revealed that a total of 86 archaeological or historical resources are located within or in the immediate vicinity of the Mobility Element Update project area while six resources are located within or in the immediate vicinity of the Land Use Element/ Zoning Code Amendments project area. The resources identified in the Mobility Element Update are summarized in **Table 4.5-1** through **Table 4.5-4** by project component (i.e., Multi Use Path, Proposed Roads, Existing Class III Route, and Planned Class II Bike Lane) and **Table 4.5-5** for the Land Use Element/ Zoning Code Amendments project area. The majority of resources within both project areas are prehistoric archaeological resources (approximately 90 percent of all resources) that are described as lithic scatters, although midden, temporary camp sites, grinding slicks, bedrock mortars, and a hearth feature have also been identified. The historic period resources (approximately 10 percent of all resources) include historic archaeological resources and historic built environment resources and include can scatters, debris scatters (cans, ceramics, glass, structural remains, stone foundations), a lodge complex, a Civil Conservation Corps Camp, cabins, an earthen ditch, a metal pipeline and a recreational/residential tract.

**Table 4.5-1**

**Known Archaeological and Historical Resources Recorded Within or In the Immediate Vicinity of the Mobility Element Update Project Area (Multi-Use Path)**

<b>Designation</b>	<b>Description (Age)</b>	<b>Project Component</b>
CA-MNO-529	Temporary camp site (prehistoric)	MUP N-21
CA-MNO-561	Lithic scatter (prehistoric)	MUP 4-5
CA-MNO-714	Lithic scatter, bedrock mortars and metates (prehistoric)	MUP 3-5
CA-MNO-770	Sparse lithic scatter (prehistoric)	MUP 4-5
CA-MNO-832	Caterpillar procurement site, light flake scatter (prehistoric/historic)	MUP N-13
CA-MNO-836	Lithic and can scatter (prehistoric/historic)	MUP N-12
CA-MNO-840	Historic dump (1930-1940)	MUP N-13
26-000871	Lithic scatter and cemetery (prehistoric/historic)	MUP N- 4
CA-MNO-904	Lithic scatter (prehistoric)	MUP N-20
CA-MNO-906	Lithic scatter (prehistoric)	MUP 2-1
CA-MNO-907	Lithic scatter (prehistoric)	MUP 2-1
CA-MNO-2225	Midden deposit with points, bifaces, flake tools, and thinning flakes (prehistoric)	MUP N-4
CA-MNO-2482	Lithic scatter (prehistoric)	MUP N-21
CA-MNO-2720	Obsidian lithic scatter (prehistoric)	MUP N-21
CA-MNO-2721	Lithic scatter (prehistoric)	MUP N-21
CA-MNO-2684	Lithic scatter (prehistoric)	MUP 4-4
CA-MNO-2770	Lithic scatter (prehistoric)	MUP 3-1
CA-MNO-2773	Lithic scatter (prehistoric)	MUP N-6
CA-MNO-2777	Debitage scatter (prehistoric)	MUP 4-4
CA-MNO-2778	Lithic scatter (prehistoric)	MUP 4-4
CA-MNO-2784	Lithic scatter (prehistoric)	MUP 4-4
CA-MNO-2785	Lithic scatter and debris scatter (prehistoric/historic)	MUP 4-4
CA-MNO-3298/26-3378	Crystal Crag Resort (historic)	MUP N-22
CA-MNO-3411/26-3588	1920's trash pit (historic)	MUP N-22
CA-MNO-3412/26-3589	Can scatter (historic)	MUP N-22
CA-MNO-3454/26-3639	Flake scatter (prehistoric)	MUP N-13
CA-MNO-3526/26-3758	Lithic scatter (prehistoric)	MUP N-13

Table 4.5-1 (Continued)

**Known Archaeological and Historical Resources Recorded Within or In the Immediate Vicinity of the Mobility Element Update Project Area (Multi-Use Path)**

<b>Designation</b>	<b>Description (Age)</b>	<b>Project Component</b>
CA-MNO-3532/26-3764	Obsidian flakes (prehistoric)	MUP N-12
CA-MNO-3541/26-3773	Projectile point (prehistoric)	MUP N-13
CA-MNO-3791/26-4261	Stone foundation, pits/mines (historic)	MUP N-22
CA-MNO-4955/26-6603	Lithic scatter (prehistoric)	MUP 4-2
CA-MNO-4956/26-6604	Lithic scatter (prehistoric)	MUP 4-2
CA-MNO-4995/26-6676	Lithic scatter (prehistoric)	MUP N-13
CA-MNO-5288/26-7394	Refuse (cans, ceramics, glass, structural remains, etc) (Historic)	MUP N-11
CA-MNO-5289/26-7395	Lithic scatter (prehistoric)	MUP N-12
CA-MNO-5809/26-8039	Lithic scatter (prehistoric)	MUP N-13
CA-MNO-5810/26-8040	Refuse (cans, ceramics, glass, structural remains, etc) (Historic)	MUP N-11
CA-MNO-5811/26-8041	Lithic scatter (prehistoric)	MUP N-12
CA-MNO-5849/26-8069	Lithic scatter (prehistoric)	MUP N-22
Ca-MNO-5850/26-8070	Lithic scatter (prehistoric)	MUP N-22
CA-MNO-5851/26-8071	Large rock mound with 3 depressions and scatter of historic material (prehistoric and historic)	MUP N-22
26-000621	Lithic scatter (prehistoric)	MUP N-12
26-000623	Traces of Civil Conservation Corps Camp (historic)	MUP N-12
26-000624	Remains of cabin (historic)	MUP N-12
26-000722	Obsidian debris, grinding slicks, bedrock mortars, hearth, projectile points (prehistoric)	MUP N-21
26-000831	Light lithic scatter (prehistoric)	MUP N-12
26-000847	Lithic scatter (prehistoric)	MUP 4-2, N-13
26-001529	Lithic scatter and milling station (prehistoric)	MUP 3-13
26-5009	Flake (prehistoric)	MUP 4-2, N-13
26-5499	Projectile point (prehistoric)	MUP N-13
26-6083	Obsidian core fragment (prehistoric)	MUP 4-4
26-6086	Obsidian flakes (3) (prehistoric)	MUP 4-4
26-6087	Obsidian flakes (5) (prehistoric)	MUP 4-4
26-6091	Obsidian flakes (3) (prehistoric)	MUP 4-4
26-6095	Obsidian flakes (3) (prehistoric)	MUP 4-4
26-6110	Bottle base (historic)	MUP 4-4
26-6239	Two concrete headstones (historic)	MUP N-6
26-6638	Lithic scatter (prehistoric)	MUP N-12
26-6688	Lake Mary Recreational Residence Tract (Historic)	MUP N-22
26-7961	(1) Obsidian flake (prehistoric)	MUP N-22
26-7962	(1) Obsidian flake (prehistoric)	MUP 4-2

Source: South Central Coastal Information Center

**Table 4.5-2****Known Archaeological and Historical Resources Recorded Within or In the Immediate Vicinity of the Mobility Element Update Project Area (Proposed Roads)**

<b>Designation</b>	<b>Description</b>	<b>Project Component</b>
CA-MNO-714/26-714	Lithic scatter (prehistoric)	Proposed Road
CA-MNO-770	Lithic scatter (prehistoric)	Proposed Road
CA-MNO-1202	Lithic scatter (prehistoric)	Proposed Road
CA-MNO-3403/26-3573	Lithic scatter (prehistoric)	Proposed Road
26-4205	Lithic scatter (prehistoric)	Proposed Road

Source: South Central Coastal Information Center

**Table 4.5-3****Known Archaeological and Historical Resources Recorded Within or In the Immediate Vicinity of the Mobility Element Update Project Area (Existing Class III Route, Planned Class II Bike Lane)**

<b>Designation</b>	<b>Description</b>	<b>Project Component</b>
CA-MNO-880	Basalt lithic scatter (prehistoric)	Planned Class II Bike Lane
CA-MNO-905	Heavy density lithic scatter (prehistoric)	Planned Class II Bike Lane
CA-MNO-1925	Lithic scatter (prehistoric)	Planned Class II Bike Lane
CA-MNO-2484	Lithic scatter (prehistoric)	Planned Class II Bike Lane
CA-MNO-3750/26-4216	Lithic scatter (prehistoric)	Planned Class II Bike Lane
CA-MNO-4197/26-4731	Earthen ditch and metal pipeline (historic)	Planned Class II Bike Lane
26-721	Obsidian chipping waste scatter (prehistoric)	Existing Class III Route/Planned Class II Bike Lane
26-000847	Lithic scatter (prehistoric)	Planned Class II Bike Lane
26-3601	Obsidian flakes (prehistoric)	Planned Class II Bike Lane
26-3822	Wooden timbers (Historic)	Planned Class II Bike Lane
26-4217	Lithic scatter (prehistoric)	Planned Class II Bike Lane
26-5008	Sawn wooden stump of pole used on Snowdrift 12 kV line (historic)	Planned Class II Bike Lane
26-5230	Lithic scatter (prehistoric)	Existing Class III Route/Planned Class II Bike Lane
26-6642	Lithic scatter (prehistoric)	Planned Class II Bike Lane

Source: South Central Coastal Information Center

**Table 4.5-4****Known Archaeological and Historical Resources Recorded Within or In the Immediate Vicinity of the Mobility Element Update Project Area (Future Traffic Signals, Future Bridges, Planned Parking, and Planned Staging)**

<b>Designation</b>	<b>Description</b>	<b>Project Component</b>
CA-MNO-561	Lithic scatter (prehistoric)	Planned Staging
CA-MNO-2562	Lithic scatter (prehistoric)	Planned Staging
CA-MNO-2682	Lithic scatter (prehistoric)	Planned Staging
26-4907	Obsidian flakes (prehistoric)	Planned Staging
26-4916	Flake scatter (prehistoric)	Planned Staging
26-4917	Flake scatter (prehistoric)	Planned Staging

Source: South Central Coastal Information Center

**Table 4.5-5****Known Archaeological and Historical Resources Recorded Within or In the Immediate Vicinity of the Land Use Element/ Zoning Code Amendments Project Area**

<b>Designation</b>	<b>Description</b>	<b>Project Component</b>
CA-MNO-561	Lithic scatter (prehistoric)	Planned Staging
CA-MNO-2562	Lithic scatter (prehistoric)	Planned Staging
CA-MNO-2682	Lithic scatter (prehistoric)	Planned Staging
26-4907	Obsidian flakes (prehistoric)	Planned Staging
26-4916	Flake scatter (prehistoric)	Planned Staging
26-4917	Flake scatter (prehistoric)	Planned Staging

Source: South Central Coastal Information Center

The majority of the resources (n=61) have been recorded within or in the immediate vicinity of the Multi Use Paths (MUPs) (see Table 4.5-1). A total of five resources (all prehistoric) have been recorded within or in the immediate vicinity of the Proposed Roads (see Table 4.5-2). A total of 14 resources (prehistoric and historic) have been recorded within or in the immediate vicinity of the Existing Class III Route/Planned Class II Bike Lanes (see Table 4.5-3). A total of five resources (all prehistoric) have been recorded within the Planned Staging areas; however, none have been recorded within the Future Traffic Signals, Future Bridges or Planned Parking areas (see Table 4.5-4). In addition, no resources have been recorded within the Future Pedestrian Routes. A total of six resources (all prehistoric) have been recorded within the commercially designated lands associated with the Land Use Element/ Zoning Code Amendments project area (see Table 4.5-5).

## **(2) Paleontological Resources Records Search**

The paleontological resources records search consisted of an examination of geologic maps and paleontological locality records. In particular, the University of California Museum of Paleontology (UCMP)

online database was accessed to determine if known vertebrate fossil localities are present inside or in the vicinity of the project. Results of the record search indicate whether or not there are previously recorded paleontological resources within the project areas that require evaluation and treatment. The results also provide a basis for assessing the sensitivity of the project areas for additional and buried paleontological resources.

The records search revealed that there are no known vertebrate, invertebrate, plant, microfossil, or other fossil localities from the UCMP online database that have been previously identified within the project areas or the surrounding vicinity. The closest vertebrate fossil locality in the database is located more than 30 miles to the north. Initial consultation of collection records and geologic maps indicated that the Town area has no history of fossil resources, largely because the terrain was glaciated and is dominated by igneous and metamorphic rocks which are not conducive to retaining paleontological resources.

### **(3) Sacred Lands File Search and Native American Consultation**

On June 23, 2015, the Town commissioned a Sacred Lands File (SLF) search and Native American contact list request for the Planning Area and Land Use Element/ Zoning Code Amendments Project Area through the California Native American Heritage Commission (NAHC) and conducted follow-up consultation by letter with Native American groups and/or individuals identified by the NAHC as having affiliation with the project vicinity. Each Native American group and/or individual listed was sent a project notification letter and map and was asked to convey any knowledge regarding prehistoric or Native American resources (archaeological sites, sacred lands, or artifacts) located within the project or surrounding vicinity. The letter included information such as the project location and a brief description of the proposed project. Results of the SLF search and follow-up consultation would provide information as to the nature and location of additional prehistoric or Native American resources to be incorporated in the impact analysis whose records may not be available at the EIC.

Results of the SLF search through the NAHC did not indicate any known Native American cultural resources from the NAHC archives within the Planning Area or Land Use Element/ Zoning Code Amendments Project Area. Pursuant to NAHC suggested procedure and in compliance with Senate Bill 18, the Town sent follow-up letters via certified mail on August 26, 2015 to the nine (9) Native American individuals and organizations identified by the NAHC as being affiliated with the vicinity of the Planning Area and Land Use Element/ Zoning Code Amendments Project Area to request any additional information or concerns they may have about Native American cultural resources that may be affected by the proposed project.

As of the release of the Draft EIR, the Town has received no responses from the Native American community. The NAHC SLF records search results letter, the Native American contact list, and other Native American consultation documentation are available, as appropriate, at Town Hall.

#### **b. Thresholds**

For purposes of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether the Project would have a significant environmental impact regarding cultural resources. The project would result in a significant impact to cultural resources if the project would:

- CUL-1** Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5
- CUL-2** Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5,
- CUL-3** Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
- CUL-4** Disturb any human remains, including those interred outside of formal cemeteries.

### c. Applicable General Plan Goals/Policies and Adopted Mitigation Measures

#### (1) General Plan

The Town's General Plan sets forth goals and policies to encourage the role of the Town in identifying and conserving the area's cultural resources. Applicable goals and policies are provided below:

##### (a) Arts, Culture, Heritage, and Natural History Element

**GOAL A.3:** Encourage public art and cultural expression throughout the community.

- **Policy A.3.A:** Support continued development of the historic Hayden Cabin museum site.
- **Policy A.3.B:** Encourage development of arts, culture, and heritage facilities and venues.
  - **Action A.3.B.1:** Encourage artists' residences connected to galleries.
  - **Action A.3.B.2:** Maintain a strategic public art, cultural, and heritage plan.
- **Policy A.3.C:** Support local history and heritage education in the community.
  - **Action A.3.C.1:** Support and promote programs and events celebrating local history and diversity.
- **Policy A.3.D:** Be stewards of the cultural, historical and archeological resources in and adjacent to town.
- **Policy A.3.E:** Allow the adaptive use of historic buildings.
  - **Action A.3.E.1:** Develop and maintain a cultural resources database of historic and archaeological resources within the Planning Area.
  - **Action A.3.B.2:** Maintain a strategic public art, cultural, and heritage plan.

##### (b) Parks, Open Space, and Recreation Element

**GOAL P.2:** Provide additional parks within Town.

- **Policy P.2.D:** Increase understanding and appreciation of the cultural, natural, and historical resources of the region and Town through the development of programs, facilities, and interpretive signage.

## (2) General Plan Update Mitigation Measures

The Mitigation Monitoring and Reporting Program (MMRP) for the Town of Mammoth Lakes General Plan Update includes mitigation measures applicable to cultural resources. Since this is an adopted measure, for purposes of this EIR, these measures are applied where relevant and necessary to address the significant impacts of the Project. The following mitigation measures are from the Town's adopted General Plan MMRP:

**GPMM 4.14-1:** A qualified historic archaeologist approved by the Town shall perform the following tasks prior to development approvals on any part of the Town:

- Subsequent to a preliminary Town review, if evidence suggests the potential for historic resources, a field survey conducted using methodology that meets or exceeds state and federal guidelines for historical resources within portions of the project area not previously surveyed for cultural resources shall be conducted.
- Subsequent to a preliminary Town review, if evidence suggests the potential for historic resources, the Town Archives shall be contacted for information on historical property records. A qualified cultural resources professional shall be contracted to review the records search data collected by PCR Services Corporation on behalf of the Town of Mammoth Lakes as part of the Draft General Plan Update process.
- Subsequent to a preliminary Town review, if evidence suggests the potential for sacred land resources, the Native American Heritage Commission shall be contacted for information regarding sacred lands.
- Inventory all historical resources within the project area, including archaeological and historic resources older than 50 years, using appropriate State record forms and following guidelines in the California Office of Historic Preservation's handbook "Instructions for Recording Historical Resources". The archaeologist will then submit two (2) copies of the completed forms to the Town for the assignment of trinomials.
- Evaluate the significance and integrity of all historical resources within the project area, using criteria established in the CEQA Guidelines for important archaeological resources and/or 36 CFR 60.4 for eligibility for listing on the National Register of Historic Places.
- Propose mitigation measures and recommend conditions of approval to eliminate adverse project effects on significant, important, and unique historical resources, following appropriate CEQA and/or National Historic Preservation Act's Section 106 guidelines.
- Prepare a technical resources management report, documenting the inventory, evaluation, and proposed mitigation of resources within the project area, following guidelines for Archaeological Resource Management Reports prepared by the California Office of Historic Preservation, Preservation Planning Bulletin 4(a), December 1989. Submit one copy of the completed report, with original illustrations, to the Town for permanent archiving.

**GPMM 4.14-2:** If cultural materials or archaeological remains are encountered during the course of grading or construction, the developer shall cease any ground disturbing activities near the find. A qualified archeologist will 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 and the developer. In addition, the Town shall:

- Enact interim measures to protect undesignated sites from demolition or significant modification without an opportunity for the Town to establish its historic value.
- Require, where appropriate, the incorporation of historic sites and buildings within new developments, using their special qualities as a theme or focal point.
- Encourage the use of the State Historic Building Code on buildings of historic significance that can allow modification without imposing some of the potentially detrimental provisions of the current building codes.
- Educate the public about the area's archaeological heritage.

**GPMM 4.14-3:** Prior to the approval of any projects that propose to demolish or significantly alter a potentially significant historic resource as defined pursuant to applicable state and federal laws, the applicant shall complete an historic survey report using methodology that meets or exceeds state and federal guidelines to determine potential historic significance. The determination of resource significance shall be made in accordance with CEQA Guidelines Section 15064.5. Where appropriate for a standing historic structure that will not be preserved in place, conservation can include documentation to Historic American Building Survey (HABS) standards and/or relocation.

**GPMM 4.14-4:** A qualified archaeologist shall perform the following tasks prior to development activities on any part of the Town:

- Subsequent to a preliminary Town review, if evidence suggests the potential for prehistoric resources, a field survey for prehistoric resources within portions of the project area not previously surveyed for cultural resources shall be conducted.
- Subsequent to a preliminary Town review, if evidence suggests the potential for sacred land resources, the Native American Heritage Commission for information regarding sacred lands shall be consulted.
- Inventory all prehistoric resources using appropriate State record forms and submit two (2) copies of the completed forms to the Town.
- Evaluate the significance and integrity of all prehistoric resources within the project area, using criteria established in the CEQA Guidelines for important archaeological resources.
- If human remains are encountered on the project site, the Mono County Coroner's Office shall be contacted within 24 hours of the find, and all work should be halted until a clearance is given by that office and any other involved agencies. If the Coroner determines that the remains may be Native American, contact the Native American Heritage Commission for notification to the most likely descendants of the descendent and follow the required protocols specified in Public Resources Code Section 5097.98.
- All resources and data collected within the project area should be permanently curated at an appropriate repository within the Town or County.

**GPMM 4.14-5:** If cultural materials or archaeological remains are encountered during the course of grading or construction, the developer shall cease any ground disturbing activities near the find. A qualified archeologist approved by the Town will 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 and the developer. With the assistance of the archaeologist, the Town shall:

- Consider establishing provisions to require incorporation of archaeological sites within new developments, using their special qualities as a theme or focal point.
- Educate the public about the area's archaeological heritage.
- Propose mitigation measures and recommend conditional of approval to eliminate adverse project effects on significant, important, and unique prehistoric resources, following appropriate CEQA guidelines.
- Prepare a technical resources management report, documenting the inventory, evaluation, and proposed mitigation of resources within the project area. Submit one copy of the completed report, with original illustrations, to the Town for permanent archiving.

**GPMM 4.14-6:** If during grading and excavation an archaeological resource is found, construction shall be temporarily diverted, redirected or halted as appropriate. Any discovery of such resources shall be treated in accordance with federal, state, and local regulations, including those outlined in the CEQA Guidelines Section 15064.5 (e) and as appropriate, the Native American Historical, Cultural and Sacred Sites Act. For archaeological remains, conservation of a resource for which preservation in place is not feasible, relocation and if that is not feasible, documentation shall be required.

**GPMM 4.14-7:** Should the existence of, or the probable likelihood, of Native American or other human remains be found during development of a site, the landowner shall contact the County Coroner and no further excavation or disturbance of the site or nearby area shall be permitted until the County Coroner determines that no investigation of the cause of death is required. If the remains are determined to be Native American, the Coroner shall, as required by Public Resources Code Section 5097.98, notify the Native American Heritage Commission, which shall contact the most likely descendants and those descendants shall have 24 hours to inspect and make a recommendation to the landowner as to the appropriate means for removal and non-destruction of the remains and artifacts found with the remains. If an agreement cannot be reached between the landowner and the descendants, the Native American Heritage Commission shall mediate the disagreement, and if resolution is not reached, the landowner shall reinter the remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance. The applicant may develop a prospective agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission.

### **(3) Trails System Master Plan Mitigation Measures**

The adopted MMRP for the Town of Mammoth Lakes Trails System Master Plan (TSMP) also includes mitigation measures applicable to cultural resources. Since this is an adopted measure, for purposes of this EIR, these measures are applied where relevant and necessary to address the significant impacts of the Project. The following mitigation measures are from the Town's adopted TSMP MMRP:

**TSM 4.D-1:** The Old Mammoth City neighborhood is a previously identified California Point of Historical Interest, and therefore, improvements on or adjacent to the point of interest that have the potential to directly impact this resource or its setting, must be designed to comply with the Secretary of the Interior's Standards. Additionally, the Old Mammoth Town Site (CA-MNO-3H) was previously identified as containing both prehistoric and historic subsurface remains as well as existing potential historic structures. Construction of MUP 2-1, Bridge MUP 3-4, Tunnel X2-18, and MUP 4-5 have the potential to significantly impact both archaeological resources and historic structures associated with the Old Mammoth Town Site (CA-MNO-3H). Likewise, the Ranger Station and/or CCC Camp administration buildings/campground in the vicinity of the Shady Rest Sawmill Cutoff Road, on USFS lands, are previously surveyed resources that require reevaluation by qualified surveyors, if determined necessary. Prior to designing or implementing projects in this area, the Town shall engage a qualified historic preservation consultant to review the proposed projects. A qualified architectural historian, historic architect, or historic preservation professional is someone who satisfies the Secretary of the Interior's Professional Qualification Standards for History, Architectural History, or Architecture, pursuant to 36 CFR 61, and has at least 10 years experience in reviewing architectural plans for conformance to the Secretary's Standards and Guidelines. The Town shall undertake and complete construction in a manner consistent with the preservation consultant's recommendations to ensure that the Project meets the Secretary of the Interior's Standards for Rehabilitation. The preservation consultant shall review the final construction drawings for conformance to the Secretary of the Interior's Standards and prepare a memo commenting on the final Project. A Project that conforms to the Secretary of the Interior's Standards is considered fully mitigated under CEQA. For projects on federal lands, upon completion of any report on findings, the State Historic Preservation Officer shall be consulted to allow for Section 106 review and concurrence with the study findings. In the event eligible or designated historic resources or key contributing features are demolished for construction park facilities, mitigation shall include completion of a Historic American Building Survey report per State and Federal guidelines.

**TSM 4.D-2:** The Hayden Cabin is listed on the California Register and new adjacent construction, additions, or rehabilitation to the Hayden Cabin or its contributing property setting visible from the Hayden Cabin, other than surface trail or minor paving improvements, must comply with the Secretary of the Interior's Standards. Prior to designing or implementing such improvements in this area the Town shall engage a qualified historic preservation consultant to review the proposed Project. A qualified architectural historian, historic architect, or historic preservation professional is someone who satisfies the Secretary of the Interior's Professional Qualification Standards for History, Architectural History, or Architecture, pursuant to 36 CFR 61, and has at least 10 years experience in reviewing architectural plans for conformance to the Secretary's Standards and Guidelines. The Town shall undertake and complete construction in a manner consistent with the preservation consultant's recommendations to ensure that the Project meets the Secretary of the Interior's Standards for Rehabilitation. The preservation consultant shall review the final construction drawings for conformance to the Secretary of the Interior's Standards and prepare a memo commenting on the final Project. A Project that conforms to the Secretary of the Interior's Standards is considered fully mitigated under CEQA. In the event eligible or designated historic resources or key contributing features are demolished for construction park facilities, mitigation shall include completion of a Historic American Building Survey report per State and Federal guidelines.

**TSM 4.D-3:** The Town shall conduct a Phase I Cultural Resources Assessment of individual project areas to identify any archaeological resources within the area of a proposed project component. The Area of Potential Effect (APE) will be the focus of the analyses for projects located on federal lands per Section 106. The Phase I assessment shall include cultural resources records searches through the Eastern Information Center (as needed) and the Inyo National Forest Field Office, a Sacred Lands File search through the Native American Heritage Commission and follow-up Native American consultation, and a pedestrian survey of the Project area (Note: Surveys may not be required in areas of the TSMP and SHARP that have already been surveyed unless resources were identified, such a determination should be made in consultation with the Inyo National Forest). For projects on federal lands, upon completion of any report on findings, the State Historic Preservation Officer shall be consulted to allow for review and concurrence with the study findings.

- If resources are identified during the Phase I assessment, then a Phase II assessment shall be required, as described in Mitigation Measure 4.D.-4;
- If no resources are identified as part of the assessment, no further analyses or mitigation shall be warranted, unless it can be determined that the project has a high potential to encounter buried archaeological or historical resources;
- If it determined that there is a moderate or high potential to encounter buried archaeological resources, appropriate mitigation shall be developed and implemented. Appropriate Mitigation may include realignment of the trail to avoid the sensitive area, in which case no additional mitigation would be required. If avoidance is not possible, appropriate mitigation may include but not be limited to the following:

Archaeological Monitoring During Construction: A qualified archaeologist shall be retained by the Town and approved by the reviewing agencies prior to the commencement of the Project. The archaeologist shall monitor all ground-disturbing activities and excavations within the Project area. If archaeological resources are encountered during implementation of the Project, ground-disturbing activities shall temporarily be redirected from the vicinity of the find. The archaeologist shall be allowed to temporarily divert or redirect grading or excavation activities in the vicinity in order to make an evaluation of the find and determine appropriate treatment that may include the development and implementation of a testing/data recovery investigation or preservation in place. The archaeologist shall prepare a final report about the find to be filed with the Town and the CHRIS-EIC, as required by the California Office of Historic Preservation. The report shall include documentation and interpretation of resources recovered. Interpretation will include full evaluation of the eligibility with respect to the California and National Registers. The Town, in consultation with the archaeologist, shall designate repositories to curate any material in the event that resources are recovered on Town property. If the resources are encountered on private land, the landowner shall determine appropriate curation in consultation with the archaeologist and Lead Agency. If archaeological resources are encountered on federal lands, ground-disturbing activities shall cease in the immediate vicinity of the find and the Inyo National Forest shall be contacted immediately. The Inyo National Forest shall provide direction as to the appropriate evaluation, treatment, and curation of the find.

**TSMM 4.D-4:** If resources are identified during the Phase I assessment, a Phase II Cultural Resources Assessment may be warranted if improvements or new public access is proposed in the vicinity of such resources, or if an alternate alignment is not selected. The Phase II assessment shall evaluate the resource(s) for listing in the California Register of Historical Resources (per CEQA) and the National Register of Historic Places (per Section 106). If enough data is obtained from the Phase I assessment to conduct a proper evaluation, a Phase II assessment may not be necessary. Methodologies for evaluating a resource can include, but are not limited to: subsurface archaeological excavations, additional background research, and coordination with interested individuals in the community.

**TSMM 4.D-5:** If, as a result of the Phase II assessment, resources are determined eligible for listing, potential impacts to the resources shall be analyzed and if impacts are significant and cannot be avoided, mitigation measures shall be developed and implemented to reduce impacts to the resources. If avoidance is not feasible, then Phase III Cultural Resources Assessments shall be implemented. Phase III assessments can include, but are not limited to: additional subsurface archaeological excavations (i.e., data recovery) and/or archaeological monitoring during ground-disturbing activities. For projects on National Forest lands, coordination and concurrence with the Inyo National Forest and State Historic Preservation Officer regarding treatment or mitigation shall be required. The performance standard for this mitigation measure is to reduce potential impacts to archaeological resources to a less than significant level.

**TSMM 4.D-6:** If archaeological resources are encountered during implementation of the Project, ground-disturbing activities should temporarily be redirected from the vicinity of the find. The Town shall immediately notify a qualified archaeologist of the find. The archaeologist should coordinate with the Town as to the immediate treatment of the find until a proper site visit and evaluation is made by the archaeologist. Treatment may include the implementation of an archaeological testing or salvage program. All archaeological resources recovered will be documented on California Department of Parks and Recreation Site Forms to be filed with the CHRIS-EIC. The archaeologist shall prepare a final report about the find to be filed with the Town and the CHRIS-EIC, as required by the California Office of Historic Preservation. The report shall include documentation and interpretation of resources recovered. Interpretation will include full evaluation of the eligibility with respect to the California and National Registers. The Town, in consultation with the archaeologist, shall designate repositories to curate any material in the event that resources are recovered on Town property. If the resources are encountered on private land, the landowner shall determine appropriate curation in consultation with the archaeologist and Lead Agency. The archaeologist shall also determine the need for archaeological monitoring for any ground-disturbing activities in the area of the find thereafter. If archaeological resources are encountered on federal lands, ground-disturbing activities shall cease in the immediate vicinity of the find and the Inyo National Forest shall be contacted immediately. In such cases, the Inyo National Forest shall provide direction as to the appropriate evaluation, treatment, and curation of the find.

**TSMM 4.D-7:** If human remains are encountered unexpectedly during construction excavation and grading activities, pursuant to California Health and Safety Code Section 7050.5, the Applicant shall halt ground-disturbing activities within the area of the human remains and notify the County Coroner. If the remains are determined to be of Native American

descent, the coroner shall have 24 hours to notify the California Native American Heritage Commission (NAHC). The NAHC shall identify the person(s) thought to be the Most Likely Descendant of the deceased Native American, who shall have 48 hours from notification by the NAHC to inspect the site of the discovery of Native American remains and to recommend to the Applicant or landowner means for treating and disposition, with appropriate dignity, the human remains and any associated grave goods. The Applicant or landowner shall reinter the remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance. If the remains are determined to be of Native American descent and are located on federal lands, the coroner has 24 hours to notify the NAHC and the Inyo National Forest of the discovery. The Inyo National Forest shall take the appropriate steps to comply with the federal Native American Graves Protection and Repatriation Act (NAGPRA). NAGPRA stipulates that Native American remains and associated funerary objects belong to lineal descendants. If the descendants cannot be identified, then those remains and objects, along with unassociated funerary or sacred object and objects of cultural patrimony belong to the tribe on whose lands the remains were found or the tribe having the closest relationship to them.

**TSM 4.D-8:** If paleontological resources are encountered during implementation of the Project, ground-disturbing activities shall temporarily be redirected from the vicinity of the find. The Town shall immediately notify a qualified paleontologist of the find. The paleontologist shall coordinate with the Town as to the immediate treatment of the find until a proper site visit and evaluation is made by the paleontologist. Treatment may include the implementation of salvage excavations or preservation in place. The paleontologist shall prepare a final report on the find that shall include appropriate description of the fossils, treatment, and curation. A copy of the report shall be filed with the Town and an appropriate paleontological institution, and shall accompany any curated fossils. The paleontologist shall also determine the need for paleontological monitoring for any ground-disturbing activities in the area of the find thereafter. If paleontological resources are encountered on federal lands, ground-disturbing activities shall cease in the immediate vicinity of the find and the Inyo National Forest shall be contacted immediately. In such cases, the Inyo National Forest shall provide direction as to the appropriate evaluation, treatment, and curation of the find.

### 3. ENVIRONMENTAL IMPACTS

**Threshold CUL-1:** The project would result in a significant impact if the project would cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.

**Impact Statement CUL-1:** *Project-related demolition, construction, maintenance, and/or improvement activities would have the potential to cause a potentially significant impact to historical resources. Compliance with GPMM 4.14-1 and 4.14-3 and applicable policies in the General Plan would reduce impacts to historical resources to a less than significant level.*

As discussed earlier, the results of the cultural resources records search through the EIC have indicated that several known built environment historic resources have been recorded within or in the immediate vicinity of the Mobility Element Update project area. Moreover, the Land Use Element/ Zoning Code Amendments project area is located in a densely urbanized area of the Town with numerous structures that would likely meet the 45-year age threshold to be considered a potential historical resource. Therefore, it is possible that

additional built environment historic resources are present within the Project Areas that have yet to be evaluated for eligibility for listing in the local, State, and/or federal registers. In the event the Project results in redevelopment or other improvements on a project-by-project basis that have the potential to demolish or substantially alter historic resources, impacts on historic resources would be significant. Accordingly, GPMM 4.14-1 and GPMM 4.14-3 would address this potential impact and therefore, compliance with these adopted mitigation measures would reduce impacts to a less than significant level.

### Mitigation Measures

Compliance with adopted GPMM 4.14-1 and GPMM 4.14-3 would reduce potentially significant impacts to historical resources to a less than significant level.

**Threshold CUL-2:** The project would result in a significant impact if the project would cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.

***Impact Statement CUL-2:** Project-related demolition, construction, maintenance, and/or improvement activities would have the potential to cause a potentially significant impact to archaeological resources. Compliance with TSMM 4.D-3 through TSMM 4.D-6 and applicable policies in the General Plan would reduce impacts to archaeological resources to a less than significant level.*

As discussed earlier, the results of the cultural resources records search through the EIC have indicated that 86 archaeological or historical resources are located within or in the immediate vicinity of the Mobility Element Update project area while six resources are located within or in the immediate vicinity of the Land Use Element / Zoning Code Amendments project area. These resources include prehistoric archaeological resources such as temporary and permanent occupation sites (e.g., lithic/ground stone/shell scatters, midden deposits, large habitation sites, and bedrock milling stations) and trails. They also include historic archaeological resources such as remnants of historic period homesteads and refuse dumps and scatters. The current contents and condition of these resources are unknown as some of these resources were recorded as early as 1958 (and as late as 2013) and therefore it is likely that at least some of the resources have been partially or completely displaced or destroyed by modern development or some other cultural (e.g., looting, road construction) or natural (e.g., erosion, flood events) process since their initial recordation. In addition, the exact boundaries of these resources and their horizontal (across the surface) and vertical (below the surface) extent may either be unknown or inconclusive for the same reason and/or if no subsurface archaeological investigations have taken place at the resource. Moreover, the Proposed Project is conceptual at this stage and therefore the associated excavation parameters for the Project elements in the specific areas of the 50 resources are currently unknown. However, it can be assumed that components of the Proposed Project that include excavations into native soils/sediments (as opposed to artificial fill or bedrock) would have the potential to impact these 50 resources or additional archaeological resources within the Project Area that have yet to be discovered. Therefore, impacts to archaeological resources are considered potentially significant and adopted mitigation measures TSMM 4.D-3 through TSMM 4.D-6 would serve to address this potential impact. Revisions to TSMM 4.D-3 are recommended below to broaden the applicability of the measure to account for other components in the Mobility Element Update.

## Mitigation Measures

While TSMM 4.D-3 is applicable to the Mobility Element Update, revisions are recommended and shown in redline/strikethrough to broaden the applicability of the measure to address all components in the Mobility Element Update.

**TSMM 4.D-3:** The Town shall conduct a Phase I Cultural Resources Assessment of individual project areas to identify any archaeological resources within the area of a proposed project component. The Area of Potential Effect (APE) will be the focus of the analyses for projects located on federal lands per Section 106. The Phase I assessment shall include cultural resources records searches through the Eastern Information Center (as needed) and the Inyo National Forest Field Office, a Sacred Lands File search through the Native American Heritage Commission and follow-up Native American consultation, and a pedestrian survey of the Project area. ~~(Note: Surveys may not be required in areas of the TSMP and SHARP that have already been surveyed unless resources were identified, such a determination should be made in consultation with the Inyo National Forest).~~

- If resources are identified during the Phase I assessment, then a Phase II assessment shall be required, as described in Mitigation Measure 4.D.-4
- If no resources are identified as part of the assessment, no further analyses or mitigation shall be warranted, unless it can be determined that the project has a high potential to encounter buried archaeological or historical resources;
- If it determined that there is a moderate or high potential to encounter buried archaeological resources, appropriate mitigation shall be developed and implemented. Appropriate Mitigation may include realignment of the trail redesign of the project to avoid the sensitive area, in which case no additional mitigation would be required. If avoidance is not possible, appropriate mitigation may include but not be limited to the following: [...]

**Threshold CUL-3:** The project would result in a significant impact if the project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

**Impact Statement CUL-3:** *Project-related construction, maintenance, and improvement activities would have the potential to cause a potentially significant impact to paleontological resources. Compliance with TSMM 4.D-8 and applicable policies in the General Plan would reduce impacts to paleontological resources to a less than significant level.*

As discussed earlier, the paleontological resources records search revealed that there are no known vertebrate, invertebrate, plant, microfossil, or other fossil localities from the UCMP online database that have been previously identified within the Project Area or the surrounding vicinity. The closest known vertebrate fossil locality is located more than 30 miles north of the project. Initial consultation of collection records and geologic maps (Jennings 1977) indicate that the Mammoth Lakes area has no history of fossil resources largely because the terrain is dominated by igneous and metamorphic rocks which are not conducive to retaining paleontological resources. Pleistocene glacial deposits overlie the basement and volcanic rocks in the project and throughout the Town. Results of previous geotechnical studies for projects within the Town indicate that the lower portions of the Town and the UGB are underlain by undocumented fill (in developed areas), Quaternary younger alluvium, and Quaternary Tioga Till (i.e., glacial till) (Sierra Geotechnical Services, Inc. 2005). Apart from glacial deposits, there are no sediments old enough to produce fossils inside

or within the vicinity of the Project and it is unlikely that shallow excavations associated with the proposed Project will encounter these deposits. However, there is a low to moderate potential to encounter paleontological resources in glacial deposits within the proposed project area. Accordingly, adopted mitigation measure TSMM 4.D-8 would address this potential impact. Additional measures have been added below to TSMM 4.D-8 to include industry standard methodologies set forth by the Society for Vertebrate Paleontology.

### Mitigation Measures

While TSMM 4.D-8 addresses the protection of paleontological resources and serves to reduce potentially significant impacts, some revisions are recommended to include industry standard methodologies. The recommended additional language is shown in underline.

**TSMM 4.D-8:** If paleontological resources are encountered during implementation of the Project, ground-disturbing activities shall temporarily be redirected from the vicinity of the find. The Town shall immediately notify a qualified paleontologist of the find. The paleontologist shall coordinate with the Town as to the immediate treatment of the find until a proper site visit and evaluation is made by the paleontologist. Treatment may include the implementation of salvage excavations or preservation in place. If preservation in place is not feasible, the paleontologist shall implement a paleontological salvage program to remove the resources from the project site. Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are submitted to their final repository. Any fossils collected shall be curated at a public, non-profit institution with a research interest in the materials, such as the University of California Museum of Paleontology or the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils. If no institution accepts the fossil collection, they shall be donated to a local school in the area for educational purposes. Accompanying notes, maps, and photographs shall also be filed at the repository and/or school. The paleontologist shall prepare a final report on the find that shall include appropriate description of the fossils, treatment, and curation. A copy of the report shall be filed with the Town and an appropriate paleontological institution, and shall accompany any curated fossils. The paleontologist shall also determine the need for paleontological monitoring for any ground-disturbing activities in the area of the find thereafter. If paleontological resources are encountered on federal lands, ground-disturbing activities shall cease in the immediate vicinity of the find and the Inyo National Forest shall be contacted immediately. In such cases, the Inyo National Forest shall provide direction as to the appropriate evaluation, treatment, and curation of the find.

**Threshold CUL-4:** The project would result in a significant impact if the project would disturb any human remains, including those interred outside of formal cemeteries.

**Impact Statement CUL-4:** *Project-related demolition, construction, maintenance, and improvement activities would have the potential to cause a potentially significant impact to human remains. Compliance with TSMM 4.D-7 and applicable policies in the General Plan would reduce impacts to human remains resources to a less than significant level.*

As discussed earlier, no known human remains have been identified from the EIC records within the project area. However, these findings do not preclude the existence of previously unknown human remains located below the ground surface, which may be encountered during construction excavations associated with the Proposed Project. Similar to the discussion regarding archaeological resources above, it is also possible to encounter buried human remains during construction given the proven prehistoric and historic occupation of the region, the identification of multiple surface and subsurface archaeological resources within and in the immediate vicinity of the project area, and the favorable natural conditions that would have attracted prehistoric and historic inhabitants to the area. Accordingly, TSMM 4.D-7 would address this potential impact.

### **Mitigation Measures**

Compliance with TSMM 4.D-7 would reduce potentially significant impacts to human remains to a less than significant level.

## **4. CUMULATIVE IMPACTS**

The development of vacant parcels and redevelopment of already developed parcels under the Land Use Element/Zoning Code Amendments and the road improvements and MUPs identified in the Mobility Element Update are primarily within the UGB of the Town. Although cultural resources are present within these areas, a number of mitigation measures are proposed to protect known and previously unknown resources that occur within the Town. With the implementation of these mitigation measures and compliance with policies outlined in the General Plan and design features, the cultural resources within the Town would be protected. In addition to this Project, there are a total 26 related projects currently in the Town of Mammoth Lakes. The related projects are primarily within the Town's UGB and would be subject to the same policies contained in the General Plan. As such, impacts from the Project would not be considered cumulatively significant.

## **5. LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Implementation of the adopted mitigation measures, including recommended revisions, would ensure that impacts regarding cultural resources would be less than significant.



## 4.6 GREENHOUSE GAS EMISSIONS

---

### INTRODUCTION

This section addresses greenhouse gas (GHG) emissions generated by the construction and operation of the Project inclusive of mandatory and voluntary energy and resource conservation measures that have been incorporated into the Project to reduce GHG emissions and associated impacts. The analysis also addresses the consistency of the Project with applicable regulations, plans, and policies set forth by the State of California and the Town of Mammoth Lakes to reduce GHGs. The Project's potential contributions to global climate change impacts are identified. GHG emission calculations prepared for the Project are provided in Appendix C of this EIR.

### 1. ENVIRONMENTAL SETTING

Global climate change refers to changes in average climatic conditions on Earth as a whole, including changes in temperature, wind patterns, precipitation and storms. Historical records indicate that global climate changes have occurred in the past due to natural phenomena; however current data increasingly indicate that the current global conditions differ from past climate changes in rate and magnitude. Global climate change attributable to anthropogenic (human) GHG emissions is currently one of the most important and widely debated scientific, economic and political issues in the United States and the world. The extent to which increased concentrations of GHGs have caused or will cause climate change and the appropriate actions to limit and/or respond to climate change are the subject of significant and rapidly evolving regulatory efforts at the federal and state levels of government.

GHGs are those compounds in the Earth's atmosphere which play a critical role in determining temperature near the Earth's surface. More specifically, these gases allow high-frequency shortwave solar radiation to enter the Earth's atmosphere, but retain some of the low frequency infrared energy which is radiated back from the Earth towards space, resulting in a warming of the atmosphere. Not all GHGs possess the same ability to induce climate change; as a result, GHG contributions are commonly quantified in the units of equivalent mass of carbon dioxide (CO<sub>2</sub>e). Mass emissions are calculated by converting pollutant specific emissions to CO<sub>2</sub>e emissions by applying the proper global warming potential (GWP) value.<sup>1</sup> These GWP ratios are available from the Intergovernmental Panel on Climate Change (IPCC). Historically, GHG emission inventories have been calculated using the GWPs from the IPCC's Second Assessment Report (SAR). The IPCC updated the GWP values based on the latest science in its Fourth Assessment Report (AR4). The updated GWPs in the IPCC AR4 have begun to be used in recent GHG emissions inventories. By applying the GWP ratios, project-related CO<sub>2</sub>e emissions can be tabulated in metric tons per year. Typically, the GWP ratio corresponding to the warming potential of CO<sub>2</sub> over a 100-year period is used as a baseline. The CO<sub>2</sub>e values are calculated for construction years as well as existing and project build-out conditions in order to generate a net change in GHG emissions for construction and operation. Compounds that are regulated as GHGs are discussed below.

---

<sup>1</sup> *GWPs and associated CO<sub>2</sub>e values were developed by the Intergovernmental Panel on Climate Change (IPCC), and published in its Second Assessment Report (SAR) in, 1996. Historically, GHG emission inventories have been calculated using the GWPs from the IPCC's SAR. The IPCC updated the GWP values based on the latest science in its Fourth Assessment Report (AR4). The California Air Resources Board (CARB) has begun reporting GHG emission inventories for California using the GWP values from the IPCC AR4.*

**Carbon Dioxide (CO<sub>2</sub>):** CO<sub>2</sub> is the most abundant GHG in the atmosphere and is primarily generated from fossil fuel combustion from stationary and mobile sources. CO<sub>2</sub> is the reference gas (GWP of 1) for determining the GWPs of other GHGs.

**Methane (CH<sub>4</sub>):** CH<sub>4</sub> is emitted from biogenic sources (i.e., resulting from the activity of living organisms), incomplete combustion in forest fires, landfills, manure management, and leaks in natural gas pipelines. The GWP of CH<sub>4</sub> is 21 in the IPCC SAR and 25 in the IPCC AR4.

**Nitrous Oxide (N<sub>2</sub>O):** N<sub>2</sub>O produced by human-related sources including agricultural soil management, animal manure management, sewage treatment, mobile and stationary combustion of fossil fuel, adipic acid production, and nitric acid production. The GWP of N<sub>2</sub>O is 310 in the IPCC SAR and 298 in the IPCC AR4.

**Hydrofluorocarbons (HFCs):** HFCs are fluorinated compounds consisting of hydrogen, carbon, and fluorine. They are typically used as refrigerants in both stationary refrigeration and mobile air conditioning systems. The GWPs of HFCs ranges from 140 for HFC-152a to 11,700 for HFC-23 in the IPCC SAR and 124 for HFC-152a to 14,800 for HFC-23 in the IPCC AR4.

**Perfluorocarbons (PFCs):** PFCs are fluorinated compounds consisting of carbon and fluorine. They are primarily created as a byproduct of aluminum production and semiconductor manufacturing. The GWPs of PFCs range from 6,500 to 9,200 in the IPCC SAR and 7,390 to 17,700 in the IPCC AR4.

**Sulfur Hexafluoride (SF<sub>6</sub>):** SF<sub>6</sub> is a fluorinated compound consisting of sulfur and fluoride. It is a colorless, odorless, nontoxic, nonflammable gas. It is most commonly used as an electrical insulator in high voltage equipment that transmits and distributes electricity. SF<sub>6</sub> has a GWP of 23,900 in the IPCC SAR and 22,800 in the IPCC AR4.

## a. Regulatory Framework

### (1) Federal

The United States Environmental Protection Agency (USEPA) is responsible for implementing federal policy to address GHGs. The federal government administers a wide array of public-private partnerships to reduce the GHG intensity generated in the United States. These programs focus on energy efficiency, renewable energy, methane and other non-CO<sub>2</sub> gases, agricultural practices, and implementation of technologies to achieve GHG reductions. The USEPA implements numerous voluntary programs that contribute to the reduction of GHG emissions. These programs (e.g., the Energy Star labeling system for energy-efficient products) play a significant role in encouraging voluntary reductions from large corporations, consumers, industrial and commercial buildings, and many major industrial sectors.

In *Massachusetts v. Environmental Protection Agency* (Docket No. 05–1120), the United States Supreme Court held in April of 2007 that the USEPA has statutory authority under Section 202 of the federal Clean Air Act to regulate GHGs. The Court did not hold that the USEPA was required to regulate GHG emissions; however, it indicated that the agency must decide whether GHGs cause or contribute to air pollution that is reasonably anticipated to endanger public health or welfare.

On May 19, 2009, the President announced a national policy for fuel efficiency and emissions standards in the United States auto industry. The adopted federal standard applies to passenger cars and light-duty trucks for model years 2012 through 2016. The rule surpasses the prior Corporate Average Fuel Economy standards and requires an average fuel economy standard of 35.5 miles per gallon (mpg) and 250 grams of CO<sub>2</sub> per mile by model year 2016, based on USEPA calculation methods. These standards were formally adopted on April 1, 2010. In August 2012, standards were adopted for model year 2017 through 2025 passenger cars and light-duty trucks. By 2025, vehicles are required to achieve 54.5 mpg (if GHG reductions are achieved exclusively through fuel economy improvements) and 163 grams of CO<sub>2</sub> per mile. According to the USEPA, a model year 2025 vehicle would emit one-half of the GHG emissions from a model year 2010 vehicle.<sup>2</sup>

On December 7, 2009, the USEPA Administrator signed two distinct findings regarding GHGs under Section 202(a) of the federal Clean Air Act. The USEPA adopted a Final Endangerment Finding for the six defined GHGs (CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, HFCs, PFCs, and SF<sub>6</sub>) on December 7, 2009. The Endangerment Finding is required before USEPA can regulate GHG emissions under Section 202(a)(1) of the Clean Air Act consistently with the United States Supreme Court decision. The USEPA also adopted a Cause or Contribute Finding in which the USEPA Administrator found that GHG emissions from new motor vehicle and motor vehicle engines are contributing to air pollution, which is endangering public health and welfare. These findings do not themselves impose any requirements on industry or other entities. However, these actions were a prerequisite for implementing GHG emissions standards for vehicles.

## **(2) State**

California has promulgated a series of executive orders, laws, and regulations aimed at reducing both the level of GHGs in the atmosphere and emissions of GHGs from commercial and private activities within the State.

### **(a) California Air Resources Board**

The California Air Resources Board (CARB), a part of the California Environmental Protection Agency (CalEPA), is responsible for the coordination and administration of both federal and state air pollution control programs within California. In this capacity, CARB conducts research, sets the California Ambient Air Quality Standards (CAAQS), compiles emission inventories, develops suggested control measures, and provides oversight of local programs. CARB establishes emissions standards for motor vehicles sold in California, consumer products (such as hairspray, aerosol paints, and barbecue lighter fluid), and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions. CARB has primary responsibility for the development of California's State Implementation Plan, for which it works closely with the federal government and the local air districts. The State Implementation Plan is required for the State to take over implementation of the federal Clean Air Act.

### **(b) Executive Order S-3-05**

California Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S-3-05, the following GHG emission reduction targets:

<sup>2</sup> *United States Environmental Protection Agency, "EPA and NHTSA Set Standards to Reduce Greenhouse Gases and Improve Fuel (Footnote continued on next page)*

- By 2010, California shall reduce GHG emissions to 2000 levels;
- By 2020, California shall reduce GHG emissions to 1990 levels; and
- By 2050, California shall reduce GHG emissions to 80 percent below 1990 levels.

The Secretary of CalEPA is required to coordinate efforts of various agencies in order to collectively and efficiently reduce GHGs. Some of the agency representatives involved in the GHG reduction plan include the Secretary of the Business, Transportation and Housing Agency, the Secretary of the Department of Food and Agriculture, the Secretary of the Resources Agency, the Chairperson of CARB, the Chairperson of the California Energy Commission, and the President of the Public Utilities Commission. Representatives from these agencies comprise the California Climate Action Team (CAT).

The CAT provides biennial reports to the Governor and Legislature on the state of GHG reductions in the state as well as strategies for mitigating and adapting to climate change. The first CAT Report to the Governor and the Legislature in 2006 contained recommendations and strategies to help meet the targets in Executive Order S 3-05.<sup>3</sup> The 2010 CAT Report, finalized in December 2010, expands on the policy oriented 2006 assessment.<sup>4</sup> The new information detailed in the CAT Report includes development of revised climate and sea-level projections using new information and tools that have become available in the last two years; and an evaluation of climate change within the context of broader social changes, such as land-use changes and demographic shifts.

### **(c) California Assembly Bill 32 (AB 32, Nunez) (Chapter 488, Statutes of 2006)**

In 2006, the California State Legislature adopted Assembly Bill (AB) 32 (Chapter 488, Statutes of 2006), the California Global Warming Solutions Act of 2006, focusing on reducing GHG emissions in California to 1990 levels by 2020. As required by AB 32, CARB approved the 1990 GHG emissions inventory, thereby establishing the emissions limit for 2020. The 2020 emissions limit was originally set at 427 million metric tons (MMT) CO<sub>2</sub>e using the GWP values from the IPCC SAR. CARB also projected the state's 2020 GHG emissions under business-as-usual (BAU) conditions – that is, emissions that would occur without any plans, policies, or regulations to reduce GHG emissions. CARB originally used an average of the state's GHG emissions from 2002 through 2004 and projected the 2020 levels at approximately 596 MMTCO<sub>2</sub>e (using GWP values from the IPCC SAR). Therefore, under the original projections, the state must reduce its 2020 BAU emissions by 28.4 percent in order to meet the 1990 target of 427 MMTCO<sub>2</sub>e. In 2014, CARB revised the target using the GWP values from the IPCC AR4 and determined that the 1990 GHG emissions inventory and 2020 GHG emissions limit is 431 MMTCO<sub>2</sub>e. CARB also updated the State's 2020 BAU emissions estimate to account for the effect of the 2007–2009 economic recession, new estimates for future fuel and energy demand, and the reductions required by regulation that were recently adopted for motor vehicles and renewable energy.<sup>5</sup> CARB's revised 2020 BAU emissions estimate using the GWP values from the IPCC AR4 is 509.4 MMTCO<sub>2</sub>e. Therefore, the emission reductions necessary to achieve the 2020 emissions target of 431 MMTCO<sub>2</sub>e would be 78.4 MMTCO<sub>2</sub>e, or a reduction of GHG emissions by approximately 15.4 percent. A

---

*Economy for Model Years 2017-2025 Cars and Light Trucks,* <http://www.epa.gov/oms/climate/documents/420f12051.pdf>. 2012.

<sup>3</sup> California Environmental Protection Agency, *California Climate Action Team Report to the Governor and the Legislature, (2006)*.

<sup>4</sup> California Environmental Protection Agency, *California Climate Action Team Report to the Governor and the Legislature, (2010)*.

<sup>5</sup> California Air Resources Board, *"Greenhouse Gas Inventory – 2020 Emissions Forecast,"* <http://www.arb.ca.gov/cc/inventory/data/forecast.htm>. 2012.

summary of the GHG emissions reductions required under AB 32 is provided in **Table 4.6-1, *Estimated Greenhouse Gas Emissions Reductions Required by AB 32.***

**Table 4.6-1****Estimated Greenhouse Gas Emissions Reductions Required by AB 32**

Emissions Category	GHG Emissions (MMTCO <sub>2</sub> e)
<b>2008 Scoping Plan (IPCC SAR)</b>	
2020 BAU Forecast (CARB 2008 Scoping Plan Estimate)	596
2020 Emissions Target Set by AB 32 (i.e., 1990 level)	427
<b>Reduction below Business-As-Usual necessary to achieve 1990 levels by 2020</b>	<b>169 (28.4%)<sup>a</sup></b>
<b>2011 Scoping Plan (IPCC AR4)</b>	
2020 BAU Forecast (CARB 2011 Scoping Plan Estimate)	509.4
2020 Emissions Target Set by AB 32 (i.e., 1990 level)	431
<b>Reduction below Business-As-Usual necessary to achieve 1990 levels by 2020</b>	<b>78.4 (15.4%)<sup>b</sup></b>

MMTCO<sub>2</sub>e = million metric tons of carbon dioxide equivalents

$$^a \quad 596 - 427 = 169 / 596 = 28.4\%$$

$$^b \quad 509.4 - 431 = 78.4 / 509.4 = 15.4\%$$

Source: California Air Resources Board, *Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document (FED), Attachment D, August 19, 2011*; California Air Resources Board, *2020 Business-as-Usual (BAU) Emissions Projection, 2014 Edition*, <http://www.arb.ca.gov/cc/inventory/data/bau.htm>. Accessed November 2015.

AB 32 defines GHGs as CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, HFCs, PFCs, and SF<sub>6</sub> and represents the first enforceable statewide program to limit emissions of these GHGs from all major industries with penalties for noncompliance. The law further requires that reduction measures be technologically feasible and cost effective. Under AB 32, CARB has the primary responsibility for reducing GHG emissions. CARB is required to adopt rules and regulations directing state actions that would achieve GHG emissions reductions equivalent to 1990 statewide levels by 2020. On or before June 30, 2007, CARB was required to publish a list of discrete early action GHG emission reduction measures that would be implemented to be made enforceable by 2010. In 2007, CARB published its Final Report for Proposed Early Actions to Mitigate Climate Change in California.<sup>6</sup> This report described recommendations for discrete early action measures to reduce GHG emissions as part of California's AB 32 GHG reduction strategy. Resulting from this are three new regulations proposed to meet the definition of "discrete early action greenhouse gas reduction measures," including the following: a low carbon fuel standard; reduction of HFC 134a (HFC used in automobile air-conditioning systems) emissions from non-professional servicing of motor vehicle air conditioning systems; and improved landfill gas capture. CARB estimates that by 2020, the reductions from those three measures would range from 13 to 26 MMTCO<sub>2</sub>e. Six additional early-action regulations were adopted on October 25, 2007 that targeted: motor vehicles; auxiliary engines from docked ships; PFCs from the semiconductor industry; propellants in consumer products; automotive maintenance; and SF<sub>6</sub> from non-electricity sectors.

<sup>6</sup> California Air Resources Board, *Proposed Early Actions to Mitigation Climate Change in California, 2007.*

**(d) California Assembly Bill No. 1493 (AB 1493, Pavley), (Chapter 200, Statutes of 2002)**

In response to the transportation sector accounting for more than half of California's CO<sub>2</sub> emissions, AB 1493 (Chapter 200, Statutes of 2002), enacted on July 22, 2002, required CARB to set GHG emission standards for passenger vehicles, light duty trucks, and other vehicles whose primary use is non-commercial personal transportation manufactured in and after 2009. In setting these standards, CARB must consider cost effectiveness, technological feasibility, economic impacts, and provide maximum flexibility to manufacturers. The State of California in 2004 submitted a request for a waiver from federal clean air regulations, which ordinarily preempts state regulation of motor vehicle emission standards, to allow the state to require reduced tailpipe emissions of CO<sub>2</sub>. In late 2007, the USEPA denied California's waiver request. In early 2008, the state brought suit against USEPA related to this denial. In January 2009, the President directed the USEPA to assess whether its denial of the waiver was appropriate under the federal Clean Air Act. In June 2009, the USEPA granted California the waiver.

However, as discussed previously, the USEPA and USDOT have adopted federal standards for model year 2012 through 2016 light-duty vehicles. In light of the USEPA and USDOT standards, California - and states adopting California emissions standards - have agreed to defer to the proposed national standard through model year 2016. The 2016 endpoint of the federal and state standards is similar, although the federal standard ramps up slightly more slowly than required under the state standard. The state standards (called the Pavley standards) require additional reductions in CO<sub>2</sub> emissions beyond model year 2016 (referred to as Pavley Phase II standards). As noted above, the USEPA and USDOT have adopted GHG emission standards for model year 2017 through 2025 vehicles. These standards are slightly different from the Pavley Phase II standards, but the State of California has agreed not to contest these standards, in part due to the fact that while the national standard would achieve slightly less reductions in California, it would achieve greater reductions nationally and is stringent enough to meet state GHG emission reduction goals.<sup>7</sup> On November 15, 2012, CARB approved an amendment that allows manufacturers to comply with the 2017-2025 national standards to meet state law.

**(e) Executive Order S-01-07**

Executive Order S-01-07 was enacted by the Governor on January 18, 2007. The order mandates the following: (1) that a statewide goal be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020; and (2) that a Low Carbon Fuel Standard (LCFS) for transportation fuels be established in California.

**(f) Senate Bill 97 (SB 97, Dutton) (Chapter 185, Statutes of 2007)**

Senate Bill (SB) 97 (Chapter 185, Statutes of 2007), enacted in 2007, amended CEQA to clearly establish that GHG emissions and the effects of GHG emissions are appropriate subjects for CEQA analysis. It directed the California Office of Planning and Research to develop revisions to the State CEQA Guidelines "for the mitigation of GHG emissions or the effects of GHG emissions" and directed the Resources Agency to certify and adopt these revised State CEQA Guidelines by January 2010. The revisions were completed in March 2010 and codified into the California Code of Regulations and became effective within 120 days pursuant to

<sup>7</sup> California Air Resources Board, "Advanced Clean Cars Summary," [http://www.arb.ca.gov/msprog/clean\\_cars/acc%20summary-final.pdf](http://www.arb.ca.gov/msprog/clean_cars/acc%20summary-final.pdf). Accessed June 2013.

CEQA. The amendments provide regulatory guidance for the analysis and mitigation of the potential effects of GHG emissions. The CEQA Guidelines require:

- Inclusion of GHG analyses in CEQA documents;
- Determination of significance of GHG emissions; and
- If significant GHG emissions would occur, adoption of mitigation to address significant emissions.

**(g) Senate Bill 375 (SB 375, Steinberg) (Chapter 728, Statutes of 2008)**

SB 375 (Chapter 728, Statutes of 2008), which establishes mechanisms for the development of regional targets for reducing passenger vehicle greenhouse gas emissions, was adopted by the State on September 30, 2008. Under SB 375, CARB is required, in consultation with each Metropolitan Planning Organization (MPO) in the State, to set regional GHG reduction targets for the passenger vehicle and light-duty truck sector for 2020 and 2035. Of note, the proposed reduction targets explicitly exclude emission reductions expected from the AB 1493 and the low carbon fuel standard regulations.

The Mono County Local Transportation Commission (LTC) is the designated Regional Transportation Planning Agency for the Town of Mammoth Lakes; however, the Mono County LTC is not within the jurisdiction of any of the State's MPOs. As a result, the Mono County LTC is exempt from the GHG reduction requirements of SB 375. According to CARB, the initial GHG reduction targets established under SB 375 apply to approximately 95 percent of the State's population, vehicle miles traveled (VMT), and passenger vehicle GHG emissions.<sup>8</sup> Some of the smaller MPOs had relatively small or zero GHG reduction requirements in the initial target setting. CARB has indicated it would reevaluate the targets for future updates. As such, the Mono County LTC, along with the other 20 county LTCs that are not within an MPO, comprise less than five percent of the State's GHG emissions from the portion of the transportation sector that is the subject of SB 375.

**(h) Title 24, Building Standards Code and CALGreen Code**

The California Energy Commission first adopted the Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods.

Part 11 of the Title 24 Building Standards Code is referred to as the California Green Building Standards (CALGreen) Code. The purpose of the CALGreen Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4)

<sup>8</sup> *California Air Resources Board, Staff Report, Proposed Regional Greenhouse Gas Emission Reduction Targets For Automobiles And Light Trucks Pursuant To Senate Bill 375, (2010).*

Material conservation and resource efficiency; and (5) Environmental air quality.”<sup>9</sup> The CALGreen Code is not intended to substitute for or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission. When the CALGreen Code went into effect in 2009, compliance through 2010 was voluntary. As of January 1, 2011, the CALGreen Code is mandatory for all new buildings constructed in the state. The CALGreen Code establishes mandatory measures for new residential and non-residential buildings. Such mandatory measures include energy efficiency, water conservation, material conservation, planning and design and overall environmental quality.<sup>10</sup> The CALGreen Code was most recently updated in 2013 to include new mandatory measures for residential as well as nonresidential uses; the new measures took effect on January 1, 2014.<sup>11</sup>

### **(i) Renewables Portfolio Standard**

SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010. In November 2008, Governor Schwarzenegger signed Executive Order S-14-08, which expands the State's Renewables Portfolio Standard to 33 percent renewable power by 2020. Pursuant to Executive Order S-21-09, CARB was also preparing regulations to supplement the Renewables Portfolio Standard with a Renewable Energy Standard that will result in a total renewable energy requirement for utilities of 33 percent by 2020. But on April 12, 2011, Governor Jerry Brown signed SB X1-2 to increase California's RPS to 33 percent by 2020. SB 350 (Chapter 547, Statutes of 2015), signed into law on October 7, 2015, further increased the Renewables Portfolio Standard to 50 percent by 2030. The legislation also included interim targets of 40 percent by 2024 and 45 percent by 2027.

### **(3) Regional**

The Project Areas are located in the Town of Mammoth Lakes in Mono County. The Great Basin Unified Air Pollution Control District (GBUAPCD) is responsible for air quality planning and permitting and developing rules and regulations to bring the area into attainment of the ambient air quality standards. This is accomplished through air quality monitoring, evaluation, education, implementation of control measures to reduce emissions from stationary sources, permitting and inspection of pollution sources, enforcement of air quality regulations, and by supporting and implementing measures and strategies to reduce emissions from motor vehicles and VMT.

### **(4) Town of Mammoth Lakes**

#### **(a) Mammoth Lakes Plans and Policies**

The Town of Mammoth Lakes General Plan includes goals and policies related to climate change and GHG emissions. Additionally, the Resource Management and Conservation Element of the General Plan includes goals and policies related to energy conservation and resources, green building practices, and air quality that would aid to reduce GHG emissions in the Town. Refer to Subsection 4.6.2.c for a list of these goals and policies.

<sup>9</sup> California Building Standards Commission, *2010 California Green Building Standards Code*, (2010).

<sup>10</sup> California Building Standards Commission, *2010 California Green Building Standards Code*, (2010).

<sup>11</sup> California Building Standards Commission, *2010 California Green Building Standards Code*, (2010).

## (b) Mammoth Lakes Municipal Code

The Town of Mammoth Lakes has adopted by reference the CALGreen Code in Chapter 15.04 of the Municipal Code. As discussed previously, the CALGreen Code establishes mandatory measures for new residential and non-residential buildings. Such mandatory measures include energy efficiency, water conservation, material conservation, planning and design and overall environmental quality.

## b. Existing Conditions

### (1) Greenhouse Gas Emissions Inventory

Worldwide man-made emissions of GHGs were approximately 49,000 MMTCO<sub>2</sub>e annually including ongoing emissions from industrial and agricultural sources and emissions from land use changes (e.g., deforestation).<sup>12</sup> Emissions of CO<sub>2</sub> emissions from fossil fuel use and industrial processes accounts for 65 percent of the total while CO<sub>2</sub> emissions from all sources accounts for 76 percent of the total. Methane emissions account for 16 percent and N<sub>2</sub>O emissions for 6.2 percent. In 2013, the United States was the world's second largest emitter of carbon dioxide at 5,300 MMT (China was the largest emitter of carbon dioxide at 10,300 MMT).<sup>13</sup>

The California Air Resources Board (CARB) compiles GHG inventories for the State of California. Based on the 2013 GHG inventory data (i.e., the latest year for which data are available from CARB), California emitted 457.2 MMTCO<sub>2</sub>e including emissions resulting from imported electrical power and 417.2 MMTCO<sub>2</sub>e excluding emissions related to imported power.<sup>14</sup> Between 1990 and 2013, the population of California grew by approximately 8.2 million (from 29.8 to 38.0 million).<sup>15</sup> This represents an increase of approximately 27.5 percent from 1990 population levels. In addition, the California economy, measured as gross state product, grew from \$773 billion in 1990 to \$2.21 trillion in 2013 representing an increase of approximately 186 percent.<sup>16</sup> Despite the population and economic growth, California's net GHG emissions only grew by approximately 6 percent between 1990 and 2013. The California Energy Commission (CEC) attributes the slow rate of growth to the success of California's renewable energy programs and its commitment to clean air and clean energy.<sup>17</sup> **Table 4.6-2, State of California Greenhouse Gas Emissions**, identifies and quantifies statewide anthropogenic GHG emissions and sinks (e.g., carbon sequestration due to forest growth) in 1990 and 2013 (i.e., the most recent year in which data are available from CARB). As shown in the table, the transportation sector is the largest contributor to statewide GHG emissions at 37 percent in 2013.

<sup>12</sup> Intergovernmental Panel on Climate Change, *Fifth Assessment Report Synthesis Report*, (2014).

<sup>13</sup> PBL Netherlands Environmental Assessment Agency and the European Commission Joint Research Center, *Trends in Global CO<sub>2</sub> Emissions 2014 Report*, (2014).

<sup>14</sup> California Air Resources Board, "California Greenhouse Gas 2000-2013 Inventory by Scoping Plan Category - Summary," <http://www.arb.ca.gov/cc/inventory/data/data.htm>. Accessed April 2016.

<sup>15</sup> U.S. Census Bureau, "California, Population of Counties by Decennial Census: 1900 to 1990," <http://quickfacts.census.gov/qfd/states/060001k.html>. Accessed November 2015; California Department of Finance, "E-5 Population and Housing Estimates for Cities, Counties and the State, January 2011-2015, with 2010 Benchmark," <http://www.dof.ca.gov/research/demographic/reports/estimates/e-5/2011-20/view.php>. Accessed November 2015.

<sup>16</sup> California Department of Finance, "Financial & Economic Data: Gross Domestic Product, California," [http://www.dof.ca.gov/HTML/FS\\_DATA/LatestEconData/FS\\_Misc.htm](http://www.dof.ca.gov/HTML/FS_DATA/LatestEconData/FS_Misc.htm). Accessed November 2015. Amounts are based on current dollars as of the date of the report (June 2015).

<sup>17</sup> California Energy Commission, *Inventory of California Greenhouse Gas Emissions and Sinks 1990 to 2004*, (2006).

Table 4.6-2

## State of California Greenhouse Gas Emissions

Category	Total 1990 Emissions using IPCC SAR (MMTCO <sub>2</sub> e)	Percent of Total 1990 Emissions	Total 2013 Emissions using IPCC AR4 (MMTCO <sub>2</sub> e)	Percent of Total 2013 Emissions
Transportation	150.7	35%	169.0	37%
Electric Power	110.6	26%	90.5	20%
Commercial	14.4	3%	13.3	3%
Residential	29.7	7%	28.1	6%
Industrial	103.0	24%	92.7	20%
Recycling and Waste <sup>a</sup>	-	-	8.9	2%
High GWP/Non-Specified <sup>b</sup>	1.3	<1%	18.5	4%
Agriculture/Forestry	23.6	6%	36.2	8%
Forestry Sinks	-6.7		-- <sup>c</sup>	--
<b>Net Total (IPCC SAR)</b>	<b>426.6</b>	<b>100%</b>	--	--
<b>Net Total (IPCC AR4) <sup>d</sup></b>	<b>431</b>	<b>100%</b>	<b>457.2</b>	<b>100%</b>

<sup>a</sup> Included in other categories for the 1990 emissions inventory.

<sup>b</sup> High GWP gases are not specifically called out in the 1990 emissions inventory.

<sup>c</sup> Revised methodology under development (not reported for 2013).

<sup>d</sup> CARB revised the State's 1990 level GHG emissions using GWPs from the IPCC AR4.

Sources: California Air Resources Board, Staff Report – California 1990 Greenhouse Gas Emissions Level and 2020 Emissions Limit, (2007); California Air Resources Board, “California Greenhouse Gas 2000-2013 Inventory by Scoping Plan Category – Summary,” <http://www.arb.ca.gov/cc/inventory/data/data.htm>. Accessed April 2016.

## (2) Existing Greenhouse Gas Emissions

The Town of Mammoth Lakes is currently developed with a mix of residential units, hotel/lodging, commercial services, including outdoor and recreational uses, for residents and visitors to the Town, and limited industrial uses. The existing uses include retail, restaurants, cinema, equipment rental, storage, laundromat, gas stations, banks, pet supplies, offices, residences, churches, day care, visitor accommodations, and some construction related uses. The existing development within the Project Area and Townwide is provided in Chapter 2.0, *Project Description*. The Transportation Impact Analysis for the Project<sup>18</sup> provides an estimate of the existing VMT for the Town of Mammoth Lakes. According to the Transportation Impact Analysis the existing VMT estimates for the Town roadways included in the modeling analysis is 152,844 VMT per day or approximately 41.3 million VMT per year.

Sources of GHG emissions in the Project Area consist primarily of area, energy, water, and solid waste sources from commercial uses within the approximately 122-acre commercially designated area that would be covered by the proposed Land Use Element/Zoning Code Amendments and mobile sources associated

<sup>18</sup> LSC Transportation Consultants, Inc., Mammoth Mobility Element Transportation Impact Analysis, 2016.

with vehicle travel along Town roadways that would be affected by both the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update. Under CEQA, the baseline environmental setting is established at the time that environmental assessment commences. Therefore, the existing Project Area emissions serves as the baseline and the operational GHG emissions impacts for the Project are assessed based on the incremental change in emissions from future development resulting from the proposed Land Use Element/Zoning Code Amendments and improvements occurring under the Mobility Element Update.

### **(3) Effects of Global Climate Change**

The scientific community's understanding of the fundamental processes responsible for global climate change has improved over the past decade, and its predictive capabilities are advancing. However, there remain significant scientific uncertainties in, for example, predictions of local effects of climate change, occurrence, frequency, and magnitude of extreme weather events, effects of aerosols, changes in clouds, shifts in the intensity and distribution of precipitation, and changes in oceanic circulation. Due to the complexity of the Earth's climate system and inability to accurately model it, the uncertainty surrounding climate change may never be completely eliminated. Nonetheless, the IPCC, in its *Fifth Assessment Report, Summary for Policy Makers*, stated that, "it is *extremely likely* that more than half of the observed increase in global average surface temperature from 1951 to 2010 was caused by the anthropogenic increase in greenhouse gas concentrations and other anthropogenic forcings together."<sup>19</sup> A report from the National Academy of Sciences concluded that 97 to 98 percent of the climate researchers most actively publishing in the field support the tenets of the IPCC in that climate change is very likely caused by human (i.e., anthropogenic) activity.<sup>20</sup>

According to CARB, the potential impacts in California due to global climate change may include: loss in snow pack; sea level rise; more extreme heat days per year; more high ozone days; more large forest fires; more drought years; increased erosion of California's coastlines and sea water intrusion into the Sacramento and San Joaquin Deltas and associated levee systems; and increased pest infestation.<sup>21</sup> Below is a summary of some of the potential effects, reported by an array of studies that could be experienced in California as a result of global warming and climate change.

#### **(a) Air Quality**

Higher temperatures, conducive to air pollution formation, could worsen air quality in California. Climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore, its indirect effects, are uncertain. If higher temperatures are accompanied by drier conditions, the potential for large wildfires could increase, which, in turn, would further worsen air quality. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains would tend to temporarily clear the air of particulate pollution and reduce the incidence of large wildfires, thus ameliorating the pollution associated with wildfires. Additionally, severe heat accompanied by drier conditions and poor air

---

<sup>19</sup> *Intergovernmental Panel on Climate Change, Fifth Assessment Report, Summary for Policy Makers, (2013) 15.*

<sup>20</sup> *Anderegg, William R. L., J.W. Prall, J. Harold, S.H., Schneider, Expert Credibility in Climate Change, Proceedings of the National Academy of Sciences of the United States of America. 2010;107:12107-12109.*

<sup>21</sup> *California Environmental Protection Agency, Climate Action Team, Climate Action Team Report to Governor Schwarzenegger and the Legislature, (2006).*

quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state.<sup>22</sup>

In 2009, the California Natural Resources Agency (CNRA) published the *California Climate Adaptation Strategy*<sup>23</sup> as a response to the Governor's Executive Order S-13-2008. The CNRA report lists specific recommendations for state and local agencies to best adapt to the anticipated risks posed by a changing climate. In accordance with the *California Climate Adaptation Strategy*, the CEC was directed to develop a website on climate change scenarios and impacts that would be beneficial for local decision makers.<sup>24</sup> The website, known as Cal-Adapt, became operational in 2011.<sup>25</sup> The information provided from the Cal-Adapt website represents a projection of potential future climate scenarios. The data are comprised of the average values from a variety of scenarios and models and are meant to illustrate how the climate may change based on a variety of different potential social and economic factors. According to the Cal-Adapt website, the Town of Mammoth Lakes area could result in an average increase in temperature of approximately 10 to 17 percent (about 4.3 to 7.4°F) by 2070-2090, compared to the baseline 1961-1990 period. According to the Cal-Adapt website, Mono County could see a reduction in snow moisture between approximately 40 and 60 percent by 2070-2090, compared to the baseline 1961-1990 period and an increase in the potential amount of area burned by 1.3 to 1.5 times by 2085 compared to the baseline 2010 levels.

### **(b) Water Supply**

Uncertainty remains with respect to the overall impact of global climate change on future water supplies in California. Studies have found that, "Considerable uncertainty about precise impacts of climate change on California hydrology and water resources will remain until we have more precise and consistent information about how precipitation patterns, timing, and intensity will change."<sup>26</sup> For example, some studies identify little change in total annual precipitation in projections for California while others show significantly more precipitation.<sup>27</sup> Warmer, wetter winters would increase the amount of runoff available for groundwater recharge; however, this additional runoff would occur at a time when some basins are either being recharged at their maximum capacity or are already full.<sup>28</sup> Conversely, reductions in spring runoff and higher evapotranspiration because of higher temperatures could reduce the amount of water available for recharge.<sup>29</sup>

The California Department of Water Resources report on climate change and effects on the State Water Project (SWP), the Central Valley Project, and the Sacramento-San Joaquin Delta, concludes that "climate

---

<sup>22</sup> California Energy Commission, *Scenarios of Climate Change in California: An Overview, February 2006*. <http://www.energy.ca.gov/2005publications/CEC-500-2005-186/CEC-500-2005-186-SF.PDF>. Accessed January 2015.

<sup>23</sup> California Natural Resources Agency, *Climate Action Team, 2009 California Climate Adaptation Strategy: A Report to the Governor of the State of California in Response to Executive Order S-13-2008, (2009)*.

<sup>24</sup> *Ibid.*

<sup>25</sup> The Cal-Adapt website address is: <http://cal-adapt.org>.

<sup>26</sup> Pacific Institute for Studies in Development, Environment and Security, *Climate Change and California Water Resources: A Survey and Summary of the Literature, July 2003*. [http://www.pacinst.org/reports/climate\\_change\\_and\\_california\\_water\\_resources.pdf](http://www.pacinst.org/reports/climate_change_and_california_water_resources.pdf). Accessed January 2015.

<sup>27</sup> *Ibid.*

<sup>28</sup> *Ibid.*

<sup>29</sup> *Ibid.*

change will likely have a significant effect on California's future water resources...[and] future water demand." It also reports that "much uncertainty about future water demand [remains], especially [for] those aspects of future demand that will be directly affected by climate change and warming. While climate change is expected to continue through at least the end of this century, the magnitude and, in some cases, the nature of future changes is uncertain." It also reports that the relationship between climate change and its potential effect on water demand is not well understood, but "[i]t is unlikely that this level of uncertainty will diminish significantly in the foreseeable future." Still, changes in water supply are expected to occur, and many regional studies have shown that large changes in the reliability of water yields from reservoirs could result from only small changes in inflows.<sup>30</sup> In its *Fifth Assessment Report*, the IPCC states "Changes in the global water cycle in response to the warming over the 21st century will not be uniform. The contrast in precipitation between wet and dry regions and between wet and dry seasons will increase, although there may be regional exceptions."<sup>31</sup>

### **(c) Hydrology and Sea Level Rise**

As discussed above, climate changes could potentially affect: the amount of snowfall, rainfall and snow pack; the intensity and frequency of storms; flood hydrographs (flash floods, rain or snow events, coincidental high tide and high runoff events); sea level rise and coastal flooding; coastal erosion; and the potential for salt water intrusion. Sea level rise can be a product of global warming through two main processes: expansion of seawater as the oceans warm, and melting of ice over land. A rise in sea levels could result in coastal flooding and erosion and could jeopardize California's water supply. Increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

### **(d) Agriculture**

California has a \$30 billion agricultural industry that produces half the country's fruits and vegetables. Higher CO<sub>2</sub> levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, water demand could increase; crop-yield could be threatened by a less reliable water supply; and greater ozone pollution could render plants more susceptible to pest and disease outbreaks. In addition, temperature increases could change the time of year certain crops, such as wine grapes, bloom or ripen, and thus affect their quality.<sup>32</sup>

### **(e) Ecosystems and Wildlife**

Increases in global temperatures and the potential resulting changes in weather patterns could have ecological effects on a global and local scale. Increasing concentrations of GHGs are likely to accelerate the rate of climate change. Scientists expect that the average global surface temperature could rise by 2-11.5°F (1.1-6.4°C) by 2100, with significant regional variation.<sup>33</sup> Soil moisture is likely to decline in many regions, and intense rainstorms are likely to become more frequent. Sea level could rise as much as two feet along most of the U.S. coast. Rising temperatures could have four major impacts on plants and animals: (1) timing

<sup>30</sup> *California Department of Water Resources Climate Change Report, Progress on Incorporating Climate Change into Planning and Management of California's Water Resources, July 2006.* [http://baydeltaoffice.water.ca.gov/climatechange/DWRClimateChangeJuly06\\_update8-2-07.pdf](http://baydeltaoffice.water.ca.gov/climatechange/DWRClimateChangeJuly06_update8-2-07.pdf). Accessed December 2013.

<sup>31</sup> *Intergovernmental Panel on Climate Change, Fifth Assessment Report, Summary for Policy Makers, (2013) 20.*

<sup>32</sup> *California Climate Change Center, Our Changing Climate: Assessing the Risks to California, (2006).*

<sup>33</sup> *National Research Council, Advancing the Science of Climate Change, (2010).*

of ecological events; (2) geographic range; (3) species' composition within communities; and (4) ecosystem processes such as carbon cycling and storage.<sup>34, 35</sup>

## 2. METHODOLOGY AND THRESHOLDS

### a. Methodology

The evaluation of potential impacts to GHG emissions that may result from the construction and long-term operations of the Project is conducted as follows:

#### (1) Greenhouse Gas Emissions

For the purposes of this EIR, total GHG emissions from the Project were quantified to determine whether the associated emissions would substantially help or hinder the state's ability to attain the goals identified in AB 32 (i.e., reduction of statewide GHG emissions to 1990 levels by 2020). As stated above, the mandate of AB 32 demonstrates California's commitment to reducing GHG emissions and the state's associated contribution to climate change, without intending to limit population or economic growth within the state.

The Climate Registry has prepared the General Reporting Protocol for calculating and reporting GHG emissions from a number of general and industry-specific activities.<sup>36</sup> No specific protocols are available for land use projects, so the General Reporting Protocol has been adapted to address GHG emissions from the Project. The information provided in this section is consistent with the General Reporting Protocol minimum reporting requirements. The General Reporting Protocol recommends the separation of GHG emissions into three categories that reflect different aspects of ownership or control over emissions. They include:

- Scope 1: Direct, on-site combustion of fossil fuels (e.g., natural gas, propane, gasoline, and diesel).
- Scope 2: Indirect, off-site emissions associated with purchased electricity or purchased steam.
- Scope 3: Indirect emissions associated with other emissions sources, such as third-party vehicles and embodied energy.<sup>37</sup>

CARB believes that consideration of so-called indirect emissions provides a more complete picture of the GHG footprint of a facility: "As facilities consider changes that would affect their emissions – addition of a cogeneration unit to boost overall efficiency even as it increases direct emissions, for example – the relative impact on total (direct plus indirect) emissions by the facility should be monitored. Annually reported indirect energy usage also aids the conservation awareness of the facility and provides information" to CARB to be considered for future strategies by the industrial sector.<sup>38</sup> For these reasons, CARB has proposed requiring the calculation of direct and indirect GHG emissions as part of the AB 32 reporting requirements.

<sup>34</sup> *Parmesan, C., 2004. Ecological and Evolutionary Response to Recent Climate Change.*

<sup>35</sup> *Parmesan, C and Galbraith, H, 2004. Observed Ecological Impacts of Climate Change in North America. Arlington, VA: Pew. Cent. Glob. Clim. Change.*

<sup>36</sup> *California Climate Action Registry, General Reporting Protocol Version 3.1, (2009).*

<sup>37</sup> *Embodied energy includes energy required for water pumping and treatment for end-uses.*

<sup>38</sup> *California Air Resources Board, Initial Statement of Reasons for Rulemaking, Proposed Regulation for Mandatory Reporting of Greenhouse Gas Emissions Pursuant to the California Global Warming Solutions Act of 2006 (AB 32), (2007).*

Additionally, the Office of Planning and Research directs lead agencies to “make a good-faith effort, based on available information, to calculate, model, or estimate...GHG emissions from a project, including the emissions associated with vehicular traffic, energy consumption, water usage and construction activities.”<sup>39</sup> Therefore, direct and indirect emissions have been calculated for the Project.

For purposes of this analysis, it is considered reasonable and consistent with criteria pollutant calculations to consider those GHG emissions resulting from Project-related incremental (net) increase in the use of on-road mobile vehicles, electricity, and natural gas compared to existing conditions. This includes Project construction activities such as demolition, hauling, and construction worker trips. This analysis also considers indirect GHG emissions from water conveyance, wastewater generation, and solid waste handling. Since potential impacts resulting from GHG emissions are long-term rather than acute, GHG emissions are calculated on an annual basis. In order to report total GHG emissions using the CO<sub>2</sub>e metric, the GWP ratios corresponding to the warming potential of CO<sub>2</sub> over a 100-year period is used in this analysis.

Construction activity that would occur as a result of the Land Use Element/Zoning Code Amendments and Mobility Element Update has the potential to generate emissions through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from construction sites. Specific project-level developments are not proposed as part of this Project. As a result, specific project-level information, such as construction schedules and import and export soil quantities, are not known and it is not possible to quantify the emissions associated with project-level construction. For the purposes of conducting a programmatic assessment of the Project, construction-related GHG impacts are qualitatively assessed by evaluating consistency with applicable CARB and GBUAPCD measures to reduce construction-related emissions from the combustion of fossil fuels.

The analysis of a project’s impact on GHG emissions during long-term project operations typically considers emissions from mobile sources, stationary area point sources, energy and water demand, and wastewater and solid waste generation. The Project’s change to a maximum of 2.0 FAR with no cap on the density of units or rooms could potentially increase the number of units/rooms/commercial square footage within the commercially designated areas compared to existing conditions and increase the GHG emissions associated with these sources. Operational air quality impacts are assessed based on the incremental increase in emissions compared to the existing baseline conditions.

The incremental change in operational emissions are estimated using CARB’s updated version of the on-road vehicle emissions factor (EMFAC) model and the California Emissions Estimator Model (CalEEMod) software. Mobile source emissions are estimated based on CARB’s updated version of the on-road vehicle emissions factor (EMFAC) model. The most recent version is EMFAC2014, which “represents ARB’s current understanding of motor vehicle travel activities and their associated emission levels.”<sup>40</sup> Mobile source emissions are based on the VMT estimates provided in the Transportation Impact Analysis for the Project.<sup>41</sup>

---

<sup>39</sup> *Office of Planning and Research, Technical Advisory, p. 5.*

<sup>40</sup> *California Air Resources Board, Mobile Source Emissions Inventory, <http://www.arb.ca.gov/msei/categories.htm#emfac2014>. Accessed November 2015. “USEPA approval is expected by the end of 2015. USEPA will provide a transition period during which either version may be used. Therefore, in anticipation of USEPA approval, use of EMFAC2014 before the end of the year is appropriate.”*

<sup>41</sup> *LSC Transportation Consultants, Inc., Mammoth Mobility Element Transportation Impact Analysis, 2016.*

The estimated VMT takes into account trip reductions based on applicable physical and operational Project characteristics including internal capture from co-locating commercial and residential uses in close proximity. The emission factors from EMFAC2014 are applied to the VMT to obtain mobile source emissions.

With regard to energy usage, the consumption of fossil fuels to generate electricity and to provide heating and hot water generates GHG emissions. Future fuel consumption rates are estimated based on specific square footage of the multi-family residential, retail, and restaurant land uses, as well as predicted water supply needs of the Project. Energy usage (electricity and natural gas consumption) for the Project is calculated within CalEEMod using the CEC's CEUS data set.<sup>42</sup> This data set provides energy intensities of different land uses throughout the state and different climate zones. However, since the data from the CEUS is from 2002, the CalEEMod software incorporates correction factors to account for compliance with the Title 24 Building Standards Code. Water demand and wastewater generated from the Project require energy to supply, distribute and treat. Refer to Section 4.12, *Utilities and Service Systems*, of this EIR for the estimated water usage rate for the Project. The CalEEMod software uses the electrical intensity factors from the 2006 CEC report *Refining Estimates of Water-Related Energy Use in California*.<sup>43</sup> The emissions of GHGs associated with the wastewater treatment process emissions are also calculated using the CalEEMod software as described in the *California Emissions Estimator Model User's Guide, Appendix A*.<sup>44</sup>

Emissions from solid waste handling generated as a result of the Land Use Element/Zoning Code Amendments are also accounted for in the GHG emissions inventory. Refer to Section 4.12, *Utilities and Service Systems*, of this Draft EIR for estimated solid waste disposal and diversion rates from the Project. The GHG emission factors, particularly for CH<sub>4</sub>, are based on the default values, as provided in CalEEMod, for landfill gas capture (e.g., no capture, flaring, energy recovery).

Other sources of GHG emissions from operation of the Project include equipment used to maintain landscaping, such as lawnmowers and trimmers. The CalEEMod tool uses landscaping equipment GHG emission factors from the CARB OFFROAD2011 model and the CARB *Technical Memo: Change in Population and Activity Factors for Lawn and Garden Equipment (6/13/2003)*.<sup>45</sup> The CalEEMod software estimates that landscaping equipment operate for 180 days per year in Mono County.

Operational GHG impacts are assessed based on the Project-related incremental increase in GHG emissions compared to baseline conditions. Under CEQA, the baseline environmental setting is established at the time that environmental assessment commences. The net change in Project VMT is based on the Project VMT minus the existing VMT. Similarly, the net change in the Project's energy, waste, and water GHG emissions are based on the Project's emissions minus the emissions from the existing land uses. Detailed GHG emissions calculations are provided in Appendix C of this EIR.

---

<sup>42</sup> California Energy Commission, *California Commercial End-Use Survey*, <http://capabilities.itron.com/CeusWeb/Chart.aspx>. Accessed December 2013.

<sup>43</sup> California Energy Commission, *Refining Estimates of Water-Related Energy Use in California, PIER Final Project Report, CEC-500-2006-118, (2006)*.

<sup>44</sup> California Air Pollution Control Officers Association, *California Emissions Estimator Model User's Guide, (2013)*.

<sup>45</sup> California Air Resources Board, *OFFROAD Modeling Change Technical Memo: Change in Population and Activity Factors for Lawn and Garden Equipment, (6/13/2003)*, [http://www.arb.ca.gov/msei/2001\\_residential\\_lawn\\_and\\_garden\\_changes\\_in\\_eqpt\\_pop\\_and\\_act.pdf](http://www.arb.ca.gov/msei/2001_residential_lawn_and_garden_changes_in_eqpt_pop_and_act.pdf). Accessed November 2013.

## (2) Greenhouse Gas Reduction Plan

In accordance with the *CEQA Guidelines*, the Office and Planning and Research encourages lead agencies to make use of programmatic mitigation plans and programs from which to tier when they perform individual project analyses. The Town of Mammoth Lakes does not have a programmatic mitigation plan specific to GHG emissions to tier from, such as a Greenhouse Gas Emissions Reduction Plan as recommended in the relevant amendments to the *CEQA Guidelines*. However, the Town has adopted the CALGreen Code that requires applicable projects to implement energy efficiency measures. In addition, the California CAT Report provides recommendations for specific emission reduction strategies for reducing GHG emissions and reaching the targets established in AB 32 and Executive Order S-3-05. Thus, if the project is designed in accordance with these policies and regulations, it would result in a less than significant impact, since it would be consistent with the overarching State regulations on GHG reduction (AB 32).

### b. Thresholds of Significance

For purposes of this EIR, the Town of Mammoth Lakes has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether a project would have a significant environmental impact regarding GHG emissions. Based on applicable Project components and Appendix G questions, the Project would result in a significant impact with regard to traffic if the Project would:

- GHG-1**           Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance.
- GHG-2**           Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Neither the Town of Mammoth Lakes nor the GBUAPCD have established numerical air quality significance thresholds for quantitatively determining GHG emission impacts in accordance with the criteria listed above. The Town has also not adopted a programmatic mitigation plan to tier from, such as a Greenhouse Gas Emissions Reduction Plan or Climate Action Plan. CEQA allows Lead Agencies to rely on standards or thresholds promulgated by other agencies. With respect to Threshold GHG-1 above, the Bay Area Air Quality Management District (BAAQMD) promulgated a plan-level GHG emissions threshold of 6.6 MTCO<sub>2e</sub> per service population (employees plus residents) per year, applicable to general plans. The BAAQMD GHG emissions threshold was developed by the air district to evaluate GHG emissions from general plan projects located in the San Francisco Bay Area Air Basin and takes into account GHG reduction obligations from applicable statewide mandates under AB 32 and related legislation. The Town of Mammoth Lakes is located in Mono County, which is in a different air basin (the Great Basin Valleys Air Basin) and has different GHG reduction obligations under State GHG reduction plans than counties located in the San Francisco Bay Area Air Basin. As discussed previously, the Mono County LTC is not subject to transportation GHG reductions under SB 375. Therefore, the Town of Mammoth Lakes has fewer GHG reduction obligations under the State's framework to reduce statewide GHG emissions under AB 32 and associated legislation. As a result, the BAAQMD plan-level GHG emissions threshold of 6.6 MTCO<sub>2e</sub> per service population per year would be too stringent for general plan projects in the Town of Mammoth Lakes. Nonetheless, in the absence of an applicable adopted numerical threshold, the BAAQMD plan-level GHG emissions threshold is used as a screening-level indicator of significance to evaluate the Project. Consistency with this threshold would indicate that the Project would achieve a per service population GHG emissions level that exceeds the Town's

obligations under statewide GHG emissions reductions efforts under AB 32 and related legislation. With respect to Threshold GHG-2 above, the Project would have a less than significant impact if it would implement design and operational strategies to reduce GHG emissions consistent with those set forth in AB 32 and the California CAT.

### **c. Applicable General Plan Goals/Policies and Adopted Mitigation Measures**

The Town of Mammoth Lakes General Plan includes goals and policies related to climate change and GHG emissions. The goals and policies applicable to the Project include:

#### **(1) Energy Resources**

**GOAL R.6:** Optimize efficient use of energy.

- **Policy R.6.A:** Reduce energy demand by promoting energy efficiency in all sectors of the community.
- **Policy R.6.C:** Encourage energy efficiency in new building and retrofit construction, as well as resource conservation and use of recycled materials.
- **Policy R.6.D:** Reduce the use of fossil fuels and energy consumption of Town fleet through innovative measures.

#### **(2) Green Technology**

**GOAL R.7:** Be a leader in the use of green building technology.

- **Policy R.7.A:** Use green building practices to greatest extent possible in all construction projects.
- **Policy R.7.B:** Encourage development of housing close to work, commercial services, recreation areas and transit routes to reduce fuel consumption.

#### **(3) Energy Conservation**

**GOAL R.8:** Increase use of renewable energy resources and encourage conservation of existing sources of energy.

- **Policy R.8.A:** Educate community, both residents and visitors, on economic and environmental benefits of energy efficiency, use of renewable resources and potential cost savings with energy efficient retrofits and remodels.
- **Policy R.8.B:** Educate building industry professionals on value of energy efficient building construction and use of renewable resource heating and power systems both in new and retrofit construction.
- **Policy R.8.C:** Research and facilitate cost-benefit analysis for energy and resource conservation in new and existing building systems.
- **Policy R.8.D:** Encourage use of renewable fuels such as biodiesel.

- **Policy R.8.F:** Encourage building design and orientation for passive solar heating.
- **Policy R.8.G:** Encourage use of decentralized solar electric power production systems.

#### (4) Solid Waste

**GOAL R.9:** Reduce volume of solid waste.

- **Policy R.9.A:** Support programs to recycle materials such as paper, cardboard, glass, metal, plastics, motor oil; and programs to compost or chip for mulch tree cuttings, brush, and other vegetation.

#### (5) Air Quality

**GOAL R.11:** Reduce greenhouse gas emissions.

- **Policy R.11.A:** Support the objectives of the U.S. Mayors Climate Protection Agreement, Assembly Bill 32, and California Executive Order S-03-05 and implement actions to reduce Mammoth Lakes' carbon footprint.

There are no applicable mitigation measures regarding greenhouse gas emissions in the adopted Mitigation Monitoring and Reporting Program for the General Plan Update or the Trails System Master Plan.

### 3. ENVIRONMENTAL IMPACTS

**Threshold GHG-1:** The project would result in a significant impact if the project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance.

**Impact Statement GHG-1:** *Emissions of GHGs associated with implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update, or the individual Mobility Element Update or Land Use Element/Zoning Code Amendments would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Therefore, impacts would be less than significant.*

#### a. Land Use Element/Zoning Code Amendments and Mobility Element Update Impacts

Construction activities that would occur as a result of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update would cause temporary, short-term emissions of GHGs. Emissions would be generated by construction equipment during various activities, such as grading and excavation, infrastructure construction, building demolition, and architectural coating activities. Information regarding specific development projects, soil conditions, and the location of sensitive receptors in relation to the various projects would be needed in order to quantify the level of impact associated with construction activity. It is recognized that construction-related GHG emissions from specific implementing projects would “occur over a relatively short-term period of time, they contribute a relatively small portion

of the overall lifetime project GHG emissions.”<sup>46</sup> Construction activities would be required to comply with applicable State and GBUAPCD regulations including the CARB on-road and off-road vehicle rules that limit idling to five minutes and require construction fleets to meet stringent exhaust standards. Compliance with these regulations would minimize construction GHG emissions.

Operation of the land uses developed pursuant to implementation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update would result in area and mobile source emissions generated by future development and population growth. Under the Land Use Element/Zoning Code Amendments and Mobility Element Update, the annual VMT would be approximately 48.3 million miles compared to an existing annual VMT of 41.3 million miles under existing roadway and land use development conditions. In Mammoth Lakes, with the combined Land Use Element/Zoning Code Amendments and Mobility Element Update, a threefold increase in sidewalk coverage in the General Pedestrian Zone, which corresponds to commercial districts along Main Street and Old Mammoth Road is likely to result in a 4.2 percent decrease in VMT generated by trips within the pedestrian zone. The bike lanes would increase by 127 percent which would result in a 32 percent increase in bicycle mode share for a total bike mode share of 4.6 percent. Refer to Table 4.2-4 in Section 4.2, *Air Quality*, for a summary of the VMT adjustments from the increased pedestrian activity and the bicycle mode split.<sup>47</sup>

The incremental change from existing conditions in GHG emissions from the development of new land uses under the Land Use Element/Zoning Code Amendments and Mobility Element Update is provided in **Table 4.6-3, Incremental Change in Annual GHG Emissions – Land Use Element/Zoning Code Amendments**. As shown in Table 4.6-3, the per service population GHG emissions associated with future growth as a result of the Land Use Element/Zoning Code Amendments and Mobility Element Update would not exceed the thresholds. Although buildout of the Land Use Element/Zoning Code Amendments and Mobility Element Update would result in an increase in the total amount of vehicle miles traveled compared to existing conditions, emissions of mobile source exhaust pollutants are expected to decline due to improved vehicle emission standards and fuel economy standards that have been adopted by the USEPA and State of California. Operational impacts from implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would be less than significant.

## **b. Land Use Element/Zoning Code Amendments Impacts**

Construction activities that would occur as a result of the Land Use Element/Zoning Code Amendments would cause temporary, short-term emissions of GHGs. Emissions would be generated by construction equipment during various activities, such as grading and excavation, infrastructure construction, building demolition, and architectural coating activities. Information regarding specific development projects, soil conditions, and the location of sensitive receptors in relation to the various projects would be needed in order to quantify the level of impact associated with construction activity. However, as discussed previously, construction-related GHG emissions from specific implementing projects contribute a relatively small portion of the overall lifetime project GHG emissions. Construction activities would be required to comply with applicable State and GBUAPCD regulations including the CARB on-road and off-road vehicle rules that

---

<sup>46</sup> *South Coast Air Quality Management District, Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold, (2008) 3-8.*

<sup>47</sup> *“Mode split” refers to percentage of travelers using a particular type of transportation.*

Table 4.6-3

**Incremental Change in Annual GHG Emissions – Land Use Element/Zoning Code Amendments and Mobility Element Update**

Emissions Sources	MTCO <sub>2</sub> e per Year <sup>a</sup>
<b>Land Use Element/Zoning Code Amendments and Mobility Element Update</b>	
	<b>Buildout Year</b>
Mobile – Exhaust <sup>b</sup>	-544
Area Sources	<1
Energy Sources (Electricity)	1,354
Energy Sources (Natural Gas)	104
Water Conveyance	163
Solid Waste	92
<b>Incremental Change in Emissions</b>	<b>1,171</b>
<b>Per Service Population (SP) Emissions <sup>c</sup></b>	<b>2.9</b>
<b>Significance Threshold (per SP)</b>	<b>6.6</b>
<b>Exceed Threshold?</b>	<b>No</b>

<sup>a</sup> Totals may not add up exactly due to rounding in the modeling calculations. Detailed emissions calculations are provided in Appendix C of this EIR.

<sup>b</sup> The incremental change in emissions for this source is negative because mobile source exhaust pollutants are expected to decline in the future due to improved vehicle emission standards and fuel economy standards that have been adopted by the USEPA and State of California.

<sup>c</sup> Service population is based on the incremental increase in employees within the C-1 and C-2 designated areas in the Project Area (see Section 4.9, Population and Housing, of this Draft EIR).

Source: ESA PCR, 2016

limit idling to five minutes and require construction fleets to meet stringent exhaust standards. Compliance with these regulations would minimize construction GHG emissions.

Operation of the land uses developed pursuant to implementation of the Land Use Element/Zoning Code Amendments would result in area and mobile source emissions generated by future development and population growth. Under the Land Use Element/Zoning Code Amendments, annual VMT would be approximately 49.8 million miles compared to an existing annual VMT of 41.3 million miles (see discussion below under Impact Statement GHG-1(c) for derivation of VMT estimates). The incremental change from existing conditions in GHG emissions from the development of new land uses under the Land Use Element/Zoning Code Amendments is provided in **Table 4.6-4, Incremental Change in Annual GHG Emissions – Land Use Element/Zoning Code Amendments**. As shown in Table 4.6-4, the per service population GHG emissions associated with future growth as a result of the Land Use Element/Zoning Code Amendments would not exceed the thresholds. Although buildout of the Land Use Element/Zoning Code Amendments would result in an increase in the total amount of vehicle miles traveled compared to existing conditions, emissions of mobile source exhaust pollutants are expected to decline due to improved vehicle emission standards and fuel economy standards that have been adopted by the USEPA and State of California. Operational impacts from implementation of the Land Use Element/Zoning Code Amendments would be less than significant.

Table 4.6-4

**Incremental Change in Annual GHG Emissions – Land Use Element/Zoning Code Amendments**

Emissions Sources	MTCO <sub>2</sub> e per Year <sup>a</sup>
<b>Land Use Element/Zoning Code Amendments</b>	<b>Buildout Year</b>
Mobile – Exhaust <sup>b</sup>	-424
Area Sources	<1
Energy Sources (Electricity)	1,354
Energy Sources (Natural Gas)	104
Water Conveyance	92
Solid Waste	163
<b>Incremental Change in Emissions</b>	<b>1,290</b>
<b>Per Service Population (SP) Emissions <sup>c</sup></b>	<b>3.1</b>
<b>Significance Threshold (per SP)</b>	<b>6.6</b>
<b>Exceed Threshold?</b>	<b>No</b>

<sup>a</sup> Totals may not add up exactly due to rounding in the modeling calculations. Detailed emissions calculations are provided in Appendix C of this EIR.

<sup>b</sup> The incremental change in emissions for this source is negative because mobile source exhaust pollutants are expected to decline in the future due to improved vehicle emission standards and fuel economy standards that have been adopted by the USEPA and State of California.

<sup>c</sup> Service population is based on the incremental increase in employees within the C-1 and C-2 designated areas in the Project Area (see Section 4.9, Population and Housing, of this EIR).

Source: ESA PCR, 2016

### c. Mobility Element Update Impacts

Construction activities that would occur as a result of the Mobility Element Update would cause temporary, short-term emissions of GHGs from roadway improvement activities. Emissions would be generated by construction equipment during various activities, such as demolition of existing asphalt, grading, and new asphalt paving. Given that the scope of construction activities associated with implementation of the Mobility Element Update would generally be limited to roadway construction, it is reasonable to assume that construction activity would result in temporary and short-term emissions. Roadway construction activities would be required to comply with applicable State and GBUAPCD regulations including the CARB on-road and off-road vehicle rules that limit idling to five minutes and require construction fleets to meet stringent exhaust standards. Compliance with these regulations would further minimize construction GHG emissions.

Operation of the Mobility Element Update would result in reduced VMT as compared to existing or future conditions. Under the Mobility Element Update, annual VMT would be reduced from approximately 41.3 million miles under existing roadway and land use development conditions to 40.4 million miles under the Mobility Element Update and existing land use development conditions. Similarly, the Mobility Element Update would reduce future annual VMT from approximately 48.4 million miles per year to 46.9 million miles per year under future buildout of the existing General Plan conditions. The trip generation rates and

VMT account for bicycle and pedestrian use, which reduces overall VMT.<sup>48</sup> The effects of proposed improved pedestrian connectivity in the Town's commercial districts, an increase in Class II bicycle lanes, and future transit improvements under the Mobility Element Update are taken into account in the evaluation of total trips (expressed as VMT) that would occur under the various analysis scenarios. According to *An Assessment of Urban Form and Pedestrian and Transit Improvements as an Integrated GHG Reduction Strategy*, a direct correlation exists between increase in sidewalk coverage and reduction in traffic. A threefold increase in sidewalk coverage in the General Pedestrian Zone, which corresponds to commercial districts along Main Street and Old Mammoth Road is likely to result in a 4.2 percent decrease in VMT generated by trips within the pedestrian zone. A correlation also occurs between miles of bike lanes and increase in the bicycle mode in the overall mode split.<sup>49</sup> The current bicycling mode split in Mammoth Lakes is 3.5 percent, based on *2010-2014 American Community Survey 5-Year Estimates*.<sup>50</sup> According to the *Inyo County Active Transportation Plan (ATP) 2016*, a doubling of the miles of bike lanes would likely result in a 25 percent increase in bicycle mode share. In Mammoth Lakes, with the Mobility Element Update, the bike lanes would increase by 127 percent which would result in a 32 percent increase in bicycle mode share for a total bike mode share of 4.6 percent. Refer to Table 4.2-4 in Section 4.2, *Air Quality*, for a summary of the VMT adjustments from the increased pedestrian activity and the bicycle mode split.

Implementation of the Mobility Element itself would not result in a change in service population or the buildout of land uses. Therefore, because the Mobility Element would result in a net reduction in long-term GHG emissions from reduced annual VMT, the Mobility Element would not exceed the numerical threshold and impacts would be less than significant.

### Mitigation Measures

Impacts regarding emissions of GHGs would be less than significant. Therefore, no mitigation measures are required.

**Threshold GHG-2:** The project would result in a significant impact if the project would conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

**Impact Statement GHG-2:** *Implementation of the Land Use Element/Zoning Code Amendments, Mobility Element Update, or the combined Land Use Element/Zoning Code Amendments and Mobility Element Update would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, impacts would be less than significant.*

Due to the complex physical, chemical, and atmospheric mechanisms involved in global climate change, there is no basis for concluding that the Project's GHG emissions would actually cause a measurable increase in global GHG emissions necessary to influence global climate change. Newer construction materials and practices, current energy efficiency requirements, and newer appliances tend to emit lower levels of air

<sup>48</sup> LSC Transportation Consultants, *Mammoth Mobility Element Update Transportation Impact Analysis*, (2016) 19.

<sup>49</sup> "Mode split" refers to percentage of travelers using a particular type of transportation.

<sup>50</sup> U.S. Census Bureau, *American FactFinder, Data Set B08301 (Means of Transportation to Work, Mammoth Lakes, 2010-2014)*, <http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>. Accessed April 2016.

pollutant emissions, including GHGs, as compared to those built years ago; however, the net effect is difficult to quantify. Thus, the estimated net increase in emissions resulting from implementation of the Project presented above may be an over- or under-estimation. The GHG emissions of the Project alone would not likely cause a direct physical change in the environment.

According to a white paper prepared by the California Air Pollution Control Officers Association (CAPCOA), “GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective.”<sup>51</sup> It is global GHG emissions in their aggregate that contribute to climate change, not any single source of GHG emissions alone. However, given 1) the lack of evidence indicating that those emissions would cause a measurable increase in global GHG emissions necessary to exacerbate global climate change and 2) the fact that the Project incorporates physical and operational Project characteristics and Project Design Features that would reduce potential GHG emissions to a less-than-significant level, the Project is considered not to conflict with the GHG reduction goals of AB 32.

Implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would incorporate strategies and measures that would reduce GHG emissions by increasing energy-efficiency beyond requirements, reducing indoor and outdoor water demand, and incorporating waste reduction measures. The Project would also incorporate characteristics that would reduce transportation-related GHG emissions by reducing annual VMT and encouraging more dense mixed-use development, thereby encouraging walking and alternative forms of transportation.

In accordance with the CALGreen Code, Implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would incorporate the following features supportive of goals to reduce GHG emissions:

- **Energy Conservation:** New development would be required to reduce energy demand in accordance with the Title 24 Building Standards Code. The Town would ensure that new developments meet or exceed the applicable standards prior to building permit issuance.
- **Water Conservation:** New development would be required to reduce indoor and outdoor water demand in accordance with the Title 24 Building Standards Code. The Town would ensure that new developments meet or exceed the applicable standards prior to building permit issuance.
- **Resource Conservation:** New development would be required to recycle, reuse, or divert from landfills at least 50 percent of nonhazardous construction waste (by weight). The Town would ensure that new developments meet or exceed the applicable standards prior to grading permit issuance.

Consistency with GHG reduction strategies is an important priority, and reasonable reduction efforts should be taken. **Table 4.6-5, Consistency with Applicable Greenhouse Gas Reduction Strategies**, contains a list of GHG-reducing strategies potentially applicable to the Project. The analysis describes the consistency of the Project with these strategies.

---

<sup>51</sup> California Air Pollution Control Officer's Association, *CEQA and Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act, January 2008*.

**Table 4.6-5**

**Consistency with Applicable Greenhouse Gas Reduction Strategies**

Source	Category / Description	Consistency Analysis
AB 1493 (Pavley Regulations)	Reduces greenhouse gas emissions in new passenger vehicles from 2012 through 2016 (Phase I) and from 2017 through 2025 (Phase II).	<b>Consistent.</b> The Project would be consistent with this regulation and would not conflict with implementation of the vehicle emissions standards.
SB 1368	Establishes an emissions performance standard for power plants within the State of California.	<b>Consistent.</b> The Project would be consistent with this regulation and would not conflict with implementation of the emissions standards for power plants.
Low Carbon Fuel Standard	Establishes protocols for measuring life-cycle carbon intensity of transportation fuels and helps to establish use of alternative fuels.	<b>Consistent.</b> The Project would be consistent with this regulation and would not conflict with implementation of the transportation fuel standards.
California Green Building Standards Code Requirements	All bathroom exhaust fans shall be ENERGY STAR compliant.	<b>Consistent.</b> Implementing projects would utilize energy efficiency appliances and equipment and would meet or exceed the energy standards in ASHRAE Appendix G and the Title 24 Building Standards Code (the version of the standards in effect at the time of building permit issuance for implementing projects).
	HVAC Systems will be designed to meet ASHRAE standards.	<b>Consistent.</b> Implementing projects would utilize energy efficiency appliances and equipment and would meet or exceed the energy standards in ASHRAE Appendix G and the Title 24 Building Standards Code (the version of the standards in effect at the time of building permit issuance for implementing projects).
	Energy commissioning shall be performed for nonresidential buildings larger than 10,000 square feet.	<b>Consistent.</b> Implementing projects with nonresidential buildings larger than 10,000 square feet would be commissioned in accordance with the Town's requirements and the CALGreen Code.
	Air filtration systems are required to meet a minimum of MERV 8 or higher.	<b>Consistent.</b> Implementing projects would meet or exceed this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Refrigerants used in newly installed HVAC systems shall not contain any CFCs.	<b>Consistent.</b> Implementing projects would meet this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Parking spaces shall be designed for carpool or alternative fueled vehicles as specified in the CALGreen Code.	<b>Consistent.</b> Implementing projects would meet this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Long-term and short-term bike parking shall be provided for up to five percent of vehicle trips as specified in the CALGreen Code.	<b>Consistent.</b> Implementing projects would meet this requirement as part of its compliance with the Town's requirements and the CALGreen Code.

Table 4.6-5 (Continued)

## Consistency with Applicable Greenhouse Gas Reduction Strategies

Source	Category / Description	Consistency Analysis
	Stormwater Pollution Prevention Plan (SWPPP) required.	<b>Consistent.</b> The Project would meet this requirement.
	Reduce indoor water usage by installing low-flow fixtures as specified in the CALGreen Code and/or reduced indoor water usage by 20 percent compared to California Building Code Standards baseline flow rates.	<b>Consistent.</b> Implementing projects would exceed this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	All irrigation controllers must be installed with weather sensing or soil moisture sensors.	<b>Consistent.</b> Implementing projects would meet this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Wastewater usage shall be reduced by 20 percent compared to California Building Code Standards baseline flow rates.	<b>Consistent.</b> Implementing projects would exceed this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Requires a minimum of 50 percent recycle or reuse of nonhazardous construction and demolition debris.	<b>Consistent.</b> Implementing projects would exceed this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Requires documentation of types of waste recycled, diverted or reused.	<b>Consistent.</b> Implementing projects would exceed this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Requires use of low VOC coatings consistent with SCAQMD Rule 1168.	<b>Consistent.</b> Implementing projects would be consistent with this regulation and would meet or exceed the low VOC coating requirements.
	100 percent of vegetation, rocks, soils from land clearing shall be recycled or stockpiled on-site.	<b>Consistent.</b> Implementing projects would exceed this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
Climate Action Team	Reduce diesel-fueled commercial motor vehicle idling.	<b>Consistent.</b> Implementing projects would be consistent with the CARB Air Toxics Control Measure (ATCM) to limit heavy duty diesel motor vehicle idling to no more than 5 minutes at any given time (see Section 4.2, <i>Air Quality</i> , of this Draft EIR).
	Achieve California's 50 percent waste diversion mandate (Integrated Waste Management Act of 1989) or meet local ordinance, whichever is more stringent.	<b>Consistent.</b> Implementing projects would exceed this requirement as part of its compliance with the Town's requirements and the CALGreen Code.

**Table 4.6-5 (Continued)**

**Consistency with Applicable Greenhouse Gas Reduction Strategies**

Source	Category / Description	Consistency Analysis
	Reduce GHG emissions from electricity by reducing energy demand. The California Energy Commission updates appliance energy efficiency standards that apply to electrical devices or equipment sold in California. Recent policies have established specific goals for updating the standards; new standards are currently in development.	<b>Consistent.</b> Implementing projects would utilize energy efficiency appliances and equipment and would exceed the energy standards in ASHRAE Appendix G and the Title 24 Building Standards Code (the version of the standards in effect at the time of building permit issuance for implementing projects).
	Apply strategies that integrate transportation and land-use decisions, including but not limited to promoting jobs/housing proximity, high-density residential/ commercial development along transit corridors, and implementing intelligent transportation systems.	<b>Consistent.</b> The Project would incorporate physical and operational characteristics that would reduce vehicle trips and VMT and encourage alternative modes of transportation for patrons and employees. The Land Use Element/Zoning Code Amendments would allow for more dense mixed-use development, which encourages walking and alternative forms of transportation. The Mobility Element Update would reduce Town-wide VMT through the provision of sidewalks, bike paths, and transit service.
	Reduce energy use in private buildings.	<b>Consistent.</b> Implementing projects would utilize energy efficiency appliances and equipment and would exceed the energy standards in ASHRAE Appendix G and the Title 24 Building Standards Code (the version of the standards in effect at the time of building permit issuance for implementing projects).

Source: ESA PCR, 2016

Executive Orders S-3-05 and B-30-15 are orders from the State’s Executive Branch for the purpose of reducing statewide GHG emissions. Executive Orders S-3-05’s goal to reduce GHG emissions to 1990 levels by 2020 was codified by AB 32. As analyzed above, the implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would be consistent with AB 32. Therefore, the Project would not conflict with this component of the Executive Orders.

The Executive Orders also establish the goals to reduce GHG emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050. These goals have not yet been codified. However, studies have shown that, in order to meet the 2030 and 2050 targets, aggressive technologies in the transportation and energy sectors, including electrification and the decarbonization of fuel, will be required. In its *Climate*

*Change Scoping Plan*, CARB acknowledged that the “measures needed to meet the 2050 are too far in the future to define in detail.”<sup>52</sup> In the First Update, however, CARB generally described the type of activities required to achieve the 2050 target: “energy demand reduction through efficiency and activity changes; large-scale electrification of on-road vehicles, buildings, and industrial machinery; decarbonizing electricity and fuel supplies; and rapid market penetration of efficiency and clean energy technologies that requires significant efforts to deploy and scale markets for the cleanest technologies immediately.”<sup>53</sup> Due to the technological shifts required and the unknown parameters of the regulatory framework in 2030 and 2050, quantitatively analyzing the Project’s impacts further relative to the 2030 and 2050 goals currently is speculative for purposes of CEQA.

Although the Project’s emissions levels in 2030 and 2050 cannot yet be reliably quantified, Statewide efforts are underway to facilitate the State’s achievement of those goals and it is reasonable to expect the Project’s incremental emissions to decline as the regulatory initiatives identified by CARB in the First Update are implemented, and other technological innovations occur. Stated differently, the Project’s emissions total at buildout represents the maximum emissions inventory for the Project as California’s emissions sources are being regulated (and foreseeably expected to continue to be regulated in the future) in furtherance of the State’s environmental policy objectives. As such, given the reasonably anticipated decline in Project emissions once fully constructed and operational, the Project is consistent with the Executive Orders’ goals.

Recent studies shows that the State’s existing and proposed regulatory framework can allow the State to reduce its GHG emissions level to 40 percent below 1990 levels by 2030, and to 80 percent below 1990 levels by 2050. Even though these studies did not provide an exact regulatory and technological roadmap to achieve the 2030 and 2050 goals, they demonstrated that various combinations of policies could allow the Statewide emissions level to remain very low through 2050, suggesting that the combination of new technologies and other regulations not analyzed in the study could allow the State to meet the 2030 and 2050 targets.<sup>54</sup>

For the reasons described above, the Project’s post-2020 emissions trajectory is expected to follow a declining trend, consistent with the establishment of the 2030 and 2050 targets.

### **Mitigation Measures**

Impacts regarding consistency with applicable GHG emissions reductions plans, policies, or regulations would be less than significant. Therefore, no mitigation measures are required.

<sup>52</sup> *California Air Resources Board, Climate Change Scoping Plan, December 2008, page 117.*

<sup>53</sup> *California Air Resources Board, First Update to the Climate Change Scoping Plan, May 2014, page 32.*

<sup>54</sup> *Energy and Environmental Economics (E3), “Summary of the California State Agencies’ PATHWAYS Project: Long-term Greenhouse Gas Reduction Scenarios,” April 2015; Greenblatt, Jeffrey, Energy Policy, “Modeling California Impacts on Greenhouse Gas Emissions,” Vol. 78, pages 158-172. The California Air Resources Board, California Energy Commission, California Public Utilities Commission, and the California Independent System Operator engaged E3 to evaluate the feasibility and cost of a range of potential 2030 targets along the way to the state’s goal of reducing GHG emissions to 80 percent below 1990 levels by 2050. With input from the agencies, E3 developed scenarios that explore the potential pace at which emission reductions can be achieved as well as the mix of technologies and practices deployed. E3 conducted the analysis using its California PATHWAYS model. Enhanced specifically for this study, the model encompasses the entire California economy with detailed representations of the buildings, industry, transportation, and electricity sectors.*

#### 4. CUMULATIVE IMPACTS

The emissions of a single project will not cause or exacerbate global climate change. It is possible that a substantial increase in GHG emissions from multiple projects throughout the world could result in a cumulative impact with respect to global climate change. CEQA requires that lead agencies consider evaluating the cumulative impacts of GHGs from even relatively small (on a global basis) increases in GHG emissions. Small contributions to this cumulative impact (from which significant effects are occurring and are expected to worsen over time) may be potentially considerable and therefore significant. A cumulatively considerable impact is the impact of a proposed project in addition to the related projects. However, in the case of global climate change, the proximity of the project to other GHG-generating activities is not directly relevant to the determination of a cumulative impact. Although the State requires planning agencies to consider how region-wide planning decisions can impact global climate change, there is currently no established non-speculative method to assess the cumulative impact of land use development projects.

Although AB 32 sets a statewide target for 2020 GHG emissions, which equates to approximately 15.8 percent below statewide BAU emissions, the implementing tools of the law (e.g., CARB's *Climate Change Scoping Plan*) are clear that the reductions are not expected to occur uniformly from all sources or sectors. CARB has set targets specific to the transportation sector (land use-related transportation emissions), for example, and under SB 375 the Southern California Association of Governments (SCAG) must incorporate these GHG-reduction goals into the Regional Transportation Plan and demonstrate that its Sustainable Communities Strategy or Alternative Planning Strategy is consistent with the Regional Housing Needs Assessment. One of the goals of this process is to ensure that the efforts of State, regional and local planning agencies accommodate the contemporaneous increase in population and employment with a decrease in overall GHG emissions. For example, adopting zoning designations that reduce density in areas which are expected to experience growth in population and housing needs, is seen as inconsistent with anti-sprawl goals of sustainable planning. Although development under a reduced density scenario results in lower GHG emissions from the use of that land compared to what is currently or hypothetically allowed (by creating fewer units and fewer attributable vehicle trips), total regional GHG emissions will likely fail to decrease at the desired rate or, worse, increase if regional housing and employment needs of an area are met with a larger number of less-intensive development projects. Therefore, it is not simply a cumulative increase in regional development or the resultant GHG emissions that threatens GHG reduction goals.

The land use sector can accommodate growth and still be consistent with statewide plans to reduce GHG emissions. To that end, various agencies are required to develop programs to guide future building and transportation development towards minimized resource consumption and lowered resultant pollution. As discussed above, the Town has adopted the CALGreen Code that includes mandatory measures for reducing GHG emissions. In addition, implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would locate uses in closer proximity, which would encourage walking and alternative forms of transportation. Furthermore, the overwhelming majority of the Project-related GHG emissions are from source sectors that include electricity generated in-state or imported and the combustion of transportation fuels. These sectors would achieve reduced sector-wide GHG emissions in accordance with the goals of AB 32 and related legislation. Given that the Project would generate GHG emissions that are less than significant, and given that GHG emission impacts are cumulative in nature, the Project's incremental contribution to cumulatively significant GHG emissions would be less than cumulatively considerable, and impacts would be less than significant.

## **5. LEVEL OF SIGNIFICANCE AFTER MITIGATION**

The Project would result in less than significant impacts with respect to emissions of GHGs and consistency with applicable GHG emissions reductions plans, policies, or regulations. Therefore, no mitigation measures would be required.

## 4.7 LAND USE AND PLANNING

---

The purpose of this section is to provide an analysis of the Project's consistency with policies and regulations set forth in adopted and accepted plans that are applicable to development within the Town of Mammoth Lakes. In addition to planning purposes, the provisions set forth in these plans and regulations have been adopted for the purpose of eliminating or reducing potential land use impacts resulting from development within the Town's jurisdictional boundaries. Policies set forth in the Town of Mammoth Lakes General Plan (adopted 2007), including Neighborhood and District Character, Land Use, and Mobility Elements, are pertinent to the Project. In addition, other plans that were adopted or accepted in the implementation of the General Plan are also evaluated. These include the Pedestrian Master Plan (adopted April 16, 2014), General Bikeway Master Plan (adopted April 16, 2014), and the Trails System Master Plan (adopted October 19, 2011). The Town of Mammoth Lakes Municipal Code, Title 17 (Zoning Code) is also applicable to the land use analysis.

The discussion below addresses the relationship between the Project and land use regulations. Other sections of this Draft EIR evaluate the physical environmental effects that would result from the proposed amendments of the General Plan, adoption of the Mobility Element Update, and changes in the Zoning Code. For example, Sections 4.2, Air Quality, 4.4, Biological Resources, 4.11, Transportation and Traffic, and 4.12 Utilities and Service Systems, address the impacts to air quality from the proposed changes, potential effects on the natural environment, such as vegetation and species, the capacities of the Town's streets to accommodate the change, and potential impacts to utilities and service systems, respectively.

### 1. ENVIRONMENTAL SETTING

#### a. Regulatory Framework

##### (1) State of California

State law requires that each city and county in California prepare a comprehensive, long term general plan to guide its future. The State Legislature declared in 1976 that "decisions involving the future growth of the state, most of which are made and will continue to be made at the local level, would be guided by an effective planning process, including the local general plan, and would proceed within the framework of officially approved statewide goals and policies." To assist local governments in meeting this responsibility, the Governor's Office of Planning and Research is required to adopt and periodically revise guidelines for the preparation and content of local general plans (Government Code §65040.2). Under the state's current *General Plan Guidelines* (2003), every general plan must provide policies for seven elements: Land Use, Circulation, Conservation, Housing, Noise, Open Space and Safety.<sup>1</sup> Chapter 3 of the *General Plan Guidelines* provides direction in the amendment of the General Plan and describes the need to determine the amount and location of future uses based on the capacity of the physical infrastructure (i.e., schools, roads, sewer trunk lines, drainage systems, utilities, etc.). Respectively, the *General Plan Guidelines* recommends that current and Projected capacities of such systems identify available opportunities for development as well as

---

<sup>1</sup> *State of California Governor's Office of Planning and Research, General Plan Guidelines, 2003, page 48.*

potential constraints.<sup>2</sup> Another component of the *General Plan Guidelines* is the requirement of public participation in long-range planning. This may involve workshops, panel discussions, neighborhood meetings, public hearings, and Town Hall meetings.<sup>3</sup> Under the *General Plan Guidelines*, zoning, which classifies the specific, immediate uses of land, is considered a primary means of implementing a general plan. According to the state's General Plan Guidelines, the success of the general plan is considered to rely on the effectiveness of a consistent zoning ordinance that translates the long-term objectives and policies contained in the plan. In 2010, the Governor's Office of Planning and Research updated the circulation and mobility component of the General Plan Guidelines. This document, *Update to the General Plan Guidelines: Complete Streets and the Circulation Element* (December 15, 2010) emphasized "complete streets" and multimodal transportation networks in the development of General Plan mobility and circulation elements.

## **(2) Town of Mammoth Lakes**

### **(a) General Plan**

The Town of Mammoth General Plan sets forth policies that protect residents' quality of life, protect the environment, and recognize the uniqueness of the Town's natural surroundings. The General Plan establishes standards, guidelines, and priorities that promote a thriving, sustainable community. The General Plan elements most applicable to the Project are the Neighborhood and District Character Element, the Land Use Element, and the Mobility Element. The Neighborhood and District Character Element provides a basis for the establishment of unique districts throughout the Town and identifies twelve districts, including the Main Street and Old Mammoth Road districts, which warrant special study. This Element also describes and provides specific design and development recommendations for the various districts. In this respect, the ensuing district plans that were developed by the Town subsequent to the adoption of the 2007 General Plan, and that are applicable to the Main Street and Old Mammoth Road areas, are components of the Neighborhood and District Character Element. The Land Use Element sets forth specific policies containing a (i) goal, (ii) policy, and (iii) action that would support the recommendations set forth in the Neighborhood and District Character Element. As stated in the Land Use Element, the "overarching principal of the community is to maintain the Town's compact urban form, protect natural and outdoor recreation resources, and to prevent urban sprawl."<sup>4</sup> The purpose of the Mobility Element is to provide a series of goals and policies that would "achieve a multi-modal transportation system."<sup>5</sup>

#### *(i) Neighborhood and District Character Element*

The Neighborhood and District Character Element of the General Plan identifies districts and special study areas. The intent of the Element is to enhance the unique character of Mammoth Lakes and provide careful planning of districts and individual sites. The Neighborhood and District Character Element identifies twelve districts and four mountain portals. District boundaries are based on the 1987 General Plan Planning Districts and are defined by existing development, patterns of vegetation, topographic features, circulation patterns, and the pattern and relationships of land uses. District 1 is identified as Main Street, Old Mammoth Road, and Shady Rest. According to the Neighborhood and District Character Element, this area should invite pedestrian activity and provide gathering places for interaction with a vibrant mix of retail, commercial, and

<sup>2</sup> *State of California Governor's Office of Planning and Research, Op. Cit., page 40.*

<sup>3</sup> *State of California Governor's Office of Planning and Research, Op. Cit., Chapter 8.*

<sup>4</sup> *Town of Mammoth Lakes General Plan, page 30.*

<sup>5</sup> *Town of Mammoth Lakes, Op. Cit., page 38.*

workforce housing. Uses would be mixed to allow offices, residential housing and visitor accommodations above ground floor retail. New development would improve connectivity and circulation with bike and pedestrian paths, sidewalks and roads. General characteristics, which are objectives for future planning, intended for the community, as listed under the Neighborhood and District Character Element, include the following:

1. Maintain views of the Sherwin Range, the Knolls and Mammoth Mountain from public spaces
2. Landscaping reinforces Eastern Sierra native pine, fir, aspen, ground cover and wildflowers
3. Landscaping establishes scale and street edge
4. Pedestrian-oriented sidewalk/boardwalk with public art, centrally located parks, plazas, courtyards and pedestrian links that create a sense of exploration
5. Walk-to neighborhood or community parks in all districts
6. Mid-block pedestrian access
7. Occasional small plazas and courts visible from the public way that can be used as public event venues
8. Active day and evening and through all four seasons
9. Retail and services in storefront setting, located next to the sidewalk
10. District animation with retail oriented to the street
11. Higher lot coverage may be acceptable with pockets of effective landscaping and open space
12. Encourage transit-oriented development
13. Strip mall development pattern shifted to a pattern of commercial in front and parking in back
14. Convenient structured parking and small-scale surface parking
15. Shared and pooled parking
16. Alley and side street access for deliveries, service and emergency access and pedestrian connections appropriate to district character.

Characteristics specific to Main Street include a grand boulevard, multiple safe pedestrian crossings from north to south side of Main Street, and reduction or elimination of frontage roads. Main Street characteristics are also expected to create distinct and unique areas with a vibrant mix of retail, commercial and workforce housing, smooth transition and connectivity from commercial to commercial and other features. Old Mammoth Road characteristics are expected to be traditional small-scale mixed use “main street” development pattern.

### *District Plans*

Under the guidance of the General Plan's Neighborhood and District Character Element, the Town of Mammoth Lakes Council accepted several district plans for areas comprising the Town's commercially-zoned neighborhoods. These include the Neighborhood District Planning: Concepts and Strategies (accepted August 3, 2011), Downtown Neighborhood District Plan (DNDP), the North Old Mammoth Road District (NOMRDSS) Special Study (accepted June 3, 2008), and the South Districts Neighborhood District Planning Study (SDNDP) (accepted August 3, 2011).

Downtown Neighborhood District Plan: The DNDP addresses land use for Main Street and parts of North Old Mammoth Road. The preferred concept is a thriving mixed use district focused around these streets. Under the DNDP, Main Street would be reconfigured to eliminate the existing frontage roads and future buildings would be oriented toward and located close to the street. A substantial median, potentially used as a right-of-way for a gondola, would break up Main Street's four lanes of traffic, and provide a site for streetscape features. Sidewalks and storefronts would provide opportunities for browsing a range of retail shops and restaurants. Parking would be well organized and located in public and private parking lots and surface and underground structures, and on-street. Snow removal would be efficiently managed to maintain visibility of storefronts and allow for year-round pedestrian use of sidewalks and paths. An active and pedestrian-friendly environment is encouraged through creation of public spaces like small plazas, as well as inclusion of development standards that allow for outdoor dining and street vendors. Designated primary and secondary retail streets include Main Street from Sierra Park Road to Manzanita Road, North Old Mammoth Road, Tavern Road and parts of Laurel Mountain Road. Secondary retail streets would be located on the periphery of the downtown, and would provide a transition to residential and lodging areas. Certain site conditions, such as topography, may preclude some of these properties from being designed to function as part of a traditional pedestrian oriented retail street. The objective is to create a scale and character more typical of a traditional downtown.

North Old Mammoth Road District Plan Special Study: The goal of the NOMRDSS is to create a walkable community, to reduce dependency on the automobile, and to reinforce the existing North Mammoth Road District commercial area as a desirable place for residents as well as visitors. The North Old Mammoth Road District is considered the likely location for much of the future development activity within the Town because of its central location, existing infrastructure, available transit; and commercial zoning (which allows mixed use). The area would remain as a mixed-use district, similar to a small town center, with residential and lodging to support retail, commercial, and supporting businesses. Within the NOMRDSS, some of existing uses such as condominiums are expected to remain permanently. Other uses may remain over time but also have the potential to change. New residential and lodging units are assumed to be on the floors above the ground-floor retail, and at-grade along Laurel Mountain Road. Recommended development would result in a building or clusters of buildings that support the pedestrian environment.

South Districts Neighborhood District Planning Study: The SDNDP Study includes the South Old Mammoth Road commercial district. Key issues in this area include the preponderance of strip commercial and the lack of a functional and well-connected pedestrian environment. Land use and development standards for South Old Mammoth Road and Mammoth Creek Park under the SDNDP include zoning standards that allow for mixed use development (ground floor retail with office or residential above), mixed use lodging/residential, and mixed use retail/office. New development would be oriented to pedestrians and well-connected sidewalks and convenient street crossings would be provided. Street-front retail would be located along Old Mammoth Road. Improvements would be provided through infill properties and upgraded and retro-fitted

existing shopping centers. Parking would be a combination of on-street, off-street, and shared parking facilities. Building massing would be organized to bring properties to the street edge, while including more generous upper-story setbacks that protect views to the Sherwin Range. “Feet-first” infrastructure such as multi-use paths and sidewalks would be continuous throughout the district. Transit would be encouraged and accommodated throughout South Mammoth with necessary pull-outs, shelters, and signage. Under the SDNDP, transit hubs and stops would be coordinated with areas of higher density and adequate parking facilities.

Neighborhood District Planning: Concepts and Strategies: This document sets forth concepts for the integrated districts of Downtown, including Main Street and North Old Mammoth Road and South Old Mammoth Road. This plan is rooted in the guiding principles and policy directions established in the General Plan and Community Vision,<sup>6</sup> which anticipates the (i) design of places where people want to be in which distinctive, vibrant and walkable mixed use districts and centers are a focus of activity, and contain a mixture and diversity of uses, and provide a well-designed, attractive and comfortable built environment; (ii) implementation of program and development standards to support and reinforce the desired character and function of the district; (iii) development of publicly-owned catalyst sites to jump-start desirable development; and (iv) building of momentum through partnership between the Town and private investment.

Accepted and consensus planning concepts and strategies are to create a thriving destination resort community with residential neighborhoods oriented around a series of distinct, connected and vibrant mixed use districts, including the Downtown, which provide a range of shopping, dining, services, and employment opportunities. It is expected that “feet-first” mobility, including a balance between auto, pedestrian, bicycle, and transit modes, would be supported. Walkable nodes, with approximate radii of 1,000 feet would be located along sections of Main Street. The concept for South Old Mammoth Road also anticipates a walkable retail/commercial street with an emphasis on arts, entertainment and events. The mixed use centers along Main Street (Downtown) and Old Mammoth Road corridors would include well-proportioned public street with a strong pedestrian-oriented retail frontage at the street edge, generous sidewalks and streetscape features most often seen as traditional “downtown” and “main street” contexts.

*(ii) Land Use Element*

The policies of the Land Use Element describe and determine how the community will retain its community character and small town atmosphere while enhancing its success as a destination resort. Policies embrace principles such as creating walkable communities, mixed land uses, providing a variety of transportation choices, and taking advantage of compact building design. Subtopics include (i) Livability, (ii) Housing, (iii) Small Town Character, (iv) Accommodations and Community Amenities, and (v) Urban Growth Boundary. Community goals for the Land Use Element include being stewards of the Town’s character and natural surroundings; increasing the housing supply for the workforce; designing neighborhoods and districts for walking through the land use pattern and form; and maintaining the Urban Growth Boundary to ensure a compact urban form and protection of natural and outdoor recreational resources.

<sup>6</sup> *Town of Mammoth Lakes Neighborhood District Planning Concepts and Strategies Plan, August 3, 2011, page 3.*

Land use designations in the General Plan correspond to a range of uses, including varying densities of residential uses, commercial (C-1 and C-2) and other resort, industrial, various specific plans, and national forest.

### *(iii) Mobility Element*

The intent of the adopted Mobility Element is to achieve an integrated multi-modal transportation system that serves the various needs of residents, employees and visitors and to ensure that Mammoth Lakes will be connected, accessible, uncongested and safe with emphasis on feet first, public transportation second, and car last. The Mobility Element anticipates that movement throughout the Town will be improved through measures to increase and improve transportation options; reinforce feet first; connect sidewalks and trails to transit and parking facilities; encourage alternate transportation. Component plans have been adopted to implement the community goals of the adopted Mobility Element as well as contain and address specific policies from the Mobility Element Update. These include the Pedestrian Master Plan, Trails System Master Plan, and the General Bikeway Master Plan.

### *Trails System Master Plan*

The Trails System Master Plan (October 19, 2011) (TSMP) envisions an integrated system of infrastructure and programs that support recreation and mobility simultaneously, by seamlessly connecting homes, hotels, businesses, recreation nodes, and backcountry experiences. The TSMP includes a strong focus on providing facilities that will improve access to trails from all modes of transportation. In addition to new trails, paved pathways, signage and wayfinding and associated amenities. The TSMP also includes suggestions for other improvements such as sidewalks, crosswalks, bus stops, bike lanes, bicycle parking, summer maintenance, and snow removal.

Objectives of the TSMP include (i) identifying necessary improvements relative to pedestrian safety, convenience and comfort; (ii) updating the General Bikeway Plan and developing an on-street bikeway network that enhances bicyclist safety, convenience and comfort; (iii) ensuring that pedestrians and bicyclists can access the public transit system safely, conveniently and comfortably; and that public transit serves all key recreation nodes; and (iiii) providing the information necessary for residents and visitors to navigate. The TSMP also supports pedestrian-oriented development and 10-foot sidewalks along Main Street, and recommends bike lanes in Main Street as an interim solution for closing a gap in the primary paved path system. General recommendations include a minimum sidewalk-to-major roadway ratio of 1.6 to 1 to be achieved by including sidewalks on both sides of all arterials and on one side of all collector streets. Mid-block pedestrian connectors would be considered in high pedestrian activity areas. The TSMP also includes a bike route plan and a bicycle parking component and addresses signage and wayfinding for multi-use paths, bike lanes, bike routes, pedestrian facilities, soft-surface trails, and easements. A goal of the TSMP is to develop a year-round maintenance plan, to prioritize snow removal on paved paths and sidewalks, to preserve pavement markings, and to coordinate between roadway and sidewalk snow removal.

### *Pedestrian Master Plan*

The Pedestrian Master Plan (adopted April 16, 2014) guides the future development and enhancement of pedestrian facilities within the Town and is intended to follow the goals, policies, and actions of the Mobility Element related to pedestrian infrastructure. The Pedestrian Master Plan outlines specific locations for future sidewalks and promenades, which would result in an estimated 6.7 miles of new sidewalks. The

Pedestrian Master Plan also recommends sidewalk buffers in key locations, traffic calming devices along Main Street and Old Mammoth Road, furnishings around traffic stops, connectivity and expanded network of multi-use paths. Other recommendations include improved mid-block connection with active warning beacons and pedestrian access at intersections; ADA-compliant staircases and ramps, as needed; maintained crosswalk markings; traffic signals at key pedestrian crossings; improved intersection geometry; pedestrian underpasses and bridges; pedestrian access at construction zones; use of materials suitable to the climate; split pedestrian crossings; curb extensions; improved visibility and lighting in key areas; pedestrian warning signs at key locations; and improved wayfinding for tourists within the Town boundaries.

#### *General Bikeway Master Plan*

The General Bikeway Master Plan (GBMP) (adopted April 16, 2014) is a blueprint for making bicycling an integral part of daily life in Mammoth Lakes. A primary goal of the GBMP is to facilitate bicycling for transportation and recreation and to support “feet first” objectives. GBMP recommendations include improving existing conditions to meet town standards, to create a safe and comfortable cycling environment that is accessible to cyclists of all ages, possibly narrowing vehicle travel lanes (from 12-foot lanes to 10- or 11-foot lanes) to provide on-street paths. Objectives also include requiring or improving signage and pavement markings and designating low-volume routes as shared facilities. GBMP recommendations include studying the use of bicycle boulevards on key residential streets, improving bicycle safety at signalized intersections; studying a bicycle sharing program; constructing additional multi-use paths, implementing bicycle parking in key locations, and providing cyclist-oriented lockers, showers, and staging areas, where appropriate and feasible.

#### **(b) Town of Mammoth Lakes Municipal Code, Title 17**

The Town of Mammoth Lakes Zoning Code is contained in Title 17 of the Mammoth Lakes Municipal Code (MLMC). The purpose of the Zoning Code is to carry out the goals, objectives and policies of the Mammoth Lakes General Plan by classifying and regulating the uses of land and structures within the Town of Mammoth Lakes. Additional purposes set forth in Section 17.04.020 are to implement the General Plan by encouraging the uses of land as designated by the General Plan; provide standards for the orderly growth and development of the Town; require high quality planning and design for development that enhances the visual character of the Town, avoids conflicts between land uses, enhances functionality and safety, and preserves the scenic qualities of the Town by maintaining adequate open space; conserve and protect the natural resources of the Town, its natural beauty and significant environmental amenities; encourage a range of transportation options with a strong pedestrian emphasis and emphasize connectivity, convenience, and alternatives to use of personal vehicle; assist in reducing dependence on the automobile by fostering development that is compact in form, and pedestrian-oriented; and create a comprehensive and stable pattern of land uses upon which to plan transportation, water supply, sewerage and other public facilities and utilities.

Chapter 17.24 of the MLMC sets forth regulations, including permit requirements, maximum building heights, setback requirements, floor areas, and other guides and restrictions pertinent to commercial zoning districts. The purpose of Chapter 17.24 is to achieve the purposes outlined in the Neighborhood and District Character Element of the 2007 General Plan, specific to the Main Street and Old Mammoth Road Districts. MLMC Section 17.24.010 defines the Town’s commercially-zoned designations as Downtown (D), Old Mammoth Road (OMR), and Mixed Lodging/Residential (MLR). Section 17.24.010 describes the purposes of the individual commercial zoning districts and the manner in which they are applied as follows:

- Downtown (D) District is intended to provide a thriving mix of residential, non-residential, and lodging uses and a distinctive gateway entry into town, with a focus on ground-level commercial uses and active frontages. The development standards are intended to concentrate development along Main Street with a focus on shop front buildings that frame the street and provide an animated, pedestrian-friendly environment with high visual quality. The current maximum FAR is 2.5. Lodging development has a maximum density of 80 rooms per acre. Residential development has a maximum density of 12 units/acre. The D zoning district is consistent with the Commercial 2 (C-2) land use designation of the General Plan. (This section is subject to the Project's proposed Zoning Code Amendment regarding units/acre.)
- Old Mammoth Road (OMR) District is intended as an arts and culture district oriented toward medium scale commercial development along Old Mammoth Road, emphasizing community serving retail, artist galleries, office and service uses. It is intended to encourage a mix and intensity of uses in a pedestrian-scaled environment at a scale and form that is appropriate to its neighborhood context and adjacent residential uses and forms. The maximum FAR is 2.5. Lodging development has a maximum density of 80 rooms/acre. Residential development has a maximum density of 12 units/acre. The OMR zoning district is consistent with the Commercial 2 (C-2) land use designation of the General Plan. (This section is subject to the Project's proposed Zoning Code Amendment regarding units and rooms/acre.)
- Mixed Lodging/Residential (MLR) District is intended to allow one or more of a variety of lodging, residential, and non-residential uses to encourage a mix of uses and emphasize transient occupancy. The maximum FAR is 2.5. Lodging development has a maximum density of 80 rooms per acre. Residential development has a maximum density of 12 units per acre. The MLR zoning district is consistent with the Commercial 1 (C-1) land use designation of the General Plan. (This section is subject to the Project's proposed Zoning Code Amendment regarding units/acre.)

Allowed uses and permit requirements for the commercial zones are set forth in MLMC Section 17.24.020. Under this code section, commercial uses, multi-family residences, live-work units, and mixed use are permitted. However, multi-family residences and live-work units are not allowed on the ground floor along Primary and Secondary Active Frontages in the D and OMR zones. (Primary Active Frontages occur along sections of Main Street and Old Mammoth Road and Secondary Active Frontage occur along sections of Main Street, Old Mammoth Road, Tavern Road, Meridian Boulevard and Chateau Road.) Although multi-family uses are permitted by right in the MLR zone, these are subject to MLMC, Chapter 17.52 (Standards for Specific Land Uses and Activities) applicable to multi-family residential Projects.

Section 17.24.030, Commercial District Development Standards, regulates building density, frontage improvements, building placement requirements, building face height, location of parking, and access for commercial properties. Section 17.24.030.B requires new development to provide street frontage improvements in accordance with adopted Town Plans (i.e. Pedestrian Master Plan, Bikeway Master Plan, etc.), including but not limited to sidewalks, bike lanes, paths, bus stops, and other typical frontage improvements. Under this code section, except where occupied by a building or used for building access, the property frontage, for a depth of 10 feet from the property line, shall be improved so that it functions as a wider public sidewalk; utilized for active outdoor uses such as outdoor dining, or improved with landscaping, public art, and/or pedestrian amenities such as outdoor seating.

Section 17.24.030.D requires a minimum step-back of 10 feet at the building face to the next higher story, except that a maximum of 20 percent of the length of the building face may exceed the maximum building

face height by up to 10 feet without a step-back; and an additional 20 percent of the length of the building face may exceed the maximum building face height by up to 20 feet without a step-back. Section 17.24.030.E establishes limitations on the location of parking. Under this code section, buildings shall be placed as close to the street as possible, with parking underground, behind a building, or on the interior side or rear of the site. Parking may be located within the required setback, provided that the parking is underground or submerged, screened along the public right-of-way with a wall, hedge, trellis, and/or landscaping, the buildings are built close to the public sidewalk to the maximum extent feasible; or the site is small and constrained such that underground, partially submerged, or surface parking located more than 20 feet from the street frontage is not feasible. Under Section 17.24.030.F, properties fronting Main Street that redevelop to claim an existing frontage road shall incorporate a re-routed access road to the rear of the property. The re-routed access road shall be designed to be continuous with those of adjacent properties, and to provide adequate circulation and emergency access.

Building orientation and entrance treatment is set forth in Section 17.24.040. Section 17.24.040.A establishes maximum block length and requirements for mid-block pedestrian crossings. Section 17.24.040.B, requires the following: (i) All buildings located on a public street shall be oriented toward, and have their primary entrances facing the public street, (ii) Building entrances shall be emphasized with special architectural, modulation of roof lines or landscape treatments; and (iii) Building entrances shall be designed so that snow does not shed freely into entrances and the buildup of ice and snow within pedestrian areas is minimized.

Section 17.24.040.C sets forth requirements for transparency and openings along the sidewalk for commercial buildings. Under this subsection, exterior walls facing and within 20 feet of a street, park, plaza, pedestrian walkway, or other public outdoor space shall include windows, doors, or other openings for at least 60 percent of the building wall area located between 2.5 and 8 feet above the level of the sidewalk. No wall may run in a continuous horizontal plane for more than 15 feet without an opening.

Building design is addressed in Section 17.24.040.D, which requires that buildings be designed to create a pedestrian-friendly environment and support a vital and active public realm. Buildings must appear integrated with the natural features and existing buildings in the districts; complement the Eastern Sierra Nevada Mountain setting; and contribute to the Town of Mammoth Lakes' "village in the trees" identity. Section 17.24.040.F requires on-site pedestrian circulation according to the following standards: (i) A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities; (ii) Regular connections between on-site walkways and the public sidewalk shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage. On sloping sites, the walkway between the building and the sidewalk or other public outdoor area shall be designed as usable open space with generously sized steps and landings, with features such as low risers and wide treads, and any planter boxes that include seating ledges, (iii) Direct and convenient access shall be provided from commercial and mixed-use Projects to adjoining residential and commercial areas to the maximum extent feasible while still providing for safety and security; (iv) Safe and convenient pedestrian connections shall be provided from transit stops to building entrances. This subsection also establishes design standards for pedestrian walkway.

Section 17.24.040.G establishes standards for public open space, which must be provided for non-residential development with greater than 1,000 square feet of floor area. Open space amenities include seating,

usability, including but not limited to trees and other landscaping, shade structures, lighting, drinking fountains, water features, public art, signage or performance areas. Additional building and open space design features required under the Zoning Code are discussed in Section 4.A, Aesthetics, of this EIR.

**Table 4.7.1, *Town of Mammoth Lakes Municipal Code the Zoning Code Commercial District Standards***, summarizes specific standards applicable to the Town's commercially zoned areas.

## **b. Existing Conditions**

### **(1) Land Use Element/Zoning Code Amendments**

The Land Use Element/Zoning Code Amendments Study Area related to the FAR encompasses the areas designated as Commercial 1 (C-1) and Commercial 2 (C-2) in the General Plan. Current zoning in the commercial district is D, OMR and MLR, as illustrated in **Figure 2-3, *Zoning Districts***, of this EIR. The area comprises approximately 122 acres and is centered along Main Street (State Route 203), extending from the Town's boundary on the east to an area just east of Minaret Road on the west, and along Old Mammoth Road from SR 203 to just south of Chateau Road.

#### **(a) Main Street Corridor**

The Main Street corridor is defined by Main Street/Highway 203, the primary highway used by residents and visitors to enter and exit the Town. Although the paved roadway width and number of lanes varies, the Main Street right-of-way is approximately 200 feet wide along the majority of the corridor. Discontinuous two-way frontage roads, which provide access to commercial uses along the street, parallel Main Street along much of its south side and parts of the north side. The overall characteristic of developed properties along Main Street is of one- to three-story buildings set back behind access roads and surface parking lots. Uses are varied, and include medium scale strip-commercial developments, stand-alone, single-use commercial and office uses, motels and some residential uses. A mix of architectural styles include alpine-inspired pitched roofs and buildings representing the aesthetics of the 1970's and 1980's when many of Main Street's commercial and lodging Projects were developed. Stand-alone buildings, dominant street front parking, and the access roads, remove development from the street and evoke an automobile-oriented strip commercial aspect to the street. Although forested areas remain along Main Street on some of undeveloped parcels, tree cover in other areas is intermittent. On developed parcels, trees are often limited to single specimen trees or small tree clusters.

Transit stops are placed at various locations on both sides of Main Street. Pedestrian infrastructure, primarily consisting of sections of a pedestrian path, has been developed over time. While the path is generally complete along the eastern end of Main Street, it is not continuous, requires street crossings from north to south, and does not exist along the west end of Main Street. The transit shelter on Main Street lacks sidewalk access.<sup>7</sup> Pedestrian-activated crossing signals are in place at the Post Office and Laurel Mountain Road. Main Street ascends in elevation from east to west and significant grade changes are found from north to south at the west end of Main Street. The east portion, east of Old Mammoth Road, is relatively flat. Broad views of Mammoth Mountain to the west and/or the Sherwin Range to the south are visible at certain vantage points along Main Street.

<sup>7</sup> *Town of Mammoth Lakes, Downtown Concept for Main Street, Chapter 3, September 1, 2010, page 25.*

Table 4.7-1

**Town of Mammoth Lakes Municipal Code the Zoning Code Commercial District Standards  
(Based on MLMC Tables 17.24.030-1 through 17.24.030-4)**

<b>Development Feature</b>	<b>Downtown ("D")</b>	<b>Old Mammoth Road ("OMR")</b>	<b>Mixed Lodging/Residential ("MLR")</b>
Lot Area	10,000 square feet		
Lot Area, corner lot	11,000 square feet		
Floor Area Ratio ("FAR")	Maximum 2.5 , applicable to entire development		
Residential	Maximum 12 units per acre		
Single Room Occupancy ("SRO")	Maximum 48 rooms per acre		
Lodging, fractional, and timeshare development	Maximum 80 rooms per acre		
Minimum setbacks on Main Street and Frontage Road	0 feet		
Other designated active frontage areas	Property line or 15 feet back from curb, whichever is greater		N/A
All other streets	10 feet		
Interior side and rear	0 feet, 15 feet adjacent to a residential district		
Building Height	55 feet	45 feet	45 feet for lots with slopes of less than 10%; 55 feet for lots with slopes greater than 10%
Maximum Building Face Height	20 feet applicable to "Primary Active" frontages		
Maximum Building Face Height along all streets and adjacent to residential districts	20 feet for 60% of the building face; 35 feet for 20% of the building face; 45 feet for 20% of the building face.		
Stepback	Minimum 10 feet for building face below		
Ground floor, Non-residential uses	Minimum 14 feet from floor to ceiling		
Ground floor, Non-residential uses	8 feet clear from floor to ceiling		
Upper floor	8 feet clear from floor to ceiling		
Parking podium	The maximum height of the parking podium visible from the street is four feet from the finished grade. <sup>a</sup>		
Setback from street property line	20 feet		
Setback from buildings and public plazas	8 feet, 5 feet walkway plus 3 feet of landscaping applicable to above ground parking		
Curb cuts	Minimized and in areas least likely to impede pedestrian circulation		
Required snow storage	An area equal to 60% of all parking and driveways on the site		

<sup>a</sup> Where a building sits atop a parking podium (underground parking) the building height shall be measured from the top of the parking podium provided that the building height does not increase by more than seven feet six inches (MLMC Section 17.36.060.B.1.c).

Source: Town of Mammoth Lakes Municipal Code, PCR Services Corporation, 2015

### **(b) Old Mammoth Road Corridor**

Old Mammoth Road is a three-lane arterial that extends to the south of Main Street. The corridor is largely developed with commercial uses such as retail, restaurants, gas stations, real estate offices, banks, and other services, multi-family residential, lodging, and mixed-use. Secondary commercial and residential uses are found along neighboring streets. Existing buildings are generally between one and two stories in height. The majority of parking is provided in surface lots, although more of these lots are oriented to the side or rear of commercial buildings, compared to Main Street. A street narrowing and streetscape improvement Project in the 1990's added sidewalks, lighting and landscaping along Old Mammoth Road from Main Street to Chateau Road; however, several neighboring streets lack sidewalks. Although trees are common along property boundaries and street frontages, Old Mammoth Road retains a "strip commercial" and automobile-oriented aspect, as does Main Street.

## **(2) Mobility Element Update Study Area**

The Mobility Element Update study area corresponds to the area encompassed by the General Plan. Three boundaries define the Town, including (i) the Urban Growth Boundary (UGB), an area encompassing approximately 4 square miles and forming the nucleus of the town, (ii) the Municipal Boundary, an area encompassing approximately 24 square miles and including the Lakes Basin, Shady Rest, and most of the Mammoth Mountain Ski Area; and (iii) the Planning Area or "sphere of influence," an area encompassing approximately 125 square miles. The Municipal Boundary comprises (i) the portion of the Town containing the majority of developed community, and (ii) a separate island area not physically connected to the other municipal area and containing the Mammoth Yosemite Airport, approximately 10 miles to the east of the municipal area. Of the total approximately 24 square miles within the Municipal Boundary, approximately 4.6 square miles or approximately 2,500 acres, including the urbanized area and airport, is located within the UGB. Within the UGB, including the airport, approximately 3.5 square miles of land has been developed, leaving approximately 1.1 square miles of vacant developable land within the UGB.

In general, the Mobility Element Update Study Area is focused on the UGB, since it is the Town's focus of vehicle, cycling, and pedestrian activity. However, the Town's Planning Area includes areas in which existing or proposed facilities have direct relationship to the current municipal boundary and services. This area extends from the Whitmore Recreation Area on the east to the Mammoth Scenic Loop on the north. The Planning Area incorporates Whitmore Park, Smoky Bear Flat east of U.S. Highway 395, the Mammoth Scenic Loop Road, and other recreational areas maintained by the Town of Mammoth Lakes. The Planning Area also includes Inyo National Forest lands located within Madera County. The only vehicular access to the land within Madera County is through the Town, which provides public safety and building inspection services.

Existing land uses within the UGB are reflected in the Town's General Plan and Zoning Map. The range of uses includes mixed lodging/residential, single and multi-family residential, rural residential, mobile home, resort, open space, public/quasi public, and industrial zones. The developed UGB has the aspect of a resort community because of the presence of forest trees along property boundaries and streets; the presence of golf courses and other recreational facilities; many restaurants; the general character of businesses (e.g., real estate offices), and the North Village, which consists of a collection of hotels, high-density housing, restaurants, and access to the Mammoth Mountain gondola.

## 2. METHODOLOGY AND THRESHOLDS

### a. Methodology

The analysis of land use impacts considers the consistency of the Project with adopted and accepted plans and policies that regulate land use in the Town of Mammoth Lakes and that relate specifically to the characteristics of the Project change of intensity of permitted development in commercially-zoned areas, replacement of General Plan PAOT policies with Project Impact Evaluation Criteria (PIEC), and removing CBIZ and modifying TDR policies supported by the Land Use Element, and density constraints in the Zoning Code. It also evaluates the consistency of the Mobility Element Update with the objectives of the adopted General Plan. The analysis also takes into consideration the effects of the Project on the existing physical environment, as evaluated in respective environmental evaluation sections of this Draft EIR, and the extent to which incompatibilities or other land use changes could result in physical impacts to the environment. As discussed in the Project Description, Table 2-2, the Project's additional residential units and commercial floor area over the General Plan buildout assumes land would be available for mixed use development as a result of the vacation of the frontage road. Estimation of total floor area and residential and lodging units assume that street-facing floor area would be commercial with 25 percent of the ground floor area used for commercial purposes and 75 percent of the ground floor area could be used for non-commercial uses (i.e., residential and/or lodging).

The Project also includes adjustments to the General Plan commercial zone boundary to comply with the commercial zoning of the properties. This affects a total of seven parcels as shown in Figure 2-4, *Proposed Revisions to the Land Use Diagram*, in Chapter 2 of this EIR. The amendments are to correct the General Plan Land Use Diagram to be consistent with the Zoning Map which was updated in 2014. In 2014, the Downtown zone was moved further west to align with Sierra Boulevard on the north and Manzanita Road on the south. Five parcels on the north side of Main Street east of Sierra Boulevard would be amended from C-1 to C-2. In addition, there are two parcels on the south side of Main Street west of Manzanita Road, the western parcel would be changed from C-2 to C-1 and the eastern parcel would be changed from C-2 to HDR-1. These corrections are administrative components of the Project and would not result in additional inconsistencies or non-compliance. As such, these administrative changes are not directly addressed in the following evaluation.

### b. Thresholds

For purposes of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether the Project would have a significant environmental impact regarding land use. Based on the potential for land use impacts identified in the Initial Study, which is contained in Appendix A of this EIR, the following thresholds of significance are used in this section. The Project would result in a significant impact if the Project would:

- LU-1** Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect;
- LU-2** Conflict with any applicable habitat conservation plan or natural community conservation plan.

As indicated in the Initial Study and summarized in Chapter 6, *Other Mandatory CEQA Considerations*, of the EIR, the Project would not physically divide an established community since the Land Use Element/Zoning Code Amendments address the commercial districts, which are primarily developed. Future development within the area would be infill development. The Mobility Element Update would not result in roads that would divide the community but rather would result in a complete street network including alternate modes of transportation such as pedestrian, bicycle, trails, and multi-use paths.

### c. Applicable General Plan Goals/Policies and Adopted Mitigation Measures

There are no mitigation measures in the adopted Mitigation Monitoring and Reporting Programs associated with the 2007 General Plan Update or the Trails Master Plan EIRs regarding land use. However, the following community goals for the Land Use Element are relevant to the Project:

#### *Livability*

**Goal L.1.** Be stewards of the community's small town character and charm, compact form, spectacular natural surroundings and access to public lands by planning for and managing growth.

- **Policy L.1.A:** Limit total peak population of permanent and seasonal residents and visitors to 52,000 people. (This policy is subject to the Project's proposed Land Use Element Amendment).
- **Policy L.1.B:** Require all development to meet community goals for highest quality of design, energy efficiency, open space preservation, and promotion of a livable, sustainable community. Development that does not fulfill these goals shall not be allowed.
- **Policy L.1.C:** Give preference to infill development.

#### *Housing*

**Goal L.2.** Substantially increase housing supply available to the workforce.

- **Policy L.2.A:** Emphasize workforce housing for essential public service employees, such as firefighters, police, snow removal operators, and teachers.
- **Policy L.2.B:** Encourage a mix of housing types and forms consistent with design and land use policies.
- **Policy L.2.C:** Rehabilitate existing housing and build new housing for workforce housing.
- **Policy L.2.D:** For housing development Projects where all units are deed restricted for workforce housing, a density bonus may be granted in addition to any bonus granted pursuant to the State Density Bonus Law up to a combined bonus of twice the density identified for the designation in which the Project is located.

#### *Small Town Character*

**Goal L.3.** Enhance livability by designing neighborhoods and districts for walking through the arrangement of land uses and development intensities.

- **Policy L.3.A:** Achieve a diversity of uses and activities and efficient use of land by maintaining a range of development types.
- **Policy L.3.B:** Develop vital retail centers and streets.
- **Policy L.3.C:** Encourage development of small neighborhood-serving retail and services dispersed through town.
- **Policy L.3.D:** Encourage outdoor dining in resort and commercial districts to increase street level Animation.
- **Policy L.3.E:** Require a minimum amount of development in the Main Street, Old Mammoth Road, and Shady Rest Districts to ensure supplies of housing for employees and to reduce automobile trips.
- **Policy L.3.F:** Ensure appropriate community benefits are provided through district planning and development Projects.
- **Policy L.3.G:** Do not allow the transfer of unused density from built parcels.
- **Policy L.3.H:** Density may be clustered or transferred within clearly articulated district, master, and specific plans to enhance General Plan goals and policies. Development rights may also be transferred between districts when that transfer furthers protection of identified environmentally sensitive areas. (This policy would be modified by the Project's proposed Land Use Element Amendment.)

#### *Accommodations and Community Amenities*

**Goal L.4:** Be the symbolic and physical heart of the Eastern Sierra: the regional economic, administrative, commercial, recreational, educational and cultural center.

**Goal L.5:** Provide an overall balance of uses, facilities and services to further the town's role as a destination resort community.

- **Policy L.5.A:** Encourage and support a range of visitor accommodations that include a variety of services and amenities.
- **Policy L.5.B:** Locate visitor lodging in appropriate areas.
- **Policy L.5.C:** Ensure there are an adequate number of units available for nightly rental.
- **Policy L.5.D:** Encourage rehabilitation and renovation of existing visitor accommodations.
- **Policy L.5.E:** Development shall complement and diversify the range of resort community activities and amenities.
- **Policy L.5.F:** Require all multi-family, resort, and specific plan development to include activities, amenities and services to support long-term visitation.

- **Policy L.5.G:** In the C-1 and C-2 designations, density may be increased to no more than twice the density for hotel, motel, and similar transient lodging Projects that specifically enhance the tourism, community, and environmental objectives of the Town. This enhancement must be through the provision of amenities, services, and/or environmental benefits above and beyond those required to meet the incremental demands of the Project. These amenities, services, and environmental benefits include, but are not limited to those listed under “Community Character” on page 24 of the General Plan. Any such increase shall further the Community Vision, shall be consistent with the discussion of “Build-out” on page 37 of the General Plan, shall be consistent with approved District Plans, and shall be subject to such rules, processes, and findings as may be adopted by the Town Council in its sole discretion. (This policy is subject to the Project’s proposed Land Use Element Amendment.)

#### *Urban Growth Boundary*

**Goal L.6:** Maintain the Urban Growth Boundary to ensure a compact urban form; protect natural and outdoor recreational resources; prevent sprawl.

- **Policy L.6.A:** No residential, commercial, or industrial development is permitted outside the Urban Growth Boundary (UGB) (identified in Figure 4 of the General Plan).
- **Policy L.6.B:** Recreation facilities, other public facilities, and public utility installations may be permitted outside of the UGB when determined to be in the public interest and compatible with other Town goals.
- **Policy L.6.C:** The Town shall work collaboratively with Mono County, Inyo National Forest, and the Bureau of Land Management to ensure that land uses occurring adjacent to the Urban Growth Boundary are compatible with Town goals.
- **Policy L.6.D:** Support land exchanges for existing special uses that maintain the integrity of the General Plan and promote Town policies when determined to be in the public interest and compatible with other Town goals.
- **Policy L.6.E:** National Forest lands that are exchanged into private ownership will be included within the UGB whether or not they are contiguous with the UGB.
- **Policy L.6.F:** The Town may consider adjustments to the UGB that do not increase the acres of developable land of Mammoth Lakes, are contiguous to the UGB, and are otherwise in the public interest.
- **Policy L.6.G:** Coordinate with agencies undertaking planning or development activities outside of the UGB and within the Town’s Planning Area.

### 3. ENVIRONMENTAL IMPACTS

**Threshold LU-1** The Project would result in a significant impact if the Project would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

**Impact Statement LU-1:** *The Land Use Element/Zoning Code Amendments and Mobility Element Update would not conflict with the objectives of the State of California General Plan Guidelines and the Neighborhood and District Character, Land Use, and Mobility Elements of the adopted Mammoth Lakes 2007 General Plan to vitalize the Town's commercial area with active street fronts and to reduce automobile dependency. Because the Project would not conflict with adopted and accepted plans and policies, impacts with respect to land use would be less than significant.*

#### a. General Plan

##### (1) Neighborhood and District Character Element

According to the Neighborhood and District Character Element of the General Plan, the vision for the Main Street and Old Mammoth Road areas is to invite pedestrian activity and provide gathering places for interaction with a vibrant mix of retail, commercial, and residential uses. Ground level uses would contain a minimum 25 percent commercial floor area that would be oriented to the street. Development would have a high level of detail and active storefront uses resulting in a pedestrian-oriented streetscape. Commercial corridors would be walkable year-round, vibrant, colorful, and accessible. Uses should be mixed to allow offices, residential housing and visitor accommodations above ground floor retail. Retail or service uses oriented to the street would animate the Main Street District.

The proposed removal of the density cap would accommodate greater residential and hotel densities within the Main Street and Old Mammoth Road neighborhoods and, thus, could introduce more people to these areas. The proposed FAR approach (minimum of 0.75 FAR and maximum of 2.0 FAR) would not conflict with the objective of the Neighborhood and District Character Element to create a traditional "Main Street." Zoning regulations that require closer proximity of buildings to the street front, transparency (glazing), sidewalks and access to transit, improved landscaping, and other amenities, would not change. The potential introduction of more people and implementation of such Code-required street front improvements would be consistent with the objectives of the Neighborhood and District Character Element to provide pedestrian-oriented sidewalks, higher day and evening activity along the street front, more transit use, and greater animation of commercial districts.

##### (a) Neighborhood District Planning: Concepts and Strategies

The proposed amendment of General Plan Policy L.5.G, which allows an increase in density in the C-1 and C-2 designations to no more than twice the maximum hotel room density, for hotel, motel, and similar transient lodging Projects of the Town and Zoning Code Sections 17.24.010 (Purpose of Commercial Zones) and 17.24.030 (Commercial Zone Standards) would result in the removal of the cap on numbers of units or rooms in the C-1 and C-2 designated areas. These Zoning Code sections, which establish a maximum density

of 2.5 FAR and 12 units per acre in the Town's commercial zones (D, OMR, and MLR), would be revised to provide a minimum 0.75 FAR and maximum 2.0 FAR, with no cap on number of residential and hotel units.<sup>8</sup>

Under the proposed changes, there would be no change in existing in regulations pertinent to maximum building heights, setbacks, setbacks, etc. shown in Table 4.7-1, above. The removal of the density cap would allow more residential units per acre (within a limited building or floor area). This would increase development choices (flexibility) by allowing the combination of more, smaller residential units with commercial uses (mixed-use) or a range of residential unit sizes in a single building. Such flexibility would be a potential incentive for new development. All new development would be subject to the requirements of the General Plan and the Zoning Code regarding building orientation, proximity to sidewalks, street-front retail, streetscape and other requirements. Because the intent of the Neighborhood District Planning Concepts and Strategies is to create intensive development in the Downtown area, with a mixture of visitor and local-serving retail, housing, and lodging, greater activity along Main Street and Old Mammoth Road, the potential increase in residential and hotel density would support the purpose of the Neighborhood District Planning Concepts and Strategies. Impacts with respect to this plan would be less than significant.

### **(b) Town of Mammoth Lakes Downtown Concept for Main Street District Plan**

The proposed change in General Plan Policy L.5.G and Zoning Code Sections 17.24.010 and 17.24.030 to eliminate density caps on residential and hotel units within the Town's commercially-zoned areas would potentially increase the number of residential units and hotel rooms that would be located within the Downtown and, therefore, could increase pedestrian presence. In addition, the potential increase in residents and visitors would generate greater demand for services, restaurants, and retail uses that, in turn, would potentially generate new development. Any new development in the commercial zone would continue to be subject to the requirements of the General Plan and the Zoning Code regarding building orientation, proximity to sidewalks, ground floor commercial uses and transparency (windows), which would provide "opportunities for browsing a range of street front retail shops and restaurants" (an objective of the DNDP), streetscape, and other benefits that would implement the goals of the DNDP to change and improve the physical and design conditions along the Main Street corridor and to create a walkable, connected downtown.

The Mobility Element Update contains goals, policies, and actions that would also further the objectives of the DNDP. Mobility Element Update's Goal M.1 to create safe and efficient "complete streets" based on "feet-first" principles, and respective policies that provide for wayfinding that guides residents and visitors and provision of a network of interconnected streets, paths, sidewalks, trails, and mid-block connectors would support an active pedestrian environment. Mobility Element Update Goal M.4 would improve snow and ice management by grooming and/or removing snow and ice on streets, sidewalks, trails, and bicycle facilities would enhance year-round accessibility and visibility of storefronts, and allow for year-round pedestrian use of sidewalks and paths.

The "feet first" goal of the Mobility Element Update (Goal M.8) is to provide a linked year-round recreational and commuter pedestrian system that is safe and comprehensive by ensuring that all planning processes

<sup>8</sup> Assumptions in the FAR analysis included 25 percent of the ground floor would be occupied by commercial use in order to create an active streetscape. Uses at the back portion of a building, up to 75 percent of the ground floor, could be occupied by non-commercial uses.

identify and implement improvements to pedestrian safety. This goal also requires streets, sidewalks, and trails to be designed and promoted to encourage walking. This would be consistent with the objectives of the DNDP to encourage greater pedestrian activity. In addition, the “Main Street Reconfiguration” under the Mobility Element Update envisions a redesigned Main Street, including the removal of the existing frontage roads and conversion to a four-lane cross-section with a center median and turn pockets.<sup>9</sup> This would meet the goal of the DNDP to provide a substantial median that would provide a site for public art and streetscape features that would add to Main Street’s aesthetic appeal and creating a safe and walkable downtown.

Goal M.14 of the Mobility Element Update is to support alternative transportation, housing affordability, and public health goals through implementation of improved parking strategies and requirements. Under this goal, parking efficiency would be increased through such measures as shared parking between uses on site- or within walking distance, internal capture between uses on-site or within walking distance, tandem or stacked parking, transit-oriented design, incorporation of technology based on parking infrastructure, and other measures. It is also a goal of the Mobility Element Update to design parking to meet applicable design goals and minimize negative impacts on pedestrians, bicyclists and transit users.

As with the removal of the density cap on residential units and hotel rooms, the Mobility Element Update would implement the objectives of the DNDP to vitalize the Mammoth Lakes Downtown area and, as such, would support the goals and policies of this accepted plan.

### **(c) North Old Mammoth Road District Special Study**

The proposed change in General Plan Policy L.5.G and Zoning Code Sections 17.24.010 and 17.24.030 to eliminate density caps on residential and hotel units within the Town’s commercially-zoned areas would potentially increase the number of residential units and hotel rooms that would be located with the proximity of North Old Mammoth Road and, therefore, could increase pedestrian presence. Greater residential and visitor population would increase demand for services, restaurants, and retail uses. This would support the goals of the NOMRDSS to reinforce the existing North Mammoth Road District as a walkable community and a desirable place for residents as well as visitors to live, shop, and recreate.

The Mobility Element Update contains goals, policies, and actions to reduce dependency on the automobile would further the objectives of the NOMRDSS. The Mobility Element Update’s Goal M.1 to create safe and efficient “complete streets” based on “feet-first” principles, and respective policies that provide for an interconnected network of streets, mid-block connectors, paths, sidewalks, trails, and bike facilities would improve multimodal access, disperse traffic, improve emergency access, and reduce congestion. The Mobility Element Update Goal M.4 would improve snow and ice management by grooming and/or removing snow and ice on streets, sidewalks, trails, and bicycle facilities would enhance year-round accessibility and visibility of storefronts, and allow for year-round pedestrian use of sidewalks, paths, bicycle facilities, and transit stops. Goal M.10.2 is to create a safe and comfortable cycling environment that is accessible to cyclists of all ages. Goal M.12 is to provide year-round public transit that is convenient and efficient and that increases transit ridership. Policy M.14-2 is to support development of strategically located public parking facilities that would promote the use of all transportation modes and the “park once” concept.

---

<sup>9</sup> *Town of Mammoth Lakes Draft Mobility Element, 2011, page 3-14.*

Implementation of the proposed zone change and Mobility Element Update would support the land use and mobility objectives of the NOMRDSS. As such, the Project would support the goals of this accepted plan.

#### **(d) South Districts Neighborhood District Planning Study**

The proposed Land Use Element/Zoning Code Amendments would eliminate density caps on residential and hotel units within the commercially-zoned South Old Mammoth Road area and, as such, potentially increase medium- and high-density residential development and hotel rooms; in turn, generating a higher residential and visitor population and potential pedestrian presence, thus activating the district. As such, the Project would be consistent with the land use objectives of the SDNDP.

The Mobility Element Update would support the SDNDP's objectives to provide vehicle and pedestrian mid-block connectors, wayfinding signage to reduce sign clutter, improve traffic flow, reduce trips on major streets and safely direct pedestrians, bicyclists, and other users to key destinations and visitor attractions. Under the Mobility Element Update, all new streets would be designed as complete streets, strategically located public parking facilities that would promote the use of all transportation modes and the "park once" concept, and "feet first" infrastructure such as multi-use paths and sidewalks would be continuous throughout the district. Because the Mobility Element Update would support the objectives of the SDNDP, it would be consistent with this accepted plan.

#### **(2) Land Use Element**

The Project would eliminate Land Use Element Policy L.1.A, Policy L.5.G, and Action L.3.H.1 and modify Policy L.3.H of the General Plan Land Use Element. These policies and action would be superseded by the Town's adopted PIEC process and the removal of the density cap (density determinations based on FAR) under the Project. The Project, which would allow an increase in residential and hotel density within the Town's existing commercial zones, would potentially result in a greater buildout of the commercial district and a higher pedestrian presence. Because new development would occur under the Zoning Code's design parameters for street fronts, the Project (the catalyst) would support Goal L.1 of the Land Use Element in that it would contribute to the community's small-town "Main Street" character represented by a more interactive street front. Under the Project, the concentration of new development and higher densities within a defined area of the UGB, which consists of the existing commercial zones along the Main Street and Old Mammoth Road corridors, would be consistent with General Plan Goal L.1 to preserve the Town's compact form. The Project would not result in urban sprawl outside of the defined Project area or cause encroachment into any existing residential neighborhoods, Specific Plan areas, recreational areas, or industrial zones.

The Project could result in the development of a higher concentration of smaller residential units than currently occur in the Town and, as such, would be consistent with General Plan Goal L.2 to substantially increase housing for the Town's workforce. Also, because of zoning regulations that require street front commercial uses along Primary and Secondary Active Frontages in the D and OMR zones, much new development would be mixed use with ground-floor commercial uses. Coupled with pedestrian improvements that would occur with new development, and an increase in people living on or within walking distance of these commercial streets under the Project, the Project would support Goal L.3 to enhance livability of districts for walking through the arrangement of land uses and development intensities. It would also support Policy L.3.B to develop vital retail centers and streets, and Goal L.5 to provide an overall balance of uses, facilities, and services to further the town's role as a destination resort community.

In addition, the Project's concentration of new growth within the Town's existing and defined commercial neighborhoods along Main Street and Old Mammoth Road within the UGB, would be consistent with Goal L.6 to maintain the UGB to ensure a compact urban form, protect natural and outdoor recreational resources, and prevent sprawl.

The Project would amend the Land Use Element to eliminate Policy L.1.A, which establishes a finite maximum population at one time, and would replace it with the adopted PIEC concept, which allows population based on environmental effects. The use of PIEC would ensure that new development would meet the General Plan's stated community vision to protect residents' quality of life and natural surroundings. The PAOT does not account for the geographic distribution of development. However, the Project's removal of the density cap in the Town's well-defined commercial zones is expected to concentrate new growth within the Town center. As such, the Project would support other goals of the General Plan to increase workforce housing and enhance livability of districts for walking through the arrangement of land uses and development intensities (Goals L.2 and L.3), while meeting the objectives of the PIEC to protect residents' quality of life.

The Project would eliminate General Plan Policy L.5.G, which allows modifications to development standards, including an increase in density, for Projects that specifically enhance the tourism, community, and environmental objectives of the Town. Although Policy L.5.G, which is implemented through Community Benefits Incentive Zoning (CBIZ), would allow a doubling of density for hotel, motel, and similar transient lodging Projects, the Project's removal of the density cap for hotel units would also allow an increase in density. Thus, Policy L.5.G (and CBIZ) would no longer be necessary to increase intensity of hotel development. In October 2014, the Town Council eliminated the CBIZ policy, which had been policy adopted under Resolution 09-55. The Project would also eliminate General Plan Action L.3.H.1, requires the preparation of a transfer of development rights (TDR) ordinance that would describe the methods and findings for approving such density transfers. Because the Project's elimination of residential and hotel room density limitations could result in an increase in density at a development site within the commercial districts compared with the existing regulations, the TDR ordinance would not be necessary. As such, the Project would modify Land Use Policy L.3.H to eliminate TDRs between districts. Portions of Policy L.3.H would not be changed since density transfers would still be allowed within Specific Plan zones.

The proposed General Plan amendments would not conflict with the applicable goals of the Land Use Element and the primary objective the Land Use Element, which is to retain community character and small town atmosphere while enhancing the Town's success as a destination through walkable communities, mixed land uses, and other measures. The Project would be consistent with the "overarching principle" of the community to maintain the town's compact urban form, protect natural and outdoor recreation resources, and prevent sprawl. Therefore, the Project would be consistent with the objectives of the General Plan Land Use Element.

### **(3) Mobility Element Update**

The intent of the adopted Mobility Element is to achieve an integrated multi-modal transportation system that serves the various needs of residents, employees and visitors and to ensure that Mammoth Lakes will be connected, accessible, uncongested and safe with emphasis on feet first, public transportation second, and car last. As with the adopted Mobility Element, the Mobility Element Update emphasizes a "feet first" policy

and Triple Bottom Line,<sup>10</sup> which is consistent with the objectives of the General Plan. Goals of the Mobility Element Update are as follows:

**Goal M.1:** Create a safe and efficient “complete streets” network that is based on “feet-first” principles, accommodates all modes of transportation, and serves all users.

**Goal M.2:** Manage and invest in the transportation system in ways that prioritize flexibility and cost effectiveness and improve the user experience.

**Goal M.3:** Enhance small town community character through the design of the transportation system.

**Goal M.4:** Improve snow and ice management to enhance public safety and the operation of the circulation system.

**Goal M.5:** Maintain and improve safe and efficient movement of people, traffic, and goods in a manner consistent with the “feet-first” initiative while maintaining Level of Service Standards.

**Goal M.6:** Manage local traffic.

**Goal M.7:** Effectively manage traffic to provide a safe environment for all road users.

**Goal M.8:** Support “feet-first” objectives by providing a linked year-round recreational and commuter pedestrian system that is safe and comprehensive.

**Goal M.9:** Provide an attractive and accessible pedestrian environment throughout the Town.

**Goal M.10:** Support “feet-first” objectives by providing a linked year-round recreational and commuter and recreational bicycle-system that is safe and comprehensive:

**Goal M.11:** Increase bicycle use through improved public education and marketing of the system.

**Goal M.12:** Provide a year-round public transit system that is convenient and efficient and that increases transit ridership for all trip types:

**Goal M.13:** Ensure the financial sustainability of transit

**Goal M.14:** Support alternative transportation, housing affordability, and public health goals through implementation of improved parking strategies and requirements.

**Goal M.15:** Design parking to meet applicable design goals and minimize negative impacts on pedestrians, bicyclists and transit users.

---

<sup>10</sup> *The 2007 General Plan, page 8 states: “The values of the community also encompass making decisions that benefit the community’s social, natural and economic capital – the triple bottom line.”*

**Goal M.16:** Create a sustainable transportation system that reduces Vehicle Miles Traveled (VMT) and peak period vehicle trips, thereby supporting local and regional air quality, greenhouse gas emission reduction, and public health objectives.

**Goal M.17:** Use all available tools to make the most effective possible use of the transportation system.

**Goal M.18:** Improve the regional transportation system

Management strategies of the Mobility Element Update include increasing density in proximity to employment, commercial, and recreational areas to promote walking, transit use, and the “park once” concept; encouraging infill development; implementing Transportation Demand Management (TDM) measures to reduce traffic; measuring success of transportation management measures; and similar strategies.

The goals (M.1 through M.18) and management strategies of the Mobility Element Update would be consistent with the existing nine goals of the adopted Mobility Element. Goals of the existing Mobility Element include: (M.1) Develop and implement a town-wide way-finding system; (M.2) Improve regional transportation system; (M.3) Emphasize feet first, public transportation second, and car last in planning the community transportation system while still meeting Level of Service standards; (M.4) Encourage feet first by providing a linked year-round recreational and commuter trail system that is safe and comprehensive; (M.5) Provide a year-round local public transit system that is convenient and efficient; (M.6) Encourage alternative transportation and improve pedestrian mobility by developing a comprehensive parking management strategy; (M.7) Maintain and improve safe and efficient movement of people, traffic, and goods in a manner consistent with the feet first initiative; and (M.8) Enhance small town community character through the design of the transportation system; and (M.9) Improve snow and ice management, would be implemented and expanded. Although altered (renumbered and expanded), none of the original nine goals would be lost through the adoption of the Mobility Element Update.

In addition, the Mobility Element Update would expand the adopted Mobility Element in that it would manage and invest in the transportation system in ways that prioritize flexibility and cost effectiveness and improve the user experience; enhance small town community character through the design of the transportation system; provide an attractive and accessible pedestrian environment throughout the Town; and support alternative transportation, housing affordability and public health goals through implementation of improved parking strategies and requirements. The Mobility Element Update provides an expanded discussion of mobility issues and presents newer strategies that go beyond, but would not be inconsistent with, the basic list of objectives in the adopted Mobility Element. The Mobility Element Update describes and illustrates the “complete” street network; identifies new street connections, including the Main Street Reconfiguration; and provides detailed discussions and graphics of the Town’s vehicle, bicycle, transit, and parking networks. In addition, the Mobility Element Update describes Transportation Demand Management (TDM), which would meet the objectives of the adopted Mobility Element to increase and improve transportation options and to improve safe and efficient movement of people, traffic, and goods in a manner consistent with the feet first initiative. Because the Project (Mobility Element Update) would not impede the implementation of the mobility goals of the General Plan, it would not conflict with the current General Plan Mobility Element or the goals of the General Plan.

### (a) Trails System Master Plan

The Mobility Element Update incorporates the recommended trail system network from the adopted TSMP, as well as a many of the recommendations concerning other multimodal facilities such as sidewalk and bicycle connections and transit service.<sup>11</sup> Key goals of the TSMP include (i) develop a plan for an integrated year-round trail network that provides for a seamless transition between the Town of Mammoth Lakes, the Mammoth Mountain Ski Area Mountain Bike Park, and the surrounding federal lands overseen by the USFS; (ii) develop a plan that provides guidance for enhancing year-round mobility in a way that is consistent with the Town's "Feet First" strategy, and (iii) create a plan that clearly identifies the Projects and programs necessary for implementation. Goals, policies and actions of the Mobility Element that reflect the objectives of the TSMP include Goal M.1 to create a safe and efficient "complete streets" network that is based on "feet-first" principles, accommodates all modes of transportation, and serves all users. Policy M.1 it to provide an interconnected network of streets, mid-block connectors, paths, sidewalks, trails, and bike facilities that improve multimodal access, disperse traffic, improve emergency access, and reduce congestion. Mobility Element Update Action M.2.2.1 is to maintain all roadways, paths, sidewalks, and trails in a good state of repair and meet defined Level of Service guidelines for each facility type and Action M.4.1.1 is to update the Town's snow management policy to support "feet-first" objectives, while continuing to maintain public safety as the primary priority, by establishing a town-wide maintenance, grooming and/or snow removal program for streets, sidewalks, trails, and bicycle facilities to increase year-round accessibility. Because the Mobility Element Update incorporates the goals of and does not conflict with the TSMP it would have a less than significant impact with respect to this adopted plan.

### (b) Pedestrian Master Plan

The adopted Pedestrian Master Plan is incorporated into and implements the pedestrian-related goals and policies of the Mobility Element Update. Goals and policies shared by the General Bikeway Master Plan and the Mobility Element Update include the following:

**Goal M.8:** Support feet-first objectives by providing a linked year round recreational and commuter pedestrian system that is safe and comprehensive.

- **Policy M.8.1:** Ensure all planning processes identify and implement pedestrian improvements and new development improves existing conditions to meet Town standards.
- **Policy M.8.2:** Pursue all available sources of funding for pedestrian improvements, including grant opportunities, assessment districts, and funding through major developers.
- **Policy M.8.3:** Improve pedestrian safety (specific measures are listed in both plans)
- **Policy M.9.1:** Design streets, sidewalks, and trails to promote/ encourage walking and improve accessibility.

---

<sup>11</sup> *Town of Mammoth Lakes Draft Mobility Element, 2011, page 2-13.*

Because the Pedestrian Master Plan is an implementation component of the Mobility Element Update, it would not conflict or be inconsistent with applicable policies of the Pedestrian Master Plan. As such, the Mobility Element Update would have a less than significant impact with respect to this adopted plan.

### **(c) General Bikeway Master Plan**

The adopted General Bikeway Master Plan is incorporated into and implements the bicycle-related goals and policies of the Mobility Element Update. Goals and policies shared by the General Bikeway Master Plan and the Mobility Element Update include the following:

**Goal M.10:** Support “feet first” objectives by providing a linked year-round recreational and commuter bicycle-system that is safe and comprehensive.

- **Policy M.10.1:** Ensure that all planning processes identify and implement bicycle improvements and that new development improves existing conditions to meet town standards.
- **Policy M.10.1:** Ensure that all planning processes identify and implement bicycle improvements and that new development improves existing conditions to meet town standards.
- **Policy M.10.2:** Create a safe and comfortable cycling environment in the town that is accessible to cyclists of all ages.
- **Policy M.10.3:** Continue to support physical and policy-related changes to encourage access to regional and local transit service via bicycle.

**Goal M.11:** Increase bicycle use through improved public education and marketing of the system.

- **Policy M.11.1:** Support and participate in educational programs and marketing to encourage bicycling.

Because the General Bikeway Master Plan is an implementation component of the Mobility Element Update, it would not conflict or be inconsistent with applicable policies of the Pedestrian Master Plan. As such, the Mobility Element Update would have a less than significant impact with respect to this adopted plan.

### **b. Town of Mammoth Lakes Municipal Code, Title 17**

The Project would change Title 17 Sections 17.24.010 (Purpose of Commercial Zones) and 17.24.030 (Commercial Zone Standards) to remove existing limitations on residential and hotel units and to reduce the current maximum FAR. Section 17.24.010 establishes a maximum density of 2.5 FAR and 12 units per acre in the Town’s commercial zones (D, OMR, and MLR). This is further reflected in Table 17.24.030.1, Commercial Districts – Lot Density and Intensity Standards, of the Zoning Code. The FAR (floor area per land area) and density standards (units per acre) would be replaced by a required minimum 0.75 FAR and maximum 2.0 FAR.

The elimination of the hotel room and residential unit cap would allow for more density in the Town’s commercial zones, while the reduction in FAR would reduce the total floor areas to a maximum of twice the

area of a buildable lot (for instance, a 5,000 square-foot lot could net up to 10,000 square feet in floor area). Under current regulations, a 5,000 square-foot lot could net up to 12,500 square feet in floor area. The floor area was reduced to a maximum of 2.0 FAR because prior studies indicated that the 2.5 FAR would potentially generate an unacceptably high number of dwelling and hotel units.

No other requirements of MLMC Title 17 set forth in Sections 17.24.010, 17.24.020, 17.24.030 and 17.24.040 would be changed. Standards such as maximum building heights (55 feet in Downtown and 45 feet on Old Mammoth Road), maximum 10-foot building setbacks, upper story step backs, types of uses, transparency of street facing walls, orientation of and proximity of buildings to the street, landscaping, streetscape, high quality building materials, open space, pedestrian access and sidewalks, and parking would remain as currently presented in the Zoning Code.

The proposed zone change would implement the objectives of the General Plan to create a vibrant mix of retail, commercial and workforce housing. As such, it would support the purpose of the Zoning Code to carry out the goals, objectives and policies of the Mammoth Lakes General Plan and to implement the General Plan. By focusing development within the Town's existing commercial districts, the Project would meet the purpose of the Zoning Code to reduce dependence on the automobile by fostering development that is compact in form and pedestrian-oriented. Also, by containing high-density growth within the Town's commercial sector, the Project would reduce development demand on other areas of the Town and, thus, protect the scenic qualities and natural resources in overall community.

The Mobility Element Update would be consistent with stated purpose of the Zoning Code in that it would encourage a range of transportation options with a strong pedestrian emphasis and emphasize connectivity, convenience, and alternatives to use of personal vehicle and reduce dependence on the automobile by fostering development that is compact in form, and pedestrian-oriented. Because the Project would be consistent with the intent of the General Plan, it would be consistent with the objectives of the Zoning Code, the purpose of which is to implement the objectives of the General Plan. As such, impacts with respect to the MLMC would be less than significant.

### Mitigation Measures

The Project would not conflict with applicable objectives of the State of California General Plan Guidelines; the Neighborhood and District Character, Land Use, and Mobility Elements of the adopted Mammoth Lakes 2007 General Plan; and Title 17 of the Zoning Code. The Mobility Element Update would not conflict with adopted plans. Therefore, land use and planning impacts would be less than significant and no mitigation measures would be necessary.

**Threshold LU-2** The Project would result in a significant impact if the Project would conflict with any applicable habitat conservation plan or natural community conservation plan.

**Impact Statement LU-2:** *The Project would not conflict with the purposes of the Town's Open Space/Stream Corridor Protection Overlay Zone or with the Inyo National Forest Land Resources and Management Plan. Therefore, impacts related to consistency with the Town's conservation-related regulation and Inyo National Forest Land Resources and Management Plan would be less than significant.*

No conservation plans are specific to areas within the Town of Mammoth Lakes approximately 4.5-square-mile UGB. However, the MLMC Section 17.32 identifies special purpose zoning districts within the UGB, one of which, the Open Space/Stream Corridor Protection Overlay Zone (OSSC) was developed for the purpose of protecting sensitive stream and drainage courses from development. Its purpose is to recognize and preserve the environmentally sensitive area as a community resource and to protect water quality and preserve wetland habitat. This overlay area, which allows single-family uses, is primarily centered on Mammoth Creek and Mammoth Creek Park and is located to the south of the Town's commercial district. As such, it would not be affected by any development within the D, OMR, and MLR zones. Other activities in the OSSC, including pedestrian bridge development at Mammoth Creek Park under the TSMP (incorporated into the Mobility Element Update) would be consistent with the requirements of this overlay zone.

Much of the land within the broader 24-square-mile Town of Mammoth Lakes Municipal Boundary and approximately 125-square-mile Planning Area (Sphere of Influence) is under the jurisdiction of the Inyo National Forest Service and is subject to the requirements of the Inyo National Forest Land Resources and Management Plan (LRMP). The Town currently maintains several miles of paved multiuse paths on national forest land under a Special Use Permit. Additional multi-use paths are planned in the National Forest area under the adopted Town of Mammoth Lakes TSMP and are anticipated under the Mobility Element Update. As described in the EIR prepared for the Town of Mammoth Lakes TSMP, multi-use paths and other trails would be consistent with applicable LRMP policies, interpretive and informational sites and trails, off-highway vehicle (OHV)/over-snow vehicle (OSV) management, trail opportunities in the Lakes Basin, and trails connecting national Forest lands to the Town.<sup>12</sup> Because trail improvements on National Forest lands would be consistent with the LRMP, land use impacts associated with plan consistency would be less than significant.

### **Mitigation Measures**

The Project would be consistent with applicable land use plans, regulations, and conservation-related plans and policies. Therefore, no mitigation measures are necessary.

## **4. CUMULATIVE IMPACTS**

Cumulative impacts would be associated with the development of the Town's commercial area in combination with non-commercial related Projects under the build-out of the Town of Mammoth Lakes General Plan. It is anticipated that all related Projects would be reviewed by the Town's Community and Economic Development Department, Planning Division. Such review would determine consistency with land use and zoning regulations as expressed in the 2007 General Plan and MLMC the Zoning Code. In addition, potential impacts of all new development Projects would be assessed on a Project-by-Project basis through PIEC and/or environmental review, including but not limited to evaluations of land use and other areas of environmental concern. The impacts-based approach would ensure that growth in the Town would not violate zoning and land use regulations or exceed the carrying capacity of infrastructure or other constraints. With compliance with the PIEC and existing regulations, land use impacts with respect to cumulative, related Projects combined with the proposed Project would be less than significant.

---

<sup>12</sup> *Town of Mammoth Lakes, Draft Trails System Master Plan Environmental Impact Report, July 11, 2011, Section 4.1, Land Use and Planning.*

## **5. LEVEL OF SIGNIFICANCE AFTER MITIGATION**

The Project would result in less than significant impacts with regard to applicable land use plans, regulations, and conservation-related plans and policies as well as Plan consistency.

The Land Use Element/Zoning Code Amendments and Mobility Element Update would not conflict with the objectives of the Town's General Plan. Therefore, no mitigation measures would be necessary. Impacts regarding land use and planning would be less than significant.

## 4.8 NOISE AND VIBRATION

---

This section addresses the potential for noise and vibration impacts that could result from the increase in intensity that could occur in the Town of Mammoth Lakes commercial districts as a result of the Land Use Element/Zoning Code Amendments relative to FAR, and the changes that could result from the Mobility Element Update, particularly along Main Street. The analysis describes the existing noise environment within the Project Areas, estimates future noise and vibration levels at surrounding land uses resulting from construction and operation of the Project, identifies the potential for significant impacts, and provides, where feasible, mitigation measures to address significant impacts. Noise calculation and data sheets for the Project are included in Appendix D of this EIR.

Noise is most often defined as unwanted sound. Although sound can be easily measured, the perceptibility of sound is subjective and a person's physical response to sound complicates the analysis of its impact as they judge sound in terms of "noisiness" or "loudness." Noise, sound pressure magnitude, is measured and quantified using a logarithmic ratio of pressures, the scale of which gives the level of sound in decibels (dB). The human hearing system is not equally sensitive to sound at all frequencies. Therefore, to approximate the human, frequency-dependent response, the A-weighted filter system is used to adjust measured sound levels (dBA). The A-weighted sound level (dBA) de-emphasizes low frequencies to which human hearing is less sensitive and focuses on mid- to high-range frequencies. Humans can hear in the range of approximately 3 to 140 dBA, with 110 dBA considered intolerable or painful. Although the A-weighted scale accounts for the range of people's response, and is therefore commonly used to quantify individual event or general community sound levels, the degree of annoyance or other response effects also depends on several other factors. These factors include:

- Ambient (background) sound level;
- Magnitude of sound event with respect to the background noise level;
- Duration of the sound event;
- Number of event occurrences and their repetitiveness; and
- Time of day that the event occurs.

In an outdoor environment, sound levels attenuate through the air as a function of distance. Such attenuation is called "distance loss" or "geometric spreading" and is based on the source configuration, point source or line source. For a point source such as construction equipment, the rate of sound attenuation is 6 dB per doubling of distance from the noise source. For example a noise level of 85 dBA at a reference distance of 50 feet from the equipment would attenuate to 79 dBA at 100 feet, and 73 dBA at 200 feet.

A change in sound level of 3 dB is considered “just perceptible,” a change in sound level of 5 dB is considered “clearly noticeable,” and a change in 10 dB is recognized as “twice as loud”.<sup>1</sup> A comparison of types of commonly experienced environmental noise is provided in **Figure 4.8-1, Common Noise Levels**.

Community noise levels usually change continuously throughout the day. The equivalent sound level (Leq) is normally used to describe community noise. The Leq is the equivalent steady-state A-weighted sound level that would contain the same acoustical energy as the time-varying A-weighted sound level during the same time interval. For intermittent noise sources, the maximum noise level (Lmax) is normally used to represent the maximum noise level measured during the measurement.

To assess noise levels over a given 24-hour time period, the Community Noise Equivalent Level (CNEL) descriptor is used. CNEL is the time average of all A-weighted sound levels for a 24-hour period with a 10 dBA adjustment (upward) added to the sound levels which occur in the night (10 p.m. to 7 a.m.) and a 5 dBA adjustment (upward) added to the sound levels which occur in the evening (7 p.m. to 10 p.m.). These penalties attempt to account for increased human sensitivity to noise during the quieter nighttime periods, particularly where sleep is the most probable activity. CNEL has been adopted by the State of California for development of the community noise element of general plans.<sup>2</sup>

Vibration is an oscillatory motion through a solid medium in which the motion’s amplitude can be described in terms of displacement, velocity, or acceleration. The response of humans, buildings, and equipment to vibration is more accurately described using velocity or acceleration.<sup>3</sup> Vibration amplitudes are usually described as either peak particle velocity (PPV) or root-mean-square (RMS). PPV represents the maximum instantaneous peak of the vibration signal and the RMS represents the average of the squared amplitude of the vibration signal. PPV is typically used for evaluating potential building damage, whereas RMS is typically more suitable for evaluating human response. In addition, vibrations can be measured in the vertical, horizontal longitudinal, or horizontal transverse directions. Ground vibrations are most often greatest in the vertical direction.<sup>4</sup> Therefore, the analysis of ground-borne vibration associated with the Project is addressed in the vertical direction. Typically, groundborne vibration, generated by man-made activities, attenuates rapidly with distance from the source of vibration. Man-made vibration issues are therefore usually confined to short distances (500 feet or less) from the source.

## 1. ENVIRONMENTAL SETTING

### a. Regulatory Framework

Many government agencies have established noise regulations and policies to protect citizens from potential hearing damage and various other adverse physiological and social effects associated with noise and ground-borne vibration. The Town has adopted a number of policies, which are based in part on federal and State regulations and are intended to control, minimize or mitigate environmental noise effects. The policies and regulations that are relevant to Project construction and operation noise are discussed below.

<sup>1</sup> *Engineering Noise Control, Bies & Hansen, 1988.*

<sup>2</sup> *State of California, General Plan Guidelines, 2002.*

<sup>3</sup> *Federal Transit Authority, Transit Noise and Vibration Impact Assessment, Final Report, page 7-3, April 1995.*

<sup>4</sup> *California Department of Transportation (Caltrans), Transportation Related Earthborne Vibrations, page 4, February 2002.*

Noise Level (dBA)	Common Indoor Noise Levels	Common Outdoor Noise Levels
110	Rock Band	
		Jet Flyover @ 1,000 feet
100	Inside Subway Train	Gas Lawn Mower @ 3 feet Diesel Truck @ 50 feet
90	Food Blender @ 3 feet Garbage Disposal @ 3 feet	Noisy Urban Daytime
80	Shouting @ 3 feet	
		Gas Lawn Mower @ 100 feet
70	Vacuum Cleaner @ 10 feet	Commercial Area
		Heavy Traffic @ 300 feet
60	Normal Speech @ 3 feet Large Business Office	
50	Dishwasher next room	Quiet Urban Daytime
		Quiet Urban Nighttime
40	Small Theater/Conference Room (background)	Quiet Suburban Nighttime
30	Library Bedroom at Night	
		Quiet Rural Nighttime
20	Concert Hall (background) Broadcast & Recording Studio	
10		
0	Threshold of Hearing	



This page intentionally blank.

## (1) Town of Mammoth Lakes General Plan

The goals and policies in the Community Design Element describe the relationship between people and the man-made and natural environment. The Community Design Element of the 2007 General Plan contains a section entitled Quiet Community, which addresses importance of the noise environment to the character of the Town.

## (2) Town of Mammoth Lakes Noise Ordinance

Title 8.0 (Health and Safety) of the Mammoth Lakes Municipal Code covers all noise standards. Chapter 8.16 (Noise Regulation) of the Municipal Code (Town Noise Ordinance) sets forth all noise regulations controlling unnecessary, excessive and annoying noise and vibration in the Town. However, this chapter does not control noise sources that are preempted by other jurisdictions including in-flight aircraft and motor vehicles operating on public rights-of-way.

### (a) Exterior Noise

As outlined in Section 8.16.070 of the Town Noise Ordinance and presented in **Table 4.8-1, Town Exterior Noise Ordinance Standards**, the Town has established maximum exterior noise levels based on land use zones. Noise levels in excess of the levels indicated in Table 4.8-1 are conditionally permitted, depending on the intensity of the noise and the duration of exposure.<sup>5</sup>

If the existing exterior ambient noise level exceeds the level permissible within the noise limit categories, the allowable noise exposure standard is increased in five dBA increments in each category as appropriate to encompass or reflect the ambient noise level.<sup>6</sup>

### (b) Interior Noise

The Town Noise Ordinance, Section 8.16.080, states that interior noise levels resulting from outside sources within residential units shall not exceed:

- 45 dBA between 7 a.m. and 10 p.m., and
- 35 dBA between 10 p.m. and 7 a.m.<sup>7</sup>

If the existing interior ambient noise level exceeds the level permissible within the noise limit categories, the allowable noise exposure standard is increased in five dBA increments in each category as appropriate to encompass or reflect the ambient noise level.<sup>8</sup>

<sup>5</sup> Noise levels may not exceed the exterior noise standard for a cumulative period of more than thirty minutes in any hour; or plus five decibels for a combined period of more than fifteen minutes in any hour; or plus ten decibels for a combined period of more than five minutes in any hour; or plus fifteen decibels for a combined period of more than one minute in any hour; or plus twenty decibels for any period of time (maximum noise level).

<sup>6</sup> Town of Mammoth Lakes Noise Ordinance Section 8.16.070.

<sup>7</sup> Noise levels may not exceed the interior noise standard for a cumulative period of more than five minutes in any hour; or plus five decibels for a combined period of more than one minute in any hour; or plus ten decibels for any period of time (maximum noise level).

<sup>8</sup> Town of Mammoth Lakes Noise Ordinance Section 8.16.080.

Table 4.8-1

## Town Exterior Noise Ordinance Standards

Receiving Land Use	Time Period	Noise Zone Classifications Maximum Noise Levels (dBA) L <sub>50</sub>		
		Rural/ Suburban	Suburban	Urban
One and Two Family Residential	10 p.m. to 7 a.m.	40	45	50
	7 a.m. to 10 p.m.	50	55	60
Multiple Dwelling Residential/Public Space	10 p.m. to 7 a.m.	45	50	55
	7 a.m. to 10 p.m.	50	55	60
Limited Commercial/Some Multiple Dwellings	10 p.m. to 7 a.m.		55	
	7 a.m. to 10 p.m.		60	
Commercial	10 p.m. to 7 a.m.		60	
	7 a.m. to 10 p.m.		65	
Light Industrial	Anytime		70	
Industrial	Anytime		75	

<sup>a</sup> The classification of different areas of the community in terms of environmental noise zones shall be determined by the noise control officer, based upon assessment of community noise survey data. Additional area classifications should be used as appropriate to reflect both lower and higher existing ambient levels than those shown. Industrial noise limits are intended primarily for use at the boundary of industrial zones rather than for noise reduction within the zone.

<sup>b</sup> Noise levels may not exceed the interior noise standard for a cumulative period of more than five minutes in any hour; or plus five decibels for a combined period of more than one minute in any hour; or plus ten decibels for any period of time (maximum noise level).

<sup>c</sup> If the existing interior or exterior ambient noise level exceeds that permissible within the noise limit categories above, the allowable noise exposure standard is increased in five dBA increments in each category as appropriate to encompass or reflect the ambient noise level.

Source: Town Municipal Code Section 8.16.070

**(c) Construction Noise**

The Town Noise Ordinance identifies specific restrictions regarding construction noise. As outlined in Section 8.16.090, Prohibited Acts, of the Town Noise Ordinance and presented in Error! Reference source not found., *Town Construction Noise Standards*, the Town has established maximum exterior noise levels from the operation of equipment used in construction, drilling, repair, alteration or demolition work. All mobile and stationary internal-combustion-powered equipment and machinery is also required to be equipped with suitable exhaust and air-intake silencers in proper working order. Chapter 15.08 of the Municipal Code sets limits on construction hours. Operations permitted under a building permit shall be limited to the hours between 7 a.m. and 8 p.m., Monday through Saturday. Work hours on Sundays and Town recognized holidays shall be limited to the hours between 9 a.m. and 5 p.m. and permitted only with the approval of the building official or designee.

**Table 4.8-2**

**Town Construction Noise Standards**

<b>Construction Equipment <sup>a</sup></b>	<b>Type I Areas Single-Family Residential</b>	<b>Type II Areas Multi- Family Residential</b>	<b>Type III Areas Semi-Residential Commercial <sup>a</sup></b>	<b>Business Properties</b>
<b>Mobile Equipment –Short-term Noise <sup>b</sup></b>				
Daily, except Sundays and legal holidays; 7:00 a.m. to 8:00 p.m.	75 dBA	80 dBA	85 dBA	----
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays	60 dBA	65 dBA	70 dBA	----
Daily, including Sunday and legal holidays, all hours	----	----	----	85 dBA
<b>Stationary Equipment –Long-term Noise <sup>c</sup></b>				
Daily, except Sundays and legal holidays; 7:00 a.m. to 8:00 p.m.	60 dBA	65 dBA	70 dBA	----
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays	50 dBA	55 dBA	60 dBA	----
Daily, including Sunday and legal holidays, all hours	----	----	----	75 dBA

<sup>a</sup> All mobile or stationary internal combustion engine-powered equipment or machinery shall be equipped with suitable exhaust and air intake silencers in proper working order.

<sup>b</sup> Maximum noise levels for nonscheduled, intermittent, short-term operation (less than 10 days) of mobile equipment (e.g., excavator, backhoe, dozer, etc.).

<sup>c</sup> Maximum noise levels for repetitively scheduled and relatively long-term operation (periods of 10 days or more) of stationary equipment (e.g., generators, compressors, etc.).

Source: Town Municipal Code Section 8.16.090.

**(d) Snow Removal Activities**

Section 8.16.100 of the Town Noise Ordinance provides an exemption for the performance of emergency work such as may be required to prevent or alleviate personal property damage caused by an emergency. Although not specifically cited as such in the Noise Ordinance, the Town considers snow removal activities for purposes of public safety and emergency work when it occurs on public roadways, in parking lots, or around places of business.

**(e) Groundborne Vibration**

According to Section 8.16.020 of the Town Noise Ordinance, “vibration perception threshold” means the minimum groundborne or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects. At a motion velocity of 0.01 inches per second RMS over the range of one to one hundred Hz

a person would feel a vibration. Therefore, as established in the Town Noise Ordinance, the vibration perception threshold of 0.01 inches per second RMS would be 0.04 inches per second PPV. Section 8.16.090 of the Ordinance prohibits operating or permitting the operation of any device that creates a vibration which is above the vibration perception threshold of an individual at or beyond the property boundary of the source if on private property or at 150 feet (forty-six meters) from the source if on a public space or public right-of-way. The Town's vibration perception threshold is 0.01 inches per second RMS over the range of one to one hundred Hz, or 0.04 inches per second PPV.

## **b. Existing Conditions**

### **(1) Noise-Sensitive Receptors**

Human response to noise varies widely depending on the type of noise, time of day, and sensitivity of the receptor. The effects of noise on humans can range from temporary or permanent hearing loss to mild stress and annoyance resulting in speech interference and sleep deprivation. Some land uses are considered more sensitive to intrusive noise than others due to the amount of noise exposure and the types of activities typically involved at the receptor location. Specifically, residences, schools, libraries, religious institutions, hotels, hospitals and nursing homes and parks and recreation areas are generally more sensitive to noise than are commercial and industrial land uses. Several sensitive land uses exist within the commercially designated areas and within the Project Area of the Land Use Element/Zoning Code Amendments and Mobility Element Update.

### **(2) Ambient Noise Levels**

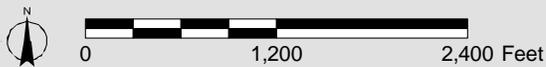
In order to quantify existing ambient noise levels in the Land Use Element/Zoning Code Amendments and Mobility Element Update areas, ESA PCR staff conducted noise measurements from Friday, August 20, to Friday, August 28, 2015 at eleven locations. The noise measurement sites were representative of typical existing noise exposure within the project areas. The noise measurement locations are described below, and as shown in **Figure 4.8-2, Noise Measurement Locations**, both long-term and short-term measurements were conducted. Long-term measurements were conducted at locations L1 through L4, and short-term (15-minute) measurements were recorded at locations S1 through S7. A description of the measurement locations are provided below:

- **Measurement Location L1:** This measurement was taken at approximately 140 feet east from the northeast corner of Main Street and Minaret Road. The measurement is reflective of the noise environment along Main Street, between Minaret Road and Mountain Boulevard.
- **Measurement Location L2:** This measurement was taken on Main Street across from the southeast corner of Main Street and Old Mammoth Road. The measurement is reflective of the noise environment along Main Street between Sierra Park Road and Forest Trail.
- **Measurement Location L3:** This measurement was taken at the southwest corner of Old Mammoth Road and Meridian Boulevard. The measurement is reflective of the noise environment along Old Mammoth Road, between Sierra Nevada Road and Meridian Boulevard and along Meridian Boulevard, west of Sierra Park Road.



**Noise Measurement Locations**

-  Long Term
-  Short Term



**Noise Measurement Locations**

Land Use Element/Zoning Code Amendment and Mobility Element Update  
 Source: Microsoft, 2010 (Aerial); PCR Services Corporation, 2016.

FIGURE  
**4.8-2**

This page is intentionally blank.

- **Measurement Location L4:** This measurement was taken at the northwest corner of Meridian Boulevard and Minaret Road. The measurement is reflective of the noise environment along Meridian Boulevard, between Sierra Star Parkway and Joaquin Road and along Minaret Road, between Bear Lake Drive and Evening Star Drive.
- **Measurement Location S1:** This measurement was taken at the northwest corner of Main Street and Mountain Boulevard. The measurement is reflective of the noise environment along Main Street, between Mountain Boulevard and Sierra Boulevard and along Mountain Boulevard, north of Main Street.
- **Measurement Location S2:** This measurement was taken at the northwest corner of Main Street and Sierra Boulevard. The measurement is reflective of the noise environment along Main Street, between Sierra Boulevard and Pinecrest Avenue and along Pinecrest Avenue, north of Main Street.
- **Measurement Location S3:** This measurement was taken at the northwest corner of Main Street and Pinecrest Avenue. The measurement is reflective of the noise environment along Main Street, between Pinecrest and Old Mammoth Road and along Pinecrest Avenue, north of Main Street.
- **Measurement Location S4:** This measurement was taken at the southeastern corner of Old Mammoth Road and Sierra Nevada Road. The measurement is reflective of the noise environment along Old Mammoth Road, between Sierra Nevada Road and Tavern Road and along Sierra Nevada Road, east of Old Mammoth Road.
- **Measurement Location S5:** This measurement was taken at the southeastern corner of Old Mammoth Road and Chateau Road. The measurement is reflective of the noise environment along Old Mammoth Road, south of Chateau Road and along Chateau Road, east of Old Mammoth Road.
- **Measurement Location S6:** This measurement was taken at the northwestern corner of Meridian Boulevard and Sierra Park Road. The measurement is reflective of the noise environment along Meridian Boulevard, between Old Mammoth Road and Sierra Park Road and along Sierra Park Road, north of Meridian Boulevard.
- **Measurement Location S7:** This measurement was taken at the southeastern corner of Old Mammoth Road and Tavern Road. The measurement is reflective of the noise environment along Old Mammoth Road, between Main Street and Tavern Road and along Tavern Road, east of Old Mammoth Road.

A summary of the noise measurements is provided in Error! Reference source not found., *Summary of Ambient Noise Measurements*. As shown in **Error! Reference source not found.**, the existing ambient noise levels at measurement locations exceed the Town's exterior noise limits presented above in the Table 4.8-1 during the daytime.

### Aircraft Noise

According to the General Plan Update EIR, the Mammoth Yosemite Airport would have 400 flights per month, primarily by single-engine private aircraft.<sup>9</sup> A commercial turbo-prop provides limited service.

<sup>9</sup> *Town of Mammoth Lakes, General Plan Update EIR, October 2005.*

Existing airport noise does not contribute substantially to the ambient noise level in the Town according to

Table 4.8-3

## Summary of Ambient Noise Measurements

Location, Duration, Existing Land Uses and, Date of Measurements	Measured Ambient Noise Levels, <sup>a</sup> (dBA)		
	Day time (7 a.m. to 10 p.m.) Hourly L <sub>50</sub>	Night time (10 p.m. to 7 a.m.) Hourly L <sub>50</sub>	24-Hour Average, CNEL
<b>L1</b>			
8/20/15 (partial 12 hours)/ Thursday	56 – 64	48 – 54	N/A
8/21/15 (full 24 hours)/ Friday	59 – 63	35 – 57	62
8/22/15 (full 24 hours)/ Saturday	58 – 63	35 – 56	62
8/23/15 ( full 24 hours )/ Sunday	54 – 62	34 – 53	60
8/24/15 (full 24 hours)/ Monday	61 – 62	35 – 55	N/A
<b>Average:</b>	<b>61</b>	<b>50</b>	
<b>L2</b>			
8/20/15 (partial 11 hours)/ Thursday	58 – 63	50 – 53	N/A
8/21/15 (full 24 hours)/ Friday	56 – 63	45 – 57	62
8/22/15 (full 24 hours)/ Saturday	56 – 62	44 – 58	61
8/23/15 (partial 15 hours )/ Sunday	59 – 61	41 – 54	N/A
<b>Average</b>	<b>61</b>	<b>52</b>	
<b>L3</b>			
8/26/15 (partial 12 hours)/ Wednesday	54 – 61	43 – 53	N/A
8/27/15 (full 24 hours)/ Thursday	55 – 61	36 – 53	60
8/28/15 (partial 9 hours )/ Friday	59 – 61	44 – 55	N/A
<b>Average</b>	<b>60</b>	<b>48</b>	
<b>L4</b>			
8/24/15 (partial 8 hours)/ Monday	46 – 56	42 – 44	N/A
8/25/15 ( partial 19 hours)/ Tuesday	53 – 57	25 – 49	N/A
<b>Average</b>	<b>42</b>	<b>54</b>	
<b>S1</b>			
8/26/15 (1 p.m. to 2 p.m.)/ Wednesday	69	N/A	N/A
<b>S2</b>			
8/26/15 (11 a.m. to 12 p.m.)/ Wednesday	68	N/A	N/A
<b>S3</b>			
8/25/15 (2 p.m. to 3 p.m.)/ Tuesday	68	N/A	N/A
<b>S4</b>			
8/28/15 (10 a.m. to 11 a.m.)/ Friday	66	N/A	N/A
<b>S5</b>			
8/28/15 (9 a.m. to 10 a.m.)/ Friday	65	N/A	N/A
<b>S6</b>			
8/27/15 (11 a.m. to 12 p.m.)/ Thursday	67	N/A	N/A
<b>S7</b>			
8/27/15 (2 p.m. to 3 p.m.)/ Thursday	64	N/A	N/A

<sup>a</sup> Detailed measured noise data, including hourly L<sub>eq</sub> levels, are included in Appendix D of this EIR

Source: ESA PCR, 2016.

the County of Mono Noise Element. In addition to aircraft operation at the airport, the community is occasionally exposed to noise from helicopters using the helipad at the Town hospital. The Final Supplement to the Subsequent EIR for the Mammoth Yosemite Airport Expansion project states that the Federal Aviation Administration accepted the noise exposure criterion levels as required by the California Department of Transportation, Division of Aeronautics of CNEL 60, 65, 70, and 75. The Mammoth Yosemite Airport has a relatively small size of CNEL 70 and 75 noise exposure areas. The area exposed to aircraft noise of CNEL 65 and higher remains within the airfield boundary of the Airport on either Airport property or vacant land controlled by the Airport through leases or use permits. There are no noise sensitive land uses and no people living within the CNEL 65 noise exposure area. Therefore, neither the Land Use Element/Zoning Code Amendments nor the Mobility Element Update areas would expose people to any of the airport CNEL 65 noise exposure areas.

## **2. METHODOLOGY AND THRESHOLDS**

### **a. Methodology**

The Land Use Element/Zoning Code Amendments would change the allowable intensity of development within commercially designated areas to require a minimum 0.75 FAR and allow up to 2.0 FAR with no room or unit cap. The placement of mixed-use infill adjacent to non-residential land uses could result in noise impacts on residential land uses because of the differences in noise generated as well as in acceptable noise levels between residential and commercial land uses. The Mobility Element Update would result in the construction of street extension/connections, trails, bike lanes, sidewalks and would provide for the reconfiguration of Main Street from an auto-dominated state highway into a pedestrian-first area. As this is a Program EIR, the noise analysis focuses on the noise anticipated from projected development, but not actual projects. Subsequent focused environmental review would be conducted, as necessary, for individual projects.

#### **(1) Construction Noise**

Estimated construction noise impacts were evaluated by determining the noise levels generated by the different types of construction activity estimated to occur, calculating the construction-related noise level at varying distances. More specifically, the following steps were undertaken to determine construction-period noise impacts.

1. The ambient noise measurements were conducted using a Larson-Davis 820 Precision Integrated Sound Level Meter (SLM). The Larson-Davis 820 SLM is a Type 1 standard instrument as defined in the American National Standard Institute (ANSI) S1.4. All instruments were calibrated and operated according to the applicable manufacturer specification. In accordance with the Town Noise Ordinance (Section 8.16.060) and with industry practice, the microphone was placed at a height of 5 feet above the local grade.
2. Typical noise levels for each type of construction equipment were obtained from the Federal Highway Administration (FHWA) roadway construction noise model (RCNM); and
3. Construction noise levels were then estimated in terms of hourly  $L_{eq}$ , at varying distances based on the standard point source noise-distance attenuation factor of 6.0 dBA for each doubling of distance.

## (2) Off-Site Roadway Noise

Estimated roadway noise impacts have been evaluated using the Caltrans Technical Noise Supplement (TeNS) methodology based on the roadway traffic volume data provided in the Traffic Impact Study prepared for the Project. This methodology allows for the definition of roadway configurations, barrier information (if any), and receiver locations. Estimated roadway noise attributable to projected project development was calculated and compared to baseline noise levels that would occur under the “no project” condition.

## (3) Stationary Point-Source Noise (Operation)

Estimated stationary point-source noise impacts have been evaluated by identifying the noise levels generated by outdoor stationary noise sources such as rooftop mechanical equipment and loading dock activities, calculating the hourly  $L_{eq}$  noise level from each noise source at surrounding sensitive receiver property line locations, and comparing such noise levels to existing ambient noise levels. More specifically, presumed ambient noise levels were applied to the analysis (see Table 4.8-1) to estimate outdoor stationary point-source noise impacts. It is assumed that outdoor mechanical equipment would be designed not to exceed the maximum allowable noise emissions required by the Chapter 8.16 of the Town Noise Ordinance.

## (4) Groundborne Vibration (Construction and Operation)

Projected groundborne vibration impacts were evaluated by identifying potential vibration sources, the distance between vibration sources and surrounding structure locations, estimating the maximum vibration level at vibration sensitive receptor locations, and making a significance determination based on the significance thresholds described below.

### b. Thresholds of Significance

For purposes of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether a project would have a significant environmental impact regarding noise. Based on the potential for noise impacts, the thresholds identified below are included for evaluation in this EIR. The Project would result in a significant impact with regard to noise if the Project would:

- NOISE-1** Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance (i.e., create noise levels in excess of 75 dBA  $L_{eq}$  during construction between the hours of 7:00 a.m. to 8:00 p.m. daily, except Sundays and legal holidays, for single-family residential uses; or create noise levels in excess of 80 dBA  $L_{eq}$  during construction between the hours of 7:00 a.m. to 8:00 p.m. daily, except Sundays and legal holidays, for multi-family residential uses).
- NOISE-2** Create a substantial permanent increase in ambient noise levels in the project vicinity above existing levels without the project.
- NOISE-3** Create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above existing levels without the project.

**NOISE-4** Expose persons to or generate excessive groundborne vibration or groundborne noise levels (i.e., generate groundborne vibration levels equivalent to or exceeding the perception threshold of 0.04 inches per second PPV at any off-site sensitive uses).

The Town of Mammoth Lakes Noise Ordinance is used to quantitatively evaluate the estimated noise impacts from construction and operation of the Project. The Project would have a significant impact on noise levels and/or sensitive receptors with regards to operational noise under NOISE-2 if the following would occur:

- Cause ambient noise levels from traffic to increase by 5 dBA CNEL or more in areas that would exceed the Town Exterior Noise Ordinance Standards.<sup>10</sup>
- Result in noise levels at off-site sensitive receptors to exceed the presumed ambient noise levels indicated in Table 4.8-1 (if the exterior ambient noise level exceeds the permissible level within the noise limit category, the allowable noise exposure standard is increased in five (5) dBA increments in each category as appropriate to encompass or reflect the ambient noise level).

The Project would have a significant impact on noise levels and/or sensitive receptors with regards to construction noise under NOISE-3 if the following would occur:

- Result in noise levels at off-site sensitive receptors to exceed the presumed ambient noise levels indicated in Table 4.8-2 as codified June 2016 (if the exterior ambient noise level exceeds the permissible level within the noise limit category, the allowable noise exposure standard is increased in five (5) dBA increments in each category as appropriate to encompass or reflect the ambient noise level).

As indicated in Chapter 6.0, *Other Mandatory CEQA Considerations*, of this EIR, airport noise is not evaluated since the proposed Land Use Element/Zoning Code Amendments would not be located within the vicinity of the airport. In addition, airport noise impacts would not be pertinent to the proposed Mobility Element Update because the latter does not affect the location of occupied structures, such as residences or businesses. In addition, the proposed amendments regarding People At One Time (PAOT), Community Business Incentives Zoning (CBIZ) and Transfer Development Rights (TDRs) do not result in changes in the noise environment and therefore, are not evaluated in this analysis.

### **c. Applicable General Plan Goals/Policies and Adopted Mitigation Measures**

This section provides the applicable General Plan goals and policies as well as measures from the adopted Mitigation Monitoring and Reporting Program (MMRP) from the Trails System Master Plan.

#### **Community Design Element**

The Community Design Element of the 2007 General Plan contains a section entitled Quiet Community. Applicable goals/policies include the following:

<sup>10</sup> *The Town does not have a noise threshold for traffic noise impacts. Thus, a threshold of an increase in 5 dBA CNEL or more is utilized as a threshold, as this increase would represent a perceivable increase to humans over the existing ambient noise level.*

Goal C.6: Enhance community character by minimizing noise.

- Policy C.6.A.: Minimize community exposure to noise by ensuring compatible land uses around noise sources.
- Policy C.6.B: Allow development only if consistent with the Noise Element and the policies of this Element. Measure noise use for establishing compatibility in dBA CNEL and based on worst-case noise levels, either existing or future, with future noise levels to be predicted based on projected 2025 levels.
- Policy C.6.C: Development of noise-sensitive land uses shall not be permitted in areas where the noise level from existing stationary noise sources exceeds the noise level standards described in the Noise Element.
- Policy C.6.D: Require development to mitigate exterior noise to “normally acceptable” levels in outdoor areas.
- Policy C.6.E: Address noise issues through the planning and permitting process.
- Policy C.6.F: Require mitigation of all significant noise impacts as a condition of project approval.
- Policy C.6.G: Require preparation of a noise analysis or acoustical study, which is to include recommendations for mitigation, for all proposed projects that may result in potentially significant noise impacts.

### **Mitigation Monitoring and Reporting Program**

The Mitigation Monitoring and Reporting Program (MMRP) for the Town of Mammoth General Plan does not include mitigation measures applicable to noise. However, the adopted MMRP for the TSMP contains the following mitigation measures that are applicable to noise:

**TSMM4.J-1.A:** Engine idling from construction equipment such as bulldozers and haul trucks shall be limited, to the extent feasible.

**TSMM4.J-1.B:** The construction staging areas shall be located as far as feasible from sensitive receptors.

**TSMM4.J-1.C:** All construction activities shall comply with the Town’s Noise Ordinance.

## **3. ENVIRONMENTAL IMPACTS**

The analysis of estimated noise impacts below applies to all future development associated with the Land Use Element/Zoning Code Amendments and/or Mobility Element Update, unless stated otherwise.

**Threshold NOISE-1:** The project would result in a significant impact if it would expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (i.e., create noise levels in excess of 75 dBA  $L_{eq}$  during construction between the hours of 7:00 a.m. to 8:00 p.m. daily, except Sundays and legal holidays, for single-family residential uses; or create noise levels in excess of 80 dBA  $L_{eq}$  during construction between the hours of 7:00 a.m. to 8:00 p.m. daily, except Sundays and legal holidays, for multi-family residential uses).

**Impact Statement NOISE-1:** *Construction activities associated with implementation of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update would comply with the daytime hours specified in the Town's Noise Ordinance. However, construction noise levels could temporarily exceed the noise limits in the Town's Noise Ordinance resulting in potentially significant short-term impacts to sensitive receptors. With incorporation of previously adopted mitigation measures and MM AES-1, temporary noise impacts to sensitive receptors would be reduced to less than significant.*

The Land Use Element/Zoning Code Amendments could result in an increase in intensity of development within the commercially designated areas of the Town. The Mobility Element Update would result in complete streets through the construction of street extension/connections, and multi-modal transportation network through the development of trails, bike lanes, and sidewalks. In addition, the Mobility Element Update would allow for the reconfiguration of Main Street from an auto-dominated state highway into a pedestrian-first area. Future development within commercial zones along Main Street and Old Mammoth Road would be infill development. The placement of residential infill adjacent to non-residential land uses could result in noise impacts on residential land uses because of the differences of the allowable maximum exterior noise levels between residential and commercial land uses. The timing of the construction activities of individual projects associated with the Land Use Element/Zoning Code Amendments and/or the Mobility Element Update cannot be determined at this time. Construction of individual projects would occur as property owners decide that development is warranted based in large part on the market. The duration of construction is dependent on individual project types. As this is a Program EIR, the noise analysis is general and individual projects would be required to undergo separate environmental review under CEQA and the Town's review process.

In general, noise from construction activities would be generated by vehicles and equipment involved during various stages of construction operations: demolition, grading, building construction, and paving. The temporary noise levels created by construction equipment would vary depending on factors such as the type of equipment, the specific model, the operation being performed and the condition of the equipment. Construction noise associated with the potential construction activities was analyzed using typical construction equipment (dozers, tractors, loaders, pavers, trenchers, forklifts, etc.), and typical construction phasing. Trucks would also be used to deliver equipment and building materials, and to haul away landscape and construction debris. This equipment would generate both steady-state and episodic noise that could be heard both on and off the construction sites.

Individual pieces of construction equipment that would likely be used for construction produce maximum noise levels of 77 dBA to 85 dBA at a reference distance of 50 feet from the noise source, as shown in **Table 4.8-4, Construction Equipment Noise Levels**, below. These maximum noise levels would occur when equipment is operating under full power conditions. However, equipment used on construction sites often

Table 4.8-4

## Maximum Noise Levels Generated by Typical Construction Equipment

Type of Equipment	Maximum Sound Levels at Indicated Distance (dBA) <sup>a</sup>			
	25 feet	50 feet	100 feet	200 feet
Air Compressor	84	78	72	66
Backhoe	84	78	72	66
Concrete Mixer	85	79	73	67
Crane, Mobile	87	81	75	69
Dozer	88	82	76	70
Grader	91	85	79	73
Jack Hammer	95	89	83	77
Loader	85	79	73	67
Paver	83	77	71	65
Pneumatic Tool	91	85	79	73
Pump	87	81	75	69
Roller	86	80	74	68
Saw (concrete)	96	90	84	78
Scraper	90	84	78	72
Truck	82	76	70	64
Minimum Sound Level	82	76	70	64
Maximum Sound Level	96	90	84	78

<sup>a</sup> Sound levels at 25 feet, 100 feet and 200 feet are calculated based on reference noise levels at 50 feet. Calculation assumes a drop-off rate of 6-dB per doubling of distance, which is appropriate for use in characterizing point-source (such as construction equipment) sound attenuation over a hard surface propagation path.

Source: FHWA Roadway Construction Noise Model User's Guide, Table 1, 2006; and ESA PCR, 2016.

operates under less than full power condition, or partial power. To more accurately characterize construction-period noise levels, the average ( $L_{eq}$ ) noise level associated with each construction stage is provided in **Table 4.8-5, Construction Noise Levels ( $L_{eq}$ ) by Distance and Construction Stage**, below. These average noise levels are based on the quantity, type, and usage factors for each type of equipment that would likely be used during each construction stage, and is typically attributable to multiple pieces of equipment operating simultaneously.

Table 4.8-5 provides the estimated worst-case construction noise levels at potential nearby noise sensitive receptors from a construction site. The estimated noise levels represent a conservative scenario because construction activities are analyzed as if occurring along the perimeter of the construction area; whereas, construction would typically occur throughout the site, farther away from noise-sensitive receptors. As

Table 4.8-5

Construction Average  $L_{eq}$  Noise Levels by Distance and Construction Stage

Construction Stage	Sound Level in dBA ( $L_{eq}$ ) at Indicated Distance				
	25 Feet	50 Feet	100 Feet	200 Feet	400 Feet
Site Preparation / Grading	92	86	80	74	68
Foundations	83	77	71	65	59
Structural	89	83	77	71	65
Finishing	92	86	80	74	68

*Assumes a hard surface propagation path drop-off rate of 6-dB per doubling of distance (Sound Level at distance X = Sound level at 50 ft - 20LOG (x/50)), which is appropriate for use in characterizing point-source (such as construction equipment) sound attenuation.*

*Source: EPA, Noise from Construction Equipment and Operations, Building Equipment and Home Appliances, PB 206717, 1971; and ESA PCR, 2016.*

shown in Table 4.8-5, the average temporary construction-period (i.e., various construction stages) noise is expected to range from 71 dBA to 80 dBA at 100 feet and from 65 dBA to 74 dBA at 200 feet from a construction site. If multi-family residential uses would be located within 100 feet from a proposed construction site, construction noise levels would exceed the significance threshold of 80 dBA,  $L_{eq}$ . If single family residential uses would be located within 200 feet from a proposed construction site, construction noise levels would exceed the significance threshold of 75 dBA,  $L_{eq}$ .

Construction activities would occur during daytime hours only as described by Section 8.16.090 of the Town Noise Ordinance. However, without incorporation of mitigation measures, the estimated construction-period temporary noise levels could exceed 75 dBA at single-family residential uses located within 200 feet from a construction site and 80 dBA at multi-family residential uses located within 100 feet from a construction site. This is considered a short-term potentially significant impact. However, with implementation of the mitigation measures identified above, under Section c. Applicable General Plan Goals/Policies and Adopted Mitigation Measures, and MM AES-1, temporary construction noise impacts to sensitive receptors would be less than significant.

### Mitigation Measures

As discussed above, construction activities associated with implementation of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update could result in temporary significant noise impacts to sensitive receptors that exceed regulatory standards. Therefore, the following mitigation measure from 4.1 Aesthetics is recommended, in addition to TSMM 4.J-1A through 4.J-CC to further reduce temporary construction noise impacts.

**MM AES-1:** Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material from public and sensitive viewers (e.g., residents and motorists/bicyclists/pedestrians), when feasible. Staging locations shall be indicated on the project Building Permit and Grading

Plans and shall be subject to review by the Town of Mammoth Lakes Community and Economic Development Director in accordance with the Municipal Code requirements.

**Threshold NOISE-2:** The project would have a significant impact if the project would create a substantial permanent increase in ambient noise levels in the project vicinity above existing levels without the project.

**Impact Statement NOISE-2:** *Implementation of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update improvements would not create a substantial permanent increase in traffic noise levels or stationary source noise levels at off-site noise-sensitive uses in excess of the applicable thresholds. Therefore, impacts would be less than significant.*

### **(a) Roadway Noise**

The Mobility Element Update would provide for the increase in traffic that would occur over time as the Town reaches buildout and would alter traffic patterns through the implementation of the complete street network. Estimated future roadway noise levels were calculated along various arterial segments in the Project Area. Roadway noise attributable to potential development was calculated using the traffic noise model previously described and was compared to baseline noise levels that would occur under the “No Project” condition. The following four scenarios were analyzed to determine off-site traffic noise impacts from implementation of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update:

- Scenario 3 – General Plan Buildout with Existing Roadway Network
- Scenario 4 – General Plan Buildout with Mobility Element Update
- Scenario 5 – Land Use Element/Zoning Code Amendments with Existing Roadway Network
- Scenario 6 – Land Use Element/Zoning Code Amendments with Mobility Element Update

Estimated traffic noise impacts are shown in **Table 4.8-6, Off-Site Traffic Noise Impacts**. As indicated, the maximum increase in future traffic noise levels over existing traffic noise levels would be up to 7.4 dBA, CNEL, which would occur along Fairway Drive, south of Old Mammoth Road under all four scenarios. This permanent increase in sound level would exceed the threshold of a 5 dBA CNEL. The Snowcreek Golf Course is located on the west side of Fairway Drive south of Old Mammoth Road and vacant land zoned as resort land use is located on the east side of Fairway Drive south of Old Mammoth Road. Noise sensitive uses, such as residential uses, are not located along Fairway Drive, south of Old Mammoth Road. Residential uses are located at the southern end of Fairway Drive south of the intersection with Fairway Circle. Under the Snowcreek VIII, Snowcreek Master Plan Update – 2007 (2007 Snowcreek Master Plan), the vacant land use located on the east side of Fairway Drive is proposed for commercial/retail, hotel, club/office space, residential condominiums (single and multi-family units), and other recreational and commercial uses. The predicted roadway noise along Fairway Drive, south of Old Mammoth Road could potentially result in an increase of 5 dBA or more. However, as shown in Table 4.8-6, the roadway noise level associated with implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update (Scenario 6) would be approximately 58.8 dBA, CNEL, which is less than 60 dBA. Similarly, the roadway noise level associated with implementation of the Mobility Element Update under 2007 General Plan buildout conditions (Scenario 4) would be approximately 58.9 dBA, CNEL, which is less than 60 dBA. The roadway noise level associated with implementation of the Land Use Element/Zoning Code Amendments under the

Table 4.8-6

## Off-Site Traffic Noise Impacts

## Traffic Noise Levels at 100 feet from Roadway Centerline, CNEL (dBA)

Roadway Segment	Existing <sup>a</sup> (A)	Scenario 3 General Plan Buildout With Existing Roadway Network/ Scenario 3 Increase (B)	Scenario 4 General Plan Buildout With Mobility Element Update/ Scenario 4 Increase (C)	Scenario 5	Scenario 6
				Land Use Element/ Zoning Code Amendments With Existing Roadway Network/ Scenario 5 Increase (D)	Use Element/ Zoning Code Amendments With Mobility Element Update/ Scenario 6 Increase (E)
<b>Main Street</b>					
Between Minaret Road and Mountain Boulevard	64.2	65.7/1.5	65.9/1.7	65.9/1.7	66.1/1.9
Between Mountain Boulevard and Post Office	64.8	65.5/0.7	66.6/1.2	65.8/1.0	66.4/1.6
Between Post Office and Center Street	65.0	65.4/0.4	66.0/1.0	65.8/0.8	66.7/1.7
Between Center Street and Forest Trail	64.9	65.3/0.4	65.9/1.0	65.7/0.8	66.5/1.6
Between Forest Trail and Laurel Mountain Road	65.3	65.8/0.5	66.2/0.9	66.2/0.9	66.8/1.5
Between Laurel Mountain Road and Old Mammoth Road	64.7	65.2/0.5	65.6/0.9	65.4/0.7	66.0/1.3
Between Old Mammoth Road and Sierra Park Boulevard	61.7	62.2/0.5	62.2/0.5	62.1/0.4	62.5/0.8
Between Sierra Park Road Boulevard and Thompson Way	61.6	61.9/0.3	61.9/0.3	61.8/0.2	62.2/0.6
<b>Old Mammoth Road</b>					
Between Main Street and Tavern Road	62.3	62.8/0.5	62.9/0.6	63.3/1.0	63.5/1.2

Table 4.8-6 (Continued)

## Off-Site Traffic Noise Impacts

## Traffic Noise Levels at 100 feet from Roadway Centerline, CNEL (dBA)

Roadway Segment	Existing <sup>a</sup> (A)	Scenario 3 General Plan Buildout With Existing Roadway Network/ Scenario 3 Increase (B)	Scenario 4 General Plan Buildout With Mobility Element Update/ Scenario 4 Increase (C)	Scenario 5 Land Use Element/ Zoning Code Amendments With Existing Roadway Network/ Scenario 5 Increase (D)	Scenario 6 Use Element/ Zoning Code Amendments With Mobility Element Update/ Scenario 6 Increase (E)
Between Tavern Road and Sierra Nevada Road	62.4	63.0/0.6	62.8/0.5	63.8/1.4	63.6/1.2
Between Sierra Nevada Road and Meridian Boulevard	62.1	62.8/0.7	62.4/0.3	63.6/1.5	63.1/1.0
Between Meridian Boulevard and Chateau Road	61.0	62.1/1.1	61.5/0.5	62.9/1.9	62.1/1.1
Between Chateau Road and Minaret Road	58.7	60.8/2.1	60.1/1.4	61.3/2.5	60.5/1.8
<b>Meridian Boulevard</b>					
Between Minaret Road and Old Mammoth Road	63.5	64.3/0.8	64.0/0.5	64.7/1.2	64.1/0.6
Between Old Mammoth Road and Sierra Park Road	63.7	64.1/0.4	63.9/0.2	64.6/0.9	64.0/0.3
<b>Minaret Road</b>					
Between Forest Trail and Lake Mary Road	61.7	62.5/0.8	62.6/0.9	62.6/0.9	62.7/1.0
Between Lake Mary Road and Meridian Boulevard	61.3	63.1/1.8	62.7/1.4	63.2/1.9	62.6/1.3
Between Meridian Boulevard and Old Mammoth Road	58.4	61.2/2.8	60.7/2.3	61.2/2.8	60.5/2.1

Table 4.8-6 (Continued)

## Off-Site Traffic Noise Impacts

## Traffic Noise Levels at 100 feet from Roadway Centerline, CNEL (dBA)

Roadway Segment	Existing <sup>a</sup> (A)	Scenario 3 General Plan Buildout With Existing Roadway Network/ Scenario 3 Increase (B)	Scenario 4 General Plan Buildout With Mobility Element Update/ Scenario 4 Increase (C)	Scenario 5 Land Use Element/ Zoning Code Amendments With Existing Roadway Network/ Scenario 5 Increase (D)	Scenario 6 Use Element/ Zoning Code Amendments With Mobility Element Update/ Scenario 6 Increase (E)
<b>Lake Mary Road</b>					
West of Minaret Road	62.5	65.5/3.0	65.3/2.8	65.6/3.1	65.5/3.0
<b>Fairway Drive</b>					
South of Old Mammoth Road	52.7	60.0/7.3	58.9/6.2	60.1/7.4 <sup>b</sup>	58.8/6.1
<b>Mountain Boulevard</b>					
North of Main Street	52.1	57.7/3.6	56.0/3.9	53.8/1.7	53.9/1.8
South of Main Street	50.8	53.6/2.8	53.6/2.8	52.6/1.8	52.8/2.0
<b>Tavern Road</b>					
West of Old Mammoth Road	51.8	53.4/1.6	52.3/0.5	55.0/3.2	54.6/2.8
East of Old Mammoth Road	49.9	49.6/-0.3	50.3/0.4	51.3/1.4	51.1/1.2
<b>Sierra Park Road</b>					
Between Main Street and meridian Boulevard	55.1	56.2/1.1	56.0/0.9	56.5/1.4	56.1/1.0
<b>Sierra Nevada Road</b>					
East of Old Mammoth Road	52.3	53.5/1.2	53.3/1.0	53.5/1.2	53.5/1.2
West of Old Mammoth Road	54.7	55.8/1.1	55.6/0.9	56.0/1.3	56.0/1.3
<b>Chateau Road</b>					
East of Old Mammoth Road	52.3	55.7/3.4	55.5/3.2	55.6/3.3	55.1/2.8

**Table 4.8-6 (Continued)**

**Off-Site Traffic Noise Impacts**

**Traffic Noise Levels at 100 feet from Roadway Centerline, CNEL (dBA)**

Roadway Segment	Existing <sup>a</sup> (A)	Scenario 3 General Plan Buildout With Existing Roadway Network/ Scenario 3 Increase (B)	Scenario 4 General Plan Buildout With Mobility Element Update/ Scenario 4 Increase (C)	Scenario 5 Land Use Element/ Zoning Code Amendments With Existing Roadway Network/ Scenario 5 Increase (D)	Scenario 6 Use Element/ Zoning Code Amendments With Mobility Element Update/ Scenario 6 Increase (E)
West of Old Mammoth Road	53.9	55.3/1.4	54.6/0.7	55.8/1.9	55.1/1.2
<b>Thompson Way</b>					
South of Main Street	43.9	41.9/-2.0	45.8/1.9	41.9/-2.0	45.8/1.9

<sup>a</sup> Existing 2015 Traffic Conditions and Existing Roadway Network.

<sup>b</sup> The traffic noise level and traffic noise level increase for Fairway Drive south of Old Mammoth Road under Scenario 5 is provided for informational purposes. However, Scenario 5 could not realistically occur because the future development of land uses along Fairway Drive south of Old Mammoth Road, as described in the 2007 Snowcreek Master Plan, would necessarily require the development of supporting roadways in the area. The development of these additional roadways would be consistent with the circulation improvements in the Mobility Element Update. Therefore, for the purposes of analyzing the potential for noise impacts along this roadway segment (i.e., Fairway Drive south of Old Mammoth Road), Scenario 5 is not a realistically possible development scenario.

Source: ESA PCR, 2016.

existing roadway network (Scenario 5) would be approximately 60.1 dBA, CNEL; however, Scenario 5 could not realistically occur because the future development of land uses along Fairway Drive south of Old Mammoth Road, as described in the 2007 Snowcreek Master Plan, would necessarily require the development of supporting roadways in the area. The development of these additional roadways would be consistent with the circulation improvements in the Mobility Element Update. Therefore, for the purposes of analyzing the potential for noise impacts along this roadway segment (i.e., Fairway Drive south of Old Mammoth Road), Scenario 5 is not a realistically possible development scenario since development could not occur absent the new roads. As the predicted roadway noise levels along Fairway Drive south of Old Mammoth Road would not exceed 60 dBA with implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update (Scenario 6) or the Mobility Element Update under 2007 General Plan buildout conditions, roadway noise impacts would be considered less than significant.

The increase in sound level would be substantially lower (i.e., less than 5 dBA, CNEL) at the remaining roadway segments analyzed. As such, impacts along all other roadway segments analyzed would be less

than significant and no mitigation measures would be required. Scenarios 4 and 6 (General Plan Buildout with Mobility Element Update and Land Use Element/Zoning Code Amendments with Mobility Element Update, respectively) would have 6.2 dBA and 6.1 dBA increases in traffic noise along Fairway Drive, south of Old Mammoth Road, respectively. Scenarios 3 and 5 (General Plan Buildout with Existing Roadway Network and Land Use Element/Zoning Code Amendments with Existing Roadway Network) would have increases in traffic noise of 7.3 dBA and 7.4 dBA along Fairway Drive, south of Old Mammoth Road, respectively. As such, traffic noise with the Mobility Element Update would be approximately 1 dBA less than without the Update when the Land Use Element/Zoning Code Amendments are implemented. Therefore, implementation of the Mobility Element Update would reduce the traffic noise impact to the extent feasible. Traffic noise impacts would be less than significant and no mitigation measures would be required.

### **Mitigation Measures**

Since implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would result in a less than significant impact with regard to increased roadway noise levels at adjacent noise sensitive receptors, no mitigation measures are required.

#### **(b) Stationary Noise**

Implementation of the Mobility Element Update would not include operational stationary noise sources; therefore, the Mobility Element Update would result in no impacts from stationary sources. As a result of the Land Use Element/Zoning Code Amendments, a particular project would generate noise and expose off-site sensitive receptors to noise sources typical of mixed-use areas including; doors slamming, air conditioning units, property maintenance equipment (including landscape, parking lot sweeping, etc.) radio/stereos systems, domestic animals, etc. These noise sources contribute to the ambient noise levels experienced in all similarly-developed areas and typically do not exceed the noise standards for the types of land uses. In addition, these noise sources are consistent with adjacent uses in the vicinity. Therefore, point-source noise impacts resulting from the implementation of the Land Use Element/Zoning Code Amendments would not exceed ambient noise levels and impacts would be less than significant.

Development under the Land Use Element/Zoning Code Amendments could result in new commercial and residential developments located adjacent to noise sensitive properties such as existing residential areas. Depending on how close these developments are situated to the existing residential areas, the types of mechanical equipment used at the developments, and the activities that would occur at the developments, may increase the ambient noise levels. However, all mechanical equipment would be designed with appropriate noise control devices, such as sound attenuators, acoustic louvers, or sound screens/parapet walls to comply with noise limitation requirements provided in Section 8.16.070 of the Town Noise Ordinance, which prevents the noise from such equipment from exceeding ambient noise levels. To meet this standard, the noise from any equipment would need to be at least 10 dBA below ambient noise levels, as noise levels lower than ambient conditions can contribute to the general ambient sound level. Therefore, operation of mechanical equipment associated with the Land Use Element/Zoning Code Amendments would not exceed the Town's noise thresholds and impacts would be less than significant. As such, no mitigation measures would be required.

## Mitigation Measures

Since implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would result in a less than significant impact with regard to increased operational noise levels at adjacent noise sensitive receptors, no mitigation measures are required.

**Threshold NOISE-3:** The project would have a significant impact if the project would create a substantial temporary or periodic increase in ambient noise levels in the project vicinity above existing levels without the project.

**Impact Statement NOISE-3:** *Implementation of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update improvements could temporarily exceed the noise limits in the Town's Noise Ordinance resulting in potentially significant short-term impacts to sensitive receptors. With incorporation of previously adopted mitigation measures and MM AES-1, temporary noise impacts to sensitive receptors would be reduced to less than significant.*

As discussed previously, Table 4.8-5 provides the estimated worst-case construction noise levels at potential nearby noise sensitive receptors from a construction site. The estimated noise levels represent a conservative scenario because construction activities are analyzed as if occurring along the perimeter of the construction area; whereas, construction would typically occur throughout the site, farther away from noise-sensitive receptors. As shown in Table 4.8-5, the average temporary construction-period (i.e., various construction stages) noise is expected to range from 71 dBA to 80 dBA at 100 feet and from 65 dBA to 74 dBA at 200 feet from a construction site. Construction activities would occur during daytime hours only as described by Section 8.16.090 of the Town Noise Ordinance. However, without incorporation of mitigation measures, the estimated construction-period temporary noise levels could exceed 75 dBA at single-family residential uses located within 200 feet from a construction site and 80 dBA at multi-family residential uses located within 100 feet from a construction site. This is considered a short-term potentially significant impact. However, with implementation of the mitigation measures identified above, under Section c. Applicable General Plan Goals/Policies and Adopted Mitigation Measures, and MM AES-1, temporary or periodic noise impacts to sensitive receptors would be less than significant.

**Threshold NOISE-4:** A significant impact would occur if the project would expose persons to or generate groundborne vibration or groundborne noise levels (i.e., generate groundborne vibration levels equivalent to or exceeding the perception threshold of 0.04 inches per second PPV at any off-site sensitive uses).

**Impact Statement NOISE-4:** *Construction activities associated with implementation of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update projects would result in sporadic, temporary vibration effects within and adjacent to the construction areas, which would exceed established thresholds applicable to the nearest off-site sensitive receptors. Thus, construction vibration impacts would be significant and mitigation is required. With implementation of mitigation measure NOISE-1, construction vibration impacts would be reduced to less than significant. Operation activities associated with implementation of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update would not generate excessive vibration levels to nearby sensitive off-site receptors. Thus, long-term vibration impacts would be less than significant.*

Table 4.8-7

**Typical Vibration Velocities  
for Potential Project Construction Equipment**

Equipment	Reference Vibration Source Levels, PPV (inch/second)			
	25 feet	50 feet	100 feet	200 feet
Large bulldozer	0.089	0.031	0.011	0.004
Caisson drilling	0.089	0.031	0.011	0.004
Loaded trucks	0.076	0.027	0.010	0.003
Jackhammer	0.035	0.012	0.004	0.002
Small bulldozer	0.003	0.001	0.0004	0.0001

Source: USDOT Federal Transit Administration, 2006; and ESA PCR, 2016

### Groundborne Vibration during Construction

Construction machinery and operations can generate varying degrees of ground vibration, depending on the construction procedures and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located in the vicinity of a construction site often varies depending on soil type, ground strata, and construction characteristics of the receptor buildings. The results from vibration impacts can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibration from construction activities rarely reaches the levels that damage structures. The Federal Transit Association (FTA) has published standard vibration velocities, in terms of PPV, for construction equipment operations. The typical vibration PPV and RMS levels for construction equipment pieces anticipated to be used during construction associated with the Land Use Element/Zoning Code Amendments and/or Mobility Element Update projects are listed in **Table 4.8-7, Typical Vibration Velocities for Potential Project Construction Equipment.**

With regard to construction activities, high levels of groundborne vibration would be generated primarily during site clearing and grading activities and by off-site haul-trucks traveling on surface streets. As such, groundborne vibration impacts are therefore usually confined to short distances (i.e., 50 feet or less) from the source. As indicated in Table 4.8-7, vibration velocities from the operation of construction equipment would range from approximately 0.003 to 0.089 inches per second PPV at 25 feet from the equipment. Usually, ground-borne vibration decreases rapidly with distance. As indicated in Table 4.8-7, the highest vibration velocity of 0.089 inches per second PPV at a distance of 25 feet from construction equipment would be reduced to 0.031 inches per second PPV at 50 feet distance. At a distance of 100 feet from the source of activity, the vibration velocities from the construction equipment would further reduce to 0.011 inch/second PPV.

Therefore, if a sensitive receptor would be located within 43 feet from a potential construction site, the sensitive receptor would be exposed to vibration velocities of up to 0.04 inches per second PPV resulting in

significant impacts requiring mitigation. Implementation of MM NOISE-1 would ensure that potentially significant construction vibration impacts as a result of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update construction activities are reduced to a less than significant level.

### **Groundborne Vibration during Operation**

The Land Use Element/Zoning Code Amendments would include typical residential and commercial-grade stationary mechanical and electrical equipment such as air handling units, condenser units, exhaust fans, and electrical emergency power generators, which would produce vibration. Groundborne vibration generated by each of the above-mentioned activities would be similar to the existing vibration generated by existing sources (i.e., traffic on adjacent roadways) in the vicinity. The potential vibration impacts from all proposed operation activities at the closest structure locations would be less than the significance threshold 0.04 inches per second PPV for perceptibility. As such, vibration impacts associated with operation of the Land Use Element/Zoning Code Amendments would be below the significance threshold and impacts would be less than significant.

### **Mitigation Measures**

As discussed above, the Land Use Element/Zoning Code Amendments and/or Mobility Element Update construction activities could result in temporary significant groundborne vibration impacts that exceed regulatory standards during construction to off-site sensitive receptors located within 43 feet. Therefore, MM NOISE-1 is recommended to reduce impacts.

**MM NOISE-1:** Heavy construction equipment such as large dozers shall not operate within 43 feet from sensitive receptor locations. If heavy construction equipment would be required for construction, alternative methods shall be used such as small dozers.

## **4. CUMULATIVE IMPACTS**

Cumulative impacts would be associated with the development of vacant parcels and redevelopment of already developed parcels in the Town's commercial area under the Land Use Element/Zoning Code Amendments and transportation improvements associated with the Mobility Element Update which would occur town wide. Since the timing or sequencing of individual projects cannot be ascertained with any certainty any quantitative analysis to ascertain the daily construction noise levels of multiple, concurrent construction would be speculative.

Construction activities associated with the Land Use Element/Zoning Code Amendments and/or Mobility Element Update and cumulative projects may overlap, resulting in construction noise in the area. However, as analyzed above, construction noise impacts primarily affect the areas immediately adjacent to the construction site and would be mitigated to a less than significant level. Additionally, any construction activities would comply with the Town's Municipal Code limitations on allowable hours of construction and would implement TSMM 4.J-1A through 4.J-1C as well as MM AES-1 and MM NOISE-1 to reduce construction noise and vibration impacts to less than significant levels with mitigation. The construction activities associated with the related projects would also be required to comply with Town's Municipal Code limitations on allowable hours of construction and would incorporate mitigation measures on a project-by-project basis, as applicable, to reduce construction noise and vibration pursuant to CEQA provisions.

Therefore, the Land Use Element/Zoning Code Amendments and/or Mobility Element Update's contribution to cumulative noise impacts would be less than significant.

As described above, traffic noise impacts resulting from implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would result in a less than significant impact as a result of traffic noise. Therefore, the increase in traffic noise associated with cumulative projects would also result in a less than significant cumulative traffic noise impact.

Operation of projects associated with the Land Use Element/Zoning Code Amendments and any other cumulative projects would create operational noise generated by stationary equipment on-site which cannot be quantified due to the speculative nature of each development. However, each cumulative project would require separate discretionary approval and CEQA assessment, which would address potential noise impacts and identify necessary attenuation measures, where appropriate. Additionally, as noise dissipates as it travels away from its source, noise impacts from stationary sources would be limited to each of their respective sites and their vicinities. Operation of cumulative projects would not contribute to a cumulative stationary noise impact and impacts would be less than significant.

## **5. LEVEL OF SIGNIFICANCE AFTER MITIGATION**

With the incorporation of MM AES-1 and TSMM 4.J-1A through 4.J-C, temporary construction noise impacts to sensitive receptors from implementation of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update projects would be less than significant.

Operational roadway noise and stationary noise impacts would be less than significant and no mitigation measures would be required.

With implementation of MM NOISE-1, temporary construction groundborne vibration impacts from implementation of the Land Use Element/Zoning Code Amendments and/or Mobility Element Update to sensitive receptors would be reduced to less than significant.

## 4.9 POPULATION AND HOUSING

---

This section outlines existing population and housing trends in the Town and assesses potential effects to these trends that could occur with implementation of the Land Use Element/Zoning Code Amendments. While the Mobility Element would result in new roadways, bike lanes and pathways within the Urban Growth Boundary, these improvements would not affect population and housing in light of the Town's Urban Growth Boundary. Information in this section is largely based on the Town's 2007 General Plan, the State of California Employment Development Department (Labor Market Division 2015), the California Department of Finance (Demographic Research Unit 2015), the 2010 United States Census Data, the Census Bureau's 2014 American Community Survey and the Town's Housing Element.<sup>1</sup>

### 1. ENVIRONMENTAL SETTING

#### a. Regulatory Framework

##### (1) State of California

###### (a) Regional Housing Needs Assessment

State Law requires that all cities and counties provide a certain amount of housing to meet the needed demand for housing. The California Department of Housing and Community Development is responsible for determining the statewide housing need, which is then distributed to councils of governments (COGs) who determine the specific housing needs for local governments within their jurisdiction for the preparation of a Regional Housing Needs Assessment (RHNA). State housing law also requires cities and counties to prepare a housing element, as one of seven state-mandated elements of the General Plan, with specific direction on its content as set forth in Government Code Section 65583. As the Town of Mammoth Lakes is not located within a COG, the Department of Housing and Community Development provided the RHNA for Mono County and the Town of Mammoth Lakes.

###### (b) Density Bonus Law (California Government Code Section 65915, et.seq.)

The purpose of the Density Bonus Law, enacted in 1979 and since amended, is to encourage cities and counties to offer density bonuses, incentives, and waivers to development standards for housing projects that include certain percentages of affordable units. The Density Bonus Law rewards a "developer who agrees to build a certain percentage of low-income housing with the opportunity to build more residences than would otherwise be permitted by the applicable local regulations." By incentivizing developers, the density bonus law promotes the construction of housing for seniors and low-income families.

Basically, a city or county must grant a density bonus, with concessions, incentives, and prescribed parking requirements, as well as waivers of development standards, upon a developer's request when the developer

---

<sup>1</sup> Due to the multiple data sources, some numbers for the same item vary slightly, although all of numbers are substantially similar.

includes a certain percentage of affordable housing in a housing development project. The size of the increase in density is tied by criteria in the law to the percentage of units in a project that is affordable, and the household income level accommodated (low-income, very low income, or moderate income).

Assembly Bill (AB) 2222, approved by Governor Brown on September 27, 2014, amends the Density Bonus Law. The most notable change to the law is a requirement that developers replace all of a property's pre-existing affordable units in order to become eligible for the bonuses provided under this law. AB 2222 prohibits an applicant from receiving a density bonus (and related incentives and waivers) unless the proposed housing development would at a minimum, maintain the number and proportion of affordable housing units within the proposed development, including affordable dwelling units that have been vacated or demolished in the five-year period preceding the application.

## **(2) Town of Mammoth Lakes**

### **(a) Housing Element: 2014-2019**

The Town of Mammoth Lakes regularly updates the Housing Element pursuant to state law. The most recent update cycle, Housing Element 2014 – 2019, was adopted June 18, 2014. The Housing Element addresses the RHNA and housing policies for the five year period that ends in 2019.

The RHNA, which was established by the California Department of Housing and Community Development (HCD), provides a housing allocation to meet the assessed needs, as shown in **Table 4.9-1, Mammoth Lakes Regional Housing Need Allocation by Income Group.**<sup>2</sup> As indicated in Table 4.9-1, 74 new units are needed in the Town during the five year period to meet the housing needs allocation. Of these, 8 units (11 percent) are needed for extremely low income family units, 9 units (12 percent) are needed for very low-income households, 12 units (16 percent) are needed for low-income households, 14 units (19 percent) are needed for moderate income households, and 31 units (42 percent) are needed for above moderate-income households.

The Housing Element also assesses the availability of housing supply for residents, identifies quantifiable housing objectives for the numbers of units to be provided during the five year period and establishes policies and programs to meet the quantified housing objectives. As shown in **Table 4.9-2, Summary of Projected Housing Units 2014-2019 by Category**, 1,230 units are projected to be developed over the five year period and the units are distributed as follows: 15 units for extremely low income, 30 units for very low income, 34 units for low income, 72 units for moderate income and 1,079 units for above moderate income households. Provision of these units would result in surplus units over the RHNA allocation as follows: 7 units for extremely low income, 21 units for very low income, 22 units for low income, 58 units for moderate income and 1,048 units for above moderate income households.<sup>3</sup>

The quantified objectives for the Element's various program categories are intended to provide measurable standards for monitoring and evaluating program achievements within the five year period. The quantified

<sup>2</sup> *General Plan Housing Element, Town of Mammoth Lakes, 2014, Table 4-44.*

<sup>3</sup> *General Plan Housing Element, Town of Mammoth Lakes, 2014, Table 4-49.*

**Table 4.9-1****Mammoth Lakes Regional Housing Need Allocation by Income Group**

Income Group	Current Allocation 2014 to 2019 <sup>a</sup>	
	Number	Percent
Extremely Low <sup>a</sup>	8	11%
Very Low <sup>a</sup>	9	12%
Low	12	16%
Moderate	14	19%
Above Moderate	31	42%
<b>Total</b>	<b>74</b>	<b>100%</b>

<sup>a</sup> Mammoth Lakes estimate presumes 50 percent of the 17 (8) very low-income households qualify as extremely low-income households

Source: General Plan Housing Element, Town of Mammoth Lakes, 2014, Table 4-44, based on data reported for 2013.

**Table 4.9-2****Summary of Projected Housing Units 2014-2019 by Category**

Site or Project Name	Extremely	Very	Low	Moderate	Above
	Low	Low			Moderate
Total Estimated Housing Units: Housing Sites Subject to Approved Permits or Plans, large RMF -1 sites	15	30	34	72	96
Total Estimated Housing Units: Vacant Residential Land	0	0	0	0	983
<b>Projected Housing Total</b>	<b>15</b>	<b>30</b>	<b>34</b>	<b>72</b>	<b>1,079</b>
Net Remaining RHNA (from Table 4.9-1)	8	9	12	14	31
<b>Surplus of Projected Balance of Housing Units over RHNA Allocation</b>	<b>7</b>	<b>21</b>	<b>22</b>	<b>58</b>	<b>1,048</b>

Source: General Plan Housing Element, Town of Mammoth Lakes Economic Community and Development Department, Table 4-49, 2014

objectives are shown in **Table 4.9-3, Quantified Objectives 2014-2019.**<sup>4</sup> The quantifiable objectives for the five-year time period include the provision of the 74 units to meet the RHNA, the construction of 247 new units, 45 homebuyer assistance units, 15 housing rehabilitation units, and the preservation of 435 affordable units (288 deed-restricted units and 147 mobile homes).

<sup>4</sup> General Plan Housing Element, Town of Mammoth Lakes, 2014, Table 5-52.

**Table 4.9-3**  
**Quantified Objectives 2014-2019**

Income Level	Accommodate Regional Share <sup>a</sup>	New Construction <sup>b</sup>	Homebuyer Assistance	Housing Rehabilitation <sup>c</sup>	Preserve Affordable Units	
					Deed- Restricted Units <sup>d</sup>	Mobile Homes <sup>e</sup>
Extremely Low	9	15	0	5	0	
Very Low	8	30	0	5	22	
Low	12	34	30	5	149	147
Moderate	14	72	15	0	32	
Above Moderate	31	96	0	0	63	
<b>Total</b>	<b>74</b>	<b>247</b>	<b>45</b>	<b>15</b>	<b>288</b>	<b>147</b>

<sup>a</sup> This quantified objective is per the Regional Housing Needs Assessment target.

<sup>b</sup> This quantified objective covers the period 2014-2019, consistent with Table 4-45 of the Housing Element.

<sup>c</sup> This figure is conservative since a housing rehabilitation program has not yet been established.

<sup>d</sup> This figure includes the 266 units documented in the 2010 Housing Element, plus 22 additional units that have been converted to deed-restricted units since 2010.

<sup>e</sup> HCD Table 1.a. (DOF, 2010).

Source: Town of Mammoth Lakes General Plan Housing Element, Table 5-52, 2014.

In general, the policies contained in the Housing Element are intended to support and encourage the provision of sufficient land to meet housing needs and to promote fair housing practices and standards. The policies address specific housing goals and include program actions to bring the policies to fruition. They address a number of issues pertaining to both the amount of housing available and the characteristics of the units and populations served.

### **(b) Affordable and Workforce Housing Regulations**

The Town Council first adopted affordable housing regulations on October 4, 2000. The ordinance has been revised several times to better regulate the provision of affordable units. The most recent revision, Ordinance Number 15-03, was adopted and enacted on June 3, 2015. The purpose of the regulations is to encourage availability of affordable and workforce housing and to mitigate the impacts of market rate residential and non-residential development on the need for workforce housing while implementing provisions of the General Plan and Housing Element.

The regulations require that developers support the provision of affordable housing by one or more of five means: payment of mitigation fees, on-site provision of affordable housing units, off-site provision of affordable housing units, conveyance of land and/or provision of an Alternate Housing Mitigation Plan. The schedule of mitigation fees is updated periodically under separate ordinance with the most recent rate schedule having been approved on July 1, 2015.

### **(c) Affordable Housing Density Bonuses and Incentives**

Section 17.140 of the Zoning Code implements at the local level the state's Density Bonus Law (Section 65915, et.seq.), as described above. The density bonus allows developers to increase development density over the otherwise maximum allowable residential density under the applicable zone and designation of the Land Use Element of the General Plan. The size of the increase in density is tied by criteria in the state law, as incorporated in the zoning code, to the percentage of units in a project that is affordable, and the household income level (low-income, very low income, or moderate income). Code Section 17.140 also includes other incentives or concessions including reductions in development standards, use of mixed-use zoning where not otherwise allowed, regulatory incentives, and direct financial contribution granted by the Council subject to provisions of the ordinance.

General Plan Policy L.2.D states that "For all housing development projects where all units are deed restricted for workforce housing, a density bonus may be granted in addition to any bonus granted pursuant to the State Density Bonus Law up to a combined bonus of twice the density identified for the designation in which the project is located." Following this, Zoning Code Section 17.140.030.B, allows for the Town to grant density bonuses of up to twice the density of the zoning district's permitted density. The density increase is not specified and is dependent on the qualifications of the proposed project.

### **(d) Transient Occupancy Tax**

The Transient Occupancy Tax (TOT) is an essential component of the Town's funding mechanisms and makes up approximately 60 percent of the Town's General Fund, providing for services such as snow removal, recreational programming, and road maintenance. The TOT is a 13 percent tax that is charged "for the privilege of occupancy of any transient occupancy facility."

The Town has in the past made a commitment to apply one percent of the TOT revenues towards the development of workforce and affordable housing within in the Town. However, the amount committed to workforce housing has been reduced over the past few years, and currently approximately 62 percent of the one percent is being dedicated to workforce housing. These monies are principally dedicated to funding the work and programs of Mammoth Lakes Housing, Inc. (MLH). The Town and MLH have used these funds to successfully leverage a significant amount of additional Federal and State grant funds to construct and acquire affordable housing units and to provide down payment assistance to qualifying households.<sup>5</sup>

### **(e) Reasonable Accommodation Ordinance**

Chapter 17.80, Reasonable Accommodation, of the Municipal Code regulates housing for persons with disabilities. Per Section 17.80, et.sec, the Director may grant a deviation from the development standards of the Zoning Code to accomplish a reasonable accommodation of the needs of a disabled person after the following findings are made:

---

<sup>5</sup> AECOM, *Affordable Workforce Housing Fee Nexus Study and Fee Recommendation, prepared for Town of Mammoth Lakes, June 5, 2015 (revised June 23, 2015), page 12.*

- A. That the housing that is the subject of the request for reasonable accommodation is for a person or people with a disability;
- B. That the reasonable accommodation is necessary to make specific housing available in compliance with federal and state fair housing laws;
- C. That the request will not impose an undue financial or administrative burden on the Town;
- D. The request will not result in a fundamental alteration in this Zoning Code and/or procedures of the Town; and
- E. The reasonable accommodation is the minimum departure from the requirements of this Zoning Code necessary, consistent with Subsections A and B, above.

## b. Existing Conditions

### (1) Population

Population estimates for the Town are shown in **Table 4.9-4, Resident Population in Mammoth Lakes between 1990 and 2015**. Based on the 2010 Census, the resident population of the Town was 8,234, which represents approximately 58 percent of the 14,202 residents in Mono County. The Town experienced a resident population increase of approximately 72 percent during the 20 year period between 1990 and 2010 (i.e. 3.6 percent/year) and over 16 percent in the previous 10 years (i.e. 1.6 percent/year). This population increase between 2000 and 2010, exceeded the rate of growth in the State of California as a whole, which experienced a population increase of approximately 10 percent over the same period.<sup>6</sup>

The permanent population on January 1, 2015 was 8,410 as determined by the California Department of Finance. This increase of 176 residents between 2010 and 2015 represents a 2.13 percent increase in five years, or 0.53 percent per year. According to the same source, the Mono County population increased from 14,202 in 2010 to 14,695 in 2015. This was an increase of 493 people, or 3.5 percent in five years, or 0.88 percent per year. The Town comprised 57.98 percent of the County population in 2010 and 57.23 percent in 2015.<sup>7</sup>

Because of its large visitor and seasonal populations, the Town has historically used a measure known as People At One Time (PAOT) for estimating Town population, based upon the visitor, seasonal and permanent town residents. The total 2015 population inclusive of the three populations is estimated to be 34,381 people based on the Town Buildout Projections, as described in Chapter 2, Project Description.<sup>8</sup> This estimate approximates the 34,265 people given as the 2004 population estimate in the 2007 General Plan Update EIR.

<sup>6</sup> California Department of Finance, Demographic Research Unit, E-8, City/County/State Population and Housing Estimates, 4/1/2000 to 4/1/2010. 4/1/2000 population = 33,873,086. 4/1/2010 population = 37,253,956.

<sup>7</sup> California Department of Finance, Demographic Research Unit, Table 2: E-4 Population Estimates for Cities, Counties, and State.

<sup>8</sup> The existing unit count in the Town Buildout Projections is 9,908 units. Using an average of 3.47 people per units that equates to a population of 34,381 people.

**Table 4.9-4****Resident Population in Mammoth Lakes between 1990 and 2015**

<b>Year</b>	<b>Population</b>
1990	4,785
2000	7,094
2010	8,234
2015	8,410

*Source: 1990 – 2010, U.S. Census. 2015, California Department of Finance.*

**(2) Demographics**

According to the 2010 Census, the majority of the Town's population (approximately 59.4 percent) was between the ages of 20 and 54. The segment of the population between the ages of 25 to 29 made up the largest portion (11.5 percent) of the population. Based on the 2010 Census, the ethnic makeup of the Town was approximately 80.7 percent White and 33.7 percent Hispanic (of any race).<sup>9</sup>

**(3) Housing**

The 2010 Census reported a total of 9,626 housing units located in the Town. This represents an increase of 1,666 units, or approximately 20.9 percent more units than the 7,960 housing units reported in 2000. The increase in housing between 2000 and 2010 represents an increase of 2.09 percent per year. As reflected in the Town Buildout Projections prepared for this project, the estimated number of units in the Town in 2015 is 9,908 units, 282 units more than reflected in the 2010 census data.<sup>10</sup> Of the 9,908 estimated units, 785 units (7.9 percent) are currently located in the C1 and C-2 land use designations.

Due to the large supply of visitor dwelling units available in the Town, recorded vacancy rates are high. The 2010 Census identified approximately 6,397, or approximately 66.5 percent, of the 9,626 housing units as vacant and 3,229 units, approximately 33.5 percent, as occupied. Of the 3,229 occupied units, owner-occupied units included 1,502 units or 46.5 percent of the total with the remaining 1,727 units (53.5 percent) renter-occupied. Homeowner vacancy rate amongst the homeowner identified units was 3.4 percent and rental vacancy for the units identified as rental units was 33.6 percent. By comparison, the 2010 Census showed that the entire state of California had a vacancy rate of 8.1 percent.

The high vacancy rates for the Town as a whole reflect the resort nature of the Town, and the fact that vacant seasonal, recreational or occasional use units account for 4,981 units, or 51.7 of the total 9,626 units; and approximately 77.9 percent of the 6,397 vacant units. The remaining 1,416 vacant units consist of 54 for-sale units, 1,016 for-rent units, as well as 346 other units that may not be on the market.

<sup>9</sup> The Census takes separate counts for race and Hispanic/Latino ethnicity. One can respond as Hispanic and white or other race, separately. Therefore, the total shown here is greater than 100 percent.

<sup>10</sup> Based on the proposed buildout methodology, the number of units reflects dwelling units and lodging. The lodging is calculated as two rooms equals one residential unit.

The 2010 Census data regarding the Town's permanent residential units shows that the number of persons per household in the Town for the 3,229 total occupied units was 2.31 for owner-occupied units and 2.67 for renter-occupied units. The buildout projections in this analysis use an overall household size of 3.47 persons per household, which combines the household size for permanent population with the household size for visitor and seasonal populations.

#### **(4) Employment**

According to the State of California Employment Development Department, Labor Market Division (EDD), the civilian labor force in Mono County in June 2015 was 7,560 persons. An estimated 520 persons were unemployed resulting in an unemployment rate of approximately 6.9 percent. As of June 2015, the labor force in the Town was estimated to be 4,740 persons, which accounted for approximately 63 percent of Mono County's total. The unemployment rate for the Town was 6.1 percent. It is important to note that this data has not been seasonally adjusted.

Most jobs in the Town depend directly or indirectly on tourism and recreation. According to the Census Bureau's American Community Survey for 2014, the largest employment sectors included the following: arts, entertainment, recreation, and accommodation and food services industries (34.0 percent of the workforce); educational, health, and social services (17.8 percent of the work force); finance, insurance, real estate, and rental and leasing (10.4 percent of the workforce); and retail (9.2 percent of the workforce). The remainder of the workforce was employed in a variety of smaller employment sectors.

According to the American Community Survey, 2014, per capita income was \$27,170. The median family income was \$68,750 and the mean family income was \$79,946.

## **2. METHODOLOGY AND THRESHOLDS**

### **a. Methodology**

The analysis of Population, Housing and Employment assesses the Land Use Element/Zoning Code Amendments and the extent to which associated changes in permitted development could affect the total amount of growth occurring in the future. The amount of additional development that might occur is reviewed in regard to its effects on development density, population capacity versus the growth assumptions in the 2007 General Plan and ability to monitor growth, available capacity to accommodate future growth, and impacts on housing stock in light of the provisions of the Town of Mammoth Lakes Housing Element.

The increase in the amount of development associated with the Land Use Element/Zoning Code Amendments is based on a FAR Analysis that is summarized in Table 2-3 of Chapter 2, Project Description, of this EIR. Historically, the Town has used a PAOT approach given the seasonal fluctuations and the tourist base. However, as part of this project the Town is revising the methodology for determining buildout and is moving to a blended number for persons per unit (i.e. seasonal, permanent, and visitor populations are not separated for the purposes of calculating buildout). Therefore, the increase in development is converted to population by multiplying the total number of units at buildout by an average unit density of 3.47 persons per unit. The 3.47 persons per unit is consistent with the data used for preparation of the 2007 General Plan and takes into account densities associated with seasonal, permanent and visitor populations. (Hotel rooms and 1-bedroom units are treated as one-half of a unit.)

The existing and projected housing and population numbers are taken from the Town Buildout Projections, as referred to in Chapter 2.0, Project Description. The information regarding existing total population (inclusive of seasonal, permanent and visitor populations) reflects an estimated total 2015 population.

There are three analyses presented below. The first identifies the potential increase in population and responses to potential impacts on the environment with use of the Project Impact Evaluation Criteria (PIEC) for monitoring development impacts rather than the PAOT cap of 52,000 people that is contained in Policy L.1.A. This analysis includes a comparison of the population increase in the C-1 and C-2 areas when calculated by the proposed methodology incorporated into the proposed Town Buildout Projections Table as compared to the methodology used in the 2007 General Plan Update EIR. The second analysis provides a comparison of the potential Town population under buildout conditions to the growth anticipated in current population projections. The third analysis addresses the potential effects of the Project on the availability of housing stock. The evaluation addresses the nature of housing provision in the future and consistency of the Project with the General Plan Housing Element and other Town ordinances regarding the provision of housing.

## **b. Thresholds**

For purposes of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether the Land Use Element/Zoning Code Amendments would have a significant environmental impact due to changes in population and housing. As stated in Section 15002, General Concepts, of the *CEQA Guidelines*, a basic purpose of CEQA is to inform decision makers and the public about the potential, significant environmental effects of a proposed activity. Thus, evaluations focus on the potential changes or impacts on the physical environment. Based on Appendix G, the following thresholds of significance are used in this section. The project would result in a significant impact if the project would:

- PH-1** Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) in a manner that would exceed the ability to provide infrastructure and services;
- PH-2** Displace substantial numbers of existing housing, or substantial numbers of people necessitating the construction of replacement housing elsewhere.

## **c. Applicable Goals/Policies and Adopted Mitigation Measures**

There are no mitigation measures from the Mitigation Monitoring and Reporting Program from the EIR for the General Plan Update or the Trails Master Plan EIR relative to population and housing. With regard to applicable goals and policies in the Town's General Plan, the Housing Element contains the following policies that are relevant to the Land Use Element/Zoning Code Amendments regarding development in the commercial districts:

- **Policy H.1.A:** Provide for a sufficient amount of land designated at appropriate residential and mixed use densities to accommodate the Town's share of the regional need for affordable housing, including land to accommodate extremely-low, very-low, low- and moderate income housing.
- **Policy H.1.B:** Allow housing development as part of infill and mixed-use development within commercial zoning districts.

### 3. ENVIRONMENTAL IMPACTS

**Threshold PH-1:** The Project would result in a significant impact if the project would induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) in a manner that would exceed the ability to provide infrastructure and services.

**Impact Statement PH-1:** *The Land Use Element/Zoning Code Amendments would allow an increase in population density in the commercial districts compared with current regulations. The commercial districts are envisioned as mixed-use areas and the increase in density would support the clustering of uses in the downtown area. The potential increase in population would be approximately 3.8 percent greater than the Town buildout population anticipated in the 2007 General Plan and the increase in capacity would be evaluated pursuant to PIEC and CEQA review. As reflected in other sections of the Draft EIR, the 3.8 percent potential population increase associated with the Land Use Element/Zoning Code Amendments, with the exception of Air Quality, Parks and Recreation, and Transportation, would not cause an exceedance of capacity for providing infrastructure and services.*

#### a. The General Plan as a Guide to Future Development

The purpose of the 2007 General Plan is to provide for the orderly growth of the Town, define the limits to that growth and act as a mechanism to accommodate and control future growth. The proposed Land Use Element/Zoning Code Amendments would affect the potential amounts of population and housing that might occur in the Town two ways. First, the amendments would affect the amount of development density that could occur in the commercial districts in the future. Second, the amendments would revise Policy L.1.A., replacing the 52,000 PAOT limit as a planning tool with PIEC and/or environmental review. The shift from the 52,000 PAOT limit as a planning tool is consistent with the April 2009 Town Council adoption of the PAOT/Impact Assessment Policies, which included direction to “(s)hift from PAOT based project evaluation to impact-based evaluation and mitigation.” PIEC includes, but is not limited to evaluations of air quality, including vehicle miles travelled (VMT); biological resources; cultural resources; geology and soils; hazards; hydrology; land use; noise; public services and utilities, including water demand; and transportation. An impacts-based approach is intended to help ensure that growth in the Town would not exceed the carrying capacity of infrastructure or other constraints, such as VMT and water supply, and that the potential for significant environmental impacts will be identified and mitigated to the extent feasible on a project-by-project basis.

## b. Potential Changes in Population Capacity

### (1) Impacts within the C-1 and C-2 Areas

The proposed amendments to the C-1 and C-2 designations in the Land Use Element and to the Downtown (D), Old Mammoth Road (OMR), and Mixed Lodging Residential (MLR) districts in the Zoning Code would result in the removal of existing unit and room caps on the amount of development and would require a minimum of 0.75 FAR and allow a maximum of 2.0 FAR. Proposed amendments to the Land Use Element include the removal of the Community Benefits Incentive Zoning (CBIZ), consistent with previous Town Council actions. CBIZ allowed modifications to development standards, including an increase in density, for projects that specifically enhance the tourism, community, and environmental objectives of the Town within the C-1 and C-2 designations. In addition, the amendments would remove the use of Transfer Development Rights (TDR), which would allow the transfer of density from one property to another. The Town has determined that with the removal of the density cap and no limit on density within the commercial land use designations, CBIZ is no longer necessary to allow density increases.<sup>11</sup> The proposed amendments do not alter other development standards such as height, setback, stepback, snow storage, parking requirements, and other development and dimensional standards.

Removing the unit and room cap and using an FAR approach could result in an increase in development intensity within the commercial districts as outlined in Chapter 2, Project Description. Allowing the increased density within the commercial districts would result in clustering the population. The location of a greater number of people within the commercial, mixed use area would provide for a more vibrant downtown. The proximity of population to retail and service uses would encourage the use of alternative modes of transportation and park-once activity in the downtown area, ultimately reducing vehicle miles traveled. Such clustered development would support reductions in the per capita impacts of development. Such clustering of population tends to support increased levels of population with less per capita increase in environmental impacts. The clustering of development is considered a benefit of the Project.

The potential increase in the amount of development that could occur in the C-1 and C-2 designated areas with the removal of the unit and room cap and the change to the FAR-only approach would increase estimated potential development under the General Plan. The amount of the increase beyond the development otherwise occurring in the C-1 and C-2 areas could be up to 336 residential units; up to 467 hotel rooms; and approximately 152,533 square feet of commercial floor area.<sup>12</sup> The resulting increase in population that could be accommodated within these units beyond that otherwise occurring has been calculated using the Town's previous PAOT methodology and also using the current methodology used in the Town buildout projections.

The calculation based on the population assumptions used for the 2007 General Plan Update are shown in **Table 4.9-5, Estimated Population Using Current Methodology (PAOT) - Increment of Potential Population Increase Resulting from 2.0 FAR**. The calculation based on the new proposed buildout methodology is shown

<sup>11</sup> In October 2014 Town Council adopted Resolution 14-61, which eliminated the CBIZ policy (TC Resolution 09-55).

<sup>12</sup> The increase of 467 hotel rooms compares the potential number of hotel rooms under the 2.0 FAR to the base of 40 rooms per acre and does not account for the increase in intensity that is allowed through CBIZ. Under current regulations, up to 80 rooms per acre are allowed with the provision of community benefits. Comparing the projected number of rooms using FAR only with 80 rooms per acre would result in a reduction of 57 hotel rooms in the commercial districts.

in **Table 4.9-6**, *Estimated Population Using Proposed Buildout Methodology- Increment of Potential Population Increase Resulting from 2.0 FAR.*

**Table 4.9-5**

**Estimated Population Using Current Methodology (PAOT)  
Increment of Potential Population Increase Resulting from 2.0 FAR**

	<b>Amount</b>	<b>Units</b>	<b>Factor</b>	<b>Potential Increase in People At One Time</b>
Residential Units <sup>a</sup>				
Permanent	252	Units	2.4 <sup>b</sup>	605
Transient	84	Units	4	336
Hotel	234	Rooms	4 <sup>c</sup>	<u>936</u>
<b>Total</b>				<b>1,877 PAOT</b>

<sup>a</sup> For purposes of this analysis an assumption of 75 percent permanent and 25 percent transient was used for the multi-family residential units based on the proportions by Traffic Analysis Zone (TAZ) in the Traffic Model.

<sup>b</sup> A factor of 2.4 was used based on the rate used in the 2007 General Plan.

<sup>c</sup> The 234 hotel “units” represents 467 hotel rooms. Consistent with Zoning Code Section 17.32.110.C.7 hotel rooms, studios and 1-bedroom units are considered one-half of a unit for calculating density.

Source: ESA PCR, 2016

The maximum total population increase that could occur within the C-1 and C-2 designation when calculated using the current methodology (PAOT) would be 1,877 people. The calculation under the proposed methodology results in an additional population of 1,978 people. The current calculation is based on the proposed methodology that the Town considers to provide a more accurate reflection of the population estimates. The population projections using the current PAOT methodology and the proposed methodology result in generally similar projections.

**(2) Town Population Implications**

This calculation, based on the same methodology used in the Town Buildout Projections, takes into account population in residential units as well as hotel rooms. “Residential units” may accommodate seasonal, permanent and visitor population. The calculation also assumes 100 percent occupancy rate. As such, the population provides an equivalent accounting to the calculations in the 2007 Plan that were based on residential and transient population and incorporated into the currently used PAOT amount.

The estimated current population for the Town, based on the data in the Town Buildout Projections, 34,381, which is approximately the same baseline population of 34,265 that was provided in the 2007 General Plan Update EIR. Likewise, the buildout population based on the maximum number of units that can be developed within the 2.0 FAR limit has been calculated. The number is conservative given that the full FAR may not be developed on many parcels due to development constraints (i.e., slope, compliance with other development standards, etc.). The total Townwide buildout population using this methodology, including the 1,978 people that could occur in the C-1 and C-2 areas with the 2.0 FAR, is estimated to be 53,980 people.

**Table 4.9-6**

**Estimated Population Using Proposed Buildout Methodology  
Increment of Potential Population Increase Resulting from 2.0 FAR**

	<b>Amount</b>	<b>Units</b>	<b>Factor</b>	<b>Potential increase in Population Capacity</b>
Residential Units <sup>a</sup>	336	Units	3.47 <sup>b</sup>	1,166
Lodging	234 <sup>a</sup>	Units	3.47 <sup>b</sup>	<u>812</u>
<b>Total</b>				1,978 People

<sup>a</sup> The 234 hotel “units” represents 467 hotel rooms. Consistent with Zoning Code Section 17.32.110.C.7 hotel rooms, studios and 1-bedroom units are considered one-half of a unit for calculating density.

<sup>b</sup> The household population estimate of 3.47 persons per unit is consistent with assumptions used in the 2007 General Plan.

Source: ESA PCR, 2016

This includes permanent residents, as well as seasonal and transient population. This estimate also assumes 100 percent occupancy of transient units (fractional units, time shares, rentals, and lodging).

The forecasts resulted in the projection that the total number of residents, visitors and workers on a winter weekend would grow to between 45,000 to 52,000 by the year 2025. Based on the land use projections and economic analysis, the General Plan created Policy L.1.A, which establishes a total peak population of permanent and seasonal residents and visitors at 52,000 people. However, as discussed in the Land Use Element, ultimately, the Plan’s “...land use designations could result in a buildout population over 52,000 but less than 60,000 if all land were built to capacity.” The discussion regarding buildout indicates the manner in which buildout would be limited to 52,000 people, which includes: district planning efforts; environmental analysis; market, economic and fiscal impacts; and evaluation of functional, aesthetics and design through the discretionary review process. Thus, environmental constraints that exist on a site, such as slope, economic considerations of a particular development or market forces exist that result in less development intensity than what would otherwise occur under the land use designations.

With the potential increase in population associated with the removal of the unit and room cap and change to FAR-only approach, the maximum estimated population that could occur could increase by 1,978 people. This level of increase coincides with the Town’s most recent buildout estimate of 53,980; which is 1,980 people more (i.e. 3.8 percent) than the 52,000 maximum population included in Policy 1.L.A, that would be amended, replacing the PAOT cap with PIEC evaluation. As is currently the case, individual development projects would not in all cases achieve the maximum parcel entitlements due to site design constraints and market factors. Nonetheless, for purposes of this EIR, the maximum estimated population of 53,980 is used to ensure a worst case analysis under CEQA. The effects of the added population on the various environmental topics have been evaluated throughout this EIR. Refer in particular to Section 4.2 (Air Quality), Section 4.10, Public Services, and Section 4.11, Transportation and Traffic as with Project implementation significant and unavoidable impacts would occur in these issue areas.

As indicated, the General Plan buildout can generally be accommodated through available and planned capacity. If individual developments have a potential to result in significant impacts due to unique site

circumstances, such impacts would be identified on a project-by-project basis through PIEC and CEQA review, mitigated as appropriate, and monitored against General Plan buildout assumptions.

### **Expected Growth and Development Capacity**

The Land Use Element/Zoning Code Amendments are policy and regulatory changes and do not directly include proposed development projects. The potential increase in capacity within the C-1 and C-2 areas could result in added population within an area that currently could be developed, albeit at less density, subject to market forces. The proposed amendments that would add a potential increase in capacity would not directly cause new development, necessitate the use of the full site capacity, or cause development that would not otherwise occur due to market conditions. Therefore, the Land Use Element/Zoning Code Amendments would neither induce nor foster, that is, cause, this growth to occur.

Growth is instead dependent on demand for recreational and related opportunities which has its principal origins in other parts of California and the West, and the desire to relocate to the Town with its distinctive characteristics. As the California and Western regions grow, demand on the recreational potential in and around the Town of Mammoth Lakes would also be expected to continue to grow due to factors unrelated to the proposed amendments.

Current estimates of growth in the Town and the County reflect fairly low rates of growth.<sup>13</sup> As described in the Existing Conditions subsection above, the permanent population and number of total housing units (seasonal, permanent and visitor units) grew at rates of 1.6 percent and 2.09 percent, respectively, between 2000 and 2010. The California Department of Finance has projected that the population in Mono County would increase from 14,481 in 2015 to 15,705 in 2025, i.e. 1,224 or 8.45 percent (0.42 percent per year).

Based on the Town's buildout projections the maximum buildout population increase over the existing population level is approximately 19,600 (53,980 - 34,380) or 57 percent. This is the equivalent of 5.7 percent per year over the 10 year period ending in 2025 or the equivalent of 2.9 percent per year over the 20 year period ending in 2035. Therefore, the 2.9 percent increase in growth that could occur under the buildout conditions, the amount accounted for in the analysis of EIR impacts, is greater than the current growth rates of about 1.6 percent to 2.09 percent. Therefore, the estimated maximum buildout would be sufficient to accommodate currently projected growth over the time period addressed within the General Plan.

### **Mitigation Measures**

The proposed Land Use Element/Zoning Code Amendments would not induce substantial population growth either directly or indirectly. Therefore, no mitigation measures are necessary.

---

<sup>13</sup> *The estimate of current population based on the data in the Town Buildout Projections is 34,381 people, which is approximately the same as the 2004 population of 34,265 people that was estimated in the 2007 General Plan Update EIR.*

**Threshold PH-2:** The project would have a significant impact if the project would displace substantial numbers of existing housing or substantial numbers of people, necessitating the construction of replacement housing elsewhere.

**Impact Statement PH-2:** *The Land Use Element/Zoning Code Amendments would not cause the displacement of population or housing. The amendments would accommodate additional housing opportunities in support of the Housing Element, and would not alter or interfere with implementation of the Town's affordable housing provisions. Impacts would be less than significant.*

The Land Use Element/Zoning Code Amendments would remove the density caps in the commercial districts but would not have effects on residentially zoned land in the Town nor alter the zoning in the residential areas of the Town. The Land Use Element/Zoning Code Amendments would not require removal of residential units, nor cause the displacement of residential units. Removal of housing units could occur however as a result of market forces.

The Town has a buildout capacity of 15,558 units inclusive of 9,908 existing units and 5,650 projected future units. Of the 5,650 projected units, 336 are residential units that could be provided within the additional development envelope created by the Land Use Element/Zoning Code Amendments.

The Housing Element includes information regarding the housing needs, quantifiable objectives and projected new units, as described in the Regulatory Framework discussion, above. The RHNA, as described in Housing Element Table 4-44 and reported in Table 4.9-1, above, reflects the number of housing units needed to meet the Town's housing needs pursuant to State Law. Housing Element Quantified Objectives, as presented in Housing Element Table 5-52 and reported in Table 4.9-3, above reflect the number of housing units required to achieve program objectives of the Housing Element that are inclusive of, but also exceed the requirements established in State Law. The Housing Element also presents the number of Projected Housing Units to be provided during the timeframe of the Plan in Table 4-49, as reported in Table 4.9-2, above. The quantified objectives include a number of categories, two of which (Accommodate Regional Share and New Construction) pertain to the development of new units. This information is summarized in the following **Table 4.9-7, Comparison of Projected Housing Supply to Housing Needs and Objectives.**

As indicated in the Table 4.9-6, the Town expects the new supply of housing units during the five year period to exceed both the RHNA needs and the quantified housing objectives. The supply is expected to meet the objectives for the four affordable classifications and exceed the objectives for the above moderate income level by 983 units. It is expected to exceed the RHNA amounts, 108 units versus 43 units, for the four affordable classifications (an increase of approximately 150 percent); and exceed the need for above-moderate housing by 1,156 units. The projected housing would exceed the amount of housing established in the Objectives by 983 units, all of which would be in the "above moderate" category.

The supply of housing units is expected to occur within Residential Zones, with the exception of one housing site subject to an approved permit for 14 moderate-rate housing units that is located within the General Plan C-1 designation and Zoning Ordinance OMR designated area. The latter would not be affected by approval of the General Plan Land Use Element and Zoning Code Amendments; and the Project would not have an impact on development in residentially designated areas.

The Project would not adversely affect the expected supply of housing for the Town, nor adversely affect the ability to meet the RHNA and Quantifiable Objectives of the Housing Element. The Project would support an increase in the potential supply of housing in commercial districts by an estimated 336 residential units. This would further support the Housing Element by increasing development options and flexibility. The

Table 4.9-7

## Comparison of Projected Housing Supply to Housing Needs and Objectives

	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
<b>Demand</b>						
Per RHNA Assessment	8	9	12	14	31	74
Per Housing Element Objectives – New Construction	15	30	34	72	96	247
<b>Supply</b>						
Projected Development	15	30	34	72	1,079	1,230
<b>Excess (Demand – Supply) Compared to RHNA Needs –Compared to Quantified Objectives</b>	(7)	(21)	(22)	(58)	(1,048)	(1,156)
	0	0	0	0	(983)	(983)

Source: Town of Mammoth Lakes General Plan Housing Element, 2014, Tables

proposed amendments would not require removal of existing units. The expected buildout under the updated General Plan includes a buildout capacity inclusive of 5,650 new/projected units. Hence, the General Plan has sufficient capacity to accommodate housing needs into the foreseeable future.

The Town has implemented regulatory measures to help meet the housing needs of all population segments including incentives and support for the creation of affordable and special needs housing. These include such mechanisms as density bonuses (Section 17.140 of the Zoning Code, applicable to residential zones), affordable housing requirements (mitigation fees, on-site provision of affordable units, off-site provision of affordable units, conveyance of land for affordable houses and/or Alternate Housing Mitigation Plans, per Section 17.140 of the Zoning Code), and facilitation of special needs housing (Section 17.80, Reasonable Accommodation), of the Zoning Code. These regulations are consistent with and support Goals/Policies of the Housing Element, Chapter 5: Housing Program. The Town would continue to implement these regulations, consistent with the Policies and their related Actions of the Housing Element. The Project would not alter these zoning provisions, or the ability of the Town to implement them in the future. Therefore, the Land Use Element/Zoning Code Amendments would not adversely affect the provision of affordable or special needs housing.

The Project would particularly support Policy H.1.A.: “Provide for a sufficient amount of land designated at appropriate residential and mixed use densities to accommodate the Town's share of the regional need for affordable housing, including land to accommodate extremely-low, very-low, low- and moderate income

housing.” Further, the Project would directly implement and support Policy H.1.B.: “Allow housing development as part of infill and mixed-use development within commercial zoning districts.”

### **Mitigation Measures**

The Land Use Element/Zoning Code Amendments would not displace substantial numbers of existing housing units or residents. Therefore, no mitigation measures are necessary.

## **4. CUMULATIVE IMPACTS**

The above analysis evaluates the Project’s buildout conditions, and therefore takes into account currently known related projects as well as new projects that may be proposed in the future. Therefore, the above analysis is by its nature a cumulative analysis.

Known and future related projects would be components of the overall future development. Individual development projects will be subject to review under CEQA and the Town’s PIEC analysis, inclusive of their cumulative effects in concert with other development projects.

Future development implemented under the auspices of the updated General Plan would not exceed the amounts of development identified in the Plan and evaluated within this Draft EIR. Cumulative impacts would be less than significant.

## **5. LEVEL OF SIGNIFICANCE AFTER MITIGATION**

The proposed Land Use Element/Zoning Code Amendments would result in a less than significant impact with regard to the inducement of substantial population growth and the displacement of substantial numbers of existing housing or residents.



## 4.10 PUBLIC SERVICES

---

This section provides an analysis of the potential environmental impacts on public services and resulting environmental effects from implementation of the Land Use Element/Zoning Code Amendments and the Mobility Element Update. The public service analysis is divided into five sections: Fire Protection, Police Protection, Schools, Parks and Recreation, and Library Services.

### 1. FIRE PROTECTION

This section analyzes the Project's potential effects on fire protection and emergency medical services provided by the Mammoth Lakes Fire Protection District (MLFPD). The analysis addresses fire protection facilities and services, response times, and emergency access. The analysis is based, in part, on information provided by the MLFPD, included in Appendix E of this Draft EIR. A comment letter addressing fire protection was provided by the Mammoth Lakes Fire Protection District in response to the May 29, 2015 Notice of Preparation circulated for the Project. The comment letter indicates a need to evaluate the roadway network and provision of services to an increased number of people concentrated in the Town's downtown area. In addition, issues are raised regarding the reconfiguration of Main Street anticipated in the Mobility Element Update relative to access point and shade/shadow. For an analysis of shade/shadow see Section 4.1, Aesthetics, of this EIR.

#### a. Environmental Setting

##### (1) Regulatory Framework

###### State of California

###### *Senate Bill 1241*

To address the increasing issues at the wildland-urban interface, Senate Bill 1241 requires the legislative body of a city or county to adopt a comprehensive, long-term General Plan that includes various elements, including, among others, a Safety Element for the protection of the community from unreasonable risks associated with, among other things, wildland and urban fires. Specifically, SB 1241 requires cities or towns that are revising their Housing Element of the General Plan on or after January 1, 2014, to also review and update their Safety Element to address the risk of fire in state responsibility areas and very high fire hazard severity zones. Provisions of Senate Bill 1241 are not applicable to the Project, but will be addressed as part of the next required update of the Town's 2014-2019 Housing Element and the next update of the Town's Safety Element.

###### Mono County

###### *Mono County Office of Emergency Services*

The mission of the Mono County Office of Emergency Services (OES) is to ensure Mono County is adequately prepared, able to respond to, and recover from the effects of emergencies. The Mono County OES coordinates the activities of all county departments and the response efforts of local, state, and federal agencies including: the Town of Mammoth Lakes, US Forest Service, Los Angeles Department of Water and Power, California Office of Emergency Services, California Highway Patrol, Caltrans, Mono County Fire

Districts, US Marine Corps (USMC) Mountain Warfare Training Center, Mammoth Unified School District, and Eastern Sierra Unified School District.

### ***Mono County Emergency Medical Services***

Mono County Emergency Medical Services (EMS) is responsible for emergency medical calls and inter-facility ambulance transports within Mono County including Mammoth Lakes. Mono County EMS utilizes close working relationships with local Fire Departments helps to maximize available personnel and resources to provide emergency services. Mono County EMS employs a combination of Paramedics and Emergency Medical Technicians (EMTs). Mono County EMS employs over 20 paramedic/EMT/firefighters which staff four advanced life support ambulances around the clock, usually with two paramedics, and one reserve fully-equipped ALS ambulance. Mono County EMS operates under a physician medical director, and is authorized to perform state-of-the-art advanced medical procedures in the field through a comprehensive medical protocol system.<sup>1</sup>

### ***Mutual Aid and Service Agreements***

Mono County contains eleven fire protection districts, all of which belong to a county fire service chiefs association and are party to a countywide mutual aid agreement. The agreement formalizes the procedure for each district to send personnel and equipment to fires and emergencies beyond district boundaries when needed. The districts have also established informal service areas for the unserved private lands that are outside of any local fire protection district. These informal service areas reflect a recognized responsibility of the districts to assist in the protection of life and property in such areas.

## **Town of Mammoth Lakes**

### ***General Plan***

The Public Health and Safety Element of the 2007 General Plan aims to improve the quality of life for those living and working in the Town. The intent of the Public Health and Safety Element is to support, provide and encourage facilities and services that are important to a livable and safe community. Goals and polices support fire protection and emergency response programs and facilities, provision of prompt response times, and encourage adequate funding and access service to fire protection services.

### ***Municipal Code***

Chapter 15.04.010 of the Town of Mammoth Lakes Municipal Code “Building Code” was enacted for the purpose of adopting rules and regulations pursuant to the state housing law and the Health and Safety Code, for the protection of the public health, safety and general welfare of the occupants and the public. In addition, the Code governs the creation, construction, enlargement, conversion, alteration, repair, moving, removal, demolition, occupancy, use, height, fire protection, sanitation, ventilation, and maintenance of any building used for human habitation.

In compliance with Municipal Code Section 15.16, Article II and Resolution 15-32, the Town adopted an updated Development Impact Fee (DIF) schedule in 2015 and collects development fees on behalf of the MLFPD for fire facilities, vehicles and equipment. The Town currently collects between \$1,560 to \$1,182 for

<sup>1</sup> <http://www.monocounty.ca.gov/ems/page/about-mono-county-ems>. Accessed September 23, 2015.

development of single-family homes; \$745 to \$1,561 per unit for multi-family homes; \$2,022 per unit for commercial and office uses; and \$993 per unit for industrial uses.<sup>2</sup>

The MLFPD adopted Ordinance 2013-01, which included the adoption of the 2013 Fire Code, applicable sections of the California Building Code, California Residential Code, and California Mechanical Code all of which comprise the Life Safety Code for the MLFPD. Ordinance 2013-01, governs the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises within the MLFPD service area. Ordinance 2013-01 requires that one and two family single-family homes, townhomes, multi-family units, and commercial uses larger than 5,000 feet install an automatic fire sprinkler system and all commercial structures are required to include an automatic fire alarm system. Automatic sprinklers are also required to be installed in buildings without sprinkler systems if the uses within a building change.

## (2) Existing Conditions

The MLFPD is a fire protection district that provides fire protection and emergency response to the Town of Mammoth Lakes. Additionally, the MLFPD provides fire protection services and emergency response to the upper middle fork of the San Joaquin, Red's Meadow, and Devil's Postpile National Monument (DEPO) located in Madera County.

The Mono County EMS program provides the primary emergency medical response services in Mammoth Lakes. The MLFPD acts as a backup for the Mono County paramedic unit and also provides first responder service in the Town. The MLFPD and Mono County EMS does not generally provide emergency medical response services to Mammoth Mountain as Mammoth Mountain has its own emergency medical service personnel, but will respond if requested.

In addition to this area served, the MLFPD also serves the Highway 395 corridor from the Mammoth Yosemite Airport to the Crestview Rest Area at the bottom of Crestview grade. Services the MLFPD provides include fire prevention and suppression services, search and rescue, medical services, wildland firefighting, hazmat handling, technical rescue, fuel reduction programs, hydrant testing, school safety programs, community education, permit approvals and development proposal reviews.

The MLFPD provides structural fire protection from two stations in Mammoth Lakes. Station #1 is located at 3150 Main Street and is approximately 17,618 square feet. It houses the MLFPD's administrative offices, full time personnel, and the Mono County paramedic unit stationed in Mammoth Lakes. Station #1 was expanded in 2007 and the addition included administrative offices, bunk rooms, a larger training room, elevator, conference room, and a telecom/computer room.<sup>3</sup> Fire Station #2 is an approximately 5,673 square foot facility that is located at 1574 Old Mammoth Road. This facility includes a training area and a drill tower. The MLFPD has eight full-time career firefighters and 45 part-time paid call personnel. **Table 4.10-1, Fire Station Equipment**, lists the fire apparatus available at the two stations.

<sup>2</sup> *Town of Mammoth Lakes Development Fee Schedule, July 1, 2015.*

<sup>3</sup> *Fire Marshall/Division Chief Thom Heller, Mammoth Lakes Fire Protection District, email correspondence October 9, 2015.*

Table 4.10-1

## Fire Station Equipment

Station No. 1	Station No. 2
2 Type I Engines	2 Type I Engines
Type III Engine	75 ft Quint
100 ft Aerial Platform	
3000 gal Water Tender	
BLS Ambulance	
Type II US&R Trailer	
Type II HazMat Trailer	

*Note: Additional vehicles and equipment include: 4 command vehicles, a 1-ton crew cab pickup, Moorbark brush chipper and Bobcat Toolcat used by the fuels management crew, a Case 620 loader for snow removal and various utility vehicles.*

*Source: Fire Marshall/Division Chief Thom Heller, Mammoth Lakes Fire Protection District., email correspondence October, 9, 2015.*

The MLFPD is in the process of planning a new station at Mammoth Mountain Main Lodge area with the private development of the base facility (including two pieces of apparatus: an engine and a ladder); acquisition of another engine and a light/air support truck for overall coverage within the Town; relocation of the MLFPD training tower; and new quarters for a student firefighter program. The MLFPD also plans to participate with the Town on an intersection management program for ease of movement through town during emergencies.<sup>4</sup>

The MLFPD goal is to meet the national standard of a four minute response time for fire and emergency services. According to the MLFPD, this is typically achievable within the Town under normal road conditions. However, calls during inclement weather and to outlying areas such as Mammoth Ski area, Red Meadow, and the Lakes Basin can extend the response time beyond four minutes.

During 2014, there were 651 calls for service for the MLFPD. Of these 281 were EMS related calls and 370 were fire related calls.<sup>5</sup> According to the MLFPD, EMS calls have increased in the Town and across the country as a result of fire districts and departments becoming more involved in EMS related activities. MLFPD has become more involved in EMS calls, hazardous materials calls, and in search and rescue operations. In response to the changing need, the MLFPD has required that all equipment operators and Captains must have EMT certification and all new firefighters must obtain EMT training.<sup>6</sup>

In addition to MLFPD facilities, equipment, and personnel, the Town is also served by other fire protection agencies through a mutual aid agreement with the MLFPD. Mono County contains eleven fire protection districts, all of which belong to a county fire service association and part of a countywide mutual aid agreement. The districts have also established informal service areas for the unserved private lands that are outside of any local fire protection district. These informal service areas reflect a recognized moral, but not legal, responsibility of the districts to assist in the protection of life and property in these areas. The MLFPD

<sup>4</sup> *Ibid*

<sup>5</sup> *Mammoth Lakes Fire Protection District. Fire and EMS Combined List by Incident Number (1/01/2014 to 12/13/2014).*

<sup>6</sup> *Fire Marshall/Division Chief Thom Heller, Mammoth Lakes Fire Protection District. email correspondence, October 9, 2015.*

maintains an automatic aid agreement with the Long Valley FPD to serve the Geothermal Plants, Mammoth Yosemite Airport, and US 395. The MLFPD also maintains mutual aid agreements with the Bureau of Land Management (BLM), the US Forest Service (USFS), and the California Department of Forestry and Fire Protection (CDF).

MLFPD requires a fire hydrant every 250 feet along the streets of Mammoth Lakes. In addition, the MLFPD also requires that new construction meet the National Fire Protection Association (NFPA) requirements for fire protection flows. In conjunction with the Mammoth Community Water District, MLFPD has been able to adequately meet these requirements.

The Insurance Services Office (ISO) is a private organization that supplies information used by underwriters to evaluate and price particular risks, including fire protection. ISO staff gathers information on individual properties and communities and, in turn, insurers use that information in underwriting personal and commercial property insurance, commercial liability and workers compensation policies. The Town currently has a fire rating of three, as a result of an Insurance Service Office evaluation conducted within the Town. Fire ratings range from one to ten, with one representing the best rating.<sup>7</sup>

## **b. Methodology and Thresholds**

### **(1) Methodology**

The analysis of impacts on fire protection and emergency services addresses the potential increase in population in the commercial districts and the Town as a whole resulting from the removal of the density cap as part of the General Plan amendments and the ability of the MLFPD to adequately serve the existing and future population in the Project vicinity. The analysis also includes potential impacts related to the circulation improvements identified in the Mobility Element Update.

Based on consultation with the MLFPD, a determination was made as to whether fire protection and emergency services and facilities could accommodate the additional demand for fire protection and emergency resulting from the Project without the need for a new facility or the alteration of existing facilities.

### **(2) Thresholds**

For purposes of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether a project would have a significant environmental impact regarding fire protection and emergency services. The Project would have a significant impact if the Project would:

**FIRE-1** Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection and emergency services.

<sup>7</sup> *Municipal Service Review And Sphere of Influence Recommendation, Mammoth Lakes Fire Protection District Mono County, California, October 2009.*

### (3) Applicable General Plan Goals/Policies and Adopted Mitigation Measures

This section provides the applicable General Plan goals and policies as well as measures from the adopted Mitigation Monitoring and Reporting Program (MMRP) from the General Plan Update and the Trails System Master Plan.

#### General Plan

The following is a list of goals and policies contained in the 2007 General Plan Update Public Health and Safety Element that are applicable to the Project:

#### *Fire*

- **Policy S.3.L:** All construction shall comply with wildland fire-safe standards, including standards established for emergency access, signing and building numbering, private water supply reserves available for fire use, and vegetation modification.
- **Policy S.3.M:** Involve local fire department in the development review process.
- **Policy S.3.N:** Minimize the incidence of fires by supporting the Mammoth Lakes Fire Protection District's (MLFPD) ability to respond to emergencies.
- **Policy S.3.O:** Support provision of adequate water flow throughout the town and provision of adequate water storage to meet peak fire demand during times of peak domestic demands.
- **Policy S.3.P:** Maintain mutual aid agreements with other fire and emergency service agencies.
- **Policy S.3.Q:** Support creation and maintenance of firebreaks in coordination with Inyo National Forest and other land management agencies.

#### *Emergency Preparedness*

**Goal S.4:** Maintain adequate emergency response capabilities.

- **Policy S.4.A:** Aid emergency vehicle access and emergency evacuation of residents and visitors by providing and maintaining secondary access routes to all portions of the community, consistent with the Mammoth Lakes Fire Protection District (MLFPD) requirements.
- **Policy S.4.B:** Maintain an Emergency Plan.
- **Policy S.4.C:** Cooperate with emergency response agencies to maintain preparedness to respond to all types of emergencies.

### Trails Master Plan Mitigation Monitoring and Reporting Program

The Mitigation Monitoring and Reporting Program (MMRP) for the Trails Master Plan includes a mitigation measure applicable to fire protection. Since this is an adopted MMRP, for purposes of this EIR, the following measure is applied where applicable to address the impacts of the Project:

**TSM 4.G-1.A:** As individual projects are implemented under the TSMP, the Town shall undertake actions when applicable to reduce the risk of wildfires. On National Forest lands, these actions shall be coordinated with the USFS to ensure consistency with that agency's standards and guidelines. Specific actions may include but are not limited to: 1) maintain and incorporate design features to facilitate use of MUPs and other facilities, where feasible and appropriate to accommodate emergency vehicles; 2) provide signage at trail heads and along trails relating to fire prevention (i.e., No Smoking signs, fire danger level signs); 3) provide fuel modification and other fuel treatment applications within Project Areas where appropriate; 4) ensure the maintenance and patrol of trails in the Project Area; and, 5) enforce curfews or other rules to limit unwanted activity in Project Areas during daylight hours and after-hours.

### c. Environmental Impacts

**Threshold FIRE-1:** The project would result in a significant impact if the project would result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection and emergency services.

**Impact Statement FIRE-1-A:** *Implementation of the Land Use Element/Zoning Code Amendments would not result in the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection and emergency services. Therefore, the Land Use Element/Zoning Code Amendments would result in a less than significant impact with regard to fire protection and emergency services.*

### Land Use Element/Zoning Code Amendments

As described in Chapter 2, Project Description, of this EIR, the proposed Land Use Element/Zoning Code Amendments would result in the removal of the existing unit and room caps in the commercial districts and would allow a maximum of 2.0 FAR. Provisions of the Community Benefits Incentive Zoning (CBIZ) and Transfer Development Rights (TDR) would be amended to remove previous allowances for developers to increase the density and/or to transfer the density of proposed projects.

The proposed removal of the density cap could result in an increase in residential and hotel densities within the commercial districts and, thus, could introduce more people to these areas. Specifically, the proposed Land Use Element/Zoning Code Amendments could increase the amount of the development as compared to the development otherwise occurring in the C-1 and C-2 areas by an additional 336 residential units; up to 467 hotel rooms; and approximately 152,533 square feet of commercial floor area. As discussed in Section 4.9, *Population and Housing*, of this EIR, the population that could be accommodated by such development could result in an increase of up to 1,978 people including visitors and permanent residents beyond the currently projected population within the commercial districts along Main Street and Old Mammoth Road.

This increase could result in increased demands for fire protection and emergency services including vehicles, personnel, and equipment.

The proposed amendments would not alter existing adopted development standards and building code requirements, including requirements for automatic sprinkler systems, alarms, smoke and carbon monoxide detectors and other fire suppression requirements. Other development standards such as setbacks, snow storage, and egress and ingress requirements for emergency access would also remain the same.

Furthermore, these changes would occur in the downtown area of the Town, in a developed, urban area that is in close proximity to the main Mammoth Lakes Station #1 located at 3150 Main Street which was substantially expanded and improved in 2007. In addition, future development that would occur as a result of the Land Use Element/Zoning Code Amendments would be subject to the latest California Building Code and California Fire Code requirements.

The proposed amendments include the removal of the People At One Time (PAOT) cap, which represents the total peak population of permanent and seasonal residents and visitors, and implementation of a Project Impact Evaluation Criteria (PIEC) approach to evaluate development. While the Town is removing the density cap and prior approach to regulating overall development, analysis would still be conducted to evaluate the potential impacts of new development. Under the PIEC, the evaluation of project impacts would occur on a project-by-project basis through use of the PIEC criteria. The criteria would include evaluations of issues that might affect the provision of fire protection and emergency services such as transportation, water supply and capacity impacts. An impacts-based approach is intended to help ensure that growth in the Town would not exceed the carrying capacity of infrastructure or public services and that the potential for significant environmental impacts would be identified and mitigated, if necessary, to the extent feasible.

As discussed earlier, any new development would be subject to the development impact fees that currently range from \$745 to \$1,182 per unit of new residential development and between \$993 to \$2,022 for non-residential uses. Furthermore, as described above, the Town's General Plan includes a number of policies intended to reduce impacts to fire protection and emergency services. Given the recent upgrades to Station 1 and plans for a new station at the Mammoth Mountain Main Lodge area, no additional stations are expected to be constructed. In addition, future development would be required to comply with development standards and regulations in place at the time of such development. As such, impacts to fire protection and emergency services resulting from the Land Use Element/Zoning Code Amendments would be less than significant.

### **Mobility Element Update**

***Impact Statement FIRE-1-B:*** *Implementation of the Mobility Element Update would not result in the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection. Therefore, the impact to fire services would be less than significant.*

As outlined in Chapter 2, *Project Description*, of this EIR the Mobility Element Update provides a framework for the provision of an interconnected network of streets, mid-block connectors, paths, sidewalks, trails, and transit and bike facilities that aim to improve multimodal access, disperse traffic, improve emergency access,

and reduce congestion. To that end, the Mobility Element Update designates various vehicle, transit, bicycle, and pedestrian safety improvements including new traffic signals, a system of signage and wayfinding for vehicles and pedestrians, new medians and sidewalks, enhanced mid-block connections; improved intersection geometry; new and improved bicycle paths, lanes, and routes; new transit stops, new pedestrian underpasses and bridges; and improved visibility and lighting in key areas.

In addition, the Mobility Element Update includes the vacation of the frontage roads and conversion of Main Street to a four-lane cross-section with a center median and turn pockets, which would likely be phased in over time. Preliminary phases to provide basic infrastructure and pedestrian access would be constructed by the Town with major capital works being driven by new development on Main Street. The Mobility Element Update requires that implementation of these various improvements is to be consistent with snow removal operations and emergency access needs.

Principle and Policies contained in the Mobility Element Update related to fire protection and emergency services include:

**Mobility Principle: Safety:** A safe system is fundamental. The transportation system must be safe for all users during all seasons and times of day, particularly during the winter when ice and snow contribute to safety hazards. The transportation system must also accommodate the Town's emergency response system.

- **Policy M.1.2:** Provide an interconnected network of streets, mid-block connectors, paths, sidewalks, trails, and bike facilities that improve multimodal access, disperse traffic, improve emergency access, and reduce congestion.
- **Policy M.1.4:** Emphasize public safety in the planning and design of the transportation system by balancing timely emergency response with vehicle, pedestrian, and bicyclist safety.

Construction activities associated with the reconfiguration of Main Street to a four lane road, construction of medians, new landscaping, new bicycle and pedestrian paths, and various other improvements associated with the Mobility Element Update may cause temporary lane closures or other access issues that would affect the provision of adequate fire and emergency response times. The reconfiguration of Main Street, which would result in the removal of the frontage road and the placement of future buildings closer to the street, would likely take place over a number of years. Consistent with Action M.1.4.1 of the Mobility Element Update, the Town would coordinate with MLFPD to plan for and ensure appropriate emergency access and response times as part of implementation of the Mobility Element Update. As such, before construction of any transportation improvements including the reconfiguration of Main Street, the MLFPD would be consulted to avoid or minimize interference with fire protection and emergency vehicle access. The Mobility Element Update would not result in the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts; therefore, impacts would be less than significant.

### Mitigation Measures

With compliance with applicable policies and action statements in the Town's General Plan, impacts would be less than significant and no mitigation measures would be necessary.

### **Level of Significance After Mitigation**

Impacts relative to fire protection would be less than significant with compliance with applicable policies and action statements in the Town's General Plan.

### **d. Cumulative Impacts**

The analysis of the impact of the Land Use Element/Zoning Code Amendments on fire protection services is cumulative in nature because it evaluates the effects of the amendments in combination with the General Plan buildout. As indicated above, with compliance with applicable regulations and the payment of fees, the Land Use Element/Zoning Code Amendments and Mobility Element Update would result in a less than significant impact on fire protection and emergency services. Implementation of the Mobility Element Update would expand and better connect the physical roadway network of Mammoth Lakes, provide intersection capacity-enhancing improvements (new signals), expand the existing transit system, and provide bicycle and pedestrian-related improvements and improve the overall circulation in the Town as a whole. Any future projects would be subject to the Town's development review process as well as the applicable building and fire code requirements in effect at the time of development and would also be required to pay applicable development impact fees established by the MLFPD. Any future development projects or improvements associated with the Mobility Element Update would be developed in compliance with applicable development standards, including setbacks, as well as access routes, street widths and other standards contained in the Mobility Element Update. Therefore, the Project would not contribute to cumulative significant impacts to fire protection and emergency services.

## **2. POLICE PROTECTION**

This subsection addresses potential impacts on law enforcement services that could occur as a result of the Project. Law enforcement services in the Town are provided by the Mammoth Lakes Police Department (MLPD). The analysis focuses on the MLPD facilities that currently serve the Town and the ability of the MLPD to provide police protection services with the implementation of the Project. The analysis, which is based in part on information provided by MLPD, including statistical data regarding police protection facilities, services and response times, is included in Appendix E of the Draft EIR. Crime statistics included in this analysis were obtained from the State of California Department of Justice, Criminal Justice Statistics Center database.<sup>8</sup>

### **a. Environmental Setting**

#### **(1) Regulatory Framework**

##### **Mono County**

##### ***Mono County Office of Emergency Services***

The mission of the Mono County Office of Emergency Services (OES) is to ensure Mono County is adequately prepared, able to respond to, and recover from the effects of emergencies. The Mono County OES coordinates the activities of all county departments and the response efforts of local, state, and federal

<sup>8</sup> *State of California Department of Justice, Criminal Justice Statistics Center, Crime in California, Mammoth Lakes, August 2015*  
<https://oag.ca.gov/crime/cjsc/stats/crimes-clearances>.

agencies including: the Town of Mammoth Lakes, US Forest Service, Los Angeles Department of Water and Power, California Office of Emergency Services, California Highway Patrol, Caltrans, Mono County Fire Districts, US Marine Corps (USMC) Mountain Warfare Training Center, Mammoth Unified School District, and Eastern Sierra Unified School District.

## **Town of Mammoth Lakes**

### ***General Plan***

The Public Health and Safety Element of the 2007 General Plan aims to improve the quality of life for those living and working in the Town. The intent of the Public Health and Safety Element is to support, provide and encourage facilities and services that are important to a livable and safe community. Goals and policies related to law enforcement and safety support police programs and facilities, promote prompt response times, and encourage adequate funding and access to police services.

### ***Municipal Code***

Section 15.16.080 Article II, Development Impact Mitigation Fees, of the Town of Mammoth Lakes Municipal Code establishes and imposes impact fees for development within the Town to finance the cost of public facilities and improvements required by new development. Section 15.16.081.B, establishes a development impact fee (DIF) program to fund law enforcement facilities, vehicles and equipment. Section 15.16.080 also provides that DIF and other fees are to be regularly reviewed and updated to ensure that they are accurate and fair. Currently the law enforcement DIF is \$143 for single-family homes, \$122 for mobile homes, \$149 for multi-family units, \$0.99/square feet for commercial uses, \$0.39/square feet for office uses, \$0.25/square feet for industrial uses, and \$287/room for lodging.<sup>9</sup> As part of the regular review of DIF and other fees, the Town recently commissioned an independent assessment of the DIF program. The DIF Study identified a list of law enforcement equipment and facilities that may be eligible for use of DIF funds for implementation. The DIF Study identified the potential funding stream for two (2) new police vehicles over a 20 year period and the development of a new 4,500 square feet police station.<sup>10</sup>

## **(2) Existing Conditions**

Police protection and law enforcement in the Town are provided by the MLPD, the Mono County Sheriff's Department (MCSO), and the California Highway Patrol (CHP). The MLPD provides all police services including traffic related services within the Town's incorporated boundary except for along SR 203 where CHP also provides traffic related services. The MLPD also provides first responder services to the Lakes Basin recreation area which includes the Twin Lakes, Lake Mary, Lake Mamie and Horseshoe Lake areas; the Shady Rest campground area and the Reds Meadow recreation resort area in Madera County through a contract with the US Forest Service.

The MCSO is responsible for jail operations (for persons arrested in both the Town and outside the Town limits) and provides coroner operations, processing and serving civil paperwork, and search and rescue

<sup>9</sup> *Town of Mammoth Lakes, Development Impact Fee Schedule, July 1, 2015.*

<sup>10</sup> *Development Impact Fee Study, Town of Mammoth Lakes, prepared by TischlerBise June 23 2015.*

operations. The MCSD provides dispatch services to the MLPD and the Mammoth Lakes Fire Protection District under a contractual agreement.<sup>11</sup>

The MLPD offers the following specialized crime enforcement teams: Patrol Division, Traffic Division, a part time School Resource Officer, Sexual Assault Response Team (a cooperative division that also includes the Mono County District Attorney's Office, medical personnel; Mono County Mental Health counselors, and Wild Iris Family Services); The MPLD is a part of the Mono County Investigative Unit. MLPD provides one officer to assist with county wide detective services. The MLPD maintains one drug detection canine. The MLPD staff is comprised of 11 full time sworn officers, four part time sworn reserve officers, three full time civilian staff, and one contracted full time employee. The MLPD currently owns 10 black and white vehicles, one non-emergency police services vehicle and three unmarked police vehicles. The average time to all calls (emergency and non-emergency) is six minutes 22 seconds. The MLPD goal is to respond to in progress and emergency calls for service within five minutes of when the 911 call is received.<sup>12</sup>

**Table 4.10-2, *Crime Statistics for the Town of Mammoth Lakes 2010-2014***, provides information on the number and type of criminal arrests in the Town from 2010 to 2014. Crime data is categorized as Violent Crime, which include crimes that generally include a weapon, bodily injury, or robbery; Property Crime, which are crimes that generally result in damage to property including theft, burglary, or forced entry; and Arson which can include damages to structural, vehicle/mobile or other property. As shown in Table 4.10-2, law enforcement arrests have decreased by roughly 49 percent from 2010 to 2014 with the year(s) 2013 and 2014 having the lowest number of arrests over the five years (171 in 2013 and 139 in 2014). The decreases include reductions in violent and property crimes. A partial reason for the decrease in crime is the decrease in staffing levels within the MPLD. This is a natural trend when programs or staffing is decreased.

The MLPD station is currently located at 568 Old Mammoth Road. The 4,000 square foot facility includes offices and a booking area. Since the Town does not maintain a jail facility, the MLPD transfer offenders requiring holding to the Town of Bridgeport, approximately 56 miles north. The Mammoth Lakes Town Council recently approved the funding and permits for a new MLPD facility with a planned completion date of December 2017.<sup>13</sup> The current plan for the MPPD facility is an approximate 5,200sq ft building near the existing Mono County Superior Court. There are no plans to increase staffing levels based on moving to a new facility.

## **b. Methodology and Thresholds**

### **(1) Methodology**

The analysis of impacts on law enforcement addresses the Project's potential increase in population in the commercial districts and the Town as a whole resulting from the removal of the density cap as part of the General Plan amendments and construction and operational impacts related to implementation of the circulation improvements identified in the Mobility Element Update and the ability of MLPD personnel to adequately serve existing and future population in the Project vicinity. The analysis presents information

<sup>11</sup> Chief Al Davis Mammoth Lakes Police Department., electronic mail correspondence, August 3, 2015.

<sup>12</sup> Chief Al Davis Mammoth Lakes Police Department., electronic mail correspondence, August 3, 2015.

<sup>13</sup> Chief Al Davis Mammoth Lakes Police Department, e mail correspondence, August 3, 2015.

Table 4.10-2

## Crime Statistics for the Town of Mammoth Lakes 2010-2014

Crime Statistics	2010	2011	2012	2013	2014
<b>Violent Crime</b>	<b>46</b>	<b>38</b>	<b>38</b>	<b>18</b>	<b>28</b>
Homicide	0	0	0	0	0
Rape	8	5	3	0	1
Robbery	2	4	9	5	3
Aggravated Assault	36	29	26	13	24
<b>Property Crime</b>	<b>230</b>	<b>244</b>	<b>196</b>	<b>152</b>	<b>111</b>
Burglary	68	66	54	33	21
Motor Vehicle Theft	6	22	2	6	2
Larceny-Theft	156	156	140	113	88
<b>Arson</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>
<b>Grand Total</b>	<b>277</b>	<b>282</b>	<b>234</b>	<b>171</b>	<b>139</b>

Source: State of California Department of Justice, Criminal Justice Statistics Center, Crime in California, Mammoth Lakes, August 2015

provided by the MLPD and statistical information available from the State of California Department of Justice for the Town of Mammoth.

Based on consultation with the MLPD, a determination was made as to whether police facilities could accommodate the additional demand for police protection services resulting from the Project without the need for a new facility or the alteration of existing facilities.

## (2) Thresholds

For purposes of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether a project would have a significant environmental impact regarding police protection services. The project would have a significant impact if the project would:

- POL-1** Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police services.

## (3) Applicable General Plan Goals/Policies and Adopted Mitigation Measures

There are no mitigation measures in the adopted Mitigation Monitoring and Reporting Programs associated with the 2007 General Plan Update or the Trails Master Plan regarding law enforcement. However, the 2007 General Plan includes numerous goals, policies and actions to support and improve public safety and emergency services. The following General Plan Public Health and Safety Element goals, policies, and actions are applicable to law enforcement services:

### *Public Safety*

**Goal S.2:** Keep Mammoth Lakes a safe place to live, work and play.

- **Policy S.2.A:** Maintain safe and efficient municipal operations and services.

*Police Enforcement*

- **Policy S.2.B:** Ensure effective code enforcement and policing programs.
- **Policy S.2.C:** Provide public safety facilities at multiple locations to facilitate prompt response times.
- **Policy S.2.D:** Increase public access to police services.

*Emergency Preparedness*

**Goals.4:** Maintain adequate emergency response capabilities.

- **Policy S.4.A:** Aid emergency vehicle access and emergency evacuation of residents and visitors by providing and maintaining secondary access routes to all portions of the community, consistent with the Mammoth Lakes Fire Protection District (MLFPD) requirements.
- **Policy S.4.B:** Maintain an Emergency Plan.
- **Policy S.4.C:** Cooperate with emergency response agencies to maintain preparedness to respond to all types of emergencies.

### c. Environmental Impacts

**Threshold POL-1:** The project would result in a significant impact if the project would result in substantial adverse physical impacts associated with the provision of new or physically altered police facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police services.

**Impact Statement POL-1-A:** *Implementation of the Land Use Element/Zoning Code Amendments would not result in the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection. Therefore, the Project would result in a less than significant impact with regard to law enforcement.*

#### Land Use Element/Zoning Code Amendments

As described in Chapter 2, Project Description, of this EIR, the proposed Land Use Element/Zoning Code Amendments would result in the removal of the existing unit and room caps in the commercial districts and would allow a maximum of 2.0 FAR. Provisions of the Community Benefits Incentive Zoning (CBIZ) and Transfer Development Rights (TDR) would be amended to remove previous allowances for developers to increase the density and/or to transfer the density of proposed projects.

The proposed removal of the density cap could result in greater residential and hotel densities within the commercially designated areas than currently projected. Thus, the additional increase that could occur with the removal of the room and unit cap could introduce more people in the downtown area. The amendments could result in an additional 336 residential units and up to 467 hotel rooms, and approximately 152,533 square feet of commercial floor area, beyond what was projected under the existing General Plan buildout. As discussed in Section 4.9, Population and Housing, of this EIR, the population that could be accommodated by such development could result in an increase of up to 1,978 people including visitors and permanent residents. This increase in population could result in increased demands for police services including vehicles, personnel, and equipment. However, the proposed amendments would not alter the other established development standards such as setbacks, snow storage, lighting standards, site security requirements, parking standards, and other development standards. Furthermore, an increase in activity and population in an area does not necessarily indicate that the crime rate in that area would increase along with an increase in opportunities for crime. A number of other factors contribute to the resultant crime rate, such as police presence, crime prevention measures, and on-going legislation/funding. Also, the addition of new residential, commercial, and hotel uses and pedestrian activity along Main Street and Old Mammoth Road would create more 'eyes on the street' along these main corridors and thus could serve to deter crime.

The Land Use Element amendments include the removal of the People At One Time (PAOT) which represents the total peak population of permanent and seasonal residents and visitors. The, PAOT would be replaced with the use of a Project Impact Evaluation Criteria (PIEC) approach to evaluate development. While the Town is removing the density cap and prior approach to regulating overall development, analysis would still be done to evaluate the potential impacts of future development. Under the PIEC, the evaluation of project impacts would occur on a project-by-project basis through use of the PIEC criteria. The criteria would include evaluations of issues that might affect the provision of police and emergency services such as transportation, noise, and land use impacts. An impacts-based approach is intended to help ensure that growth in the Town would not exceed the carrying capacity of infrastructure or public services and that the potential for significant environmental impacts would be identified and mitigated, if necessary, to the extent feasible.

As discussed earlier, the Town recently approved funding and the construction of a new MLPD station with a planned completion date of December 2017. The Town also identified the funding stream for the purchase of two (2) new police vehicles over a 20 year period. The DIF also would serve to further ensure that potential impacts to police protection services would be reduced. Furthermore, as individual projects are developed, the MLPD would be consulted for review of site plans, recommendations on security, and coordination regarding site safety.

Therefore, impacts to police services are considered to be less than significant. Any future development that could occur in the downtown area as a result of the Land Use Element/Zoning Code Amendments would be required to pay DIF that would be used to assist the MLPD in the development of needed facilities, equipment and staff. Future development would be required to comply with applicable development standards and regulations in effect at the time of the development. As such, impacts to police services would be less than significant.

### **Mobility Element Update**

**Impact Statement POL-1B:** *Implementation of the Mobility Element Update would not result in the need for new or physically altered police protection facilities, the construction of which could cause*

*significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection. Therefore, the Mobility Element Update would result in a less than significant impact with regard to law enforcement.*

As outlined in Chapter 2, Project Description, the Mobility Element Update provides a framework for the provision of an interconnected network of streets, mid-block connectors, paths, sidewalks, trails, and transit and bike facilities that aim to improve multimodal access, disperse traffic, improve emergency access, and reduce congestion. To that end, the Mobility Element Update designates various vehicle, transit, bicycle, and pedestrian safety improvements including new traffic signals, a system of signage and wayfinding for vehicles and pedestrians, new medians and sidewalks, enhanced mid-block connections; improved intersection geometry; new and improved bicycle paths, lanes, and routes; new transit stops, new pedestrian underpasses and bridges; and improved visibility and lighting in key areas.

In addition, the Mobility Element Update includes the vacation of the frontage roads and conversion of Main Street to a four-lane cross-section with a center median and turn pockets, which would likely be phased in over time. Preliminary phases to provide basic infrastructure and pedestrian access would be constructed by the Town with major capital works being driven by new development on Main Street. The Mobility Element Update requires that implementation of these various improvements be consistent with snow removal operations and emergency access needs.

Policies and Actions contained in the Mobility Element Update related to police protection include:

**Mobility Principle:** Safety: A safe system is fundamental. The transportation system must be safe for all users during all seasons and times of day, particularly during the winter when ice and snow contribute to safety hazards. The transportation system must also accommodate the Town's emergency response system.

- **Policy M.1.2:** Provide an interconnected network of streets, mid-block connectors, paths, sidewalks, trails, and bike facilities that improve multimodal access, disperse traffic, improve emergency access, and reduce congestion.
- **Policy M.1.4:** Emphasize public safety in the planning and design of the transportation system by balancing timely emergency response with vehicle, pedestrian, and bicyclist safety.
- **Action M.1.4.1:** Work with Mammoth Lakes Fire Protection District and Mammoth Lakes Police Department to plan for and ensure appropriate emergency access and response times.

Construction activities associated with the reconfiguration of Main Street to a four lane road, construction of medians, new landscaping, new bicycle and pedestrian paths, and various other improvements associated with the Mobility Element Update may cause temporary lane closures or other access issues that would affect the provision of adequate law enforcement response times. In addition, reconfiguration of Main Street, which would include the removal of the frontage road and the placement of future buildings closer to the street, would likely take place over a multi-year year period. During that period, road and site access may be limited that could potentially hinder law enforcement vehicle access. Consistent with Action M.1.4.1 in the

Mobility Element Update, the Town would coordinate with the MLPD to plan for and ensure appropriate emergency access and response times as part of implementation of the Mobility Element Update. Thus, the Mobility Element Update would not result in the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts. Therefore, impacts would be less than significant.

### **Mitigation Measures**

With compliance with applicable policies and action statements in the Town's General Plan, impacts would be less than significant and no mitigation measures would be necessary.

### **Level of Significance After Mitigation**

Impacts relative to police services would be less than significant with compliance with applicable policies and action statements in the Town's General Plan.

## **d. Cumulative Impacts**

The analysis of the impact of the Land Use Element/Zoning Code Amendments on law enforcement services is cumulative in nature because it evaluates the effects of the Project in combination with the General Plan buildout. As indicated above, the Land Use Element/Zoning Code Amendments would result in a less than significant impact on law enforcement services. The Mobility Element Update would result in the expansion of the physical roadway network of Mammoth Lakes, including more connectivity and the provision of intersection capacity-enhancing improvements (new signals), expand the existing transit system, and provide bicycle and pedestrian-related improvements and improve the overall circulation in the Town as a whole. Any future projects would be required to comply with existing development standards and regulations as well as the access routes, street widths and other standards contained in the Mobility Element Update. In addition, the required payment of development impact fees would be used to assist the MLPD in the development of needed facilities, equipment and staff. Therefore, the Project would not contribute to a significant cumulative impact to law enforcement services.

## **3. SCHOOLS**

This section evaluates potential impacts on school facilities operated by the Mammoth Unified School District (MUSD). The section discusses elementary, middle, and high schools operated by MUSD, as well as compliance with applicable regulations. The analysis estimates the number of students that would be generated by the Project and determines whether MUSD school facilities would have sufficient available capacity to accommodate these students. The analysis is based, in part, on school enrollment and capacity information provided by MUSD, which is included in Appendix E of the Draft EIR.

## **a. Environmental Setting**

### **(1) Regulatory Framework**

#### **State of California**

##### ***California Educational Code***

Educational services are subject to the rules and regulations of the California Education Code and governance of the State Board of Education. The State also provides funding through a combination of sales and income taxes. In addition, pursuant to Proposition 98, the State is also responsible for the allocation of educational funds that are acquired from property taxes. The governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities.<sup>14</sup>

##### ***Kindergarten-University Public Education Facilities Bond Act***

Kindergarten-University Public Education Facilities Bond Act of 2002 (Prop 47) was approved by California voters in November 2002. This act provided a bond issue of \$13.05 billion to fund education facilities to relieve overcrowding and repair older schools. Funds were targeted at areas of greatest need and can also be used to upgrade and build new classrooms in the California Community Colleges, the California State University, and the University of California to accommodate growing student enrollment.

##### ***Leroy F. Greene School Facilities Act of 1998.***

In combination with the \$9.2 billion education bond act approved by the voters in 1998 (Prop 1A), the Leroy F. Greene School Facilities Act, known as SB 50, reformed methods for the financing of school construction in California. The act included a new school facility program by which school districts can apply for state construction and modernization funds, imposed limitations on the power of cities and counties to require mitigation of school facilities impacts as a condition of development approval, and provided authority for districts to levy fees at three different levels based on specific factors such as the number of students on year-round schedules, debt levels, use of temporary classrooms, degree of public investment in local bond efforts, available state funding, and other considerations.

#### **Town of Mammoth Lakes**

##### ***General Plan***

The Public Health and Safety Element of the 2007 General Plan aims to improve the quality of life for those living and working in the Town. The intent of the Public Health and Safety Element is to support, provide and encourage facilities and services that are important to a livable and safe community. Goals and policies related to educational services within the Public Health and Safety Element aim to support high quality educational services and life-long learning resources within the Town.

##### ***School Developer Fees***

Pursuant to California Education Code §17620(a)(1), the governing board at any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the

<sup>14</sup> *California Education Code Section 17620(a)(1).*

district, for the purpose of funding the construction or reconstruction of school facilities. The MUSD currently charges developer fees of \$2.63 per square foot of residential development and \$0.42 per square foot of commercial development.<sup>15</sup> Pursuant to Government Code Section 65995, the payment of these fees mitigates all potential impacts from development projects on school facilities to a less than significant level.<sup>16</sup>

## (2) Existing Conditions

The MUSD provides education to students in grades kindergarten (K) through grade 12 within the Town of Mammoth Lakes and the Crowley Lake area. School facilities include Mammoth Elementary School, Mammoth Middle School, Mammoth High School, and Sierra High School (Continuation Education School). As shown in **Table 4.10.3, Student Enrollment and Capacity for the MUSD 2015-2016 School Year**, the total current enrollment in MUSD schools is approximately 1,194 students for the 2015-16 school year.

**Table 4.10-3**

**Student Enrollment and Capacity for the MUSD 2015-2016 School Year**

School Name	Enrollment	Capacity
Mammoth Elementary School	576	450
Mammoth Middle School	272	325
Mammoth High School	331	525
Sierra High School	15	25
Total	1,194	1,325

*Source: Brooke Bein, Mammoth Unified School District. January 2016*

According to MUSD, overall student enrollment at all schools has been fairly static over the past 10 years, and does not tend to fluctuate.<sup>17</sup> As shown below, student enrollment is below the capacity of Mammoth Middle School, Mammoth High School and Sierra High School. However, the number of students currently enrolled at Mammoth Elementary School (576 students) exceeds the 450 student capacity at this school. The additional 126 students are accommodated within 12 portable classrooms.

Although not over capacity, Mammoth Middle School utilizes two portable classrooms and Mammoth High School utilizes eight portable classrooms. In addition, MUSD intends to remodel/upgrade the Mammoth High School and add new classrooms at Mammoth Elementary School and Mammoth Middle School.

## b. Methodology and Thresholds

### (1) Methodology

The analysis of enrollment effects on schools is based on the ability of MUSD school facilities to accommodate the potential increase in students generated by future development that could occur as a

<sup>15</sup> Brooke Bein, Mammoth Unified School District. January 2016.

<sup>16</sup> Calif. Government Code § 65996.

<sup>17</sup> Brooke Bein, Business Services Manager, Mammoth Unified School District. January 2016.

result of the Land Use Element/Zoning Code Amendments. The analysis also addresses state regulations (i.e., SB 50) and related development fees as mechanisms for providing new school facilities and mitigating school impacts of the Project. Implementation of the Mobility Element Update would result in improvements to the Town's transportation network and would not generate new students. Therefore, since the improvements would not affect population growth in the Town the Mobility Element Update is not evaluated relative to schools.

## (2) Thresholds

For purposes of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether a project would have a significant environmental impact regarding school services. The Land Use Element/Zoning Code Amendments would have a significant impact if the project would:

- SCH-1** Require the addition of a new school or the expansion, consolidation or relocation of an existing facility to maintain existing service levels.

## (3) Applicable General Plan Goals/Policies and Adopted Mitigation Measures

There are no mitigation measures in the adopted Mitigation Monitoring and Reporting Program associated with the 2007 General Plan Update or the Trails System Master Plan regarding school services. The 2007 General Plan includes numerous goals, policies and actions to support and improve education resources in the Town. The following General Plan Public Health and Safety Element goals, policies, and actions are applicable to school services:

### Education

**Goal S.5:** Support high quality educational services and life-long learning resources within the community.

- **Policy S.5.A:** Encourage development and enhancement of school sites and other administrative, educational and recreational facilities.
- **Policy S.5.B:** Support expansion of educational opportunities within the community.

## c. Environmental Impacts

**Threshold SCH-1:** The Project would result in a significant impact to schools if it would require the addition of a new school or the expansion, consolidation or relocation of an existing facility to maintain existing service levels.

**Impact Statement SCH-1** *The Land Use Element/Zoning Code Amendments would generate a need for new student space at the elementary, middle and high schools. However, any future development associated with the Land Use Element/Zoning Code Amendments would pay the required development fees as mechanisms for providing new school facilities and mitigating school impacts. Therefore, Impacts would be less than significant.*

As described in Chapter 2, Project Description, of this EIR, the proposed Land Use Element/Zoning Code Amendments would result in the removal of the existing unit and room caps in the commercial districts and would allow a maximum of 2.0 FAR. Provisions of the Community Benefits Incentive Zoning (CBIZ) and Transfer Development Rights (TDR) would be amended to remove previous allowances for developers to increase the density and/or to transfer the density of proposed projects.

The proposed removal of the density cap would accommodate greater residential densities within the Main Street and Old Mammoth Road neighborhoods and, thus, could introduce more people to these areas. These amendments could increase the General Plan estimated buildout by an additional 336 residential units. It is estimated that 252 of the 336 units, or 75 percent of the units, would be occupied by residents of the Town and not by visitors. This could result in an additional 136 new students<sup>18</sup> and therefore could result in increased demands for school services.

Based on the developer fees established by the MUSD, future development would be required to pay \$2.63 per square foot of residential development and \$0.42 per square feet of commercial development or the applicable fee in place at the time of obtaining a building permit. In addition, based on a discussion with the MUSD, staff indicates the schools that would serve the Project area have experienced relatively flat enrollment and the number of students has not changed substantially in approximately a decade. Therefore, it is unlikely that the introduction of residential densities would result in a substantial fluctuation in enrollment. As stated previously, as provided in Section 65996 of the California Government Code the payment of the required fees is deemed to fully mitigate the impacts of new development on school services. Therefore, with payment of the required developer fees, Project impacts to schools would be less than significant.

### **Mitigation Measures**

Potential impacts to schools would be less than significant. Therefore, no mitigation measures are required.

### **Level of Significance After Mitigation**

Potential impacts to school services as a result of Project implementation would be less than significant, and no mitigation measures would be required.

## **d. Cumulative Impacts**

The analysis of the impact of the Land Use Element/Zoning Code Amendments on school services is cumulative in nature because it evaluates the effects of the Project in combination with the General Plan buildout. Future projects would be required to pay the developer fees established by the MUSD and as stated previously, provided in Section 65996 of the California Government Code, the payment of such fees is deemed to fully mitigate the impacts of new development on school services. As such, the Land Use Element/Zoning Code Amendments would result in a less than significant impact with regard to schools and would not contribute to a cumulatively significant impact.

<sup>18</sup> Potential student generation rate was calculated as follows: 3.14 (average family size per 2010 Census) x 1,417 (population under 18 years) per 2010 Census / 8,234 (total population per 2010 Census) x 252 (new housing units).

## 4. PARKS AND RECREATION

This subsection provides an analysis of the Project's effect on the existing recreational resources within the Town of Mammoth Lakes. Information regarding existing parks and recreational facilities that would serve the Project was provided in part by the Mammoth Lakes Recreation Department.<sup>19</sup>

### a. Environmental Setting

#### (1) Regulatory Framework

##### Inyo National Forest Land and Resource Management Plan

The Inyo National Forest Land and Resource Management Plan (LRMP) prescribes management direction for the multiple use and sustained yield of public benefits for the Inyo National Forest. According to the LRMP, recreation is the most significant resource on the Inyo National Forest, and the Forest is expected to continue providing recreational opportunities for the foreseeable future. The LRMP states that the economic stability of all Eastern Sierra communities rests heavily on recreation-based income and that most of the major attractions that bring recreationists to the area are located on Inyo National Forest land.

According to the LRMP, on lands with potential for both recreation and other resources, current practice usually emphasizes recreational values. The LRMP further states that an opportunity exists in which it can be decided which areas will be managed for varying recreational opportunities, how those opportunities will be enhanced, and what types of resource management are consistent with a recreation emphasis. According to the LRMP, the demand for recreation in the Mammoth Lakes area is heavily tied to the population of Southern California. The LRMP expects demand to exceed the existing capacity of many USFS recreational facilities and that the current emphasis on destination-oriented camping in the Forest will continue. LRMP recreational policies are as follows:

- Construct and maintain facilities and sites to regional standards.
- Construct and maintain sites and associated water systems and wastewater treatment plants to Facility Condition Class 1 as defined in the recreation resource inventory.
- Emphasize permitted activities rather than prohibited ones on signs to lessen recreation use conflicts.
- Provide screening and shade, using vegetation and/or artificial structures, to increase use on less attractive sites.
- Develop new campsites in concentrated recreation areas before other locations to generate increased use and higher return to the U.S. Treasury.
- Develop associated day-use facilities and interpretive and informational sites and trails, together with overnight campgrounds, to achieve a balanced facility package.

The Project Area includes Management Area No.8, the Mammoth Escarpment, and Management Area No. 9, Mammoth. Management Area No. 8 incorporates Mammoth Lakes Basin and Management Area No. 9

<sup>19</sup> *Stuart Brown, Recreation Manager & Public Information Officer, Town of Mammoth Lakes, Personal communication, September 11, 2015.*

contains private land within the Town of Mammoth Lakes and USFS land adjacent to the Town, to the east of Lake Mary Road. The LRMP sets forth policies for the management of recreational resources in the designated Management Areas. Recreational resources prescriptions/policies that are applicable to Management Area No.8, a designated Concentrated Recreation Area, include the following:

- Develop recreation campsite plans to inventory, coordinate and program the full summer and winter recreation development potential in the area in Prescription No.12 (Lakes Basin).
- Identify and program dispersed trail facilities in the areas in the Lakes Basin.
- Include hiking and equestrian trail opportunities in all areas and bicycle trails in the Lakes Basin. Include opportunities for mountain bike trails within the Management Area.
- Interface trail systems with the community.
- Maintain levels of reservoirs in Mammoth Lakes Basin to desirable levels for recreation use and scenic enhancement during the entire summer use season.
- Emphasize day-use activities within the Mammoth Lakes Basin by developing needed day-use facilities to complement overnight campgrounds.
- Limit resort capacity in the Mammoth Lakes Basin to 10 percent above 1985 levels. Emphasize development of front county trails, particularly those linking Mammoth to the Forest.
- Maintain current use patterns and open space on National Forest Service System lands adjacent to Valentine Reserve.

Recreational policies related to Management Area No. 9 include the following:

- Provide trail interface opportunities with the community of Mammoth Lakes.
- Maintain open space access adjacent to the Town of Mammoth Lakes for passive recreation use.
- Prohibit dispersed camping throughout the Management Area.
- Prohibit development of Shady Rest beyond existing perimeter roads and north of the power line right-of-way.
- Allow development of Mammoth Creek Park by the Town of Mammoth Lakes.
- Identify and program the expansion potential of the Shady Rest and Sherwin Creek Campground complexes and develop as funds become available.
- Fully develop the interpretive potential of Hot Creek geologic site as funds become available.

### **State of California**

Section 66477 of the California Government Code, also known as the Quimby Act, was enacted by the California legislature in 1965 to promote the availability of park and open space areas in response to California's rapid urbanization and the need to preserve open space and provide parks and recreation facilities in response to this urbanization. The Quimby Act authorizes cities and counties to enact ordinances requiring the dedication of land, or the payment of fees for park and/or recreational facilities in lieu thereof, or both, by developers of residential subdivisions as a condition to the approval of a tentative map or parcel map. Under the Quimby Act, dedications of land shall not exceed three acres of parkland per 1,000 persons

residing within a subdivision, and in-lieu fee payments shall not exceed the proportionate amount necessary to provide three acres of parkland, unless the amount of existing neighborhood and community parkland exceeds that limit.

## **Town of Mammoth Lakes**

### ***2007 General Plan***

The Parks, Open Space and Recreation Element of the General Plan recognizes the importance of parks, open space and recreational opportunities as they create an attractive quality of life and contribute to public health by encouraging physical activity and an appreciation of nature. Goals and policies within the Parks, Open Space and Recreation Element emphasize the creation and maintenance of a wide variety of outdoor winter and summer activities for residents and visitors.

### ***Parks and Recreation Master Plan***

Adopted February 1, 2012, the Town of Mammoth Lakes Parks and Recreation Master Plan (PRMP) assess the Town's recreation needs for the future and establishes goals and policies that guide park improvements. The PRMP directly implements the following action stated in the Town's 2007 General Plan: "Develop a comprehensive and integrated year-round Parks and Recreation Master Plan." In addition, goals and policies presented in the PRMP are intended to support other General Plan goals, especially those related to Mobility, Economy, and Community Design. The PRMP contains an analysis of the supply, demand, and needs for park and recreation facilities and services within the Town of Mammoth Lakes, and includes a comprehensive assessment of public and private facilities available in and around Mammoth Lakes. The PRMP also recommends implementation strategies to help meet the challenges of providing parks and recreation facilities.

### ***Trail System Master Plan***

The Trails System Master Plan (TSMP) adopted on October 19, 2011, envisions an integrated system of infrastructure and programs that support recreation and mobility simultaneously, by seamlessly connecting homes, hotels, businesses, recreation nodes, and backcountry experiences. The TSMP includes a strong focus on providing facilities that will improve access to trails from all modes of transportation. The TSMP also includes suggestions for other improvements such as sidewalks, crosswalks, bus stops, bike lanes, bicycle parking, summer maintenance, and snow removal.

Objectives of the TSMP include (i) identifying necessary improvements relative to pedestrian safety, convenience and comfort; (ii) updating the General Bikeway Plan and developing an on-street bikeway network that enhances bicyclist safety, convenience and comfort; (iii) ensuring that pedestrians and bicyclists can access the public transit system safely, conveniently and comfortably; and that public transit serves all key recreation nodes; and (iv) providing the information necessary for residents and visitors to navigate. The TSMP also supports pedestrian-oriented development and 10-foot sidewalks along Main Street, and recommends bike lanes in Main Street as an interim solution for closing a gap in the primary paved path system. General recommendations include a minimum sidewalk-to-major roadway ratio of 1.6 to 1 to be achieved by including sidewalks on both sides of all arterials and on one side of all collector streets. Mid-block pedestrian connectors would be considered in high pedestrian activity areas. The TSMP also includes a bike route plan and a bicycle parking component and addresses signage and wayfinding for multi-use paths, bike lanes, bike routes, pedestrian facilities, soft-surface trails, and easements. A goal of the TSMP

is to develop a year-round maintenance plan, to prioritize snow removal on paved paths and sidewalks, to preserve pavement markings, and to coordinate between roadway and sidewalk snow removal.

### ***Municipal Code***

Section 15.16.080 Article II, Development Impact Mitigation Fees, of the Town of Mammoth Lakes Municipal Code establishes and imposes impact fees for development within the Town to finance the cost of public facilities and improvements required by new development. Section 15.16.081.B, establishes a development impact fee (DIF) program to fund new park land, park improvements and recreation facilities. Section 15.16.080 also provides that DIF and other fees are to be regularly reviewed and updated to ensure that they are accurate and fair. Currently, the DIF for parks and recreation is \$680 per single-family home, \$579 per mobile home, \$711 per unit for each multi-family unit, and \$508 per room for lodging uses.

### ***Measure R***

The Mammoth Lakes Recreation, Trails and Parks Investment Initiative Ordinance also known as Measure R, was adopted by the Mammoth Lakes Town Council on February 20, 2008 and approved by the voters of the Town Mammoth Lakes on June 3, 2008. Measure R imposes a Transactions and Use Tax in the amount of one-half percent for the purpose of funding Recreation, Trails and Parks. Measure R specifically designates the use of funds for planning, construction, operation, maintenance, programming and administration of all trails, parks and recreation facilities managed by the Town of Mammoth Lakes without supplanting existing parks and recreation facility maintenance funds. Funding recommendations for the effective use of Measure R funds for Town Council consideration is conducted by Mammoth Lakes Recreation (MLR).

### ***Measure U***

The Mammoth Lakes Mobility, Recreation and Arts & Culture Utility Users Tax Ordinance, also known as Measure U was adopted by the Mammoth Lakes Town Council on March 17, 2010, and approved by the voters of the Town of Mammoth Lakes on June 8, 2010. Funds are used to support Mobility, Recreation and Arts and Cultural programs and facilities. Funding recommendations for the effective use of Measure U funds for Town Council consideration is conducted by Mammoth Lakes Recreation (MLR).

## **(2) Existing Conditions**

The Mammoth Lakes region is known for its broad range of recreational resources, including such amenities as the Mammoth Mountain Ski Area (MMSA), Mammoth Lakes Basin, Devils Postpile National Monument, Red's Meadow, Inyo National Forest, and the John Muir and Ansel Adams Wilderness Areas. Downhill skiing, cross-country skiing, snowboarding, and snowmobiling are the focus of winter recreation in the area. MMSA includes Mammoth Mountain, Tamarack Cross-Country Ski Center at Twin Lakes, Scenic Gondola Rides, and Snowmobile Adventures. Summer recreation is dispersed throughout the Town with trout fishing in the area's streams and lakes, hiking, mountain biking, camping, sight-seeing, horseback riding, non-motor boating, motor-boating (Lake Mary), golf, and birding, among popular outdoor activities.

The United States Forest Service (USFS) administers most of the land outside the Town's urban growth boundary. The USFS operates several recreational areas and campgrounds near the Town of Mammoth Lakes including the Sherwin Creek Campground, the Lake Mary Campground, Coldwater Campground, and the Pine City Campground. **Table 4.10-4, Parks and Recreational Facilities within Mammoth Lakes**, lists the parks and recreation facilities that the Town owns and/or operates. As indicated in Table 4.10-4, the Shady Rest Park and Mammoth Creek Park East and a portion of Mammoth Creek Park West (4.7 acres) are located

on USFS land and are operated by the Town under a USFS Special Use Permit. The Sherwins Area is located on National Forest lands within the Town's Planning Area, but outside the Municipal Boundary. Whitmore Recreation Area is operated by the Town, with a maintenance agreement with Mono County on land leased from the Los Angeles Department of Water and Power.

Table 4.10- 4

## Parks and Recreational Facilities within Mammoth Lakes

Name	Size (Developed/Total size)	Description
Mammoth Creek Park (East and West)	3.5 acres of 9 acres (east) 2.0 acres of 11.4 acres (west)	Located off Old Mammoth Road near Meridian Boulevard; includes the Hayden Cabin museum, picnic tables, restroom facilities, playground, play area for toddlers and children, art sculpture, walking and biking trails, and paved parking; includes trailheads for paved MUPs that connect to the Town's Main Path. Mammoth Creek West is 9.6 acres (4.9 owned by Town, 4.7 leased from USFS; Mammoth Park East is 9 acres and is located on National Forest land and is operated by the Town under a USFS Special Use Permit.
Shady Rest Park	12.52 acres of 12.52 acres	Located on Sawmill Cutoff Road to the north of SR-203; Includes 2 soccer fields, 3 softball fields, skate park, 2 sand volleyball courts, picnic areas, a play area, restrooms, concession stand, and paved parking. Located on National Forest land and operated by the Town under a USFS Special Use Permit.
Community Center Park	5.18 acres of 5.18 acres	Located at 1000 Forest Trail; includes Community Center, library, children's play area, six tennis courts, picnic tables, walking paths, restrooms, and paved parking. The Community Center includes a kitchen, stages, and other facilities and is primarily used for public meetings including Town Council meetings.
Whitmore Park	12 acres of 32.6 acres	Located along US 395 at Benton Crossing; contains a new 9-lane all weather running track and regulation synthetic soccer/football field; 3 baseball/softball diamonds, restrooms, picnic facilities, Whitmore community swimming pool (open May through September), and paved parking; operated by the Town with a maintenance agreement with Mono County on land leased from the Los Angeles Department of Water and Power.
Trails End Park	2.5 acres of 4.11 acres	Located along Meridian Boulevard south of Commerce Drive; includes the 40,000 square-foot Volcom Brothers Skateboard, parking, and restroom facilities.
Mammoth Ice Rink	n/a	Located at 416 Sierra Park; owned and operated by the Town through a partnership with the Mammoth Unified School District and Mono County Office of Education. Offers public skating sessions, pick-up hockey, lessons and special events.
Mammoth RecZone	n/a	Outdoor 17,000 sq. ft. venue offering summer recreational roller/inline skating, youth and adult roller hockey, broomball, basketball, access to mini-ramps, table tennis/golf, bean bag toss, and horseshoe pits. The facility operates from June to September and includes outdoor lighting, restrooms, parking, and concessions.
Total	37.5 acres of 74.9 acres <sup>a</sup>	

<sup>a</sup> 25.7 acres of developed parkland and 42.26 acres of undeveloped parkland, excluding Whitmore Park, a regional park.

Source: Town of Mammoth Lakes Parks and Recreation Master Plan, Adopted February 1, 2012 and the Town of Mammoth Lakes Parks and Recreation Department website: <http://www.ci.mammoth-lakes.ca.us/index.aspx?nid=259>; Town of Mammoth Lakes, May 2016.

The total amount of parkland in the Town is approximately 75 acres, of which approximately 37.5 acres is developed parkland.<sup>20</sup> As Whitmore Park is considered a regional park, the total amount of local parkland, which excludes Whitmore Park, is approximately 42 acres (26 acres of developed parkland).<sup>21</sup> The total amount of regional parkland (Whitmore Park) in the Town is 32 acres (12 acres of developed parkland).<sup>22</sup>

The Town also operates the outdoor Mammoth Ice Rink through a partnership with the Mammoth Unified School District and Mono County Office of Education. The Mammoth Ice Rink offers skating sessions, ice hockey programs, ice skating programs and special events. The Ice Rink is open from November through February, weather permitting. In 2015/16, the Mammoth Ice Rink had 5,462 visitors.<sup>23</sup> The Town also operates the RecZone, a multi-use facility that includes an outdoor roller rink. The Mammoth RecZone had 853 visitors in 2015.<sup>24</sup> According to the Parks and Recreation Department staff, with the exception of the Mammoth Ice Rink and Mammoth RecZone it is difficult to track the amount of visitors to parks facilities; therefore there are no statistics on park usage for the Town. However, staff indicates that certain park facilities such as tennis courts and ballfields have switched to greater year-round use as milder and shorter winter seasons in recent years has increased demands on facilities that traditionally were only open from May through September. Parks and Recreation staff have begun to open these facilities earlier and close them later in the year in response to demand, which places more demand on staffing resources. In addition, the Whitmore Track and Sports Field constructed in 2012, features an all-weather, 9-lane polyurethane running track, with a full-size synthetic turf infield. The facility typically operates from April 1 to November 1 each year (weather permitting) between sunrise and sunset. It was constructed as a public/private partnership between the Town and the newly expanded Mammoth Track Club. Phase II of the facility will include the construction of a sports building (locker/concession/storage), paved parking lot, field lighting, a decomposed granite path with fitness stations around the track, an open-air picnic pavilion and an entry sign.

Mammoth Lakes Recreation (MLR) is a non-profit organization, public benefit corporation, formed in June 2014. Mammoth Lakes Recreation was created to enhance and create premier recreational and cultural opportunities, facilities, and programming for Mammoth Lakes. Mammoth Lakes Recreation has a similar organizational structure as Mammoth Lakes Tourism, Mammoth Lakes Housing, and the Eastern Sierra Transit Authority (ESTA) which work with the Town to provide community services.

### **Level of Service Standards**

Per the PRMP recommendations, the Town has adopted a level of service (LOS) standard of 5 acres of parks per 1,000 residents. For regional park acreage, the LOS standard is 2.5 acres per 1,000 residents. In addition to park acreage, the PRMP also recommends that the Town preserve public access to public lands around Mammoth Lakes. While this open space is considered essential to community recreation it does not count towards the parkland LOS.

---

<sup>20</sup> *Town of Mammoth Lakes Parks and Recreation Master Plan, Adopted February 1, 2012.*

<sup>21</sup> *Town of Mammoth Lakes Parks and Recreation Master Plan, Adopted February 1, 2012.*

<sup>22</sup> *Ibid*

<sup>23</sup> *Stuart Brown, Recreation Manager & Public Information Officer, Town of Mammoth Lakes, May 19, 2016.*

<sup>24</sup> *Ibid*

The current LOS in the Town is 3.12 acres of developed local parkland per 1,000 residents and 5.13 acres undeveloped parkland per 1,000 residents.<sup>25</sup> For regional parkland, the LOS is currently 1.46 acres of developed parkland per 1,000 residents and 3.96 acres of undeveloped parkland per 1,000 residents. This is below the PRMP goals for LOS for developed parkland, but is above the LOS standard for undeveloped parkland.

### Future Facilities

The PRMP provides a vision for developing parks and recreation facilities in the Town through the year 2025. The PRMP includes a number of components that are intended to establish the framework for making informed future decisions regarding the provision of parks and recreation facilities while avoiding or reducing impacts to the physical environment.

New facilities identified in the PRMP are intended to provide expanded and year-round recreation opportunities and to meet anticipated LOS increases with future population growth. The PRMP includes the following eight recommendations for new parks and recreation facilities. These are provided in alphabetical order, and are not prioritized:

1. Additional Parkland. The Town should acquire and/or develop more park acreage to meet future LOS needs as the population grows. The estimated area needed by 2025 is an additional 13.88 acres of developable land in Town for active recreation. In addition, most of the existing undeveloped park acreage (local and regional) will need to be developed to provide more recreation capacity and amenities. While no specific properties or sites are identified for acquisition as parkland, the PRMP notes that the expansion of parkland can occur by: adding to existing parks; developing new parks on land owned or acquired by the Town; having new development provide parks; and acquiring and/or improving additional acreage near Town to meet regional parkland needs.
2. Aquatic Center. The PRMP recommends developing an in-Town indoor year-round aquatic center. Such a facility may be a joint use facility developed with other partner agencies or, in the short term enclosure of the existing Whitmore outdoor pool to allow for year-round use. This facility is being researched by Mammoth Lakes Recreation.
3. Dog Parks. Current Town Municipal Code (Sections 6.12.210 and 12.20.340) requires that dogs must be kept on a leash in public parks and other public areas within Town limits. Mammoth Lakes' residents have expressed a need for off-leash dog areas, or dog parks, in Town. The PRMP recommends the provision of a dog park immediately in Town to help meet this current recreation need, and potentially a second dog park to meet LOS demands by 2025.
4. Event and Performance Venues. The PRMP suggests that new event venues, including venue(s) that can accommodate large crowds (several thousand), in different contexts should be provided. For example, an urban site could host smaller, frequent events that would benefit from easy in-Town access. Alternatively, a nature site could accommodate events that could capitalize on the Town's unique setting. Both indoor and outdoor venues should be provided. No specific sites are identified for future venues. This facility is being researched by Mammoth Lakes Recreation.

<sup>25</sup> *Town of Mammoth Lakes Parks and Recreation Master Plan, Adopted February 1, 2012 and discussion with Stuart Brown, Recreation Manager & Public Information Officer, Town of Mammoth Lakes May 2016.*

5. Picnic Areas. The PRMP recommends adding up to six more picnic shelters and 26 more picnic tables by 2025. Ideally, at least one shelter should be available within each park, to better distribute the supply of picnic areas throughout Town.
6. Multi-Use Recreational/Cultural Facility. The PRMP suggests that construction of a multi-use recreational facility is needed to accommodate indoor recreation and programs (i.e., indoor sports courts/fields, children’s play area; sports training, running track, etc.). Such a facility could maintain year-round levels of service by providing indoor amenities for winter and evening use, when outdoor facilities are unavailable. Similar to the aquatic center, no specific site has been identified for such a facility, and no design or other more detailed proposal advanced at this time. Town Council directed staff to plan, design and construct community multi-use facilities at Mammoth Creek Park West. See PLAN Your PARK below.
7. Snow and Winter Play Areas. The PRMP recommends that opportunities for year-round play be provided by indoor or other sheltered play areas and outdoor places for winter play in the snow. Indoor play areas may be accommodated in a new multi-use recreational/cultural facility and possibly the old library building. While the PRMP does not make specific proposals for the location of winter snow play areas, it mentions a number of possible sites such as Trails End Park, Shady Rest Park, and the knoll near the Snowcreek VIII-area gravel pit, and near Scenic Loop Road where existing informal snow play occurs.
8. Sports Fields and Courts. The PRMP identifies an immediate need for a multipurpose field that can be used for soccer, as well as a facility for indoor soccer games. Looking toward the future, additional soccer fields, tennis courts, and ball fields will be needed to meet 2025 LOS standards. It should be noted that the proposed Whitmore Track project, currently under review, includes a synthetic turf infield that can accommodate soccer and football.

Building on the recommendations provided in the PRMP, on August 6, 2014 the community driven, ‘PLAN Your PARKS’ process recommendations were presented to Town Council. The ‘PLAN Your PARKS’ recommendations included a list of short-term projects that could be implemented in one to three years and conceptual designs of four park sites which included the Whitmore Recreation Area, Mammoth Creek Park East and West, the Community Center, Park and Tennis Courts and the Bell Shaped Parcel. Among the four parks, Mammoth Creek Park West was also the preferred location of development of a new Recreation/Community Center and Aquatic facility. Future development would be based on further analysis, necessary environmental action, and applicable Town Council direction. This planning effort, now called PLAN Your PARK continued late in 2015 and early in 2016 with Council direction to plan, design and construct Community Multi-Use Facilities at Mammoth Creek Park West (Town property). The project includes three major components: a multi-use facility, complementary community center, and a playground with accessible components. The anticipated opening date of the Multi-use Facility is October 2017.

In addition to park acreage, the PRMP also recommends that the Town preserve public access to public lands around Mammoth Lakes. The surrounding public lands are considered essential to community recreation but do not count towards the parkland LOS.

### **Level of Service Standards**

To achieve the recommended LOS for parks and recreation facilities by 2025, the PRMP estimates that an additional 27.67 acres of developed local parks would be needed for a total of 56.14 acres. As proposed in

the PRMP, this increase in parkland could be achieved through acquisition of an additional 13.88 acres for local parks by 2025, assuming that all of the existing undeveloped local parkland is developed. In addition, 18.07 more acres of developed regional parkland should be available to Town residents by 2025 (for a total of 28.07 acres). The PRMP estimates that the 32.64-acre lease area at Whitmore Park, which includes both the Whitmore Pool lease area of approximately 8.9 acres, and the Whitmore Park/Ballfields lease area of approximately 23.75 acres, would be large enough to bring the Town into conformance with PRMP and LOS goals for the ratio of parkland to population. Since preparation of the PRMP, an additional two acres of parkland was developed at Whitmore Park which includes the new Whitmore Track and Sports Field. Because the recommended parks and recreation maintenance and improvements identified in the PRMP are costly, a long-term schedule for implementation is identified in the PRMP. The PRMP recommends a phasing plan for upgrades and new projects to allow the Town to gradually increase its inventory of parks and recreation facilities, thereby keeping pace with LOS recommendations as the population increases.

## **b. Methodology and Thresholds**

### **(1) Methodology**

The analysis of impacts on parks and recreation addresses the potential increase in population in the commercial districts and the Town as a whole resulting from the removal of the density cap as a result of the Land Use Element/Zoning Code Amendments and the ability of the Mammoth Lakes Parks and Recreation Department and Mammoth Lakes Recreation to adequately serve the existing and future population in the Project area.

The analysis reviews the Project's goals, policies, and implementation measures to reduce the potential effects of the increase in population resulting from the Land Use Element/Zoning Code Amendments on the need for parks and recreation. Based on consultation with the Mammoth Lakes Parks and Recreation Department, a determination was made as to whether existing park and recreational facilities could accommodate the additional demand for services resulting from the Land Use Element/Zoning Code Amendments without the need for a new facility or the alteration of existing facilities.

### **(2) Thresholds**

For purposes of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether a project would have a significant environmental impact regarding aesthetics. The Land Use Element/Zoning Code Amendments would result in a significant impact if;

- PRK-1**            The Project would generate a demand for park and recreation facilities that would require the addition of a new park or recreation area; or the expansion, consolidation or relocation of an existing facility to maintain service.
  
- PRK-2**            The 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.

### (3) Applicable General Plan Goals/Policies and Adopted Mitigation Measures

There are no mitigation measures in the adopted Mitigation Monitoring and Reporting Program associated with the 2007 General Plan regarding parks and recreation. The 2007 General Plan includes numerous goals, and policies to support and improve public safety and emergency services. The following General Plan Parks, Open Space and Recreation Element goals, policies, and actions are applicable to park and recreation services:

#### ***A Town Within a Park***

**Goal P.1:** Maintain parks and open space within and adjacent to town for outdoor recreation and contemplation.

**Goal P.2:** Provide additional parks within town.

- **Policy P.2.A:** Coordinate open space programs and policies with the Inyo National Forest, City of Los Angeles and Mono County.
- **Policy P.2.B:** Require usable public recreation open space in all master planned developments.
- **Policy P.2.C:** Maximize parks and open space through flexible form-based zoning, development clustering and transfers of development rights within individual districts.
- **Policy P.2.D:** Increase understanding and appreciation of the cultural, natural and historical resources of the region and town through development of programs, facilities and interpretive signage.
- **Policy P.2.E:** Include interpretive signage in parks, trails and public rights-of-way.

#### ***Recreational Opportunities***

**Goal P.4:** Provide and encourage a wide variety of outdoor and indoor recreation readily accessible to residents and visitors of all ages.

- **Policy P.4.A.:** Expand recreational opportunities by proactively developing partnerships with public agencies and private entities.
- **Policy P.4.B:** Provide an affordable and wide range of year-round recreational opportunities to foster a healthy community for residents and visitors. Activities include but are not limited to:
  - Downhill skiing & snowboarding
  - Day & backcountry hiking
  - Cross-country skiing
  - Walking
  - Back-country skiing & snowboarding
  - Interpretive trails & signage
  - Snowshoeing
  - Fishing
  - Sleigh rides
  - Fall-color viewing
  - Tennis
  - Birding
  - Swimming
  - Health & fitness

- Climbing
  - Sledding
  - Touring
  - Dog sledding
  - Street & mountain biking
  - Ice skating
  - Camping
  - Snowmobiling
  - Soccer
  - Off-highway vehicles
  - Racquetball
  - Equestrian activities
  - Snow play
  - BMX
  - Skateboarding
- **Policy P.4.C:** Ensure balance of use, enjoyment and separation where appropriate between motorized and non-motorized modes of recreation.

### *Connected Throughout*

**Goal P.5:** Link parks and open space with a well-designed year-round network of public corridors and trails within and surrounding Mammoth Lakes.

- **Policy P.5.A:** Create open space corridors by combining open space on neighboring properties.
- **Policy P.5.B:** Design and construct trails as components of a regional and local network for recreation and commuting.
- **Policy P.5.C:** Require development to incorporate linked public trail corridors identified in the Mammoth Lakes Trail System Plan into overall project site plan.
- **Policy P.5.D:** Design public and private streets not only as connections to different neighborhood districts but also as an essential element of the open space system. Include parks and plazas, treelined open spaces and continuous recreational paths in design.
- **Policy P.5.E:** Design parks and open space to be accessible and usable except when set aside for preservation of natural resources, health and safety.
- **Policy P.5:** Ensure provision of parkland dedications or payment of in-lieu fees through project approvals or development impact fees.
- **Policy P.5.G:** Identify, zone and procure land for new and expanded parklands including:
  - pocket parks
  - natural pockets of forest
  - community gardens
  - greenbelts
  - streamside parks
  - street way linear parks
  - active parks
  - open space
  - snow play
  - festival and special events areas

- passive parks
- **Policy P.5.H:** Dedicated parkland suitable for active recreation uses shall have a maximum slope of 10%, be accessible to the community, and be free of significant constraints.

### c. Environmental Impacts

**Threshold PRK-1:** The project would result in a significant impact if the project would generate a demand for park and recreation facilities that would require the addition of a new park or recreation area; or the expansion, consolidation or relocation of an existing facility to maintain service.

**Threshold PRK-2:** The project would result in a significant impact if the 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.

**Impact Statement PRK-1:** *The Land Use Element/Zoning Code Amendments could result in an increase in the population in the commercially designated areas which could potentially increase the demand for existing neighborhood/regional parks and other recreational facilities. The potential increase in population could also require the expansion of new recreational facilities. This impact would be significant and unavoidable.*

Future development within commercially designated areas along Main Street and Old Mammoth Road would be infill development and would not involve the creation or development of new parkland. As described in Chapter 2, Project Description, of this EIR, the proposed removal of the density cap would accommodate greater residential and hotel densities within the Main Street and Old Mammoth Road neighborhoods and, thus, could introduce more people to these areas. The proposed amendments would not alter the other development standards prescribed in the Town of Mammoth Municipal Code. These changes could increase the estimated potential development by 336 residential units, up to 467 hotel rooms, and approximately 152,533 additional square feet of commercial floor area. As discussed in Section 4.9, *Population and Housing*, of this EIR, the population that could be accommodated by such development could be up to 1,978 people including visitors and permanent residents. Such an increase in population could result in an increase in demand for parks and recreation services.

The proposed Land Use Element Amendments also include the removal of the PAOT which represents the total peak population of permanent and seasonal residents and visitors. The proposed amendment would replace PAOT with the use of PIEC to evaluate development. While the Town is removing the density cap and prior approach to regulating overall development, analysis would still be done to evaluate the potential impacts of new development. Specifically under the PIEC, the evaluation of future projects includes the following evaluation measurements for open space, recreation and parks.

**Open Space:**

- Measurement R1) Project contributes open space according to established ratios;
- Measurement R2) Project provides useable and needed open space, i.e. TOT lot, dog park, etc.

**Recreation and Entertainment:**

- Measurement R3) Project provides/encourages outdoor/indoor recreation options that are accessible/affordable;
- Measurement R4) Project provides trail, pedestrian, bike, or transit connections and access to support recreation;
- Measurement R5) Project provides public access to public lands; and
- Measurement R) Project provides entertainment options that are accessible/affordable.

This impacts-based approach is intended to help ensure that growth in the Town would not exceed the carrying capacity of parks and recreational services and that the potential for significant environmental impacts would be identified and mitigated if necessary, to the extent feasible.

As discussed previously, new development would be subject to the applicable DIF for parkland and recreation at the time of issuance of a permit. Future residents and visitors would be subject to the Measure R Transactions and Use Tax adopted for the purpose of funding Recreation, Trails and Parks and the Measure U Mobility, Recreation and Arts & Culture Utility Users Tax that was adopted to support Mobility, Recreation and Arts and Cultural programs and facilities.

Per the PRMP recommendations, the Town has adopted a LOS standard of 5 acres of parks per 1,000 residents. As stated earlier, the current LOS in the Town is 3.12 acres of developed local parkland per 1,000 residents and 5.13 acres undeveloped parkland per 1,000 residents.<sup>26</sup> For regional parkland, the LOS is currently 1.46 acres of developed parkland per 1,000 residents and 3.96 acres of undeveloped parkland per 1,000 residents. This is below the PRMP goals for LOS for developed parkland, but is above the LOS standard for undeveloped parkland.

The PRMP anticipated that part of the shortfall of developed parkland in the Town could be accommodated by the development of future facilities at the regional Whitmore Park. Since the adoption of the PRMP, the Whitmore Track and Sports Field has been constructed and Phase II of the facility would include the construction of a sports building (locker/concession/storage), paved parking lot, field lighting, a granite path with fitness stations, an open-air picnic pavilion. With these additional improvements the amount of regional developed park in the Town has recently increased to by two acres to a total of 12 acres. In addition, the Town is in the process of implementing new park development and facilities in the near term. As described above, the PLAN Your PARKS' recommendations that were recently presented to Town Council included a list of short-term projects that could be implemented in one to three years and conceptual designs of four park sites which included the Whitmore Recreation Area, Mammoth Creek Park East and West, the Community Center, Park and Tennis Courts and the Bell Shaped Parcel. Among the four parks, Mammoth Creek Park West was also the preferred location of development of a new Recreation/Community Center and Aquatic facility. As discussed in Section 4.9, *Population and Housing*, the projected 1,978 new people beyond that projected under the existing General Plan buildout that could occur in the C-1 and C-2 areas with the 2.0 FAR assumes 100 percent occupancy of rental units (fractional units, time shares, rentals, and lodging). Currently, due to the large supply of visitor dwelling units available in the Town, recorded vacancy rates are

<sup>26</sup> *Town of Mammoth Lakes Parks and Recreation Master Plan, Adopted February 1, 2012 and discussion with Stuart Brown, Recreation Manager & Public Information Officer, Town of Mammoth Lakes May 2016.*

high. The 2010 Census identified approximately 66.5 percent of the current housing stock as vacant. By comparison, the 2010 Census showed that the entire state of California had a vacancy rate of 8.1 percent. Furthermore, the Town of Mammoth is surrounded by a broad range of open space, parkland and recreation areas that are not included in the estimate of local and regional parkland provided in Table 4.10-4. These areas include amenities such as Mammoth Lakes Basin, Devils Postpile National Monument, Red's Meadow, Inyo National Forest, and the John Muir and Ansel Adams Wilderness Areas. In addition, the MMSA includes ski, snowmobile, hiking, sightseeing and biking opportunities at Mammoth Mountain, Tamarack Cross-Country Ski Center at Twin Lakes, Scenic Gondola Rides, and Snowmobile Adventures. As such, it is likely that new residents and visitors would utilize the range of recreational areas and parkland that surround the Town and would not concentrate park and recreation usage to only local and regional parks and recreational facilities that are listed in Table 4.10-4. In addition, the payment of fees would fund a fair share for construction of future parks to support the Town's PPRP and LOS standard.

However, even in light recent improvements to Whitmore Park, new planned park and recreational facilities, access to other parks and recreational amenities, and funding associated with the DIF program, and Measure R and U, implementation of the Project would increase the demand for parks and recreational services. As the Town is currently below the LOS goal of 5 acres of parks per 1,000 residents for developed parkland, and as the Project would further increase demand for parks and recreational facilities and would exacerbate impacts to parks and recreational facilities, impacts to parks and recreation facilities are considered significant and unavoidable.

### **Mitigation Measures**

No mitigation measures beyond the policies and/or implementation measures identified in the 2007 General Plan, PIEC evaluation, or the DIF, Measure R or U fee programs are feasible.

### **Level of Significance After Mitigation**

Due to the projected increase in demand, impacts to existing parks and recreation due to increased use of existing parks and facilities would be significant and unavoidable.

## **d. Cumulative Impacts**

The analysis of the impact of the Land Use Element/Zoning Code Amendments on park and recreational facilities is cumulative in nature because it evaluates the effects of the Land Use Element/Zoning Code Amendments in combination with the General Plan buildout. Any future projects would be required to pay the required parkland and recreation DIF, and taxes associated with Measure R and U. Individual development projects would also be subject to review under CEQA, which includes an analysis of park, open space and recreation inclusive of their cumulative effects in concert with other development projects. However, as cumulative projects would also increase the demand for parks and recreational services, further exacerbating impacts to parks and recreational facilities. As the Project would result in significant and unavoidable impacts on parks and recreational facilities, cumulative impacts would also be significant and unavoidable.

## 5. LIBRARY SERVICES

This subsection addresses potential impacts on library services that could occur as a result of the proposed Land Use Element/Zoning Code Amendments. Library services in the Town are provided by the Mono County Library System. The analysis focuses on the Mono County Library System facilities that currently serve the Town and the ability of the Mono County Library System to provide library services with the implementation of the Land Use Element/Zoning Code Amendments. The analysis is based in part on information provided by Mono County Library System.

### a. Environmental Setting

#### (1) Regulatory Framework

##### *Mono County Library System*

The Mono County Library System was established in 1965 as a joint school-community library system and is operated by the Mono County Office of Education under the direction of the Mono County Superintendent of Schools. The Mono County Library System is comprised of seven library branches serving different communities in Mono County (Benton, Bridgeport, Coleville, Crowley Lake, June Lake, Lee Vining, and Mammoth Lakes). The Mammoth Lakes Branch also serves as the Mono County Library System's administrative offices. The Mono County Library System receives the majority of its funding from a 1.68 percent property tax allocation, which is collected by Mono County. The Mono County Library System operates under the following Mission Statement and Policy:

The Mono County Library enhances lives and strengthens our communities by providing free access to information, technology, life-long learning opportunities, social interactions, and cultural enrichment.

- The library advocates that all reading is good reading
- The library enables people to set and meet individual reading goals
- The library connects people with a rich and diverse collection of reading materials in a variety of formats
- The library offers activities that extend the reading experience
- The library is responsive to the diverse cultures and languages represented in the community
- All staff contribute to the success of the library
- Staff engage community partners to enrich program offerings and increase the visibility, credibility, and reach of the library's efforts
- The library offers opportunities for people of all ages to get involved in activities that improve the community.
  - **Policy:** The Mono County Library System upholds the principles of intellectual freedom and the public's right to know by providing people of all ages with access to material that reflects a diversity of points of view. The library system affirms its support of the basic library polices defined in the American Library Association's Library Bill of Rights, Freedom to Read Statement, and Libraries: an American Value.

## Town of Mammoth Lakes

### *General Plan*

The Public Health and Safety Element of the 2007 General Plan aims to improve the quality of life for those living and working in the Town. The intent of the Public Health and Safety Element is to support, provide and encourage facilities and services that are important to a livable and safe community. Goals and policies related to library services within the Public Health and Safety Element support educational and community programs and facilities.

### *Municipal Code*

Section 15.16.080 Article II, Development Impact Mitigation Fees of the Town of Mammoth Lakes Municipal Code establishes and imposes impact fees for development within the Town to finance the cost of public facilities and improvements required by new development. Section 15.16.081.B establishes a development impact fee (DIF) for the library facilities in the Town. The Town collects the library DIF on behalf of Mono County Office of Education.

The development impact fee for library services is currently \$2,001 for single-family homes (non-transient); \$340 for single-family homes (transient); \$1,721 for mobile homes; \$1,721 for multi-family homes (non-transient); and \$340 for multi-family homes (transient).<sup>27</sup> Commercial, office, and industrial uses are not subject to the library DIF. The library DIF is currently used to pay the remainder of the loan for the construction of Mammoth Lakes Branch Library facility that was developed in 2007.<sup>28</sup>

## **(2) Existing Conditions**

Library services in the Town are provided by the Mono County Library System. The Mammoth Lakes Library Branch, which is located at 400 Sierra Park Road, is approximately 17,000 square feet in size. The Mammoth Lakes Library was constructed in 2007 and was a substantial expansion from the previous library facility, which was approximately 7,000 square feet. The old library was located at 960 Forest Trail.

The existing Mammoth Lakes Library Branch features a large and a small conference room, 20 public computers, free Wi-Fi, a children's area, a community arts and craft area, a teen area, law library area, and a shared classroom area with the Cerro Coso Community College. The library collection contains 40,000 volumes which include books, audio books, CDs, and DVDs.<sup>29</sup> The collection also includes Spanish language materials and educational materials and volumes associated with the Cerro Coso Community College, which does not have its own library collection or facilities and is housed entirely at the Mammoth Lakes Library Branch.

In 2014 the Mammoth Lakes Library Branch served a population of approximately 85,000 persons. This includes residents of the Town, residents of Mono County, as well as visitors to the area. The Mammoth Lakes Library Branch includes five (5) full time equivalency staff, including the custodian. The Mammoth

<sup>27</sup> *Development Impact Fee Schedule, Town of Mammoth Lakes Building Division, Adopted by Town Council July 1, 2015.*

<sup>28</sup> *Telephone interview with Ana Danielson, Mono County Library Director, September 3, 2015.*

<sup>29</sup> *<http://www.monocolibraries.org/branches/mammoth-lakes>, Accessed September 16, 2015.*

Lakes Branch also serves as as the Mono County Library System’s administrative offices. The Mono County Library director works primarily out of the Mammoth Library Branch.<sup>30</sup>

The Mono County Library system is a collaborative library system whereby library materials are accessible to order at no charge from other branches within the Mono County Library System as well as other libraries throughout California. The Mono County Library System also uses ‘Zip Books’, a project funded by the California State Library through a grant from Library Services and Technology Act (LSTA). Under this program, a librarian may order a book or audiobook from Amazon for a patron that isn’t currently part of the library’s collection. The book or audiobook arrives directly to the patron’s home at no charge. When the patron is finished with the item, it is returned it to the library branch and is added to the library collection. A ‘Zip Book’ item value is limited to \$35.<sup>31</sup>

## b. Methodology and Thresholds

### (1) Methodology

The analysis of impacts on library services addresses the potential increase in population in the commercial districts and the Town as a whole resulting from the removal of the density cap as part of the Land Use Element/Zoning Code Amendments and the ability of the Mammoth Lakes Library Branch to adequately serve the existing and future population in the Town. As the Mobility Element Update would result in new circulation and safety improvements in the Town, the enhancements would not affect population growth in the Town. Therefore, no further evaluation of the Mobility Element Update is warranted with regard to libraries.

The analysis presents information provided by the Mono County Library System. The analysis reviews the goals, policies, and implementation measures to reduce the potential effects of the increase in population resulting from the proposed amendments on the need for library services. Based on consultation with the Mono County Library System, a determination was made as to whether library facilities could accommodate the additional demand for library services resulting from the amendments without the need for a new facility or the alteration of existing facilities.

### (2) Thresholds

For purposes of this EIR, the Town utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether a project would have a significant environmental impact regarding library services. The project would have a significant impact if the project would:

- LIB-1** Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for library services.

<sup>30</sup> Telephone interview with Ana Danielson, Mono County Library Director, September 3, 2015.

<sup>31</sup> Telephone interview with Ana Danielson, Mono County Library Director, September 3, 2015.

### (3) Applicable General Plan Goals/Policies and Adopted Mitigation Measures

There are no mitigation measures in the adopted Mitigation Monitoring and Reporting Program associated with the 2007 General Plan or the Trails System Master Plan regarding library services. The 2007 General Plan includes goals and policies to support and improve public facilities and services. The following General Plan Public Health and Safety Element goal and policy relate to library services:

**Goal S.5:** Support high quality educational services and life-long learning resources within the community.

- **Policy S.5.A:** Encourage development and enhancement of school sites and other administrative, educational and recreational facilities.

#### c. Environmental Impacts

**Threshold LIB-1:** The project would result in a significant impact if the project would result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for library services.

**Impact Statement LIB-1:** *The Project would increase the residential population in the downtown area which could potentially increase the demand for library services. As there is sufficient capacity to accommodate the increase in demand within the existing library, the impact would be less than significant.*

As described in Chapter 2, Project Description, of this EIR, the proposed Land Use Element/Zoning Code Amendments would result in the removal of the existing unit and room caps in the commercial districts and would allow a maximum of 2.0 FAR. Provisions of the Community Benefits Incentive Zoning (CBIZ) and Transfer Development Rights (TDR) would be amended to remove previous allowances for developers to increase the density and/or to transfer the density of proposed projects.

The proposed removal of the density cap would accommodate greater residential and hotel densities within the Main Street and Old Mammoth Road neighborhoods compared with current projections. Therefore, the removal of the cap could introduce more people to these areas. The proposed amendments would not alter the other development standards prescribed in the Town of Mammoth Municipal Code. Specifically, the proposed Land Use Element/Zoning Code Amendments could increase the amount of the development as compared to the development otherwise occurring in the C-1 and C-2 areas by an additional 336 residential units, up to 467 hotel rooms, and approximately 152,533 square feet of commercial floor area. As discussed in Section 4.9, *Population and Housing*, of this EIR, the potential increase in development could result in an increase of up to 1,978 people including visitors and permanent residents and therefore, could result in increased demand for library services.

However, the Mono County Library System staff indicates that the existing Mammoth Lakes Library Branch adequately serves the Town and surrounding populations. Wait times for conference facilities and work stations are reasonable and there are rarely any scheduling conflicts. The Mammoth Lakes Branch Library collection of 40,000 volumes, plus the ability to order and access library holdings from other libraries throughout California, and access to the 'Zip Books' program, provides patrons with access to a wide

collection of library resources that are sufficient to meet the demand of the library's service population. Furthermore, the expansion of the Mammoth Lakes Library Branch in 2007 resulted in the facility more than doubling in size from 7,000 square feet to 17,000 square feet and provided substantial increase in amenities such as two conference rooms, a shared classroom with the Cerro Coso Community College, art and craft area, and children's area.

Furthermore, any development that would occur in the commercially designated areas as a result of the Land Use Element/Zoning Code Amendments would be required to pay the required library DIF and would also be subject to the 1.68 percent property tax allocation which supports funding of the Mono County Library System and its facilities. As such, the impacts to library services would be less than significant.

### **Mitigation Measures**

Potential impacts to library services would be less than significant. Therefore, no mitigation measures are required.

### **Level of Significance After Mitigation**

The Land Use Element/Zoning Code Amendments would result in a less than significant impact with regard to library services.

### **d. Cumulative Impacts**

The analysis of the impact of the Land Use Element/Zoning Code Amendments on library services is cumulative in nature because it evaluates the effects of the amendments in combination with the General Plan buildout. Any future projects would be required to pay the required library DIF and would also be subject to the 1.68 percent property tax allocation which supports funding of the Mono County Library System and its facilities. Furthermore, individual development projects would be subject to review under CEQA and the Town's PIEC planning procedures, inclusive of their cumulative effects in concert with other development projects. Since the Land Use Element/Zoning Code Amendments would have a less than significant impact on library services, the amendments would not contribute to a cumulative impact to library services.



## 4.11 TRANSPORTATION AND TRAFFIC

---

This section addresses the impacts of traffic associated with implementation of the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update. This section is based on the Town of Mammoth Lakes Travel Model (Traffic Model), dated February 15, 2011, and the Mammoth Mobility Element Update Transportation Impact Analysis (Traffic Impact Analysis), dated April 18, 2016. These reports were prepared by LSC Transportation Consultants, Inc. The 2016 Traffic Impact Analysis is provided as Appendix F of this EIR and the 2011 Traffic Model is on file with the Town of Mammoth Lakes Department of Community and Economic Development.

### 1. ENVIRONMENTAL SETTING

#### a. Regulatory Framework

##### (1) State of California

###### (a) State of California – Senate Bill No. 743

On September 27, 2013, Governor Brown signed Senate Bill (SB) 743, which became effective on January 1, 2014. The purpose of SB 743 is to streamline the review under the California Environmental Quality Act (CEQA) for several categories of development projects including the development of infill projects in transit priority areas and to balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation and reduction of greenhouse gas emissions. The bill adds Chapter 2.7: Modernization of Transportation Analysis for Transit Oriented Infill Projects to the CEQA Statute (Section 21099). Section 21099(d)(1) provides that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. In addition, SB 743 will result in a change in the metrics for determining impacts relative to the transportation network through the development of new methodologies for traffic analyses for CEQA documents to promote the State's goals of reducing greenhouse gas emissions and traffic-related air pollution, promoting the development of multimodal transportation system, and providing clean, efficient access to destinations. Currently, environmental review of transportation impacts focuses on the delay that vehicles experience at intersections and on roadway segments, which is often measured using level of service (LOS). Mitigation for increased delay often involves widening a roadway or the size of an intersection, which increases capacity and may therefore, increase auto use and emissions and discourage alternative forms of transportation. Under SB 743, the focus of transportation analysis will shift from reducing driver delay or LOS impacts to reducing vehicle miles traveled (VMT), and the respective reduction of greenhouse gas emissions through the creation of multimodal networks and promotion of a mix of land uses.

SB 743 requires that the Office of Planning and Research (OPR) prepare revisions to the CEQA guidelines criteria for determining the significance of transportation impacts of projects within transit priority areas. OPR will submit the proposed changes to the Secretary of the Natural Resources Agency to certify and adopt. In August 2014 OPR released a report entitled "Updating Transportation Impacts Analysis in the CEQA Guidelines" for public comment. The report contained a new proposed Section 15064.3 to the CEQA Guidelines as well as proposed amendments to Appendix F (Energy Conservation) and Appendix G (Initial Study Checklist) of the CEQA Guidelines. The comment period closed November 21, 2014 and OPR reviewed

and considered comments to determine if revisions were needed. OPR conducted many months of intensive engagement with the public, public agencies, environmental organizations, development advocates, industry experts, and many others, regarding the analysis of transportation impacts. On January 20, 2016 OPR released a Notice of Availability for the Revised Proposal on updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA. The comment period ended on February 29, 2016. It is expected that OPR will submit a set of final revisions to the Natural Resources Agency in early 2016. The subsequent “rulemaking” process is anticipated to take approximately 6 months and AB 743 is expected to go into effect in 2017.

**(b) State of California – Assembly Bill No. 1358**

Assembly Bill (AB) 1358 (also known as the Complete Streets Act) was enacted in September 2008, to implement the state’s commitment to reduce greenhouse gas emissions under the California Global Warming Act of 2006 and to make the most efficient use of urban land and transportation infrastructure. The Complete Streets Act requires that, through general plan land use and circulation elements, planners develop innovative ways to reduce vehicle miles traveled and to shift from short trips in the automobile to biking, walking, and the use of public transit. AB 1358 places the planning, designing, and building of complete streets into the larger planning framework of a jurisdiction’s general plan by requiring jurisdictions to amend their circulation elements to plan for multimodal transportation networks. According to AB 1358, these networks should accommodate all users, including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, public transportation, and seniors.

**(c) Update to the General Plan Guidelines: Complete Streets and Circulation Element**

The State’s *Update to the General Plan Guidelines: Complete Streets and Circulation Element* (General Plan Guidelines Update) adopted December 15, 2010, meets AB 1358, in that it provides guidance on general plan circulation element goals, policies, data collection techniques, and implementation measures related to multimodal transportation networks. The goal of the General Plan Guidelines Update is to provide information on how a city or county can plan for the development of a well-balanced, connected, safe, and convenient multimodal transportation network.

Under the General Plan Guidelines Update, complete streets are defined as streets designed and operated to enable safe access for all users. Pedestrians, bicyclists, motorists and transit riders of all ages and abilities must be able to safely move along and across a complete street and the orientation toward building primarily for cars needs to be changed. According to the General Plan Guidelines Update, instituting a complete streets policy ensures that transportation agencies routinely design and operate the entire right of way to enable safe access for all users.<sup>1</sup>

As discussed in the General Plan Guidelines Update, cities and counties should focus on crafting a network of travel options that are reflective of a community’s individual context. Under the General Plan Guidelines Update, a general plan circulation element should contain objectives, policies, and standards for transportation systems, including multimodal transportation networks and, by statute, the circulation element must correlate directly with the land use element. According to the General Plan Guidelines Update,

<sup>1</sup> *State of California, Governor’s Office of Planning and Research, Update to the General Plan Guidelines: Complete Streets and Circulation Element, December 15, 2010, page 5.*

land use patterns can have a significant impact on the effectiveness of a multimodal transportation network, since trip distance is a determinant of whether pedestrians and bicyclists, as well as transit users walking or bicycling to and from terminals, can reach a given destination. The General Plan Guidelines Update states that the land use plan and transportation network should be complementary and that the close proximity of land uses can also facilitate effective transportation services and provide the ridership necessary to support high quality mass transit. Possible policy areas for major thoroughfares cited in the General Plan Guidelines Update include:

- The design of streets (including, but not limited to, width, block size, etc.)
- The consideration of sidewalks and curbs as a standard street design principle.
- The consideration of bicycle lanes and/or shared lanes as a standard street design principle.
- The consideration of transit accessibility and transit priority measures as a standard street design principle.
- The consideration of shade trees and planting strips as a standard street design principle.
- The consideration of traffic calming measures (narrower travel lanes, roundabouts, raised medians, speed tables, planting strips, etc.).
- The safety of the traveling public, including pedestrians and bicyclists.
- The design of intersections and public right-of-ways to include adequate and safe access for all users including pedestrians, bicyclists, and motorists of all ages and abilities.
- The development of a connected system of streets, roads, and highways that provides continuous, safe, and convenient travel for all users.
- The consideration of separate performance and level-of-service standards for bicycle and pedestrian traffic or integrated performance and level-of-service standards that include multiple modes.
- The development and improvement of transit, including transit services within a roadway right-of-way.

## **(2) Mono County**

### **(a) The Mono County Regional Transportation Plan**

The purpose of the Mono County Regional Transportation Plan (RTP), as amended in December 2013, is expressed as a range of directives, including the correlation of development and transportation and circulation systems with land use development throughout unincorporated Mono County and to provide for a transportation system that preserves air quality. The RTP's summary of existing transportation needs pertinent to the Town of Mammoth Lakes include expanding air services and transit connections at the Mammoth Yosemite Airport to help alleviate surface transportation problems in the Town of Mammoth Lakes. The RTP states that the main issue in the Town of Mammoth Lakes is improving air quality, reducing congestion, and maintaining the resort character of the Town by providing additional pedestrian and bicycle facilities and by developing a year-round townwide transit system. As discussed in the RTP, transit services in the county currently include inter-regional and countywide services and local services in the Town of Mammoth Lakes by Inyo-Mono Transit, Mammoth Area Transit and private shuttle services. For instance Eastern Sierra Transit Authority (ESTA) and Mammoth Mountain Bus Service are private vendors. According to the RTP, Countywide services are expected to increase in response to demand and the

availability of funding; local services in the Town are expected to increase as the Town implements its Transit Plan.

### **(3) Town of Mammoth Lakes**

#### **(a) General Plan (Adopted)**

The General Plan's adopted Mobility Element sets forth a range of goals pertinent to transportation and circulation. Goals of the existing General Plan (Goals M.1 through M.9) include the development of a townwide way-finding system; improvement of the regional transportation system; emphasis on feet first, public transportation second, and car last; encouragement of feet first by providing linked year-round safe and comprehensive recreational and commuter trail system; providing year-round public transit that is convenient and efficient; encouragement of alternative improvements in pedestrian mobility through comprehensive parking management; maintaining and improving safe and efficient movement of people, traffic, and goods in a manner consistent with the feet first initiative; enhancing small town character through design such as traffic calming; and improved snow and ice management.

### **b. Existing Conditions**

#### **(1) Existing Roadway Network**

The major access into the Town is via State Route 203, which intersects US Highway 395 just east of the Town limits. SR 203 (also named Main Street) is a four-lane minor arterial road from US 395 through the majority of the developed portions of the Town. SR 203 narrows to two lanes north of the intersection of Main Street and Minaret Road. The highway continues from the developed area of the Town to the Mammoth Mountain Ski Area (MMSA), and terminates at the Mono-Madera County Line. Portions of SR 203 are augmented by frontage roads. The Mammoth Scenic Loop, a two-lane road off of SR 203, provides secondary access from the Town to US 395 to the north. The following roadway classifications are used in the Town:

Arterials - Major streets, which are two to four lanes, augmented with turning lanes and controlled intersections, carrying high volumes of traffic to and from local and collector streets. Arterial roadways in the Town include the following:

- Main Street (SR 203) to 8.5 miles west of US 395 (including the Frontage Roads)
- Minaret Road
- Meridian Boulevard
- Old Mammoth Road east of Waterford Avenue

Collectors - Two-lane streets for traffic moving between arterial and local streets augmented at intersections, which provide access for major land use areas. Collector streets in the Town include the following:

Old Mammoth Road, west of Minaret  
Canyon Boulevard

Lakeview Road  
Tavern Road

Lakeview Boulevard	Azimuth Drive
Forest Trail	Chateau Road
Majestic Pines Drive	Sierra Park Road
Waterford Avenue	Laurel Mountain Road
Lake Mary Road	Sierra Nevada Road, east of Azimuth Drive

**Local Streets** - Public and private two-lane streets that provide direct access to residential properties and provide access from residential areas to collector or arterial streets.

**Rural Roads** - Roads that provide access to remote, scenic, or recreational areas, and to very low-density residential areas.

At present, all of the roadways in the Town provide one through lane in each direction, with the exception of the following roadways, which provide two through lanes in each direction:

- Main Street east of Minaret Road
- Minaret Road from Main Street to 0.1 mile north
- Portions of Meridian Boulevard

Additionally, although not in the study area, Rainbow Lane is a one-way street between Canyon Boulevard and Mammoth Slopes Drive. **Table 4.11-1, Existing Roadway Traffic Volumes**, shows the existing peak hour volumes for street segments along Main Street, Minaret Road, Forest Trail, Meridian Boulevard, Old Mammoth Road, and Sierra Park Road. As shown in Table 4.11-1, these arterials and collector streets are operating below roadway capacity.

Study intersections are shown in **Figure 4.11-1, Existing Intersection LOS Study Area**. **Table 4.11-2, Existing Levels of Service**, shows existing service level conditions at the Town's stop-controlled and signalized intersections. As shown in Table 4.11-2, the stop-controlled intersections of Minaret Road/Forest Trail and Main Street/Post Office currently operate as LOS F and the stop-controlled intersections of Mountain Boulevard/ Main Street, Forest Trail/Main Street, and Laurel Mountain Road/Main Street, and Old Mammoth Road/Sierra Nevada Road operate at LOS E. Stop-controlled roads are only considered to be failing when delay exceeds a certain period of time at LOS F. All other stop-controlled and signalized study intersections operate at acceptable levels of D and better.

## (2) Existing Transit Conditions

Eastern Sierra Transit Authority (ESTA) operates the following fare-free fixed route service for the Town of Mammoth Lakes year round, seven days a week. In Fiscal Year 2013/14 ESTA began contracting with MMSA for the operation of the winter ski shuttles. Generally, these routes operate from late November to late May (depending on the winter).

Table 4.11-1

## Existing Roadway Traffic Volumes

Street Name	from	to	Direction	Capacity (vehicles per hour)	Existing	
					Peak Hour Volume	V/C
Main Street	Canyon	Minaret	Eastbound	2600	631	0.24
	Minaret	Canyon	Westbound	2600	747	0.29
	Minaret	Mountain	Eastbound	2600	1,002	0.39
	Mountain	Minaret	Westbound	2600	520	0.20
	Sierra	Mountain	Westbound	2600	543	0.21
	Sierra	Post Office	Eastbound	2600	982	0.38
	Post Office	Center	Eastbound	2600	996	0.38
	Center	Post Office	Westbound	2600	620	0.24
	Center	Forest Trail	Eastbound	2600	954	0.37
	Forest Trail	Center	Westbound	2600	643	0.25
	Forest Trail	Laurel Mountain	Eastbound	2600	1,076	0.41
	Laurel Mountain	Forest Trail	Westbound	2600	679	0.26
	Laurel Mountain	Old Mammoth	Eastbound	2600	931	0.36
	Old Mammoth	Laurel Mountain	Westbound	2600	599	0.23
	Old Mammoth	Sierra Park	Eastbound	2600	408	0.16
	Sierra Park	Old Mammoth	Westbound	2600	361	0.14
	Sierra Park	Thompson	Eastbound	2600	376	0.14
	Thompson	Sierra Park	Westbound	2600	350	0.13
	East of	Thompson	Eastbound	2600	370	0.14
			Westbound	2600	346	0.13
Minaret Road	North of	Main	Southbound	1300	668	0.51
			Northbound	1300	477	0.37
	South of	Main	Northbound	1600	667	0.42
			Southbound	1600	260	0.16
	North of	Meridian	Southbound	1600	535	0.33
			Northbound	1,600	324	0.20
	South of	Meridian	Northbound	1,600	165	0.10
			Southbound	1,600	328	0.21
	North of	Old Mammoth	Southbound	1,600	244	0.15
			Northbound	1,600	175	0.11
	North of	Forest Trail	Southbound	1,600	848	0.53
			Northbound	1,600	207	0.13
	South of	Forest Trail	Northbound	1,300	276	0.21
			Southbound	1,300	784	0.60
Forest Trail	East of	Minaret	Westbound	800	43	0.05
			Eastbound	800	123	0.15
	West of	Minaret	Eastbound	800	143	0.18
			Westbound	800	196	0.25
	North of	Main	Southbound	800	170	0.21
			Northbound	800	81	0.10

Table 4.11-1 (Continued)

## Existing Roadway Traffic Volumes

Street Name	from	to	Direction	Capacity (vehicles per hour)	Existing	
					Peak Hour Volume	V/C
Meridian Blvd	West of	Minaret	Eastbound	2,600	403	0.16
			Westbound	2,600	238	0.09
	East of	Minaret	Westbound	1,600	275	0.17
			Eastbound	1,600	488	0.31
	West of	Old Mammoth	Eastbound	1,600	970	0.61
			Westbound	1,600	546	0.34
	Old Mammoth	Sierra Park	Eastbound	2,600	838	0.32
			Sierra Park	Old Mammoth	Westbound	2,600
	East of	Sierra Park	Westbound	1,600	325	0.20
			Eastbound	1,600	459	0.29
	South of	Main	Northbound	1,600	414	0.26
			Southbound	1,600	165	0.10
Old Mammoth Road	Tavern	Main	Northbound	1,600	446	0.28
	Main	Tavern	Southbound	1,600	727	0.45
	Sierra Nevada	Tavern	Northbound	1,600	451	0.28
	Tavern	Sierra Nevada	Southbound	1,600	716	0.45
	Meridian	Sierra Nevada	Northbound	1,600	488	0.31
	Sierra Nevada	Meridian	Southbound	1,600	705	0.44
	Chateau	Meridian	Northbound	1,600	403	0.25
	Meridian	Chateau	Southbound	1,600	498	0.31
	South of	Chateau	Northbound	1,300	265	0.20
			Southbound	1,300	313	0.24
Sierra Park Road	South of	Main	Northbound	1,300	68	0.05
			Southbound	1,300	90	0.07
	North of	Meridian	Southbound	1,300	80	0.06
			Northbound	1,300	183	0.14

Note: V/C = volume -to- capacity ratio.

Source: LSC Transportation Consultants, Inc., 2016.

- Purple Line** – This year-round route runs along SR 203, Sierra Park Road, Manzanita Road, Lupin Street, Minaret Road, Forest Trail, Hillside Drive, and Canyon Boulevard, with several key stops in between, such as Vons, Mammoth High School, Mammoth Hospital, Mammoth RV Park, Rite Aid, and The Village. The Purple Line stops near the 395 Route/Mammoth Express stop at 1 Sierra Park Road, the YARTS stop and the Park & Ride lot. This line runs every 30 minutes between the hours of 7:00 A.M. and 6:00 P.M.

Table 4.11-2

## Existing Levels of Service

No.	Intersection	Traffic Control <sup>a</sup>	Scenario 1		
			Existing Conditions		
			Delay	Veh-Hrs	LOS
1	Minaret Road/Forest Trail	Stop-Control	70.3	0.9	F
2	Minaret Road/Lake Mary Road/Main Street	Traffic Signal	29.4	--	C
3	Mountain Blvd/Main Street	Stop-Control	35.8	0.2	E
4	Main Street/Post Office	Stop-Control	57.2	1.8	F
5	Center Street/Main Street	Stop-Control	27.5	--	D
6	Forest Trail/Main Street	Stop-Control	47.2	1.8	E
7	Laurel Mountain Road/Main Street	Stop-Control	38.3	1.4	E
8	Old Mammoth Road/Main Street	Traffic Signal	11.1	--	B
9	Sierra Park Blvd/Main Street	Stop-Control	14.4	--	B
10	Main Street/Thompson	Stop-Control	11.8	--	B
11	Old Mammoth Road/Tavern Road	Stop-Control	26.7	--	D
12	Old Mammoth Road/Sierra Nevada Road	Stop-Control	42.7	0.7	E
13	Minaret Road/Meridian Blvd	Traffic Signal	20.5	--	C
14	Old Mammoth Road/Meridian Blvd	Traffic Signal	29.9	--	C
15	Sierra Park Blvd/ Meridian Blvd	All-Way-Stop	17.4	--	C
16	Main Street Eastbound/Meridian Blvd	Stop-Control	13.4	--	B
17	Main Street Westbound/Meridian Blvd	Stop-Control	11.9	--	B
18	Old Mammoth Road/Chateau Road	Stop-Control	19.9	--	C
19	Old Mammoth Road/Minaret Road/Fairway Drive	Stop-Control	20.4	--	C

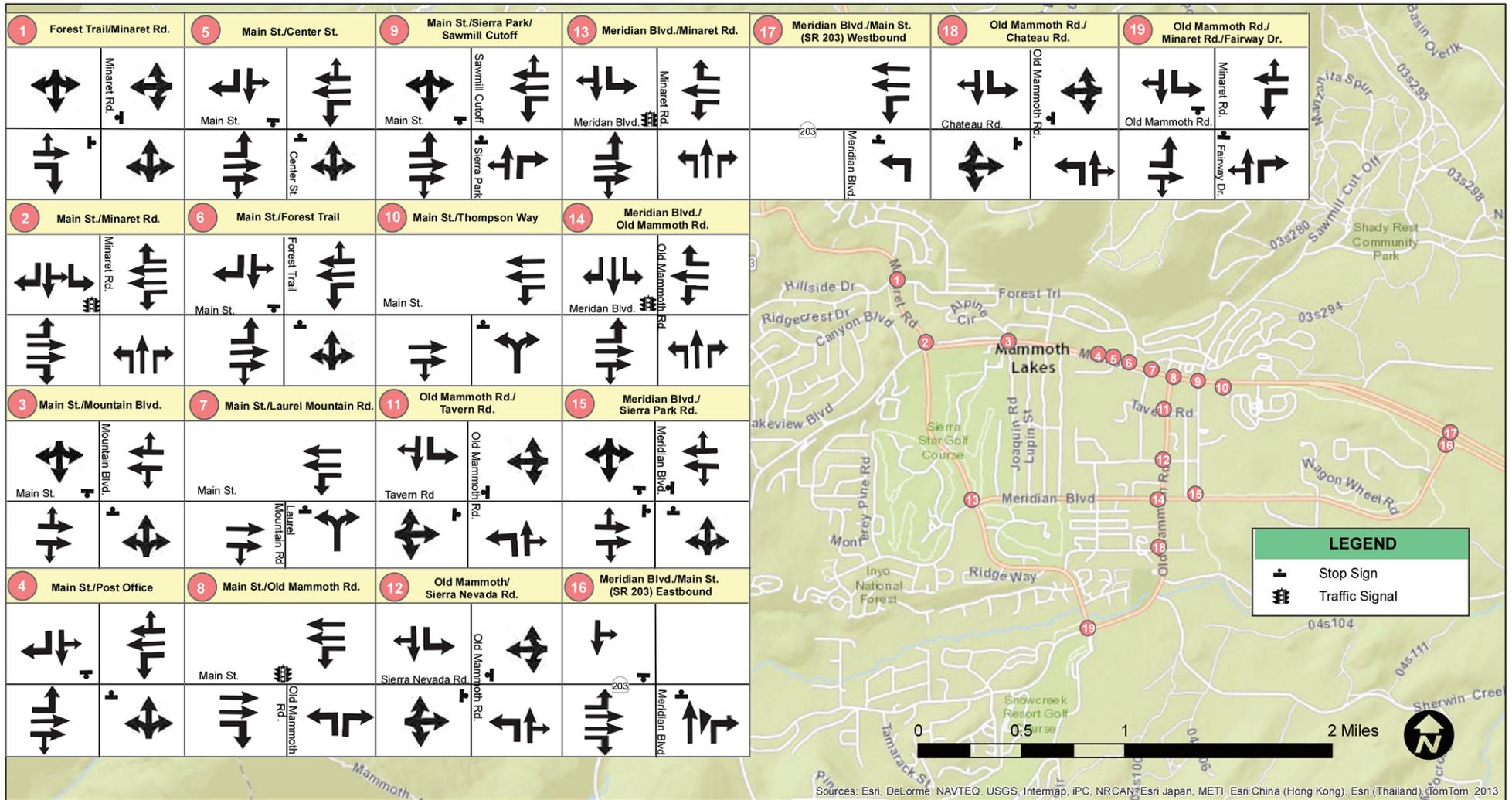
*OVF = Overflow, which indicates a significant delay for which HCM 2010 methodology cannot accurately predict delay.*

*Note: NB=northbound; SB=southbound; EB=eastbound; WB=westbound; LT=left-turn; RT=right-turn*

<sup>a</sup> *LOS is reported as total intersection delay for signalized intersection and worst movement/approach for unsignalized intersections and roundabouts.*

*Source: LSC Transportation Consultants, Inc., 2016.*

- **Gray Line** - This year-round route runs along Meridian Boulevard and Old Mammoth Road, with stops at key locations, such as the College, the Skate Park, the Mammoth High School, the Mammoth Hospital, Aspen Village, and Mammoth Creek Park. This line runs every 30 minutes between the hours of 7:00 A.M. and 6:00 P.M.
- **Red Line** - This route runs between the Snowcreek Athletic Club and the Main Lodge, with stops serving Vons, Main Street, and The Village. The Red Line stops near the 395 Route/ Mammoth Express stop and the Park & Ride lot. During winter months, this route runs every 15 minutes from 7:00 A.M. to 5:30 P.M.



### Existing Intersection LOS Study Area

Mammoth Lakes Zoning Code Update  
Source: LSC Transportation Consultants, Inc., 2016

FIGURE

**4.11-1**

This page intentionally blank.

- Night Trolley – This route runs between the Snowcreek Athletic Club and The Village, with stops serving Vons, Old Mammoth Road, Main Street, Canyon Blvd, and Lakeview Blvd. The Night Trolley also stops near the 395 Route / Mammoth Express stop and the Park & Ride lot. This route runs year round with service between 5:40 P.M. to 10:00 P.M. and 2:00 A.M. on Friday, Saturday and Holidays.
- Day Trolley - This route runs between the Snowcreek Athletic Club and The Village, with stops serving Vons, Old Mammoth Road, Main Street, Canyon Blvd, and Lakeview Blvd. The Night Trolley also stops near the 395 Route / Mammoth Express stop and the Park & Ride lot. This route runs during the summer months with service between 5:40 P.M. to 10:00 P.M. and 2:00 A.M. on Friday, Saturday and Holidays.
- Blue Line – This route runs along Canyon Boulevard and Lakeview Boulevard between The Village and Canyon Lodge. The service runs every 15 minutes past the hour from 7:20 A.M. to 5:20 P.M.
- Green Line – This shuttle runs between Vons and Eagle Lodge every 15 minutes between the hours of 7:30 A.M. and 5:30 P.M.
- Yellow Line - This shuttle runs between The Village and Eagle Lodge every 15 minutes between 7:30 A.M. and 5:30 P.M.
- Orange Line – This route runs between The Village and Tamarack Cross Country Ski Center every 30 minutes between 8:30 A.M. and 5:15 P.M.

### **(3) Existing Bicycle and Pedestrian Conditions**

Town of Mammoth Lakes Trail System Master Plan (TSMP), adopted October 19, 2011, focuses on non-motorized facilities for alternative forms of transportation, including pedestrians, bicyclists, and cross country skiers. The TSMP provides trails that connect and pass through a series of parks and open space areas, having numerous access points in and around the Town. Currently, approximately 8.5 miles of trails within the Town Boundary have been developed. Because of the existing and future traffic congestion in the Town and the relatively compact development pattern, non-motorized facilities can be more than recreational facilities. The trail system will serve to reduce auto travel as well as provide important recreational amenities for visitors and community residents. To further develop an extensive pedestrian facility system, the Town adopted a comprehensive Pedestrian Master Plan in March 2014 (formerly the Sidewalk Master Plan). The Pedestrian Master Plan guides the future development and enhancement of pedestrian facilities within the Town and is intended to follow the General Plan Mobility Element Update goals, policies, and actions related to pedestrian infrastructure.

## **2. METHODOLOGY AND THRESHOLDS**

### **a. Methodology**

#### **(1) Town of Mammoth Lakes Travel Model**

The purpose of the Town of Mammoth Lakes Travel Model is to establish a computerized baseline and forecast for the evaluation of the effects of land use on the transportation system, the flow of traffic between various land uses, alternative transportation improvement programs, and the effects of traffic congestion on travel times and driver route choice. The model was developed to encompass the Town of Mammoth Lakes and portions of State Route 203. The baseline year (calibration year) is 2009 and the horizon years are the “buildout” horizon of 2030 or 2035. Trip assignment is based on a daily origin-destination model. According

to the Traffic Model, trip-making characteristics are based on the assumption that all round-trips originate from home. Although most trips originate from an individual's residence, and imply a round-trip, "other" trips are those that are non-home-based, such as going to lunch from work. Because it is standard practice to use a design volume level that is slightly less than the absolute peak traffic volume, the travel demand model uses a "typical winter Saturday peak hour" as the basis for the design of facilities. While daily traffic volumes in Mammoth Lakes are sometimes the highest in the summer months, the highest peak-hour volumes are typically experienced on winter Saturdays, during the afternoon hours when skiers leave the Mammoth Mountain Ski Area.

The Mammoth Lakes Traffic Model divides the Town into 167 Traffic Analysis Zones (TAZs). The land uses within each TAZ are enumerated by units, commercial floor area, and other uses. Under the Traffic Model, physical structures of travel are represented through a combination of links (paths) and nodes (intersections or transfer points). To reflect real conditions, the model is "calibrated" until the modeled traffic volumes approximate existing traffic volumes, often referred to as "ground counts." Once the model is calibrated, it is used to estimate future travel patterns and volumes. The Traffic Model currently reflects the Town's General Plan land use projections and assumes a growth rate under the General Plan of 1.4 percent to 2.4 percent into the future. The Traffic Model also reflects greater growth in high-density residential, lodging, and resort hotel areas. For the purpose of estimating growth associated with the General Plan buildout, as well as and the proposed Land Use Element/Zoning Code Amendments, TAZ land use data was processed through the Traffic Model's TransCAD 5.0 software as described in the Travel Model. Additional detailed information regarding this software program is contained in LSC's Transportation Impact Analysis located in Appendix F of this EIR.

## **(2) Scope of Study**

The Traffic Study evaluates the following six scenarios:

- Scenario 1 - 2015 Existing Conditions
- Scenario 2 - Existing Conditions with Mobility Element Update
- Scenario 3 - General Plan Buildout with Existing Roadway Network
- Scenario 4 - General Plan Buildout with Mobility Element Update
- Scenario 5 - Land Use Element/Zoning Code Amendments with Existing Roadway Network
- Scenario 6 - Land Use Element/Zoning Code Amendments with Mobility Element Update

Scenario 1 reflects existing conditions that were discussed under Section 1.b, above. Scenario 2 describes Existing Conditions with the implementation of the improvements proposed in the Mobility Element Update. However, because Scenarios 1 and 2 pertain to existing conditions these scenarios are not considered plausible future scenarios. Therefore, the Traffic Impact Analysis does not calculate cumulative conditions for Scenarios 1 and 2. Cumulative conditions were calculated for Scenarios 3 through 6, which are anticipated at buildout. For scenarios incorporating the Mobility Element Update, roadway improvements such as the reconfiguration of Main Street and transit improvements, are factored into the impact analysis. Scenarios that include the proposed Land Use Element/Zoning Code Amendments use TAZs that were modified to reflect the increase in intensity that could occur with the removal of the unit/room cap.

### (3) Methodology to Determine Existing Traffic Volumes

Daily traffic volumes in Mammoth Lakes are sometimes the highest in the summer months; however, the highest peak-hour volumes are typically experienced on winter Saturdays, during the afternoon hours when skiers “download” from the Mammoth Mountain Ski Area. Current winter Saturday volumes for the purpose of this analysis are based on the Caltrans Peak Month Average Daily Traffic (ADT) volumes at a point on SR 203 (Main Street) east of Minaret Road. These volumes grew approximately 5.0 percent between 2009 and 2014. Extrapolating this growth trend to 2015 yields an estimated growth rate of 6.0 percent between 2009 and 2015. This 6.0 percent growth rate was applied to all 2009 intersection volumes to estimate existing winter design volumes. Intersection balancing adjustments were generally applied conservatively with respect to traffic volumes by increasing approach volumes at the adjacent intersection in order to match the higher link volume.

Town of Mammoth Lakes staff conducted summer intersection counts between August 22 and August 26, 2015. To confirm that winter traffic volumes are still higher, the typical busy summer day volume was estimated based on the 30th highest summer peak hour along Main Street as reported by Caltrans hourly data. Typical busy summer peak-hour design volumes are provided in Appendix A of the Transportation Impact Analysis contained in Appendix [x] of this EIR. Comparing summer peak-hour volumes to the existing winter peak-hour volumes indicated that winter volumes are higher at 12 locations and nearly the same at one location (the Main Street/Old Mammoth Road intersection). At the two intersections of Main Street/Sierra Park Road and Meridian Boulevard/Sierra Park Road, summer volumes were 25 and 32 percent higher, respectively. However, because winter Saturday peak-hour traffic volumes are generally higher than summer peak-hour volumes; existing traffic volumes for the purpose of this analysis are based on winter traffic.

### (4) Trip Distribution

Table C-1 of the Traffic Impact Analysis (see Appendix F of this EIR) presents trip generation for TAZs under the existing General Plan Buildout and Table C-2 of the Traffic Impact Analysis presents trip generation for TAZs under the Land Use Element/Zoning Code Amendments. TAZ data is processed through the Traffic Model’s TransCAD 5.0 software as described in the Mammoth Lakes Travel Model. Additional detailed information regarding this software program is contained in LSC’s Transportation Impact Analysis located in Appendix [x] of this EIR. The software model allocates individual passenger-trips between the transit and auto modes, based upon the relative ease of travel between specific origins and destinations by each mode. The model then iteratively balances trip productions and attractions and assigns vehicle trips to individual roadway and turning movements to result in a balanced forecast of all vehicle-trips (and transit passenger-trips) throughout the Mammoth Lakes roadway network.

The modeling processes are as follows:

- For each scenario, the appropriate land uses are identified in each TAZ.
- The land uses quantities are input into the model as either the Buildout land uses or the Land Use Element/Zoning Code Amendments land uses.
- The model then applies the trip generation rates (as shown in Appendix C of the Traffic Impact Analysis) to the land use quantities.

- The result is the number of person trips for each scenario, 184,096 trips were generated under scenarios with the buildout land uses and 195,460 trips generated under scenarios with Land Use Element/Zoning Code Amendments land uses.
- The model then splits the person trips into a travel mode which is either automobile or transit based on travel times and roadway capacity.
- Trip origins and destinations are the trips balanced and assigned to roadways and transit routes. Pass-by trips and linked trips are determined through this process.

The model includes external point representing the roadways into and out of Mammoth Lakes. Roadway and transit route networks are entered into the model, as defined by roadway capacity, free-flow travel speed, transit speed, and transit capacity.

### **(5) Effects of Pedestrian, Bicycle, and Transit Enhancements**

As stated in the Traffic Impact Analysis, new bicycle and pedestrian facilities are not factored into the modeling for trip generation.<sup>2</sup> The Mammoth Lakes Traffic Model, however, determined a correlation between miles of bike lanes and increase in the overall mode split between vehicles, cyclists, and pedestrians. The mode split would affect the calculation of vehicle miles traveled (VMT) discussed in Section 4.2, Air Quality of this EIR.

### **(6) Level of Service Analysis**

Intersection Level of Service (LOS) was evaluated using Synchro software (Version 8.0, Trafficware 2013) based on the *2010 Highway Capacity Manual* methodologies at all study intersections. LOS at the existing stop-controlled divided highway intersections of SR 203/Meridian Boulevard was analyzed using the HCS 2010 software.

For signalized intersections, LOS is primarily measured in terms of average delay per vehicle entering the intersection and is based upon the assessment of volume-to-capacity ratios and control delay. LOS at unsignalized intersections is quantified in terms of delay per vehicle for each movement and is based upon the theory of gap acceptance for side-street stop sign-controlled approaches.

### **(7) Roadway Capacity**

The capacity of the roadways within Mammoth Lakes was estimated as follows:

1. A base saturation flow rate of 1,600 vehicles per hour per direction was assumed. This figure is slightly lower than is typically observed in urban areas, and represents the reduction in effective capacity that results from both visitor drivers that are unfamiliar with the area and the effects of winter driving conditions.
2. For trip distribution, assumptions provided in Chapter 10 (Urban Street Concepts) of the *Highway Capacity Manual* were applied to roadways with two lanes in each direction. Under this methodology, the default directional lane split for roadways with two lanes per direction would 52.5 percent in one lane and 47.5 percent in the other.

<sup>2</sup> LSC Transportation Consultants, Mammoth Mobility Element Update Transportation Impact Analysis, April 19, 2016, page 19.

3. Reductions to roadway capacity were made, as required on individual segments, to account for the presence of pedestrian crossings, on-street parking maneuvers, vehicles searching for parking spaces, and conflicting driveway turning movements.

Consistent with standard analysis procedures, street capacities were not adjusted to account for snow conditions. The occurrence of stormy/snowy weather conditions and snow on the roadways occurs over a relatively small proportion of the winter and vehicle traffic generally decreases significantly in inclement weather conditions. In addition, it would be speculative to try to determine the impact to roadway capacity resulting from stormy conditions, as driver behavior and conditions are unique to each storm.

## b. Thresholds of Significance

For purposes of this EIR, the Town utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether the Project would have a significant environmental impact regarding traffic. Based on applicable Project components and Appendix G questions, the Project would result in a significant impact with regard to traffic if the Project would:

- TRAF-1** Cause a signalized intersection to operate at LOS E or F, or if a project causes an approach delay at an unsignalized intersection operating at LOS E or F to exceed four vehicles in the peak hour for a single lane approach and five vehicle hours for a multi-lane approach.
- TRAF-2** Substantially increase hazards due to a design feature or incompatible uses.
- TRAF-3** Result in inadequate emergency access.
- TRAF-4** Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Appendix G issues pertaining to air traffic patterns were determined to have no impact in the Initial Study and are, thus, not evaluated in the following impact analysis. Components of the Project related to traffic impacts include the proposed Mobility Element Update and the change in buildout under the Land Use Element/Zoning Code Amendments. Components under the Land Use Element/Zoning Code Amendments that would not directly affect traffic are the changes in the commercially designated land use to match existing commercial zoning and deleting Land Use Element CBIZ and TDR policies.

## c. Applicable General Plan Goals/Policies and Adopted Mitigation Measures

The Mitigation Monitoring and Reporting Program (MMRP) for the 2007 General Plan, adopted on May 23, 2007 (Resolution No. PC-2007-14) included ten mitigation measures relative to traffic. However, the majority of the adopted mitigation measures are no longer applicable. Some of the mitigation measures were related specifically to approved development projects occurring at the time of the 2007 General Plan Update. In addition, the Town updated the traffic model in 2009, which is more applicable to the proposed Project. However, reviewing the General Plan MMRP, the following measure is still pertinent to the Mobility Element Update or new development facilitated by the proposed Land Use Element/Zoning Code Amendments.

- GPM 4.13-1** - The Town shall amend the Master Facility Plan to include the mitigation measures necessary to reduce impacts to the level of service on the street system. The Town shall review the Development Impact Fees to ensure that sufficient funds will be available to make the necessary improvements.

The adopted MMRP for the Trails System Master Plan contains, MM 4.L-1, which addresses the need to provide at least 150 feet of stopping sight distance for a trail crossing on Majestic Pines Drive between Meridian Boulevard and Monterey Pine Road. This mitigation measure is not relevant to the Project.

In terms of applicable Mobility Element goals and policies, since the Project includes the proposed Mobility Element Update, the goals and policies are discussed below.

### 3. ENVIRONMENTAL IMPACTS

**Threshold TRAF-1:** The project would result in a significant impact if the project were to cause a signalized intersection to operate at LOS E or F or if a project causes an approach delay at an unsignalized intersection operating at LOS E or F to exceed four vehicles in the peak hour for a single lane approach and five vehicle hours for a multi-lane approach.

**Impact Statement TRAF-1:** *All roadways in the study area have reserve capacity to accommodate the Project's existing and future buildout scenarios. However, the Project would result in significant impacts on level of service at various intersections. Implementation of GPMM 4.3-10, as well as Mobility Element Update improvements that provide for certain signalized intersections, and recommended new mitigation measures would reduce impacts to less than significant levels. However, signal warrant studies and Caltrans approval would be required for new signals on Main Street. If signal warrants are not approved by Caltrans, impacts at Main Street intersections occurring under future scenarios would be significant and unavoidable.*

#### Land Use Element/Zoning Code Amendments

The proposed Land Use Element/Zoning Code Amendments would potentially result in an increase in land use densities related to multi-family units, lodging units, and retail/commercial uses, in commercially designated areas compared to the current General Plan buildout and the 2011 Town of Mammoth Lakes Travel Model. Trip generation and distribution associated with the Land Use Element/Zoning Code Amendments are shown in Figures 2 through 7 and in Appendix C of the Traffic Impact Analysis (see Appendix F of this EIR).

#### Mobility Element Update Roadway Network

The Mobility Element Update proposes to expand the physical roadway network of Mammoth Lakes, provide intersection capacity-enhancing improvements (new signals and roundabouts), expand the existing transit system, and provide bicycle and pedestrian-related improvements. The proposed roadway network is illustrated in Chapter 2, Project Description, of this EIR. The following changes to the street network are proposed:

- Main Street Reconfiguration – The “Main Street Plan” envisions a redesigned Main Street, including the removal of the existing frontage roads and conversion to a four-lane cross-section with a center median and turn pockets. The reconfiguration of Main Street would likely be phased and would occur with new development on Main Street. Add connections on the U.S. Forest Service property in the area north of Main Street.
- Extend Thompson Way between Main Street and Sierra Nevada Road.
- Extend Tavern Road to new Thompson Way.

- Extend Sierra Nevada Road to provide access to school area.
- Extend Sierra Park Road south to Sherwin Creek Road.
- Provide connections within Shady Rest Site between Center Street, Tavern Road, Dorrance Drive and Chaparral Road/Arrowhead Drive.
- Extend Callahan Way south to Dorrance Drive.
- 7B Road - Extend East Bear Lake Drive to Minaret Road and Main Street.
- Snowcreek Connection – Adds a connection to the east side of Snowcreek and extends Fairway Drive to Snowcreek.
- Implement traffic signal at Sierra Park Boulevard/Meridian Boulevard.
- Implement traffic signal at Main Street/Post Office (or alternative intersection).

The proposed Mobility Element Update contemplates a new signal at Meridian Boulevard/Sierra Park Boulevard intersection. The LOS at the all-way stop-controlled intersection would be acceptable under all future scenarios during the Town's standard winter period. High summer traffic conditions also resulted in acceptable LOS under the all study scenarios (school was in session when the summer counts were conducted). Although LOS at this intersection would be acceptable under all future scenarios, the proposed signal would provide enhanced pedestrian crossing conditions.

The evaluation of traffic queue lengths at the signalized intersection of Minaret Road/Main Street/Lake Mary Road determined that the 95<sup>th</sup>-percentile traffic queues on the eastbound Lake Mary Road approach would exceed the available lane storage length. As such, the eastbound traffic queues could potentially interfere with operations at the Lake Mary Road/Canyon Boulevard intersection during busy winter periods. This condition occurs under all future scenarios (Scenarios 3-6). No queuing concerns were identified at the eastbound approach. Because this intersection would operate at acceptable LOS D or less during all scenario conditions, the queuing is not considered a significant impact under the LOS threshold criteria.

### Roadway Capacity

All roadways in the study area have reserve capacity to accommodate the Project's existing and future buildout scenarios. Estimated trips under existing conditions and all other Project scenarios are presented in **Table 4.11-3, Mammoth Mobility Element – Existing and Future Roadway Capacity**. As shown in Table 4.11-3, none of the Project scenarios would exceed existing roadway capacity.

### Intersection Service Levels

Intersection service levels (LOS) for Scenarios 2 through 6 are presented in **Table 4.11-4, Existing and Future Intersection Levels of Service**. As shown therein, LOS service levels and impacts would vary among the five scenarios. Impacts at intersections would occur, as follows:

#### Scenario 2 - Existing Conditions with Mobility Element Update

As shown in Table 4.11-4, intersection LOS standards would not be exceeded at any of the study intersections under Scenario 2. Average delays are expected to slightly decrease at some locations with implementation of the Mobility Element Update improvements.

### Scenario 3 – General Plan Buildout with Existing Roadway Network

Scenario 3 represents the existing General Plan Buildout with the current roadway network in place. Implementation of the future development assumed under Scenario 3 would generally increase average intersection delays and the LOS at some intersections would degrade. As shown in Table 4.11-4, intersection LOS standards are not exceeded at any of the study intersections, with the following two exceptions:

- Main Street/Mountain Boulevard
- Old Mammoth Road/Minaret Road/Fairway Drive

Both of these unsignalized intersections would degrade to unacceptable levels under this scenario. The implementation of Mitigation Measure (MM) TRAF-1 to install a traffic signal at Main Street/Mountain Boulevard, and MM TRAF-3 to provide intersection improvements, such as widening, restriping, or use of a roundabout at Old Mammoth Road/Minaret Road/Fairway Drive, would maintain LOS D or better at both intersections. With the implementation of mitigation measures, impacts would be reduced to less than significant levels. Impacts are summarized in **Table 4.11-5, Summary of Intersection LOS Impacts**, and mitigation measures are summarized in **Table 4.11-6, Summary of New Mitigation Measures**, below. Regarding recommended MM TRAF-1, the Town would coordinate with Caltrans to determine appropriate intersection improvements on Main Street, including a study per the CA MUTCD that would be provided as a part of analysis.

### Scenario 4 – General Plan Buildout with Mobility Element Update

As shown in Table 4.11-4, Scenario 4 (General Plan Buildout With Mobility Element Update) would result in a significant impact at the following three intersections:

- Main Street/Mountain Boulevard
- Old Mammoth Road/Minaret Road/Fairway Drive
- Main Street/Post Office

The implementation of MM TRAF-1 to install a traffic signal at Main Street/Mountain Boulevard, and MM TRAF-3 to provide intersection improvements, such as widening, restriping, or use of a roundabout at Old Mammoth Road/Minaret Road/Fairway Drive, would maintain LOS D or better at both intersections. The Mobility Element Update proposes a signal at the Main Street/Post Office intersection to achieve LOS D or better and no further action would be required under Scenario 4 for that intersection. With the implementation of mitigation measures, LOS impacts under Scenario 4 would be reduced to less than significant levels. Impacts are summarized in Table 4.11-5 and mitigation measures are summarized in Table 4.11-6, below. Regarding recommended MM TRAF-1, the Town would coordinate with Caltrans to determine appropriate intersection improvements on Main Street, including a study per the CA MUTCD that would be provided as a part of analysis. Scenario 5 – Future Land Use Element/Zoning Code Amendments with Existing Roadway Network Scenario 5 includes development assumed with the Land Use Element/Zoning Code Amendments (FAR change) with the existing roadway network (no roadway improvements assumed). More specifically, no improvements associated with the Mobility Element Update are assumed to occur. Scenario 5 would result

Table 4.11-3

Mammoth Mobility Element – Existing and Future Roadway Capacity

Street Name	from	to	Direction	Capacity (vehicles per hour)	Scenario 1- Existing Conditions		Scenario 2-Existing Conditions w/Mobility Element Update		Scenario 3 – GP Buildout w/Existing Roadway Network		Scenario 4-GP Buildout w/Mobility Element Update		Scenario 5-Land Use/Zoning Code Amendments w/Existing Roadway Network		Scenario 6- Land Use/Zoning Code Amendments w/Mobility Element Update	
					Peak Hour Volume	V/C	Peak Hour Volume	V/C	Peak Hour Volume	V/C	Peak Hour Volume	V/C	Peak Hour Volume	V/C	Peak Hour Volume	V/C
					<b>Main Street</b>	Canyon	Minaret	Eastbound	2600	631	0.24	626	0.24	805	0.31	800
	Minaret	Canyon	Westbound	2600	747	0.29	677	0.26	990	0.38	920	0.35	1,015	0.39	940	0.36
	Minaret	Mountain	Eastbound	2600	1,002	0.39	1,062	0.41	1,240	0.48	1,300	0.50	1,285	0.49	1,395	0.54
	Mountain	Minaret	Westbound	2600	520	0.20	525	0.20	650	0.25	655	0.25	670	0.26	675	0.26
	Sierra	Mountain	Westbound	2600	543	0.21	588	0.23	665	0.26	710	0.27	710	0.27	710	0.27
	Sierra	Post Office	Eastbound	2600	982	0.38	1,212	0.47	1,050	0.40	1,280	0.49	1,175	0.45	1,530	0.59
	Post Office	Center	Eastbound	2600	996	0.38	1,196	0.46	1,090	0.42	1,290	0.50	1,220	0.47	1,530	0.59
	Center	Post Office	Westbound	2600	620	0.24	695	0.27	690	0.27	765	0.29	730	0.28	860	0.33
	Center	Forest Trail	Eastbound	2600	954	0.37	1,109	0.43	1,055	0.41	1,210	0.47	1,155	0.44	1,440	0.55
	Forest Trail	Center	Westbound	2600	643	0.25	713	0.27	710	0.27	780	0.30	755	0.29	875	0.34
	Forest Trail	Laurel Mountain	Eastbound	2600	1,076	0.41	1,186	0.46	1,215	0.47	1,325	0.51	1,330	0.51	1,565	0.60
	Laurel Mountain	Forest Trail	Westbound	2600	679	0.26	744	0.29	740	0.28	805	0.31	810	0.31	900	0.35
	Laurel Mountain	Old Mammoth	Eastbound	2600	931	0.36	1,016	0.39	1,040	0.40	1,125	0.43	1,100	0.42	1,230	0.47
	Old Mammoth	Laurel Mountain	Westbound	2600	599	0.23	679	0.26	655	0.25	735	0.28	685	0.26	805	0.31
	Old Mammoth	Sierra Park	Eastbound	2600	408	0.16	408	0.16	440	0.17	440	0.17	420	0.16	450	0.17
	Sierra Park	Old Mammoth	Westbound	2600	361	0.14	361	0.14	405	0.16	405	0.16	410	0.16	450	0.17
	Sierra Park	Thompson	Eastbound	2600	376	0.14	381	0.15	400	0.15	405	0.16	380	0.15	410	0.16
	Thompson	Sierra Park	Westbound	2600	350	0.13	340	0.13	400	0.15	390	0.15	405	0.16	440	0.17
	East of	Thompson	Eastbound	2600	370	0.14	380	0.15	395	0.15	405	0.16	375	0.14	410	0.16
			Westbound	2600	346	0.13	326	0.13	395	0.15	375	0.14	400	0.15	425	0.16
<b>Minaret Road</b>	North of	Main	Southbound	1300	668	0.51	693	0.53	830	0.64	855	0.66	855	0.66	905	0.70
			Northbound	1300	477	0.37	472	0.36	590	0.45	585	0.45	610	0.47	610	0.47
	South of	Main	Northbound	1600	667	0.42	572	0.36	905	0.57	810	0.51	925	0.58	830	0.52
			Southbound	1600	260	0.16	205	0.13	370	0.23	315	0.20	370	0.23	315	0.20
	North of	Meridian	Southbound	1600	535	0.33	440	0.28	915	0.57	820	0.51	920	0.58	780	0.49
			Northbound	1,600	324	0.20	289	0.18	505	0.32	470	0.29	520	0.33	450	0.28
	South of	Meridian	Northbound	1,600	165	0.10	150	0.09	285	0.18	270	0.17	280	0.18	245	0.15
			Southbound	1,600	328	0.21	273	0.17	620	0.39	565	0.35	595	0.37	520	0.33
	North of	Old Mammoth	Southbound	1,600	244	0.15	173	0.11	530	0.33	450	0.28	530	0.33	440	0.28
			Northbound	1,600	175	0.11	135	0.08	305	0.19	260	0.16	310	0.19	270	0.17
	North of	Forest Trail	Southbound	1,600	848	0.53	848	0.53	960	0.60	960	0.60	965	0.60	960	0.60
			Northbound	1,600	207	0.13	207	0.13	235	0.15	235	0.15	235	0.15	235	0.15
	South of	Forest Trail	Northbound	1,300	276	0.21	276	0.21	315	0.24	315	0.24	315	0.24	315	0.24
			Southbound	1,300	784	0.60	784	0.60	875	0.67	875	0.67	885	0.68	875	0.67

Table 4.11-3 (Continued)

Mammoth Mobility Element – Existing and Future Roadway Capacity

Street Name	from	to	Direction	Capacity (vehicles per hour)	Scenario 1- Existing Conditions		Scenario 2-Existing Conditions w/Mobility Element Update		Scenario 3 – GP Buildout w/Existing Roadway Network		Scenario 4-GP Buildout w/Mobility Element Update		Scenario 5-Land Use/Zoning Code Amendments w/Existing Roadway Network		Scenario 6- Land Use/Zoning Code Amendments w/Mobility Element Update	
					Peak Hour Volume	V/C	Peak Hour Volume	V/C	Peak Hour Volume	V/C	Peak Hour Volume	V/C	Peak Hour Volume	V/C	Peak Hour Volume	V/C
Forest Trail	East of	Minaret	Westbound	800	43	0.05	43	0.05	60	0.08	60	0.08	55	0.07	60	0.08
			Eastbound	800	123	0.15	123	0.15	175	0.22	175	0.22	160	0.20	175	0.22
	West of	Minaret	Eastbound	800	143	0.18	143	0.18	165	0.21	165	0.21	160	0.20	165	0.21
			Westbound	800	196	0.25	196	0.25	215	0.27	215	0.27	215	0.27	215	0.27
	North of	Main	Southbound	800	170	0.21	140	0.18	225	0.28	195	0.24	235	0.29	215	0.27
			Northbound	800	81	0.10	91	0.11	90	0.11	100	0.13	110	0.14	110	0.14
Meridian Blvd	West of	Minaret	Eastbound	2,600	403	0.16	328	0.13	600	0.23	525	0.20	610	0.23	530	0.20
			Westbound	2,600	238	0.09	193	0.07	360	0.14	315	0.12	370	0.14	320	0.12
	East of	Minaret	Westbound	1,600	275	0.17	215	0.13	405	0.25	345	0.22	425	0.27	350	0.22
			Eastbound	1,600	488	0.31	378	0.24	720	0.45	610	0.38	750	0.47	615	0.38
	West of	Old Mammoth	Eastbound	1,600	970	0.61	970	0.61	1,015	0.63	1,015	0.63	1,165	0.73	1,025	0.64
			Westbound	1,600	546	0.34	531	0.33	585	0.37	570	0.36	670	0.42	590	0.37
	Old Mammoth	Sierra Park	Eastbound	2,600	838	0.32	823	0.32	880	0.34	865	0.33	985	0.38	885	0.34
			Sierra Park	Old Mammoth	Westbound	2,600	530	0.20	525	0.20	560	0.22	555	0.21	630	0.24
	East of	Sierra Park	Westbound	1,600	325	0.20	280	0.18	385	0.24	340	0.21	435	0.27	350	0.22
			Eastbound	1,600	459	0.29	399	0.25	540	0.34	480	0.30	615	0.38	490	0.31
	South of	Main	Northbound	1,600	414	0.26	474	0.30	490	0.31	550	0.34	475	0.30	550	0.34
			Southbound	1,600	165	0.10	195	0.12	210	0.13	240	0.15	210	0.13	245	0.15
Old Mammoth Road	Tavern	Main	Northbound	1,600	446	0.28	467	0.29	495	0.31	505	0.32	585	0.37	565	0.35
			Southbound	1,600	727	0.45	744	0.47	840	0.53	830	0.52	1,005	0.63	975	0.61
	Sierra Nevada	Tavern	Northbound	1,600	451	0.28	451	0.28	530	0.33	505	0.32	630	0.39	600	0.38
			Southbound	1,600	716	0.45	701	0.44	830	0.52	815	0.51	990	0.62	960	0.60
	Meridian	Sierra Nevada	Northbound	1,600	488	0.31	443	0.28	555	0.35	520	0.33	680	0.43	630	0.39
			Southbound	1,600	705	0.44	665	0.42	820	0.51	780	0.49	985	0.62	935	0.58
	Chateau	Meridian	Northbound	1,600	403	0.25	338	0.21	470	0.29	405	0.25	585	0.37	475	0.30
			Southbound	1,600	498	0.31	428	0.27	625	0.39	535	0.33	715	0.45	600	0.38
	South of	Chateau	Northbound	1,300	265	0.20	365	0.28	365	0.28	310	0.24	440	0.34	440	0.34
			Southbound	1,300	313	0.24	430	0.33	430	0.33	365	0.28	520	0.40	520	0.40
Sierra Park Road	South of	Main	Northbound	1,300	68	0.05	68	0.05	100	0.08	100	0.08	100	0.08	100	0.08
			Southbound	1,300	90	0.07	80	0.06	140	0.11	130	0.10	140	0.11	135	0.10
	North of	Meridian	Southbound	1,300	80	0.06	80	0.06	100	0.08	100	0.08	105	0.08	100	0.08
			Northbound	1,300	183	0.14	173	0.13	205	0.16	195	0.15	235	0.18	200	0.15

Note: V/C = volume -to- capacity ratio.

Source: LSC Transportation Consultants, Inc., 2016.

Table 4.11-4

Existing and Future Intersections Levels of Service

No.	Intersection	Traffic Control <sup>a</sup>	Scenario 1			Scenario 2			Scenario 3			Scenario 4			Scenario 5			Scenario 6		
			Existing Conditions			Existing w/Mobility Element			Future Buildout w/E xisting Network			Future Buildout with Mobility Element			Future FAR Land Uses with Existing Network			Future FAR Land Uses with Mobility Element		
			Delay	Veh-Hrs	LOS	Delay	Veh-Hrs	LOS	Delay	Veh-Hrs	LOS	Delay	Veh-Hrs	LOS	Delay	Veh-Hrs	LOS	Delay	Veh-Hrs	LOS
1	Minaret Road / Forest Trail	Stop-Control	70.3	0.9	F	54.6	0.7	F	180.6	3.0	F	180.6	3.0	F	140.6	2.2	F	180.6	3.0	F
2	Minaret Road / Lake Mary Road / Main Street	Traffic Signal	29.4	--	C	26.3	--	C	45.4	--	D	41.2	--	D	47.2	--	D	44.8	--	D
3	Mountain Blvd / Main Street	Stop-Control	35.8	0.2	E	36.8	0.2	E	<b>266.5<sup>b</sup></b>	<b>8.9</b>	<b>F</b>	<b>529.0</b>	<b>18.4</b>	<b>F</b>	132.3	2.6	F	<b>231.5</b>	<b>4.5</b>	<b>F</b>
4	Main Street / Post Office	Stop-Control	57.2	1.8	F	82.0	2.3	F	84.6	3.4	F	<b>189.8</b>	<b>7.1</b>	<b>F</b>	<b>308.4</b>	<b>17.1</b>	<b>F</b>	<b>531.3</b>	<b>22.1</b>	<b>F</b>
5	Center Street / Main Street	Stop-Control	27.5	--	D	27.2	--	D	42.1	2.0	E	45.2	1.4	E	<b>179.2</b>	<b>12.0</b>	<b>F</b>	94.5	3.0	F
6	Forest Trail / Main Street	Stop-Control	47.2	1.8	E	45.1	1.4	E	70.5	3.4	F	85.2	3.6	F	<b>116.4</b>	<b>6.1</b>	<b>F</b>	<b>191.5</b>	<b>8.8</b>	<b>F</b>
7	Laurel Mountain Road / Main Street	Stop-Control	38.3	1.4	E	31.6	--	D	49.6	2.1	E	47.3	1.5	E	<b>121.0</b>	<b>6.9</b>	<b>F</b>	<b>129.2</b>	<b>5.6</b>	<b>F</b>
8	Old Mammoth Road / Main Street	Traffic Signal	11.1	--	B	11.4	--	B	11.4	--	B	12.3	--	B	12.2	--	B	14.0	--	B
9	Sierra Park Blvd / Main Street	Stop-Control	14.4	--	B	13.9	--	B	15.5	--	C	15.3	--	C	15.3	--	C	15.8	--	C
10	Main Street / Thompson	Stop-Control	11.8	--	B	11.5	--	B	11.4	--	B	11.3	--	B	11.3	--	B	11.4	--	B
11	Old Mammoth Road / Tavern Road	Stop-Control	26.7	--	D	22.3	--	C	37.9	0.7	E	34.0	--	D	<b>160.7</b>	<b>4.2</b>	<b>F</b>	102.4	2.4	F
12	Old Mammoth Road / Sierra Nevada Road	Stop-Control	42.7	0.7	E	29.2	--	D	88.3	1.8	F	62.9	1.3	F	<b>289.2</b>	<b>6.0</b>	<b>F</b>	<b>204.4</b>	<b>4.3</b>	<b>F</b>
13	Minaret Road / Meridian Blvd	Traffic Signal	20.5	--	C	19.4	--	B	30.9	--	C	26.1	--	C	30.9	--	C	25.9	--	C
14	Old Mammoth Road / Meridian Blvd	Traffic Signal	29.9	--	C	24.4	--	C	34.0	--	C	29.7	--	C	47.9	--	D	34.0	--	C
15	Sierra Park Blvd / Meridian Blvd	All-Way-Stop	17.4	--	C	14.3	--	B	20.8	--	C	17.5	--	C	31.7	--	D	18.2	--	C
16	Main Street Eastbound / Meridian Blvd	Stop-Control	13.4	--	B	13.7	--	B	14.0	--	B	14.9	--	B	13.8	--	B	15.1	--	C
17	Main Street Westbound / Meridian Blvd	Stop-Control	11.9	--	B	13.0	--	B	13.0	--	B	14.8	--	B	13.2	--	B	15.2	--	C
18	Old Mammoth Road / Chateau Road	Stop-Control	19.9	--	C	15.3	--	C	47.1	1.1	E	32.3	--	D	85.6	2.3	F	42.5	1.0	E
19	Old Mammoth Road/ Minaret Road/Fairway Drive	Stop-Control	20.4	--	C	14.1	--	B	<b>OVF</b>	<b>OVF</b>	<b>F</b>	<b>128.1</b>	<b>6.2</b>	<b>F</b>	<b>OVF</b>	<b>OVF</b>	<b>F</b>	<b>191.3</b>	<b>9.0</b>	<b>F</b>

OVF = Overflow, which indicates a significant delay for which HCM 2010 methodology cannot accurately predict delay.

Note: NB=northbound; SB=southbound; EB=eastbound; WB=westbound; LT=left-turn; RT=right-turn

<sup>a</sup> LOS is reported as total intersection delay for signalized intersection and worst movement/approach for unsignalized intersections and roundabouts.

<sup>b</sup> Bold face indicates an LOS exceedance.

Source: LSC Transportation Consultants, Inc., 2016.

Table 4.11-5

## Summary of Intersection LOS Impacts

		Potentially Significant Impacts By Project Scenarios <sup>a</sup>			
		3	4	5	6
Intersection		General Plan Buildout with Existing Roadway Network	General Plan Buildout with Mobility Element Update	Land Use Element/Zoning Code Amendments With Existing Roadway Network	Land Use Element/Zoning Code Amendments with Mobility Element Update
3	Main Street/Mountain Boulevard	X	X		X
4	Main Street/Post Office		X	X	X
5	Main Street/Center Street			X	
6	Main Street/Forest Trail			X	X
7	Main Street/Laurel Mountain Road			X	X
11	Old Mammoth Road/Tavern Road			X	
12	Old Mammoth Road/Sierra Nevada Road			X	X
19	Old Mammoth Road/Minaret Road/Fairway Drive	X	X	X	X

<sup>a</sup> No significant impacts would occur under Scenarios 1 and 2.

Source: LSC Transportation Consultants, 2016; ESA PCR, 2016.

in the degradation of the LOS from acceptable to unacceptable levels at seven intersections. As shown in Table 4.11-4, intersection LOS standards would be exceeded at the following intersections:

- Old Mammoth Road/Minaret Road/Fairway Drive
- Main Street/Post Office
- Main Street/Center Street
- Main Street/Forest Trail
- Main Street/Laurel Mountain Road
- Old Mammoth Road/Tavern Road
- Old Mammoth Road/Sierra Nevada Road

Table 4.11-6

Summary of New Mitigation Measures

Mitigation Measure	3	4	5	6
	General Plan Buildout With Existing Roadway Network	General Plan Buildout With Mobility Element Update	Land Use Element/Zoning Code Amendments With Existing Roadway Network	Land Use Element/Zoning Code Amendments With Mobility Element Update
<p><b>MM TRAF-1: Main Street/Mountain Boulevard.</b> A traffic signal shall be installed to achieve LOS D or better. Further analysis of a potential new signal, such as signal warrant analysis per the California Manual on Uniform Traffic Control Devices (CA MUTCD), is expected to be provided as a part of project-specific analysis (not needed for LOS mitigation).</p>	X	X		
<p><b>MM TRAF-2: Main Street/Mountain Boulevard.</b> A southbound right-turn lane on Mountain Boulevard shall be provided to achieve LOS D or better.</p>				X
<p><b>MM TRAF-3: Old Mammoth Road/Minaret Road/Fairway Drive.</b> Improvements, such as the installation of a roundabout, restriping, or widening of the roadway, shall be implemented to ensure that the intersection operates at LOS D or better.</p>	X		X	
<p><b>MM TRAF-4: Main Street/Post Office:</b> A traffic signal shall be installed at the Main Street/Post Office intersection to achieve LOS D or better. Further analysis of potential new signals, such as signal warrant analysis per the CA MUTCD, is expected to be provided as part of project-specific analyses (not needed for LOS mitigation).</p>			X	
<p><b>MM TRAF-5: Main Street/Center Street:</b> A northbound right-turn on Center Street shall be provided to achieve LOS D or better. Further analysis of a potential new signal, such as signal warrant analysis per the CA MUTCD, is expected to be provided as a part of project-specific analyses (not needed for LOS mitigation).</p>			X	

Table 4.11-6 (Continued)

## Summary of New Mitigation Measures

Mitigation Measure	3	4	5	6
	General Plan Buildout With Existing Roadway Network	General Plan Buildout With Mobility Element Update	Land Use Element/Zoning Code Amendments With Existing Roadway Network	Land Use Element/Zoning Code Amendments With Mobility Element Update
<b>MM TRAF-6: Old Mammoth Road/ Tavern Road:</b> An eastbound right-turn lane shall be provided on Tavern Road to Old Mammoth Road to achieve LOS D or better.			X	
<b>MM TRAF- 7: Main Street/Forest Trail:</b> Southbound left-turn movements from Forest Trail onto Main Street shall be prohibited to achieve LOS D or better.			X	X
<b>MM TRAF 8: Main Street/Laurel Mountain Road:</b> A northbound right-turn lane shall be provided on Laurel Mountain Road to Main Street to achieve LOS D or better.				X
<b>MM TRAF-9: Old Mammoth Road/Sierra Nevada Road:</b> Eastbound and westbound right-turn lanes shall be provided at the Sierra Nevada Road approaches to achieve LOS D or better.			X	X

Source: LSC Transportation Consultants, Inc., 2016 and ESA PCR.

The implementation of MM TRAF-1 to install a traffic signal at Main Street/Mountain Boulevard; MM TRAF-3 to provide intersection improvements, such as widening, restriping, or use of a roundabout at Old Mammoth Road/Minaret Road/Fairway Drive; and MM TRAF-4 to install a traffic signal at the Main Street/Post Office intersection, would achieve LOS D or better at these intersections. Additional mitigation measures, including MM TRAF-5 to provide a northbound right turn at Main Street/Center Street; MM TRAF-6 to provide an eastbound right turn at Old Mammoth Road/Tavern Road; MM TRAF-7 to provide southbound left-turn movements at Main Street/Forest Trail; and MM TRAF-9 to provide eastbound and westbound right-turn lanes at Old Mammoth Road/Sierra Nevada Road, would achieve LOS D or better at these affected intersections. According to the Traffic Impact Analysis, the installation of a traffic signal near Main Street and Laurel Mountain Road would draw traffic away from that impacted intersection, which would also achieve acceptable LOS under Scenario 5. With the implementation of mitigation measures, LOS impacts under Scenario 5 would be reduced to less than significant levels. Impacts are summarized in Table 4.11-5 and mitigation measures are summarized in Table 4.11-6. Regarding MM TRAF-1 and MM-TRAF-4, the Town would coordinate with Caltrans to evaluate intersection improvements on Main Street.

## Scenario 6 –Land Use Element/Zoning Code Amendments with Mobility Element Update

Scenario 6, which implements the Land Use Element/Zoning Code Amendments (FAR change), as well as the Mobility Element Update, would degrade the LOS from acceptable to unacceptable at six intersections. As shown in Table 4.11-4, intersection LOS standards would be exceeded at the following intersections: under

- Main Street/ Mountain Boulevard
- Old Mammoth Road/Minaret Road/Fairway Drive
- Main Street/Post Office
- Main Street/Forest Trail
- Main Street/Laurel Mountain Road
- Old Mammoth Road/Sierra Nevada Road

The implementation of MM TRAF-2 to provide a right-turn lane on Mountain Boulevard at the Main Street/Mountain Boulevard intersection, and MM TRAF-3 to provide intersection improvements, such as widening, restriping, or use of a roundabout at Old Mammoth Road/Minaret Road/Fairway Drive would maintain LOS D or better at both intersections. The Mobility Element Update proposes a signal at the Main Street/Post Office intersection to achieve LOS D or better and no further action would be required under Scenario 6 for that intersection. Additional mitigation measures, including MM TRAF-7 to provide southbound left-turn movements at Main Street/Forest Trail; MM TRAF-8 for northbound right-turn lane at Main Street/Laurel Mountain Road, and MM TRAF-9 to provide eastbound and westbound right-turn lanes at Old Mammoth Road/Sierra Nevada Road, would achieve LOS D or better at the affected intersections. With the implementation of mitigation measures, LOS impacts under Scenario 6 would be reduced to less than significant levels. Impacts are summarized in Table 4.11-5 and mitigation measures are summarized in Table 4.11-6.

### Conclusion

Table 4.11-5, *Summary Intersection LOS Impacts*, provides a comparison of the significant LOS impacts that would occur under each scenario. As shown in Table 4.11-5, both Scenarios 3 and 4, which reflect the buildout under the General Plan, would have fewer overall LOS impacts than Scenarios 5 and 6. Scenarios 5 and 6 provide for the future buildout under the Land Use Element/Zoning Code Amendments (FAR change). It is anticipated that the FAR change would incrementally increase population over the General Plan buildout in the LOS study area, thus, increase traffic at study intersections. However, because Scenario 5 does not incorporate improvements identified in the Mobility Element Update, Scenario 5 would result in a greater number of intersection impacts than under Scenario 6. Although the FAR change would contribute to an increase in vehicle and pedestrian travel, primarily in the commercial zones along Main Street and Old Mammoth Road, implementation of improvements identified in the Mobility Element Update would improve transit services and conditions for pedestrians and bicyclists, resulting in less traffic than under Scenario 5. Regarding recommended mitigation measures along Main Street, the Town would coordinate with Caltrans to determine appropriate intersection improvements on Main Street.

## Mitigation Measures

Table 4.11-6, *Summary of New Mitigation Measures*, provides the recommended mitigation measures that are relevant to the significant impacts identified in the analyses discussed above. The analyses take into account the implementation of adopted GPMM 4.3-10 and the implementation of improvements identified in the Mobility Element Update, where appropriate. Table 4.11-5 identifies the applicable mitigation measures for each of the future scenarios. As previously stated, implementation of mitigation measures would reduce impacts to less than significant levels under all scenarios.

**Threshold TRAF-2:** The project would result in a significant impact if the project would substantially increase hazards due to a design feature or incompatible uses.

**Impact Statement TRAF-2:** *The Mobility Element Update incorporates policies and specific features that are intended to reduce roadway hazard resulting from a design feature or incompatible use. In addition, increases in density under the Land Use Element/Zoning Code Amendments would increase traffic volumes that would increase sensitivity to poor roadway design and increase vehicle/pedestrian conflicts. Implementation of the Mobility Element Update would address hazards associated with roadway design, snow removal, and other potentially conditions. As such, the impact of the Project related to road hazards would be less than significant.*

The proposed Land Use Element/Zoning Code Amendments would potentially increase density and traffic in the Town's commercial districts. The increase in traffic could increase sensitivity to poor roadway design and cause a greater hazard related to pedestrian or cyclist incompatibility with vehicles. The proposed Mobility Element Update would include improvements to the local and regional transportation network and would establish a multimodal framework with the purpose of creating a transportation network that would be connected, accessible, uncongested, and safe. Roadway design would be consistent with Town of Mammoth Lakes Standards,<sup>3</sup> which are intended to create safely designed streets and to improve road safety. In addition, specific traffic safety policies set forth in the Mobility Element Update would improve safety. These include Policy M.1.5 to reduce conflicts between vehicles and pedestrians through improved access, design, and management, including driveways, frontage roads, and turn lanes. Action M.1.5.1 would require individual development projects to minimize the width and number of driveways and consolidate existing driveways along arterial roads when feasible and practical. Action M.1.5.1 is to work with Caltrans to improve access management on State Route 203. Action M.2.2.1 is to maintain all roadways, paths, sidewalks, and trails in a good state of repair and meet defined LOS guidelines for each facility type. Policy M.3.1 is to encourage street design and traffic calming techniques that enhance residential neighborhoods and streets, improve public safety, maintain small-town character, and enhance resort design objectives. Action M.3.1.1 requires the monitoring and implementation of traffic calming solutions in residential and commercial areas through measures such as the installation of roundabouts, chicanes, medians, and landscaping, as well as the reduction of the number and width of traffic lanes as appropriate. Policy M.3.2 is to facilitate implementation of traffic-calming techniques by encouraging development of public-private partnerships and pilot projects. Goal M.4 is to improve snow and ice management to enhance public safety and the operation of the circulation system. In addition, new street extensions and connections under the Mobility Element Update would improve the Town's street grid and provide a more intuitive street system that would enhance road safety. As such, the implementation of the Mobility Element Update would address

<sup>3</sup> *Town of Mammoth Lakes Department of Public Works, Standard Plans, Section 100, Streets and Highways, July 2013.*

any new hazards associated with existing conditions and with growth that could occur under the Land Use Element/Zoning Code Amendments. Impacts with respect to transportation-related hazards would be less than significant.

**Threshold TRAF-3:** A significant impact would occur if the project would result in inadequate emergency access.

**Impact Statement TRAF-3:** Existing General Plan and proposed Mobility Element Update Policies and Actions encourage coordination with Mammoth Lakes Fire Protection District and Police Department to maintain emergency access for development, including roads and utility lines. Site plans would be reviewed by the Fire Protection District for adequate emergency access. Implementation of roadway extensions and improved connectivity under the Mobility Element Update would not cause additional impediment and would, potentially, facilitate emergency access during operation. Therefore, impacts with respect to emergency access would be less than significant.

Roadway construction that would occur as a result of the Mobility Element Update and the construction of potential new or upgraded utility lines for mixed use development in the Town's commercial districts have the potential to cause the closure of lanes or streets, which could affect or reduce emergency access. General Plan Goal S.4 is to maintain adequate emergency response capabilities in the Town. Policy S.4.A is to aid emergency vehicle access, Mobility Element Update Policy M.1.4 emphasizes public safety in the planning and design of the transportation system, and Mobility Element Update Action M.1.4.1 is to encourage coordination with Mammoth Lakes FPD and Mammoth Lakes Police Department to plan for and ensure appropriate emergency access and response times. Under these policies, street and utilities construction projects would be coordinated with the FPD and the Police Department to ensure adequate emergency access or alternative routing. With the implementation of General Plan and Mobility Element Update policies, impacts related to emergency access during construction are anticipated to be less than significant.

During operation, adherence to the Town's egress and ingress requirements for emergency access would ensure that site-specific emergency access would be adequate. In addition, the implementation of the Mobility Element Update would result in additional connections to U.S. Forest Service property north of Main Street; and provide extensions for Thompson Way, Tavern Road, Sierra Nevada Road, Sierra Park Road, Callahan Way, East Bear Drive, and Fairway Drive to Snowcreek Road.. These new roadway extensions and connections would increase connectivity throughout the Town's transportation grid and would potentially facilitate emergency access. The new roadways would not cause obstructions or increase trip length or cause other effects that would impede emergency access. Therefore, impacts related to emergency access during operation would be less than significant.

**Threshold TRAF-4:** The project would result in a significant impact if it caused a conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

**Impact Statement TRAF-4:** The Mobility Plan Update and Land Use Element/Zoning Code Amendments would support and implement policies of adopted plans and programs related to public transit, bicycle and pedestrian facilities. Because existing policies and plans would be supported, the Project would not conflict with adopted plans and policies. Therefore, impacts with respect to such plans and policies would be less than significant.

### **Mobility Element Update - Pedestrian Network**

The Mobility Element Update identifies potential new pedestrian connections, as well as key pedestrian routes that should receive priority investment and locations where infrastructure improvements should be strategically pursued. The Mobility Element Update emphasizes pedestrian connectivity within the General Pedestrian Zone, which corresponds to the Town's commercial corridors, and further encourages expansion and enhancement of the Town's overall pedestrian network. Under the Mobility Element Update, pedestrian facilities in the General Pedestrian Zone, which extends from North Village along Main Street to Sierra Park Road and continues along Old Mammoth Road to Chateau Road, would be tripled. In addition, implementation of new signals or roundabouts along Main Street would improve pedestrian conditions.

- Applicable goals of the Mobility Element Update include Goal M.8, to support "feet first" objectives by providing a linked year-round pedestrian system that is safe and comprehensive, and Goal M.9, to provide an attractive and accessible pedestrian environment throughout the Town. The construction of new sidewalks under the Main Street Plan and other components of the Mobility Element Update, reorientation of businesses to the street edge, location of parking at the sides and back of buildings, enhanced streetscape and other improvements that would occur under the Mobility Element Update would support these goals. In addition, the Mobility Element Update Goal M.8 would implement the several goals of the current General Plan Mobility Element to emphasize feet first, encourage alternative transportation, and maintain a safe and efficient movement of people and traffic.

In addition, an increase in residential density and mixed-use in the Town's commercial districts could occur under the Land Use Element/Zoning Code Amendments under Scenarios 5 and 6, as well as improved sidewalks and streetscape, would encourage pedestrian activity within the General Pedestrian Zone, in which more trips could be accommodated within a convenient walking distance (about one-quarter mile). In addition, Land Use Element/Zoning Code Amendments would increase residential density in commercial areas. This increased proximity of residential uses to commercial uses would potentially encourage pedestrian travel. The increase in pedestrian activity would further implement the "feet first" objectives of the General Plan. Because the Project would implement the objectives of the General Plan, as well as providing an enhanced pedestrian network, the impact of the Project with respect to the General Plan's pedestrian goals would be less than significant.

The Mobility Element Update would be consistent with the following applicable policies of the California General Plan Guidelines: Complete Streets and Circulation Element (Caltrans Deputy Directive DD-64-R1):

- The consideration of sidewalks and curbs as a standard street design principle.
- The consideration of shade trees and planting strips as a standard street design principle.
- The consideration of traffic calming measures (narrower travel lanes, roundabouts, raised medians, speed tables, planting strips, etc.).
- The safety of the traveling public, including pedestrians and bicyclists.
- The design of intersections and public right-of-ways to include adequate and safe access for all users including pedestrians, bicyclists, and motorists of all ages and abilities.
- The consideration of separate performance and level-of-service standards for bicycle and pedestrian traffic or integrated performance and level-of-service standards that include multiple modes.

### **Mobility Element Update - Bicycle Network**

The Mobility Element Update includes planned Class II bike lanes, Class III bike routes, and future multi-use paths. It identifies key pedestrian routes that should receive priority investment and locations where infrastructure improvements should be strategically pursued. Class II bike lanes would increase from approximately 7.5 miles under existing conditions currently to approximately 17 miles in the future. A new, grade-separated crossing is proposed where the multi-use path crosses Minaret Road at a point immediately north of Old Mammoth Road. The grade separation would improve safety conditions for pedestrians and bicyclists.

Goals of the Mobility Element Update include Goal M.10 to support “feet-first” objectives by providing a linked, year-round recreational and commuter bicycle system that is safe and comprehensive. Policies include ensuring that all planning processes identify and implement bicycle improvements and that new development improves existing conditions to meet Town standards. Action M.10.1.6 requires major new commercial and residential development or redevelopment to provide covered and secure bicycle parking and shower and locker facilities, or to assist in funding bicycle improvements in nearby locations. Goal M.10 of the Mobility Element Update is consistent with the adopted Mobility Element goals of the General Plan to develop a townwide way-finding system, emphasize feet first, encourage alternative transportation, and improve pedestrian mobility.

The Mobility Element Update, which includes the Bikeway Plan (2014) would improve bicycle parking at key locations, improve bicyclist safety at signalized intersections, improve signage and pavement markings, and implement recommendations from the Wayfinding Master Plan to increase signage and, as such, further implement the “feet first” and improved wayfinding objectives of the General Plan. Since the Project would implement the objectives of the General Plan, as well as providing an enhanced pedestrian network, the impact of the Project with respect to the General Plan’s bicycle goals would be less than significant.

The Mobility Element Update would be consistent with applicable multi-modal policies of the California General Plan Guidelines: Complete Streets and Circulation Element. The California General Plan Guidelines require the consideration of bicycle lanes and/or shared lanes as a standard street design principle; the design of design of intersections and public right-of-ways to include adequate and safe access for all users including pedestrians, bicyclists, and motorists of all ages and abilities; and the consideration of level-of-service standards for multiple modes.

### **Mobility Element Update - Transit Network**

The Mobility Element Update suggests that a general increase in transit will occur along with new development, which includes additional year round day and night service on Meridian Boulevard, and the addition of a new route between downtown and the airport. Goals of the Mobility Element Update applicable to transit include Goal M.12, to provide a year-round public transit system that is convenient and efficient, and increases transit ridership for all trip types. Policy M.12.1 is to expand and increase the reliability of transit service, and Action M.12.1.7 is to provide for convenient transfer between different modes of transport; a safe, comfortable, and sheltered place to wait for public transit; and a centralized location for transit information.

Policy M.12.2.1 is to encourage transit use by requiring development and facility improvements to incorporate features such as shelters, safe routes to transit stops, and year-round accessibility. Other improvements may include wider sidewalks, concrete bus pads, bus turn outs, benches, changeable message signs including real time arrival and departure information, secure bike parking, bike transport and bike trailers, trash receptacles, and where applicable, striping and signs for bus lanes and signal prioritization equipment. Policy M.12.2 is to ensure that all planning processes address transit facilities and services, including areas where transit service, access, and amenities can be improved; and consider land use patterns that support high transit ridership. Goal M.12 of the Mobility Element Update would be consistent with policies of the existing General Plan Mobility Element to improve the regional transportation system, provide a year-round local public transit system, and maintain and improve the safe and efficient movement of people, traffic, and goods in a manner consistent with the feet first initiative.

The Mobility Element Update would be consistent with the following applicable policies of the California General Plan Guidelines: Complete Streets and Circulation Element (Caltrans Deputy Directive DD-64-R1):

- The consideration of transit accessibility and transit priority measures as a standard street design principle.
- The development and improvement of transit, including transit services within a roadway right-of-way.

Based on the number of estimated vehicle trips, as well as the number of trips via transit, the Traffic Impact Analysis determined that transit ridership under the Project's future scenarios would be as follows:

- |  |              |
|--|--------------|
| ▪ Scenario 3 - Future with Existing Roadways:                    | 14.5 percent |
| ▪ Scenario 4 - Future with Mobility Element Roadways:            | 14.7 percent |
| ▪ Scenario 5 - Future with FAR Amendments and Existing Roadways: | 13.7 percent |
| ▪ Scenario 6-Future with FAR Amendments and Mobility Element:    | 14.1 percent |

As discussed above, implementation of the Mobility Element Update would expand the transit system and increase overall transit use by approximately 0.4 percent. In addition, the proposed Mobility Element Update includes Goal M.13 to ensure the financial sustainability of transit. This goal is expected to result in new funding for transit-related improvements and to improve transit services and facilities. Implementation of the Land Use Element/Zoning Code Amendments could result in an increase in intensity of development and thus would add new vehicle and transit trips. However, as the increase in vehicle trips is higher than the increase in transit trips, the transit percentage is reduced with the Land Use Element/Zoning Code Amendments. Increases in ridership would better sustain transit expansion and availability and are not expected to exceed the capacity of the projected transit system. As such, impacts with respect to transit would be less than significant.

### Complete Streets

The Mobility Element Update also specifically complies with and seeks to implement Caltrans Deputy Directive DD-64-R1, "Complete Streets: Integrating the Transportation System" by planning for a comprehensive transportation system that serves all users, whether they are driving, walking, biking, or

taking transit. Complete streets goals and policies include Goal M.1 to create a safe and efficient “complete streets” network that is based on “feet-first” principles, accommodates all modes of transportation, and serves all users. Policy M.1.1 is to plan, design, and construct all new streets as “complete streets” and work to retrofit and/or accommodate “complete streets” infrastructure or strategies on existing streets in ways that respect and maintain neighborhood character. Policy M.1.2 is to provide an interconnected network of streets, mid-block connectors, paths, sidewalks, trails, and bike facilities that improve multimodal access, disperse traffic, improve emergency access, and reduce congestion, and Policy M.1.3 is to emphasize “feet-first,” public transportation second, and vehicle last in planning the community transportation system. Policy M.1.4 is to emphasize public safety in the planning and design of the transportation system by balancing timely emergency response with vehicle, pedestrian, and bicyclist safety, Action M.1.4.1 is to work with Mammoth Lakes Fire Protection District and Mammoth Lakes Police Department to plan for and ensure appropriate emergency access and response times, and Policy M.1.5 is to reduce conflicts between vehicles and pedestrians through improved access, design, and management, including driveways, frontage roads, and turn lanes.

These goals and policies would be consistent with the following applicable policies of the California General Plan Guidelines: Complete Streets and Circulation Element:

- The consideration of sidewalks and curbs as a standard street design principle.
- The consideration of bicycle lanes and/or shared lanes as a standard street design principle.
- The consideration of transit accessibility and transit priority measures as a standard street design principle.
- The consideration of traffic calming measures (narrower travel lanes, roundabouts, raised medians, speed tables, planting strips, etc.).
- The safety of the traveling public, including pedestrians and bicyclists.
- The design of intersections and public right-of-ways to include adequate and safe access for all users including pedestrians, bicyclists, and motorists of all ages and abilities.
- The development of a connected system of streets, roads, and highways that provides continuous, safe, and convenient travel for all users.
- The consideration of separate performance and level-of-service standards for bicycle and pedestrian traffic or integrated performance and level-of-service standards that include multiple modes.
- The development and improvement of transit, including transit services within a roadway right-of-way.

Mobility Plan Update policies and actions are also consistent with existing General Plan Mobility Element policies to develop and implement a townwide way-finding system; to improve regional transportation system; to emphasize feet first, public transportation second, and car last in planning the community transportation system while still meeting Level of Service standards; to encourage feet first by providing a linked year-round recreational and commuter trail system that is safe and comprehensive to provide a year-round local public transit system that is convenient and efficient; to encourage alternative transportation and improve pedestrian mobility by developing a comprehensive parking management strategy; to maintain and improve safe and efficient movement of people, traffic, and goods in a manner consistent with the feet

first initiative; and to enhance small town community character through the design of the transportation system.

## **Conclusion**

As discussed above, the Mobility Element Update and Land Use Element/Zoning Code Amendments would support and implement policies of adopted plans and programs related to pedestrian, bicycle, and public transit facilities. Because these would be supported, the Project would not conflict with these adopted plans and policies and impacts with respect to adopted plans and policies would be less than significant.

## **4. CUMULATIVE IMPACTS**

The above analysis of LOS impacts above encompasses future cumulative conditions, taking into consideration buildout conditions and annual incremental growth. As discussed above, future cumulative conditions were calculated for Scenarios 3 through 6, and are reflected in the projected LOS service levels in Table 4.11-4. As shown therein, future (cumulative) conditions have the potential to result in significant LOS impacts at eight intersections under various scenarios. These impacts would be mitigated to a less than significant level through the implementation of applicable mitigation measures, described above. However, signal warrant analyses for proposed signalized intersections at impacted Main Street intersections would be required and must be coordinated with and approved by Caltrans. If Caltrans is not in agreement with the need for a traffic signal at the respective intersections, or other proposed improvements, cumulative impacts related to LOS under Scenarios 3 through 6 would be potentially significant.

## **5. LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Implementation of the recommended mitigation measures would reduce potentially significant LOS impacts at all affected intersections under all Project scenarios. However, because Main Street is a state route and is under Caltrans' jurisdiction, coordination with Caltrans and approval of signal warrant analyses per the CA MUTCD is required for improvements on Main Street. If mitigation measures related to signals and other improvements on Main Street are not approved by Caltrans, such improvements would not be implemented. Because approval of the mitigation measures are under the jurisdiction of another agency, the approval of which are uncertain, the potentially significant impacts at Main Street intersections under Scenarios 3 through 6 would be considered significant and unavoidable.

## 4.12 UTILITIES AND SERVICE SYSTEMS

---

This section assesses potential impacts on public utilities and service systems that may result from implementation of the Project. The section addresses water supply, storage, and distribution; wastewater collection, transmission, and treatment; stormwater runoff and collection; and solid waste collection and disposal. Water supply and wastewater treatment are provided by the Mammoth Community Water MCWD (MCWD). The analysis regarding water supply in this section is based on data provided in the 2010 Urban Water Management Plan (UWMP) prepared by the MCWD. The analysis regarding wastewater is based on information from the UWMP and the Inyo-Mono Integrated Regional Water Management Plan (2014). The stormwater analysis is based on input from the Town of Mammoth Lakes Department of Public Works, Engineering Division, and the 2015 Stormwater Management Plan. The solid waste analysis is based primarily on the Countywide Siting Element of the Mono County Integrated Waste Management Plan (2015). A comment letter addressing utilities and service systems was provided by MCWD in response to the May 29, 2015 Notice of Preparation circulated for the Project. The comment letter indicates that the discontinuation of the PAOT could impact the MCWD's ability to determine per capita water use and estimate of future population numbers.

### 1. WATER SUPPLY

#### a. ENVIRONMENTAL SETTING

##### (1) Regulatory Framework

###### (a) State of California

###### (i) *California Urban Water Management Planning Act*

The California Urban Water Management Planning Act (Act) (California Water Code Section 10610-10656) requires urban water suppliers to develop urban water management plans. While generally aimed at encouraging water suppliers to implement water-conservation measures, it also creates long-term planning obligations. The Urban Water Management Planning Act requires urban water suppliers that either provide over 3,000 acre-feet of water annually or serve more than 3,000 or more connections to assess the reliability of its water sources over a 20-year planning horizon and to update the data in urban water management plans every five years. In preparing the 20-year management plans, water suppliers must directly address the subject of future population growth. The suppliers must also identify sources of supply to meet demand during normal, single-dry, and multiple-dry years.

AB 1420 amended the Urban Water Management Planning Act, to require, effective January 1, 2009, that eligibility for any water management grant or loan made to an urban water supplier and awarded or administered by the Department of Water Resources (DWR) or State Water Resources Control Board (SWRCB) be conditioned on the implementation of the water Demand Management Measures (DMMs) described in Water Code Section 10631(f). These DMMs correspond to the seven Best Management Practices (BMPs) listed and described in the Memorandum of Understanding Regarding Urban Water Conservation in California. Based on this, DWR has consulted with the California Urban Water Conservation Council and appropriate funding agencies, and determined that it will equate the DMMs with the BMPs described in the California Urban Water Conservation Council's MOU for loan and grant funding eligibility

purposes. Water management grants and loans include programs and projects for surface water or groundwater storage, recycling, desalination, water conservation, water supply reliability and water supply augmentation. This funding includes, but is not limited to, funds made available pursuant to Public Resources Code Section 75026 (Integrated Regional Water Management Program).

***(ii) California Water Conservation Act***

The California Water Conservation Act (Senate Bill 7 SBx7-7) enacted in November 2009 contains several mandates designed to promote water conservation and efficiency throughout California.<sup>1</sup> One of these mandates directs the DWR, in coordination with the California Urban Water Conservation Council to “convene a Task Force consisting of academic experts, urban retail water suppliers, environmental organizations, and commercial, industrial and institutional water users to develop alternative BMPs for the CII water sector.” CWC (10608.43). SB X7-7 stemmed from the Governor’s goal to achieve a 20 percent statewide reduction in per capita water use by 2020 (20x2020). SBx7-7 requires each urban retail water supplier to develop urban water use targets to help meet the 20 percent goal by 2020 and an interim 10 percent goal by 2015. The MCWD achieves an approximately 30 percent reduction rate, meeting the requirements of SBx7-7.

***(iii) California Groundwater Management Act***

The California Groundwater Management Act (AB 3030), enacted in 1992, allows existing local water agencies to develop a groundwater management plan in groundwater basins defined in DWR Bulletin 118. Action is voluntary. AB 3030 introduces twelve technical components that may be included in the groundwater management plan and DWR highly encourages agencies to include as many of the following twelve components as necessary for the successful management of the basin groundwater resources:

1. The control of saline water intrusion.
2. Identification and management of wellhead protection areas and recharge areas.
3. Regulation of the migration of contaminated groundwater.
4. The administration of a well abandonment and well destruction program.
5. Mitigation of conditions of overdraft.
6. Replenishment of groundwater extracted by water producers.
7. Monitoring of groundwater levels and storage.
8. Facilitating conjunctive use operations.
9. Identification of well construction policies.

<sup>1</sup> *An act to amend and repeal Section 10631.5 of, to add Part 2.55 (commencing with Section 10608) to Division 6 of, and to repeal and add Part 2.8 (commencing with Section 10800) of Division 6 of, the Water Code, relating to water.*

10. The construction and operation by the local agency of groundwater contamination cleanup, recharge, storage, conservation, water recycling, and extraction projects.
11. The development of relationships with state and federal regulatory agencies.
12. The review of land use plans and coordination with land use planning agencies to assess activities which create a reasonable risk of groundwater contamination.

***(iv) California Sustainable Groundwater Management Act***

The California Sustainable Groundwater Management Act of 2014 (AB 1739, SB 1168, and SB 1319) commits the state to locally controlled, sustainable groundwater management and provide tools and authorities for local agencies to achieve the sustainability goal over a 20-year implementation period. The Sustainable Groundwater Management Act is considered one element of a comprehensive water action plan advanced by the governor that also includes investment in water conservation, water recycling, expanded water storage, safe drinking water, wetlands and watershed restoration. The legislation gives local agencies new tools to manage groundwater sustainably. For example, groundwater sustainability agencies may:

- Require registration of wells and measurement of extractions
- Require annual extraction reports
- Impose limits on extractions from individual groundwater wells
- Assess fees to implement local groundwater management plans
- Request a revision of basin boundaries, including establishing new sub basins

Under the Sustainable Groundwater Management Act, a community's sustainability plan must include measurable objectives and interim milestones to achieve the sustainability goal for the basin within the 20-year time frame. The plan must include a physical description of the basin, including information on groundwater levels, groundwater quality, subsidence and groundwater-surface water interaction; historical and projected data on water demands and supplies; monitoring and management provisions; and a description of how the plan will affect other plans, including jurisdiction's general plans.

***(v) California Statewide Groundwater Elevation Monitoring***

California Statewide Groundwater Elevation Monitoring (CASGEM), also enacted in November 2009, is authorized under SBx7-6, which is also administered by the DWR. SBx7-6 mandates a statewide groundwater elevation monitoring program to track seasonal and long-term trends in groundwater elevations in California's groundwater basins. To achieve that goal, the amendment requires collaboration between local monitoring entities and DWR to collect groundwater elevation data. Collection and evaluation of such data on a statewide scale is considered an important fundamental step toward improving management of California's groundwater resources.

In accordance with this amendment to the Water Code, DWR developed the California Statewide Groundwater Elevation Monitoring (CASGEM) program. The intent of the CASGEM program is to establish a permanent, locally-managed program of regular and systematic monitoring in all of California's alluvial groundwater basins. The CASGEM program will rely and build on the many, established local long-term groundwater monitoring and management programs. DWR's role is to coordinate the CASGEM program, to

work cooperatively with local entities, and to maintain the collected elevation data in a readily and widely available public database. DWR will also continue its current network of groundwater monitoring as funding allows.

***(vi) Memorandum of Understanding Regarding Urban Water Conservation in California***

Memorandum of Understanding Regarding Urban Water Conservation in California administered by the California Urban Water Conservation Council, sets forth BMPs that result in efficient use or conservation of water. The California Urban Water Conservation Council was created to increase efficient water use statewide through partnerships among urban water agencies, public interest organizations, and private entities. The MOU was signed by 120 urban water agencies and environmental groups in December 1991. MCWD is not a signator to the MOU. Those signing the MOU pledge to develop and implement urban water conservation practices to reduce the demand of urban water supplies. The MOU contains several standards by which water conservation is achieved. Section 3.3 (Reclamation) of the MOU supports the reclamation and reuse of wastewater wherever technically and economically reasonable. Section 3.4 (Land Use Planning), Limits to the Applicability of the MOU, indicates that the MOU does not deal with the question of growth management. However, each signatory water supplier must inform relevant land planning agencies at least annually of the impacts that planning decisions involving projected growth would have on the reliability of its water supplies for the service area. Section 4.1 provides for implementation and includes BMP's schedule of implementation, procedures for estimating reliable savings, exemptions, and schedule of implementation. BMP listed in the MOU include water survey programs, residential plumbing retrofit, system water audits (leak detection and repair), large landscape conservation programs and incentives, high-efficiency clothes washing, education programs, retail conservation pricing, and water waste prohibition. Water savings are demonstrated through such methods as establishing gallons per capita per day (GPCD) compliance. Agencies choosing a GPCD compliance approach would count overall water savings of the quantifiable measures from the BMP list or other menus, plus additional savings achieved through implementation of the BMPs. Savings goals and methodology are updated in the MOU's compliance policies from time to time based upon data and studies.

***California Code of Regulations***

The California Code of Regulations (CCR) Title 24 contains the California Building Standards, including the California Plumbing Code (Part 5), which promotes water conservation. Title 20 addresses Public Utilities and Energy and includes appliance efficiency standards that promote water conservation. In addition, other State laws listed below require water-efficient plumbing fixtures in structures.

- Title 24, California Administrative Code, Sections 25352(i) and (j) address pipe insulation requirements, which can reduce water used before hot water reaches equipment or fixtures. Insulation of water-heating systems is also required.
- Title 20, California Administrative Code, Section 1604(g) establishes efficiency standards that give the maximum flow rate of all new showerheads, lavatory faucets, sink faucets and tub spout diverters.
- Title 20, California Administrative Code, Section 1606 prohibits the sale of fixtures that do not comply with established efficiency regulations.
- Health and Safety Code, Section 17921.3 requires low-flush toilets and urinals in virtually all buildings.

- Health and Safety Code, Section 116785 prohibits installation of residential water softening or conditioning appliances unless certain conditions are satisfied and includes the requirement that water conservation devices on fixtures using softened or conditioned water be installed.

### ***(viii) Water Efficiency in Landscaping Act***

The California Water Efficiency in Landscaping Act (AB 1881) was approved by the Office of Administrative Law on September 10, 2009. This law is primarily aimed at irrigation technology and addresses common problems related to the design of irrigation systems and avoiding water waste (i.e., broken spring joints, leaking risers, etc.). AB 1881 requires a budget for landscape irrigation water use and sets maximum water allowances for landscape areas. Existing landscapes and irrigation systems are not required to retrofit under AB 1881 unless a renovation is proposed. In this manner, local utility companies are encouraged to use rebates to induce homeowners to upgrade. Under AB 1881, parkway irrigation must not use over-spray or overhead irrigation in areas less than 8 feet wide or within 24 inches of non-permeable hardscapes.

### ***(viii) Executive Order B-29-15***

On April 1, 2015, the California Governor issued an Executive Order to mandate conservation of potable urban water due to ongoing drought and ordered that the State Water Resources Control Board (SWRCB) impose restrictions to achieve a statewide 25 percent reduction in potable urban water use through February 28, 2016. Usage reductions would be compared to the amount used in 2013. These restrictions consider the relative per capita water use of each water suppliers' service area, and require that those areas with high per capita use achieve proportionally greater reductions than those with low use. Under Executive Order B-29-15, the California Public Utilities Commission is requested to take similar action with respect to investor-owned utilities providing water services.

The DWR leads the statewide initiative, in partnership with local agencies, to collectively replace 50 million square feet of lawns and ornamental turf with drought tolerant landscapes. The California Energy Commission, jointly with the DWR and Water Board are required to implement a time-limited statewide appliance rebate program to provide monetary incentives for the replacement of inefficient household devices.

Under Executive Order B-29-15, the Water Board imposes restrictions to require that commercial, industrial, and institutional properties, such as campuses, golf courses, and cemeteries, immediately implement water efficiency measures to reduce potable water usage in an amount consistent with the reduction targets. Irrigation with potable water of ornamental turf on public street medians is prohibited. Irrigation with potable water of newly constructed homes and buildings that is not delivered by drip or microspray systems is also prohibited. Executive Order B-29-15 mandates that the DWR update the State Model Water Efficient Landscape Ordinance through expedited regulation. This updated ordinance is to increase water efficiency standards for new and existing landscapes through more efficient irrigation systems, grey water usage, onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf.

Executive Order B-29-15 requires the Water Board to direct urban water suppliers to develop rate structures and other pricing mechanisms, including but not limited to surcharges, fees, and penalties, to maximize water conservation consistent with statewide water restrictions and urban water suppliers to provide monthly information on water usage, conservation, and enforcement on a permanent basis.

Executive Order B-29-15 requires monthly reporting on the amount of potable water produced, the population served, statistics on conservation compliance and enforcement, number of days that irrigation is allowed, and monthly commercial, industrial and institution sector use. Local water agencies in high and medium priority groundwater basins must immediately implement all requirements of the California Statewide Groundwater Elevation Monitoring Program pursuant to Water Code Section 10933. Also under Executive Order B-29-15, the California Energy Commission must adopt emergency regulations establishing standards that improve the efficiency of water appliances, including toilets, urinals, and faucets available for sale and installation in new and existing buildings.

Executive Order B-29-15 also requires investment in new innovative water management technologies, such as renewable energy-powered desalination, integrated onsite reuse systems, water-use monitoring software, irrigation system timing and precision technology, and on-farm precision technology. The Order further mandates that the Water Board prioritize new and amended safe drinking water permits that enhance water supply and reliability for community water systems facing water shortages or that expand service connections to include existing residences facing water shortages. MCWD implements required water management technologies and conservation measures. Regarding Executive Order B-29-15, MCWD has achieved and continues to meet the state mandated 20 percent reduction and was recognized as “stand out” water saving community by the state in July 2015.

## **(b) Regional**

### ***(i) Settlement Agreement between the Los Angeles Department of Water and Power and the Mammoth Community Water District***

The Los Angeles Department of Water and Power (LADWP) exercises riparian rights and pre-1914 appropriative water rights for diversions of water from Mammoth Creek and the Owens River watershed. MCWD has two SWRCB water right licenses and a permit to divert Mammoth Creek water for beneficial uses. To settle litigation over water rights, the MCWD and the LADWP entered into a Settlement Agreement dated July 3, 2013. Under the Settlement Agreement (SA), the parties agreed that the MCWD may divert surface water, extract groundwater and use recycled water up to a total use of 4,387 acre feet per year (AFY), the use of which could result in an estimated total net consumptive use of 1,779 AFY, or 40.55 percent.<sup>2</sup> According to the Settlement Agreement, MCWD’s diversions, extractions, and deliveries are less than 4,387 AFY and the estimated total consumptive use is currently less than 1,779 AFY. Provided that MCWD complies with minimum in-stream fishery bypass flows in Mammoth Creek described in MCWD’s Amended Permit 17332 and Amended Licenses 5715 and 12593, the LADWP would not challenge MCWD performing its Mammoth Creek in-stream monitoring. The LADWP and the MCWD have common interests in supporting sustainable water resources management within the Mammoth Creek watershed to maximize water use efficiency and consumptive beneficial uses. The MCWD would not object to the LADWP’s existing or future diversions or extractions, provided that these would not interfere with the MCWD’s ability to exercise its total diversions, extractions, and deliveries.

<sup>2</sup> *Settlement Agreement between Los Angeles Department of Water and Power and the Mammoth Community Water District, July 7, 2013, page 2. Total estimated total net consumptive use is 1,779 AFY, or 40.55 percent (1,779÷4,387+0.4055).*

**(c) Local****(i) Mammoth Lakes Community Water District 2010 Urban Water Management Plan**

The 2010 Urban Water Management Plan (UWMP) is MCWD's long term planning document for the provision of water to the Town and several out-of-service area locations. The District's service area lies entirely within the 24-square-mile Town of Mammoth Lakes' incorporated boundary. Most of the 3,640 acre (5.7 square mile) service area is within the much smaller approximately 6 square miles of the Town's urban growth boundary. The majority of demand discussed in the UWMP derives from within the Town's urban growth boundary. The conclusions and recommendations from the 2010 UWMP currently determine key aspects of long term capital investment by the District for water supply and treatment, and influence land use planning and development levels, to the extent these are influenced by the practical and regulatory requirements linking water supply reliability and land use decisions.<sup>3</sup>

The 2010 UWMP's planning horizon is 20 years, or through 2030.<sup>4</sup> Based on the Water Conservation Act of 2009 (SB X7-7) the UWMP contains several mandates designed to promote water conservation and efficiency. As discussed in the UWMP, SBx7-7 requires each urban retail water supplier to develop urban water use targets to help meet the 20 percent goal by 2020 and an interim 10 percent goal by 2015.

Guidelines for the preparation of the UWMP require the MCWD to describe stages of action in response to a water supply shortage including up to a 50 percent reduction in supply. The MCWD has the ability to monitor the effectiveness of four stages of water restrictions. Water production is monitored on a daily basis through source meters located at each of the three water treatment facilities and one well that pumps water directly into the system. This daily record of water production allows the MCWD to monitor water demands and establish baseline data for various seasons, peak tourist periods, and irrigation periods. The MCWD also has the ability to monitor water demand on an hourly basis by tracking total production and net change in the total volume in the storage reservoirs and by reviewing hourly customer meter data available through MCWD's advanced metering system.

The UWMP's projections, shown in **Table 4.12-1, Current and Projected Service Area Population**, includes resident population, represented by 2010 census data, the transient peak combined resident and visitor/transient populations, and an estimate of the percentage (30 percent) of the visitor/transient population that represents a relatively constant population presence through build-out. As shown in Table 4.12-1, under the UWMP's projections, the residential and PAOT populations would both increase by approximately 49 percent, and the effective annual population would increase by approximately 45 percent. The build-out population and timeline represent an average annual resident and effective annual population growth of 2 percent.

According to the 2010 UWMP, the 10-year average per capita use (2001 – 2010), is 176 gallons per day (gpd). The compliance per capita is 141 gpd and the per capita use in 2010 was 119 gpd. The ten-year trend has shown a steadily declining per capita water demand of approximately 39 percent, due to a combination of a 70 percent decrease in water distribution system losses and demand management (conservation)

<sup>3</sup> *Mammoth Community Water District, 2010 Urban Water Management Plan, November 2011, page ES-1*

<sup>4</sup> *The UWMP's planning horizon through 2030 varies slightly from the revised 2035 horizon for the Mammoth Lakes General Plan Buildout.*

**Table 4.12.1****Urban Water Management Plan - Current and Projected Service Area Population**

	<b>2010</b>	<b>2015</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>
Resident Population	8,234	9,094	10,041	11,086	12,300
People at One Time	36,578	40,434	44,289	48,145	52,000
Effective Annual Population	16,739	18,496	20,315	22,204	24,210

*Source: Mammoth Community Water District, 2010 Urban Water Management Plan, Table ES-1*

measures. Based on the compliance methodology established by the State, the MCWD has met and is expected to continue to meet, both the interim and compliance daily per capita water use targets required under the 2009 Water Conservation Act.<sup>5</sup>

**(ii) Mammoth Community Water District Water Code**

The Mammoth Community Water District Code establishes regulations for the design, construction, alteration, use, and maintenance of public water mains, distribution system, reservoirs, booster pump stations, pressure reducing stations, connections and services, and all system appurtenances. It provides for the issuance of permits and the collection of fees for plan check, construction inspection and other services. The Water Code establishes standards for water fixtures, such as shower heads, water conservation aerators, toilets, self-closing and pressure-reducing valves, and other fixtures in compliance with the most recent effective California Plumbing Code (whichever results in the least consumption).

Section 3.33 of the Water Code applies to water shortage conditions, water conservation, standards, regulations, and enforcement.<sup>6</sup> This section establishes certain permanent and mandatory requirements necessary to conserve water, enable effective water supply planning, assure reasonable and beneficial use of water, prevent waste of water, prevent unreasonable use of water, recognizing that water is a scarce natural resource that requires careful management not just in times of drought. Section 12.01 establishes four levels of action to be implemented in times of water supply shortage, with increasing restrictions in response to decreasing supply. Level 1 requires a 10 percent reduction in demand. Water conservation measures apply to residential and commercial landscaping, repair of water leaks, restrictions on new lawns, and construction water use. Level 2 requires a 20 percent reduction in demand and applies further to irrigation of residential, public, and commercial landscapes, and no use of potable water for general construction and maintenance. Level 3 conditions enforce further restrictions on landscapes, ornamental ponds, , and immediate repair of all plumbing malfunctions. Level 4 restricts all landscape irrigation except golf courses, public parks, school playing fields, and commercial growing. The latter must provide water conservation plans to the MCWD for methods of reducing water demand up to 50 percent. Filling and refilling of residential pools and spas is prohibited.

<sup>5</sup> *Mammoth Community Water District, Urban Water Management Plan, November 2011, page ES-4.*

<sup>6</sup> *Repealed by Ord. No. 03-20-14-08 and readopted as part of Division XII of Chapter 12, effective March 2014.*

Permanent water conservation requirements include the prevention of runoff or ponding; no overfilling of swimming pools or spas; prevention or repair of leaks; no washing of hard, paved surfaces; automatic shut-offs on hoses for washing commercial and non-commercial vehicles and boats; timing devices on irrigation systems or sprinklers; permitted hours, days of week; irrigation budgets for landscape irrigation accounts; restrictions on restaurant water use; encouragement of reduced hotel or motel linen laundry. Under Section 3.33, the MCWD may implement one of four levels of water restrictions (primarily on landscape irrigation) after the MCWD's Board of Directors declares the existence or threat of a water shortage. The Water Code requires the installation of water-conserving devices in new buildings and remodels that require permits.

A number of other district programs are also intended to help customers and the district manage water use wisely:

- Water rates include an increasing block rate structure where the rate per 1,000 gallons increases as usage increases.
- A separate landscape water meter for landscapes over 5,000 square feet in area is required.
- MCWD has a toilet, clothes washer, and irrigation system pressure reducing valve rebate program.
- During the irrigation season, MCWD regularly issues news bulletins that focus on educating the public about water conservation.
- MCWD implements an on-going leak-detection program to reduce water losses in the water distribution system and on the customer side of the meter.
- MCWD employs a Public Relations Officer to promote knowledge of the area's water supply issues and the need for conservation.
- MCWD employs a conservation coordinator to assist customers in reducing consumption.

On May 19, 2016, the MCWD updated Division XII of Chapter 12 of the Water Code (Ordinance No. 05-19-16-10) to address the ongoing drought. As discussed in the revised Ordinance, because of continuing drought conditions, the Governor is continuing to mandate a drought state of emergency in California and the SWRCB is continuing to mandate that all urban water agencies implement and enforce water conservation on their customers. As discussed in the Ordinance, following a two percent or normal runoff in 2015, the April 1, 2016 water content at Mammoth Pass was 93 percent of normal, the highest in the past five years.

As indicated in Ordinance No. 05-19-16-10, because of the need to allow replenishment and recovery of the District's water resources, and because drought has not been fully alleviated, the District is continuing to impose water demand management measures to avoid water shortages during peak water demand and to ensure that the District has a carryover supply for future water years. The amendment of the Water Code is intended to improve water conservation practices. The Code contains permanent water conservation regulations in addition to specific conservation goals for four levels of water shortage conditions. Permanent water conservation measures include controls of runoff and ponding from any hose, pipe, faucet, sprinkler or other device; no overfilling of swimming pools and spas; covering of pools and spas; repair of any water leaks; automatic shut-offs on hoses for washing hard surfaces and commercial and non-commercial vehicles, boats, trailers, and other vehicles; timers on irrigation devices; and restrictions on permitted hours for landscape irrigation. Additional irrigation requirements include no misting devices, no operation of a broken sprinkler head, no over-spraying. Restrictions are also placed on restaurants, hotel laundries,

construction and maintenance water. The degree of water conservation necessary during a shortage would be directly correlated with the imbalance between estimated water supply and anticipated demand. Restrictions are imposed during each of the four levels of water shortage. These restrictions are shown in **Table 4.12-2, *Water Shortage Contingency***.

### **Town of Mammoth Lakes**

#### ***(i) General Plan***

The Resource Management and Conservation Element of the General Plan sets forth the goal to conserve and enhance the quality and quantity of Mammoth Lakes' water resources. Goal R.4 is to "conserve and enhance the quality and quantity of Mammoth Lakes' water resources. Policy R.4.A is that the "Town shall work with MCWD to ensure that land use approvals are phased so that the development of necessary water supply sources is established prior to development approvals." The General Plan also supports and encourages water conservation and recycled water use within private and public developments; drought-tolerant landscaping and water-efficient irrigation practices for all development and Town-maintained landscaped areas; and the review and updating of the Suggested Plant List in the Town of Mammoth Lakes Design Guidelines. Policy R.4.B is to support and encourage water conservation and recycled water use within private and public developments; Policy R.4.C is to require drought-tolerant landscaping and water-efficient irrigation practices for all development and Town-maintained landscaped areas, parks and park improvement projects. Development design, including parks, may include limited turf as appropriate to the intended use. Policy R.4.D is to require development to use native and compatible non-native plants, especially drought resistant species, to greatest extent possible when fulfilling landscaping requirements and Policy R.4.E is to limit the use of turf over root zones of native trees to avoid or minimize adverse impacts of excessive water to native trees.

#### ***(ii) Municipal Code***

The Town of Mammoth Lakes Municipal Code contains detailed water-efficient landscape requirements. The purpose of Chapter 17.40, Water Efficient Landscape Regulations, is to (a) implement the Water Conservation in Landscaping Act; (b) reduce water waste in landscaping by promoting the use of region-appropriate plants that require minimal supplemental irrigation, and by establishing standards for irrigation efficiency; (c) establish a structure for designing, installing and maintaining water efficient landscapes; and (d) promote the effective and efficient irrigation of landscapes.

Under Chapter 17.40, among other regulations, plants must be selected according to their adaptability to the climatic, geologic and topographical conditions of Mammoth Lakes. Native species and natural areas are to be protected and preserved to the extent possible. Plants having similar water use should be grouped together by hydrozone and landscape area shall use efficient water conservation practices and shall generally separate areas of similar slope, sun exposure, soil, and other site conditions appropriate for the selected plants.

Table 4.12-2

## Water Shortage Contingency

Prohibitions	Stage When Implemented
Irrigation of residential and commercial landscapes, except golf courses, public parks, and school playing fields, shall occur between 1:00 A.M. and 7:00 A.M. and between 5:00 P.M. and 11:00 p.M.	Level 1
No hard surfaces including sidewalks, driveways, parking areas or decks may be washed or hosed down with water supplies through the District's water system, unless required by health or safety requirements.	Level 1
After the District institutes a Level 1 Condition or higher water level condition in any year, there shall be no new lawn areas planted, which will require water from the District's potable water system unless the landscape is managed under a District approved Landscape Plan and the landscape meets the current Town of Mammoth Lakes Water Efficient Landscape Ordinance.	Level 1
Upon notice to the District and approval by the General Manager or his/her designee, no more than five percent of existing turf area may be replaced or reseeded.	Level 1
Any other measures the Board determines will provide the appropriate level of water use reductions under this water shortage level and that are specified in any motion or other action adopted by the Board.	Level 1
Irrigation of residential and commercial landscapes, except golf courses, public parks, and school playing fields, shall occur between 1:00 A.M. and 7:00 A.M. and between 7:00 P.M. and 11:00 p.M. Customers with a monthly MAWA may not have monthly water use exceeding 100 percent of the monthly allowance.	Level 2
No turf areas may be replaced or reseeded.	Level 2
Repair or prevention of all water leaks shall be carried out upon discovery by the customer or within 3 days after notification from the District.	Level 2
Any other measures the Board determines will provide the appropriate level of water use reductions under this water shortage level and that are specified in any motion or other action adopted by the Board.	Level 2
Irrigation of residential and commercial landscapes, except golf courses, public parks, and school playing fields, shall occur between 1:00 A.M. and 6:00 A.M. and between 8 P.M. and 11 p.M. Customers with odd addresses will be permitted to water only on Wednesday and Saturday. Customers who don't have a numbered address will be notified by the District of their two watering days. Customers with a monthly MAWA may not have monthly water use exceeding 80 percent of the monthly allowance.	Level 3
All water leaks, breaks, or other plumbing malfunctions shall be repaired upon discovery by the customer or within 48 hours after notification by the District, with the exception of rental properties, which shall have up to 72 hours to repair interior unit leaks, in order to comply with State laws regarding the provision of notice to tenants.	Level 3
Any other measures that the Board determines will promote the appropriate level of water use reductions under this water shortage level and that are specified in any motion or other action adopted by the Board.	Level 3
All landscape irrigation shall be prohibited. (iv) Golf courses, public parks, school playing fields, and landscape products of commercial growers and nurseries are exempt as set forth in Sec. D.6.d. (v) Hand-watering existing landscapes with a hose equipped with a shot-off nozzle is exempt as set forth in Sec. C.3(e) ii.	Level 4
All water leaks, breaks or other plumbing malfunctions shall be repaired upon discovery by the customer or within 24 hours after notification by the District, with the exception of rental properties, which shall have up to 72 hours to repair interior unit leaks, in order to comply with State laws regarding the provision of notice to tenants.	Level 4
Filling or refilling of residential pools and spas is prohibited. Vehicle washing may only be conducted at or by businesses licensed for such activity and has a process to recycle wash water.	Level 4
Any other measures that the Board determines will promote the appropriate level of water use reductions under this water shortage level and that are specified in any motion or other action adopted by the Board.	Level 4

Source: MCWD Water Code Update, Ordinance No. 05-19-16-10, May 19, 2016.

Irrigation specifics require that all irrigation systems are expected to meet or exceed 71.0 percent efficiency; be designed to avoid runoff, low head drainage, overspray, or other water loss; and automatic controllers and sensors are required to suspend or alter irrigation during unfavorable or wet weather conditions. In addition to other water saving features and requirements, low volume irrigation must be in mulched areas, overhead irrigation is prohibited within 24 inches of any non-permeable surface, recirculating water is required for decorative water features, and backflow prevention devices are required to protect the water supply from contamination by the irrigation system.

To further encourage landscape water efficiency and reduce water waste, the Code requires the Estimated Total Water Use (ETWA) does not exceed the landscape area Maximum Applied Water Allowance (MAWA). Detailed irrigation plans meeting Code-provided options, must be submitted to the Town with the permit application for all applicable projects (Code Section 17.40.030).. Approval of the Documents of Project Completion is required prior to the issuance of a Certificate of Occupancy for a project. Under Code Section 17.40,060D, for projects served by MCWD, approval of Documents of Project Completion by the Town shall be marked as preliminary until MCWD confirms in writing that the preliminary approved documents have been received regardless of meter requirements.

## **(2) Existing Conditions**

The MCWD is the public water supplier for the Town of Mammoth Lakes. As required by the California Urban Water Management Planning Act, the MCWD prepared the 2010 UWMP, which was adopted in November 2011. MCWD is currently in the process of updating the UWMP, which is anticipated to be complete mid-2016. The following discussion of water supply (existing and planned sources) is based on the 2010 UWMP, which is incorporated herein by reference. The planning horizon for the 2010 UWMP is 20 years, or through 2030, which varies slightly from the Mammoth Lakes General Plan revised horizon year of 2035.

As discussed in the UWMP, the MCWD's service area permanent population (residential population) in 2010 was 8,234 and the anticipated build-out residential and transient population is estimated to 16,737. Maximum peak combined residential and transient population is anticipated to be approximately 52,000.

The MCWD has 3,660 water service connections, and relies on a mix of water supplies from Mammoth Creek (diverted and stored at Lake Mary), the Mammoth groundwater basin, and reclaimed water. The MCWD has three water treatment plants: one surface water treatment plant supplied from Lake Mary, and two groundwater treatment plants. Groundwater is produced from nine production wells. Treated water is stored in 10 distribution system storage reservoirs, with a combined capacity of 7,500,000 gallons. The water distribution system includes 81 miles of pipelines, seven booster pump stations, and five pressure zones. The recycled water system includes an advanced wastewater treatment plant producing Title 22 quality recycled water, two booster pump stations, and 21,000 feet of distribution mains. Under the Settlement Agreement between the MCWD and the LADWP, the MCWD may divert surface water and groundwater (including the use of recycled water) up to a total of 4,387 AFY, the use of which could result in an estimated total net consumptive use of 1,779 AFY.

**(a) Water System Demands and Trends**

The MCWD is currently in a Level 3 Water Shortage condition and, with the current implementation of strong conservation measures, recent trends indicate a declining per capita water demand. The MCWD is also obligated to meet the provisions of the 2009 Water Conservation Act to reduce daily per capita water use by 20 percent by the year 2020. Average per capita water demand between 2001 and 2010 was 176 gpd. The mandated reduction in per capita water demand by 2020 would be 141 gpd. Permanent water conservation efforts in the Town of Mammoth Lakes reduced actual per capita gpd, which are shown as less than 119 gpd in 2010.<sup>7</sup>

**Table 4.12-3, Customer Water Delivery in 2010**, lists the customer water deliveries for 2010 and the breakdown by general water use category. **Table 4.12-4, Projected Customer Water Demand, 2015-2030**, shows the projected growth in customer water demands for the same water use categories through 2030. **Table 4.12-5, Total Water Demand Past, Current and Projected**, shows the total water demand (net customer deliveries, distribution and treatment system losses) through 2030. As shown in Table 4.12-5, the percent change in total MCWD water demand is projected to increase approximately 38 percent between 2015 and 2030, to a total of 4,180 acre feet. The 2010 UWMP projections reflect a reduction in system losses and utilize the 2007 General Plan and 2009-10 Town traffic model for buildout land use projections.

**Table 4.12-3**

**Customer Water Delivery in 2010**

<b>Water Use Category</b>	<b>Number of Units</b>	<b>Acre-feet/year (AFY)</b>
Single-family residential	2,227	450
Multifamily	6,429	926
Motel/Hotel	1,852	131
Commercial (1,000 sq ft)	1,616 sf	230
Industrial and Agriculture	Not applicable	Not applicable
Institutional (1,000 sq ft)	48	84
Irrigation (includes golf courses)(acres)	42	348
Other (process water, fire, line cleaning, etc)	Not applicable	Not applicable
Total:		2,169

Source: Mammoth Community Water District, 2010 Urban Water Management Plan, Table ES-3

**Table 4.12-4**

**Projected Customer Demand, 2015-2030**

<b>Water use category</b>	<b>2015</b>		<b>2020</b>		<b>2025</b>		<b>2030</b>	
	<b>Units</b>	<b>AFY</b>	<b>Units</b>	<b>AFY</b>	<b>Units</b>	<b>AFY</b>	<b>Units</b>	<b>AFY</b>
Single-family	2,363	498	2,499	545	2,625	593	2,771	650
Multi-family	7,062	1,064	7,694	1,203	8,327	1,341	8,959	1,480

<sup>7</sup> Mammoth Community Water District, Urban Water Management Plan, November 2011, page ES-4.

Motel/Hotel	2,885	212	3,917	293	4,950	374	5,982	455
Commercial	1,825	261	2,034	292	2,242	324	2,451	355
Institutional	48	89	48	94	48	99	47	103
Irrigation (golf courses)	41	441	41	533	41	626	41	178
Industrial and Process Water	Not applicable in MCWD service area							
AFY Totals:	2,565		2,961		3,357		3,751	

Source: Mammoth Community Water District, 2010 Urban Water Management Plan, Table ES-4

**Table 4.12-5**

**Total Water Demand Past, Current, and Projected**

Water Use	2010	2015	2020	2025	2030
Total Water Deliveries	2,169	2,565	2,961	3,357	3,751 AFY
Additional Water Uses and Losses	420	424	426	428	429 AFY
Total:	2,589	2,989	3,387	3,785	4,180 AFY

Source: Mammoth Community Water District, 2010 Urban Water Management Plan, Table ES-5

**(b) Water Supplies**

The MCWD's existing sources of water include surface water, groundwater, recycled water, and savings from water conservation (demand management) measures. The MCWD stores and diverts Mammoth Creek surface water at Lake Mary. Groundwater supply comes from nine production wells within the Mammoth groundwater basin. Delivery of recycled water meeting Title 22 water standards for unrestricted irrigation use began in 2010. The 2010 UWMP compares projected water supplies and service area demands over the 20 year planning horizon. It assesses the reliability of future supplies, including limitations to supplies and the impacts of drought and/or emergency conditions that severely curtail supply. Drought conditions considered include both a severe one-year drought and a sustained multi-year drought, based on hydrologic records for the Mammoth Basin. The 2010 UWMP also describes responses to be implemented by MCWD to reduce service area demands during emergency short term and sustained drought shortage conditions. Data presented in **Table 4.12-6, Water Supply by Source for Planning Scenarios at Town Buildout**, utilizes historical water years' hydrology to develop the water shortage and supply scenarios. Based on the evaluation of normal and dry year water supply estimates, the 2010 UWMP determined that under 2010 conditions, the MCWD has adequate water supply to meet community needs under the full range of water year types, including both the severe one year and sustained multi-year droughts.<sup>8</sup> The various scenarios

<sup>8</sup> Note that 2015 was a more severe drought scenario than the one described in the 2010 UWMP. In 2015, the water content of the snow was 1.5 inches compared to the single dry year (1977) used in the 2010 UWMP, when the water content measured as 9.3 inches. MCWD is currently evaluating water resources that would be available at buildout given the most recent single year and multiple consecutive year drought scenario.

**Table 4.12-6**

**Water Supply by Source for Planning Scenarios at Town Buildout**

Water Year Type	Water Sources			Total Supply AFY
	Surface Water AFY	Groundwater AFY	Recycled Water AFY	
Average	2,221	1,463	640	4,324
Single Dry Year	337	3,360	640	4,337
<b>Multiple Dry Years:</b>				
Year 1	948	2,702	640	4,290
Year 2	337	3,360	640	4,337
Year 3	2,760	814	640	4,214

*Note: Buildout in the UWMP is buildout under the 2007 General Plan.*

*Source: Mammoth Community Water District, 2010 Urban Water Management Plan, Table ES-8*

shown in Table 4.12-6 would not exceed the water cap under the Agreement of 4,387 AFY between the MCWD and the LADWP.

The UWMP, however, concluded that the long-range projection could be affected by future changes to both demands and supply. According to the UWMP, the demand analysis is largely dependent on the Town land use policies and the actual type and density of development which occurs between the present and buildout. According to the UWMP, Town policies on development type, density, and enforcement of effective landscape practices will influence water demands significantly. As also discussed in the UWMP, the MCWD’s surface water supply could be impacted by climate change impacts to snowpack water content and watershed runoff patterns, to which the MCWD cannot adapt without increased surface water storage. The UWMP states that local groundwater supplies could also be impacted by the major expansion of geothermal energy production or natural changes from seismic or volcanic activity causing changes to the local hydrogeologic characteristics.

**b. Methodology and Thresholds**

**(1) Methodology**

While the Town requested that MCWD prepare a Water Supply Assessment, (WSA), “...the District’s understanding of the requirements for a water supply assessment are not met unless something is proposed by a proponent that specifically meets the criteria.”<sup>9</sup> Since the Project would allow an increase in development compared to existing regulations, MCWD indicated that the “...EIR should address the impacts of the potential increase in intensity of development, including those related to water availability.”<sup>10</sup> Absent a WSA, an evaluation has been prepared based on available documents and information and input from MCWD.

<sup>9</sup> Letter from MCWD to Town of Mammoth Lakes dated September 25, 2015.

<sup>10</sup> *Ibid.*

The evaluation of water impacts compares the incremental growth that could occur under the proposed Land Use Element/Zoning Code Amendments to the water supply and demand projections contained in MCWD's 2010 UWMP. Projections contained in the UWMP reflect state-mandated per capita reductions, which limit per capita use to 141 gallons per day, and other conservation measures contained in the Water Code and Municipal Code, discussed above. Because the Mobility Element Update is not anticipated to substantially increase water demand over existing conditions, including uses associated with typical highway maintenance, the impact of the Mobility Element on water resources is not evaluated. Other proposed General Plan Amendments, including the change in the People at One Time (PAOT) policies and deleting Community Benefits Incentive Zoning (CBIZ) and Transfer of Development Rights (TDR) are administrative in character and, compared to the proposed change in FAR and General Plan policies regarding intensity of development within specific zones, are not directly related to population change. As such, these policies from the General Plan are also not considered to have an effect on water demand and are not evaluated in this section.

## (2) Thresholds

For purposes of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether a project would have a significant environmental impact regarding utilities and service systems. Based on Appendix G, the following thresholds of significance are used for the water analysis. The project would result in a significant impact if the project would:

- WATER-1**      Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- WATER-2**      Exceed available water supplies available from existing entitlements and resources, or result in the need for new or expanded entitlements.

## (3) Applicable General Plan Goals/Policies and Adopted Mitigation Measures

### (a) General Plan Policies

The following is a list of policies contained in the 2007 General Plan and that are applicable to water supply:

- R.4.A Policy: The Town shall work with MCWD to ensure that land use approvals are phased so that the development of necessary water supply sources is established prior to development approvals.
- R.4.B Policy: Support and encourage water conservation and recycled water use within private and public developments.
- R.4.C Policy: Require drought-tolerant landscaping and water-efficient irrigation practices for all development and Town-maintained landscaped areas, parks and park improvement projects. Development design, including parks, may include limited turf as appropriate to the intended use.
- R.4.D Policy: Require development to use native and compatible non-native plants, especially drought resistant species, to greatest extent possible when fulfilling landscaping requirements.
- R.4.E Policy: Limit use of turf over root zones of native trees to avoid or minimize adverse impacts of excessive water to native trees.

### (b) Mitigation Monitoring and Reporting Program

The Mitigation Monitoring and Reporting Program (MMRP) for the 2007 General Plan, adopted on May 23, 2007 (Resolution No. PC-2007-14) is applicable to the proposed General Plan Amendments. Since these are adopted measures, for purposes of this EIR, these measures are applied where applicable to address the impacts of the Project design features. The following mitigation measure is from the Town's adopted General Plan Update MMRP:

**GPMM 4.11-1:** The Town shall not approve new development applications that would result in a water demand in excess of available supplies as determined by the MCWD. The Town shall work with MCWD to ensure that land use approvals are phased so that the development of necessary water supply sources is established prior to development approvals.

### c. Environmental Impacts

**Threshold WATER-1:** The project would result in a significant impact if the project would require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

**Impact Statement WATER-1:** *With the incorporation of General Plan mitigation measures and policies, in concert with development fees, plan check of service line upgrades, and construction of any new or upgraded facilities in compliance with the Water Code, it is anticipated that the construction of site-specific water main and ancillary facilities under the FAR increase would not result in significant environmental impacts. Impacts with respect to construction of treatment and conveyance infrastructure would be less than significant.*

The proposed Land Use Element/Zoning Code Amendments relative to FAR would result in a more concentrated growth pattern in the Town's commercial districts, which are currently served by water delivery infrastructure. The incremental growth could potentially affect the capacity of water mains within and beyond the Town's commercial districts. The Water Code requires adequate delivery systems and the payment of development fees, which would support necessary new or upgraded water mains and other water infrastructure. As required under the Water Code, all development plans would be submitted to the MCWD for review of local delivery systems. Any construction of water mains and other water infrastructure would be required to comply with specific rules and regulations contained in the Water Code. It is expected that any necessary upgraded water mains would be site-specific or related to specific development projects in the Town's commercial districts. The site-specific scope of construction and the required review and approval of all water main construction projects by the MCWD would ensure that appropriate construction practices, including dust and erosion control and other requirements of the Town of Mammoth Lakes Building Code,<sup>11</sup> would be followed and that the construction of site-specific water mains and connections would not result in significant environmental impacts.

With respect to the treatment of potable water, the MCWD has or anticipates facilities to supply water up to the projected 2030 buildout. Under the 2010 UWMP, anticipated buildout is partly based on a PAOT of

<sup>11</sup> Note that the Mammoth Lakes Building Code (MLMC Title 15) incorporates the California Building Code by reference, while also implementing local amendments.

approximately 52,000, which is less than the potential maximum population of approximately 53,980 anticipated as a result of the proposed Land Use Element/Zoning Code Amendments relative to increased FARs in the Town's commercial districts.<sup>12</sup> As discussed under "Water System Demand and Trends," above, State-mandated and MCWD Water Code-required conservation regulations currently in effect have resulted in a declining average per capita water demand. In addition, landscaping is discussed in State legislation, such as the California Water Efficiency in Landscaping Act, as a high-water demand land use. Land uses that result in over-all reduction in landscaping are considered more water efficient. Therefore, with the continued incorporation of rigorous conservation measures required under the Water Code, concentration of development to reduce landscaping requirements, and the incorporation of GPMM 4.11-1, which provides that new development applications may not be approved unless available supplies as determined by the MCWD, it is not expected that any currently unplanned water treatment systems would be required as a result of the proposed Land Use Element/Zoning Code Amendments. The MCWD's projected water treatment capacity is consistent with buildout demand and, although existing treatment facilities and water mains may need to be upgraded through time, the Project would not require extensive construction of new lines or treatment plant in areas that are not currently served. As such, large scale or disruptive construction projects beyond regular maintenance are not anticipated, and environmental impacts associated with construction of new delivery and treatment systems would be less than significant.

**Threshold WATER-2:** The Project would result in a significant impact if it would exceed available water supplies from existing entitlements and resources, or result in the need for new or expanded entitlements.

**Impact Statement WATER-2:** *The proposed Land Use Element/Zoning Code Amendments relative to FAR would result in an incrementally higher growth projection than under the 2010 UWMP. However, the implementation of GPMM 4.11-1, General Plan Policy R.4.A, and the PIEC would not allow new development in excess of available supplies. Because available supplies would not be exceeded, and expanded entitlements would not be required, impacts with respect to water supply would be less than significant.*

The proposed Land Use Element/Zoning Code Amendments would result in a potential maximum population of 53,980 comprising permanent and transient residents and hotel occupants. This would exceed the projected effective population in the 2010 UWMP, in which future (2030) water demand incorporates a buildout of 52,000 PAOT. The MCWD is obligated to meet the provisions of the 2009 Water Conservation Act to reduce daily per capita water use by 20 percent by the year 2020, the result of which is a per capita water demand for 2020 of 141 gpd. Conservation efforts currently in effect in the Town of Mammoth Lakes have already reduced gallons per day per capita water demand beyond the 2020 goal of 141 gpd, with a demand of approximately 119 gpd in 2010 (the UWMP was adopted in October 2011). The continuation of conservation efforts would encourage the lower per capita water demand into the future.

Based on extrapolated unit factors used by the MCWD to derive the UWMP's 2030 projections, as shown in Table 4.12-6, above, **Table 4.12-7**, Projected Water Demand at 2030 Buildout - Land Use Element/Zoning Code Amendments, illustrates 2030 demand with the projected growth under the Land Use Element/Zoning

<sup>12</sup> *The potential maximum population of approximately 53,980 represents 100 percent occupancy of all units. The vacancy rate fluctuates in Town between a year-round vacancy rate of 72 percent to a seasonal vacancy rate of 10 percent (Tishler Bise DIF Report 2015). Assuming seasonal vacancy rates, the maximum buildout population would be 48,592 people.*

Code Amendments. As shown in Table 4.12-7, the total demand with the Land Use Element/Zoning Code Amendments would be 4,302 AFY, compared to 4,180 AFY under the UWMP’s 2030 projections. This would

**Table 4.12-7**

**Projected Water Demand at 2030 Buildout  
Land Use Element/Zoning Code Amendments**

<b>Water Use Category</b>	<b>UWMP Estimated Buildout Plus New Units or Floor Area Added by Project</b>	<b>Factor/Unit or Floor Area</b>	<b>AFY</b>
Single Family	2,771	No Change	640
Multifamily	8,959 + 252 <sup>a</sup> = 9,211	0.165/unit	1,520
Motel/Hotel	5,982 + 467 <sup>b</sup> + 84 <sup>c</sup> = 6,533	0.076/unit	497
Commercial	1,365,002 sq. ft. + 152,533 <sup>d</sup> = 1,517,535 sq. ft.	0.000260/sq. ft.	395
Institutional	48	No change	103
Irrigation (including golf courses)	41	No change	718
Additional Water Uses and Losses		No change	445
<b>AFY Totals:</b>			<b>4,318</b>

<sup>a</sup> Additional Multi-family units as a potential result of Land Use Element/Zoning Code Amendments as shown in Section 4.9, Table 4.9-5, of this Draft EIR. While the Town proposes a change from People At One Time (PAOT) and permanent/transient units, given the methodology used for water in the UWMP projected units resulting from the proposed Land Use Element/Zoning Code Amendments are broken out as permanent and transient in this table. As shown in Table 4.9-5, using the PAOT approach, 336 multifamily units could result with 252 permanent units and 84 transient units.

<sup>b</sup> Additional hotel rooms as a potential result of the Land Use Element/Zoning Code Amendments as shown in Section 4.9, Table 4.9-5, of this Draft EIR.

<sup>c</sup> Additional transient units as a potential result of the Land Use Element/Zoning Code Amendments as shown in Section 4.9, Table 4.9-5, of this Draft EIR. Please see note b above for a more detailed explanation regarding the methodology. Transient units are categorized as a hotel/motel use under the UWMP.

<sup>d</sup> Additional commercial floor area that could result from the proposed Land Use Element/Zoning Code Amendments as discussed in Chapter 2, Project Description and shown in Table 2-3 of this EIR.

Source: ESA PCR, 2016. Multipliers are based on factors extrapolated from MCWD’s 2010 UWMP Tables ES-4 and ES-5.

exceed MCWD’s demand projections; however, the Project’s maximum water demand of 4,318 would not exceed 4,387 AFY, which is the MCWD’s existing maximum entitlement.<sup>13</sup> As such, the Project would not exceed the MCWD’s maximum supply or entitlement described in the 2010 UWMP.

The MCWD, however, recently experienced the most severe drought year in its history. Level 3 Water Shortage Restrictions were enforced and, because of the implementation of water conservation measures, per capita water demand was substantially reduced. Recent trends show a continuing reduction in water demand that is not reflected in the 2010 UWMP. However, with potentially continuing or recurring drought conditions, the MCWD is experiencing uncertainty about the amount and timing of future aquifer recharge. The effects of drought on snowpack water content and watershed runoff patterns may require a substantial increase in surface water storage that isn’t presently available. In the current preparation of the 2015 UWMP, the MCWD is evaluating water resources that would be available at buildout given the most recent single year and multiple consecutive year drought scenario. In addition to climate change, local groundwater

<sup>13</sup> The 2013 Settlement Agreement between the LADWP and MCWD provides a maximum supply or entitlement of 4,387 AFY.

supplies could be impacted by the major expansion of geothermal energy production at the Casa Diablo power plant complex, or natural changes from seismic or volcanic activity that would alter local hydrogeologic characteristics. Finally, the potential expansion of recycled water use for Snowcreek golf course and its related future development remains a major variable, since recycled water would potentially make up about 15 percent of future supply. Each of these potential influences on future water supply and demand will be re-evaluated in MCWD's 2015 UWMP Update.

Although the implementation of conservation measures currently in effect in the Town of Mammoth Lakes could result in an even lower annual per capita water use and reduce future per capita demand, with potential drought conditions and other unknown events that could affect water supply, the incremental increase in population under the Land Use Element/Zoning Code Amendments has the potential to exceed available water supplies. However, the Town will continue to implement General Plan Policy R.4.A, which requires that the Town work with MCWD to ensure that land use approvals are phased so that the development of necessary water supply sources is established prior to development approvals. GPMM 4.11-1, contained in the General Plan's adopted MMRP, requires that the Town shall not approve new development applications that would result in a water demand in excess of available supplies as determined by the MCWD. Under GPMM 4.11-1, the Town must also work with MCWD to ensure that land use approvals are phased and that water supply sources are established prior to development approvals. In addition, as discussed in Chapter 2, Project Description, of this EIR, the Town shall review and adjust, as needed, the General Plan's buildout calculations every five years. This will further facilitate coordination between the Town and the MCWD to achieve a balance between population growth and water supplies.

The Project would revise Policy L.1.A, which would replace the People At One Time approach with the Project Impact Evaluation Criteria (PIEC). Consistent with General Plan Policy R.4.A, the approach of the PIEC is to evaluate projects to ensure that development would not exceed the carrying capacity of the Town. This would also require the evaluation of a project's demand relative to available water supply. With the implementation of the General Plan policy and the use of PIEC, the proposed Land Use Element/Zoning Code Amendments would not exceed available water supplies or result in the need for new or expanded entitlements. Therefore, impacts with respect to water supply would be less than significant.

### **Mitigation Measures**

No mitigation measures are required as the implementation of existing mitigation measures and policies would ensure that supplies are available prior to approval of new development.

### **d. Cumulative Impacts**

The Project represents the Town's maximum anticipated development. Therefore, the impact analysis above is, by its character, a cumulative analysis. It addresses the buildout of the General Plan and the proposed incremental increase in multi-family, hotel, and commercial uses anticipated under the Land Use Element/Zoning Code Amendments. Therefore, the cumulative effects would be the same as the Project effects discussed above. As discussed above, the incremental increase over the General Plan buildout evaluated in the 2010 UWMP would be adequately served by maximum allowable water withdrawal under the LADWP/MCWD Settlement Agreement. However, recent drought conditions and other factors, such as the expansion of geothermal energy production at the Casa Diablo power plant complex, have the potential to reduce future supplies or to require greater surface water storage capacity. Because of the uncertainty of

future water supplies, future cumulative growth has the potential to exceed water supplies. , The Town's ongoing implementation of General Plan Policy R.4.A, which requires that the Town work with MCWD to ensure that land use approvals are phased so that the development of necessary water supply sources is established prior to development approvals, would ensure continued coordination of land use and water resources between the Town and the MCWD. In addition, with implementation of GPMM 4.11, no new development would be permitted if the MCWD determines that adequate water supplies were not available. Continued implementation of the adopted General Plan policy and mitigation measure would ensure that the Project would not exceed water supplies. Because the Project would not exceed the threshold criterion, the Project would result in a less than significant impact on water resources.

### **e. Level of Significance After Mitigation**

Impacts regarding water would be less than significant. Therefore, no mitigation measures are required.

## **2. WASTEWATER**

### **a. ENVIRONMENTAL SETTING**

#### **(1) Regulatory Framework**

##### **(a) State of California**

##### ***(i) California Code of Regulations Title 20***

Title 20, Sections 1605.1(h) and 1605.1(i) of the California Code of Regulations (CCR) establishes efficiency standards (i.e., maximum flow rates) for all new federally-regulated plumbing fittings and fixtures, including such fixtures as showerheads, lavatory faucets and water closets. Among the standards, the maximum flow rate for showerheads and lavatory faucets are 2.5 gallons per minute (gpm) at 80 pounds per square inch (psi) and 2.2 gpm at 60 psi, respectively. The standard for water closets is 1.8 gallons per flush. In addition, Section 1605.3(h) establishes State efficiency standards for non-federally regulated plumbing fittings, including commercial pre-rinse spray valves.

##### ***(ii) Lahontan Regional Water Quality Control Plan***

The Water Quality Control Plan (Basin Plan) for the Lahontan Regional Water Quality Control Board sets forth requirements for the treatment, disposal, and reclamation of municipal wastewater in accordance with state and federal water quality laws. These include CCR, Title 23, Chapter 5 related to effluent or liquid waste. According to the Basin Plan, municipal and domestic bacteriological and toxic contamination to both ground and surface waters can occur with improper disposal practices. Discharge requirements for municipal dischargers are based on case-by-case evaluation, with greater restrictions on industrial uses. As regulated under the Basin Plan, land disposal of sewage effluent includes disposal to evaporation-percolation basins, irrigation of land, disposal to constructed or natural wetlands, drying ponds or beds for municipal effluent sludge, and disposal to lined evaporation ponds. The Basin Plan states that all effluent discharged to land must not adversely impact an underlying aquifer that is designated drinking water supply.<sup>14</sup> Under the Basin Plan, surface water disposal is prohibited in some watersheds and the discharge of waste from existing

<sup>14</sup> *State of California, Regional Water Quality Control Board, Water Quality Control Plan for the Lahontan Region, 1995, page 4.4-3*

leaching or percolation systems is prohibited in the Mammoth Creek watershed above elevation 7,650 feet, including the Town of Mammoth Lakes, which is located at 7,800 feet.<sup>15</sup>

**(b) Regional**

**(i) Mono County Local Agency Formation Commission Municipal Service Review and Sphere of Influence Recommendation**

In accordance with Government Code Section 56425, the Mono County Local Agency Formation Commission (LAFCO) prepared a written statement of its determination regarding infrastructure needs and deficiencies, growth and population projections, financing constraints and other opportunities associated with the County's service infrastructure. The evaluation contained in Mono County LAFCO's *Municipal Service Review and Sphere of Influence Recommendation- Mammoth Community Water District* (approved October 2010) found that the expansion and renovation of existing facilities in the Town of Mammoth Lakes, including the replacement of aging equipment and/or the purchase of additional equipment, will be needed to maintain or increase the quality of service provided by the Mammoth Community Water District (MCWD). According to the evaluation, increased development throughout the MCWD's service area would create an increased need for sewer services. The evaluation states that the buildout allowed by the General Plan (52,000) would create a greater demand for wastewater services in the future and finds that the MCWD has an existing and continuing need for public facilities and services to serve the increasing and planned development in the area. The evaluation states that the MCWD has planned for the expansion and renovation of its facilities in its long-term plans according to the estimated General Plan Buildout of 52,000 by 2025. The evaluation states that the Sphere of Influence for the MCWD should be coterminous with the boundaries of the Town of Mammoth Lakes (UGB) and, accordingly, states that these boundaries recognize the district's role as the primary sewer provider for the incorporated area and would enable the district to extend service throughout the incorporated area, to existing and planned developments.<sup>16</sup> As noted in the evaluation, there is no demonstrated current need for additional land for urbanization.

**(c) Local**

**(i) Mammoth Community Water District Urban Water Management Plan**

The MCWD's 2010 Urban Water Management Plan (UWMP) (November 2011) addresses the key aspects of long term capital investment by the MCWD for water supply and treatment, and the influence of future land use planning and development levels within the Town. The 20-year planning horizon (through 2030) of the 2010 UWMP is less than the approximate 2035 horizon for buildout of the Town. Although not identical, the comparison of the UWMP's 2030 horizon to the General Plan's 2035 horizon would result in a conservative analysis (indicate greater demand) through an earlier buildout. The conservative analysis in this EIR would be consistent with CEQA parameters. The UWMP identifies the MCWD as the primary collection and treatment facility for wastewater in the Mammoth Lakes area. This includes wastewater generated in the Town of Mammoth Lakes, USFS campgrounds and USFS permittees in the Mammoth Lakes Basin, with the exception of 10 private cabins on the south end of Lake George. The UWMP projects that it would treat and provide 480 acre feet (AF) of recycled water by 2015.

<sup>15</sup> *State of California, Op. Cit.*, page 4.1-8.

<sup>16</sup> *Mono County Local Agency Formation Commission Municipal Service Review and Sphere of Influence Recommendation - Mammoth Community Water MCWD*, October 2010, page 35.

The UWMP’s estimated wastewater collection and treatment is shown in **Table 4.12-8, Wastewater Collection and Treatment**. Table 4.12-8 lists the past and projected future annual wastewater generation volumes. Treated wastewater is discharged to Laurel Pond, located approximately 5.5 miles southeast of Mammoth Lakes on USFS land. Laurel Pond is a terminal surface water feature which, prior to initiation of treated effluent discharge, dried up during sustained drought periods.

**Table 4.12-8**

	<b>Wastewater Collection and Treatment (Acre Feet per Year)</b>					
	<b>2005</b>	<b>2010</b>	<b>2015</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>
Wastewater collected and treated in service area <sup>a</sup>	1,924 AFY	1,432 AFY	1,666 AFY	1,888 AFY	2,110 AFY	2,330 AFY

<sup>a</sup> Projections of wastewater represent the average ratio of collected wastewater to total water demand for 2005-2030.

Source: MCWD, 2010 Urban Water Management Plan, November 2011, Table 4-5, page 4-10.

The UWMP based the service population on the 2007 General Plan and Town’s 2009-10 Town traffic model for buildout land use projections. Under the UWMP, the residential population in 2030 is estimated to grow to 12,300 and the effective annual population, which reflects the transient population, is estimated to grow to 24,201. Under the UWMP, the 2010 residential population is 8,234, the PAOT population (based on the 2007 General Plan) is 36,578, and the effective annual population is 16,739. A primary focus of the 2010 UWMP is to ensure water resources are managed efficiently to provide a reliable supply to residents and businesses. The UWMP’s water supply and conservation estimates for indoor use would also apply to wastewater demand.

**(d) Mammoth Community Water District Code**

The MCWD Code, Chapter 11 (the “Sanitary Sewer Code”) (2013) applies to the discharge or disposal of all wastes including any material which may cause pollution of underground or surface waters in, upon, or affecting the MCWD service area. It also applies to the design, construction, alteration, use, and maintenance of public sewers, house laterals, industrial connections, liquid waste pretreatment plants, sewage pumping plants, sand and grease interceptors; the issuance of permits and the collection of fees. Fees apply to the cost of checking plans, inspecting construction, and making record plans of the provided facilities. According to Section 3.14, Chapter 11 applies to maintenance of sewage pumping plants, waste pre-treatment, interceptors and other appurtenances. All such facilities must be maintained in a safe and sanitary condition required for good working order. All occupancies in the Town of Mammoth Lakes that require sanitation facilities must be connected to the public sewer. Under Sections 5.03.G and H, a letter of sewer availability for new development is required to ensure that the developer or subsequent purchaser would acquire a sewer permit prior to construction of any improvements. The letter of availability would be provided solely on a first-come, first served basis and only to the extent that the physical facilities for conveyance and treatment would have available capacity.

Division VII of the Sanitary Sewer Code establishes design standards for sewer main lines, pumping plants, new laterals and other infrastructure. Plans for any new construction, which must comply with the design

standards set forth in Division VII, must be prepared by a Registered Civic Engineer of the State of California and submitted to the MCWD for approval.

## (2) Existing Conditions

The MCWD owns, operates and maintains the sewage collection system that serves the Town. The sewage system includes 78 miles of 6- and 8-inch collection lines and 8- to 18-inch interceptors. The MCWD also operates 12 sewage lift stations, a wastewater treatment plant located just east of the MCWD Base Facility, and a discharge site at Laurel Pond. The collection system is currently rated at a capacity of 8.0 million gallons per day (mgd), while the wastewater treatment plant's existing capacity is estimated to be 4.9 mgd. The MCWD has improved the wastewater treatment plant to produce up to a maximum of 1.5 mgd of treated water that meets the State's Title 22 standards.

The MCWD's wastewater treatment plant provides advanced secondary treatment, which includes biological treatment, filtration, and disinfection with chlorine. The wastewater is suitable for certain types of reuse and meets the standards set by the Lahontan Regional Water Quality Control Board. Treated wastewater is discharged to Laurel Pond, a natural sink approximately 5.5 miles southeast of Mammoth Lakes on U.S. Forest Service (USFS) and Los Angeles Department of Water and Power (LADWP) land. The pond provides disposal by percolation and evaporation and is also used as a duck nesting area. Laurel Pond is a terminal surface water feature which, prior to initiation of treated effluent discharge, dried up during sustained periods of drought. The MCWD has an obligation to maintain a minimum of 18 acres of water surface area at the pond as a mitigation measure for the recycled water project. The Forest Service, in cooperation with the State Department of Fish and Game and the district, constructed nesting mounds in the Laurel Pond area, which the district maintains by providing sufficient effluent at the site to partially cover the mounds. The district's sludge, which is the byproduct of the treatment process, is dewatered and transported to Benton Crossing Landfill where it is mixed with soil and then used for daily cover of the solid waste. The district considers this method to be suitable for the future, although they are also considering the possibility of reuse of composted material as a soil amendment. According to the MCWD, there is currently sufficient room at Benton Crossing Landfill to continue this practice.<sup>17</sup>

According to the Mono County LAFCO Municipal Service Review, annual sewer flows under the jurisdiction of the MCWD are approximately 534 million gallons with average daily wastewater flows of 1.4 million gallons per day (mgd) and peak flows of 2.6 mgd on holiday weekends. During periods of high snowmelt from March through June, the MCWD estimates that at least 0.1 to 0.2 mgd of daily influent derives from infiltration into the collection lines. According to the LAFCO Municipal Service review, however, the capacity of the existing sewage treatment plant is considered sufficient to serve the projected buildout peak population.<sup>18</sup>

Construction of a recycled water distribution system, pump stations, and pipelines to serve the Sierra Star and Snowcreek golf courses was completed in 2010. Sierra Star completed the on-site work to comply with Title 22 regulations and began using recycled water for irrigation in late summer of 2010. The golf course irrigation for Snowcreek and Sierra Star (320 AFY each), along with minor amounts of construction-use

<sup>17</sup> *Mono County Local Agency Formation Commission, Municipal Service Review and Sphere of Influence Recommendation, October 2010, page 18.*

<sup>18</sup> *Ibid.*

water, are the MCWD's only established long term uses for recycled water. Snowcreek's use of the full 320 AFY is planned to begin by 2020, but is dependent on the timing and completion of the Snowcreek Phase VIII resort development.<sup>19</sup> However, because of a drop in wastewater treatment output related to the current California drought, the MCWD states that it had not met its projected output of 480 AF of recycled water by 2015.<sup>20</sup>

According to the Inyo-Mono County Integrated Regional Water Management Plan (IRWMP) (October 22, 2014), MCWD has aging sewer lines made of substandard materials and designed for lower flows than they are currently carrying. As stated in the IRWMP, completion of certain projects, such as the Meridian Sewer Replacement Line, would eliminate the potential overflow of sewage onto the streets. The project consists of replacing approximately 1,000 feet of aging sewer main pipeline and installing 6,500 feet of new sewer main pipeline along portions of Meridian Boulevard in the Town of Mammoth Lakes. The pipeline project would replace existing asbestos cement pipe threatened by structural failure due to hydrogen sulfide corrosion exasperated by low slopes and high flows. The proposed new pipeline alignment and installation would extend the existing sewer main along Meridian Boulevard and divert flows around old asbestos pipe currently in use.<sup>21</sup>

The MCWD currently offers a rebate program, consistent with state-mandated requirements to reduce water demand and, secondarily, wastewater demand. The rebate program supports the replacement of old appliances such as shower heads, toilets, and washing machines with more water efficient models.

## b. Methodology and Thresholds

### (1) Methodology

The evaluation of wastewater infrastructure and treatment facilities considers the capacity of existing and proposed infrastructure and treatment facilities to accommodate potential increased demand of potential additional growth under the Land Use Element/Zoning Code Amendments compared to the forecasts contained in the 2010 UWMP.

### (2) Thresholds

For purposes of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether a project would have a significant environmental impact regarding utilities and service systems. Based on Appendix G, the following thresholds of significance are used in this section. The project would result in a significant impact if the project would:

**WW-1** Cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to become constrained; or

<sup>19</sup> MCWD, 2010 UWMP, October 2011, page ES-9.

<sup>20</sup> John Pederson, District Engineer, MCWD, Meeting Notes, MCWD, PCR, and Town of Mammoth Lakes, August 28, 2015.

<sup>21</sup> Inyo-Mono Integrated Regional Water Management Plan, October 22, 2014, pages 302 and 303.

**WW-2** Substantially or incrementally exceed the future scheduled capacity of the treatment plant by generating flows greater than those anticipated.

### (3) Applicable General Plan Goals/Policies and Adopted Mitigation Measures

There are no applicable General Plan policies or mitigation measures from adopted Mitigation Monitoring and Reporting Programs regarding wastewater impacts.

### c. Environmental Impacts

**Threshold WW-1** The Project would result in a significant impact if it would cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to become constrained.

***Impact Statement WW-1:** The proposed Land Use Element/Zoning Code Amendments would generate a measurable increase in wastewater flows that could potentially constrain existing sewer line capacity. With the implementation of Mitigation Measure WW-1 and the provisions of the MCWD's Sanitary Sewer Code, under which MCWD would not issue a sewer connection permit if conveyance systems do not have adequate capacity, impacts to sewer lines would be less than significant.*

#### (1) Wastewater Service Lines

The proposed Land Use Element/Zoning Code Amendments would result in a potential incremental population increase of approximately 1,978 over current General Plan buildout projections. This includes permanent and transient residents and hotel occupants. The incremental increase would be generally concentrated in the Town's commercially-designated properties in the vicinity of Main Street and Old Mammoth Road.

The 2010 UWMP estimates an effective annual service area population of 24,201 at buildout (2010 UWMP Table ES-1) and wastewater generation at buildout of 2,330 AFY (2010 UWMP Table 4-5). At this generation rate, per capita wastewater generation would be approximately 0.096 AFY, or approximately 85.9 gpd. With the concentration of the incremental population increase (1,978) in the Town's commercial districts, demand on sewer lines in Main Street and Old Mammoth Road would increase by approximately 241,293 gpd. This increase has the potential to exceed the capacity of the existing lines serving the Town's commercial districts or to adversely impact any downstream sewer line capacities or deficiencies. The MCWD has further indicated that the delay of improvements in the Meridian sewer main raises further questions about line capacity in downstream areas, as well as capacity in existing mains serving the Town's commercial neighborhoods.<sup>22</sup> Given that this is a Program-level EIR, the specific description of a project and its location that are necessary to determine the capacity of existing main lines is not available.

State-mandated water reduction measures, enforced by the State Water Quality Control Board, require a 20 percent reduction in water demand. Respective reductions in water demand can affect wastewater generation. For instance, measures such as replacement of older appliances with more water efficient models would reduce water flowing into the wastewater system. In addition, efficiency standards that

<sup>22</sup> John Pederson, District Engineer, MCWD, Meeting Notes, MCWD, PCR, and Town of Mammoth Lakes, August 28, 2015.

reduce maximum flow rate under CCR Title 20, Sections 1605.1(h) and 1605.1(i) apply to all new federally-regulated plumbing fittings and fixtures, including such fixtures as showerheads, lavatory faucets and water closets. However, such reductions are not quantifiable with the current data (the 2010) UWMP.

As required by the MCWD's Sanitary Sewer Code, all occupancies in the Town that provide sanitation facilities must be connected to the public sewer. Sewer Code Chapter 11 Sections 5.03.G and H require the applicant of any new development, including development that would occur under the proposed Land Use Element/Zoning Code Amendments, to obtain a letter of sewer availability to ensure that the developer or subsequent purchaser would acquire a sewer permit prior to construction of any improvements. The Sewer Code further stipulates the design, construction, alteration, use, and maintenance of public sewers, house laterals, and the collection of fees. Fees apply to the cost of checking plans, inspecting construction, and making record plans of the provided facilities. The letter of availability would be provided solely on a first-come, first served basis and only to the extent that the physical facilities for conveyance and treatment would have available capacity. With the enforcement of the Sanitary Sewer Code, no building permits would be issued for uses that would exceed the capacity of specific sewer lines. To ensure that development would go forward, mitigation measures are recommended to provide for local sewer line upgrades where deficiencies are identified. With enforcement of the Sanitary Sewer Code and the applicant's responsibility to upgrade lines specifically impacted by the respective project under Mitigation Measure WW-1, impacts to existing sewer lines under the proposed Land Use Element/Zoning Code Amendments would be less than significant.

**Threshold WW-2:** The project would result in a significant impact if the project would substantially or incrementally exceed the future scheduled capacity of the treatment plant by generating flows greater than those anticipated.

**Impact Statement WW-2:** *The wastewater treatment facility would have adequate capacity to treat the projected incremental growth of 1,978 people by resulting from the Land Use Element/Zoning Code Amendments. Because population growth would not exceed the scheduled capacity of the treatment facility, impacts related to wastewater treatment would be less than significant.*

### **(i) Wastewater Treatment**

The MCWD wastewater treatment plant's existing capacity is estimated to be approximately 4.9 mgd or approximately 5,488 AFY.<sup>23</sup> During periods of high snowmelt from March through June, the MCWD estimates that at least 0.1 to 0.2 mgd of daily effluent is generated due to infiltration into the collection lines. The 2010 UWMP estimates an effective annual service area population of 24,201 by buildout (2010 UWMP, Table ES-1) and wastewater generation at buildout of 2,330 AFY (2010 UWMP Table 4-5). The incremental population increase of 1,978 people that could occur under the proposed Land Use Element/Zoning Code Amendments would generate approximately 170,108 gpd or approximately 187 AFY. With the incremental increase, total demand on the wastewater treatment system would be approximately 2,517AFY, which would not exceed the MCWD's estimated treatment capacity of approximately 5,488 AFY. Because the treatment capacity would exceed the estimated growth under the proposed Land Use Element/Zoning Code

<sup>23</sup> *Mono County Local Agency Formation Commission, Service Review and Sphere of Influence Recommendation, Mammoth Community Water District, October 2010, page 18.*

Amendments and the MCWD has the authority to disallow development under the Sanitary Sewer Ordinance if capacity is not available, the proposed Land Use Element/Zoning Code Amendments would not substantially or incrementally exceed the future scheduled capacity of the treatment plant. It is also noted that the Project's potential buildout may not occur and, thus, represents a conservative estimate. However, because the full buildout would not exceed treatment capacity, impacts with respect to wastewater treatment capacity would be less than significant.

### **Mitigation Measures**

**Mitigation Measure WW-1:** During the review of an application by the MCWD for a wastewater permit, if deficiencies in local sewer lines resulting from the application would cause the denial of the sewer permit, the applicant shall install improvements that would comply with Division VII of the Sewer Code (as reviewed by the MCWD). Where general deficiencies are identified, the Sanitary Sewer Code already provides for the collection of fees for sewer main lines, new laterals and other infrastructure.

### **d. Cumulative Impacts**

The analysis of the impact of the Land Use Element/Zoning Code Amendments on wastewater systems is cumulative in nature because it evaluates the effects of the project in combination with the General Plan buildout. Because demand for General Plan buildout would be adequately served, and the impact evaluation for the Project determined that Land Use Element/Zoning Code Amendments would not have a significant impact on wastewater conveyance and treatment, the Project would not have a cumulatively considerable contribution to wastewater treatment, and its cumulative impact would be less than significant.

### **e. Level of Significance After Mitigation**

Implementation of the prescribed mitigation measures would ensure that impacts regarding wastewater conveyance lines would be less than significant.

## **3. STORMWATER**

### **a. ENVIRONMENTAL SETTING**

#### **(1) Regulatory Framework**

##### **(a) State of California**

##### ***(i) Lahontan Regional Water Quality Control Plan***

The Water Quality Control Plan (Basin Plan) (1995) for the Lahontan Regional Water Quality Control Board (LRWQCB) addresses stormwater runoff, including stormwater problems and control measures. As discussed therein, adverse water quality conditions related to stormwater discharges are a frequent and widespread problem. Stormwater control measures set forth in the Basin Plan primarily include erosion control. Source control best management practices (BMPs) discussed in the Basin Plan include street and storm drain maintenance and enforcement of ordinances to prevent illegal dumping. BMPs for residential/commercial activities include roadway and drainage facility operations and maintenance programs, BMP planning for new development projects, and retrofitting existing and proposed flood control projects with BMPs.

In 1991, the Town of Mammoth Lakes and the LRWQCB adopted a Memorandum of Understanding (MOU) regarding storm water objectives and control measures. Per the MOU, the Town was granted the authority to issue construction permits for all developments less than one acre in size and provide site inspection. Although the MOU provides the following guidelines to prevent pollution, these guidelines also address siltation and erosion that affect the capacity of the Town's storm drain system.

1. Drainage collection, retention, and infiltration facilities shall be constructed and maintained to prevent transport of the runoff from a 20-year, 1-hour design storm from the project site.
2. Surplus or waste material shall not be placed in drainage ways or within the 100-year flood plain of surface waters.
3. All loose piles of soil, silt, clay, sand, debris, or earthen materials shall be protected in a reasonable manner to prevent any discharge to waters of the State.
4. Dewatering shall be done in a manner so as to prevent the discharge of earthen material from the site.
5. All disturbed areas shall be stabilized by appropriate soil stabilization measures by October 15th of each year.
6. All work performed between October 15th and May 1st of each year shall be conducted in such a manner that the project can be winterized within 48 hours.
7. Where possible, existing drainage patterns shall not be significantly modified.
8. After completion of a construction project, all surplus or waste earthen material shall be removed from the site and deposited at a legal point of disposal.
9. Drainage swales disturbed by construction activities shall be stabilized by the addition of crushed rock or riprap as necessary or other appropriate stabilization methods.
10. All construction areas shall be protected by fencing or other means to prevent unnecessary disturbance.
11. During construction, temporary erosion control facilities (e.g., impermeable dikes, filter fences, hay bales, etc.) shall be used as necessary to prevent discharge or earthen materials from the site during periods of precipitation or runoff.
12. Revegetated areas shall be continually maintained in order to assure adequate growth and root development. Physical erosion control facilities shall be placed on a routine maintenance and inspection program to provide continued erosion control integrity.
13. Where construction activities involve the crossing and or alteration of a stream channel, such activities shall be timed to occur during the period in which streamflow is expected to be lowest for the year.

**(b) Regional**

***(i) Inyo-Mono Integrated Regional Water Management Plan***

Inyo-Mono Integrated Regional Water Management Plan (IRWMP), which was adopted October 22, 2014, sets forth funding priorities for water-related projects throughout the region. Based on needs assessments, projects throughout the region were prioritized for Proposition 84 funding applications. Several projects in the Town of Mammoth Lakes, including the Mammoth Lakes Stormwater Management Plan Phase II, have

been prioritized. As discussed therein, much of the infrastructure in the Town of Mammoth Lakes was built by Mono County prior to the incorporation of the Town in 1984. During that time, minimal emphasis was placed on erosion control, water quality or facility design. According to the IRWMP, the Town is now dealing with serious erosion issues, inadequate drainage facilities, numerous flood prone areas and a lack of water quality improvements. Several large storm events in 2006 and 2007 highlighted the existing problems in the Town and caused excessive erosion of slopes and ditches, flooding of Town facilities and private property, and discharged sediment and other pollutants to Hot Creek and Mammoth Creek. The Mammoth Lakes Stormwater Management Plan Phase II is located within the Town of Mammoth Lakes municipal boundary.

As discussed in the IRWMP, the Town is signatory to the Inyo-Mono Regional Water Management Group, and the project would be developed and completed in cooperation with this planning group. The goal of the IRWMP is to “move the Town of Mammoth Lakes toward a more proactive approach to managing stormwater, improving water quality and minimizing the risk of flooding through the development and implementation of a Stormwater Management Plan.”<sup>24</sup> Objectives of the IRWMP relative to the Stormwater Management Plan are as follows:

- Objective 1. Develop a Stormwater Management Plan that includes provisions for improved management and policy; Capital Improvement Program (CIP); maintenance and operations; and education and outreach.
- Objective 2. Build upon the work previously completed by the Town, including the integration of the findings and recommendations included in the Erosion, Drainage and Flooding Project Final Recommendations Report dated April 11, 2008.
- Objective 3. Identify, delineate and prepare to implement CIP projects identified within the Stormwater Management Plan.

### **(c) Local**

#### ***(i) Town of Mammoth Lakes Storm Drain Master Plan***

In response to potential erosion and flooding hazards as a result of increased urbanization, the Mono County Public Works Department prepared the Mammoth Lakes Storm Drain Master Plan (SDMP) dated July 1984, which included a Master Plan Report, Design Manual, and Implementing Ordinance. An update to the SDMP specific to the Town of Mammoth Lakes was completed on May 26, 2005. The 2005 SDMP was primarily formulated to control drainage and erosion problems by establishing a program to rehabilitate existing development areas, while also providing policies, standards, and procedures to guide future development.

The 2005 SDMP identifies several existing drainage problems in the Town including the following:

- Lack of a stable drainage system in much of the community located within the Urban Growth Boundary;
- Roadside and slope erosion due to uncontrolled runoff in poorly defined channels from steep areas;

<sup>24</sup> *Inyo-Mono Regional Water Management Group, the Inyo-Mono Integrated Regional Water Management Plan October 22, 2014, page 303.*

- Drainage that crosses private property, and development in or near the natural drainage channels;
- Undersized culverts and channels; and
- Discharge of runoff from developed areas directly to Mammoth Creek resulting in high sediment loads to the creek and water quality degradation.

In response to these problems, the 2005 SDMP identifies general drainage improvements throughout the Town that would remedy existing drainage problems.

Three priority levels were established in the 2005 SDMP for construction of the improvements as summarized below:

- Priority 1 improvements focus primarily on eliminating existing drainage and erosion control problems;
- Priority 2 improvements include solutions to less critical drainage problems and facilities required to provide adequate drainage trunk capacity for the ultimate development; and
- Priority 3 improvements include the remainder of SDMP facilities, which are principally improvements for local storm drainage.

The 2005 SDMP retains or improves natural streams, where possible, rather than replacing them with storm pipes (for aesthetic, economic, and functional purposes). Storm pipes would be placed in streets where feasible; however, some easements would be required on private property, primarily where existing development has occurred near stream zones. The SDMP recommends the Town replace corrugated metal pipelines that failed to transmit the required 20-year flows with pipes of the same size made of concrete, PVC, HDPE, or other materials that do not have a rough texture.

### ***(ii) Town of Mammoth Lakes Stormwater Master Plan***

The Town of Mammoth Lakes Stormwater Master Plan (SMP) (2015) was developed under a Planning Grant from the IRWMP for the purpose of providing a strategy for dealing with stormwater priorities. The components of the SMP include a capital improvement program, stormwater operations and maintenance plan, public education and outreach, and a retrofit program. The purpose of the SMP is to address the following issues that have been identified by the Town:

- Highly connected drainage pathways do not attenuate flows and quickly lead to high volume, high velocity runoff which causes erosion
- Areas with inadequate drainage facilities direct stormwater runoff onto steep, unprotected slopes and across bare or unpaved areas which are easily eroded
- Erosion of these areas generates significant sediment loads deposited at lower elevations which clog stormwater infrastructure and increase the potential for flooding
- Existing stormwater infrastructure, like open channels, have little capacity to attenuate stormwater runoff, increasing erosion and the potential for flooding

- Erosion and flooding compromises roadway and stormwater infrastructure which requires more frequent and costly maintenance and repair

The priorities established under the SMP include: (i) minimize drainage issues and erosion (ii) protect creeks and streams from stormwater runoff, and (iii) effectively manage the Town's stormwater infrastructure. To minimize drainage issues, goals include identifying eight priority projects to control erosion and flooding and integrating these into the Town's Capital Improvement Program (CIP). Goals to protect creeks and streams include updating the grading permit and construction site erosion control requirements. Goals related to the management and operation of the Town's stormwater infrastructure include developing an operations and maintenance plan (O&M) for maintaining infrastructure and updating a geographic information system (GIS) to inventory stormwater infrastructure. Under this objective, deferred maintenance of existing stormwater infrastructure would be minimized.

***(iii) Town of Mammoth Lakes Stormwater Capital Improvements Program***

The Town of Mammoth Lakes Stormwater Capital Improvements Program (CIP) comprises Component 2 of the SMP and is intended to specifically address stormwater infrastructure deficiencies beginning in fiscal year 2016/2017. It would improve upon the Town's ability to prevent erosion, sedimentation, and drainage problems through the construction of eight priority erosion control, drainage improvement and flood control projects. These priority areas, which had been identified in the 2007 Existing Conditions report, include the following:

1. Upper John Muir Slope Protection
2. Upper John Muir Storm Drain
3. Lower John Muir Slope Protection
4. Lower John Muir Storm Drain
5. Davison Road Storm Drain
6. Majestic Pines Storm Drain
7. Forest Trail Slope Protection
8. Forest Trail Storm Drain

Projects 1 through 6 address issues identified along a generally continuous flow path. The path begins with slope stability and erosion issues at the top of John Muir Road and running eastward across Lake Mary Road, through the Majestic Pines neighborhood. Accumulated sediment along this path in the Sierra Star Golf Course increases the potential for flooding in the Sierra Valley residential area. Although no projects are proposed in the Sierra Valley residential area, the Town anticipates improvements occurring upstream would alleviate some of the previous flooding issues. Projects 7 and 8 address drainage and erosion issues identified in the North Village and the Forest Trail residential area. Timing of proposed projects will depend on the ability of the Town to identify reliable funding sources.

#### ***(iv) Town of Mammoth Lakes Operations and Maintenance Plan***

The Town of Mammoth Lakes Operations and Maintenance (OMP), which comprises Component 3 of the SMP, was developed to guide the inspection, maintenance, and tracking of the Town's stormwater infrastructure and to build upon the Town's current inspection and maintenance activities. The OMP, which will be used by the Public Works, Roads and Maintenance, and GIS system, would have the added benefit over the current O&M by tracking inspections and maintenance of stormwater infrastructure. The OMP would simplify the workflow cycle (feedback loop) and will be based on current GIS as well as inspection and maintenance resources. The OMP's detailed processes were developed on input from the Town's Public Works staff, who are managing the project, and the GIS staff who will update and manage the stormwater geodatabase, and the inspection and maintenance staff. The OMP will begin with examination of a facility by a qualified inspector who enters inspection data into a GIS database. This would generate subsequent hard copy work orders that describe the needed maintenance. Maintenance is performed and information is submitted to the GIS database, which closes the workflow cycle at a particular facility. This effort is being implemented beginning in 2016. The O&M service areas include the Westside Downtown and the Allen Tract and Sierra Valley along Main Street's commercial corridor.<sup>25</sup>

#### ***(v) Town of Mammoth Lakes Municipal Code***

Municipal Code Chapter 13.20, Storm Drainage Utility, provides for a storm drain system for the Town of Mammoth Lakes. Section 13.20.11 describes the storm drainage system as all the natural and manmade drainage system that collects and transports stormwater from the first point of contact with the ground to discharge at the town boundaries or other designated point of discharge. Included are all impervious manmade areas, street paving, curbs and gutters, catch-basins, pipes, culverts, ditches, natural swales and streams, wetlands, lakes and storage area, and all other features appurtenant thereto. Under Chapter 13.20, the Town utility (i.e., Department of Public Works) is responsible for all activity related to the water quality of runoff entering and discharging from the town's storm drainage system and for compliance with any permits required by the state of California or the federal government under the National Pollution Discharge Elimination System (NPDES). Under Section 13.20.040, all new development is subject to a storm drainage connection or impact fee at the time of sale or occupancy of the permitted improvement.

Municipal Code Section 15.08 (Construction Site Regulations) requires that construction sites must protect drainage paths and control erosion within areas cleared of vegetation during construction. These requirements support the implementation of the SMP by providing authority to regulate erosion and sedimentation from construction sites. Municipal Code Section 15.16.081.C also establishes a development impact fee for storm drainage facilities drainage, revenues from which are to be deposited into the drainage fund.

These fees support maintenance of the Town's stormwater infrastructure. Municipal Code Section 17.36.050 requires a grading permit for any lot graded or cleared of vegetation, which provides a mechanism to prevent debris and eroded materials from entering the Town storm drain system. Section 17.36.020 requires the Town to consider drainage and erosion control as a factor in lot density and, thus, helps to identify whether a project would cause or contribute to erosion, drainage and flooding. Section 17.36.090

<sup>25</sup> *Nichols Consulting Engineers, Chtd., Town of Mammoth Lakes Stormwater Master Plan, Component 3 (Operations and Maintenance Plan), O&M Service Areas Map, 2015.*

requires buffers to be landscaped between retail and residential land uses, which provides an opportunity to treat runoff with landscaped features such as bioswales or rain gardens.

#### **(d) Town of Mammoth Lakes Drainage Facilities Standards**

##### ***(i) Town of Mammoth Lakes Drainage and Erosion Control Manual***

The Town of Mammoth Lakes Drainage and Erosion Control Manual (1984) sets forth procedures for the planning and design of storm drainage and flood control systems and erosion control facilities. The Manual's standards for project review and procedures for issuance of applicable grading and building permits include calculation of runoff, evaluation of storm drainage systems, temporary runoff management, erosion control, temporary and permanent soil stabilization, and regulation procedures. The Manual provides the appropriate return period (exceedance intervals) for use in the design of storm drainage and erosion facilities. In all cases, the storm drain systems shall be sized to carry 100-year peak flows without damage to persons or property. Under the Manual, individual facilities in the system may have lower exceedance intervals, but should be designed to overflow to another portion of the storm drainage system when their capacity is exceeded. For example, if a storm drain overflows into the street, the capacity of the street, curb and gutter must be adequate to carry the 100-year peak flow without flooding adjacent property.

##### ***(ii) Town of Mammoth Lakes Standards***

The Town of Mammoth Lakes Department of Public Works Standards (Standards) (Revised July 2013) sets forth specific design and materials standards for the Town's public works construction projects, including streets, sidewalks, bike paths, and storm drains. Section 100 establishes standards for streets, gutters, and sidewalks, and drainage facilities. Under the Standards, roadway drainage shall be designed with considerations of the amount of runoff, erosion protection, and maintenance facilities. All drainage facilities must be approved by the Director of Public Works. Section 300 establishes standards for a range of drainage systems, including storm drain trenches, drywells, cobble swales (including rip rap), drop inlets, drainage swales, culvert standards, and yard drains (to be used for private development only where source does not originate from vehicular traffic). The Standards also provide design criteria for commercial drywell/infiltrators.

## **(2) Existing Conditions**

The Town of Mammoth Lakes Erosion, Drainage, and Flooding Project – Existing Conditions Report (2007) was prepared to assist Town staff in the identification of existing erosion, drainage, and flood-related problem areas and to develop a prioritized list of localized solutions. The work was conducted to supplement the 2005 Storm Drain Master Plan. The principal goals of the Existing Conditions Report are to (i) Clearly identify and document existing conditions by type and location, (ii) to prioritize problems or problem areas; (iii) to develop and document localized solutions through enhancements or projects; (iv) to integrate projects with the Town's Capital Improvement Program and Storm Drain Master Plan; and (v) to provide basic stormwater program assistance.

To provide a clear presentation of existing conditions, the project was divided into seven priority areas in which flooding or erosion have the potential to occur based on topography and other factors. Area 1, which comprises John Muir, Davison, and Lee Roads, is a steep residential neighborhood. Because of the steep terrain, this area has a history of erosion associated with cut and fill slopes, drainage ditches, unstable road shoulders, and unpaved parking surfaces. In addition, because of the steeper topography, this area generates

faster and more sediment-filled runoff to lower neighborhoods within the Town. The area has limited drainage infrastructure and flooding has been experienced in several locations throughout Area 1.

Figure 2-1, Project Areas, of the Existing Conditions Report identifies the Town's seven drainage priority areas. As shown in Figure 2-1, the north edge of Area 6 encompasses the south side of Main Street in the Town's commercially-zoned neighborhood. The Existing Conditions Report describes Area 6 as relatively flat and densely developed residential neighborhood with a mix of single-family and multi-family structures. The area is bounded by Main Street to the north, Manzanita Road to the east, Dorrance Drive to the south, and Lupin Street to the east, and Callahan Way and Obsidian Place to the west. The report states that roads are primarily residential streets with slopes of approximately 4 percent. Drainage flows from west to east in three primary drainage systems which converge at the end of Center Street.<sup>26</sup> The focus of the report is on Sierra Valley Sites, including Joaquin Road, Lupin Street, Mono Street, and Manzanita north of Dorrance Drive, the report mentions that Area 6 includes a portion of the South Frontage Road along Main Street.

The main drainage systems in Area 6 are comprised primarily of open channels linked by culverts under roads. In some locations, the lack of roadside drainage ditches has recreated rill and gully erosion of road shoulders. However, the report states that the main erosion issue is the abundance of unpaved parking areas and driveways.<sup>27</sup> The surface drainage channels in the area have capacity issues related to sedimentation and encroachment from adjacent development. Sheet flow is also gathering loose sediment and carrying it back into the culvert system. According to the report, flooding in Area 6 generally coincides with the two primary drainage systems in the residential subdivision.<sup>28</sup> Flooding and upstream concerns related to Main Street, the commercial zones, or the Frontage Road are not described in the report.

Existing stormwater facilities in the Main Street and Old Mammoth Road areas include storm drain pipes in Main Street between Minaret Road on the west and Old Mammoth Road on the east. Drop inlets and catch basins are located along Main Street and Sierra Park Road. Storm drain pipes are also located in Sierra Nevada Road, between Old Mammoth Road and Sierra Park Road, in the Old Mammoth Road district. Sierra Park Road also contains storm drain pipes and drop inlets between Tavern Road and Sierra Nevada Road.

The drain system for the Town begins in upper Lake Mary Road area (around Davison) with various connections from Sierra Valley. However, the system is not continuous. The ultimate outlets for the Town's stormwater system are Murphy Gulch and Mammoth Creek.

With the exception of a portion of the Town's Mixed-use/Lodging and Downtown Commercial Zones along Main Street, the Town's commercial zones are not located within any of the seven areas identified in the Town of Mammoth Lakes Erosion, Drainage, and Flooding Project – Existing Conditions Report (2007). The Old Mammoth Road commercially-zoned areas are not located within any of the Existing Conditions Report's Project Areas and, thus not identified as drainage problem areas. Although a section of Main Street and the Frontage Road between approximately Callahan Way on the west and Center Street on the east is located within Area 6. However, any unpaved parking areas or open drain areas in the commercial neighborhoods

<sup>26</sup> Nichols Consulting Engineers, Chtd., *Town of Mammoth Lakes Erosion, Drainage, and Flooding Project Existing Conditions Report*, December 2007, page 5.

<sup>27</sup> *Op. Cit.*, page 21.

<sup>28</sup> *Op. Cit.*, page 22.

have the potential for erosion. The 2015 SWP also identifies significant runoff from large impervious areas associated with multifamily developments and commercial parking lots and states that higher runoff from these areas overwhelm stormwater infrastructure, exacerbate erosion and increase potential for flooding.<sup>29</sup>

### **(a) Town of Mammoth Lakes Erosion, Drainage, and Flooding Project – Final Recommendations**

The Town of Mammoth Lakes Erosion, Drainage, and Flooding Project - Final Recommendations Report (2008) (Final Recommendations Report) was prepared to assist Town staff with the identification of existing drainage and flood related problem areas and to develop a prioritized list of localized solutions that would allow the Town to become proactive in the way it manages its stormwater. The work performed as part of the report is intended to enhance and supplement work previously conducted for the 2005 SDMP. Relative to stormwater runoff, the report addresses issues not presented in the SDMP, including:

- Discussion of flood prone areas;
- Impacts of erosion and sedimentation on the storm drain system;
- Existing condition of surface conveyance and capture facilities (i.e. earthen ditches, curb and gutter, AC dike, AC swale, drop inlets, catch basins, etc.); and
- Impact of runoff from private impervious surfaces.

The Final Recommendations Report suggests that, in order to address the impact of stormwater runoff from large impervious surfaces in the Town's commercial districts, the Town engage owners or managers in discussions about opportunities to reduce stormwater runoff from private property. Some alternatives for addressing this issue include cooperative agreements, shared facilities and cost sharing opportunities. Other options include developing and implementing a Low Impact Development<sup>30</sup> (LID) education program or the passing of a local ordinance requiring erosion control and stormwater BMPs be implemented for all developed properties. Pertinent to the Town's commercial district, the Final Recommendations Report offers several items of consideration. These include:

- When feasible, separate urban runoff from upland runoff. This will minimize the volume of surface flow reaching the Town's storm drain infrastructure in some locations.
- A major emphasis should be placed on reducing stormwater runoff peak flows and volumes through infiltration or detention. This is particularly important in the higher elevation areas of the Town in order to reduce the stress placed on drainage infrastructure in the lower portions of the Town.
- Identify opportunities to disperse flows at various locations eliminating concentrated discharge points to the maximum extent practicable.

<sup>29</sup> Nichols Consulting Engineers, Chtd., *Town of Mammoth Lakes Stormwater Master Plan, 2015, page 16.*

<sup>30</sup> LID is an approach to land development (or re-development) that manage stormwater as close to its natural source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. Many practices have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed.

The Final Recommendations Report also provides specific flooding improvement measures. Recommended drainage and flooding improvement measures primarily include infiltration devices such as shallow impoundments to infiltrate stormwater, infiltration trenches, drywells (subsurface structures that capture and slowly release stormwater), and level spreaders that reduce storm water velocity and encourage infiltration. Detention basins, which are ponds or low areas with an outlet designed to hold water for a specified period of time (generally 48 to 72 hours), are also recommended.

## **b. Methodology and Thresholds**

### **(1) Methodology**

The evaluation of storm drains systems considers the ability of existing infrastructure to accommodate stormwater or snow melt runoff, the solutions that have been advanced by 2014 Inyo-Mono Integrated Regional Water Management Plan, the 2005 Stormwater Management Plan, and the 2008 Erosion, Drainage, and Flooding Project - Final Recommendations Report. The analysis discusses the potential reduction in permeability associated with future development under the Land Use Element/Zoning Code Amendments, the extent to which such development would require the construction of new drainage control systems, and measures that would attenuate the potential effects of additional surface water runoff. The effects of the Mobility Element Update, which could result in the construction of new street linkages and implementation of the Main Street Plan, are also considered with respect to existing or expanded future storm drain facilities or relocation of existing storm drains.

### **(2) Thresholds**

For purposes of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether a project would have a significant environmental impact regarding utilities and service systems. Based on Appendix G, the following threshold of significance is used. The project would result in a significant impact if the project would:

**STRM-1** Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

### **(3) Applicable General Plan Goals/Policies and Adopted Mitigation Measures**

#### **(a) General Plan Policies**

The following is a list of policies contained in the 2007 General Plan that are applicable to the storm drainage effects.

- R.5.A. Policy: Wisely manage natural and historic drainage patterns.
- R.5.B. Policy: Require parking lot storm drainage systems to include facilities to separate oils and silt from storm water where practical and when warranted by the size of the project.
- R.5.C. Policy: Prevent erosion, siltation, and flooding by requiring use of Best Management Practices (BMPs) during and after construction.

### (b) Trail System Master Plan Mitigation and Monitoring Program

The following is a list of mitigation measures contained in the Trails System Master Plan Mitigation Monitoring and Reporting Program (MMRP) that are applicable to the trail components of the proposed Mobility Element Update:

**TSM 4.H-12:** Runoff control measures shall be implemented in the design of trails as follows:

- a. Maintain minimum trail gradients. Maintain positive surface drainage by means of out-sloped, in-sloped, or crowned sections having cross slopes of 3 percent to 5 percent for soft surfaced trails and 2 percent for hard surfaced trails. The trail surface should be graded to shed water before it can run very far down the trail. MUPs with significant cut-slopes shall be designed to eliminate drainage down or across fill slopes to prevent erosion.
- b. Maintain the minimum trail width suitable for uses specified. Maintain only the width of trail necessary to support the designated uses.
- c. Avoid long sustained grades that concentrate flows by providing drainage at frequencies appropriate for soils and gradients. Roll grades or undulate the trail profile frequently to disperse water from the trail. Features such as rolling dips and water bars to provide essential drainage relief shall be incorporated into soft surface trail design.
- d. Prevent erosion at outlets of rolling dips and culverts through incorporation of measures that include but are not limited to: armoring of drainage outlets with rock to prevent erosion; spreading of brush or native organic debris in lead-off ditches to slow the velocity of the runoff and facilitate the deposition of sediments.
- e. Install pipes and ditches, including road and trail under-drains (culverts) and associated ditches, when other measures would not be effective, and only when maintenance funds are available to maintain them.
- f. Avoid discharging trail runoff onto fill slopes and unprotected slopes. Fill slopes should be armored where runoff is discharged onto them or the runoff should be conveyed in a down drain to a location where sediments can be deposited and flow infiltrated.
- g. Avoid concentrated runoff from flowing on to trails and paths.

**TSM 4.H-13:** Prior to construction of trails and trails related facilities, complete more detailed engineering study to determine the appropriate design and sizing of storm drain facilities, based on hydrologic data. All culvert sizes shall be prescribed by a qualified engineer based on the size of the contributing watershed and best hydrologic data available.

**TSM 4.H-14:** A Maintenance Plan for proposed trails shall be developed in conjunction with design that specifies the type and frequency of maintenance activities to be employed for the soil types and terrain of the trail or MUP. Trails and MUPS shall be designed to minimize the need for grading. The following provisions shall also apply to trail maintenance activities per the Maintenance Plan:

- Season of work. Maintenance work that results in disturbed earth should be conducted outside the wet season (typically October 15 to May 1). If necessary,

blading shall be done when the trail surface materials are moist, but not dry, to the extent possible.

- Disposal/storage of excess earth materials. Areas for disposal of excess earth materials generated during maintenance activities shall be designated in the Maintenance Plan. Excess earth materials that must be stored shall be covered with plastic or a thick layer of wood chips.

**TSM 4.H-15:** Areas of disturbed earth shall be seeded with native plant materials and mulched as soon as possible after disturbance. Also refer to Mitigation Measure 4.A-3, in Section 4.A, *Aesthetics and Visual Resources*, of this EIR. Wood chips shall not be used where improved drainage facilities are located, that could become clogged.

**TSM 4.H-16:** In parking areas, avoid grades in excess of 5 percent where possible. Design of all parking areas shall adhere to the following:

- a. Design parking areas to minimize concentration of runoff.
- b. Maintain the smallest paved area feasible to meet parking requirements.
- c. Install sand/oil separators to collect and contain pollutants from runoff from parking areas.
- d. Install infiltrators and oil/water separators to collect initial runoff from parking lots.
- e. Connect parking areas to existing storm drainage systems or install level spreaders. If necessary, drainage outlets shall be armored with rock to prevent erosion. Brush or native organic debris can be spread in lead-off ditches to slow the velocity of the runoff and facilitate the deposition of sediments.
- f. Avoid discharging runoff onto fill slopes and unprotected slopes. Fill slopes receiving discharge shall be armored, or runoff shall be conveyed in a down drain to a location where sediments can be deposited and flow infiltrated.
- g. Parking areas shall be designed in accordance with the Town's drainage design manual, and sited so as to avoid water courses and adverse effects wetlands or water quality.

### c. Environmental Impacts

**Threshold STRM-1:** The Project would result in a significant impact if it would require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

**Impact Statement STRM-1:** *With the enforcement or incorporation of existing Municipal Code requirements, General Plan policies, and adopted mitigation measures, surface runoff from potential new development and implementation of the Mobility Element Update would not substantially reduce the capacities of the Town's existing storm drain system. Therefore, impacts with respect to drainage would be less than significant.*

Potential buildout of the Town's commercial area under the proposed Land Use Element/Zoning Code Amendments would allow denser development of the Town's commercially-zoned downtown area. Although implementation of the proposed Land Use Element/Zoning Code Amendments would not change

development standards, such as on-site retention of runoff produced from a one-hour 20-year storm event, the location of buildings, driveways, and other paved surfaces within eight acres of existing vacant land would increase overall surface runoff in the commercial districts. Any increase in surface runoff could affect the Town's existing drainage systems, which have been identified in the 2015 SMP as potentially deficient. The Town's OMP, included in the 2015 SMP, further identifies the need for O&M services in the Land Use Element/Zoning Code Amendments study area, including Westside Downtown and the Allen Tract, which are part of the Old Mammoth Road commercial district, and Sierra Valley, which is located along the south side of Main Street in the Main Street commercial district.

In addition, the extension and reconfiguration of streets under the Mobility Element Update would increase impervious surfaces. Although new street construction would be consistent with the Town's Standard Plans (Section 300, Drainage) regarding surface runoff and drainage, implementation of the Mobility Element Update would require grading and potential alterations in the drainage patterns at respective construction sites and would require verification of available capacity in the local drainage system.

Impacts on drainage facilities associated with development can be partly addressed through several existing regulations in the Municipal Code. These include drainage impact fees that support maintenance of the Town's stormwater infrastructure; grading permits for grading and clearing of vegetation, which is a mechanism to prevent debris and eroded materials from entering the Town storm drain system; and landscaped buffers between retail and residential land uses, which provides an opportunity to treat runoff with landscaped features such as bioswales or rain gardens.

As discussed in the 2015 SMP, infiltration devices such as a drywell, infiltration gallery, shallow impoundment basin, or other subsurface structure would further reduce surface runoff from impermeable or primarily impermeable sites. The use of infiltration devices would retain and direct stormwater into the soil in a controlled manner to remove pollutants and to reduce peak flow and event volumes. Some infiltration devices may have an outlet riser, but most would drain into the soil or an underground pipe. To ensure implementation of the SMP and to further address the potential increase in surface runoff in the Town's commercial districts under the proposed Land Use Element/Zoning Code Amendments, mitigation measures, such as the use of infiltration devices at newly paved or covered sites, are recommended. Mitigation Measure STRM-1, below, requires the installation of infiltration devices such as a drywell, infiltration gallery, shallow impoundment basin, or other subsurface structure. With the implementation of this measure, in combination with consistency with the applicable General Plan Policies, as reflected in Municipal Code requirements, peak or event-related surface runoff from newly impermeable sites would be minimal. This approach would be consistent with the Town's OMP for outreach to reduce impervious areas. All infiltration systems must be consistent with the design criteria for commercial drywell/infiltrators set forth in the Department of Public Works' Standards for proposed private development projects. Depending on the configuration of the site, bioswales may be implemented to increase retention of stormwater or snowmelt. Therefore, the implementation of applicable Municipal Code requirements and Mitigation STRM-1 would reduce the impact of the proposed Land Use Element/Zoning Code Amendments to the Town's existing storm drain system to a less than significant level.

The paving of vacant sites and unpaved driveways and parking lots under the project would also be consistent with the OMP to reduce erosion and the amount of sediment that currently spreads to existing roads and culverts. As such, the completion of buildout under the proposed Land Use Element/Zoning Code

Amendments would reduce siltation and erosion that could cause clogging and erosion of the existing storm drain system.

Under the proposed Mobility Element Update, new street connections and trails would potentially increase runoff into the Town's storm drain system. Improvements would include the reconfiguration of Main Street, which would likely occur with new development on Main Street. Reconfiguration would include the removal of the existing frontage roads and conversion to a four-lane cross-section with a center median and turn pockets. As well as potentially increasing impermeability, this change would require the relocation of existing storm drain facilities. New road construction would require consistency with the Department of Public Works' Standards and all new public streets, sidewalks, and trails projects must provide drainage facilities. Under the Public Works' Standards, roadway and sidewalk drainage shall be designed with consideration of the amount of runoff generated by the facility, as well as erosion protection and maintenance facilities. All drainage facilities must be approved by the Director of Public Works. Section 300 of the Standards establishes design criteria for a range of drainage systems, including storm drain trenches, drywells, cobble swales (including rip rap), drop inlets, drainage swales, and culvert standards. In addition, as indicated above the MMRP for the Trails Master Plan, TSMM 4.H-12 through 4.H-16 (which are applicable to trails and trail head parking areas), in combination with applicable Municipal Code Regulations and the Town's Standards for public works projects in the Mobility Element Update would reduce potential adverse impacts on the Town's existing drainage system to a less than significant level.

### **Mitigation Measures**

**MM STRM-1** Potential peak surface runoff shall be determined for all private projects. Suitable infiltration or other containment systems, such as dry wells, galleries, or basins, shall be designed to reduce net runoff increase to existing conditions. All infiltration devices shall be consistent with the Town Standards and shall be reviewed and approved by the Department of Public Works. The property owner shall perform inspection twice a year (Spring and Fall) and after major storm events and shall provide any needed maintenance or cleanout.

### **d. Cumulative Impacts**

The analysis of the impact of the Land Use Element/Zoning Code Amendments and Mobility Element Update on stormwater facilities is cumulative in nature because it evaluates the effects of the project in combination with the General Plan buildout. Because the impact evaluation determined that, with incorporation of Town Standards, DFs and Mitigation Measure STRM-1, the Mobility Element Update and Land Use Element/Zoning Code Amendments would not have a significant impact relative to stormwater, the Project would not have a cumulatively considerable contribution on surface drainage, and its cumulative impact would be less than significant.

### **e. Level of Significance After Mitigation**

With implementation of Town Standards, Municipal Code requirements, adopted mitigation measures, and Mitigation Measure STRM-1 regarding stormwater facilities and erosion control, impacts to surface drainage facilities would be less than significant.

## **4. SOLID WASTE**

### **a. ENVIRONMENTAL SETTING**

#### **(1) Regulatory Framework**

##### **(a) State of California**

###### ***(i) Assembly Bill 939 - California Integrated Waste Management Act of 1989***

The State Legislature passed the California Integrated Waste Management Act of 1989 (AB 939) to improve solid waste disposal management with respect to (1) source reduction, (2) recycling and composting, and (3) environmentally safe transformation and land disposal. AB 939 mandates jurisdictions to meet a diversion goal of 50 percent by 2000 and thereafter.

AB 939 requires that all counties and cities develop a comprehensive solid waste management program that includes a Source Reduction and Recycling Element (SRRE) to address waste characterization, source reduction, recycling, composting, solid waste facility capacity, education and public information, funding, special waste (asbestos, sewage sludge, etc.), and household hazardous waste. It also requires counties to develop a Siting Element that addresses the need for landfill/transformation facilities for 15-year intervals; and it also mandates, all cities and counties to prepare and submit Annual Reports that summarize the jurisdictions' progress in reducing solid waste. Oversight of these activities was set up under the aegis of the California Integrated Waste Management Board (CIWMB). The duties and responsibilities of CIWMB were transferred to CalRecycle as of January 1, 2010.

###### ***(ii) Senate Bill 1374 – Construction and Demolition Waste Materials Diversion Requirements***

Senate Bill 1374 was signed into law in 2002 to assist jurisdictions with diverting their construction and demolition (C&D) waste material. The bill called for preparation of a model C&D diversion ordinance by March 1, 2004, such model ordinance being adopted on March 16, 2004. The bill also required that jurisdictions include in their annual AB 939 report a summary of the progress made in diverting C&D wastes.

###### ***(iii) Assembly Bill 341 – Commercial Solid Waste Recycling***

AB 341, which took effect on July 1, 2012, was designed to help meet California's recycling goal of 75 percent by the year 2020. AB 341 makes "...a legislative declaration that it is the policy goal of the state that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020..." AB 341 requires a business, defined to include a commercial or public entity that generates more than 4 cubic yards of commercial solid waste per week or a multifamily residential dwelling of 5 units or more to arrange for recycling services. Such business/residential development must: 1) source separate recyclable materials from the solid waste they are discarding, and either self-haul or arrange for separate collection of the recyclables; and 2) subscribe to a service that includes mixed waste processing that yields diversion results comparable to source separation.

**(iv) Assembly Bill 1826 –Commercial and Multi-Family Organics Recycling**

In October 2014 AB 1826 was signed into law, which requires that businesses, including multi-family dwellings of five or more units, recycle organic wastes.<sup>31</sup> Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. The minimum threshold for organic waste generation decreases over time, which means that an increasingly greater proportion of the commercial sector will be required to comply. The law offers an exemption process for rural counties. Jurisdictions must provide information about their organic waste recycling program implementation in the annual report submitted to CalRecycle. The implementation schedule is as follows:

- January 1, 2016: Local jurisdictions must have an organic waste recycling program in place; jurisdictions must conduct outreach and education to inform businesses how to recycle organic waste and monitoring to identify those not recycling and inform them of the law.
- April 1, 2016: Businesses that generate eight cubic yards of organic waste per week must arrange for organic waste recycling services.
- January 1, 2017: Businesses that generate four cubic yards of organic waste per week must arrange for organic waste recycling services.
- January 1, 2019: Businesses that generate four cubic yards or more of commercial solid waste per week must arrange for organic waste recycling services.
- Summer/Fall 2021: If CalRecycle determines that the statewide disposal of organic waste in 2020 has not been reduced by 50 percent of the level of disposal during 2014, the organic recycling requirements on businesses will expand to cover businesses that generate two cubic yards or more of commercial solid waste per week. Additionally certain exemptions, previously discussed, may no longer be available if this target is not met.

**(v) Assembly Bill 1594 – Alternative Daily Cover**

AB 1594 was signed into law on September 28, 2014. AB 1594 required that the use of green material as alternative daily cover will not constitute diversion through recycling and would be considered disposal beginning January 1, 2020. Therefore, jurisdictions will no longer receive CalRecycle diversion credits for green waste that is used as alternative daily cover.

**(b) Mono County**

Mono County Local Solid Waste Task Force (SWTF), which is a group of citizens that advise elected officials on matters relating to the solid waste program in the County, was originally established in 1990. The group was re-authorized and re-organized in 1999 following a period of inactivity. The SWTF developed the 2000 County Integrated Waste Management Plan (CIWMP), which guided the County's solid waste system until recently. By 2012 there were emerging diversion programs as discussed above and required by state law, proposed infrastructure and pending closure of the regional landfill which caused the need for the County to formally update the CIWMP. In September 2012 with changes in membership on the LTF a new set of bylaws were adopted by the Mono County Board of Supervisors and the Town of Mammoth Lakes Town

<sup>31</sup> *Multi-family dwelling are not required to have a food waste diversion program.*

Council. Members of the LTF include waste haulers and recyclers, representatives from the construction and lodging industries, Mammoth Mountain Ski Area, Mammoth Community Water (MCWD), and members at large.

Pursuant to AB 939, each County is required to prepare and administer a Countywide Integrated Waste Management Plan (IWMP), including preparation of an Annual Report. The IWMP comprises the jurisdictions' solid waste reduction planning document plus an Integrated Waste Management Summary Plan (Summary Plan) and a Countywide Siting Element (CSE). The Summary Plan describes the steps to be taken by local agencies, acting independently and in concert, to achieve the mandated state diversion rate by integrating strategies aimed toward reducing, reusing, recycling, diverting, and marketing solid waste generated within the County. The County's Department of Public Works (Public Works) is responsible for preparing and administering the CIWMP.

The purpose of the CSE is to demonstrate that a minimum of 15 years of permitted disposal capacity is available through existing or planned facilities on a countywide or regional basis. To meet this requirement, the CSE describes the geographic context of the planning area, defines the goals and objectives of this element, provides an estimate of existing countywide disposal capacity, demonstrates that existing capacity exceeds 15 years, and presents general criteria for future siting of new facilities.

The County prepared the CIWMP (including the Summary Plan, the Non-Disposal Facility Element, the Siting Element and the Household Hazardous Waste Element) as part of the County's overall Draft Regional Transportation Plan (RTP)/General Plan Update. The Final EIR was certified in December 2015 and the CIWMP was adopted. The CIWMP, which is dated January 2015, contains an updated set of goals, policies and alternatives to achieve additional waste management goals in the years ahead.

In May 2015, the Mono County Board of Supervisors approved Resolution R 15-30, A Resolution of the Mono County Board of Supervisors, exempting itself and business operating within its jurisdiction from the requirements of AB 1826. As indicated above, AB 1826 contains a provision that allows such an exemption for a rural county, which is defined as a county that has a total population of less than 70,000 persons. Mono County has a population of less than 15,000 persons as of the Department of Finance's most current population estimates.

### **(c) Town of Mammoth Lakes**

The Town Council of Mammoth Lakes adopted Ordinance No. 15-04 on September 16, 2015, which amended the Town's Municipal Code and added Chapter 8.13, Construction and Demolition Waste Management. The requirements contained in the ordinance became effective on October 16, 2015. The purpose and intent of Chapter 8.13 is to require construction and demolition (C&D) waste management within the Town so as to enable the Town to work toward reducing the amount of waste disposed of in landfills. The code requires that applicants of covered projects divert a minimum of 50 percent of the construction and demolition debris resulting from the project. Covered projects shall be all projects meeting any of the criteria listed in the most current edition of the CALGreen Construction Waste Reduction Requirements. The code requires that a Waste Management Plan be submitted and approved by the Town Manager prior to issuance of the building permit. The Waste Management Plan must include the estimated volume or weight of construction and demolition material by type and an estimate of volume or weight of each material that could be diverted and the amount that would be disposed of at a landfill.

With regard to AB 1826, the Town Council of Mammoth Lakes adopted a resolution exempting the Town from AB 1826, as allowed by the legislation. As indicated in the resolution, the Town does not have the existing infrastructure, composting or anaerobic facilities, with the capacity to economically handle all the organic waste produced within the jurisdiction. With the amount of organic waste generated in the Town and the lack of infrastructure it is not economically feasible for the Town to build sustainable processing facilities necessary to handle all the organic waste produced within the county. However, the Town is committed to continue to pursue economically feasible alternatives for organics management and to encourage businesses to reduce and recycle organics materials. Town staff expects to continue its work with the Mono County SWTF and will continue its efforts to look for viable ways to increase recycling of all types.

In compliance with Public Resource Code Section 42911, Section 17.36.130 of the Town's Municipal Code requires the provision of solid waste and recyclables separation and storage areas for new multi-family residential development of three or more units and non-residential development. The dumpsters and recycling containers must be located on a paved area within all multi-family projects of three or more units, commercial, and industrial development. The area shall be readily accessible to refuse collection and recycling vehicles. The location and size of the storage areas are approved by the Community and Economic Development Director. All trash enclosures, receptacles, and food storage areas shall be animal resistant.

### **(i) General Plan**

The Resource Management and Conservation Element establishes and emphasizes the Town's stewardship of the community's natural resources. The intent of the Resource Management and Conservation Element indicates the Town's emphasis on sustainability through green building design strategies and energy efficiency. Goal R.9 of the Element addresses solid waste and the goals and policies are provided below in Section (b)(3).

## **(2) Existing Conditions**

The solid waste system in Mono County includes disposal facilities (landfills) and non-disposal facilities (transfer stations). Two facilities, Chalfant, and Bridgeport, were closed in 2007-2009. These three facilities are in the post-closure maintenance period with operating Transfer Stations at those locations. These facilities accept clean wood waste and organics, which is chipped onsite and beneficially re-used for post-closure maintenance, or distributed to the public.

Three active landfills accept disposal of solid waste in Mono County. Two of these landfills, Pumice Valley and Walker, currently accept only inert commercial and demolition (C&D) waste for burial with cover activities occurring every 90 days. These two sites have onsite Transfer Stations that accept municipal solid waste, recycling and HHW for transport for off-site disposal. The Benton Crossing Landfill has been the County's regional, and sole municipal solid waste landfill, for over 10 years. Benton Crossing Landfill, which is owned and operated by the County of Mono, is located approximately five miles east of the intersection of U.S. Highway 395 and Benton Crossing Road on a site leased from the Los Angeles Department of Water and Power (LADWP). The landfill is approximately 145 acres in size with a landfill footprint of approximately 72 acres.

This facility receives waste from the general public, from the outlying Transfer Stations, and from commercial collection routes throughout the county. The Benton Crossing Landfill accepts all putrescible and non-putrescible solid and semi-solid waste including garbage, trash, refuse, paper, rubbish, ashes, industrial

wastes, construction and demolition wastes, abandoned vehicles and parts, home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes. In addition to typical non-hazardous municipal solid waste, the Benton Crossing Landfill accepts source-separated waste for management through its waste diversion program, including wood waste, scrap metal, white goods and appliances, waste tires, non-hazardous sewage sludge, CRTs, CEDs, HHW and used oil and filters. Benton Crossing Landfill also performs vital non-disposal functions as part of normal operations. This includes the processing and diversion of clean wood waste, as well as the processing and sorting of certain C&D waste. These efforts include the periodic crushing of C&D aggregate material as well as the sorting of mixed C&D to reduce the amount of metal and clean wood within the mixed loads. The landfill also provides sludge management and diversion services for biosolid waste originating primarily in the Town of Mammoth Lakes, through the Mammoth Community Water District.

In terms of capacity, the Benton Crossing Landfill receives an average of 102 tons per day (tpd) (204 cubic yards/day) of municipal solid waste and construction and demolition debris. The maximum daily permitted throughput is 500 tpd with a maximum annual permitted capacity of 156,000 tons as indicated on the Solid Waste Facility Permit. As indicated in the CIWMP, the Benton Crossing Landfill has a remaining capacity of 817,300 cubic yards. The projected closure date of the landfill is December 2023.

In terms of overall regional capacity, the CIWMP indicates that the County will not exhaust its remaining permitted disposal capacity for over 13 years. If the proposed disposal capacity is included, this period grows to over 17 years. In addition, an increase in diversion would extend the capacity further.

Mono County does not currently have plans to establish any new solid waste disposal sites within its jurisdictional boundaries. With the future closure of Benton Crossing, the County is exploring other concepts for solid waste disposal. First and foremost are efforts to reduce the waste stream through increased diversion and recycling. Another concept is the early closure of Benton Crossing Landfill, coupled with the development of a Regional Recycling Center and Transfer Station or the siting of a similar facility in close proximity to the Town of Mammoth Lakes, through a federal land exchange. The County anticipates that one or more of these proposals will come to fruition in the coming years.

Solid waste collection service for the Town is provided under a franchise agreement with Mammoth Disposal, a subsidiary of Waste Connections, Inc. Solid waste collection service is provided via community trash bins at a centralized collection station on Commerce Drive and by individual customer pickup by Mammoth Disposal.

The majority of the solid waste generated by the Town is transferred to the Benton Crossing Landfill for disposal. In 2014, the Town of Mammoth Lakes generated about 13,037 tons of solid waste that was disposed of in landfills. Of this, 13,036 tons were disposed of at Benton Crossing Landfill and one ton was disposed of at El Sobrante Landfill.

Based on the most recent data available on the CalRecycle website, in the time period from 2010 to 2014 the amount of solid waste disposed by the Town is fluctuating but going down.<sup>32</sup> In 2010 approximately 15,319 tons were disposed and by 2014 there were 13,037 tons disposed. Similarly, the per capita disposal has also gone down between 2010 and 2014. In 2010 the per capita for population was 10.20 pounds per day (PPD)

---

<sup>32</sup> CalRecycle website <http://www.calrecycle.ca.gov/lgcentral/report>, accessed April 1, 2016. Various diversion reports run from the website to obtain the data provided in this discussion.

and in 2014 with a slight increase in population the per capita was 8.80 PPD. The employment per capita went down as did the employment numbers between 2010 and 2014. In 2010 the employment per capita was 18.3 PPD (with employment shown at 4,592 employees) and this fell to 17.9 PPD by 2014 (with employment shown at 3,986 employees). The target per capita for population is 17.6 PPD and for employees is 32.9 PPD. Thus, while the Town is achieving some reduction in disposal, the Town is not yet meeting the target per capita.

With regard to diversion, the Town has 39 diversion programs in place ranging from composting, recycling including drop-off and buy-back as well as residential curbside and school and government recycling.<sup>33</sup> In addition, the Town has special waste materials programs including sludge, white goods, tires, and scrap metal. The Town also provides educational materials. Other businesses such as Shred-Pro (mixed paper shredding service) and Mammoth Rock-n-Dirt (aggregate crushing) contribute to the available recycling services in the Town of Mammoth Lakes. In addition, as discussed above, in 2015 the Town adopted a C&D ordinance to remove C&D materials from development projects from the waste stream. While the Town has not yet met the 50 percent diversion rate mandated by Assembly Bill 939 the Town is committed to continuing its best efforts to increase its diversion rate whenever an opportunity becomes available and is coordinating with CalRecycle at all times.

Various efforts are underway to increase the diversion of solid waste from landfills. The Sierra Conservation Project, Inc. and the Town have partnered to expand commercial and condominium recycling, which provides curbside recycling to residences and businesses located in the Town for a monthly fee. The Mammoth Lakes Transfer Station and Recycling Center, which is owned and operated by Mammoth Disposal, currently accepts municipal solid waste for transfer to Benton Crossing Landfill, as well as BOP, metal, and other recyclable materials for transport to market. A CRV Buyback Center is located at the facility. The Town of Mammoth Lakes, in partnership with Mammoth Disposal, has planned for expansion of the Transfer Station that may include a long haul transfer station, a metals recovery facility (MRF), and a permanent HHW facility.

With regard to compliance with AB 341, the Town, Sierra Conservation Project, and Mammoth Disposal are taking active steps to assist businesses and multi-family residences to comply with the new regulations. The following recycling programs are currently available within the Town: commercial cardboard recycling; restaurant and bar programs; lodging and hospitality programs; business recycling; residential recycling including multi-family/apartment recycling; aluminum, plastic and glass; E-waste; and used oil and batteries.

## **b. Methodology and Thresholds**

### **(1) Methodology**

The analysis of impacts on solid waste disposal addresses the amount of waste debris that would result from the increase in intensity of population in the commercial districts. The analysis evaluates whether sufficient landfill capacity is available to accommodate the increase in waste generated that may occur. The amount of waste generated is determined by multiplying the amount of each of the uses by per unit waste generation factors associated with each use. The availability of landfill capacity is derived from various documents, including the County's CIWMP and the CalRecycle website. In addition, the EIR prepared for the County's General Plan Update was reviewed. The waste generation is compared to existing and planned capacities to

---

<sup>33</sup> *Ibid.*

determine the potential impact to solid waste facilities. In addition, the analysis also addresses the Project's consistency with policies and programs to increase diversion of waste materials from landfills and increase the recycling of materials in support of the Town's commitment to sustainability/green growth.

## (2) Thresholds

For purposes of this EIR, the Town has utilized the checklist questions in Appendix G of the *CEQA Guidelines* as thresholds of significance to determine whether a project would have a significant environmental impact regarding utilities and service systems. Based on Appendix G, the following thresholds of significance are used in this section. The project would result in a significant impact if the project would:

**SW-1** Be served by a landfill with insufficient permitted capacity to accommodate projected solid waste disposal needs.

**SW-2** Conflict with federal, state, and local statutes and regulations related to solid waste.

## (3) Applicable General Plan Goals/Policies and Adopted Mitigation Measures

There are no mitigation measures regarding solid waste from the adopted Mitigation Monitoring and Reporting Program from the 2007 General Plan Update EIR. However, the Town's Resource Management and Conservation Element addresses solid waste as follows:

**GOAL R.9:** Reduce volume of solid waste.

- **Policy R.9.A.:** Support programs to recycle materials such as paper, cardboard, glass, metal, plastics, motor oil; and programs to compost or chip for mulch tree cuttings, brush, and other vegetation.

The action items are to develop programs to maximize recycling so as to prolong the useful life of the landfill; require effective and efficient recycling programs throughout the community; and to provide recycling containers throughout the community.

## c. Environmental Impacts

**Threshold SW-1:** The project would result in a significant impact if the project would be served by a landfill with insufficient permitted capacity to accommodate the projected solid waste disposal needs.

**Impact Statement SW-1:** *The Land Use Element/Zoning Code Amendments would result in an increase in population and thus, an increase in solid waste disposal. While the Benton Crossing Landfill is scheduled for closure, the Town is committed to increasing waste diversion and the County anticipates that long haul or the use of a transfer station would occur in the future. Therefore, the Land Use Element/Zoning Code Amendments would result in a less than significant impact with regard to solid waste.*

Solid waste generated in the Town would continue to be disposed of at the Benton Crossing Landfill. The potential increase in population, both permanent and visitors to the Town, that could occur with the Land Use Element/Zoning Code Amendments would result in an increase in solid waste generated. **Table 4.12-9,**

*Estimated Solid Waste Generated by Development Resulting from Proposed Amendments*, shows the projected increase in solid waste generated that could occur from the potential increase in development within the commercially designated areas. As shown in Table 4.12-9, an additional 2,387 tons per year could be generated by future development within the commercially designated areas that could occur as a result of the Land Use Element/Zoning Code Amendments.

**Table 4.12-9**

**Estimated Solid Waste Generated by Development Resulting from Proposed Amendments**

Land Uses	Quantity (units/ employees/	Generation Factor <sup>a</sup>	Rate Units	Solid Waste Generated (tons/year)
Residential	336	0.87	tons/occupied unit/yr	292
Hotel/Lodging	514 <sup>b</sup>	2.14	tons/employee/yr	1,100
Retail	413 <sup>c</sup>	2.41 <sup>d</sup>	tons/employee/yr	995
<b>Total</b>				<b>2,387</b>

<sup>a</sup> Generation factors are used rather than diversion in order to present a conservative estimate and to account for limited diversion that occurs in Mammoth Lakes due to difficulty of diversion.

<sup>b</sup> The number of employees for hotel/lodging is calculated using 1.1 employee per room/unit. This assumes 467 rooms/units x 1.1 = 514

<sup>c</sup> The number of employees for commercial space is calculated using 0.00271 employees/sf. This assumes 152,533 sf x 0.00271 = 413

<sup>d</sup> The generation factor for retail is used as it is the highest, with the exception of food and beverage stores, of retail and service uses.

Source: 2014 Generator-Based Characterization of Commercial Sector Disposal and Diversion in California, CalRecycle, September 10, 2015

Future development would participate in the Town’s efforts to increase diversion. New multifamily residential development could participate in the curbside recycling program. Bins for recycling could be located in commercial developments and composting of food waste could occur. As indicated in the CIWMP, the Benton Crossing Landfill has a remaining capacity of 817,300 cubic yards and a projected closure date of December 2023. In terms of overall regional capacity, the CIWMP indicates that the County has sufficient capacity for the 15-year planning period, which is the planning period established in the California Code of Regulations (14 CCR 18755(a)).<sup>34</sup> In addition, an increase in diversion would extend the disposal capacity as well as additional capacity proposed at Pumice Valley is included, the disposal capacity would be extended beyond the current capacity.

While the Land Use Element/Zoning Code Amendments could result in an increase in population in the Town, the timing is uncertain. As indicated in Section 4.13, Public Services and Utilities, of the EIR for Mono County’s 2015 RTP and General Plan Update, the County’s solid waste system is in transition. Due to the economic challenges of operating low volume rural landfills, the County is currently in a position where the operation of its landfills exceeds the cost of available long-haul transfer opportunities due to the County’s relatively close proximity to available capacity in other jurisdictions where much larger scale, and more

<sup>34</sup> CIWMP, page 18.

efficient landfill operations are underway. The County intends on maintaining the current course at Benton Crossing Landfill until a point of closure, but following the closure of this site the County intends to pursue the most cost-effective options to meet future disposal needs. These options include the long-haul transfer of waste. While there is interest in maintaining landfill capacity and the flexibility it affords, by developing long-haul transfer infrastructure the County is assured of another competitive, and capacity-preserving option.

Mono County does not currently have plans to establish any new solid waste disposal sites within its jurisdictional boundaries. With the future closure of Benton Crossing, the County is exploring other concepts for solid waste disposal. The County is focused primarily on efforts to reduce the waste stream through increased diversion and recycling. A concept that the County is exploring is the early closure of Benton Crossing Landfill, coupled with the development of a Regional Recycling Center and Transfer Station or the siting of a similar facility in close proximity to the Town of Mammoth Lakes, through a federal land exchange.

As indicated in the County's EIR for the 2015 RTP and General Plan Update the County is considering various options and also determined that impacts would be less than significant. Thus, based on the above, the Land Use Element/Zoning Code Amendments and the associated population and increase in solid waste disposal would be considered a less than significant impact.

### Mitigation Measures

The Project would result in a less than significant impact with regard to solid waste. Therefore, no mitigation measures are necessary.

**Threshold SW-2** The Project would result in a significant impact if it would conflict with federal, state, and local statutes and regulations related to solid waste.

**Impact Statement SW-2:** *The Town will continue to comply with applicable State, and local regulatory requirements, which would further State laws and policies regarding diversion of landfill materials and efficient use of County landfill facilities. Therefore, the Project would not conflict with applicable statutes and regulations related to solid waste and impacts would be less than significant.*

The Town would continue to operate the waste collection and recycling program in accordance with the Integrated Waste Management Act. Goal R.9 of the Town's Resource Management and Conservation Element is to reduce the volume of solid waste generated by people in the Town. As discussed above, there are 39 programs in the Town aimed at reducing the volume of waste disposed of at landfills. The Town is actively engaged in increasing programs. Action items in the Town's Resource Management and Conservation Element include providing efficient recycling programs throughout the community and the provision of recycling containers throughout the community.

As indicated above, the goal of AB 341 is to increase the statewide recycling rates to 75 percent by 2020. The purpose of this new law is to reduce greenhouse gas emissions by diverting commercial solid waste to recycling efforts and expand opportunities for additional recycling services and recycling manufacturing facilities in California. Starting July 1 2012, businesses and public entities that generate four cubic yards or more of waste per week and Multi-Family units of five or more will be required to recycle. The Town of Mammoth Lakes (TOML), Sierra Conservation Project (SCP) and Mammoth Disposal (MD) are taking active

steps to assist businesses and multi-family residences to comply with the new regulations. The Town of Mammoth Lakes will be providing education and outreach to help the community comply with AB 341.

While the Land Use Element/Zoning Code Amendments would result in an increase in population in the Downtown area the Project would not conflict with applicable federal, state and local policies and regulations regarding solid waste. The geographic concentration of population could allow the efforts to increase diversion that are put into place to be more successful. For example, with the placement of containers for recycling, the concentration of population may use the containers more than if they were scattered throughout the Town. Therefore, the Project would not conflict with applicable statutes and regulations related to solid waste and impacts would be less than significant.

### **Mitigation Measures**

The Project would not conflict with applicable federal, state and local statutes and regulations related to solid waste. Therefore, no mitigation measures are necessary.

### **d. Cumulative Impacts**

The analysis of the impact of the Land Use Element/Zoning Code Amendments on solid waste facilities and applicable and regulatory requirements is cumulative in nature because it evaluates the effects of the Project in addition to the General Plan buildout. The demand associated with General Plan buildout would be adequately served and the Town would comply with applicable regulations, thus, the impact evaluation determined that the Land Use Element/Zoning Code Amendments would have a less than significant impact relative to solid waste. Therefore, the Project would not contribute to a cumulatively significant impact.

### **e. Level of Significance After Mitigation**

The Project would result in a less than significant impact with regard to solid waste disposal and would not conflict with applicable federal, state and local statutes and regulations related to solid waste.



## **5.0 ALTERNATIVES**



## 5.0 ALTERNATIVES

---

### A. INTRODUCTION

As indicated in California Public Resources Code Section 21002.1(a), the identification and analysis of alternatives to a Project is a fundamental aspect of the environmental review process intended to consider ways to mitigate or avoid the significant environmental effects of a Project. Guidance regarding the definition of Project alternatives is provided in State *CEQA Guidelines* Section 15126.6(a) as follows:

An EIR shall describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project, and evaluate the comparative merits of the alternatives.

The *CEQA Guidelines* emphasize that the selection of Project alternatives be based primarily on the ability to reduce significant impacts relative to the proposed Project, “even if these alternatives would impede to some degree the attainment of the Project objectives, or would be more costly.”<sup>1</sup> The *CEQA Guidelines* further direct that the range of alternatives be guided by a “rule of reason,” such that only those alternatives necessary to permit a reasoned choice are analyzed.<sup>2</sup>

In selecting Project alternatives for analysis, potential alternatives should be feasible. The *CEQA Guidelines* Section 15126.6(f)(1) explains that:

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.

The *CEQA Guidelines* require the analysis of a “no project” alternative and, depending on the circumstances, evaluation of alternative location(s) for the Project, if feasible. Based on the alternatives analysis, an environmentally superior alternative is to be designated. In general, the environmentally superior alternative is the alternative with the least adverse impacts on the environment. If the environmentally superior alternative is the “no project” alternative, the EIR shall also identify another environmentally superior alternative among the other alternatives.<sup>3</sup>

*CEQA Guidelines* Section 15126.6(d) states that evaluation of alternatives shall include sufficient information to allow meaningful evaluation, analysis and comparison with the proposed Project. If an alternative would

---

<sup>1</sup> *CEQA Guidelines* Section 15126.6(b).

<sup>2</sup> *Ibid.*, Section 15126.6(f).

<sup>3</sup> *Ibid.*, Section 15126.6(e)(2).

cause one or more significant impacts in addition to those of the proposed Project, analysis of those impacts is to be discussed, but in less detail than for the proposed Project.

## **B. OBJECTIVES OF THE PROJECT**

Chapter 2, Project Description, of this EIR sets forth the Project's underlying purpose and provides a list of objectives. The intent of the proposed Land Use Element and Zoning Code Amendments as well as the Mobility Element Update is to achieve a sustainable and integrated system of land use and transportation in the Town of Mammoth Lakes. More specifically, the proposed changes in the development standards and Mobility Element Update are to:

- Create flexibility in the development standards in the commercial districts through the removal of the unit/room cap and the use of a floor area ratio so as to focus on the overall size of a structure;
- Cluster greater density in the downtown area to reduce vehicle miles travelled;
- Create a park-once downtown area in which people park their vehicles once and walk throughout the area thereby reducing congestion and vehicle miles travelled;
- Create a vibrant and walkable downtown area through the increase of intensity of use and the reconfiguration of Main Street;
- Establish a progressive and comprehensive multimodal transportation system that serves the needs of residents, employees, and visitors in a way that is connected, accessible, and safe;
- Promote integration with land use, efficient management of infrastructure, and "greening" measures to reduce water quality and greenhouse gas impacts associated with vehicle use ; and
- Contribute to a healthy economy though the development of an efficient and balanced transportation system that optimizes the movement of people and goods and efficiently manages infrastructure and resources.

## **C. ALTERNATIVES SELECTED FOR ANALYSIS**

The No Project Alternative is included pursuant to CEQA Guidelines Section 15126.6(e). Under the No Project Alternative, the Land Use Element/Zoning Code Amendments and the Mobility Element Update would not be adopted and future development would occur as under the existing General Plan, Zoning Code, and Mobility Element. Other alternatives were selected to identify ways of reducing or avoiding impacts associated with aesthetics, air quality, parks and recreation, traffic, and other environmental issues.

The following alternatives were selected:

- Alternative 1: No Project Alternative
- Alternative 2: Reduced Intensity Alternative
- Alternative 3: Mobility Element Update Without the Main Street Reconfiguration

The Reduced Intensity Alternative (Alternative 2) would reduce the estimated intensity of development within the commercially designated areas and would implement the Mobility Element Update. Rather than a

2.0 FAR, Alternative 2 would amend the Land Use Element and Zoning Code to allow a maximum of 1.5 FAR. Alternative 3 would also provide for the Mobility Element Update, but without the reconfiguration of Main Street, and would include the Land Use Element and Zoning Code Amendments.

## **D. ALTERNATIVES CONSIDERED AND REJECTED**

*CEQA Guidelines* Section 15126.6(c) recommends that an EIR identify alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. According to the *CEQA Guidelines*, the following factors may be used to eliminate alternatives from detailed consideration: the alternative's failure to meet most of the basic Project Objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. Alternatives that have been considered and rejected as infeasible are discussed below.

### **1. Land Use Element/Zoning Code Amendments to Allow 2.5 FAR**

An early study of the proposed Land Use Element/Zoning Code Amendments evaluated the removal of the unit and room cap and the use of a 2.5 FAR within the approximately 122-acre commercially designated (i.e., C-1 and C-2) areas. A land use inventory was conducted of the Study Area to identify parcels where development would likely occur within the timeframe of the General Plan. Potential future uses and buildout potential for these parcels was determined and the commercial square footage, number of dwelling units, and number of hotel rooms estimated for buildout were calculated based on a series of assumptions. The projections were compared with the 2011 Mammoth Lakes Economic Forecast and Revitalization Strategies (EPS) Study, which provided buildout projections under the adopted General Plan. After reviewing various iterations of the potential buildout using a 2.5 FAR, comparing the numbers with other projections including the EPS Study and the General Plan EIR, as well as gaining input from the Town's traffic consultant, it was determined that the potential number of dwelling units and hotel rooms that could occur with up to a 2.5 FAR would be significantly higher than anticipated. In particular, the amount of commercial development was considered not viable as it could not be supported economically. Therefore, the development under the 2.5 FAR was not considered consistent with the Project's purpose and objectives and would further be infeasible because of potentially unacceptable environmental effects.

### **2. Land Use Element/Zoning Code Amendments Only (No Mobility Element Update)**

A potential alternative that would include the Land Use Element/Zoning Code Amendments, but not the implementation of the Mobility Element Update, was considered at the beginning of the review process. However, because the Mobility Element Update is intrinsic to the intent of the Land Use Element/Zoning Code Amendments to increase density, pedestrian activity, and the character of the Main Street and Old Mammoth Road commercial districts, this alternative was rejected.

## **E. ANALYSIS FORMAT**

In accordance with *CEQA Guidelines* Section 15126.6(d), each alternative is evaluated in sufficient detail to determine whether the overall environmental impacts would be less than, similar to, or greater than the corresponding impacts of the Project. Furthermore, each alternative is evaluated to determine whether the Project objectives would be substantially attained by the alternative. The evaluation of each of the alternatives follows the process described below:

- 
- A description of the alternative.
  - The net environmental impacts of the alternative before and after implementation of reasonable mitigation measures for each environmental issue area analyzed in the EIR are described.
  - Post-mitigation and non-significant environmental impacts of the alternative and the Project are compared for each environmental topic area. Where the impact of the alternative would be clearly less than the impact of the Project, the comparative impact is said to be “less.” Where the alternative’s net impact would clearly be more than the Project, the comparative impact is said to be “greater.” Where the impacts of the alternative and Project would be roughly equivalent, the comparative impact is said to be “similar.” The evaluation also documents whether compared to the Project an impact would be entirely avoided, whether a significant impact could be reduced to a less than significant level, or whether a significant unavoidable impact would be feasible to mitigate to a less than significant level.
  - The comparative analysis of the impacts is followed by a general discussion of the extent to which the underlying purpose and Project Objectives are attained by the alternative.

At the end of the section a relative comparison of the alternative’s impacts and consistency with Project Objectives is provided. Pursuant to CEQA Guidelines Section 15126.6(e)(2) an “Environmentally Superior Alternative” is identified.

## F. ALTERNATIVES ANALYSIS

### 1. ALTERNATIVE 1: NO PROJECT ALTERNATIVE

---

#### A. DESCRIPTION OF THE NO PROJECT ALTERNATIVE

In accordance with the CEQA Guidelines, the No Project Alternative represents the circumstance under which the Project does not proceed. For the purpose of this analysis, the No Project Alternative (Alternative 1) assumes that the proposed Land Use Element/Zoning Code Amendments would not occur. Thus, future development would occur in accordance with the existing General Plan and Zoning Code requirements in the commercial zones. Currently, the General Plan and Zoning Code allow an FAR of 2.5 with a limit of 12 residential units per acre and 40 lodging rooms per acre in C-1 and C-2 designated areas, and in the MLR, D, and OMR zoning districts. Policy L.5.G. of the General Plan allows a doubling of density (up to 80 rooms per acre) for hotel, motel, and similar transient lodging projects in the C-1 and C-2 designated areas through the Community Benefits/Incentive Zoning policy (CBIZ policy).<sup>4</sup> In October 2014, the Town Council eliminated the CBIZ policy (Policy L.5.G) so that this mechanism for increasing density is no longer available. In addition, future development in the Town's commercially designated areas (comprising approximately 122 acres), including a minimum level 0.75 FAR and maximum 2.0 FAR with no unit cap, as proposed by the Project, would not be implemented. The affected area would maintain the same unit and room cap as under current conditions. It is anticipated, however, that because the Project would provide greater development flexibility, the No Project Alternative is less likely to result in new development to the extent currently permitted.

The No Project Alternative would, however, implement current land use and design policies of the Zoning Code Update, including street frontage improvements in accordance with adopted Town Plans (i.e. Pedestrian Master Plan, Bikeway Master Plan, etc.), including but not limited to sidewalks, bike lanes, paths, bus stops, and other typical frontage improvements (Sec. 17.24.030). Under this code section, where feasible, the property frontage shall be improved to provide a wider public sidewalk and space for landscaping, public art, and/or pedestrian amenities such as outdoor seating. Section 17.24.030.E requires the placement of buildings as close to the street as possible, with parking underground, behind a building, or on the interior side or rear of the site. Under Section 17.24.030.F, properties fronting Main Street may claim an existing frontage road, but must incorporate a re-routed access road to the rear of the property. Section 17.24.040.B, requires that all buildings located on a public street shall be oriented toward, and have their primary entrances facing the public street; building entrances must emphasize special architectural, roof lines or landscape treatments; and building entrances must be designed to not shed snow freely into entrances to minimize the buildup of ice and snow in pedestrian areas. Section 17.24.040.C requires transparency and openings along the sidewalk for commercial buildings. Section 17.24.040 D requires that buildings be designed to create a pedestrian-friendly environment and support a vital and active public realm. Section 17.24.040 F requires development to provide direct and convenient pedestrian access between commercial and residential uses to the extent feasible and provide convenient pedestrian connections from transit stops to building entrances.

---

<sup>4</sup> *CBIZ was intended to be a "bridge" between the General Plan and the District Planning work and was adopted by Resolution 09-55 approved by the Town Council in 2009.*

Under the No Project Alternative, the proposed methodology for projecting buildout for the Town would not be implemented. Policy L.1.A of the General Plan, which states: *“Limit total peak population of permanent and seasonal residents and visitors to 52,000 people,”* would remain in effect to describe population intensity throughout the Town. The categories for units would remain as it currently is with reference to permanent units, transient units, seasonal units and second homes. With the maximum density limitations in place, a transfer of development rights may be desired by the Town. As such, no revisions would be made to the General Plan Land Use Element regarding transfer of development rights (TDR). Thus, no revision would be made to Policy L.3.H and Action L.3.H.1 of the General Plan.

Under the No Project Alternative, the Mobility Element Update would not be adopted. The No Project Alternative, however, would not prevent any ongoing roadway, pedestrian, bicycle, and transit improvements, such as those consistent with the approved Pedestrian, General Bikeway, and Trails System Master Plans. However, the No Project Alternative would not be consistent with the Town’s July 2009 Agenda Bill to further articulate the goals, policies, and actions of the General Plan Mobility Element, which is “intended to serve as the implementation document and to carry forward previous Town transportation planning efforts and consolidate them into one comprehensive transportation planning document.” According to the Agenda Bill, “The Town of Mammoth Lakes Mobility Plan will enable Mammoth Lakes to realize the Vision and Goals outlined in the 2007 General Plan Mobility Element.” The Agenda Bill further states, “the adoption of the Mobility Element Update will place the Town in a better position to achieve its desired objectives related to becoming a community that is more ‘connected, accessible, uncongested and safe with an emphasis on feet first, public transportation second and car last.’ An adopted Mobility Plan will provide a cohesive program of transportation system improvements and recommendations that will assist decision-makers, the public, Town staff, and developers in planning projects in a manner that will ultimately lead to a complete and integrated multi-modal system for the community.”

The No Project Alternative would not implement the Mobility Element Update, which would meet the objectives of the 2007 General Plan to achieve a progressive and integrated multi-modal transportation system, one that emphasizes “feet first, public transportation second, and car last.” In addition, without Mobility Element Update, the No Project Alternative would not be consistent with the California Complete Streets Act (AB 1358). AB 1358 requires that municipalities craft a specific network of travel options through an adopted General Plan circulation element. Under AB 1358, the circulation element must reflect land use patterns that further support the effectiveness of a multimodal transportation network. In addition, the No Project Alternative would not be consistent with AB 743, which is intended to support residential/mixed-use densification for the purpose of inducing greater pedestrian and other multi-modal activity and, thus, reduce vehicle miles. Because the proposed Mobility Element Update would expand upon the Town's adopted Mobility Element, focus on multi-modal transportation, and provide specificity as required under AB 1358, the adoption of the Mobility Plan Update would engender regional and state confidence with respect to funding. A more secure funding source would further ensure future roadway, pedestrian, and transit improvements. Although street improvements would continue under the No Project Alternative, in the absence of the Mobility Element Update, the vision and goals of the General Plan and statewide transportation goals would not be met.

## **B. ENVIRONMENTAL IMPACTS**

### **1. Aesthetics/Visual Resources**

#### **a. Scenic Vistas and Resources**

Under the No Project Alternative, development in the Town's commercial zones would continue to conform to existing zoning and height regulations. Under both the No Project Alternative and the Project, the Code would limit buildings in the Downtown (D) zone to a maximum height of 55 feet, buildings in the Old Mammoth Road (OMR) zone to a maximum height of 45 feet, and buildings in the Mixed Lodging/Residential (MLR) zone to a maximum height of 45 feet for lots with less than 10 percent slope and 55 feet for lots with slopes 10 percent or greater. Under the Land Use Element/Zoning Code Amendments, view impacts were identified as less than significant because building heights and envelopes would be the same as under existing Code requirements. As with the Project, the No Project Alternative would not result in new blockage of ridgelines or conflict with General Plan standards that maintain panoramic views of the Sherwin Ridge or Mammoth Rock. As such, the No Project Alternative would have similar, less than significant impacts on scenic vistas.

The implementation of the Mobility Element Update's Main Street Plan, however, has the potential to narrow Main Street from approximately 200 feet to 130 feet, while locating buildings closer to the street as required under the existing Zoning Code Update (17.24.030.E). Panoramic views of Mammoth Mountain from the Main Street corridor would be incrementally narrower, although less than significant since public views would remain. Although the Project's impact on the view corridor would be less than significant, because the Main Street Plan would not be implemented under the No Project Alternative, the street corridor would not be narrowed to the same extent. As such, the No Project Alternative would avoid any potential scenic vista impacts associated with buildings fronting a narrower street corridor and would have less impact on scenic vistas from the Main Street corridor than under the Project.

#### **b. Visual Character and Quality**

The No Project Alternative would result in less construction than under the Project because the increased density within the Town's commercial areas, compared to the 2007 General Plan buildout, would not occur. In addition, the No Project Alternative would not fully implement the street and trail improvements as under the Mobility Element Update. The No Project Alternative would not involve the vacation of the frontage road that parallels Main Street, installation of new landscaping, street crossing improvements, on-street bike lanes, trails, and the provision of amenities as funding becomes available contained in the Mobility Element Update. Future construction activities under both the No Project Alternative and the Project could require excavation and the use of heavy machinery, hauling, temporary stockpiling, and possible scrubbing and clearing of vegetation. These activities could cause temporary degradation of visual quality. Visual impacts could also be exacerbated if several projects were to be under construction concurrently. Although short-term impacts would be mitigated to a less than significant level under the Project, the scope of short-term construction impacts would be incrementally less under the No Project Alternative. Therefore, the No Project Alternative would reduce the Project's visual quality short-term construction impacts.

As with the Project, the No Project Alternative would implement Zoning Code Update design requirements aimed at creating a more pedestrian oriented environment, such as a build-to-street line, placement of parking away from the street, wider public sidewalk and space for landscaping, public art, and/or pedestrian

amenities such as outdoor seating, design of building entrances to emphasize special architectural, roof lines or landscape treatments, and required transparency and openings along the sidewalk for commercial buildings. As such these benefits would be the same under both the No Project Alternative and the Project. In addition, both the No Project Alternative and the Project would have the same maximum building height standards. The No Project Alternative, however, would not upgrade the appearance of Main Street through the vacation of the frontage road and implementation of improvements under the Main Street Plan. As such, the No Project Alternative would contribute minimally to the improved appearance of Main Street. The No Project Alternative would also not intensify development along the commercial corridors, which would, otherwise, contribute to the aesthetic vibrancy of the streets associated with greater activity. Because the No Project Alternative would not provide aesthetic benefits to the same degree as the Project, it is considered to have a greater impact with respect to long-term visual character than under the Project. However, as with the Project, impacts under the No Project Alternative, would be deemed less than significant.

### **c. Light and Glare**

Under the No Project Alternative, the Town of Mammoth Lakes Outdoor Lighting Ordinance, which regulates nighttime lighting, would be enforced as under existing conditions. No new street lighting associated with implementation of the Mobility Element Update would occur. Any new development under the No Project Alternative and Land Use Element/Zoning Code Amendments and Mobility Element Update would be subject to the Outdoor Lighting Ordinance and would have a less than significant impact with respect to light and glare. However, because the No Project Alternative may not entail the same extent of street improvements anticipated under the Mobility Element Update, or potentially result in additional signage and light spillage associated with denser street-front commercial development than under development that could occur under existing conditions, it is considered to have less impact with respect to light and glare. Therefore, light and glare impacts would be less under the No Project Alternative compared to the Project.

### **d. Shade/Shadow**

Under the No Project Alternative, as with the implementation of the Land Use Element/Zoning Code Amendments, code development standards such as height, setbacks, parking requirements, and lot coverage would not change. As required under the Code, maximum building height would be 55 feet in the D zone, and 45 feet in the OMR and MLR zones (with a 55-foot maximum in MLR zones with slopes greater than 10 percent). However, implementation of the Mobility Element Update would result in a reduction in the right-of-way width along Main Street, allowing for future buildings to be located approximately 35 feet closer to Main Street than under existing conditions. Under the Mobility Element Update, buildings at the new property line along Main Street would increase the amount and duration of shadows along Main Street, which could result in ice buildup. The Project includes a mitigation measure to reduce potential ice buildup through coordinated snow removal. Because the No Project Alternative would not cause additional shading respective to existing conditions, it would avoid this impact and not require mitigation.

## **2. Air Quality**

The No Project Alternative would not generate any development projects that are not anticipated under the 2007 General Plan Update buildout. However, the EIR for the 2007 General Plan Update did not evaluate individual projects, so individual projects would be subject to CEQA requirements. Construction and operation related impacts of development projects under the No Project Alternative would result in potentially significant air quality impacts with regard to air quality, especially PM<sub>10</sub> and PM<sub>2.5</sub>, similar to the

Land Use Element/Zoning Code Amendments and the Land Use Element/Zoning Code Amendments with Mobility Element Update. Although implementation of the adopted mitigation measures in the Mitigation Monitoring and Reporting Program (MMRP) would reduce air quality impacts, construction and operation impacts under the No Project Alternative would still be significant and unavoidable as with the Project. Impacts related to localized CO concentrations and toxic air contaminants would be similar to the Project and would remain less than significant. Implementation of the No Project Alternative would not conflict with any applicable air quality management plans and, similar to the Project, impacts would remain less than significant. The No Project Alternative could potentially contribute substantially to an existing or projected air quality violation or result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment (i.e., PM<sub>10</sub>) under the State standards. The No Project Alternative would be similar to the Land Use Element/Zoning Code Amendments alone and the Project, which would result in significant and unavoidable impacts. The No Project would generate a greater impact than the Mobility Element Update alone which would result in less than significant PM<sub>10</sub> impacts.

### **3. Forestry Resources**

The proposed Land Use Element/Zoning Code Amendments are applicable to the Town's commercial districts and would not affect forest lands. The No Project Alternative would not implement the Mobility Element Update and, as such, would not provide for the extension of new roads into forested areas to the north of Main Street. Thus, the No Project Alternative would have no impact with respect to these roadway extensions. However, the Trails System Master Plan (TSMP), which establishes standards and routes for multi-use-paths (MUPs) within Inyo National Forest lands, would be implemented under the No Project Alternative, as set forth under the TSMP. The implementation of the TSMP was determined to have a less than significant impact on forestry resources. However, because the No Project Alternative would not impact forestry resources to the north of Main Street under the Mobility Element Update, it would have incrementally less impact on forestry resources compared to the Project.

### **4. Biological Resources**

Under the Project, buildout of vacant parcels and construction of road improvements and MUPs may affect wetlands and/or other jurisdictional features through potential dredging and filling activities. In addition, Project-related construction and maintenance activities could occur within habitats that support several special-status plant and wildlife species. In such cases, the loss of wetlands and/or other jurisdictional features or habitat and individuals of special-status species as well as migratory birds would be considered potentially significant. Compliance with mitigation measures and applicable policies in the General Plan would reduce impacts to wetlands, habitat, special-status plant and wildlife species and migratory birds to a less than significant level. Under the No Project Alternative, some road and trail development would still go forward and similar impacts on biological resources would occur and need to be mitigated. However, because it is likely that the development of trails and road extensions would not occur to the same extent as under the Project, the No Project Alternative would have less impact on biological resources compared to the Project.

### **5. Cultural Resources**

Buildings considered to be potential historical resources are located within the Land Use Element/ Zoning Code Amendments project area and several known historic resources have been recorded within or in the immediate vicinity of the Mobility Element Update area. It is possible that additional historic resources are

present within the Project Areas that have yet to be evaluated for eligibility for listing in the local, State, and/or federal registers. In addition 86 archaeological or historical resources are located within or in the immediate vicinity of the Mobility Element Update area while six resources are located within or in the immediate vicinity of the Land Use Element/Zoning Code Amendments project area. Components of the Project that include excavations into native soils or sediments would have the potential to impact these resources or additional archaeological resources within the Project Area that have yet to be discovered. Under the Project, the implementation of the TSMP and General Plan mitigation measures applicable to cultural resources would reduce potential impacts to less than significant levels. The No Project Alternative could result in the development of vacant properties in the Town's commercial districts as well as redevelopment of some parcels. Therefore, the No Project Alternative could result in potential impacts similar to the Project. The No Project Alternative would also potentially result in trail development and some road development, which would impact cultural resources the same as under the Project. However, because it is likely that the development of trails and road extensions would not occur to the same extent as under the Project, the No Project Alternative would have incrementally less impact on cultural resources than the Project.

## 6. Greenhouse Gas Emissions GHG

The No Project Alternative would not result in any development projects that are not anticipated under the 2007 General Plan Update buildout. However, the EIR for the 2007 General Plan Update did not evaluate individual projects and future projects would be subject to their own CEQA requirements. Construction and operation related impacts of development projects under the No Project Alternative would not generate GHG emissions, either directly or indirectly, that would result in a significant impact on the environment similar to the Project. The No Project Alternative would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions similar to the Project. As with the Project, GHG impacts would remain less than significant with the No Project Alternative.

## 7. Land Use

The No Project Alternative would not conflict with applicable objectives of the Land Use Element of the General Plan, and Title 17 of the Municipal Code, or other Town plans and policies. The No Project Alternative would not result in the amendments of the Land Use Element or involve the adoption of the Mobility Element Update. However, the No Project Alternative would not implement objectives of the Land Use Element to enhance livability of districts for walking through the arrangement of land uses and development intensities (Goal L.3), to develop vital retail centers and streets (Policy L.3.B), or to provide an overall balance of uses, facilities, and services to further the town's role as a destination resort community (Goal L.5) to the same extent as the Project since the intensity of development would not be clustered in the downtown area.

The No Project Alternative would not implement the goals of the current General Plan Mobility Element to develop and implement a townwide way-finding; to improve regional transportation system; to emphasize feet first, public transportation second, and car last in planning the community transportation system while still meeting level of service standards; to encourage feet first by providing a linked year-round recreational and commuter trail system that is safe and comprehensive; to provide a year-round local public transit system that is convenient and efficient; to encourage alternative transportation and improve pedestrian mobility by developing a comprehensive parking management strategy; to maintain and improve safe and efficient movement of people, traffic, and goods in a manner consistent with the feet first initiative; or to

enhance small town community character through the design of the transportation system to the same extent as the proposed Mobility Element Update.

In addition, the No Project Alternative would not meet the objectives of AB 1358, which requires that municipalities focus on crafting a specific network of travel options through the adoption of a General Plan circulation element that reflects land use patterns that increasingly support a multimodal transportation network. The No Project Alternative would also not be consistent with AB 743, which supports densification and multi-modal activity to reduce vehicle miles.

Therefore, because the No Project Alternative would not implement the current goals of the General Plan to the same extent as the Project or comply with AB 1358 to adopt a element that addresses specific complete street improvements and land use supporting multi-modal transportation, or AB 743 to encourage densification and multi-modal transportation to reduce vehicle miles, it is considered to have a more adverse or greater land use impact than under the Project. However, because it would not cause any direct conflicts with the General Plan, impact levels would be less than significant.

## **8. Noise**

The No Project Alternative would not generate any development projects that are not anticipated under the 2007 General Plan Update buildout. However, the EIR for the 2007 General Plan Update did not evaluate individual projects, so individual projects would be subject to CEQA requirements. Construction-related impacts of development projects under the No Project Alternative would result in less than significant noise impacts, inclusive of compliance with applicable regulations and policies and implementation measures, similar to the Land Use Element/Zoning Code Amendments and the Land Use Element/Zoning Code Amendments with Mobility Element Update, which would result in less than significant noise impacts with the implementation of mitigation measures. Operational impacts under the No Project Alternative would result in less than significant impacts, primarily due to roadway traffic noise, with the implementation of mitigation measures, similar to the Land Use Element/Zoning Code Amendments and the Land Use Element/Zoning Code Amendments with Mobility Element Update. The No Project Alternative would result in less than significant groundborne vibration and groundborne noise impacts and no mitigation would be required, similar to the Land Use Element/Zoning Code Amendments and the Land Use Element/Zoning Code Amendments with Mobility Element Update.

## **9. Population/Housing**

The No Project Alternative would not result in any direct population or housing growth over that provided under existing zoning and density estimates. Because the estimated maximum buildout over the time period addressed within the General Plan would be sufficient to accommodate projected growth under the Land Use Element/Zoning Code Amendments, the Project, which would generate a population increase of approximately 1,978 people, calculated according to the proposed methodology of persons per unit, is considered to have a less than significant impact with respect to population and housing. However, because the No Project Alternative would have no impact with respect to General Plan growth projections, it would have less impact than under the Project.

## **10. Public Services**

### **a. Fire Protection**

The No Project Alternative would not increase population over current projections. As such, it would have no impact with respect to service ratios related to fire services. Unlike the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update, the No Project Alternative would not necessarily improve multimodal access or improve emergency access. However, because the No Project Alternative would also not include the reconfiguration of Main Street it would not cause temporary lane closures or other access issues affecting emergency response times during construction. The No Project Alternative would also not result in the Project's incremental increase in demand for fire services. Impacts related to fire services demand and emergency access during construction and operation under the Project are determined to be less than significant. However, because the No Project Alternative would not implement the Mobility Element Update, it would not provide for improved, Townwide connectivity as under the Project. Therefore, although both the No Project Alternative and the Project would result in less than significant impacts on fire services and emergency access, impacts with respect to fire emergency services would be considered greater under the No Project Alternative.

### **b. Police Protection**

The No Project Alternative would not result in greater hotel and residential densities or incremental population gain in commercial areas over current projections, or generate an incremental increase in population that could result in greater demands for police services, compared to the Project. As discussed in Section 4.10.2, Police Services, of this EIR, the Town recently approved funding and the construction of a new police facility with a planned completion date of December 2017 and Development Impact Fees (DIFs) would further ensure that potential impacts to police protection services would be reduced. As such, impacts to police services under the Land Use Element/Zoning Code Amendments and Mobility Element Update are considered to be less than significant. However, since the No Project Alternative would not result in additional population growth over current General Plan buildout and would have a less than significant impact without mitigation, it is considered to have less impact with respect to police services than under the Project.

### **c. Schools**

The No Project Alternative would not increase residential densities within the Main Street and Old Mammoth Road neighborhoods compared to existing projections and, as such, would not introduce more people than currently anticipated to these areas. It is estimated that the Land Use Element/Zoning Code Amendments could result in an additional 136 new students than would result under the No Project Alternative. Although it is not expected that the introduction of residential densities would result in a substantial fluctuation in enrollment, and developer fees applicable at a building permit application would reduce the Project's impacts on schools to a less than significant level, the No Project Alternative would not result in greater residential densities than those anticipated under the adopted General Plan. As such, the No Project Alternative would have comparatively less impact relative to schools.

### **d. Parks and Recreation**

The No Project Alternative would not increase demand for parks and recreational facilities over that anticipated under the General Plan buildout. The Town's Parks and Recreation Master Plan (PRMP) reflects

the General Plan’s objectives to develop more park and recreational facilities to serve the Town. The Town currently does not meet its own standard of 5 acres of local parks or 2.5 acres of regional parks per 1,000 people. Although the No Project Alternative does not provide for additional parkland other than that envisioned under the General Plan, it would not generate an incremental increases in population and, unlike the Project, would not cause a significant parks and recreational resources impact. As such, the No Project Alternative would avoid the Project’s significant and unavoidable impact on parks and recreational resources.

### 11. Transportation and Traffic

The No Project Alternative would generate trips that are anticipated under the 2007 General Plan buildout. The No Project Alternative would not result in significant impacts that would require mitigation which would occur with the implementation of the Land Use Element/Zoning Code Amendments and/or the Mobility Element Update. Implementation of the recommended mitigation measures would reduce potentially significant LOS impacts at all affected intersections under all Project scenarios. However, because Caltrans must approve signal warrant analyses on Main Street, if not approved the potentially significant impacts at Main Street intersections under the Project (Scenarios 3 through 6) would be considered significant and unavoidable. The No Project Alternative is identical to Scenario 3 in that it represents the buildout of the 2007 General Plan with no additional growth. Scenarios 4 through 6 represent a combination of the Land Use Element/Zoning Code Amendments and Mobility Plan Update. As shown in **Table 5-1, Significant LOS Impacts - Comparison of the No Project Alternative to the Project**, the No Project Alternative would avoid the Project’s LOS impacts at a four study intersections. However, as with the Project, the No Project Alternative would result in significant impacts at two study intersections: Main Street/Mountain Boulevard and Old Mammoth Road/Minaret Road/Fairway Drive. Although traffic impacts would be reduced to less than significant levels with mitigation, because the mitigation measure (traffic signal) at Main Street/Mountain Boulevard must be approved by Caltrans, and approval is still unknown, this impact, as with the Project’s impact is considered significant and unavoidable. Because the No Project Alternative would avoid the Project’s other significant and unavoidable impacts on Main Street, it is considered to have less impact with respect to LOS than under the Project.

**Table 5-1**

**Significant LOS Impacts – Comparison of the No Project Alternative to the Project**

<b>No.</b>	<b>Impacted Intersection</b>	<b>Project</b>	<b>No Project Alternative</b>
3	Main Street/Mountain Boulevard	X	X
4	Main Street/Post Office	X	
6	Main Street/Forest Trail	X	
7	Main Street/Laurel Mountain Road	X	
12	Old Mammoth Road/Sierra Nevada Road	X	
19	Old Mammoth Road/Minaret Road/Fairway Drive	X	X

Source: LSC Transportation Consultants, 2016.

Under the No Project Alternative, the Mobility Element Update would not be adopted. The No Project Alternative, however, would not prevent any ongoing roadway, pedestrian, bicycle, and transit

improvements, such as those consistent with the approved Pedestrian, General Bikeway, and Trails System Master Plans. However, the No Project Alternative would not be consistent with the California Complete Streets Act (AB 1358), which requires that municipalities craft a specific network of travel options through an adopted General Plan circulation element. Under AB 1358, the circulation element must reflect land use patterns that further support the effectiveness of a multimodal transportation network. In addition, the No Project Alternative would not be consistent with AB 743, which is intended to support residential/mixed-use densification for the purpose of inducing greater pedestrian and other multi-modal activity and, thus, reduce vehicle miles. Because the proposed Mobility Element Update would expand upon the Town's adopted Mobility Element, focus on multi-modal transportation, and provide specificity as required under AB 1358, the adoption of the Mobility Plan Update would engender regional and state confidence with respect to funding. Because the No Project Alternative would not implement the Mobility Element Update, it would be considered to have a greater transportation impact with respect to State legislation than the Project.

## **12. Utilities**

### **a. Water Supply**

#### **(1) Infrastructure**

The No Project Alternative would not result in greater hotel and residential densities or incremental population increases over current zoning designations in the Main Street and Old Mammoth Road commercial district. Under the Land Use Element/Zoning Code Amendments, more concentrated growth could occur in these areas than under the No Project Alternative, and would result in potentially significant effects relative to the capacity of local water mains. With the payment of development fees to support necessary new or upgraded water mains and other water infrastructure, impacts to water conveyance systems under the Land Use Element/Zoning Code Amendments are considered less than significant. However, the No Project Alternative would cause no new concentrations of growth compared to existing anticipated conditions and, as such, would have no new impact on water conveyance systems. Therefore, the No Project Alternative would result in less impact than under the Project.

#### **(2) Water Supply**

As indicated, the No Project Alternative would not generate additional population over current General Plan buildout projections. As such, the No Project Alternative would not cause an increase in water demand relative to the Mammoth Community Water District's (MCWD's) 2010 Urban Water Management Plan (UWMP). Although the incremental increase in water demand under the Land Use Element/Zoning Code Amendments would not exceed UWMP's 2030 projections and would be less than significant, because the water demand under the No Project Alternative would be incrementally less, the No Project Alternative would have less impact on water supply than under the Project.

### **b. Wastewater**

#### **(1) Infrastructure**

The No Project Alternative would not result in greater hotel and residential densities or incremental population gain in commercial areas over current projections. The Land Use Element/Zoning Code Amendments have the potential to generate an increase of approximately 1,978 people using proposed buildout methodology. The projected increase under the Project would be concentrated in the Town's

commercially-designated properties in the vicinity of Main Street and Old Mammoth Road. This increase has the potential to exceed the capacity of the existing lines serving the Town's commercial districts or to adversely impact any downstream sewer line capacities or deficiencies. Under the Land Use Element/Zoning Code Amendments, impacts to sewer lines would be addressed by the Sanitary Sewer Code, under which no building permits would be issued for uses that would exceed the capacity of specific sewer lines, and through Mitigation Measure WW-1, which requires the applicant for any building permit to install improvements that would comply with Division VII of the Sewer Code. As such, impacts to sewer lines would be less than significant. However, because the No Project Alternative would not result in population concentrations in the Main Street and Old Mammoth Road commercial districts, it would have no incremental or unanticipated affect on existing lines. Therefore, impacts to sewer lines would be less under the No Project Alternative.

## **(2) Wastewater Treatment**

The No Project Alternative would not result in the incremental population increase of approximately 1,978 people that could occur with the proposed Land Use Element/Zoning Code Amendments. Under the No Project Alternative, the UWMP's projected wastewater treatment demand at buildout of 2,330 AFY would not change. The proposed Land Use Element/Zoning Code Amendments would incrementally increase wastewater treatment to approximately 2,517 AFY, which would be less than the MCWD's estimated treatment capacity of 5,488 AFY or 4.9 mgd. As such, MCWD's waste treatment facilities have sufficient capacity to accommodate the estimated growth under the proposed Land Use Element/Zoning Code Amendments. In addition, the MCWD has the authority to disallow development under the Sanitary Sewer Ordinance if capacity is not available. Although the Land Use Element/Zoning Code Amendments would have a less than significant wastewater impact, because the No Project Alternative would not result in incremental population increase over the anticipated current General Plan buildout, it would have less impact with respect to wastewater treatment than under the Project.

### **c. Stormwater**

The No Project Alternative would not impede development in the commercial districts and under this alternative there is the potential that vacant parcels would be developed with building foundations, driveways, and other paved surfaces in the commercial districts. The Town's drainage systems were identified in the 2015 Stormwater Management Plan (SMP) as potentially deficient, and any development has the potential to affect stormwater facilities. As under the Land Use Element/Zoning Code Amendments, the No Project Alternative would reduce stormwater impacts through drainage impact fees, design measures such as landscaped buffers and infiltration devices. Unlike the Project it would not implement Mitigation Measure MM STRM-1, which would require the determination of peak surface runoff for all private projects and implementation of suitable infiltration devices. Because the No Project Alternative would not implement MM STRM-1, it would potentially have a greater impact on stormwater facilities than would occur under the Project. However, impacts would be less than significant under both the No Project Alternative and the Land Use Element/Zoning Code Amendments. The Project's Mobility Element Update also has the potential to increase surface runoff and increase flow into the Town's storm drain system. New road construction would require consistency with the Department of Public Works' Standards and all new public streets, sidewalks, and trails projects must provide drainage facilities. Mitigation measures for the Trails System Master Plan and the Town's Standards for public works projects would reduce potential adverse impacts of the Mobility Element Update on the Town's existing drainage system to a less than significant level. However, under the No Project Alternative, it is assumed that new street extensions would not be developed and, as such, effects on stormwater collection systems would be less than under the Mobility Element Update.

#### **d. Solid Waste**

The No Project Alternative would not generate an incremental increase in solid waste that is, otherwise, expected under the Project. Compared to the Project, the No Project Alternative represents a reduction of approximately 2,387 tons of additional solid waste per year that could occur under the Land Use Element/Zoning Code Amendments. The current landfill, Benton Crossing Landfill, is scheduled for closure. However, the County is exploring options and anticipates future alternative sites. In addition, with increasing diversion techniques to reduce the waste stream and the conclusion of the County General Plan Update that determined that impacts on solid waste facilities would be less than significant, it is expected that the Project would have a less than significant impact relative to solid waste facilities. In addition, the Town will continue to operate waste collection and recycling to increase the statewide recycling rates to 75 percent by 2020. Although the Project would result in an increase in population in the Town's commercial districts, it would be consistent with applicable federal, state and local policies and regulations regarding solid waste and the geographic concentration of population could allow the efforts to increase diversion that are put into place to be more successful. Impacts under both the Project and the No Project Alternative would be less than significant. However, because the No Project Alternative would not generate a population increase over the projected General Plan buildout, it would have less impact than the Project with regard to solid waste disposal and applicable statutes and regulations related to solid waste.

### **C. RELATIONSHIP OF THE ALTERNATIVE TO PROJECT OBJECTIVES**

With the exception of the intersections of Main Street/Mountain Boulevard and Old Mammoth Road/Minaret Road/Fairway Drive, the No Project Alternative would avoid the Project's potentially significant LOS impacts. Although LOS impacts would be mitigated to less than significant levels, as with the Project, the LOS impact at Main Street and Mountain Boulevard would be potentially significant and unavoidable unless signalization of the intersection is approved by Caltrans. The No Project Alternative would incrementally reduce but not avoid the Project's significant and unavoidable air quality impacts and significant and unavoidable impacts with respect to parks and recreational facilities. Under the No Project Alternative, impacts associated with forestry resources, biological resources, cultural resources, noise, fire services, police services, schools, water supply, wastewater, stormwater, and solid waste would be less than under the Project. However, because the No Project Alternative would not add to mixed-use development in the Town's pedestrian-oriented areas over the growth contemplated in the General Plan buildout, it would contribute less concentrated activity, walkability, and less vibrancy to the street fronts. Therefore, it is considered to have greater visual character and land use impacts than under the Project. While the Reduced Intensity Alternative would result in less overall impact than the Project, it would not meet the Project's primary objectives. It would not provide for the Land Use Element/Zoning Code Amendment to achieve flexibility in the commercial districts through the removal of the unit/room cap. The No Project Alternative would not increase density or create a vibrant and walkable downtown area to the same extent as the Project. The No Project Alternative would not amend the Land Use Element policy and text associated with regulating population growth from a PAOT approach to an impact assessment based approach consistent with Town Council direction in 2009; delete the CBIZ and modify TDR policies and, as such, would not meet the Town's objective to streamline the planning process to encourage economic development. Because the No Project Alternative would not adopt the Mobility Element Update, it would not meet the objective to create a downtown area in which people park their vehicles once and walk throughout the area thereby reducing congestion and vehicle miles traveled to the same extent as the Project.

## F. ALTERNATIVES ANALYSIS

### 2. ALTERNATIVE 2: REDUCED INTENSITY ALTERNATIVE

---

#### A. DESCRIPTION OF THE REDUCED INTENSITY ALTERNATIVE

Under Alternative 2, Reduced Intensity Alternative, the Land Use Element/Zoning Code Amendments would result in a maximum 1.5 FAR in the commercially designated districts and the Mobility Element Update would be implemented. **Table 5-2, *Reduced Intensity Alternative - Summary of Proposed Land Use Changes within the Commercial Designations***, summarizes the changes that could occur from the proposed change within commercially designated areas with a 1.5 FAR and the removal of the cap in rooms per acre development standards.

**Table 5-3, *Reduced Intensity Alternative - Reduction in Uses Compared to the Project***, summarizes the reduction in residential units, lodging, and commercial square footage under the Reduced Intensity Alternatives compared to the Project.

The Reduced Intensity Alternative would result in incrementally less development than would occur under the Project. As can be seen in Table 5-3, under the Reduced Intensity Alternative, the 1.5 FAR would result in 222 residential units, which represents a reduction of approximately 114 units compared to the Project. The number of rooms that could be developed under the Reduced Intensity Alternative would be up to 213 rooms or up to 254 fewer rooms compared with the Project. The amount of commercial square footage that would be occupied by retail, service, and office uses would be 127,346 square feet or about 25,187 square feet less than under the Project. The Mobility Element Update would contain all the proposed components, including the reconfiguration of Main Street. The purpose of the Reduced Intensity Alternative is to reduce the Project's impacts associated with population increase, including significant traffic and air emissions impacts and less than significant impacts associated with public services, and utilities.

#### B. ENVIRONMENTAL IMPACTS

##### 1. Aesthetics/Visual Resources

###### a. Scenic Vistas and Resources

Under the Reduced Intensity Alternative, as with the Project, maximum building heights set forth under the Zoning Code Update, which limit buildings in the D zone to a maximum of 55 feet, in the OMR zone to a maximum height of 45 feet, and buildings in the MLR zone to a maximum height of 45 feet for lots with less than 10 percent slope and 55 feet for lots with slopes 10 percent or greater, would be maintained. Under the Land Use Element/Zoning Code Amendments, view impacts were identified as less than significant because building heights and envelopes would be the same as under existing Code requirements. As with the Land Use Element/Zoning Code Amendments, the Reduced Intensity Alternative would not result in new blockage of ridgelines or conflict with General Plan standards that maintain panoramic views of the Sherwin Ridge or Mammoth Rock.

Table 5-2

**Reduced Intensity Alternative  
Summary of Proposed Land Use Changes within the Commercial Designations**

	Residential Units	Lodging Units	Commercial Floor Area
Existing	757 units <sup>a</sup>	537 rooms <sup>b</sup>	1,046,978 square feet <sup>c</sup>
Proposed 1.5 FAR Net Increase	+265 units <sup>d</sup>	+666 rooms <sup>e</sup>	+206,190 square feet <sup>f</sup>
Projected Buildout with 1.5 FAR (Existing + 1.5 FAR Buildout)	1,022 units	1,203 rooms	1,253,168 square feet
Current Regulations Net Increase	43 units <sup>g</sup>	453 to 977 rooms <sup>h</sup>	78,844 square feet <sup>i</sup>
Projected Buildout Under Current Regulations (Existing + Current Regulations Buildout)	800 units	990 to 1,514 rooms	1,235,822 square feet
<b>Net Change (Buildout with 1.5 FAR – Buildout Under Current Regulations)</b>	<b>+222 units</b>	<b>+213 room to -311 rooms</b>	<b>+127,346 square feet</b>

<sup>a</sup> Residential units – Includes condos, apartments, etc. This category includes all projects that were built according to the 12 units/acre requirement.

<sup>b</sup> Lodging units – Includes hotels, motels, B & Bs, etc. This category does not include homes or condos that are used transiently or as second homes. Every room or unit is counted as a whole unit.

<sup>c</sup> Commercial Square Feet – Includes square footage in a structure used for any “commercial” purpose, including retail, office, and service. “Commercial” is any use that is not Residential or Lodging. This category includes for example, post office, day care, churches, and storage.

<sup>d</sup> This is a net number which is the projected units minus existing units (322 projected units – 74 existing units = 248 net residential units). In addition, this includes the 17 residential units that could be developed as a result of the additional developable land from the vacation of the Main Street frontage road (248 net units + 17 units = 265 units).

<sup>e</sup> This is a net number which is the projected rooms minus existing rooms (707 projected rooms – 71 existing rooms = 636 net rooms). In addition, this includes the 30 rooms that could occur as a result of the additional developable land from the vacation of the Main Street frontage road (636 net rooms + 30 rooms = 666 rooms).

<sup>f</sup> This is a net number which is the projected square footage minus existing square footage (355,206 square feet – 170,734 square feet = 184,472 square feet). (This assumes that the existing square footage on parcels that would intensify would remain.) In addition, this includes 21,718 square feet that could occur as a result of the additional developable land from the vacation of the Main Street frontage road (183,472 net square feet + 21,718 square feet = 206,190 square feet).

<sup>g</sup> This is a net number which is the projected units under current regulations (12 units/acre) minus existing units (117 projected units – 74 existing units = 43 net units).

<sup>h</sup> This is a net number which is the projected rooms under current regulations (80 rooms/acre) minus existing rooms (524 to 1,048 projected rooms – 71 existing rooms = 453 to 977 net rooms).

<sup>i</sup> This assumes 0.25 FAR on vacant parcels that are considered for mixed use (7.24 acres, as remaining 1.01 acres are assumed to develop with residential use only). In addition, this assumes the existing non-residential square footage would be replaced at the same intensity as existing and assumes no increase of commercial square footage on parcels identified for intensification under the Reduced Intensity Alternative.

Source: Town of Mammoth Lakes and ESA PCR, 2016

As with the Project, the Reduced Intensity Alternative would implement the Main Street Plan through the Mobility Element Update and, as such, has the potential to narrow Main Street from approximately 200 feet to 130 feet. Although panoramic views of Mammoth Mountain from the Main Street corridor would be incrementally narrower, view impacts, as under the Project, would be less than significant since public views would remain. However, the 1.5 FAR, Reduced Intensity Alternative has the potential to result in lower structures, or buildings developed to the height maximum with more open space within the parcel compared with the Project. As such, this Alternative has the potential to maintain broader views over the developed

Table 5-3

## Reduced Intensity Alternative Reduction in Uses Compared to the Project

Use	Land Use Element/Zoning Code Amendments (2.0 FAR)	Reduced Intensity Alternative (1.5 FAR)	Unit Difference	Percentage Difference
Residential Units	336 units	222 units	-114 units	33.9% reduction
Lodging (Rooms)	467 units	213 units	-254 rooms	54.4% reduction
Commercial Square Footage	152,533 square feet	127,346 square feet	-25,187 square feet	16.5% reduction

Source: ESA PCR, 2016

area than under the Project. Potentially, therefore, the Reduced Intensity Alternative would have incrementally less impact on scenic vistas than under the Project.

### b. Visual Character and Quality

As with the Project, the Reduced Intensity Alternative would remove the existing unit cap, create more development flexibility and, potentially, engender more building development, than under the adopted General Plan buildout. In addition to the construction of buildings, construction activity would include the removal of the frontage road along Main Street, installation of new landscaping, street crossing improvements, on-street bike lanes, trails, and the provision of amenities as funding becomes available. As with the Project, if greater construction activity occurs, future construction activities could require excavation and the use of heavy machinery, hauling, temporary stockpiling, and possible scrubbing and clearing of vegetation. These activities could cause temporary degradation of visual quality. Visual impacts could also be exacerbated if several projects were to be under construction concurrently. As with the Project, these short-term impacts would be mitigated to a less than significant level. Allowed building envelopes would be the same under both the Reduced Intensity Alternative and the Project and, as such, construction visual impacts would be similar.

As with the Project, the Reduced Intensity Alternative would not change existing development standards, policies or design standards of the Zoning Code Update, such as the provision for the placement of buildings as close to the street as possible, with parking underground, behind a building, or on the interior side or rear of the site (Sec. 17.24.030.E); improvements to property frontage to provide a wider public sidewalk and space for landscaping, public art, and/or pedestrian amenities such as outdoor seating (Sec. 17.24.030); design of building entrances to emphasize special architectural, roof lines or landscape treatments (Sec. 17.24.040.B); and required transparency and openings along the sidewalk for commercial buildings (Section 17.24.040.C) and, as such, would not lose these aesthetic benefits.

The Reduced Intensity Alternative, however, would result in approximately 16 percent less commercial floor area, approximately 34 percent fewer residential units, and approximately 54 percent fewer hotel rooms; thereby, reducing mixed-use development within the Main Street and Old Mammoth Road commercial centers. Mixed-use lends to the vibrancy and activity of the street front associated with pedestrian activity and street front commercial uses. Because the Reduced Intensity Alternative would reduce mixed-use, it

could potentially reduce activity along the Town's commercial street fronts compared to the Project and, as such, is considered to have less aesthetic benefit than the Project. As with the Project, visual character and quality impacts would be less than significant; however, because the Reduced Intensity Alternative would contribute less to the mixed-use activity and vibrancy of the street front, it is considered to have a greater visual character impact than under the Project.

### **c. Light and Glare**

Under the Reduced Intensity Alternative, the Town of Mammoth Lakes Outdoor Lighting Ordinance, which regulates nighttime lighting, would be enforced as under existing conditions. New street lighting associated with implementation of the Mobility Element Update would be the same as under the Project; however, commercial development would be approximately 16.5 percent less. This could result in a small decrease in commercial signage compared to the Project. Any new development under the Land Use Element/Zoning Code Amendments and Mobility Element Update would also be subject to the Outdoor Lighting Ordinance and, as with the Project, would have a less than significant impact with respect to light and glare. However, because the Reduced Intensity Alternative would not entail the same extent of development along the Main Street and Old Mammoth Road street fronts, it would have incrementally less light and glare impact than the Project.

### **d. Shade/Shadow**

Under the Reduced Intensity Alternative, as with the implementation of the Land Use Element/Zoning Code Amendments, Zoning Code Update development standards such as height, setbacks, parking requirements, and lot coverage would not change. As with the Project, implementation of the Mobility Element Update would result in a reduction in the right-of-way width along Main Street, allowing for future buildings to be located approximately 35 feet closer to Main Street than under existing conditions. Under the Mobility Element Update, buildings at the new property line along Main Street would increase the amount and duration of shadows along Main Street, which would potentially contribute ice buildup. This impact would be mitigated to a less than significant level under the Project and the Reduced Intensity Alternative. Because new development would occur within the same building envelope (building heights) as under the Project, impacts with respect to shade/shadow would be similar.

## **2. Air Quality**

The Reduced Intensity Alternative would result in more intensive buildout than General Plan buildout with the Mobility Element Update (Scenario 4 of the Traffic Study) and less intensive buildout than the Land Use Element/Zoning Code Amendments and the Land Use Element/Zoning Code Amendments with Mobility Element Update (Scenarios 5 and 6, respectively, of the Traffic Study). As with the Project, construction and operation under the Reduced Intensity Alternative would result in potentially significant air quality impacts with regard to air quality, especially PM<sub>10</sub> and PM<sub>2.5</sub>. The air quality impacts would be greater than those of the Mobility Element Update and slightly less than those of the Land Use Element/Zoning Code Amendments and the Land Use Element/Zoning Code Amendments with Mobility Element Update. Although, implementation of the recommended mitigation measures would reduce air quality impacts, construction and operation impacts under the Reduced Intensity Alternative would still be significant and unavoidable similar to the Land Use Element/Zoning Code Amendments and the Land Use Element/Zoning Code Amendments with Mobility Element Update. The Reduced Intensity Alternative would have significant and

unavoidable impacts which are greater than the Mobility Element Update (without the Land Use Element/Zoning Code Amendments) impacts, which are less than significant.

Impacts related to localized CO concentrations and toxic air contaminants would be similar to the Project, and would remain less than significant. As with the Project, the Reduced Intensity Alternative would not conflict with any applicable air quality management plans and impacts would remain less than significant. The Reduced Intensity Alternative could potentially contribute substantially to an existing or projected air quality violation or result in a cumulatively considerable net increase of a criteria pollutant for which the project region is in non-attainment (i.e., PM<sub>10</sub>) under the State standards similar to the Land Use Element/Zoning Code Amendments and the Land Use Element/Zoning Code Amendments with Mobility Element Update resulting in significant and unavoidable impacts, but more than the Mobility Element Update which is less than significant.

### **3. Forestry Resources**

The reduction in intensity of development that would occur under the Reduced Intensity Alternative is applicable to the Town's commercial districts and would not affect forestry resources. As with the Project, the Reduced Intensity Alternative would implement the Mobility Element Update and the MUPs would extend into forested areas along the Mammoth Scenic Loop, multiple paths in the Shady Rest Park area, and around Lake Mary. Because these areas are heavily forested, the development of trails and the roads would result in the removal of forest trees. The final design for the proposed MUPs would comply with TSMM 4.A-3.B, which requires that healthy, native trees would be circumvented or avoided through the design of trail alignments to the extent feasible. As with the Project, implementation of the Mobility Element Update under the Reduced Intensity Alternative would also affect forestry resources on the north of Main Street. Similar mitigation measures that require circumventing or avoiding healthy, native trees through the design of roadway alignments in this area would be implemented under both the Reduced Intensity Alternative and the Project. With mitigation, the impact of the Reduced Intensity Alternative on forestry resources would be less than significant and similar to that of the Project.

### **4. Biological Resources**

Under the Reduced Intensity Alternative, the Mobility Element Update would be adopted and the same affected vacant land in the Town's commercial areas would be developed. Overall development intensity, however, would be incrementally less. As under the Project, buildout of vacant parcels and construction of road improvements and MUPs may affect wetlands and/or other jurisdictional features through potential dredging and filling activities. As with the Project, construction and maintenance activities elements are proposed within habitats that could support several special-status plant and wildlife species. In such cases, the loss of wetlands and/or other jurisdictional features or habitat and individuals of special-status species as well as migratory birds would be considered potentially significant. Compliance with mitigation measures and applicable policies in the General Plan would reduce impacts to wetlands, habitat, special-status plant and wildlife species and migratory birds to a less than significant level. With mitigation, the effect of the Reduced Intensity Alternative on biological resources would be similar to that of the Project and, as with the Project, biological resources impacts would be reduced to a less than significant level.

## 5. Cultural Resources

Buildings considered to be potential historical resources are located within the Land Use Element/ Zoning Code Amendments project area and several known historic resources have been recorded within or in the immediate vicinity of the Mobility Element Update area. It is possible that additional historic resources are present within the Project Areas that have yet to be evaluated for eligibility for listing in the local, State, and/or federal registers. In addition, 86 archaeological or historical resources are located within or in the immediate vicinity of the Mobility Element Update project area while six resources are located within or in the immediate vicinity of the Land Use Element/Zoning Code Amendments project area. Components of the Project that include excavations into native soils or sediments would have the potential to impact these resources or additional archaeological resources within the Project Area that have yet to be discovered. Under the Project, the implementation of the TSMP and General Plan mitigation measures applicable to cultural resources would reduce potential impacts to less than significant levels. The Reduced Intensity Alternative would apply to the same development areas as under the Project and would result in the same potentially significant impacts on cultural resources. As with the Project, impacts under the Reduced Intensity Alternative would be reduced to less than significant levels through the implementation of TSMP and General Plan mitigation measures. Therefore, impacts under both the Project and the Reduced Intensity Alternative would be similar and less than significant.

## 6. Greenhouse Gas Emissions GHG

The Reduced Intensity Alternative would result in more intensive buildout than the adopted General Plan but less than the Land Use Element/Zoning Code Amendments would allow. Construction and operation under the Reduced Intensity Alternative would result in less than significant GHG emissions similar to those of the Project. The Reduced Intensity Alternative would not generate GHG emissions, either directly or indirectly, that would result in a significant impact on the environment similar to the Project. The Reduced Intensity Alternative would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions similar to the Project. As with the Project, GHG impacts would remain less than significant with the Reduced Intensity Alternative.

## 7. Land Use

The Reduced Intensity Alternative would not conflict with applicable objectives of the Land Use Element of the General Plan, and Title 17 of the Zoning Code, or other Town plans and policies. As with the Project, the Reduced Intensity Alternative would include the Mobility Element Update and removal of the unit and room cap. As with the Project, the Reduced Intensity Alternative would implement objectives of the General Plan's Land Use Element to enhance livability of districts for walking through the arrangement of land uses and development intensities (Goal L.3), to develop vital retail centers and streets (Policy L.3.B), and to provide an overall balance of uses, facilities, and services to further the town's role as a destination resort community (Goal L.5). However, the Reduced Intensity Alternative would allow up to 1.5 FAR, compared to 2.0 FAR under the Project, and would not result in the same development intensity as under the Project. As such, it would not meet Goal L.3 that encourages development intensities in certain pedestrian areas, to the same extent as the Project.

The Reduced Intensity Alternative would implement the goals of the current General Plan Mobility Element to develop and implement town-wide way-finding; to improve the regional transportation system; to emphasize feet first, public transportation second, and car last in planning the community transportation

system while still meeting Level of Service standards; to encourage feet first by providing a linked year-round recreational and commuter trail system that is safe and comprehensive; to provide a year-round local public transit system that is convenient and efficient; to encourage alternative transportation and improve pedestrian mobility by developing a comprehensive parking management strategy; to maintain and improve safe and efficient movement of people, traffic, and goods in a manner consistent with the feet first initiative; or to enhance small town community character through the design of the transportation system to the same extent as the proposed Mobility Element Update.

In addition, the Reduced Intensity Alternative would meet the objectives of AB 1358, which requires that municipalities focus on crafting a specific network of travel options through the adoption of General Plan circulation element that reflects land use patterns that increasingly support a multimodal transportation network. The Reduced Intensity Alternative would also be consistent with AB 743, which supports densification and multi-modal activity to reduce vehicle miles.

Because the Reduced Intensity Alternative would implement the goals of the General Plan and comply with AB 1358 to adopt a circulation element that addresses specific complete street improvements and land use supporting multi-modal transportation, and AB 743 to encourage increased residential development in proximity to services and employment (mixed use) and multi-modal transportation to reduce vehicle miles, as with the Project, the Reduced Intensity Alternative would not have a significant land use impact with respect to adopted plans and policies. However, because it would not allow for as much mixed-use as the Project, it would have less land use benefit in meeting the objectives of the General Plan and AB 743.

## 8. Noise

Under the Reduced Intensity Alternative, construction-related noise impacts would be slightly less than those of the Land Use Element/Zoning Code Amendments and the Land Use Element/Zoning Code Amendments with Mobility Element Update given the less intensive buildout. Nonetheless, as with the Project, construction under the Reduced Intensity Alternative would result in less than significant noise impacts with implementation of mitigation measures. Operational noise impacts under the Reduced Intensity Alternative would also be slightly less than those of the Land Use Element/Zoning Code Amendments and the Land Use Element/Zoning Code Amendments with Mobility Element Update given the less intensive buildout and slightly reduced traffic levels. Similar to the Project, operation of the Reduced Intensity Alternative would result in less than significant impacts with the implementation of mitigation measures. The Reduced Intensity Alternative would result in slightly less groundborne vibration and groundborne noise impacts than the Project given the less intensive buildout, and like the Project, impacts would be less than significant and no mitigation would be required.

## 9. Population/Housing

### a. Population

As shown in **Table 5-4, *Increment of Potential Population Increase for Alternative 2 Calculated Using PAOT and Proposed Methodology***, the Reduced Intensity Alternative would result in an incremental population increase of 1,053 people over the projected General Plan Buildout using PAOT methodology and a population increase of 1,145 people using the proposed methodology. In comparison, the Land Use Element/Zoning Code Amendments are estimated to generate a net population increase of 1,877 (calculated according to PAOT methodology) or 1,978 (calculated under the proposed buildout methodology) over the General Plan

Table 5-4

**Increment of Potential Population Increase for Alternative 2  
Calculated Using PAOT and Proposed Methodology**

	Amount	Units	Factor	Potential Increase in Population Capacity
<b>PAOT Methodology:</b>				
Residential Units <sup>a</sup>				
Permanent	167	Units	2.4 <sup>b</sup>	401
Transient	56 <sup>c</sup>	Units	4	224
Hotel	107 <sup>d</sup>	Rooms	4	<u>428</u>
<b>Total</b>	<b>330</b>			<b>1,053</b>
<b>Proposed Methodology:</b>				
Combined Residential, Transient, and Hotel Units	330	Total Units	3.47 <sup>e</sup>	1,145

<sup>a</sup> For purposes of this analysis an assumption of 75 percent permanent and 25 percent transient was used for the multi-family residential units based on the proportions by Traffic Analysis Zone (TAZ) in the Traffic Model.

<sup>b</sup> A factor of 2.4 was used based on the rate used in the 2007 General Plan.

<sup>c</sup> Transient units are estimated to be approximately 25% of the net increase of 222 permanent residential units.

<sup>d</sup> The 107 hotel units represents 213 hotel rooms. Consistent with Zoning Code Section. 17.32.110.C.7, hotel rooms, studios and 1-bedroom units are considered one-half of a unit for calculating density.

<sup>e</sup> The household population estimate of 3.47 per unit is consistent with population assumptions used in the 2007 General Plan.

Source: ESA PCR Services Corporation, 2016

Buildout. Compared to the Project, the Reduced Intensity Alternative represents a reduction in incremental population growth of approximately 44 percent (PAOT methodology) and 42 percent (proposed buildout methodology). As concluded in Section 4.9, Population and Housing, of this EIR, the estimated maximum buildout over the time period addressed within the General Plan would be sufficient to accommodate projected growth under the Land Use Element/Zoning Code Amendments. As such, the Project is considered to have a less than significant impact with respect to population. The Reduced Intensity Alternative would generate a population increase that is less than under the Project and, as such, this Alternative would have less impact relative to the General Plan's population objectives than under the Project.

### b. Housing

The Reduced Intensity Alternative would provide 222 housing units (including 56 transient units) compared with an estimated 336 residential units under the Project. As such, Alternative 2 would also be consistent with the objectives of the Housing Element. Impacts relative to the Town's housing goals would be less than significant under both the Project and the Reduced Intensity Alternative. However, because of the reduction in net increase, the Reduced Intensity Alternative would have relatively less impact than under the Project.

## **10. Public Services**

### **a. Fire Protection**

The Reduced Intensity Alternative would incrementally increase population over current projections and would potentially impact service ratios related to fire services. The Reduced Intensity Alternative anticipates approximately 33.9 percent less growth in residential units and 54.4 percent less growth in hotel rooms and visitors than under the Project. Projected population under the Reduced Intensity Alternative (1,145) would be approximately 42 percent less than under the Project (1,978). As with the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update, the Reduced Intensity Alternative would improve multimodal access and emergency access. It would also include the vacation of frontage roads and the reconfiguration of Main Street to a four-lane cross-section with a center median and turn pockets. As under the Project, the Reduced Intensity Alternative would include construction associated with street improvements; thus causing potential lane closures or other access issues during construction that could affect emergency response times. As with the Project, long-term emergency response effects would be improved under the Mobility Element Update. The Reduced Intensity Alternative would have less impact than the Project with respect to fire protection services.

### **b. Police Protection**

The Reduced Intensity Alternative would result in increased hotel and residential densities compared to current projections, thereby resulting in greater demands for police services. As discussed in Section 4.10.2, Police Services, of this EIR, the Town recently approved funding and the construction of a new police facility with a planned completion date of December 2017 and Development Impact Fees (DIFs) would ensure that potential impacts to police protection services would be reduced. These would also apply to the Reduced Intensity Alternative which, as with the Project, would result in less than significant impacts to police services. Given the reduction in development that would occur under the Reduced Intensity Alternative relative to the Project and the resulting population increase, the Reduced Intensity Alternative would have less impact than the Project with respect to police services.

### **c. Schools**

As with the Project, the Reduced Intensity Alternative would accommodate greater residential densities within the Main Street and Old Mammoth Road neighborhoods than under existing projections. While the Land Use Element/Zoning Code Amendments could result in an additional 136 new students, the Reduced Intensity Alternative would have approximately 33.9 fewer residential units than under the Project and the projected student growth compared to the Project would be approximately 90 students more than the existing projections. However, as with the Project, the payment of development impact fees applicable at a building permit application would reduce the impacts on schools to a less than significant level. Therefore, as with the Project, impacts to schools would be less than significant. However, because the Reduced Intensity Alternative would reduce residential units compared to the Project, it would have less impact than the Project with respect to schools.

### **d. Parks and Recreation**

As with the proposed Land Use Element/General Plan Amendments, the Reduced Intensity Alternative would not provide for new parkland in the Town's commercial districts. The current PRMP reflects the General Plan's objectives to develop more park and recreational facilities to serve the Town, which does not

meet its standard of 5 acres of local parks or 2.5 acres of regional parks per 1,000 people. The Reduced Intensity Alternative has the potential to incrementally increase the General Plan buildout population by 1,477 and, as with the Project, the Reduced Intensity Alternative would increase demand for existing neighborhood/regional parks and other recreational facilities, or result in the expansion of new recreational facilities. Although DIF, taxes and other funding mechanisms applicable to new development would reduce the impact of the Reduced Intensity Alternative on parks and recreational facilities, because the Town is currently below the LOS goal of 5 acres of parks per 1,000 residents for developed parkland, and the Reduced Intensity Alternative would further increase demand for parks and recreational facilities and exacerbate impacts to parks and recreational facilities, impacts to parks and recreation facilities are considered significant and unavoidable. However, because anticipated population gain under the Reduced Intensity Alternative (1,145) is incrementally less than under the Project (1,978), the significant and unavoidable impact would be less than under the Project.

## 11. Transportation and Traffic

The Reduced Intensity Alternative would generate incrementally fewer trips than the Project. As shown in **Table 5-5, Significant LOS Impacts - Comparison of the Reduced Intensity Alternative to the Project**, the Reduced Intensity Alternative would have the effect of reducing LOS impacts at the intersections of Old Mammoth Road/Sierra Nevada Road to a likely significant impact and at Old Mammoth Road/Minaret Road/Fairway Drive to a possible significant impact. The comparison in Table 5-5 indicates a greater relative reduction in LOS impacts at the Old Mammoth Road/Sierra Nevada Road intersection and the Main Street/Laurel Mountain Road compared to the Project. However, the incremental reduction is not substantial enough to reduce impacts at any of the intersections to a less than significant level. Although mitigation measures (signals) would reduce impacts to less than significant levels, signals on Main Street must be approved by Caltrans. As such, impacts on Main Street intersections would be significant and unavoidable. Although impacts would remain significant and unavoidable for Main Street intersections under the Reduced Intensity Alternative, because the Reduced Intensity Alternative would incrementally reduce traffic and LOS at two of the impacted intersections, it would have less traffic impact than under the Project.

**Table 5-5**

**Comparison of the Project (Scenario 6) to the Reduced Intensity Alternative  
Significant LOS Impacts**

<b>No.</b>	<b>Impacted Intersection</b>	<b>Project (Scenario 6)</b>	<b>Reduced Intensity Alternative</b>
3	Main Street/Mountain Boulevard	X	X
4	Main Street/Post Office	X	X
6	Main Street/Forest Trail	X	X
7	Main Street/Laurel Mountain Road	X	Likely significant impact
12	Old Mammoth Road/Sierra Nevada Road	X	Possible significant impact
19	Old Mammoth Road/Minaret Road/Fairway Drive	X	X

Source: LSC Transportation Consultants, 2016.

As with the Project, the Reduced Intensity Alternative would be consistent with AB 1358, which requires municipalities to craft a specific network of travel options through an adopted General Plan circulation element. Under AB 1358, the circulation element must reflect land use patterns that further support the effectiveness of a multimodal transportation network. The Reduced Intensity Alternative would be consistent with AB 743, which is intended to support residential/mixed-use densification for the purpose of inducing greater pedestrian and other multi-modal activity and, thus, reduce vehicle miles travelled. However, because the Reduced Intensity Alternative would not generate densification within the Town's commercial areas to the same extent as the Project, it would be considered to have a greater impact with regard to the adopted State guidelines than the Project. As with the Project, impacts with respect to State transportation guidelines would be less than significant.

## 12. Utilities

### a. Water

#### (1) Infrastructure

As with the Project, the Reduced Intensity Alternative could result in incremental growth in the Town's commercial districts over that considered under the General Plan buildout. As with the Project, the Alternative would impact the capacity of water mains within and beyond the Town's commercial districts. The Water Code requires adequate delivery systems and the payment of development fees, which would support necessary new or upgraded water mains and other water infrastructure. It is expected that any necessary upgraded water mains would be site-specific or related to specific development projects. The site-specific scope of construction and the required review and approval of all water main construction projects by the MCWD would ensure that appropriate construction practices would be followed and that the construction of site-specific water mains and connections would not result in significant environmental impacts. As with the Project, it is not expected that any currently unplanned water treatment systems would be required as a result of the Reduced Intensity Alternative. The MCWD's projected water treatment capacity is consistent with buildout demand and, although existing treatment facilities and water mains may need to be upgraded through time, as with the Project, the Reduced Intensity Alternative would not require extensive construction of new lines or treatment plant in areas that are not currently served. As such, large scale or disruptive construction projects beyond regular maintenance are not anticipated. As with the Project, environmental impacts associated with construction of new delivery and treatment systems would be less than significant. However, because the Reduced Intensity Alternative would result in less concentrated growth than under the Project, impacts to water delivery lines and treatment systems are anticipated to be less.

#### (2) Water Supply

**Table 5-6, *Water Demand - Comparison of the Reduced Intensity Alternative to the Project***, compares the total water demand of the Project to the Reduced Intensity Alternative. Table 5-6 represents the Project and the Reduced Intensity Alternative as incremental increases of the General Plan buildout. Based on extrapolated unit factors used by the MCWD to derive the UWMP's 2030 projections, Table 5-6 indicates that the Reduced Intensity Alternative would reduce total projected demand from 4,302 AFY under the Project to 4,259 under the Reduced Intensity Alternative. The Reduced Intensity Alternative, as with the Project, would not exceed the cap of 4,387 AFY, which is the MCWD's existing maximum entitlement.

Table 5-6

## Water Demand – Comparison of the Reduced Intensity Alternative to the Project

Use	Project		Reduced Intensity Alternative	
	Units/Floor Area	AFY	Units/Floor Area	AFY
Single Family	2,771	640	2,771	640
Multifamily	8,959 + 252 <sup>a</sup> = 9,211	1,520	8,959 + 167 = 9,126	1,506
Motel/Hotel	5,982 + 467 <sup>b</sup> + 84 <sup>c</sup> = 6,533	497	5,982 + 213 + 56 = 6,251	475
Commercial	1,365,002 sq. ft. + 152,533 <sup>d</sup> = 1,517,535 sq. ft.	395	1,365,002 sq. ft. + 127,364 = 1,492,336 sq. ft.	388
Institutional	48	103	48	103
Irrigation (including golf courses)	41	718	41	718
Additional Water Uses and Losses		429		429
AFY Totals:		4,302		4,259

<sup>a</sup> Additional Multi-family units as a potential result of Land Use Element/Zoning Code Amendments as shown in Section 4.9, Table 4.9-5, of this Draft EIR. While the Town proposes a change from People At One Time (PAOT) and permanent/transient units, given the methodology used for water in the UWMP projected units resulting from the proposed Land Use Element/Zoning Code Amendments are broken out as permanent and transient in this table. As shown in Table 4.9-5, using the PAOT approach, 336 multifamily units could result with 252 permanent units and 84 transient units.

<sup>b</sup> Additional hotel rooms as a potential result of the Land Use Element/Zoning Code Amendments as shown in Section 4.9, Table 4.9-5, of this Draft EIR.

<sup>c</sup> Additional transient units as a potential result of the Land Use Element/Zoning Code Amendments as shown in Section 4.9, Table 4.9-5, of this Draft EIR. Please see note b above for a more detailed explanation regarding the methodology. Transient units are categorized as a hotel/motel use under the UWMP.

<sup>d</sup> Additional commercial floor area that could result from the proposed Land Use Element/Zoning Code Amendments as discussed in Chapter 2, Project Description and shown in Table 2-3 of this EIR.

Source: ESA PCR, 2016

In 2015, the MCWD experienced the most severe drought year in its history. Currently there is uncertainty about the amount and timing of aquifer recharge, including sustaining or reaching the maximum cap of 4,387 AFY. The incremental increase in the General Plan buildout under the Reduced Intensity Alternative, as with the Project, has the potential to exceed supply in times of extended drought. However, with the implementation of the General Plan Policy R.4.A and GPMM 4.11-1, which require the Town to work with MCWD to ensure that land use approvals are phased and that water supply sources are determined prior to development approvals, the Reduced Intensity Alternative, as with the Project, would not exceed water supplies. Impacts with respect to water supplies would, therefore, be less than significant under both the Project and the Reduced Intensity Alternative. However, because the Reduced Intensity Alternative would incrementally reduce demand compared to the Project, impacts with respect to water demand would be less.

## b. Wastewater

### (1) Infrastructure

The Reduced Intensity Alternative would incrementally reduce the Project's hotel and residential densities in the Town's commercial districts. Compared to the Project's population growth of approximately 1,978 over current General Plan buildout projections, the Reduced Intensity Alternative would generate an incremental population increase of approximately of 1,145 over General Plan estimates. Under both the Reduced

Intensity Alternative and the Project, increases would occur in the Town's commercial districts. Although any increase has the potential to exceed the capacity of the existing lines serving the Town's commercial districts or to adversely impact any downstream sewer line capacities or deficiencies, the Reduced Intensity Alternative would have incrementally less impact than under the Project. As with the Project, impacts to sewer lines would be addressed by the Sanitary Sewer Code, under which no building permits would be issued for uses that would exceed the capacity of specific sewer lines, and through Mitigation Measure WW-1, which requires the applicant for any building permit to install improvements that would comply with Division VII of the Sewer Code. Under both the Project and Reduced Alternative, impacts to wastewater infrastructure would be less than significant. However, because the Reduced Intensity Alternative would incrementally reduce the Project's population gain and demand on sewer lines serving the commercial areas, impacts to sewer lines would be less than under the Project.

## **(2) Wastewater Treatment**

The Reduced Intensity Alternative would result in less development and population increase than under the proposed Land Use Element/Zoning Code Amendments. The incremental population increase of 1,145 under the Reduced Intensity Alternative would generate approximately 95,035 gpd or approximately 105 AFY. Total demand for treatment would increase from the MCWD's projected 2,330 AFY (under the General Plan buildout) to 2,435 AFY. As with the Project, the Reduced Intensity Alternative, in combination with the General Plan buildout, would generate less wastewater than the MCWD's estimated treatment capacity of 4.9 mgd or approximately 5,488 AFY. Both the Reduced Intensity Alternative and the Project (which would increase total buildout demand to approximately 2,517 AFY) would have less than significant impacts with respect to wastewater treatment. However, because the Reduced Intensity Alternative would reduce total demand compared to the Project, it would have less impact with respect to wastewater treatment than the Project.

### **c. Stormwater**

Under the Reduced Intensity Alternative development of the Town's vacant parcels in the commercial districts would occur as with the Project. Any decrease in permeability associated with development of the Town's vacant lands resulting from development, such as building foundations, driveways, and other paved surfaces in the Main Street and Old Mammoth Road commercial districts would increase surface runoff that could affect the Town's existing drainage systems, which were identified in the 2015 Stormwater Management Plan (SMP) as potentially deficient. As with the Project, stormwater impacts under the Reduced Intensity Alternative would be reduced to a less than significant level through drainage impact fees, design measures such as landscaped buffers and infiltration devices, and MM STRM-1, which would require the determination of peak surface runoff for all private projects and implementation of suitable infiltration devices. However, the Reduced Intensity Alternative would generate incrementally less growth in the Town's commercially-zoned districts than anticipated under the Land Use Element/Zoning Code Amendments and, as such, would have less impact with respect to stormwater facilities. The Mobility Element Update under the Reduced Intensity Alternative also has the potential to increase surface runoff and increase flow into the Town's storm drain system. New road construction would require consistency with the Department of Public Works' Standards and all new public streets, sidewalks, and trails projects must provide drainage facilities. Mitigation measures for the Trails System Master Plan and the Town's Standards for public works projects would reduce potential adverse impacts of the Mobility Element Update on the Town's existing drainage system to a less than significant level. Impacts with respect to stormwater systems would be similar under both the Reduced Intensity Alternative and the Project.

#### **d. Solid Waste**

The Reduced Intensity Alternative would increase the estimated population growth under the General Plan buildout and reduce the estimated increase in population envisioned under the Land Use Element/Zoning Code Amendments and total solid waste demand. The incremental increase of 222 residential units, 213 lodging units, and approximately 345 employees (associated with 127,346 square feet of retail space) over the General Plan buildout under the Reduced Intensity Alternative would result in a net increase of approximately 1,480 tons of solid waste a year. The Project would result in a net increase of approximately 2,387 tons of solid waste per year over General Plan buildout. Any increase in solid waste demand has the potential to impact existing landfill facilities. The current landfill, Benton Crossing Landfill, is scheduled for closure. However, the County is planning for three future alternative sites or potential trucking to other exiting sites. In addition, with increasing diversion techniques to reduce the waste stream and the conclusion of the County General Plan Update that impacts on solid waste facilities would be less than significant, it is expected that the Project would have a less than significant impact relative to solid waste facilities. In addition, the Town will continue to operate waste collection and recycling to increase the statewide recycling rates to 75 percent by 2020. While both the Reduced Intensity Alternative and the Project would result in an increase in population in the Town's commercial districts, neither would conflict with applicable federal, state and local policies and regulations regarding solid waste and the geographic concentration of population, which could potentially increase recycling rates. Impacts with respect to solid waste facilities under both the Reduced Intensity Alternative and the Project would be less than significant. However, because the Reduced Intensity Alternative would generate an incrementally smaller increase in solid waste than the Project, impacts to solid waste facilities under this Alternative would be less than under the Project.

### **C. RELATIONSHIP OF THE ALTERNATIVE TO PROJECT OBJECTIVES**

The Reduced Intensity Alternative would reduce but not avoid the Project's significant and unavoidable LOS traffic impact on Main Street. As with the Project, a significant and unavoidable impact would occur if Caltrans does not agree to signals and other improvements that, otherwise, serve as mitigation for LOS traffic impacts on that street. The Reduced Intensity Alternative would incrementally reduce but not avoid the Project's significant and unavoidable air quality impacts and significant and unavoidable impacts with respect to parks and recreational facilities. Because the Reduced Intensity Alternative would result in incrementally less new development, impacts associated with noise, fire services, police services, schools, water supply, wastewater, and solid waste would be less than under the Project. Impacts related to stormwater facilities associated with new land coverage, as well as forestry, biological, and cultural resources would be similar to the Project. As with the Project, impacts associated with services and these resources would be less than significant, or mitigated to less than significant levels. Because the Reduced Intensity Alternative would incrementally reduce mixed-use development in the Town's pedestrian-oriented areas compared to the Project, it would contribute less mixed-use activity and create less vibrancy of the street fronts and, as such, it is considered to have greater visual character and land use impacts than under the Project. While the Reduced Intensity Alternative would incrementally reduce most of the Project's less than significant impacts, it would not meet the Project's primary objectives to the same degree. The Reduced Intensity Alternative would remove the unit cap, but result in less overall density. Therefore, the Reduced Density Alternative would not contribute to meeting the Town's objective to create a vibrant and walkable downtown area to the same extent as the Project. The Reduced Intensity Alternative has to potential to generate less development activity than the Land Use Element/Zoning Code Amendments and, as such, somewhat less potential for implementation of the Town's objectives. The Reduced Intensity Alternative

would meet the objectives of the Project to amend the Land Use Element policy and text associated with regulating population growth from a PAOT approach to an impacts assessment based approach. It would meet the Town's objectives to delete the CBIZ and modify TDR policies and, as such, would meet the Town's objective to streamline the planning process to encourage economic development. Because the Reduced Intensity Alternative would adopt the Mobility Element Update, as with the Project, it would meet the objective to create a downtown area in which people park their vehicles once and walk throughout the area thereby reducing congestion and vehicle miles traveled. In addition, because the Reduced Intensity Alternative would adopt the Mobility Element Update, it would meet the Town's objective to achieve a progressive and comprehensive multimodal transportation system that is connected, accessible, and safe.

## F. ALTERNATIVES ANALYSIS

### 3. ALTERNATIVE 3: MOBILITY ELEMENT UPDATE WITHOUT THE MAIN STREET RECONFIGURATION

#### A. DESCRIPTION OF THE ALTERNATIVE

Alternative 3, Mobility Update without the Main Street Reconfiguration, would include the Land Use Element/Zoning Code Amendments, in particular the removal of the unit and room cap and provision for a 2.0 FAR, as well as the components of the Mobility Element Update, with the exception of the Main Street Plan. The Main Street Plan would not be implemented, the existing frontage road along Main Street would not be vacated, and approximately 2.6 acres of land created by the vacation would not be available for future development. Without the street vacation, Alternative 3 would result in a reduction of potential future development of 23 residential units, 40 lodging units, and 28,957 square feet of commercial floor area within the vacated area, as estimated under the Project. Changes to the street front and streetscape anticipated under the Main Street Plan would also not occur. Without the vacation of the approximately 24-foot-wide frontage road and street-oriented parking, buildings along Main Street’s commercial stretch would remain in existing locations and would not be redeveloped along SR 203 and parking would not be moved to the back and sides of commercial or mixed-use buildings. Some portions of the Main Street Plan would be implemented, but it would be limited to certain improvements, including parallel parking, detached bicycle lanes, landscaped median, turning lanes, and sidewalks adjacent to building fronts. Other pedestrian enhancements, such as the Main Street Plan’s recommended additional streets and street-like private drives between Sierra Park Road and Manzanita Road, parallel to and in some cases interconnecting with Main Street, could be constructed. The vacation of the frontage road would not occur under Alternative 3. As such, **Table 5-7, Mobility Element Update Without the Main Street Reconfiguration Alternative (Alternative 3) - Reduction in Uses Compared to the Project**, shows the potential scope of development compared to the Project. Although overall development would be incrementally less than under the Project, overall intensity would be greater than under Alternative 2, the Reduced Intensity Alternative. As shown in Table 5-7, incremental reductions in commercial floor areas would be greater compared to the Project than residential and hotel room reductions.

Table 5-7

**Mobility Element Update Without the Main Street Plan Reconfiguration Alternative (Alternative 3)  
Reduction in Uses Compared to the Project**

Use	Land Use Element/Zoning Code Amendments (2.0 FAR)	Alternative 3	Unit Difference	Percentage Difference
Residential Units	336 units	313 units	-23 units	6.8% reduction
Lodging (Rooms)	467 units	427 units	-40 rooms	8.5% reduction
Commercial Square Footage	152,533 square feet	127,567 square feet	-28,957 square feet	18.9% reduction

Source: ESA PCR, 2016

## **B. ENVIRONMENTAL IMPACTS**

### **1. Aesthetics/Visual Resources**

#### **a. Scenic Vistas and Resources**

Under Alternative 3, as with the Project, maximum building heights set forth under the Zoning Code Update would be maintained. Under the Land Use Element/Zoning Code Amendments, view impacts were identified as less than significant because building heights and envelopes would be the same as under existing Code requirements. However, the Mobility Element Update, which has the potential to narrow Main Street from approximately 200 feet to 130 feet, while moving buildings closer to the street front under the existing Zoning Code Update, could have an impact on views through the narrowing of the Main Street view corridor. Panoramic views of Mammoth Mountain from the Main Street corridor would be incrementally narrower, although less than significant since public views would remain. Although the Project's impact on the view corridor would be less than significant, because Alternative 3 would not implement the Main Street Plan, the street corridor would not be narrowed and impacts relative to public views through the Main Street corridor would be avoided. Therefore, Alternative 3 would have less impact on scenic vistas than the Project.

#### **b. Visual Character and Quality**

Alternative 3, as with the Project, would entail more construction activity than under the projected General Plan buildout. Construction activities include the removal of the frontage road along Main Street, installation of new landscaping, street crossing improvements, and other improvements. Future construction activities could require excavation and the use of heavy machinery, hauling, temporary stockpiling, and possible scrubbing and clearing of vegetation. These activities could cause temporary degradation of visual quality. Under the Project, these short-term impacts would be mitigated to a less than significant level. However, because Alternative 3 would avoid short-term construction impacts associated with the realignment and landscaping of Main Street, it would have incrementally less visual quality impact with respect to short-term construction.

As with the Project, Alternative 3 would not change existing development standards, policies or design standards of the Zoning Code Update, such as provision for the placement of buildings as close to the street as possible, with parking underground, behind a building, or on the interior side or rear of the site (Sec. 17.24.030.E); improvements to property frontage to provide a wider public sidewalk and space for landscaping, public art, and/or pedestrian amenities such as outdoor seating (Sec. 17.24.030); design of building entrances to emphasize special architectural, roof lines or landscape treatments (Sec. 17.24.040.B); and required transparency and openings along the sidewalk for commercial buildings (Section 17.24.040.C) and, as such, would not lose these aesthetic benefits. Alternative 3, however, would not upgrade the appearance of Main Street through the realignment and implementation of design standards under the Main Street Plan. As such, because Alternative 3 would not contribute to the improved appearance of Main Street, it is considered to have greater long-term visual quality impact than the Project.

#### **c. Light and Glare**

Under Alternative 3, the Town of Mammoth Lakes Outdoor Lighting Ordinance, which regulates nighttime lighting, would be enforced as under existing conditions. New street lighting associated with implementation of the Mobility Element Update would be the same as under the Project; however, commercial development would be approximately 18.9 percent less along Main Street. This could result in a

decrease in commercial signage along Main Street compared to the Project. Any new development under the Land Use Element/Zoning Code Amendments and Mobility Element Update would also be subject to the Outdoor Lighting Ordinance and would have a less than significant impact with respect to light and glare. However, because the Reduced Intensity Alternative would not entail the same extent of development along Main Street, it would have incrementally less light and glare impact than under the Project.

#### **d. Shade/Shadow**

Under Alternative 3, as with the implementation of the Land Use Element/Zoning Code Amendments, Code development standards such as height, setbacks, parking requirements, and lot coverage would not change. Therefore, impacts related to shade are not anticipated under either Alternative 3 or the Project. However, implementation of the Main Street Plan under the Mobility Element Update would result in a reduction in the right-of-way width along Main Street, allowing for future buildings to be located approximately 35 feet closer to Main Street than under existing conditions. Therefore, under the Mobility Element Update, buildings at the new property line along Main Street would increase the amount and duration of shadows along the roadway. Because Alternative 3 would not create a narrower building corridor along Main Street it would potentially reduce the Project's shade/shadow impacts along Main Street. Although shading impacts would be less than significant under both the Project and Alternative 3, shading impacts would be less under Alternative 3.

## **2. Air Quality**

Alternative 3 would result in more intensive buildout than the Mobility Element Update alone, slightly less development compared with the Land Use Element/Zoning Code Amendments alone, and less development than the Land Use Element/Zoning Code Amendments with Mobility Element Update. Construction and operation under Alternative 3 would result in potentially significant air quality impacts with regard to air quality, especially PM<sub>10</sub> and PM<sub>2.5</sub>. The air quality impacts would be slightly greater than the Mobility Element Update and slightly less than the Land Use Element/Zoning Code Amendments with Mobility Element Update. Although implementation of the recommended mitigation measures would reduce air quality impacts, construction and operation impacts under Alternative 3 would still be significant and unavoidable similar to the Land Use Element/Zoning Code Amendments and the Land Use Element/Zoning Code Amendments with Mobility Element Update. Alternative 3 would have significant and unavoidable impacts which would be greater than impacts associated with the Mobility Element Update alone, which would be less than significant. Impacts related to localized CO concentrations and toxic air contaminants would be similar to the Project and would remain less than significant. Implementation of Alternative 3 would not conflict with any applicable air quality management plans similar to the Project, and impacts would remain less than significant. Alternative 3 could potentially contribute substantially to an existing or projected air quality violation or result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment (i.e., PM<sub>10</sub>) under the State standards similar to the Project (Land Use Element/Zoning Code Amendments and Mobility Element Update) or the Land Use Element/Zoning Code Amendments alone. These scenarios would result in significant and unavoidable air quality impacts. However, Alternative 3 would result in greater air quality impacts than under the Mobility Element Update alone scenario, which would be less than significant.

### 3. Forestry Resources

Buildout of the Land Use Element/Zoning Code Amendments under Alternative 3 would occur within the Town's commercial districts and would not affect forestry resources. Alternative 3, however, would implement the Mobility Element Update and, as with the Project, MUPs under the Mobility Element's TSMP would extend into forested areas along the Mammoth Scenic Loop, multiple paths in the Shady Rest Park area, and around Lake Mary. Because these areas are heavily forested, the development of trails and the roads would result in the removal of forest trees. The final design for the proposed MUPs would comply with TS 4.A-3.B, which requires that healthy, native trees would be circumvented or avoided through the design of trail alignments to the extent feasible. As with the Project, implementation of the Mobility Element Update under Alternative 3 would affect forestry resources to the north of Main Street. Similar mitigation measures that require circumventing or avoiding healthy, native trees through the design of roadway alignments in this area would be implemented under both Alternative 3 and the Project. With mitigation, the impact of Alternative 3 on forestry resources would be less than significant and similar to that of the Project.

### 4. Biological Resources

Under Alternative 3, the Mobility Element Update would be adopted with the exclusion of the Main Street Plan. The existing frontage road along Main Street would not be vacated, and 2.6 acres of land created by the vacation would not be available for future development. The Land Use Element/Zone Change Amendments would be implemented. However, because, the Main Street Plan would not be implemented, 2.6-acres of vacated street front along Main Street would not be available for development. The right-of-way that would be vacated along Main Street is generally disturbed. However, some of the land supports trees associated with the Eastern Sierra conifer forest community. As discussed in Section 4.4, Biological Resources, of this EIR, the Project's buildout of vacant parcels and construction of road improvements and MUPs may affect wetlands and/or other jurisdictional features through potential dredging and filling activities. Construction and maintenance activities elements are proposed within habitats that could support several special-status plant and wildlife species. Under the Project, compliance with mitigation measures and applicable policies in the General Plan would reduce impacts to wetlands, habitat, special-status plant and wildlife species and migratory birds would reduce impacts to a less than significant level. Avoiding the development of vacated land along Main Street area under Alternative 3 would incrementally reduce potential biological resources impacts with respect to conifer trees along Main Street and any potential wetland features in that area. Alternative 3 could, therefore, represent a minor reduction in impacts with respect to biological resources compared to the Project. Under both Alternative 3 and the Project, impacts on biological resources would be reduced to less than significant levels.

### 5. Cultural Resources

Buildings considered to be potential historical resources are located within the Land Use Element/ Zoning Code Amendments project area and several known historic resources have been recorded within or in the immediate vicinity of the Mobility Element Update area. It is possible that additional historic resources are present within the Project Areas that have yet to be evaluated for eligibility for listing in the local, State, and/or federal registers. In addition, 86 archaeological or historical resources are located within or in the immediate vicinity of the Mobility Element Update project area while six resources are located within or in the immediate vicinity of the Land Use Element/Zoning Code Amendments project area. Components of the Project that include excavations into native soils or sediments would have the potential to impact these resources or additional archaeological resources within the Project Area that have yet to be discovered.

Under the Project, the implementation of the TSMP and General Plan mitigation measures applicable to cultural resources would reduce potential impacts to less than significant levels. Alternative 3 would apply to the same development areas as under the Project, with the exception of the Main Street realignment areas. These areas are currently undeveloped and construction in these areas would not involve built historical resources. However, the potential exists for buried historical or archaeological resources to be impacts during construction. Because Alternative 3 would not involve construction impacts within the vacated frontage road areas, it would have incrementally less impact than under the Project with respect to buried and historical resources. As with the Project, impacts under Alternative 3 would be reduced to less than significant levels through the implementation of TSMP and General Plan mitigation measures. However, impacts under Alternative 3 would be incrementally less.

## 6. Greenhouse Gas Emissions GHG

Alternative 3 would result in more intensive buildout than the Mobility Element Update, slightly less intensity of development than the Land Use Element/Zoning Code Amendments and less intensity buildout than the Land Use Element/Zoning Code Amendments with Mobility Element Update. Construction and operation under Alternative 3 would result in less than significant GHG emissions similar to those of the Project. The Mobility Element Update Without the Implementation of the Main Street Plan Alternative would not generate GHG emissions, either directly or indirectly, that would result in a significant impact on the environment similar to the Project. The Mobility Element Update Without the Implementation of the Main Street Plan Alternative would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions similar to the Project. As with the Project, GHG impacts would remain less than significant with the Mobility Element Update Without the Implementation of the Main Street Plan Alternative.

## 7. Land Use

Alternative 3 would not conflict with applicable objectives the Land Use Element of the General Plan, and Title 17 of the Zoning Code, or other Town plans and policies. As with the Project, Alternative 3 would adopt the Mobility Element Update and require the Land Use Element/Zoning Code Amendments to allow for the 2.0 FAR, with no unit cap. As with the Project, Alternative 3 would implement objectives of the General Plan's Land Use Element to enhance livability of districts for walking through the arrangement of land uses and development intensities (Goal L.3), to develop vital retail centers and streets (Policy L.3.B), and to provide an overall balance of uses, facilities, and services to further the town's role as a destination resort community (Goal I.5). However, because it would not provide for the implementation of the Main Street Plan, which specifically meets these goals in the Main Street commercial zones, it would not meet these goals to the same extent as the Project.

Alternative 3 would implement the goals of the current General Plan Circulation Element to develop and implement a townwide way-finding; to improve regional transportation system; to emphasize feet first, public transportation second, and car last in planning the community transportation system; to encourage feet first by providing a linked year-round recreational and commuter trail system that is safe and comprehensive; to provide a year-round local public transit system that is convenient and efficient; to encourage alternative transportation and improve pedestrian mobility by developing a comprehensive parking management strategy; to maintain and improve safe and efficient movement of people, traffic, and goods in a manner consistent with the feet first initiative; or to enhance small town community character through the design of the transportation system to the same extent as the proposed Mobility Element

Update. However, because it would not provide for the implementation of the Main Street Plan, it would not meet goals to enhance pedestrian activity along Main Street or to support alternative transportation to the same extent as the Project. In addition, Alternative 3 would reduce the land available for mixed-use along Main Street and, as such, not meet the goals of AB 743 in providing mixed-use development (the physical proximity of residential and commercial uses to reduce vehicle miles travelled) to the same extent as the Project.

As with the Project, impacts related to adopted plans and policies would be less than significant. However, because Alternative 3 would not support the development of the Main Street area to the same extent as the Project, it would have greater land use impact than under the Project regarding consistency with adopted plans and policies.

## 8. Noise

Under Alternative 3, construction-related noise impacts would be slightly less than those of the Land Use Element/Zoning Code Amendments and the Land Use Element/Zoning Code Amendments with Mobility Element Update given that less land area would be available for development along Main Street resulting in less intensive buildout. Nonetheless, as with the Project, construction under the Reduced Intensity Alternative would result in less than significant noise impacts with implementation of mitigation measures. Operational noise impacts under the Reduced Intensity Alternative would also be slightly less than those of the Land Use Element/Zoning Code Amendments and the Land Use Element/Zoning Code Amendments with Mobility Element Update given the less intensive buildout and reduced traffic levels. Similar to the Project, operation of Alternative 3 would result in less than significant impacts with the implementation of mitigation measures. Alternative 3 would result in slightly less groundborne vibration and groundborne noise impacts than the Project given the less intensive buildout, and like the Project, impacts would be less than significant and no mitigation would be required.

## 9. Population/Housing

### a. Population

Because Alternative 3 would not incorporate the Main Street realignment, the availability of 2.6 acres of land that would result from the vacation of the frontage roads would not occur. Alternative 3 would reduce the Project by approximately 23 residential units and 40 lodging units that could have otherwise developed within the area. As shown in **Table 5-8, Increment of Potential Population Increase for Alternative 3**, Alternative 3 would result in a potential incremental population increase of 1,732 over the projected General Plan Buildout using the PAOT methodology and 1,829 using the proposed buildout methodology. The Land Use Element/Zoning Code Amendments are estimated to generate a net population increase of 1,877 (calculated according to PAOT methodology of persons per unit) or 1,978 (calculated under the new methodology of persons per unit) over the General Plan Buildout. Compared to the Project, Alternative 3 represents a reduction in incremental population growth of approximately 7.7 percent under the PAOT methodology and 7.5 percent under the proposed buildout methodology. As concluded in Section 4.9, Population and Housing, of this EIR, the estimated maximum buildout over the time period addressed within the General Plan would be sufficient to accommodate projected growth under the Land Use Element/Zoning Code Amendments. As such, the Project is considered to have a less than significant impact with respect to population. Alternative 3 would generate incrementally less increase than under the Project and, as such, Alternative 3 would have less impact on the General Plan's population objectives than under the Project.

Table 5-8

**Increment of Potential Population Increase for Alternative 3  
Calculated According to PAOT and Proposed Methodology**

	<u>Amount</u>	<u>Units</u>	<u>Factor</u>	<u>Potential Increase in Population Capacity</u>
<b>PAOT Methodology:</b>				
Residential Units <sup>a</sup>				
Permanent	235	Units	2.4 <sup>b</sup>	564
Transient	78 <sup>c</sup>	Units	4	312
Hotel	214 <sup>d</sup>	Rooms	4	<u>856</u>
Total	527			1,732 PAOT
<b>Proposed Methodology:</b>				
Combined Residential, Transient, and Hotel Units	527	Total Units	3.47	1,829 People

<sup>a</sup> For purposes of this analysis an assumption of 75 percent permanent and 25 percent transient was used for the multi-family residential units based on the proportions by Traffic Analysis Zone (TAZ) in the Traffic Model.

<sup>b</sup> A factor of 2.4 was used based on the rate used in the 2007 General Plan.

<sup>c</sup> Transient units are estimated to be approximately 25% of the net increase of 313 permanent residential units.

<sup>d</sup> The 214 hotel units represents 427 hotel rooms. Consistent with Zoning Code Section. 17.32.110.C.7, hotel rooms, studios and 1-bedroom units are considered one-half of a unit for calculating density.

<sup>e</sup> The household population estimate of 3.47 is consistent with population assumptions used in the 2007 General Plan.

Source: ESA PCR Services Corporation, 2016

## b. Housing

The Project would support an increase in the potential supply of housing in commercial districts by an estimated 336 residential units and would not adversely affect the expected supply of housing for the Town or objectives of the General Plan Housing Element. Alternative 3 would provide 235 housing units (including 78 transient units) and, as such, would also be consistent with the objectives of the Housing Element. Impacts relative to the Town's housing goals would be less than significant under both the Project and Alternative 3. However, because of the reduction in net increase, Alternative 3 would have relatively less impact than under the Project.

## 10. Public Services

### a. Fire Protection

As with the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update, Alternative 3 would improve multimodal access and emergency access. However, Alternative 3 would not include the vacation of Main Street frontage roads but some improvements to Main Street would occur, such as conversion to a four-lane cross-section with a center median and turn pockets in some locations. Alternative 3 would not require as much in the way of construction, landscaping, and other improvements

during the reconfiguration that would occur under the Project, potentially resulting in lane closures. As such, Alternative 3 would have fewer short-term construction impacts on Main Street relative to emergency access than the Project. As with the Project, long-term emergency response effects would be less than significant. Alternative 3 would result in an incremental increase in population over current projections and would potentially impact service ratios related to fire services. Alternative 3 anticipates approximately 6.8 percent less growth in residential units and 8.5 percent less growth in hotel room and visitors than under the Project. Projected population under Alternative 3 would be approximately 8 percent less than under the Project. As with the Project, impacts on fire service ratios would be considered less than significant. However, because Alternative 3 would generate incrementally less growth than the Project, it would have less impact than the Project relative to fire service personnel/population ratios.

#### **b. Police Protection**

Alternative 3 would result in increased hotel and residential densities compared to current projections, which would result in greater demands for police services. As discussed in Section 4.10.2, Police Services, of this EIR, the Town recently approved funding and the construction of a new police facility with a planned completion date of December 2017 and Development Impact Fees (DIFs) would ensure that potential impacts to police protection services would be reduced to less than significant levels. These would also apply to the Alternative 3, which as with the Project, would result in less than significant impacts to police services. However, because Alternative 3 anticipates approximately 6.8 percent less growth in residential units and 8.5 percent less growth in hotel rooms and visitors than under the Project, with approximately 8 percent less population increase than under the Project, it would have incrementally less impact than the Project relative to police services.

#### **c. Schools**

As with the Project, Alternative 3 would accommodate greater residential densities within the Main Street and Old Mammoth Road neighborhoods than under existing projections. It is estimated that the Land Use Element/Zoning Code Amendments could result in an additional 136 new students, which is not considered a substantial fluctuation in enrollment. In addition, developer fees applicable at a building permit application would reduce the Project's impacts on schools to a less than significant level. As with the Project, the incremental increase in residential units under Alternative 3 would generate additional students. However, because the Alternative 3 would have approximately 6.8 fewer residential units than under the Project, projected student growth compared to the Project would be approximately 6.8 percent less (approximately 127 students over existing projections). As with the Project, impacts to schools would be less than significant. However, because Alternative 3 would reduce residential units compared to the Project, it would have less impact than the Project with respect to schools.

#### **d. Parks and Recreation**

As with the proposed Land Use Element/General Plan Amendments, Alternative 3 would not provide for new parkland in the Town's commercial districts. The current PRMP reflects the General Plan's objectives to develop more park and recreational facilities to serve the Town, which does not meet its standard of 5 acres of local parks or 2.5 acres of regional parks per 1,000 people. Alternative 3 has the potential to incrementally increase the General Plan buildout population by 2,584 and, as with the Project, Alternative 3 would increase demand for existing neighborhood/regional parks and other recreational facilities, or result in the expansion of new recreational facilities. Although DIF, taxes and other funding mechanisms applicable

to new development would reduce the impact of the Reduced Intensity Alternative on parks and recreational facilities, because the Town is currently below the LOS goal of 5 acres of parks per 1,000 residents for developed parkland, and Alternative 3 would further increase demand for parks and recreational facilities and exacerbate impacts to parks and recreational facilities, impacts to parks and recreation facilities are considered significant and unavoidable. However, because anticipated population gain under the Reduced Intensity Alternative (1,145) is incrementally less than under the Project (1,978), the significant and unavoidable impact would be less than under the Project.

## 11. Transportation and Traffic

Because less total land area would be available for development along Main Street, Alternative 3 would generate incrementally fewer trips than the Project. As shown in **Table 5-9, Comparison of the Project to Alternative 3 - Significant LOS Impacts**, Alternative 3 would have the effect of reducing LOS impacts at the intersection of Main Street/Mountain Boulevard to a likely significant level. Alternative 3 would increase traffic levels at the intersections of Main Street/Center Street and Old Mammoth Road/Tavern Road to potentially significant levels not experienced under the Project. Table 5-9 indicates that LOS impacts would increase under this Alternative. Although mitigation measures (signals) would reduce impacts to less than significant levels, signals on Main Street must be approved by Caltrans. As with the Project LOS impacts would remain significant and unavoidable at Main Street intersections. In addition, impacts at two additional intersections would increase. Therefore, impacts under Alternative 3 would be greater than under the Project.

**Table 5-9**

**Comparison of the Project (Scenario 6) to Alternative 3  
Significant LOS Impacts**

<b>No.</b>	<b>Impacted Intersection</b>	<b>Project</b>	<b>Alternative 3</b>
3	Main Street/Mountain Boulevard	X	Remain an impact
4	Main Street/Post Office	X	X
5	Main Street/Center Street		Possible new impact
6	Main Street/Forest Trail	X	X
7	Main Street/Laurel Mountain Road	X	X
11	Old Mammoth Road/Tavern Road		Possible new impact
12	Old Mammoth Road/Sierra Nevada Road	X	X
19	Old Mammoth Road/Minaret Road/Fairway Drive	X	X

Source: LSC Transportation Consultants, 2016.

As with the Project, Alternative 3 would be consistent with AB 1358, which requires municipalities to craft a specific network of travel options through an adopted General Plan circulation element and requires that land use patterns support the effectiveness of a multimodal transportation network. The elimination of the Main Street Plan under Alternative 3, however, would not provide the same pedestrian improvements along Main Street as under the Project and, as such, Alternative 3 would not support AB 1358 to the same extent as the Project. As with the Project, Alternative 3 would be consistent with AB 743, which is intended to support residential/mixed-use densification for the purpose of inducing greater pedestrian and other multi-modal

activity and, thus, reduce vehicle miles travelled. However, because Alternative 3 would generate incrementally less development and densification in the Town's commercial areas than the Project, it would be considered to have a greater impact with regard to these adopted State guidelines. As with the Project, impacts with respect to State transportation guidelines would be less than significant

## 12. Utilities

### a. Water

#### (1) Infrastructure

Alternative 3 would result in incremental growth in the Town's commercial districts compared to the General Plan buildout and, as with the Project, impact the capacity of water mains within and beyond the Town's commercial districts. The Water Code requires adequate delivery systems and the payment of development fees, which would support necessary new or upgraded water mains and other water infrastructure. It is expected that any necessary upgraded water mains would be site-specific or related to specific development projects. The site-specific scope of construction and the required review and approval of all water main construction projects by the MCWD would ensure that appropriate construction practices, including dust and erosion control and other requirements of the Town of Mammoth Lakes Municipal Code Title 15 would be followed and that the construction of site-specific water mains and connections would not result in significant environmental impacts. As with the Project, it is not expected that any currently unplanned water treatment systems would be required as a result of the Alternative 3. The MCWD's projected water treatment capacity is consistent with buildout demand and, although existing treatment facilities and water mains may need to be upgraded through time, as with the Project, Alternative 3 would not require extensive construction of new lines or treatment plant in areas that are not currently served. As such, large scale or disruptive construction projects beyond regular maintenance are not anticipated. As with the Project, environmental impacts associated with construction of new delivery and treatment systems would be less than significant. However, because Alternative 3 would result in approximately 6.8 percent fewer residential units, 8.5 percent fewer lodging units, and 18.9 less commercial floor area concentrated in the Main Street area than under the Project, impacts to water infrastructure and treatment systems in that area are anticipated to be incrementally less.

#### (2) Water Supply

**Table 5-10, *Water Demand - Comparison of the Alternative 3 to the Project***, compares the total water demand of the Project to Alternative 3. The table represents the Project and the Reduced Intensity Alternative as incremental increases of the General Plan buildout. Based on extrapolated unit factors used by the MCWD to derive the UWMP's 2030 projections, Table 5-10 indicates that Alternative 3 would reduce total projected demand to 4,288 compared with 4,302 AFY under the Project. Alternative 3, as with the Project, would not exceed the cap of 4,387 AFY, which is the MCWD's existing maximum entitlement.

In 2015, the MCWD experienced the most severe drought year in its history. Currently there is uncertainty about the amount and timing of aquifer recharge, including sustaining or reaching the maximum cap of 4,387 AFY. Alternative 3, as with the Project, has the potential to exceed supply in times of extended drought. However, with the implementation of GPMM 4.11-1, which requires the Town to work with MCWD to ensure that land use approvals are phased and that water supply sources are determined prior to development approvals, as well as General Plan Policy R.4.A, which requires the Town to work with MCWD to ensure that land use approvals are phased so that the development of necessary water supply sources is established

Table 5-10

## Water Demand – Comparison of Alternative 3 to the Project

Use	Project		Reduced Intensity Alternative	
	Units/Floor Area	AFY	Units/Floor Area	AFY
Single Family	2,771	640	2,771	640
Multifamily	8,959 + 252 <sup>a</sup> = 9,211	1,520	8,959 + 235 = 9,194	1,517
Motel/Hotel	5,982 + 467 <sup>b</sup> + 84 <sup>c</sup> = 6,533	497	5,982 + 427 + 78 = 6,487	493
Commercial	1,365,002 sq. ft. + 152,533 <sup>d</sup> = 1,517,535 sq. ft.	395	1,365,002 sq. ft. + 127,567 = 1,492,569 sq. ft.	388
Institutional	48	103	48	103
Irrigation (including golf courses)	41	718	41	718
Additional Water Uses and Losses		429		429
AFY Totals:		4,302		4,288

<sup>a</sup> Additional Multi-family units as a potential result of Land Use Element/Zoning Code Amendments as shown in Section 4.9, Table 4.9-5, of this Draft EIR. While the Town proposes a change from People At One Time (PAOT) and permanent/transient units, given the methodology used for water in the UWMP projected units resulting from the proposed Land Use Element/Zoning Code Amendments are broken out as permanent and transient in this table. As shown in Table 4.9-5, using the PAOT approach, 336 multifamily units could result with 252 permanent units and 84 transient units.

<sup>b</sup> Additional hotel rooms as a potential result of the Land Use Element/Zoning Code Amendments as shown in Section 4.9, Table 4.9-5, of this Draft EIR.

<sup>c</sup> Additional transient units as a potential result of the Land Use Element/Zoning Code Amendments as shown in Section 4.9, Table 4.9-5, of this Draft EIR. Please see note b above for a more detailed explanation regarding the methodology. Transient units are categorized as a hotel/motel use under the UWMP.

<sup>d</sup> Additional commercial floor area that could result from the proposed Land Use Element/Zoning Code Amendments as discussed in Chapter 2, Project Description and shown in Table 2-3 of this EIR.

Source: ESA PCR, 2016. AFY is derived by multiplying units and floor areas by factors used in Table 2.12-7 of this EIR and Tables ES-4 and ES-5 of the UWMP.

prior to development approval, Alternative 3, as with the Project, would not exceed water supplies. Impacts with respect to water supplies would, therefore, be less than significant under both the Project and the Alternative 3. However, because the Alternative 3 would incrementally reduce demand compared to the Project, impacts with respect to water supply would be less.

## b. Wastewater

### (1) Infrastructure

Alternative 3 would incrementally reduce the Project's hotel and residential densities in the Town's commercial districts. Compared to the Project's population growth of approximately 1,978 over current General Plan buildout projections, Alternative 3 would generate an incremental population increase of approximately of 1,829 over General Plan estimates. Although any increase has the potential to exceed the capacity of the existing lines serving the Town's commercial districts or to adversely impact any downstream sewer line capacities or deficiencies, Alternative 3 would have incrementally less impact than under the Project. As with the Project, impacts to sewer lines would be addressed by the Sanitary Sewer Code, under which no building permits would be issued for uses that would exceed the capacity of specific sewer lines, and through Mitigation Measure WW-1, which requires the applicant for any building permit to install improvements that would comply with Division VII of the Sewer Code. Under both the Project and

Alternative 3, impacts to wastewater infrastructure would be less than significant. However, because Alternative 3 would incrementally reduce the Project's population gain and demand on sewer lines serving the commercial areas, impacts to sewer lines would be less than under the Project.

## **(2) Treatment Capacity**

Alternative 3 would result in less development and population increase than under the proposed Land Use Element/Zoning Code Amendments. The incremental population increase of 1,829 people compared to General Plan buildout that could occur under Alternative 3 would generate approximately 157,294 gpd or approximately 173 AFY. Total demand for treatment would increase from the MCWD's projected 2,330 AFY under General Plan buildout to 2,503 AFY. As with the Project, the Alternative 3 would generate less wastewater than the MCWD's estimated treatment capacity of 4.9 mgd or approximately 5,488 AFY. Both the Alternative 3 and the Project (which would increase demand to approximately 2,517 AFY) would have less than significant impacts with respect to wastewater treatment. However, because Alternative 3 would reduce total demand compared to the Project, it would have less impact with respect to wastewater treatment than the Project.

### **c. Stormwater**

Under Alternative 3 development of the Town's vacant parcels in the commercial districts would occur. However, implementation of Alternative 3 would potentially result in less total development along Main Street than could potentially occur under the Project with the implementation of the Main Street Plan. Any decrease in permeability associated with development of the Town's vacant lands, such as building foundations, driveways, and other paved surfaces in the Main Street and Old Mammoth Road commercial districts would increase surface runoff that could affect the Town's existing drainage systems, which were identified in the 2015 Stormwater Management Plan (SMP) as potentially deficient. As with the Project, stormwater impacts under Alternative 3 would be reduced to a less than significant level through drainage impact fees, design measures such as landscaped buffers and infiltration devices, and MM STRM-1, which would require the determination of peak surface runoff for all private projects and implementation of suitable infiltration devices. Alternative 3 would generate incrementally less growth in the Town's commercially-zoned districts than anticipated under the Land Use Element/Zoning Code Amendments and, as such, would have less impact with respect to stormwater facilities. The Mobility Element Update also has the potential to increase surface runoff and increase flow into the Town's storm drain system. New road construction would require consistency with the Department of Public Works' Standards and all new public streets, sidewalks, and trails projects must provide drainage facilities. Mitigation measures for the Trails System Master Plan and the Town's Standards for public works projects would reduce potential adverse impacts of the Mobility Element Update on the Town's existing drainage system to a less than significant level. However, under Alternative 3, street and drainage improvements would not be developed on Main Street and effects on stormwater collection systems would be greater than under the Project.

### **d. Solid Waste**

Alternative 3 would increase the estimated population growth under the General Plan buildout but to a lesser extent than the Project. The incremental increase of 313 residential units, 427 lodging units, and approximately 346 employees (associated with 127,567 square feet of retail space) over the General Plan buildout under Alternative 3 would result in a net increase of approximately 1,993 tons of solid waste a year. The Project would result in a net increase of approximately 2,387 tons of solid waste per year over General

Plan buildout. Any increase in solid waste demand has the potential to impact existing landfill facilities. The current landfill, Benton Crossing Landfill, is scheduled for closure. However, the County is planning for three future alternative sites and potential trucking to alternative landfill sites. In addition, with increasing diversion techniques to reduce the waste stream and the conclusion of the County General Plan Update that impacts on solid waste facilities would be less than significant, it is expected that the Project would have a less than significant impact relative to solid waste facilities. In addition, the Town will continue to operate waste collection and recycling to increase the statewide recycling rates to 75 percent by 2020. While both Alternative 3 and the Project would result in an increase in population in the Town's commercial districts, neither would conflict with applicable federal, state and local policies and regulations regarding solid waste. Impacts under both Alternative 3 and the Project would be less than significant. However, because Alternative 3 would generate an incrementally smaller increase in solid waste than the Project, impacts to solid waste facilities under this Alternative would be less than under the Project.

### **C. RELATIONSHIP OF THE ALTERNATIVE TO PROJECT OBJECTIVES**

Alternative 3 would increase the Project's significant and unavoidable LOS traffic impacts on Main Street by possibly creating a new significant impact at Main Street and Center Street. As with the Project, a significant and unavoidable impact would occur if Caltrans does not agree to signals and other improvements that, otherwise, serve as mitigation for LOS traffic impacts on that street. Alternative 3 would also possibly cause a new significant LOS impact at Old Mammoth Road and Tavern Road. It would also incrementally reduce but not avoid the Project's significant and unavoidable air quality impacts and significant and unavoidable impacts with respect to parks and recreational facilities. Because Alternative 3 would result in slightly less new development, impacts associated with noise, fire services, police services, schools, water supply, wastewater, and solid waste would be slightly less under Alternative 3. Because improvements would not occur within the vacated frontage road, impacts related to biological, and cultural resources would be slightly less than under the Project. As with the Project, impacts associated with services would be less than significant, or mitigated to less than significant levels. Impacts related to forestry resources would be the same as under the Project. However, without curb and gutter, and other improvements along Main Street, Alternative 3 would have greater impact with respect to stormwater. Alternative 3 would incrementally reduce the Project's less than significant aesthetic impact related to construction, light and glare and shading, but would increase the Project's less than significant impact related to visual character. Alternative 3 would implement the Mobility Element Update; however, with the exclusion of the Main Street Plan, Alternative 3 would not contribute to the Town's land use objective to create a vibrant and walkable downtown area to the same extent as the Project. In addition, while Alternative 3 would slightly reduce several of the Project's less than significant impacts, it would not meet the Project's primary objectives to the same degree (see Table 5-12, below). Alternative 3 would meet the objectives of the Project to amend the Land Use Element policy and text associated with regulating population growth from a PAOT approach to an impact assessment based approach. The Alternative would meet the Town's objectives to delete the CBIZ and modify TDR policies and, as such, would meet the Town's objective to streamline the planning process to encourage economic development. Because Alternative 3 would adopt the Mobility Element Update, as with the Project, it would meet the objective to create a downtown area in which people park their vehicles once and walk throughout the area thereby reducing congestion and vehicle miles traveled. In addition, as with the Project, through the adoption of the Mobility Element Update, Alternative 3 would meet the Town's objective to achieve a progressive and comprehensive multimodal transportation system that is connected, accessible, and safe.

## G. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

---

Section 15126.6(e)(2) of the State *CEQA Guidelines* indicates that an analysis of alternatives to a proposed project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR and that if the No Project Alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining. With respect to identifying an Environmentally Superior Alternative among those analyzed in this Draft EIR, the range of feasible Alternatives includes the No Project Alternative (Alternative 1), Reduced Intensity Alternative (Alternative 2), and the Mobility Element Without the Main Street Reconfiguration Alternative (Alternative 3).

A comparative summary of the environmental impacts anticipated under each Alternative to the environmental impacts associated with the Project is provided in **Table 5-11, Comparison of Impacts Associated with the Alternatives and Impacts of the Project**, below, based on the detailed evaluation of the potential impacts associated with each Alternative provided in the previous sections. Pursuant to Section 15126.6(c) of the State *CEQA Guidelines*, the analysis below addresses the ability of the Alternatives to “avoid or substantially lessen one or more of the significant effects” of the Project.

As discussed above, and as shown in Table 5-11, the No Project Alternative is considered the overall environmentally superior Alternative as it would incrementally reduce the Project’s significant and unavoidable traffic, air quality and parks and recreation impacts. However, these impacts would remain significant and unavoidable.<sup>5</sup> It should be noted however, that although some adverse impacts would be avoided under the No Project Alternative, several primary beneficial aspects of the Project with respect to the objectives of the General Plan would not be achieved. The No Project Alternative would not implement,, for instance, objectives of the Land Use Element to enhance livability of districts for walking through the arrangement of land uses and development intensities (Goal L.3); or to provide an overall balance of uses, facilities, and services to further the town’s role as a destination resort community (Goal I.5) to the same extent as the Project. The No Project Alternative would not achieve the visual character benefits of the Project. As indicated above, the No Project Alternative would not meet the Project objectives. The extent to which the remaining Project Alternatives would meet the Project’s Objectives is summarized in **Table 5-12, Comparison of Alternatives - Ability to Meet Project Objectives**.

Based on Table 5-12, the Reduced Intensity Alternative would partially meet the objectives of the Project and also incrementally reduce the Project’s less than significant impacts related to air quality, noise, public services and utilities. It would also incrementally reduce the Project’s significant and unavoidable impact related to air quality and parks and recreational facilities. However, it would not reduce these impacts to less than significant levels. Although it would not implement the objectives of the General Plan to the same extent as the Project, because it involves less development than Alternative 3, it would be the environmentally superior to that Alternative. Therefore, in accordance with the State *CEQA Guidelines* requirement to identify an environmentally superior alternative other than the No Project Alternative, a

---

<sup>5</sup> *The No Project Alternative is the same as the 2007 General Plan buildout which would result in significant and unavoidable air quality and recreation impacts. The 2007 General Plan EIR concluded that traffic impacts would be mitigated to less than significant levels. While the current Traffic Impact Analysis, which is based on an updated Town Traffic Model, concludes that significant impacts could be mitigated to less than significant levels, because CalTrans approval would be required to implement the mitigation measures on Main Street and such approval is uncertain, this EIR concludes that traffic impacts would be considered significant and unavoidable.*

comparative evaluation of the remaining alternatives indicates that the Reduced Intensity Alternative would be the environmentally superior alternative.

**Table 5-11  
Comparison of Impacts Associated with the Alternatives  
and Impacts of the Project**

	<b>Project Impact</b>	<b>Alternative 1 No Project Alternative</b>	<b>Alternative 2 Reduced Intensity Alternative</b>	<b>Alternative 3 Mobility Element Update Without the Main Street Reconfiguration Alternative</b>
<b>1. Aesthetics</b>				
Visual Character				
Construction	Less than Significant	Less Impact	Similar Impact	Less Impact
Operation	Less than Significant	Greater Impact	Greater Impact	Greater Impact
Views	Less than Significant	Less Impact (No Impact)	Similar Impact	Less Impact
Light and Glare	Less than Significant	Less Impact	Less Impact	Less Impact
Shade/Shadow	Less than Significant	Less Impact	Similar Impact	Less Impact
<b>2. Air Quality</b>				
Violation of Air Quality Standards (Criteria Pollutants)				
Construction	Significant and Unavoidable	Similar Impact (Significant and Unavoidable)	Similar Impact (Significant and Unavoidable)	Similar Impact (Significant and Unavoidable)
Operation	Significant and Unavoidable	Less Impact (Less than Significant)	Similar Impact (Significant and Unavoidable)	Similar Impact (Significant and Unavoidable)
CO and TACs Emissions	Less than Significant	Less Impact (Less than Significant)	Similar Impact	Similar Impact
Consistency with Air Quality Management Plan	Less than Significant	Less Impact	Similar Impact	Similar Impact

**Table 5-11 (Continued)**

**Comparison of Impacts Associated with the Alternatives  
and Impacts of the Project**

	<b>Project Impact</b>	<b>Alternative 1 No Project Alternative</b>	<b>Alternative 2 Reduced Intensity Alternative</b>	<b>Alternative 3 Mobility Element Update Without the Main Street Reconfiguration Alternative</b>
Air Quality Violation or Cumulative Considerable Increase in Non-Attainment Criteria Pollutant	Significant and Unavoidable	Similar Impact (Significant and Unavoidable)	Similar Impact (Significant and Unavoidable)	Similar Impact (Significant and Unavoidable)
<b>3. Forestry Resources</b>	Less than Significant	Less Impact	Similar Impact	Similar Impact
<b>4. Biological Resources</b>	Less than Significant	Less Impact	Similar Impact	Less Impact
<b>5. Cultural Resources</b>	Less than Significant	Less Impact	Similar Impact	Less Impact
<b>6. Greenhouse Gas Emissions</b>	Less than Significant	Similar Impact	Similar Impact	Similar Impact
<b>7. Land Use</b>	Less than Significant	Greater Impact	Greater Impact	Greater Impact
<b>8. Noise</b>				
Construction Noise	Less than Significant	Similar Impact	Similar Impact	Less Impact
Operation Noise	Less than Significant	Similar Impact	Similar Impact	Less Impact
Construction Vibration	Less than Significant	Similar Impact	Similar Impact	Less Impact

**Table 5-11 (Continued)**

**Comparison of Impacts Associated with the Alternatives  
and Impacts of the Project**

	<b>Project Impact</b>	<b>Alternative 1 No Project Alternative</b>	<b>Alternative 2 Reduced Intensity Alternative</b>	<b>Alternative 3 Mobility Element Update Without the Main Street Reconfiguration Alternative</b>
<b>9. Population, Housing and Employment</b>	Less than Significant	Similar Impact	Similar Impact	Less Impact
<b>10. Public Services</b>				
Fire Protection and Emergency Services				
Construction	Less than Significant	Less Impact	Less Impact	Less Impact
Operation	Less than Significant	Less Impact	Less Impact	Less Impact
Emergency Access (Operation)	Less than Significant	Greater Impact	Similar Impact	Similar Impact
Police Protection				
Construction	Less than Significant	Less Impact	Less Impact	Less Impact
Operation	Less than Significant	Less Impact	Less Impact	Less Impact
Schools	Less than Significant	Less Impact	Less Impact	Less Impact
Parks and Recreation	Significant and Unavoidable	Less Impact (Significant and Unavoidable)	Less Impact (Significant and Unavoidable)	Less Impact (Significant and Unavoidable)

**Table 5-11 (Continued)**

**Comparison of Impacts Associated with the Alternatives  
and Impacts of the Project**

	<b>Project Impact</b>	<b>Alternative 1 No Project Alternative</b>	<b>Alternative 2 Reduced Intensity Alternative</b>	<b>Alternative 3 Mobility Element Update Without the Main Street Reconfiguration Alternative</b>
<b>4.11 Transportation and Traffic</b>				
Intersection Service Levels	Significant and Unavoidable	Less Impact (Significant and Unavoidable)	Less Impact (Significant and Unavoidable)	Greater Impact (Significant and Unavoidable)
Consistency with Plans	Less than Significant	Greater (Less than Significant)	Similar	
<b>4.12 Utilities and Service Systems</b>				
Water Supply	Less than Significant	Less Impact	Less Impact	Less Impact
Wastewater	Less than Significant	Less Impact	Less Impact	Less Impact
Stormwater	Less than Significant	Less Impact	Similar Impact	Greater Impact
Solid Waste	Less than Significant	Less Impact	Less Impact	Less Impact

*Note: Statements in parentheses indicate whether there would continue to significant and unavoidable impacts, or if the category differs from the Project. Statements not in parentheses indicate whether impacts would be less, similar, or greater than the project but within the same category.*

Source: ESA PCR, 2016

**Table 5-12**

**Comparison of Alternatives - Ability to Meet Project Objectives**

PROJECT OBJECTIVES & CRITERIA	Alternative 1 No Project			Alternative 2 Reduced Intensity Alternative			Alternative 3 Mobility Element Update Without the Main Street Reconfiguration Alternative		
	Yes	Partial	No	Yes	Partial	No	Yes	Partial	No
1. The intent of the proposed Land Use Element\ Zoning Code Amendments as well as the Mobility Element Update is to achieve a sustainable and integrated system of land use and transportation in the Town of Mammoth Lakes.			X		X			X	
2. Create flexibility in the commercial districts through the removal of the unit/room cap and the creation of a “white box” established by development parameters, which focuses on the overall size of a structure.			X		X			X	
3. Streamline the planning process to encourage economic development.			X		X			X	
4. Cluster greater density in the downtown area to reduce vehicle miles travelled.			X		X			X	
5. Create a park-once downtown area in which people park their vehicles once and walk throughout the area thereby reducing congestion and vehicle miles travelled.			X	X			X		
6. Create a vibrant and walkable downtown area.			X		X				X
<b>OBJECTIVES SCORE</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>1</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>1</b>

Source: ESA PCR, 2016.

This page is intentionally blank.

## **6.0 OTHER MANDATORY CEQA CONSIDERATIONS**



## 6.0 OTHER MANDATORY CEQA CONSIDERATIONS

---

This section summarizes the findings with respect to irreversible environmental changes; significant, unavoidable environmental impacts; growth inducing impacts; potential secondary effects; and effects found to be less than significant.

### 1. IRREVERSIBLE ENVIRONMENTAL CHANGES

According to Sections 15126(c) and 15126.2(c) of the *CEQA Guidelines*, an EIR is required to address any significant irreversible environmental changes that would occur if the project were implemented. As stated in CEQA Guidelines Section 15126.2(c):

*“[u]ses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter likely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.”*

The Project would consume limited, slowly renewable and non-renewable resources. This consumption would occur during the active construction of roads, MUPs, and mixed commercial/multi-family development. With the mixed commercial/multi-family development, the use of slowly renewable or non-renewable resources would continue throughout the operational lifetime of these uses. Project development would require a commitment of resources that would include: (1) building materials, (2) fuel and operational materials/resources, and (3) the transportation of goods and people to and from the developed sites. Project construction would require the consumption of resources that are non-replenishable or may renew so slowly as to be considered non-renewable. These resources would include the following construction supplies: certain types of lumber and other forest products; aggregate materials used in concrete and asphalt such as sand, gravel and stone; metals such as steel, copper, and lead; petrochemical construction materials such as plastics; and water. Furthermore, nonrenewable fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment, as well as the transportation of goods and people to and from the sites.

Operation of new commercial/mixed use/multifamily development and the expanded street and trails network would create an incremental increase in demand for nonrenewable resources compared to those evaluated in the General Plan EIR and those currently consumed within the Town of Mammoth Lakes. These include energy resources such as electricity and natural gas, petroleum-based fuels required for vehicle-trips, fossil fuels, and water. Fossil fuels would represent the primary energy source associated with both construction and ongoing operation of the future development and roadways, and the existing, finite supplies of these natural resources would be incrementally reduced. Energy requirements associated with new development would nonetheless represent a commitment of essentially non-renewable resources.

At the same time, the proposed Land Use Element/Zoning Code Amendments would contribute to a land use pattern that would reduce reliance on private automobiles and the consumption of non-renewable resources when considered in a larger context. Most notably, the Project would allow higher density housing and hotel uses within the Town's Main Street and Old Mammoth Road commercial corridors, than under the 2007 General Plan. The Land Use Element/Zoning Code Amendments would also allow for incrementally more commercial floor area in the commercial district than under the existing General Plan. The location of higher density housing and hotels in proximity to a greater range of restaurants, retail, services, and entertainment activities, would promote more pedestrian activity and interaction compared to the land use patterns set forth in the 2007 General Plan. Also, the Land Use Element/Zoning Code Amendments would allow for greater density in proximity to the Town's year-round transit network and existing and proposed pedestrian network, as described in the Mobility Element Update. These factors would contribute to a land use pattern that is considered to reduce the consumption of non-renewable resources.

Continued use of such non-renewable resources would be on a relatively small scale and consistent with regional and local growth forecasts in the area, as well as State and local goals for reductions in the consumption of such resources. The areas affected by the Land Use Element/Zoning Code Amendments or new streets under the Mobility Element Update contain no energy resources that would be precluded from future use through Project implementation. As such, although irreversible environmental changes would result from the Project, such changes would not be considered significant.

## 2. SIGNIFICANT UNAVOIDABLE IMPACTS

Section 15126.2(b) of the CEQA Guidelines requires that an EIR describe significant environmental impacts that cannot be avoided, including those effects that can be mitigated but not reduced to a less than significant level. Following is a summary of the impacts associated with the project that were concluded to be significant and unavoidable. These impacts are also described in detail in Chapter 4, Environmental Impact Analysis, of this EIR.

**Air Quality:** Implementation of GPMM 4.2-1 and GPMM 4.2-2, TSMM 4.B-2.A through 4.B-2.H, and compliance with the prescribed Mitigation Measure AIR-1 through AIR-3 would reduce Project and cumulative construction and operational PM<sub>10</sub> and PM<sub>2.5</sub> emissions related to the combined Land Use Element/Zoning Code Amendments and Mobility Element Update (or the Land Use Element/Zoning Code Amendments alone). However, even with implementation of the recommended mitigation measures, Project and cumulative construction and operation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update (or the Land Use Element/Zoning Code Amendments alone) could potentially contribute substantially to an existing or projected air quality violation or result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment (i.e., PM<sub>10</sub>) under the State standards and impacts would be significant and unavoidable.

**Parks and Recreation:** The Land Use Element/Zoning Code Amendments could result in an increase in intensity in the commercially designated areas beyond that anticipated in the 2007 General Plan. Even in light of recent improvements to Whitmore Park, new planned park and recreational facilities, access to other parks and recreational amenities, funding associated with the DIF program, and Measure R and U, implementation of the Project would increase the demand for parks and recreational services beyond that projected under the existing General Plan buildout as a result of the increase in projected population that could occur in the commercial areas. However, any future projects would be required to pay the required

parkland and recreation DIF, and taxes associated with Measure R and U. There are no additional feasible mitigation measures that could address the issue. As the Town is currently below the LOS goal of 5 acres of parks per 1,000 residents for developed parkland, and as the Project would further increase demand for parks and recreational facilities and would exacerbate impacts to parks and recreational facilities, impacts to parks and recreation facilities are considered significant and unavoidable.

**Transportation and Traffic:** Based on the Traffic Study, with the implementation of the Land Use Element/Zoning Code Amendments and the Mobility Element, the Project would result in significant impacts on level of service at various intersections. Implementation of the recommended mitigation measures would reduce potentially significant LOS impacts at all affected intersections under all Project scenarios. However, because Main Street is a state route and is under Caltrans' jurisdiction, coordination with Caltrans and approval of signal warrant analyses per the CA MUTCD is required for improvements on Main Street. If mitigation measures related to signals and other improvements on Main Street are not approved by Caltrans, such improvements would not be implemented. Because approval of the mitigation measures are under the jurisdiction of another agency, the approval of which are uncertain, the potentially significant impacts at Main Street intersections under Scenarios 3 through 6 would be considered significant and unavoidable.

### 3. ENERGY

Section 21100(b) of the State *CEQA Guidelines* requires that an EIR include a detailed statement setting forth mitigation measures proposed to minimize a project's significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy. Appendix F of the State *CEQA Guidelines* states that, in order to ensure that energy implications are considered in project decisions, the potential energy implications of a project shall be considered in an EIR, to the extent relevant and applicable to the project. Appendix F further states that a project's energy consumption and proposed conservation measures may be addressed, as relevant and applicable, in the Project Description, Environmental Setting and Impact Analysis portions of technical sections, as well as through mitigation measures and alternatives.

In accordance with Appendix F of the State *CEQA Guidelines*, this Draft EIR includes relevant information and analyses that address the energy implications of the Project. This section represents a summary of the Project's anticipated energy needs, impacts, and conservation measures. Information found herein, as well as other aspects of the Project's energy implications, are discussed in greater detail elsewhere in this Draft EIR, including in Sections 4.6, *Greenhouse Gas Emissions*, 4.11, *Transportation and Traffic*, and Appendix A, *Initial Study*, of this Draft EIR.

#### 1. Construction-Related Energy Consumption

##### Estimated Energy Consumption

Specific project-level developments are not proposed as part of this Project. As a result, specific project-level information, such as construction schedules and import and export soil quantities, are not known and it is not possible to specifically quantify the energy usage associated with project-level construction. Regardless, construction activities would occur under the Project as a result of the Land Use Element/Zoning Code Amendments. However, construction activities in the Project Area would also occur without implementation of the Land Use Element/Zoning Code Amendments in accordance with the adopted General Plan.

Nonetheless, construction under the Project could result in more intensive development within the Project Area and as such, result in incrementally greater construction energy usage relative to construction that would occur in accordance with the current zoning and General Plan. Construction energy consumption would result primarily from transportation fuels (e.g., diesel and gasoline) used for haul trucks, heavy-duty construction equipment, and construction workers traveling to and from the site.

Heavy-duty construction equipment associated with demolition, grading, utilities, paving, and building construction would include equipment such as excavators, graders, tractors/loaders/backhoes, dozers, scrapers, bore/drill rigs, air compressors, cranes, forklifts, generators, pumps, welders, rollers, trenchers and pavers. The majority of the equipment would likely be diesel-fueled; however, smaller equipment, such as welders and pumps may be electric-, gasoline-, or natural gas-fueled and tower cranes would likely be electric.

Based on the California Air Resources Board (CARB) on-road vehicle emissions model, EMFAC2014, heavy-duty trucks operating in the Great Basin Valleys Air Basin had an estimated fuel economy of approximately 5.7 miles per gallon in 2015, which is expected to improve to 6.5 miles per gallon by the buildout of the Project in 2035. This increase in fuel efficiency (by over 14 percent) would minimize wasteful consumption of fuel by construction projects under the Land Use Element/Zoning Code Amendments and Mobility Element Update.

The number of construction workers that would be required would vary based on the phase of construction and activity taking place. The transportation fuel required by construction workers to travel to and from a project site would depend on the total number of worker trips estimated for the duration of construction activity. According to the EMFAC2014 model, passenger vehicles operating in the Great Basin Valleys Air Basin had an average fuel economy of approximately 22.5 miles per gallon in 2015, which is expected to improve to 38.2 miles per gallon by 2035. Over the length of the Land Use Element/Zoning Code Amendments buildout, passenger vehicle fuel economy would improve by over 69 percent with a fleet-wide increase in electric vehicles and improved engine efficiency. Additionally, construction under the Project would seek to hire construction workers from the local workforce, which would minimize commuting distances and overall vehicle miles traveled. Hiring from the local workforce would reduce fuel consumption and reduce the wasteful, inefficient, and unnecessary consumption of energy.

In 2014, California consumed a total of 343,568 thousand barrels of gasoline for transportation, which is equivalent to a total annual consumption of 14.4 billion gallons by the transportation sector.<sup>1</sup> For diesel, California consumed a total of 79,756 thousand barrels for transportation, which is equivalent to a total annual consumption of 3.3 billion gallons by the transportation sector.<sup>2</sup> Compared to these numbers, the annual average construction fuel usage by the Project would likely represent a small fraction of the State's annual fuel usage. The demolition or closure of existing, older buildings would offset a portion of the Project's operational and construction energy usage as the existing building would no longer consume

<sup>1</sup> U.S. Energy Information Administration, Table F3: Motor Gasoline Consumption, Price, and Expenditure Estimates, 2014, [http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep\\_fuel/html/fuel\\_mg.html&sid=US](http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep_fuel/html/fuel_mg.html&sid=US). Accessed March 2016.

<sup>2</sup> U.S. Energy Information Administration, Table F3: Motor Gasoline Consumption, Price, and Expenditure Estimates, 2012, [http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep\\_fuel/html/fuel\\_use\\_df.html&sid=US](http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep_fuel/html/fuel_use_df.html&sid=US). Accessed March 2016.

energy for heating, cooling, lighting, water, and miscellaneous energy loads, and the existing trips would no longer occur.

Electricity used during construction to provide temporary power for lighting and electronic equipment (e.g., computers, etc.) and to power certain construction equipment would generally not result in a substantial increase in on-site electricity use. Certain heavy-duty construction equipment could be electric or alternatively fueled, such as tower cranes, based on commercial availability. The Project would utilize electric or alternatively fueled equipment as available and as feasible. Electricity use during construction would be variable depending on lighting needs and the use of electric-powered equipment and would be temporary for the duration of construction activities. Therefore, it is expected that construction electricity use would generally be considered as temporary and negligible over the long-term.

### **Energy Conservation: Regulatory Compliance**

The Project would utilize construction contractors who demonstrate compliance with applicable CARB regulations governing the accelerated retrofitting, repowering, or replacement of heavy duty diesel on- and off-road equipment. As discussed in Section 4.2, *Air Quality*, of this EIR, CARB has adopted an Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other toxic air contaminants. This measure prohibits diesel-fueled commercial vehicles greater than 10,000 pounds from idling for more than five minutes at any given time. CARB has also approved the Truck and Bus regulation (CARB Rules Division 3, Chapter 1, Section 2025, subsection (h)) to reduce NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from existing diesel vehicles operating in California. This regulation will be phased in, with full implementation for large and medium fleets by 2023 and for small fleets by 2028. In addition to limiting exhaust from idling trucks, CARB recently promulgated emission standards for off-road diesel construction equipment of greater than 25 horsepower. The regulation aims to reduce emissions by requiring the installation of diesel soot filters and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission-controlled models. Implementation began January 1, 2014, and the compliance schedule requires that best available control technology turnovers or retrofits be fully implemented by 2023 for large and medium equipment fleets and by 2028 for small fleets. The CARB In-Use Off-Road Diesel Vehicle Regulation requires construction equipment to meet the USEPA/CARB certified Tier 4 standards for engines by the same schedule.

While intended to reduce construction criteria pollutant emissions, compliance with the above anti-idling and emissions regulations would also result in efficient use of construction-related energy and the minimization or elimination of wasteful and unnecessary consumption of energy. It is not possible to accurately quantify the amount of energy that construction of a Project would save by complying with these regulations due to the difficulties in estimating idling times and technology turnovers in the absence of the regulations. Nonetheless, idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

### **Energy Conservation: Mitigation Measures**

The Project would implement a construction equipment cap, as described in Mitigation Measure TSMM 4.B-2.H in Section 4.2, *Air Quality*, of this EIR, for certain construction activities subject to the mitigation measures. TSMM 4.B-2.H is from the Mitigation Monitoring and Reporting Program (MMRP) for the Town of Mammoth Lakes Trails System Master Plan (TSMP) and is applicable to the Project. The mitigation measure limits TSMP construction activities to no more than 20 pieces of construction equipment operating

simultaneously per 8-hour day, or 16 pieces operating 10 hours per day, averaging 200 hp rated engine capacity. Each on-road delivery or haul truck traveling approximately 200 miles per day equals one piece of non-road equipment, and shall be included in the daily limit. This mitigation of the quantity of construction equipment operating in the Town would further minimize fuel and energy consumption by the Mobility Element Update.

## Conclusion

Construction would utilize energy for necessary on-site activities and to transport materials, soil, and debris to and from each site within the Town. The amount of energy used would not represent a substantial fraction of the available energy supply in terms of equipment and transportation fuels. Furthermore, compliance with the previously discussed anti-idling and emissions regulations would result in a more efficient use of construction-related energy and the minimization or elimination of wasteful and unnecessary consumption of energy. The Project would also implement a restriction on the quantity of heavy-duty construction equipment operating simultaneously in the Town for certain construction activities subject to the mitigation measures. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption. The Project would also utilize newer equipment that meet stringent emissions standards and provide opportunities for future energy efficiency by using electric or alternatively-fueled equipment as available and feasible. Therefore, construction of the Project would not result in the wasteful, inefficient, and unnecessary consumption of energy and would not preempt opportunities for future energy conservation.

## 2. Operation and Maintenance Energy Consumption

### Anticipated Energy Consumption

Operational energy consumption would occur from building energy needs and from transportation fuels (e.g., diesel and gasoline) used for vehicles traveling to and from the additional development in the commercial districts. This analysis provides the estimated maximum operational energy consumption for the purposes of evaluating the associated impacts on energy resources.

The Project must comply with the applicable portions of the Title 24 Building Standards Code and California Green Building (CALGreen) Code. The Project would incorporate applicable General Plan Goals/Policies in a manner to achieve the reductions in energy usage, as well as encourage installing renewable energy sources, recycling, and waste diversion, above and beyond State regulatory requirements. Physical and operational Project characteristics for which sufficient data are available to quantify the reductions from building energy and resource consumption have been included in the quantitative analysis, and include but are not limited to the general plan goals discussed in Resource Management and Conservation Goal 6, Optimize efficient use of energy (see Section 4.6, *Greenhouse Gas Emissions*, in this EIR).

The daily operation of the Project would generate demand for electricity, natural gas, and water supply, as well as generating wastewater requiring conveyance, treatment, and disposal off-site, and solid waste requiring disposal off-site. Based on engineering estimates used as the basis for greenhouse gas (GHG) emissions calculations, the Project would have an electricity demand of approximately 4.7 million kilowatt-hours (kWh), which is inclusive of approximately 0.5 million kWh for water supply and wastewater

treatment.<sup>3</sup> To put this number into perspective, the value is compared to the Southern California Edison (SCE) network demand, which is the utility provider for the Town of Mammoth Lakes. In the 2013 year, SCE had an annual electric sale to customers of approximately 87.4 billion kWh, with an end-use sector breakdown of 40.6 billion kWh for the commercial sector, 29.9 billion kWh for residential, 8.4 billion for industrial, and 8.3 billion for other sectors. The Project represents approximately 0.005 percent of the SCE network sales for the 2013 year and 0.01 percent of SCE consumer end-use sales for 2013, which is a relatively very small fraction.

Based on engineering estimates used as the basis for GHG emissions calculations, the initial operational year of the Project would have a natural gas demand of approximately 1.9 million kilo British thermal units (kBtu) per year.<sup>4</sup> The Town of Mammoth Lakes is not serviced by a natural gas pipeline; propane tanks are filled for individual properties to provide heating. A typical 500 gallon propane tank has a 5-foot diameter and a capacity of 36.6 thousand kBtu. Therefore, the Project could add approximately 52 new propane tanks to accommodate the Land Use Element/Zoning Code Amendments. This is a small fraction of the current natural gas demand for the Town of Mammoth Lakes.

As discussed in Section 4.6, *Greenhouse Gas Emissions*, of this Draft EIR, Executive Orders S-3-05 and B-30-15 are orders from the State's Executive Branch for the purpose of reducing Statewide GHG emissions. These Executive Orders establish the goals to reduce GHG emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050. These goals have not yet been codified. However, in order to meet the 2030 and 2050 targets, aggressive technologies in the transportation and energy sectors, including electrification and the decarbonization of fuel, will be required. In its *Climate Change Scoping Plan*, CARB acknowledged that the measures needed to meet the 2050 goal are too far in the future to define in detail. Although the State has yet to identify specific technologies and measures, in particular for meeting the 2050 target, it is reasonable to conclude that the Project's post-2020 emissions trajectory, and associated energy use, is expected to follow a declining trend, consistent with Statewide efforts to meet these future year targets.

### Alternative Energy Considerations

The use of energy provided by alternative (renewable) resources, off site and on site, to meet the Project's operational demands is constrained by the energy portfolio mix managed by Southern California Edison and limitations on the availability or feasibility of on-site energy generation.

SCE is required to commit to the use of renewable energy sources for compliance with the California Renewable Energy Resources Act. Southern California Edison has committed to meeting the requirement to procure at least 33 percent of its energy portfolio from renewable sources by 2020 through the procurement of energy from eligible renewable resources, to be implemented as fiscal constraints, renewable energy pricing, system integration limits, and transmission constraints permit. Eligible renewable resources defined in the 2013 Renewable Portfolio Standard include biodiesel; biomass; hydroelectric and small hydro (30 megawatts [MW] or less); Los Angeles Aqueduct hydro power plants; digester gas; fuel cells; geothermal;

<sup>3</sup> Values are based on the Title 24 (2016) standards. Compliance with future updated Title 24 standards in effect at the time of building permit issuance could result in further reduced energy demand.

<sup>4</sup> Values are based on the Title 24 (2016) standards. Compliance with future updated Title 24 standards in effect at the time of building permit issuance could result in further reduced energy demand.

landfill gas; municipal solid waste; ocean thermal, ocean wave, and tidal current technologies; renewable derived biogas; multi-fuel facilities using renewable fuels; solar photovoltaic; solar thermal electric; wind; and “other renewables that may be defined later.” As of 2014, the most recent year for which data are available, Southern California Edison’s renewable energy resources included geothermal, small hydro, wind, solar, and biomass, which accounted for 23.5 percent of its overall energy mix. This represents the available off-site renewable sources of energy that would meet Project demand.<sup>5</sup>

With respect to on-site renewable energy sources, because project-level details associated with implementation of the Land Use Element/Zoning Code Amendments are not known, plans for future installation of renewable energy are not known. The Town of Mammoth Lakes General Plan includes Resource Management and Conservation Goal 8, which encourages increased use of renewable energy resources and conservation of existing sources of energy (see Section 4.6, *Greenhouse Gas Emissions*, in this Draft EIR). This goal calls for the education of the community and building industry professionals in the value of energy efficient building construction, as well as encourages the use of renewable fuels such as biodiesel, the design of buildings to be oriented for passive solar heating, and the use of decentralized solar power production systems.

Solar and wind power represent variable-energy, or intermittent, resources that are generally used to augment, but not replace, natural gas-fired energy power generation. Reliability of energy availability and transmission is necessary to meet demand, which is constant.

The California Energy Commission (CEC) studied the State’s high wind resource potential.<sup>6</sup> Based on a map of California’s wind resource potential, the Town of Mammoth Lakes is not identified as an area with wind resource potential. Wind resource areas are considered to be those with winds above 12 mph, the Town of Mammoth Lakes has land-based wind speeds that range from 9 to 12 mph. Since project-level developments are not proposed, it is unknown if viable sites exist for the placement and operation of wind turbines.

Similarly, solar energy is highly variable in Mono County, particularly based on elevation and season where there is increased cloud cover, and is therefore not cost-effective as a primary source of energy. The CEC has identified areas within California with high potential for viable solar, wind, and geothermal energy production. The CEC rated California’s solar potential by county using insolation values available to typical photovoltaic system configurations, as provided by the National Renewable Energy Laboratory. Although Mono County has a relatively high photovoltaic potential of 2,036,627 megawatt-hours (MWh)/day, inland counties to the south such as Inyo (10,047,177 MWh/day), Riverside (7,811,694 MWh/day), and San Bernardino (25,338,276 MWh/day) are more suitable for large-scale solar power generation.<sup>7</sup> In addition, there are no high potential areas of greater than 6 KWh/sqm/day in the Town of Mammoth Lakes.

---

<sup>5</sup> California Public Utilities Commission, *California Renewables Portfolio Standard (RPS)*, <http://www.cpuc.ca.gov/PUC/energy/Renewables/>. Accessed February 2015.

<sup>6</sup> California Energy Commission, *California Wind Resource Potential*, <http://www.energy.ca.gov/maps/renewable/wind.html>. Accessed May 2016.

<sup>7</sup> California Energy Commission, *California Solar Resources, April 2005*, <http://www.energy.ca.gov/2005publications/CEC-500-2005-072/CEC-500-2005-072-D.PDF>. Accessed May 2016.

The Town of Mammoth Lakes is located near important geothermal sources. As of October 31, 2015, Mono County had 62 MW of geothermal and 96 MW of small hydro on-line with an addition 33 MW of geothermal approved for construction. As stated previously, project-level details are not known with respect to implementation of the Land Use Element/Zoning Code Amendments. However, the Project would result in development in an existing commercial area and the area is not compatible with the development of geothermal or small hydro power sources. Nonetheless, the Project would not conflict with the Town's ability to pursue geothermal or small hydro development in appropriate areas and it is likely that some renewable resources could be developed to offset energy consumption by the Project.

### **Energy Conservation: Regulatory Compliance**

The CEC first adopted the Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Part 11 of the Title 24 Building Standards Code is referred to as the CALGreen Code. The purpose of the CALGreen Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality." As of January 1, 2011, the CALGreen Code is mandatory for all new buildings constructed in the State. The CALGreen Code establishes mandatory measures for new residential and non-residential buildings, which includes requirements for energy efficiency, water conservation, material conservation, planning and design, and overall environmental quality. The CALGreen Code was most recently updated in 2013 to include new mandatory measures for residential as well as nonresidential uses. The new measures took effect on January 1, 2014 (the energy provisions took effect on July 1, 2014). The Project would comply with or exceed the applicable provisions of Title 24 and the CALGreen Code in effect at the time of building permit issuance. According to the CEC, the Title 24 (2016) standards use 5 percent less energy for nonresidential lighting, heating, cooling, ventilation, and water heating compared to the Title 24 (2013) standards. It is expected that future updates to the Title 24 standards would result in increased energy efficiency. The California Public Utilities Commission (CPUC) has designed the Zero Net Energy (ZNE) Action Plan to make new residential and commercial construction in California zero net energy by 2030 in order to meet the state's greenhouse gas goals. The ZNE Action Plan's key milestones are achieved by improving and expanding Title 24 standards, providing incentives, mandating carbon benchmarking and labeling, and developing performance data. However, it is not possible to accurately predict the increased level of energy efficiency associated with future updates to the Title 24 standards. As discussed in Section 4.6, *Greenhouse Gas Emissions*, of this EIR, applicable General Plan goals call for the optimization of energy efficiency and the increase in renewable energy resources and energy conservation. Additionally, continued improvements in California's appliance and building energy efficiency programs and initiatives, such as the State's zero net energy building goals, would serve to reduce the Project's anticipated energy consumption after 2030.

With respect to solid waste, the Project is required to comply with applicable regulations, including those pertaining to waste reduction and recycling. Waste haulers serving the Project Area would divert generated municipal waste in accordance with applicable ordinances, as well as future updates to the ordinances in effect at the time of construction and operation.

## Operational Transportation Energy Consumption

Implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would result in transportation energy use. Transportation fuels, primarily gasoline and diesel, would be provided by local or regional suppliers and vendors. As discussed previously, in 2014, California consumed a total of 14.4 billion gallons of gasoline and 3.3 billion gallons of diesel in the transportation sector.<sup>8,9</sup> Vehicles would require a fraction of a percent of the total state's transportation fuel consumption. According to the EMFAC2014 model, the vehicle fleet average fuel economy for all vehicle types in the Great Basin Valleys Air Basin region in 2035 is predicted to be 33.5 miles per gallon for gasoline and 8.1 miles per gallon for diesel with gasoline vehicles accounting for 82.3 percent of the total VMT and diesel vehicles accounting for 9.7 percent of the total VMT. Electric vehicles are predicted to account for 8.0 percent of the total VMT.

Buildout of the land uses in accordance with the Land Use Element/Zoning Code Amendments would result in a maximum estimated VMT of approximately 49.8 million miles per year from passenger vehicles, which would use approximately 1.2 million gallons of gasoline and 598,200 gallons of diesel fuel in a year. This would represent about 0.009 percent of the Statewide gasoline consumption and about 0.02 percent of the Statewide diesel consumption, which represents a very small fraction of the state's annual fuel usage.

Buildout of the land uses in accordance with the Land Use Element/Zoning Code Amendments with implementation of the Mobility Element Update would result in a maximum estimated VMT of approximately 48.3 million miles per year from passenger vehicles, which would use approximately 1.2 million gallons of gasoline and 580,000 gallons of diesel fuel in a year. This would represent about 0.008 percent of the Statewide gasoline consumption and about 0.02 percent of the Statewide diesel consumption, which represents a very small fraction of the state's annual fuel usage. The implementation of the Mobility Element Update would reduce VMT, as well fuel usage, resulting in a net decrease in mobile energy consumption.

As stated in Section 4.2, *Air Quality*, and Section 4.6, *Greenhouse Gas Emissions*, the Mammoth Lakes General Plan limits the total Town VMT. As a result, the Project would support Statewide efforts to improve transportation energy efficiency and reduce wasteful or inefficient transportation energy consumption with respect to vehicles. In addition, the purpose of the Mobility Element Update is to reduce VMT by improving pedestrian connectivity in the Town's commercial districts, increasing bicycle lanes, and improving public transit, which would further reduce wasteful or inefficient transportation energy consumption with respect to vehicles.

Alternative-fueled, electric, and hybrid vehicles, to the extent these types of vehicles would be utilized by passengers, would reduce the Project's consumption of gasoline and diesel; however, the effect may be minimal in the current vehicle market. According to the EMFAC2014 model, electric vehicles are predicted to account for 8.0 percent of the vehicle fleet total VMT in 2035 in the region. Based on the estimate above, this would translate to fuel savings of up to about 115,400 gallons of fuel (primarily gasoline, assuming electric vehicles replace gasoline-fueled passenger vehicles) per year under the Land Use Element/Zoning Code Amendments and Mobility Element Update.

<sup>8</sup> U.S. Energy Information Administration, Table F3: Motor Gasoline Consumption, Price, and Expenditure Estimates, 2014, [http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep\\_fuel/html/fuel\\_mg.html&sid=US](http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep_fuel/html/fuel_mg.html&sid=US). Accessed March 2016.

<sup>9</sup> U.S. Energy Information Administration, Table F3: Motor Gasoline Consumption, Price, and Expenditure Estimates, 2012, [http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep\\_fuel/html/fuel\\_use\\_df.html&sid=US](http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep_fuel/html/fuel_use_df.html&sid=US). Accessed March 2016.

## Energy Conservation: Land Use Characteristics and Project Design Features

The Land Use Element/Zoning Code Amendments and Mobility Element Update were drafted with the intent of increasing commercial density and improving the transportation network. Implementation of the Mobility Element Update would reduce VMT and reduce transportation fuel demand. New development under the Land Use Element/Zoning Code Amendments would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code, which would minimize building energy demand. Measures that would contribute to energy efficiencies are described in applicable General Plan goals in Section 4.2, *Air Quality*, and Section 4.6, *Greenhouse Gas Emissions*, in this Draft EIR.

## Conclusion

Operation of the Project would utilize energy for necessary building usage and transportation associated with vehicles traveling within the Town. The amount of energy used would not represent a substantial fraction of the available energy supply in terms of equipment and transportation fuels. Furthermore, the Project would incorporate green building measures consistent with or exceeding energy efficiency standards in CALGreen. The Project would also provide opportunities for future energy efficiency by promoting the use of renewable energy resources. As the Project would achieve greater than required energy efficiency, it would not result in the wasteful, inefficient, and unnecessary consumption of supporting equipment energy, and future growth that would occur with or without the Project could provide opportunities for improving overall fuel efficiency. Therefore, operation of the Project would preempt opportunities for future energy conservation.

## 4. GROWTH INDUCING IMPACTS

Section 15126.2 (d) of the *CEQA Guidelines* requires agencies to address potential growth inducing effects of their actions. Growth-inducing effects are defined as those effects that could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Growth-inducing effects could result from projects that would remove obstacles to population growth, such as the proposed Land Use Element/Zoning Code Amendments.

The proposed Land Use Element/Zoning Code Amendments has the potential to foster a direct increase in population compared to the buildout of the 2007 General Plan. As discussed in Section 4.9, Population and Housing, of this EIR the potential population associated with the increase in intensity of development under the proposed Land Use Element/Zoning Code Amendments could increase over the anticipated General Plan bailout by a total of 2,846 people, including permanent residents and visitors. Increased population would increase demand for commercial services, public services, utility infrastructure and other facilities. While these growth increments are anticipated, the associated impacts have been analyzed and discussed in Chapter 4, *Environmental Impact Analysis*, of this EIR. As discussed therein, the proposed Land Use Element/Zoning Code Amendments would not require new development of facilities and infrastructure, the development of which would result in secondary environmental effects. Although the proposed Land Use Element/Zoning Code Amendments has the potential to foster growth, it does not provide new development projects or enable new development to occur outside the Town's existing commercially-zoned districts or outside of the Town's Urban Growth Boundary (UGB).

The proposed Land Use Element/Zoning Code Amendments has the potential to increase commercial floor area by approximately 152,533 square feet over anticipated General Plan buildout within the commercial areas of the Town. This could potentially increase employment opportunities over the employment opportunities anticipated under the 2007 General Plan. Employment increases could affect growth in outlying communities beyond the Town's jurisdiction because employees are also often drawn from a much larger geography than the town, itself. As a result, housing demand indirectly related to growth within the Town of Mammoth Lakes could affect nearby county communities such as Lake Crowley, June Lake, and Lee Vining as well as more distant locations, particularly in and around Bishop. The Land Use Element/Zoning Code Amendments would allow for additional, higher density housing that could also provide more housing for employees within the Town than under the 2007 General Plan's housing projections. Although additional new commercial uses could incrementally increase employees compared to 2007 General Plan projections, the increase in new employees residing outside the Town of Mammoth Lakes, compared to 2007 General Plan projections, is expected to be minimal and to have a minor effect on regional growth projections.

The proposed new streets and MUPs identified in the Mobility Element Update would not increase growth or encourage and facilitate other activities that could significantly affect the environment, above the buildout anticipated under the 2007 General Plan. Improved connectivity and alternative modes of transportation, also provided under the Mobility Element Update, would not open new areas for development or cause additional environmental effects not anticipated under the 2007 General Plan. Because population growth associated with the proposed Land Use Element/Zoning Code Amendments would be located within the Town's UGB, because the proposed Land Use Element/Zoning Code Amendments would not result in adverse impacts in the Town of Mammoth Lakes where new growth is primarily concentrated, and because incremental growth that could impact other communities would be minor, it is concluded that growth-inducing impacts associated with the proposed Land Use Element/Zoning Code Amendments would be less than significant.

## **5. REASONS WHY THE PROJECT IS BEING PROPOSED, NOTWITHSTANDING SIGNIFICANT UNAVOIDABLE IMPACTS**

In addition to identification of a project's significant unavoidable impacts, Section 15126.2(b) of the State CEQA Guidelines also requires a description of the reasons why the project is being proposed, notwithstanding significant unavoidable impacts associated with the project. As indicated above, the Project would result in significant and unavoidable impacts relative to air quality, transportation, and recreation.

The Project includes two components, the Land Use Element/Zoning Code Amendments and the Mobility Element Update, which together would result in changes particular to the Town's downtown area. The implementation of the Mobility Element Update would meet the objectives of the 2007 General Plan to achieve a progressive and integrated multi-modal transportation system, one that emphasizes "feet first, public transportation second, and car last." In addition, the Mobility Element Update would be consistent with the California Complete Streets Act (AB 1358). AB 1358 requires that municipalities craft a specific network of travel options through an adopted General Plan circulation element. Under AB 1358, the circulation element must reflect land use patterns that further support the effectiveness of a multimodal transportation network. The Mobility Element Update would expand upon the Town's adopted Mobility Element, focus on multi-modal transportation, and provide specificity as required under AB 1358. Thus, the adoption of the Mobility Plan Update would engender regional and state confidence with respect to funding. A more secure funding source would further ensure future roadway, pedestrian, and transit improvements.

The Land Use Element/Zoning Code Amendments would provide development flexibility in the commercial districts through the removal of the unit/room cap. The removal of the cap could result in an increase in intensity of development in the downtown that would result in greater activity in the area. The Mobility Element Update would result in a greater use of alternate transportation through the provision of trails, bicycle lanes, and an increase in transit. The increase in intensity coupled with implementation of the Mobility Element Update would emphasize feet first and greater use of alternate transportation in the Town thereby reducing vehicle miles travelled (VMT). The Project would assist in meeting the Town's objective to create a Downtown area in which people park their vehicles once and walk throughout the area thereby reducing congestion and vehicle miles travelled.

The combined Land Use Element/Zoning Code Amendments and the Mobility Element Update would implement California Senate Bill 375 (SB 375), which requires that land use and transportation planning be integrated to reduce VMT. Under SB 375, this is achieved through land use patterns that allow alternatives to the automobile, such as proximity of residential uses to jobs, services, and other destinations that accommodate walking and cycling. The Land Use Element/Zoning Code Amendments and the Mobility Element Update would also implement AB 743, which is intended to support residential/mixed-use densification for the purpose of inducing greater pedestrian and other multi-modal activity and, thus, reduce vehicle miles traveled. With the exception of No Project Alternative, incrementally less intensive Alternatives would not reduce potentially significant environmental impacts related to construction and operations emissions, recreational facilities, and levels of service along Main Street (if Caltrans does not approve signals at certain intersections) to less than significant levels. Given the benefits of the Land Use Element/Zoning Code Amendments and Mobility Element Update in supporting the "feet first" objectives of the General Plan and addressing State legislation to reduce VMT, the Project is, therefore, proposed in spite of these potentially significant environmental effects.

## **6. EFFECTS FOUND NOT TO BE SIGNIFICANT**

Pursuant to Section 15128 of the State CEQA Guidelines, an EIR must contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were, therefore, not discussed in detail in the EIR. This section discusses those issue areas that were determined not to require further analysis in the EIR through the Initial Study, which is contained in Appendix A of this EIR. The Project comprises the proposed Land Use Element/Zoning Code Amendments and the Mobility Element Update. With respect to individual issue areas, in some cases the Initial Study determined that environmental effects with respect to both the Land Use Element/Zoning Code Amendments and Mobility Element Update would not be significant. In other issue areas, the Initial Study determined environmental effects to be less than significant for either the Land Use Element/Zoning Code Amendments component or the Mobility Element Update component. The EIR evaluation reflected the particular focus of the Initial Study.

### **Agricultural and Forestry Resources**

Based on information provided by the Town as well as comments received on the NOP, the Initial Study determined that the Land Use Element/Zoning Code Amendments and the Mobility Element Update would not cause significant environmental effects on agricultural resources. There are no prime or unique farmlands, agricultural operations, zoned agricultural lands, or Williamson Act contract lands within the Town's UGB affected by the Land Use Element/Zoning Code Amendments and the Mobility Element Update,

or within the Municipal Boundary and surrounding USFS lands affected by new trails under the Mobility Element Update. Therefore, the Project would not result in conversion of farmland to non-agricultural uses and no impacts on agricultural resources are anticipated.

Because new roads and trails associated with the Mobility Element Update could affect forestry resources in the surrounding Inyo National Forest, these potential effects are further addressed in this EIR. Please see Section 4.3, Forestry Resources, for evaluation of the effects of the Mobility Element Update on forestry resources.

## **Air Quality**

During construction activities associated with improvements identified in the Mobility Element Update, various diesel-powered vehicles and equipment could create minor odors. These odors are not likely to be noticeable beyond the immediate vicinity and would be temporary and short-lived in nature. Because of highly localized construction odors and the short-term character of construction, short-term odors would be less than significant. Long-term odors are typically associated with industrial projects involving use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes. Odors are also associated with such uses as sewage treatment facilities and landfills. The Project involves no elements related to these types of uses. Therefore, long-term odor impacts would be less than significant.

Given that the Land Use Element/Zoning Code Amendments and Mobility Element Update could result in an increase in air emissions from vehicle trips and stationary sources, these issues are addressed in this EIR. Please see Section 4.2, Air Quality, for further discussion of Project-related air quality impacts.

## **Geology and Soils**

### **Seismic and Geologic Hazards**

Any development within the Town, buildings or roadways, would comply with the California Building Code (CBC) (CCRs, Title 24) and the Town's Municipal Code Sections 12.08.076 and 12.08.080, which require grading permits for all development projects. Engineered building and foundation plans and soils reports must be submitted with grading permit applications. As required under the CBC, buildings and facilities would be designed in accordance with ground motion parameters that have been calculated for a particular site to withstand seismic ground shaking from the maximum credible earthquake. Because all new development must comply with applicable seismic and structural requirements of the CBC and Town of Mammoth Lakes Municipal Code, impacts associated with seismic ground shaking and ground stability would be less than significant. In addition, the character of surface and subsurface soil and depth to groundwater in the Town of Mammoth Lakes indicates little potential for liquefaction and landslides. However, all new development would comply with the requirements of the Municipal Code, which would ensure geologic safety of constructed structures, including review of liquefaction and landslide potential. Therefore, geologic hazards associated with liquefaction and landslides would be less than significant.

### **Soils Erosion and Hazards**

Section 12.08.078 of the Municipal Code regulates grading and earthwork for the purpose of minimizing disturbance from erosion and siltation, and the Lahontan Regional Water Quality Control Board's (LRWQCBs) Water Quality Control Plan sets forth standards to reduce soil erosion related to surface water

runoff and siltation. Certain construction projects, including buildings with subterranean excavation and road construction, would require a Storm Water Pollution Prevention Plan (SWPPP) with associated Best Management Practices (BMPs) to control erosion at the source. With the implementation of BMPs and SWPPP, and compliance with other Municipal Code requirements related to erosion and siltation, impacts related to topsoil would be less than significant.

No expansive soils have been mapped or encountered in the Town of Mammoth Lakes and, as such, impacts related to expansive soils would be less than significant. In addition, because the Mammoth Community Water District provides sewer service, no impacts related to appropriate soil structure for the development of septic systems are anticipated.

## **Hazards and Hazardous Materials**

### **Hazardous Materials**

Hazardous materials may be used during the construction phase of new development or for the proposed roadways identified in the Mobility Element Update. Hazardous materials that may be used during construction include, but are not limited to, fuels (gasoline and diesel), paints and paint thinners and possibly herbicides and pesticides. Generally these materials would be used in concentrations that would not pose significant threats during the transport, use and storage of such materials. Over the long-term, the Project would not involve development that would include substantial storage, use, disposal, or generation of hazardous materials or wastes. The proposed Land Use Element/Zoning Code Amendments would not result in a change in the uses allowed in the commercial districts. Routine maintenance activities associated with the Town's proposed roadways may involve the occasional use of hazardous materials. Potentially toxic or hazardous compounds associated with maintenance activities typically consist of readily available solvents, cleaning compounds, paint, herbicides, and pesticides. These compounds are regulated by stringent federal and state laws mandating the proper transport, use, and storage of hazardous materials in accordance with product labeling. The use and storage of these substances is not considered to present a health risk when used in accordance with manufacturer specifications and with compliance to applicable standards and regulations, including California Occupational Safety and Health Administration (OSHA) requirements, and Title 8 and 22 of the Code of California Regulations. No sites within the project areas have been included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5. Accordingly, Project implementation would not be subject to existing hazards from such a site. The Project would result in a less than significant impact with regard to emissions of acutely hazardous materials within one-quarter mile of a school and the routine transport, use, or disposal of hazardous materials, hazards to the public.

### **Airport Hazards**

The proposed Land Use Element/Zoning Code Amendments would potentially result in development within the Town of Mammoth Lakes commercial districts. The proposed Land Use Element/Zoning Code Amendments would not change the existing height limit on buildings and the Town's commercial districts are not within two miles of a public airport, within an airport land use plan, or within the vicinity of a private airstrip. The Mobility Element Update would incorporate roadways that would be nearer the Mammoth-Yosemite Airport. However, the Mobility Element Update would not involve the construction of facilities that would interfere with airport access or other airport operations. No impacts with respect to airport hazards would occur as a result of the proposed Land Use Element/Zoning Code Amendments or Mobility Element Update.

## Wildland Fires

The proposed Land Use Element/Zoning Code Amendments would potentially allow intensification of development in the Town's commercial districts, which would increase occupancy rates and potentially expose more residents and visitors to wildland fires. The Town of Mammoth Lakes maintains an Emergency Operations Plan (EOP), which sets forth the Town's interrelationship with other agencies and jurisdictions to provide emergency services during such events as wildfires. The EOP meets the state's Standardized Emergency Management System (SEMS) requirements, provides emergency response procedures such as identification of critical hazard areas, locations for meeting and staging in an emergency event, communications, and emergency evacuation. In addition, the Eastern Sierra Fire Safety Council's (ESRFSC) Fire Safety Plan aids residents in improving defenses against wildfires. Fire hazard severity for Mammoth Lakes, which has been mapped by the CDFFP, is considered "very high" potential. In response to this rating and the Sierra Nevada Forest Plan Amendment (SNFPA) (2004), USFS crews began the construction of the Mammoth Lakes Fuelbreak within the Inyo National Forest. The ESRFSC also collaborates with local volunteer fire departments and assists CDFFP as they train fire prevention volunteers to perform residential fire hazard inspections. Volunteers also work with homeowners and businesses to raise awareness concerning wildland fire risks and methods of hazard reduction. The Mobility Plan Update also provides for roadway improvements that would improve mobility and connectivity throughout the Town. With improvements to the transportation system and the effective use of EOCs and other procedures set forth in the EOP and NFP, risk to the Town of Mammoth Lakes related to wildfires would be reduced to a less than significant level. Because the proposed Land Use Element/Zoning Code Amendments would not interfere with EOP and NFP procedures, they would not increase risk related to wildland fires. Therefore, the impact of the Project with respect to wildland fires would be less than significant.

## Hydrology and Water Quality

### Water Quality

The construction of buildings and roadways/trails under the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update would increase paved surfaces thereby increasing impermeable surfaces throughout the Town. The increase in impermeable surfaces for roadways has the potential to increase the volume and velocity of surface runoff during a storm event. However, all construction projects would be subject to state and local water quality regulations, including State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) permitting and BMP's. Roadway construction would be administered by the Town of Mammoth Lakes Department of Public Works and would comply with standards for surface water runoff and erosion control set forth in the Town of Mammoth Lakes Standards for roadway design and drainage facilities. During operation, the proposed Mobility Element Update emphasizes "feet first" (non-motorized) transportation, which would potentially reduce growth in motor vehicle use and would benefit water quality by reducing discharge pollutants. All new road segments would install new surface water collection systems and drains which would channel water to the Murphy Gulch detention basin and by decreasing the peak flow to downstream watersheds allows a longer period for downstream watersheds to drain, effectively increasing the ability of downstream drainage systems to accommodate runoff generated upstream. The Town of Mammoth Lakes also requires that all new development retain on-site the runoff produced from a one-hour 20-year storm event. This would reduce the downstream impact of new development, while reducing the sediment and nutrient material that is washed from roofs, roads, and other hard surfaces. Because construction runoff would be controlled by existing state and local regulations and required BMPs, and operational runoff would be directed from the pavement to detention systems that reduce pollutants, the Land Use Element/Zoning Code Amendments and

Mobility Element Update would not violate water discharge requirements at existing water bodies, such as Mammoth Creek. Impacts with respect to water quality standards would be less than significant.

### **Groundwater Supplies**

Groundwater in the Town of Mammoth Lakes area derives from the watersheds comprising the 45,000 acre (71-square-mile) Mammoth Hydrologic Basin. New development and roadways would increase impervious surfaces compared to existing conditions. New roadways would incorporate storm drain infrastructure, which would collect runoff and reduce groundwater recharge by diverting more runoff into the Town's storm drainage system. However, surface runoff from the new streets would eventually re-enter the basin. In addition, because new impermeable roadways comprise a relatively small area compared to the size of the Mammoth Hydrologic Basin, the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update would not result in a substantial depletion of groundwater supplies or interfere with groundwater recharge. Therefore, impacts related to groundwater recharge would be less than significant.

### **Drainage Patterns**

New road development or extensions of roadways under the Mobility Element Update would potentially result in an increase in collected surface runoff. Construction of streets would adhere to the Town Standards and other design policies that provide for the collection and diversion of surface runoff to the Town's system of storm drains, which diverts runoff and substantially reduces potential damage associated with streambed erosion, sediment transport, and pollution transport. Development resulting in impervious surfaces was anticipated in the commercial districts under the existing General Plan and would not be substantially different as a result of the proposed Land Use Element/Zoning Code Amendments. Development would comprise approximately 8.3 acres of vacant land, or approximately 6.5 percent of the Town's 122-acre commercial districts. Required retention of runoff would reduce sediment and nutrient material and, thus, impacts on streambeds and drainage patterns alteration. Therefore, impacts with respect to drainage patterns would be less than significant.

### **Flood and other Inundation Hazards**

Any future housing related to the Project would be located within the Town's existing commercial districts, which terminate to the north of Mammoth Creek. The FEMA-mapped 100-year flood plain is located along Mammoth Creek, with the nearest section occurring to the south of the Project area. The Project area is not within the 100-year floodplain which is located south of the southern edge of the Project boundary. Therefore, the Project would not involve the placement of any habitable structures within a flood hazard boundary, including inundation areas below existing dams, or impede or redirect flood flow within a 100-year flood plain. Impacts with respect to flood hazards would be less than significant and no further analysis of this issue in the EIR is necessary.

## **Land Use**

### **Physical Division of an Established Community**

The proposed Land Use Element/Zoning Code Amendments would not change the configuration of the zoning districts or the overall pattern of development within the Town. Any development in the commercial districts would represent infill of the Town's existing commercial districts and would not require the alteration or closure of roadways and routes to surrounding residential and industrial neighborhoods. The

Mobility Element Update emphasizes non-motorized transportation, to facilitate multi-modal access throughout the commercial districts, and to improve connectivity among the Town's neighborhoods through new streets and road extensions. These conditions would reduce existing community disconnections and division and, as such, impacts associated with the physical division of an established community would be less than significant.

Because the Land Use Element/Zoning Code Amendments and Mobility Element Update would change components of the General Plan and other land use plans and policies, the effects of these changes are addressed further in this EIR. In addition, the Mobility Element Update's potential effect on habitat conservation plans is also addressed in this EIR. Please see Section 4.7, Land Use, for further discussion of land use impacts associated with the Land Use Element/Zoning Code Amendments and Mobility Element Update and Section 4.4, Biological Resources, for effects related to these resources.

## **Mineral Resources**

The Project does not incorporate heavy industrial uses that would increase demand or availability of minerals and does not propose mineral development activities. The potential construction of new and redeveloped buildings in the Town's existing commercial districts and construction of extensions of existing streets under the Mobility Element Update would not occur in areas of known mineral resources, which are located outside of the Town boundaries. The construction of new roadway segments would not impede access or the potential for direct use or future exploration of mineral resources in the region. Therefore, impacts of the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update with respect to the loss of availability of mineral resource would be less than significant.

## **Noise**

### **Airport Noise**

Any future development under the proposed Land Use Element/Zoning Code Amendments would not be located within the vicinity of an airport. The nearest airport to the commercial districts is the Mammoth Yosemite Airport, located approximately 7.5 miles to the southeast of the Town of Mammoth Lakes. No airstrips or heliports are located within the Town of Mammoth Lakes. Helicopter use or landings in the area may occur during emergency situations or if/when filming occurs in Town. However, because this would not be a regular occurrence it would not generate higher ambient noise levels. Airport noise impacts would not be pertinent to the proposed Mobility Element Update because the latter does not affect the location of occupied structures, such as residences or businesses. Implementation of the Project would not expose people to excessive airport related noise levels because of the proximity of an airfield or heliport or helistop and impacts with respect to this issue would be less than significant.

Because the proposed Land Use Element/Zoning Code Amendments could result in groundborne noise and vibration impacts during construction and operation of new development, these effects are evaluated in this EIR. Please see Section 4.8, Noise, for further discussion of the noise impacts associated with the Land Use Element/Zoning Code Amendments.

## Public Services

The proposed Mobility Element Update would result in complete streets and new trails within the Town. The Mobility Element Update would not affect the provision of public services, such as schools and libraries, which are based on population. The Mobility Element Update would result in additional roadways and potential increase in maintenance and snow removal requirements. Depending on the ownership of the respective roadways, a variety of Town, Mono County, or state funding sources would fund street maintenance. Maintenance activities regarding the new street components are not anticipated to result in significant physical impacts associated with the provision of new or physically altered governmental facilities. Therefore, impacts regarding snow removal and street maintenance would be less than significant.

Given that the Land Use Element/Zoning Code Amendments could result in an increase in population within the commercial districts and therefore impact public services, this issue is further evaluated in this EIR. The Mobility Element would result in changes in the circulation infrastructure that could affect the provision of fire and law enforcement services. Therefore, this issue is further evaluated in the EIR. Please see Section 4.10, Public Services, for evaluation of the effects of the Land Use Element/Zoning Code Amendments on schools, and parks as well as the effects of the Land Use Element/Zoning Code Amendments and the Mobility Element Update on fire and police protection services.

## Transportation/Traffic

### Air Traffic Patterns

The Project does not propose any structures that would interfere with air traffic patterns; nor is the Project expected to increase use of the Mammoth Yosemite Airport to a level that would significantly increase air traffic levels or require a change in air traffic patterns thereby increasing traffic levels. Thus, no impact regarding air traffic patterns are anticipated.

Because the Land Use Element/Zoning Code Amendments and Mobility Element Update could result in potentially significant impacts related to street service level standards and the performance of the street system, traffic impacts are further evaluated in this EIR. Please see Section 4.11, Transportation and Traffic, for a discussion of the effects of the Land Use Element/Zoning Code Amendments and Mobility Element Update related to traffic and circulation.

## 7. POTENTIAL SECONDARY EFFECTS

Section 15126.4(a)(1)(D) of the *CEQA Guidelines* requires mitigation measures to be discussed in less detail than the significant effects of the project if the mitigation measure(s) would cause one or more significant effects in addition to those that would be caused by the project as proposed. With regard to this section of the *CEQA Guidelines*, the project's proposed mitigation measures that could cause potential impacts were evaluated. The following provides a discussion of the potential secondary effects that could occur as a result of the implementation of the project mitigation measures, listed by environmental issue area. Only those EIR sections that contain mitigation measures are addressed.

## Aesthetics

Mitigation Measure AES-1 requires construction equipment staging areas to use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material from public and sensitive viewers (e.g., residents and motorists/bicyclists/pedestrians), when feasible. Staging locations shall be indicated on the project Building Permit and Grading Plans and shall be subject to review by the Town of Mammoth Lakes Community and Economic Development Director in accordance with Municipal Code requirements. The use of screening is not anticipated to result in secondary aesthetic affects because it would reduce the visual effects of construction staging. Installation of screening would be a minor component of the construction process and any secondary impacts associated with installation, such as post-hole preparation, would be a very small component of the total construction process, which was accounted for in the analyses contained in other sections of the EIR, such as Air Quality, Biological Resources, Cultural Resources, and Greenhouse Gas Emissions. Mitigation Measure AES-2 requires that if shadows were to be cast on Main Street that methods, such as increased maintenance and a driver feedback system, shall be established and funded to reduce the potential impacts that could occur during the winter months. These mitigation measures would not result in the expenditure or use of additional resources, cause additional traffic or emissions impacts, or result in new physical impacts not addressed in the EIR.

## Forestry Resources

Mitigation Measure FOR-1 requires that roadway design circumvent or avoid mature healthy, native trees to the extent feasible. In addition, the need for replacement of trees shall be evaluated and implemented based on Healthy Forest and Fire Safe Council principles. The Mobility Element Update is a program level document and as such specific alignments for roadways and trails have not been completed. This mitigation would have the beneficial effect of preserving specimen trees in accordance with Healthy Forest standards. Compliance with Fire Safe Council principals would reduce the secondary effects of forest crowding during any replanting projects. Thus, the mitigation measure ensures that alignments shall avoid trees and that if trees cannot be avoided that replanting shall occur. The measure would not result in the expenditure or use of additional resources, cause additional emissions impacts, or result in new physical impacts not addressed in the EIR.

## Air Quality

Mitigation Measure AIR-1 requires that, prior to the issuance of a grading or building permit, individual proposed projects shall comply with specific land preparation, excavation, and/or demolition measures related to dust control, covered loads, clean trucks, clean streets, stabilizing soils stockpiles, and mowing of weeds. Mitigation Measure AIR-2 requires that, prior to the issuance of a grading or building permit, individual proposed projects shall maintain emission control devices on all construction equipment and emissions regulations such as CARB idling restrictions and USEPA/CARB on-road and off-road diesel vehicle emissions standards. Mitigation Measure AIR-3 requires that, prior to the issuance of a building permit, individual projects shall provide direct pedestrian and bicycle access to parks, schools, shopping, bike paths and other amenities. Under MM AIR-3, high density residential, mixed-use, or commercial developments where transit services exist but no transit stop is located within 1/2 mile of the site shall provide a site at the location for bus turnouts and shelters. To address TAC emissions, Mitigation Measure AIR-4 requires that prior to the issuance of a grading or building permit, projects with TAC emissions near sensitive receptors shall conduct a screening or refined health risk assessment to sufficiently demonstrate that impacts would not exceed the adopted significance thresholds inclusive of project-level design features, as appropriate and

feasible. All of these mitigation measures would provide air quality benefits, would not require the expenditure of additional resources, cause additional traffic or emissions impacts, or result in new physical impacts not addressed in the EIR. Thus, no secondary effects would occur as a result of the implementation of these measures.

## Biological Resources

Mitigation Measure BIO-1 requires that, prior to the approval of road improvement projects and MUPs in riparian vegetation associated with Mammoth Creek and its tributaries, the Town shall require a habitat evaluation by a biologist with respect to willow flycatcher habitat according to CDFW survey guidelines. Mitigation Measure BIO-2 requires that, to the extent feasible, brush and tree removal projects shall be initiated outside of the nesting bird season. Mitigation Measure BIO-3 requires that special-status amphibian species be captured and relocated in like habitat. Pre-construction surveys shall be conducted by a biologist familiar with the sign of each special-status mammalian species to identify signs of their presence or determine their absence no more than two weeks prior to initiating construction activities. Further mitigation for identified special status mammals would include suspending construction activities within 300 feet of the den, nest, or bat roosts during the breeding period and other measures. Mitigation Measure BIO-4 requires surveys for special-status plants and, if found, such actions as re-routing the trail alignment to avoid or minimize impacts, while preserving an off-site population that is substantially larger than the population to be impacted, developing a transplantation program, and collecting seeds to move populations elsewhere out of harm's way. These measures shall be developed in consultation with the CDFW and USFS. Mitigation Measure BIO-6 requires that, prior to project approval for construction, repair, maintenance and/or improvements in association with individual projects, within waters of the U.S. and federally-protected wetlands, the Town shall notify and consult with the ACOE regarding the need for a Section 404 Permit and the RWQCB regarding the need for its 401 certification. All work shall be performed in compliance with the conditions set forth in the Permit, as determined by the ACOE. All of these mitigation measures (BIO-1 through BIO-6) would benefit biological resources, while not requiring the expenditure of additional resources not anticipated in the EIR. Any additional vehicle trips and activities associated with biological resource surveys would not result in substantial use of resources, cause additional traffic or emissions impacts, or result in physical impacts not addressed in the EIR.

## Cultural Resources

Mitigation of Cultural Resources impacts would be addressed through revisions of two existing Trails System Master Plan Mitigation Measures (TSMM). The revisions to the mitigation measures are to broaden the applicability of the measures so as to apply to all components of the Mobility Element Update. Under revised TSMM 4.D-3, the mitigation would apply to potential redesign of the Project, rather than just trails, to avoid sensitive areas. Regarding paleontological resources, TSMM 4.D-8 is revised to allow a salvage program to remove resources from the site and to curate resources at a public or non-profit institution. The process of implementing this additional mitigation would not require the substantial use of additional resources not addressed in the EIR.

## Noise and Vibration

Mitigation Measure Noise-1 restricts the proximity of heavy construction equipment relative to sensitive receptors to ensure that noise impacts remain below the threshold. This mitigation measures would provide protection that would not result in secondary environmental impacts.

## Transportation and Traffic

Mitigation Measures TRAF-1, TRAF-4, TRAF-5 involve new traffic signals to reduce traffic impacts to less than significant levels. Mitigation Measures TRAF-2, TRAF-3, TRAF-5 through TRAF-9 include re-striping, additional turning lanes, or street widening. Construction impacts for street improvements are addressed in the Aesthetics, Air Quality, Greenhouse Gas Emissions, Noise, Public Services, and other sections of the EIR. These mitigation measures would enhance traffic flow and potentially reduce air emissions caused by traffic congestion and idling. The mitigation measures would not result in the demand for additional resources or result in physical impacts not addressed in the EIR.

## Wastewater

Mitigation Measure WW-1 requires that, during the review of an application by the MCWD for a wastewater permit, if deficiencies in local sewer lines resulting from the application would cause the denial of the sewer permit, the applicant shall install improvements that would comply with Division VII of the Sewer Code (as reviewed by the MCWD). Where general deficiencies are identified, the Sanitary Sewer Code already provides for the collection of fees for sewer main lines, new laterals and other infrastructure. MM WW-1 would reduce potential impacts on wastewater systems. Construction of service lines was addressed in the Draft EIR and determined less than significant. The mitigation measure would be beneficial with respect to wastewater demand and, with the exception of construction effects, is not anticipated to require a use of resources not identified in the EIR.

## Storm Water

Mitigation Measure STRM-1 requires that peak surface runoff shall be determined for all private projects. Suitable infiltration or other containment systems, such as dry wells, galleries, or basins, shall be designed to reduce net runoff increase to existing conditions. All infiltration devices shall be consistent with the Town Standards and shall be reviewed and approved by the Department of Public Works. The property owner shall perform inspection twice a year (Spring and Fall) and after major storm events and shall provide any needed maintenance or cleanout. This mitigation measure would benefit the Town's storm drain system. Construction of infiltration and other containment systems would be part of normal project construction, which was addressed in the Draft EIR. The implementation of this mitigation measure is not anticipated to require a use of resources not identified in the Draft EIR.

## **7.0 LIST OF PREPARERS AND PERSONS CONSULTED**



## 7.0 LIST OF PREPARERS AND PERSONS CONSULTED

---

### 1. DOCUMENT PREPARATION

#### a. Lead Agency – Town of Mammoth Lakes

Town of Mammoth Lakes  
PO Box 1609  
Mammoth Lakes, CA 93546  
(760) 934-8989

Sandra Moberly, AICP, Community and Economic Development Manager

Ruth Traxler, Associate Planner

Grady Dutton, Public Works Director

Haislip Hayes, Associate Civil Engineer

#### b. Persons/Agencies Consulted

Mammoth Community Water District  
Irene Yamashita, Environmental Specialist/Public Affairs

Mammoth Unified School District  
Brooke Bein, Business Manager

Mono County Library Services  
Ana Danielson, Director of Library Services

Town of Mammoth Lakes  
Department of Recreation  
Stuart Brown, Recreation Manager and Public Information Officer

Town of Mammoth Lakes  
Fire Protection District  
Fire Marshall/Division Chief Thom Heller

Town of Mammoth Lakes  
Police Department  
Chief Al Davis

#### c. EIR Preparation

ESA PCR  
201 Santa Monica Boulevard, Suite 500  
Santa Monica, CA 90401

Luci Hise-Fisher, AICP, Associate Principal (Project Manager)

Jay Ziff, Principal/Director of Environmental Planning and Documentation

Gary Schalman, Principal Planner

Lorena Christman, Senior Planner  
Jessie Barkley, Senior Planner  
Heidi Rous, CPP, Principal/Director of Air Quality, Climate and Acoustics Services  
Alan Sako, Senior Air Quality Scientist  
Kyle Kim, Ph.D., Senior Acoustic Engineer  
Steve Nelson, Senior Vice President/Director of Biological Services  
Lauren Singleton, Biologist  
Kyle Garcia, Senior Archaeologist  
Fatima Clark, Archaeologist  
Stephan Geissler, Senior Geographic Information Systems Specialist  
Denise Kaneshiro, Graphics Specialist  
Terry Keelan, Publications Director

**d. Technical Consultants**

**Traffic and Circulation**

LSC Transportation Consultants, Inc.  
2690 Lake Forest Rd. / PO Box 5875  
Tahoe City, California 96145

Leslie Suen, Engineer  
Sara T. Hawley, PE, Associate Engineer

## **8.0 REFERENCES**



## 8.0 REFERENCES

---

- American Ornithologists' Union, The American Ornithologists' Union Checklist of North American Birds, 7th Edition. American Ornithologists' Union, Washington, D. C., 1998.
- Beak Consultants Incorporated, Mammoth Creek 1992- 1993 Fish Community Survey, November 1994.
- Bennett, A. F., Habitat Corridors and the Conservation of Small Mammals in a Fragmented Forest Environment. Landscape Ecol, 1990.
- BonTerra Consulting, Hidden Creek Crossing Project Site Draft Biological Technical Report, Prepared for RBF Consulting, October 16, 2007.
- Burton, J. F., Further Investigations of the Snowcreek Archaeology Site, Mammoth Lakes, California, Trans-Sierran Archaeological Research to Trans-Sierran Archaeology No. 21, July 1992.
- California Department of Forestry and Fire Protection (CAL FIRE), CalVeg, Available online (<http://frap.fire.ca.gov/data/frapgisdata-subset.php>), 2011.
- California Assembly Bill 341 – Statewide Recycling, 2011
- California Assembly Bill 1358 – Complete Streets, September 2008.
- California Assembly Bill 1594 – Alternative Daily Cover AB 1594 was signed into law on September 28, 2014.
- California Assembly Bill 1826 –Commercial and Multi-Family Organics Recycling, 2014.
- California Assembly Bill 2881 - California Register of Historic Resources, July 5, 2000.
- California Assembly Bill 3030 - California Groundwater Management Act (DWR Bulletin 118), 1992.
- California, C&D Waste Diversion Ordinance (Senate Bill 1374), March 16, 2004.
- California, CalRecycle website <http://www.calrecycle.ca.gov/lgcentral/report>, accessed April 1, 2016.
- California Code of Regulations, Title 20, §1604(g) and §1606 - Energy Efficiency, April 1, 2014.
- California Code of Regulations, Title 23, Water Efficient Landscape Ordinance, September 10, 2009 updated September 15, 2015.
- California Code of Regulations, Title 24, §25352(i) and (j) and California Plumbing Code (Part 5), 2015.

- California Code of Regulations §65996 - School Impact Fees, 2003.
- California Code of Regulations §65915 - Low Density Bonus Law, 2002.
- California Code of Regulations, Title 14 - Natural Resources, 2006..
- California Department of Finance, 1990-2010 U.S. Census, 2015.
- California Department of Finance, Demographic Research Unit, E-8, City/County/State Population and Housing Estimates, April 2000 to April 2010.
- California Department of Finance, Demographic Research Unit, Table 2: E-4 Population Estimates for Cities, Counties, and State, 2015.
- California Department of Fish and Wildlife, California Natural Diversity Database (available by subscription) and Rarefind, Sacramento, CA, October 2011 and September 2015.
- California Department of Fish and Wildlife, Habitat Conservation Division, Wildlife and Habitat Data Analysis Branch, State and Federally Listed Endangered and Threatened Animals of California, 2009.
- California Department of Fish and Wildlife, Special Vascular Plants, Bryophytes, and Lichens List, Quarterly publication, 2009.
- California Department of Forestry and Fire Protection, Title 14 of the California Code of Regulations, September 28, 2007.
- California Department of Justice, Criminal Justice Statistics Center, Crime in California, Mammoth Lakes, <https://oag.ca.gov/crime/cjsc/stats/crimes-clearances>, accessed August 2015.
- California Department of Resources Recycling and Recovery (CalRecycle), 2014 Generator-Based Characterization of Commercial Sector Disposal and Diversion in California, September 10, 2015.
- California Health and Safety Code, §17921.3 and §116785, 2015.
- California Fish and Game Code, §1602, 2015.
- California Integrated Waste Management Act of 1989 (AB 939).
- California Native American Heritage Commission, Sacred Lands File Request from Town of Mammoth Lakes, June 23, 2015.

- California Native Plant Society, Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society, Sacramento, CA. Website, 2015, <http://www.rareplants.cnps.org>, September 2015 and October 2011
- California Native Plant Society, Rare Program, Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society, Sacramento, CA, 2015, Website <http://www.rareplants.cnps.org>.
- California, Office of the Governor, Executive Order B-29-15, April 1, 2015.
- California, Office of the Governor, Office of Planning and Research, General Plan Guidelines, 2003.
- California, Office of the Governor, Office of Planning and Research, Update to the General Plan Guidelines: Complete Streets and the Circulation Element, December 15, 2010.
- California Office of Historic Preservation, Public Resources Code §5024, 1982.
- California Public Resources Code §21099, and §21099(d)(1) (California Senate Bill 743, September 27, 2013)
- California, Regional Water Quality Control Board, Water Quality Control Plan for the Lahontan Region, 1995.
- California Sustainable Groundwater Management Act of 2014 (AB 1739, SB 1168, and SB 1319), 2014.
- California Statewide Groundwater Elevation Monitoring - 2012 (Water Code §10920), November 2009.
- California State University Fullerton, Division of Anthropology, South Central Coastal Information Center, 2015.
- California Urban Water Conservation Council, Memorandum of Understanding - Urban Water Conservation in California, January 4, 2016.
- California Water Code §10610-10656 (Urban Water Management Plan), updated 2010.
- Carey, D., T.R. Thomas, and H. Altman, Environmental Assessment: Upper Basalt Geothermal Exploration Project (EA Number: CA-170-05-04). Report submitted to U.S. Department of the Interior, Bureau of Land Management, Bishop Resource Area, 2004.
- CEQA Guidelines, §15064.5 – Historical Resources, 2015.
- Currier, M.J.P. 1983. *Felis concolor*, Mammalian Species 200:1-7. Ecosign Mountain Resort Planners Ltd., 1997 in Mammoth Mountain Master Plan, November 1997.
- Fahrig, L. and G. Merriam, Habitat Patch Connectivity and Population Survival, Ecology 1985.

- French, D.P., M. Reed, J. Calambokidis, and J.C. Cabbage, A simulation model of seasonal migration and daily movements of the northern fur seal, *Ecological Modeling* 48:193-219, 1989.
- Furnis, C. L., An archaeological Reconnaissance Report for the Lake Mary Road Bike Route, Mammoth Lakes, Mono County, California, Final Report, December 18, 2001.
- Google Earth Pro, Town of Mammoth Lakes. <http://www.google.com/earth/index.html>, 2013.
- Harris, L. D. and P. B. Gallagher, New initiatives for wildlife conservation: the need for movement corridors, in G. Mackintosh, ed. *Preserving communities and corridors*. Defenders of Wildlife, Washington D.C. 1989.
- Hickman, J. C., *The Jepson Manual: Higher Plants of California*. Berkeley: University of California Press, 1993.
- Horseshoe Canyon Biological Consultants, Mammoth Creek 1999 Fish Community Survey, December 1999.
- Inyo-Mono Regional Planning Group, Inyo-Mono Integrated Regional Water Management Plan, October 22, 2014.
- Jameson, Jr., E. W., and H. J. Peeters, *California Mammals*. Berkeley: University of California Press, 1988.
- Jones and Stokes, Final Report: An assessment of the Sandhouse Project's Effects on Mule Deer Movement and Mortality Along State Route 395 in Mono County, Report submitted to California Department of Transportation, District 91999, 1999.
- KDH, Mammoth Creek 1997-2004 Fish Community Survey, April 2006.
- Logan, K.A. and L.L. Sweanor, *Desert Puma: Evolutionary ecology and conservation of an enduring carnivore*, Washington, D.C.: Island Press, 2001.
- Los Angeles Department of Water and Power and Mammoth Community Water District, Settlement Agreement, July 7, 2013.
- LSC Transportation Consultants, Inc., Mammoth Mobility Element Transportation Impact Analysis, April 2016.
- MacArthur, R. M. and E. O. Wilson, *The Theory of Island Biogeography*, Princeton University Press: Princeton, New Jersey, 1967.
- Mammoth Community Water District, 2010 Urban Water Management Plan, November 2011.
- Mammoth Community Water District, Water and Sanitary Sewer Code, Revised April 15, 2015.

- Mammoth Community Water District, Telephone Meetings with John Pederson, District Engineer, August 28, 2015 and November 16 and 23, 2015.
- Mammoth Community Water District, Ordinance of the Board of Directors, No. 03-20-14-08, March 20, 2014.
- Mammoth Community Water District, Water Efficient Landscape Regulations User Guide, May 2014.
- Mammoth Community Water District webpage; <http://www.mcwd.dst.ca.us>, accessed February 14, 2015.
- Martin, David, Canorus Ltd., Personal communication via email with Linda Robb, Senior Biologists, PCR Services Corporation, January 25, 2016.
- Matranga, Peter, The Sherwin Project: A Cultural Resources Inventory and Assessment Mammoth Lakes, Mono County, California, Research Archeology, Project No. MO/I-2007(P), July 24, 2007.
- Mono County, Department of Public Works, Countywide Integrated Waste Management Plan, January 2015.
- Mono County Department of Public Works, Evaluation of Significance: Archaeological Reconnaissance Form, Home Lumber Company Sawmill (CA-Mno-622), Mammoth County Park Expansion/Hazard Reduction, 1975.
- Mono County, Department of Public Works, Mammoth Lakes Storm Drain Master Plan, July 1984, updated May 26, 2005.
- Mono County Planning Division, Mono County General Plan, 1992.
- Mono County Regional Transportation Plan and General Plan Update EIR, July 31, 2015.
- Mono County General Plan Amendments, November 2000.
- Mono County Library Services webpage, <http://www.monocolibraries.org/branches/mammoth-lakes>, accessed September 16, 2015.
- Mono County Local Agency Formation Commission, Municipal Service Review and Sphere of Influence Recommendation- Mammoth Community Water District, October 2010.
- Munz, P.A., A California Flora and Supplement, Berkeley: University of California Press, 1968.
- Murphy, Leeann. 2009. Wildlife Biologist, Inyo National Forest. Email communication with Linda Robb, Senior Biologist, PCR Services Corporation on November 16, 19, and 20, 2009.
- National Historic Preservation Act of 1966 (36 CFR 800.16(d)), Section 106.

- NatureServe. NatureServe Explorer: An online encyclopedia of life [web application], Version 6.0. NatureServe, Arlington, Virginia. <http://www.natureserve.org/explorer>, accessed November 7, 2006.
- Noss, R. F., A Regional Landscape Approach to Maintain Diversity, BioScience, 1983.
- Paleontological Resources Preservation Act, 2009.
- PCR Services Corporation, Final Program, Environmental Impact Report, Town of Mammoth Lakes 2005 General Plan Update, May 2007.
- Pierce, B.M., V.C. Bleich and R.T. Bowyer, Population dynamics of mountain lions and mule deer: top-down or bottom-up regulation? Final Report. Deer Herd Management Plan Implementation Program, California Department of Fish and Game. Sacramento, California, 1999.
- Reed, Adele, Old Mammoth, Palo Alto, Ca: Genny Smith Books, 1982.
- Riparian Habitat Joint Venture, Version 2.0, The Riparian Bird Conservation Plan: a Strategy for Reversing the Decline of Riparian Associated Birds in California, California Partners in Flight, Stinson Beach, California, 2004.
- Sage-Grouse Conservation Team, Greater Sage-Grouse Conservation Plan for Nevada and Eastern California, First Edition, 2004.
- Sierra Nevada Aquatic Research Laboratory, Mammoth Creek 1996 Fish Community Survey, January 1997.
- Sierra Nevada Conservancy, *Sierra Nevada Forest and Community Initiative Action Plan*, December 4, 2014.
- Simberloff, D. and J. Cox, Consequences and Costs of Conservation Corridors. *Conserv.Biol*, 1987. .
- Soule, M. E., Viable Populations for Conservation. Sinaur Associates Inc., Publishers, Sunderland, Massachusetts, 1987.
- Stebbins, R. C., A Field Guide to Western Reptiles and Amphibians, third edition, Boston: Houghton-Mifflin, 2003.
- Sweanor, L.L., K.A. Logan, and M.G. Hornocker, Cougar dispersal patterns, metapopulation dynamics, and conservation, *Conservation Biology* 14:798-808, 2000.
- Taylor, T., Snowcreek Ski Area Deer Study, 1995 Spring and Fall Migration Study, Prepared for Dempsey Construction Corporation, Mammoth Lakes, California, 1996.
- Tischler Bise, Development Impact Fee Study, Town of Mammoth Lakes, June 23, 2015.

- Thomas R. Payne & Associates, October 2008 Mammoth Creek Fish Community Survey, January 16, 2009.
- Town of Mammoth Lakes, Community and Economic Development Department, Building Division, Development Impact Fee Schedule, July 1, 2015.
- Town of Mammoth Lakes Department of Public Works Standards, July 2013.
- Town of Mammoth Lakes, Department of Finance, Population Estimates 2010-2014.
- Town of Mammoth Lakes Drainage and Erosion Control Manual, 1984.
- Town of Mammoth Lakes Erosion, Drainage, and Flooding Project – Existing Conditions Report, 2007.
- Town of Mammoth Lakes Erosion, Drainage, and Flooding Project - Final Recommendations Report, 2008.
- Town of Mammoth Lakes, Fire Protection District, Fire Marshall/Division Chief Thom Heller, email correspondence October 9, 2015.
- Town of Mammoth Lakes, Fire Protection District, Fire and EMS Combined List by Incident Number, January 1, 2014 to December 13, 2014.
- Town of Mammoth Lakes, General Bikeway Master Plan, February 2014.
- Town of Mammoth Lakes, Community and Economic Development Department, Town of Mammoth Lakes General Plan, Arts, Culture, Heritage, and Natural History Elements, 2007.
- Town of Mammoth Lakes, Community and Economic Development Department, Town of Mammoth Lakes General Plan, Housing Element for 2014-2019, June 18, 2014.
- Town of Mammoth Lakes , Community and Economic Development Department, Town of Mammoth Lakes General Plan, Neighborhood and District Character, Land Use, and Mobility Elements, 2007.
- Town of Mammoth Lakes, Community and Economic Development Department, Town of Mammoth Lakes General Plan, Resource Management and Conservation Element, 2007.
- Town of Mammoth Lakes, Insurance Service Office, Municipal Service Review And Sphere of Influence Recommendation, Mammoth Lakes Fire Protection District Mono County, California, October 2009.
- Town of Mammoth Lakes, Mitigated Negative Declaration (MN) for the Parks and Recreation Master Plan, 2012.

- Town of Mammoth Lakes, Municipal Code, Chapter 8.13 (Construction and Demolition Waste Management); Chapter 13.20 ( Storm Drainage); Chapter 15.08 (Construction Site Regulations); Chapter 17.40 (Water Efficient Landscape); Chapter 17.80 (Reasonable Accommodation); Section 15.16.081.C (Development Impact Fees); Section 17.08.020 (Development Permits); Section 17.36.020 (New Lots - Drainage Control); Section 17.36.050 (Grading); Section 17.36.090 (Landscaped Buffers); Section 17.140 (Density Bonuses and Incentives); and Sections 17.36.140, 17.16.050(B), 17.20.040(H), 17.24.050, 17.36.140.G, 17.36.140.I (Protection or Replacement of Trees and Vegetation).
- Town of Mammoth Lakes, Parks and Recreation Master Plan, Adopted February 1, 2012.
- Town of Mammoth Lakes, Parks and Recreation Department website: <http://www.ci.mammoth-lakes.ca.us/index.aspx?nid=259>, accessed December, 2015.
- Town of Mammoth Lakes, Pedestrian Master Plan, March 15, 2014.
- Town of Mammoth Lakes, Police Department, Chief Al Davis., electronic mail correspondence, August 3, 2015.
- Town of Mammoth Lakes, Police Department website, <http://www.j.mammothlakespd.org>, accessed August 12, 2015.
- Town of Mammoth Lakes, Stormwater Master Plan, 2015.
- Town of Mammoth Lakes, Trails System Master Plan, October 19, 2011.
- Town of Mammoth Lakes Travel Model, February 15, 2011.
- Town of Mammoth Lakes, Zoning Code Update, Title 17, April 2, 2014.
- United States, Code of Federal Regulations, Title 36, §251.50(a), §251.51.53, and §261.6.
- United States Department of the Interior, Fish and Wildlife Service, Database of occurrences, 2009.
- United States Fish and Wildlife Service, Federal Endangered Species Act of 1973, §3(18), §9(a)(20(b).
- United States Fish and Wildlife Service, Owens Basin Wetland and Aquatic Species Recovery Plan Inyo and Mono Counties, California, Portland, Oregon, 1998.
- United States Fish and Wildlife Service, Recovery Plan for the Sierra Nevada Bighorn Sheep, Sacramento, California, 2007.
- United States Fish and Wildlife Service, Sacramento Fish and Wildlife website, [http://sacramento.fws.gov/es/spp\\_concern.htm](http://sacramento.fws.gov/es/spp_concern.htm), 2015.

United States Geological Survey (USGS), Old Mammoth, California topographic quadrangle map, 1983.

United States, National Forest Management Act of 1976.

USDA Forest Service: Heritage Resource Site Record, Hayden Cabin (CA-MNO-2760-H), 1993.

USDA Forest Service, Forest Service Manual, Section 2670.5, 1997.

USDA Forest Service, Inyo National Forest Land and Resources Management Plan, 1988.

USDA Forest Service, Threatened, Endangered, & Sensitive Species Program Bulletin, February 2007.

Weden, Norman F. Ph.D, A Sierra Nevada Flora, Wilderness Press. Berkeley, California, February 2005.



**APPENDIX A**

---

**INITIAL STUDY/NOTICE OF PREPARATION/  
NOP COMMENT LETTERS/MINUTES**





**COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**P.O. Box 1609, Mammoth Lakes, CA 93546**  
**Phone (760) 934-8989 | Fax (760) 934-8608**  
**[www.townofmammothlakes.ca.gov](http://www.townofmammothlakes.ca.gov)**

---

**NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT  
AND NOTICE OF PUBLIC SCOPING MEETING**

**Date:** May 29, 2015

**To:** Responsible Agencies, Trustee Agencies, Involved Federal Agencies, Affected Property Owners, and Agencies/People Requesting Notice

**From:** Town of Mammoth Lakes  
Community & Economic Development Department  
P.O. Box 1609  
437 Old Mammoth Road, Suite R  
Mammoth Lakes, California 93546  
Contact: Sandra Moberly, Planning Manager  
Phone: (760) 934-8989 ext 251  
Fax: (760) 937-8608  
Email: [smoberly@townofmammothlakes.ca.gov](mailto:smoberly@townofmammothlakes.ca.gov)

**Project Title:** Town of Mammoth Lakes General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update (File Nos. GPA 15-002 and ZCA 15-002)

**Lead Agency:** The Town of Mammoth Lakes (Town) as Lead Agency under the California Environmental Quality Act (CEQA) will prepare a Draft Environmental Impact Report (EIR) for the Town's General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update Project (referred to herein as the "Project"). This Notice of Preparation (NOP) is being circulated to agencies, organizations and other interested parties to solicit input regarding the proposed scope of the EIR analysis.

**Agencies:** The Town requests your agency's views on the scope and content of the environmental information relevant to your agency's statutory responsibilities in connection with the Project, in accordance with California Code of Regulations, Title 14, Section 15082(b). Any public agencies that respond to this NOP are requested, at a minimum, to:

1. State whether they are a responsible or trustee for the Project, explain why and note the Project elements subject to their regulatory authority.
2. Describe significant environmental issues, alternatives and mitigation measures which they would like to have addressed in the EIR.
3. Provide the name, address and phone number of the person serving as their point of contact for this environmental review process.

**Organizations and Interested Parties:** The Town requests your comments regarding the significant environmental issues, alternatives and mitigation measures you would like to see addressed in the EIR.

**Project Description and Location:** The Project includes the following General Plan Land Use Element Amendments focused on revisions to the development standards for the commercial areas:

1. Changing the allowable intensity of development within commercially designated and zoned areas to require a minimum of 0.75 FAR and allow up to 2.0 FAR and removal of units and rooms per acre, which would result in an increase of up to approximately 336 residential units, 467 rooms, and 152,533 square feet of commercial development compared with allowable development under the current regulations.
2. Revisions to the boundaries of commercially designated land in the Land Use Element to match current commercial zoning;
3. Changing Land Use Element policy and text associated with regulating population growth from a People At One Time (PAOT) approach to an impact assessment based approach; and,
4. Deleting Land Use Element Community Benefits Incentive Zoning (CBIZ) and modifying Transfer of Development Rights (TDR) policies.

The Town is also proposing Zoning Code Amendments associated with Item 1., above, regarding commercial development standards so that the Zoning Code is consistent with the General Plan.

In addition, the Town is proposing to adopt and implement a Mobility Element Update. The Mobility Element Update addresses the two key concepts that are a focus of the 2007 General Plan: the triple-bottom line, which is the community's social, economic, and natural capital, and "feet-first" transportation, which emphasizes and prioritizes non-motorized travel first, public transportation second, and vehicle last. The Mobility Element Update identifies a Complete Streets network, which includes physical improvements to the local and regional transportation systems. For example, proposed changes along Main Street (i.e., vacation of the frontage road), extensions of roadways (i.e., Tavern Road, Sierra Nevada Road, Callahan Way) and connections of streets (i.e., Thompsons Way, Shady Rest site, 7B Road, and USFS property). In addition, the Mobility Element Update identifies opportunities for new signals and roundabouts throughout Town.

As shown on Figure 1, the Project Area for the General Plan Land Use Element/Zoning Code Amendments relative to the FAR includes approximately 122 acres of commercially designated lands within the Town. Other components of the Project, the shift from a People At One Time (PAOT) to an Impacts Assessment approach, CBIZ and TDR, have Townwide implications and the Project Area is the land within the Urban Growth Boundary (UGB). The Planning Area for the Mobility Element Update is the Town's Municipal Boundary.

**Environmental Impact Report:** Given the conceptual and long-term nature of the Project, the EIR will be prepared as a Program EIR pursuant to Section 15168 of the CEQA Guidelines. Program EIRs contain less detail than typical project-level EIRs because the level of detail in the environmental analysis is reflective of the level of detail in the program description itself. As a Program EIR, certain impacts identified and mitigation measures recommended will be inherently limited in specificity due to the conceptual nature of projected development and the broad applicability of proposed policy changes. As such, subsequent more focused environmental review may take place as individual projects are proposed.

When subsequent environmental review is required, the Program EIR may be used to focus project-level review on only those significant impacts not adequately considered in the Program EIR, and, to incorporate relevant information and analysis by reference.

**Potential Environmental Effects:** The Town has prepared an Initial Study in accordance with Section 15063 of the CEQA Guidelines to determine if the Project would have significant effects on the environment, and to focus the analyses in the Draft EIR on those issues determined to have the potential for significant effects. As identified in the Initial Study, the environmental issues listed below will be addressed in the EIR. Based on the Initial Study, the EIR will include the following environmental issue areas:

- Aesthetics
- Air Quality
- Forestry Resources
- Biological Resources
- Cultural Resources
- Greenhouse Gas Emissions
- Land Use/Planning
- Noise
- Population/Housing
- Public Services (fire, police, school, parks, and libraries)
- Recreation
- Transportation/Traffic
- Utilities and Service Systems (wastewater, water, stormwater, and solid waste)

**Document Availability:** The Notice of Preparation, Project Description, and Initial Study are available for review at the following locations:

Town of Mammoth Lakes  
Community & Economic Development Department  
437 Old Mammoth Road, Suite R  
Mammoth Lakes, CA 93546

Mammoth Lakes Library  
400 Sierra Park Rd  
Mammoth Lakes, CA 93546

The documents are also available online on the Town's website at:  
<http://www.townofmammothlakes.ca.gov/>

**Responses and Comments:** If you would like to submit written comments on the NOP, please send them to Sandra Moberly, Planning Manager, with the Town of Mammoth Lakes Community & Economic Development Department at the P.O. Box 1609 or by fax at (760) 934-8608. Please be specific in your statements describing your environmental concerns. As mandated by state law, the public review period for the NOP is to occur for at least 30 days. The public review period will occur from May 29, 2015 to June 29, 2015. Please submit your response at the earliest possible date, but *not later than 5:00 p.m. on June 29, 2015.*

**Public Scoping Meeting:** In addition to the opportunity to provide written comments in response to this NOP, the Town will conduct a scoping meeting on **June 10, 2015** to solicit oral and written comments from agencies, organizations and interested parties regarding the scope and content of the EIR. At the meeting information regarding the EIR process, the Project, and future opportunities for public participation, will be presented.

***Time and Location of Scoping Meeting:***

The Scoping Meeting will be held during the regularly scheduled Planning & and Economic Development Commission Meeting:

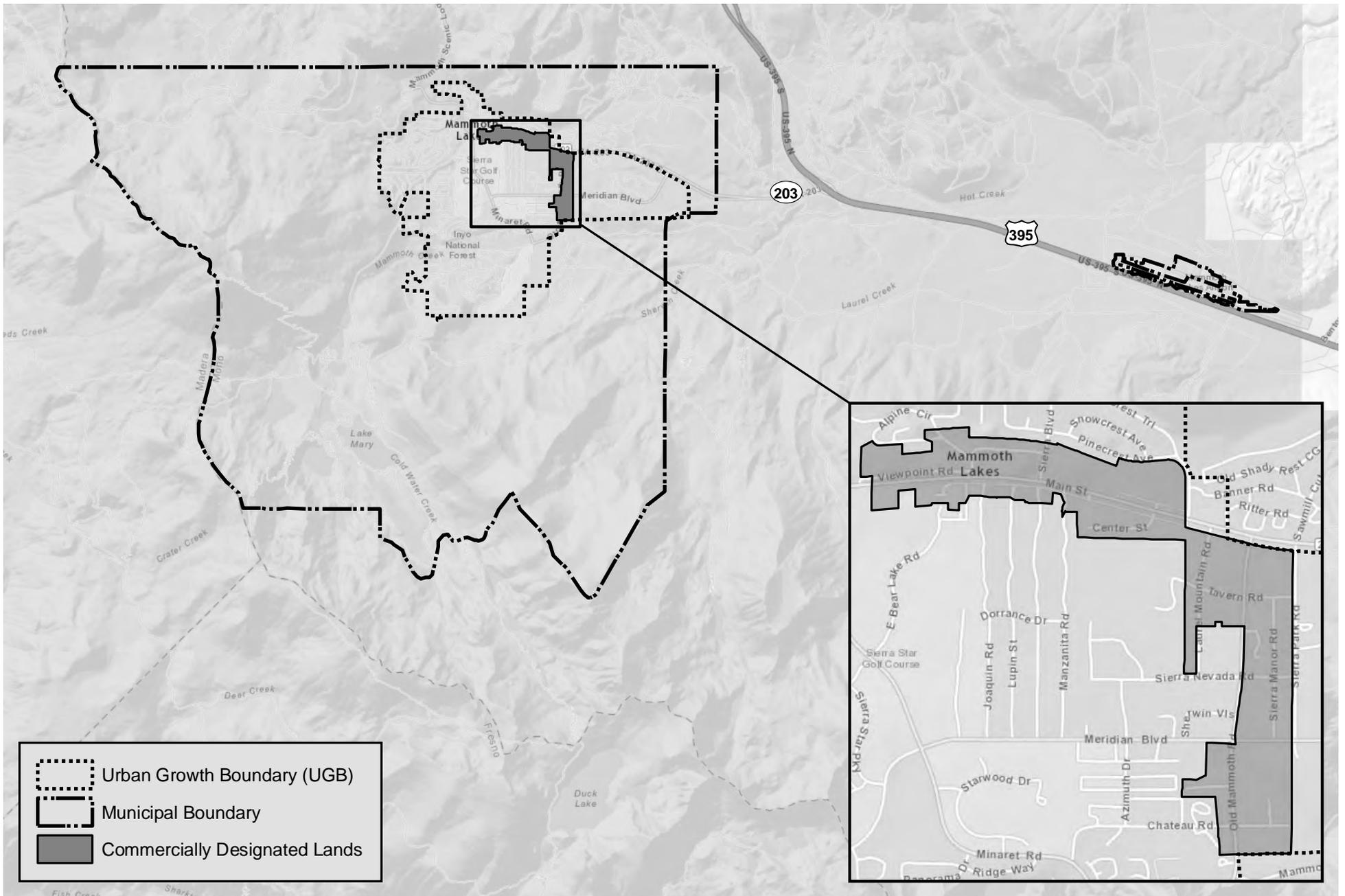
***Wednesday, June 10, 2015, starting at 2:00 p.m.***

Town Council Chambers  
Minaret Village Shopping Center  
437 Old Mammoth Road, Suite Z  
Mammoth Lakes, CA 93546

For additional information, please contact Sandra Moberly, Planning Manager at: (760) 934-8989 ext. 251.

Signature: Sandra Moberly

Date: 5.27.15



FIGURE





# Table of Contents

---

	<b>Page</b>
<b>INITIAL STUDY CHECKLIST</b> .....	<b>IS-1</b>
<b>ATTACHMENT A - PROJECT DESCRIPTION</b> .....	<b>A-1</b>
Introduction.....	A-1
A. Regional Setting and Project Areas .....	A-1
B. Background .....	A-2
C. Existing Conditions Within the Project Areas.....	A-9
D. Description of the Project.....	A-10
E. Anticipated Project Approvals.....	A-26
<b>ATTACHMENT B - EXPLANATION OF CHECKLIST DETERMINATIONS</b> .....	<b>B-1</b>
I. Aesthetics .....	B-1
II. Agriculture and Forestry Resources .....	B-2
III. Air Quality .....	B-3
IV. Biological Resources .....	B-4
V. Cultural Resources .....	B-5
VI. Geology and Soils .....	B-5
VII. Greenhouse Gas Emissions .....	B-9
VIII. Hazards and Hazardous Materials .....	B-10
IX. Hydrology and Water Quality .....	B-13
X. Land Use and Planning .....	B-18
XI. Mineral Resources .....	B-19
XII. Noise.....	B-20
XIII. Population and Housing.....	B-21
XIV. Public Services .....	B-22
XV. Recreation.....	B-24
XVI. Transportation/Traffic.....	B-24
XVII. Utilities and Service Systems .....	B-26
XVIII. Mandatory Findings of Significance .....	B-28

## List of Figures

---

	<b>Page</b>
Figure 1 Regional and Project Vicinity Map .....	A-3
Figure 2 Project Area for Land Use Element and Zoning Code Amendments.....	A-4
Figure 3 Zoning Districts .....	A-11
Figure 4 Proposed Revisions to the Land Use Diagram .....	A-17

# List of Tables

---

	<b>Page</b>
Table 1 Acreage in the Project Area Within Commercial Zoning Districts By Category .....	A-14
Table 2 Comparison of Buildout Under Current Regulations and 2.0 FAR.....	A-15
Table 3 Summary of Proposed Land Use Changes within the Commercial Designations .....	A-16

# ENVIRONMENTAL CHECKLIST FORM

---

1. **Project title:** Town of Mammoth Lakes General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update (File Nos. GPA 15-002 and ZCA 15-002)
2. **Lead agency name and address:** Town of Mammoth Lakes  
Community Development Department  
P.O. Box 1609  
Mammoth Lakes, California 93546
3. **Contact person and phone number:** Sandra Moberly, Planning Manager  
(760) 934-8989 ext. 251
4. **Project location:** The General Plan Land Use Element/Zoning Code Amendments would apply to the approximately 122 acres of commercially designated lands within the Town while the project area for the shift from a People At One Time (PAOT) approach to an impacts assessment approach applies to all land within the Urban Growth Boundary (UGB). The Planning Area for the Mobility Element Update is the same planning area as the General Plan. Please see Attachment A, *Project Description*, for more detail.
5. **Project sponsor's name and address:** Same as Lead Agency, above.
6. **General Plan designation:** All
7. **Zoning:** All
8. **Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**

The Project includes the following General Plan Land Use Element Amendments focused on revisions to the development standards for the commercial areas:

1. Changing the allowable intensity of development within commercially designated and zoned areas to require a minimum of 0.75 Floor Area Ratio (FAR) and allow up to 2.0 FAR and removal of the density limits based on units and rooms per acre, which would result in an increase of up to approximately 336 residential units, 467 rooms, and 152,533 square feet of commercial development compared with allowable development under the current regulations;
2. Revisions to the boundaries of commercially designated land in the Land Use Element to match current commercial zoning boundaries in the Zoning Code;
3. Changing Land Use Element policy and text associated with regulating population growth from a People At One Time (PAOT) approach to an impact assessment based approach; and,
4. Deleting Land Use Element Community Benefits Incentive Zoning (CBIZ) and modifying Transfer of Development Rights (TDR) policies.

The Town is also proposing Zoning Code Amendments associated with Item 1., above, regarding commercial development standards so that the General Plan and Zoning Code are consistent.

In addition, the Town is proposing to adopt and implement a Mobility Element Update. The Mobility Element Update addresses the two key concepts that are a focus of the 2007 General Plan: the triple-bottom line, which is the community's social, economic, and natural capital, and "feet-first" transportation, which emphasizes and prioritizes non-motorized travel first, public transportation second, and vehicle last. The Mobility Element Update identifies a Complete Streets network, which

includes physical improvements to the local and regional transportation systems. For example, proposed changes along Main Street (i.e., vacation of the frontage road), extensions of roadways (i.e., Tavern Road, Sierra Nevada Road, Callahan Way) and connections of streets (i.e., Thompsons Way, Shady Rest site, 7B Road, and USFS property). In addition, the Mobility Element Update identifies opportunities for new signals and roundabouts throughout Town.

**9. Surrounding land uses and setting: Briefly describe the project's surroundings:**

The Town's Municipal Boundary encompasses approximately 24 square miles; however, all but approximately four (4) square miles of this, defined by the Town's Urban Growth Boundary (UGB), are public lands administered by the United States Department of Agriculture Forest Service, Inyo National Forest (USFS).

**10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**

The agencies with jurisdiction over the facilities discussed in the proposed General Plan Land Use Element/ Zoning Code Amendments and the Mobility Element Update are the Town of Mammoth Lakes, the United States Forest Service (USFS), and Caltrans. Other agencies with jurisdiction over individual components of the plans may include, but are not limited to: California Department of Fish and Game, United States Fish and Wildlife Service, Lahontan Regional Water Quality Control Board, and the Great Basin Unified Air Pollution Control District.

**PURPOSE OF THE INITIAL STUDY**

The proposed Town of Mammoth Lakes General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update are analyzed in this Initial Study, in accordance with the California Environmental Quality Act (CEQA), to determine if approval of the Project would have a significant impact on the environment. This Initial Study has been prepared pursuant to the requirements of CEQA, under Public Resources Code 21000-21177, of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387) and under the guidance of the Town of Mammoth Lakes. The Town of Mammoth Lakes is the Lead Agency under CEQA and is responsible for preparing the Initial Study for the proposed project.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Sandra Moberly  
Signature

5.27.15  
Date

Sandra Moberly, Planning Manager

**EVALUATION OF ENVIRONMENTAL IMPACTS:**

- 1) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 2) A list of "Supporting Information Sources" should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 3) Impact Columns Heading Definitions:
  - "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
  - "Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The mitigation measures must be described, along with a brief explanation of how they reduce the effect to a less than significant level.
  - "Less Than Significant Impact" applies where the project creates no significant impacts, only Less Than Significant impacts.
  - "No Impact" applies where a project does not create an impact in that category. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one proposed (e.g., the project falls outside of a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

- 4) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
- Earlier Analysis Used. Identify and state where they are available for review.
  - Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 5) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 6) The explanation of each issue should identify:
- a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS – Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>II. AGRICULTURE AND FORESTRY RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire protection regarding the state’s inventory of forest land, including the Forest and Range Assessment of and the Forest Legacy Assessment Project; and forest carbon measurements methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES:	Potentially	Less Than	Less Than	No
	Significant Impact	Significant With Mitigation Incorporated	Significant Impact	Impact

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

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- d) Expose sensitive receptors to substantial pollutant concentrations?
- e) Create objectionable odors affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES – Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

ISSUES:	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>V. CULTURAL RESOURCES – Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>VI. GEOLOGY AND SOILS – Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>VII. GREENHOUSE GAS EMISSIONS – Would the Project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>IX. HYDROLOGY AND WATER QUALITY – Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ISSUES:	<b>Less Than Significant</b>			
	<b>Potentially Significant Impact</b>	<b>With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
d) Substantially alter the existing drainage pattern of the site or area, including through the alternation of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>X. LAND USE AND PLANNING – Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>XI. MINERAL RESOURCES – Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>XII. NOISE – Would the project result in:</b>				
a) Exposure of persons to or generation of noise level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>XIII. POPULATION AND HOUSING – Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>XIV. PUBLIC SERVICES</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>XV. RECREATION</b>				
a) Would the project 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>XVI. TRANSPORTATION/TRAFFIC – Would the project:</b>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities??	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ISSUES:	<b>Less Than Significant</b>			
	<b>Potentially Significant Impact</b>	<b>With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE**

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



# ATTACHMENT A - PROJECT DESCRIPTION

---

## INTRODUCTION

The Town of Mammoth Lakes (Town) is proposing the following General Plan Land Use Element Amendments focused on revisions to the development standards for the commercial areas:

1. Changing the allowable intensity of development within commercially designated and zoned areas to require a minimum 0.75 FAR and allow up to 2.0 FAR and removal of units and rooms per acre;
2. Revisions to the boundaries of commercially designated land in the Land Use Element to match current commercial zoning;
3. Changing Land Use Element policy and text associated with regulating population growth from a People At One Time (PAOT) approach to an impact assessment based approach; and,
4. Deleting Land Use Element Community Benefits Incentive Zoning (CBIZ) and modifying Transfer of Development Rights (TDR) policies.

The Town is also proposing Zoning Code Amendments associated with Item 1., above, regarding commercial development standards so that the Zoning Code is consistent with the General Plan.

In addition, the Town is proposing to adopt and implement a Mobility Element Update. The Mobility Element Update addresses the two key concepts that are a focus of the 2007 General Plan: the triple-bottom line, which is the community's social, economic, and natural capital, and "feet-first" transportation, which emphasizes and prioritizes non-motorized travel first, public transportation second, and vehicle last.

Collectively, for purposes of CEQA, the Land Use Element and Zoning Code Amendments and the Mobility Element Update, reflect the Project.

## A. REGIONAL SETTING AND PROJECT AREAS

The Town of Mammoth Lakes, a mountain resort community, is located in southwestern Mono County (see **Figure 1, Regional and Project Vicinity Map**). The Town is situated in California's Eastern Sierra region and is located approximately 300 miles north of Los Angeles, 170 miles south of Reno, Nevada and 35 air miles southeast of Yosemite Valley. Neighboring counties include: Alpine County to the north, Inyo County to the south, Fresno County to the southwest and Madera County to the west.

The Town's Municipal Boundary encompasses approximately 24 square miles; however, all but approximately four (4) square miles of this, defined by the Town's Urban Growth Boundary (UGB), are public

lands administered by the United States Department of Agriculture Forest Service, Inyo National Forest (USFS).<sup>1</sup>

### Land Use Element and Zoning Code Amendments

The specific Project Areas for the Land Use Element and Zoning Code Amendments, as numbered above, are described below:

1. and 2. The Project Area for the allowable intensity of development within commercially designated and zoned areas consists of approximately 122 acres designated in the General Plan as Commercial 1 (C-1) and Commercial 2 (C-2) within the UGB (see **Figure 2**, *Project Area for Land Use Element and Zoning Code Amendments*). These areas are zoned Mixed Lodging Residential (MLR), Downtown (D), and Old Mammoth Road (OMR). The C-1 and C-2 areas are located generally along Main Street and Old Mammoth Road. The portion of the Project Area along Main Street (State Route 203) extends from the Town's boundary on the east to an area just east of Minaret Road. The portion of the Project Area along Old Mammoth Road extends from SR 203 to just south of Chateau Road.
3. The Project Area for the shift from a People At One Time (PAOT) approach to an Impacts Assessment approach is the land within the UGB.
4. The Project Area relative to the General Plan amendments regarding CBIZ and TDR is the commercial lands within the UGB.

### Mobility Element Update

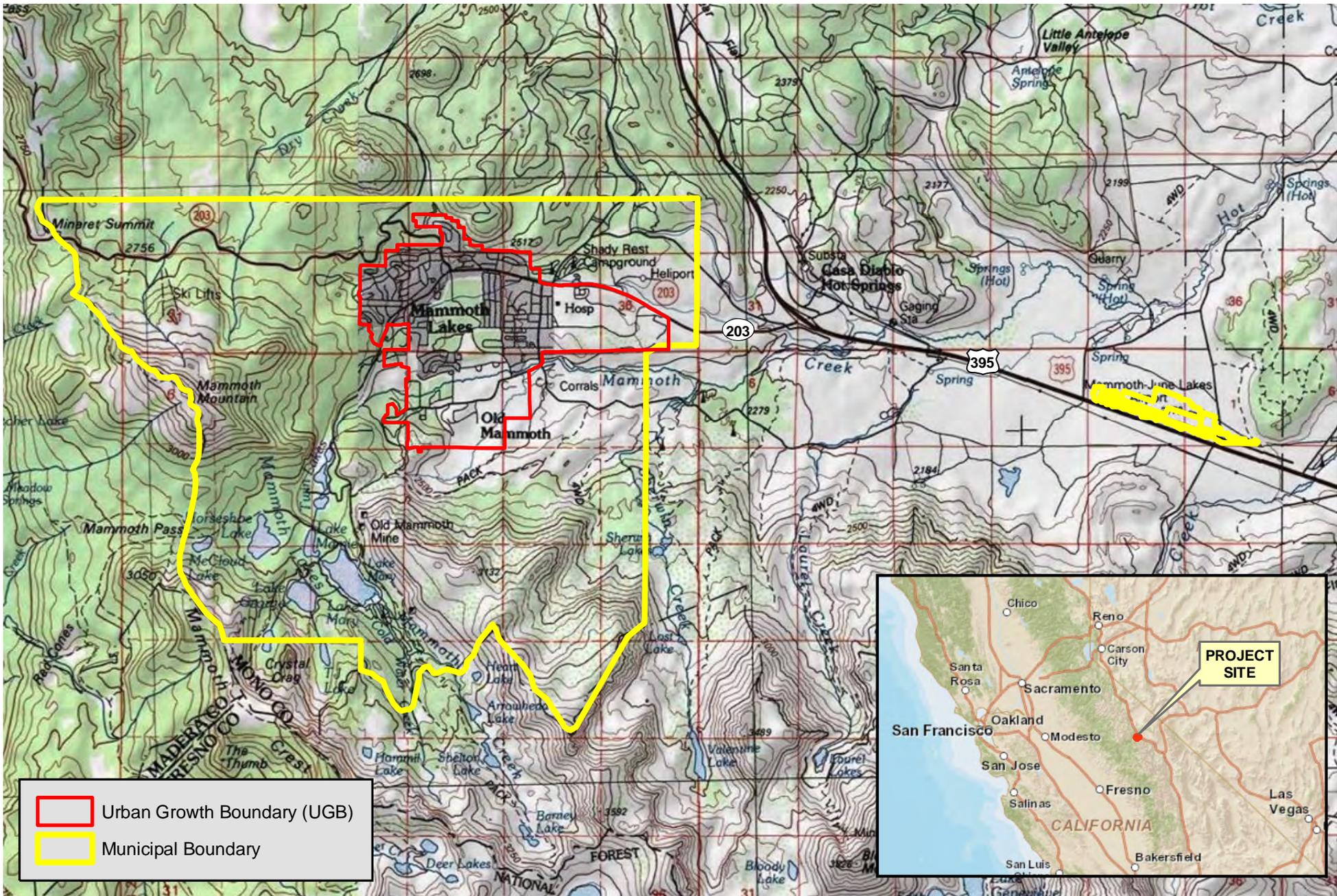
The Planning Area for the Mobility Element Update is shown in Figure 1 and is the same as the area for the General Plan. Regional access to the Town is provided via U.S. Highway 395, a state scenic highway which lies approximately three miles west of town. U.S. Highway 395 is the major surface transportation corridor in the Eastern Sierra region and primary inter-regional route connecting systems across four states. The Town is served primarily by State Route 203, which connects U.S. Highway 395 to the Town. State Route 203 traverses the developed part of town ending at Minaret Vista, west of the Mammoth Mountain Ski Area (MMSA). Air access to the Town is also available through the Mammoth Yosemite airport.

## B. BACKGROUND

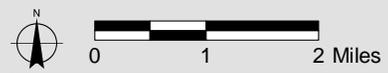
### 2007 General Plan

A general plan is a state-required document (Government Code Section 65300) that consists of a statement of development policies for development of a particular city or county (e.g., the Town of Mammoth Lakes). The General Plan expresses the Town's vision for its future and guides both long-term and day-to-day Town actions and decisions. The General Plan guides the level and type of development of land and infrastructure

<sup>1</sup> *The UGB is split into two non-contiguous areas. The primary UGB surrounds the Town's residential and commercial development and has an area of 4.0 square miles. Another UGB surrounds the airport and has an area of 0.3 square miles. Areas for all boundaries were calculated using the Town's GIS database.*



Urban Growth Boundary (UGB)  
 Municipal Boundary

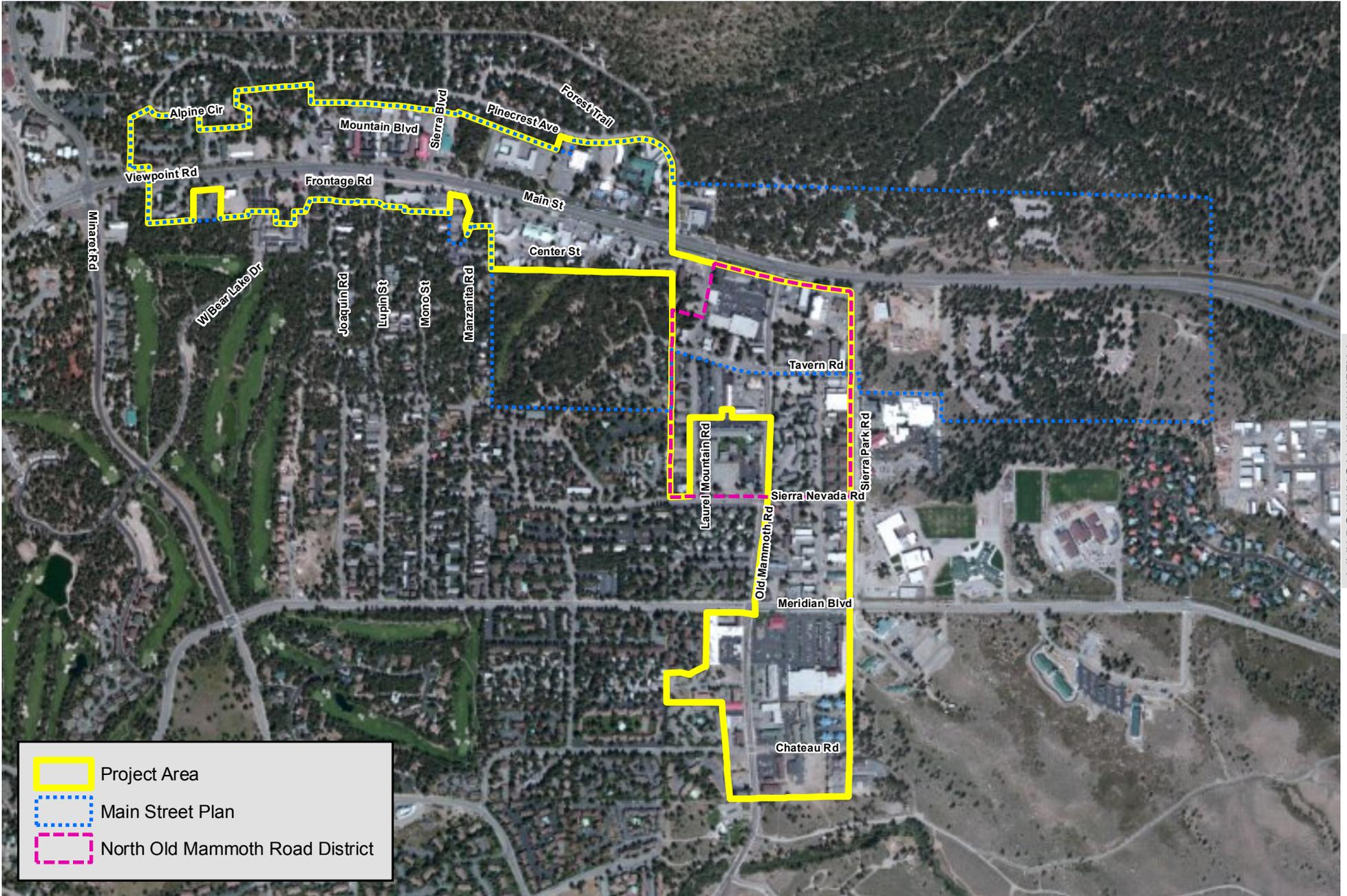


### Regional and Project Vicinity Map

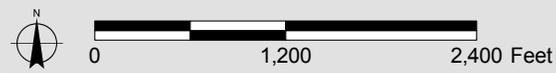
FIGURE

Source: USGS Topographic Series (Bloody Mountain, Convict Lake, Crestview, Crystal Crag, Dexter Canyon, Mammoth Mountain, Old Mammoth, Toms Place, Watterson Canyon, Whitmore Hot Springs, CA); PCR Services Corporation, 2014.

- PRELIMINARY WORKING DRAFT -



Project Area  
 Main Street Plan  
 North Old Mammoth Road District



### Project Area for Land Use Element and Zoning Code Amendments

Mammoth Lakes Zoning Code Update  
 Source: Microsoft (Aerial), 2010; PCR Services Corporation, 2015.

that will achieve the Town's physical, economic, social, and environmental goals. The General Plan consists of individual sections, or "elements," that address specific areas of concern, and also embody a comprehensive and integrated planning approach for the jurisdiction.

The Town of Mammoth Lakes completed a comprehensive update of the General Plan in 2007. The General Plan includes goals, policies, and actions relative to land uses and transportation within the Municipal Planning Area and more specifically within the UGB. As indicated above, the C-1 and C-2 land use designations constitute the Land Use Element and Zoning Code Amendments Project Area and are located generally along Main Street and Old Mammoth Road. The C-1 designation allows medium-scale, commercial mixed uses. The base density for residential uses is six (6) dwelling units to a maximum of 12 dwelling units per acre and a maximum of 40 hotel rooms per acre. Policy L.5.G of the 2007 General Plan allows an increase in density in the C-1 and C-2 Designations to no more than twice the maximum hotel room density, for hotel, motel, and similar transient lodging projects that specifically enhance the tourism, community, and environmental objectives of the Town. Thus, Policy L.5.G allows a maximum of 80 hotel rooms per acre with the provision of amenities, services, and/or environmental benefits above and beyond those required to meet the incremental demands of the project. The C-1 area is intended to create a transition zone to the more intensive C-2 and North Village areas. The C-2 designation allows for medium- and large-scale commercial mixed uses. The density of development is the same as in the C-1 area. Intended uses include retail and office space for services as well as visitor lodging and residential uses.

### 2014 Zoning Code Update

The Town's Zoning Code is the tool used to implement the General Plan. The Town updated the Zoning Code to be consistent with the 2007 General Plan pursuant to State law, which requires consistency between the General Plan and the Zoning Code. Town Council initiated the Zoning Code Update (ZCU) with the goal of incorporating the 2007 General Plan into the Zoning Code, promoting sustainability in town, promoting quality and design, as well as cleaning up and modernizing the Town's zoning regulations in an effort to provide a streamlined and user-friendly set of standards that would clearly establish the type of permitted development (and permit process) while supporting the Community Vision set forth in the 2007 General Plan.<sup>2</sup>

During the course of the ZCU, a proposal was made to regulate the intensity of development in the two commercially designated areas in the Town by using only a floor area ratio (FAR) approach, rather than continuing the use of a limitation on units or rooms per acre.<sup>3</sup> FAR is the relationship of the building square footage to the lot area. The purpose of using FAR is to allow greater flexibility within a development. The ZCU adopted by the Town Council in May 2014 allows for a 2.5 FAR in C-1 and C-2 designated areas, and retains the rooms/units per acre limitation in the MLR, D, and OMR districts.

<sup>2</sup> *The 2007 General Plan establishes the following Community Vision: "Surrounded by uniquely spectacular scenery and diverse four-season recreational opportunities, the community of Mammoth Lakes is committed to providing the very highest quality of life for our residents and the highest quality of experience for our visitors." The General Plan provides seven items on which Mammoth Lakes provides a high value in order to achieve this Community Vision. The seven items address, sustainability; being a great place to live and work; provision of adequate housing; being a premier, year-round resort; protecting the natural environment; design and development that complements the mountain setting; provision of transportation options (p. 7 of the 2007 General Plan).*

<sup>3</sup> *The General Plan envisioned the use of a FAR as it states in the C-1 and C-2 descriptions: "A minimum floor area ratio and amount of commercial uses will be established in the Zoning Code."*

## FAR Analysis

As indicated above, the Town's Zoning Code, consistent with the General Plan, currently allows an FAR of 2.5 with a limit of 12 residential units per acre and 40 lodging rooms per acre in C-1 and C-2 designated areas, and in the MLR, D, and OMR zoning districts. However, during the course of the ZCU, a proposal was made to use FAR alone to regulate the intensity of development in areas designated C-1 and C-2 in the General Plan. Thus, the Town undertook an FAR analysis in order to evaluate buildout in these areas with an FAR only limitation.

The methodology used to determine potential buildout using FAR with no unit or room cap required four steps: 1) conduct a land use inventory; 2) identify opportunity sites; 3) determine potential future use; 4) calculate potential buildout based on a set of assumptions developed with input from research conducted with architects, developers, and other jurisdictions, and review of Town documents.

First, a land use inventory was conducted of the C-1 and C-2 designated lands to identify parcels where development would likely occur within the timeframe of the General Plan. Next, potential future uses and buildout potential for these parcels was determined, including commercial square footage, number of dwelling units, and number of hotel rooms. A technical memorandum, further describing research and assumptions used to develop buildout potential is provided as Attachment A.

The FAR analysis was an iterative process that began with an assumed FAR of 2.5. After reviewing various iterations of potential buildout using a 2.5 FAR, comparing the numbers with other Town projections, and gaining input from the Town's traffic consultant, it was determined that a 2.5 FAR would result in significantly higher than anticipated buildout projections that were not considered appropriate or feasible for the Town. Accordingly, a determination was made to evaluate a lower FAR of 2.0.

The findings of the FAR analysis indicated that a 2.0 FAR could result in an increase in residential density within the MLR, D, and OMR zoning districts if development were to occur to the maximum allowable FAR. The findings of the FAR analysis with regard to lodging were that the 2.0 FAR could result in development that would be within the maximum intensity of 80 rooms per acres, assuming the provision of community benefits, which is allowed by the current regulations. Previously commercial (i.e., retail, service or office) development was limited by setbacks, heights, lot coverage, etc.. Consistent with current assumptions for buildout in the Town and with existing levels of development, the average commercial development is assumed to have an FAR of about 0.25. Thus, the 2.0 FAR could result in a potential increase in commercial floor area within the MLR, D, and OMR districts.

The conclusions of the study were that the change to a maximum of 2.0 FAR with no cap on the density of units or rooms could result in an increase in the potential buildout that could occur within the Project Area. More specifically, an increase in the residential density (i.e., residential units per acre), could occur compared with the allowable development under the current regulations, which are based on the maximum number of units or rooms per acre.<sup>4</sup> In addition, commercial square footage, including retail, service, and office floor area, would be greater than under the current regulations. Based on the conclusions of the study,

---

<sup>4</sup> Given the Town's direction to shift to an impacts approach, as discussed below, the change in the development standards are not equated with population (transient and/or non-transient).

the Town elected to pursue adoption of a FAR only limitation on commercial development with a 2.0 FAR, along with associated environmental review. The Town also elected to add a minimum FAR requirement of 0.75 FAR.<sup>5</sup>

### **People At One Time (PAOT)/Impact Assessment Policies**

Given the nature of the Town as a mountain resort community, there is a permanent population as well as a seasonal population. Historically, the approach to assess and limit growth developed by the Town has been based on a “People At One Time” or PAOT concept. PAOT was established to describe population intensity and is a unique approach for regulating growth based on the Town’s specific characteristics. Accordingly, Policy L.1.A of the General Plan states: *“Limit total peak population of permanent and seasonal residents and visitors to 52,000 people.”*

In April 2009 the Town Council adopted the PAOT/Impact Assessment Policies, which included direction to *“(s)hift from PAOT based project evaluation to impact-based evaluation and mitigation.”* This shift to monitor growth through evaluation of the potential impacts of a project relative to the quality of life and the environment rather than to focus on a particular number of people that could result from development was based on limitations and difficulties associated with calculating and monitoring PAOT. Under the proposed approach, rather than using the Town’s PAOT model, which assumes 2.4 persons per permanent resident and 4.0 persons per transient unit, potential impacts would be assessed on a project-by-project basis through use of Project Impact Evaluation Criteria (PIEC) and/or environmental review, including but not limited to evaluations of air quality, including vehicle miles travelled (VMT); biological resources; cultural resources; geology and soils; hazards; hydrology; land use; noise; public services and utilities, including water demand; and transportation. An impacts-based approach is intended to help ensure that growth in the Town would not exceed the carrying capacity of infrastructure or other constraints, such as VMT and water supply, and that the potential for significant environmental impacts will be identified and mitigated to the extent feasible.

The proposed Land Use Element Amendments remove the PAOT related policy in order to move forward with the impact-based assessment rather than PAOT to monitor the Town’s growth.

### **Community Benefits Incentive Zoning**

Policy L.3.F. of the 2007 General Plan states: *“Ensure appropriate community benefits are provided through district planning and development projects.”* More specifically relative to the C-1 and C-2 designations, Policy L.5.G. of the General Plan allows a doubling of density for hotel, motel, and similar transient lodging projects. In 2009 the Town Council adopted Resolution 09-55, the Community Benefits/Incentive Zoning policy (CBIZ policy), which was intended to be a “bridge” between the General Plan and the District Planning work. Specifically, the CBIZ policy includes the following language:

<sup>5</sup> *For purposes of the environmental analysis the maximum FAR is generally used to ensure the evaluation of a worst case analysis. For example, the maximum FAR would result in greater development and therefore, the greatest number of trips as well as the greatest amount of noise. In the case of aesthetics the minimum FAR coupled with other development regulations, such as build to lines and setbacks, would serve to affect the visual character.*

*This Community Benefits Incentive Zoning policy is intended as a "bridge" framework, to be applied to all pending project applications and plan documents until the Town has completed Community Planning documents and codified them. Once codified, the Town will have substantially established land use and development policies (including clearly specified limits on height and density) that implement the Town of Mammoth Lakes General Plan.*

CBIZ has been used to allow an increase in density or height, or exceptions to setback requirements. If the density cap is removed and there is no limitation on density, CBIZ would not be necessary for density increases. In October 2014, the Town Council eliminated the CBIZ policy adopted by Resolution 09-55. Therefore, the Land Use Element Amendments propose the deletion of Policy L.5.G., which pertains to the C-1 and C-2 designations, from the General Plan.

### **Transfer of Development Rights**

Action L.3.H.1. of the General Plan indicates that the Town should prepare a transfer of development rights ordinance. The FAR regulatory approach would eliminate the density limitations within the Commercial Zones which would mean that density would lose value, as there would be no density maximums in the Commercial Zones. Therefore, the Town's Land Use Element Amendments propose a modification to Policy L.3.H and the deletion of Action L.3.H.1.

### **Mobility Element Update**

The 2007 General Plan includes a Mobility Element as required under state law.<sup>6</sup> However, after the adoption of the General Plan, the Town determined that an update of the Mobility Element was necessary. The primary purpose of the Mobility Element Update is to achieve the overarching goals of the General Plan with respect to the triple-bottom-line, which is the community's social, economic, and natural capital, and "feet-first" transportation strategies, which emphasizes and prioritizes non-motorized travel first, public transportation second, and vehicle last.

The Mobility Element is closely correlated with and supports the goals and policies of the General Plan Land Use Element. The Mobility Element provides the general location and extent of existing and proposed major thoroughfares, transportation routes, and other local transportation facilities in accordance with Government Code Section 65302(b). Government Code Sections 65302(b)(2)(A) and (B) require the Mobility Element to plan for a balanced, multimodal transportation network that meets the needs of all users of street, roads, and highways. "All users" by definition in the statute is "bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors." This requirement was established as part of Assembly Bill 1358, which is referred to as the California Complete Streets Act, as well as Caltrans Deputy Directive DD-64-R1, Complete Streets: Integrating the Transportation System.

While the Draft Mobility Element was completed in October 2011, the Town did not adopt the Mobility Element Update due to lack of funding for CEQA analysis. In 2013 the Town conducted a study along Main Street as a result of a decision to transform its Main Street corridor from an auto-dominated state highway

<sup>6</sup> Government Code §65302(b) uses the term "circulation element", but the Town's Mobility Element is intended to, and does, function as a circulation element.

that passes through town into a pedestrian oriented boulevard with downtown character. In February 2014 the Town accepted the Main Street Plan, which envisions specific changes along Main Street, including an increase in the intensity of development and the removal of the frontage roads. Properties along Main Street are designated C-1 and C-2 and therefore would be affected by the changes discussed above regarding the development standards and the use of an FAR without density caps. Therefore, the Mobility Element Update was revised to reflect the Main Street Plan.

### **C. EXISTING CONDITIONS WITHIN THE PROJECT AREAS**

The Project Area for the Land Use Element and Zoning Code Amendments comprises the C-1 and C-2 designated properties and the entire Planning Area for the Town is the Project Area for the Mobility Element Update. Conditions in these Project Areas are discussed below.

#### **Land Use Element and Zoning Code Amendments Project Area**

The C-1 and C-2 designated lands comprise approximately 122 acres located primarily along SR 203/Main Street and Old Mammoth Road. Figure 2 shows the Project Area and the area's relationship to other Town planning study areas (i.e., District Plans and Main Street Plan). The properties designated C-1, which include approximately 33 acres of land, are located along Main Street between the North Village District and Mono Street. The C-2 designation, which includes approximately 89 acres of land, is located primarily along Old Mammoth Road with a small area around the intersection of Old Mammoth Road and Main Street.

As discussed previously, the C-1 designation allows medium-scale, commercial mixed uses. The base density for residential uses is six (6) dwelling units to a maximum of 12 dwelling units per acre and a maximum of 80 hotel rooms per acre.<sup>7</sup> The C-1 area is a transitional zone between the more intensive C-2 and North Village areas. The C-2 designation allows for medium- and large-scale commercial mixed uses. The density of development is the same as in the C-1 area. Intended uses include retail and office space for services as well as visitor lodging and residential uses.

As discussed above and shown in **Figure 3, Zoning Districts**, there are three commercial zoning districts associated with the C-1 and C-2 designations: MLR, D, and OMR. Generally, the MLR district corresponds to the C-1 designation while the D and OMR generally correspond to the C-2 designation. There are approximately 26 acres of land zoned MLR, approximately 45 acres zoned D, and approximately 51 acres zoned OMR.

The lands zoned MLR, D, and OMR are currently developed with a mix of residential units, lodging, and commercial services for residents and visitors to the Town. There are a few scattered vacant parcels. The existing uses include retail, restaurants, cinema, equipment rental, storage, laundromat, gas stations, banks, pet supplies, offices, residences, churches, day care, visitor accommodations, and some construction related

---

<sup>7</sup> As indicated above, the density within the Commercial Land Use Designations is a base of 40 rooms per acre with the potential for double density pursuant to General Plan Policy L.5.G.

uses. Based on Town data, there are approximately 757 residential units,<sup>8</sup> approximately 537 lodging units,<sup>9</sup> and approximately 1,046,978 square feet of commercial floor area within the Project Area.<sup>10</sup>

Main Street serves as the east-west thoroughfare through the Town. Currently, there is a frontage road that parallels both the north and south sides of Main Street, which creates a large setback for the businesses from the roadway. Angled parking is provided in pockets along portions of the frontage road. There are areas with slopes where the properties on the north side of Main Street sit above the road and areas on the south side that sit below Main Street. There is no sidewalk along Main Street or the frontage road. (The Town Council recently accepted the Main Street Plan, which identifies changes to the Main Street corridor, which are incorporated into the Mobility Element Update that is discussed below.)

Old Mammoth Road runs north-south and intersects with Main Street to form the primary entrance for visitors into the Town. This area is primarily developed with commercial strip malls geared to the automobile with large surface parking lots on most parcels fronting the roadway and the buildings set back from the streets. Residential development is intermixed with commercial development and is primarily multi-family with a mix of large complexes and smaller 6- and 8-unit buildings. The buildings are low scale, generally one to two stories in height. Sidewalks are provided on both sides of the street.

### **Mobility Element Update Project Area**

As an element of the Town's General Plan, the planning area for the Mobility Element Update is consistent with the planning area established for the General Plan, which is shown in Figure 1. While the Mobility Element focuses on the transportation system within the Town's UGB, connectivity to areas outside of the UGB, including adjacent public lands and other regional transportation system is also considered.

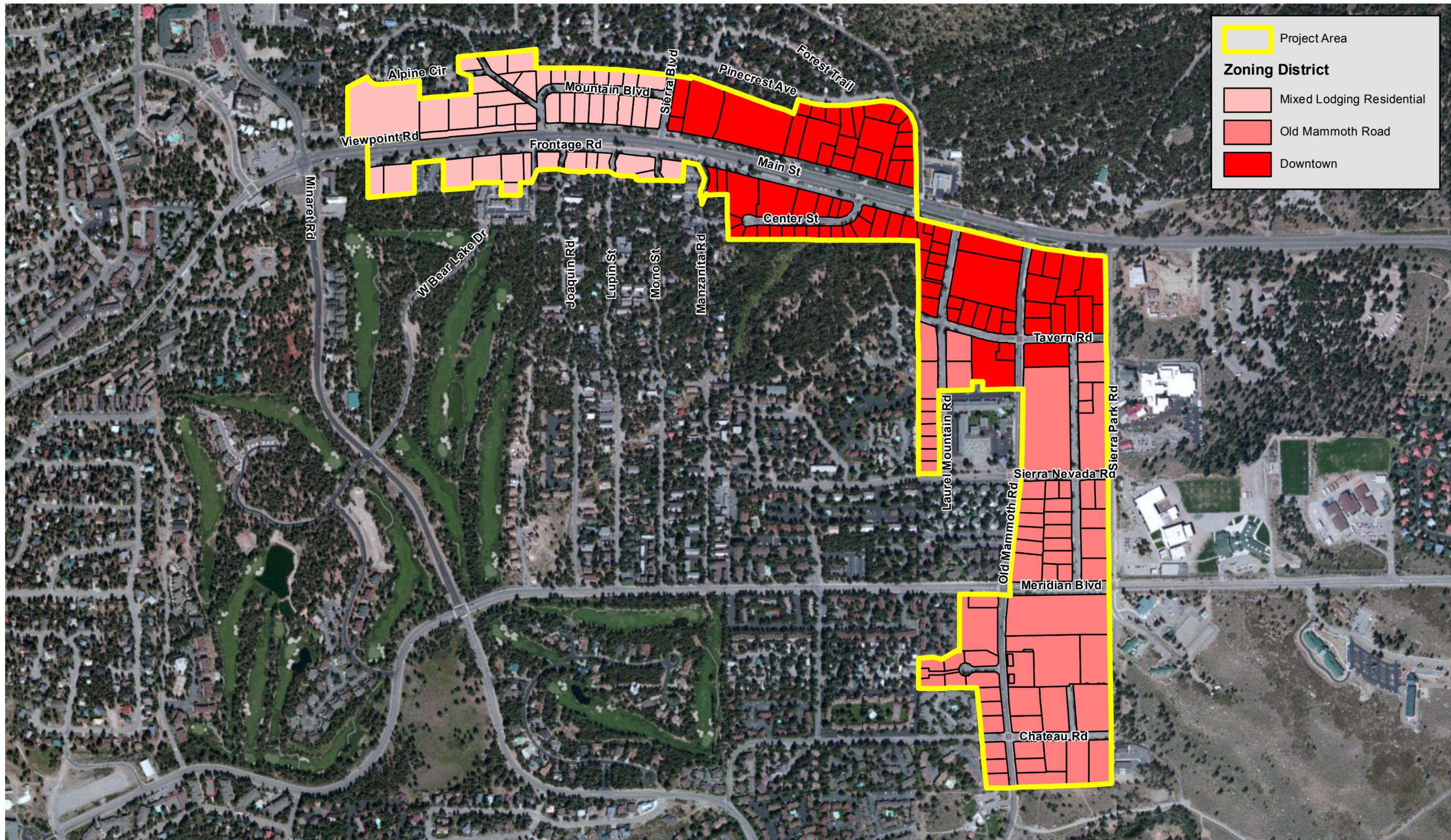
## **D. DESCRIPTION OF THE PROJECT**

The project consists of several amendments to the General Plan Land Use Element and to the Zoning Code to change the allowable intensity of development within commercially designated areas to allow up to 2.0 FAR and to remove units and rooms per acre development standards. The project also includes revisions to the boundaries of commercially designated land in the Land Use Element to match current commercial zoning districts. In addition, the project includes changing Land Use Element policy and text associated with regulating population growth through a People At One Time (PAOT) approach to an impact assessment based approach, deleting Policy L.3.F. related to community benefits, and modifying Transfer of Development Rights (TDR) policies. Finally, the project includes the adoption of the Mobility Element Update. The components of each of these changes is discussed below.

<sup>8</sup> Residential units – Includes condos, apartments, etc. This category includes all projects that were built according to the 12 units / acre requirement.

<sup>9</sup> Lodging units – Includes hotels, motels, B & Bs, etc. This category does not include homes or condos that are used transiently or as second homes. Every room or unit is counted as a whole unit.

<sup>10</sup> Commercial Square Feet – Includes square footage in a structure used for any "commercial" purpose, including retail, office, and service. "Commercial" is any use that is not Residential or Lodging. This category includes for example, post office, day care, churches, and storage.

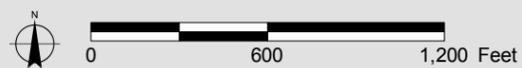


**Project Area**

**Zoning District**

- Mixed Lodging Residential
- Old Mammoth Road
- Downtown

- PRELIMINARY WORKING DRAFT -



**Zoning Districts**

Mammoth Lakes Zoning Code Update  
 Source: Microsoft, 2010 (Aerial); PCR Services Corporation, 2014.

This page intentionally blank.

The intent of the proposed Land Use Element and Zoning Code Amendments as well as the Mobility Element Update is to achieve a sustainable and integrated system of land use and transportation in the Town of Mammoth Lakes. More specifically, the changes in the development standards and Mobility Element Update are to:

- Create flexibility through the creation of a “white box” established by development parameters, which focuses on the overall size of a structure;
- Streamline the planning process to encourage economic development;
- Cluster greater density in the downtown area to reduce vehicle miles travelled;
- Create a park-once downtown area in which people park their vehicles once and walk throughout the area thereby reducing congestion and vehicle miles travelled; and
- Create a vibrant and walkable downtown area

### **Land Use Element Amendments**

The following section describes the General Plan Land Use Element amendments associated with the change in the commercial development standards, revisions to the boundaries of commercial designated land, change in the PAOT approach to and impacts assessment approach, and associated changes regarding CBIZ and TDR policies.

#### **FAR and Removal of Room and Unit Cap**

The General Plan Land Use Element establishes the distribution and intensity of land use within the Town. The proposed amendments would not change the land use designations or the location of the types of development within the Town. The proposed amendments modify the intensity of development that could occur in the C-1 and C-2 designated areas. The amendments would allow up to a 2.0 FAR and would remove the units and rooms per acre development standard. Therefore, the use of FAR coupled with setbacks, maximum building heights, parking, and snow storage requirements established in the Zoning Code would establish the maximum building envelope in which the uses could be contained. The proposed change to a FAR with no room or unit cap would provide greater flexibility.

With the correction to the Land Use map discussed below, approximately 29 acres of land would be designated C-1 and approximately 93 acres of land would be designated C-2. As indicated in **Table 1, Acreage in the Project Area Within Commercial Zoning Districts By Category**, the commercial zoning districts contain approximately 29 acres zoned MLR; approximately 41 acres zoned D; and approximately 50 acres zoned OMR.

For purposes of the environmental analysis, it is assumed that approximately 95 acres or about 78 percent of the land area within the MLR, D, and OMR zoning districts would not be expected to change. No additional units or substantial square footage is expected on this acreage because of one of the following factors: the

**Table 1****Acreage in the Project Area Within Commercial Zoning Districts By Category**

<b>District</b>	<b>Vacant</b>	<b>Intensify/Redevelop</b>	<b>No Change/Approved</b>	<b>Totals</b>
MLR	1.5	3.0	25.4	29.9
D	4.5	15.6	21.2	41.3
OMR	2.3	0.5	48.0	50.8
<b>Totals</b>	<b>8.3</b>	<b>19.1</b>	<b>94.6</b>	<b>122.0</b>

*Frontage Road associated with Vacant or Intensify/Redevelop Lands: 2.6 acres (0.9 acres on the north side of Main Street and 1.7 acres on the south side of Main Street). Therefore, an additional 2.6 acres of land is assumed available for development.*

*Source: PCR Services Corporation, 2014*

age and characteristics of the existing development, an existing development approval, historical trends of development, or economic analysis of development that could be absorbed in the area.<sup>11</sup>

As shown in Table 1, there are approximately eight (8) acres of vacant land within the Project Area, all of which would be assumed to develop. Approximately 19 acres within the Project Area would likely intensify or redevelop. Of the approximately 122 acres within the Study Area, approximately 27 acres, or 22 percent of the land, would be subject to development, redevelopment, or intensification.

In February 2014 the Town accepted the Main Street Plan, which envisions specific changes along Main Street, including an increase in the intensity of development and the vacation of the frontage road. The purpose of the Main Street Plan is to transform the Main Street corridor from an auto-dominated state highway into a pedestrian-first street. A portion of the area evaluated in the Main Street Plan is located within the Project Area. There are approximately 2.6 acres of land within the frontage road associated with properties that could develop, redevelop, or intensify. Of the approximately 2.6 acres, approximately 0.9 acres would be located on the north side of Main Street and approximately 1.7 acres would be located on the south side of Main Street. Because additional development could occur as a result of the vacation of the frontage road, approximately half of the acreage, or 1.3 acres, was assumed available for mixed-use development.

**Table 2, Comparison of Buildout Under Current Regulations and 2.0 FAR**, compares the buildout that could occur in the Project Area under the existing regulations and buildout with a 2.0 FAR. Based on the FAR Analysis, the potential buildout using an FAR only approach could result in an increase in intensity of uses within the MLR, D, and OMR zoning districts compared with the buildout that could occur in the MLR, D, and OMR zoning districts under the current regulations. The 2.0 FAR could result in an estimated 76 rooms per acre for lodging and approximately 43 to 46 residential units per acre.

<sup>11</sup> *Mammoth Lakes Economic Forecast and Revitalization Strategies, Economic & Planning Systems, Inc., October 2011.*

**Table 2**  
**Comparison of Buildout Under Current Regulations and 2.0 FAR**  
**(MLR, D, and OMR Zoning Districts)**

	<b>Buildout – Current Regulations</b>	<b>Buildout – 2.0 FAR</b>	<b>Change in Buildout Potential (Current Regs vs. 2.0 FAR)<sup>a</sup></b>
Commercial (Square Feet)	53,136 square feet <sup>b</sup>	483,154 square feet	+ 430,018 square feet
Lodging (Rooms)	524 to 1,048 rooms <sup>c</sup>	951 rooms	+427 to -97 rooms
Residential (Units)	117 units <sup>d</sup>	430 units	+ 313 units
Vacation of Frontage Road <sup>e</sup>		28,957 square feet 40 rooms 23 units	

<sup>a</sup> These numbers are the difference between development that could occur under current regulations minus development that could occur with a 2.0 FAR. This does not provide a net number, which would be deducting the existing square footage.

<sup>b</sup> The Zoning Code currently allows 2.5 FAR in the commercial districts with a limit on the number of rooms or residential units. While under the current regulations a project could develop 2.5 FAR of commercial floor area, for purposes of this comparison a 0.25 FAR is used as that relates to the level of development assumed in the Town’s traffic model.

<sup>c</sup> Assumes 40 to 80 rooms/acre; 40 rooms/acre is the base allowable intensity, with up to 80 rooms/acre allowed with the provision of community benefits.

<sup>d</sup> Assumes 12 units/acre.

<sup>e</sup> Assumes that one-half of the acreage associated with parcels that may develop, redevelop, or intensity could also develop. For analysis purposes this assumes that an additional 1.3 acres of land would be available for mixed use development as a result of the vacation of the frontage road. The projections assume that 25% of the square footage would be commercial uses and the 75% would be split between residential and lodging.

Source: PCR Services Corporation, 2014

**Table 3, Summary of Proposed Land Use Changes within the Commercial Designations**, summarizes the changes that could occur from the proposed change within commercially designated areas to allow up to 2.0 FAR including the removal of units and rooms per acre development standards.

The 2.0 FAR could result in an increase in intensity within the Downtown area. With the current regulations that require ground floor commercial space along certain streets, the area would likely be more mixed-use in nature. The increase in intensity and requirement for mixed-use development within the Project Area would likely concentrate the development in a smaller geographic area. This in turn could help to create a more pedestrian-focused environment and would support the park-once approach in the downtown area.

The proposed General Plan amendments would modify the description of the C-1 and C-2 designations to reflect the minimum 0.75 FAR and maximum 2.0 FAR and to remove the density/intensity cap. The following shows the proposed amendments in strikethrough/underline:<sup>12</sup>

**Commercial 1 (C-1)** The C-1 designation allows medium-scale, commercial mixed uses. ~~The base density for residential is six (6) to a maximum of twelve (12) residential dwelling units per acre and a maximum of forty (40) hotel rooms per acre. The minimum floor area ratio is 0.75 and the maximum floor area ratio is~~

<sup>12</sup> Strikethrough/underline is used to show the deleted and new text. The text shown in ~~strikethrough~~ is text to be deleted and the text shown in underline is new text.

**Table 3**

**Summary of Proposed Land Use Changes within the Commercial Designations**

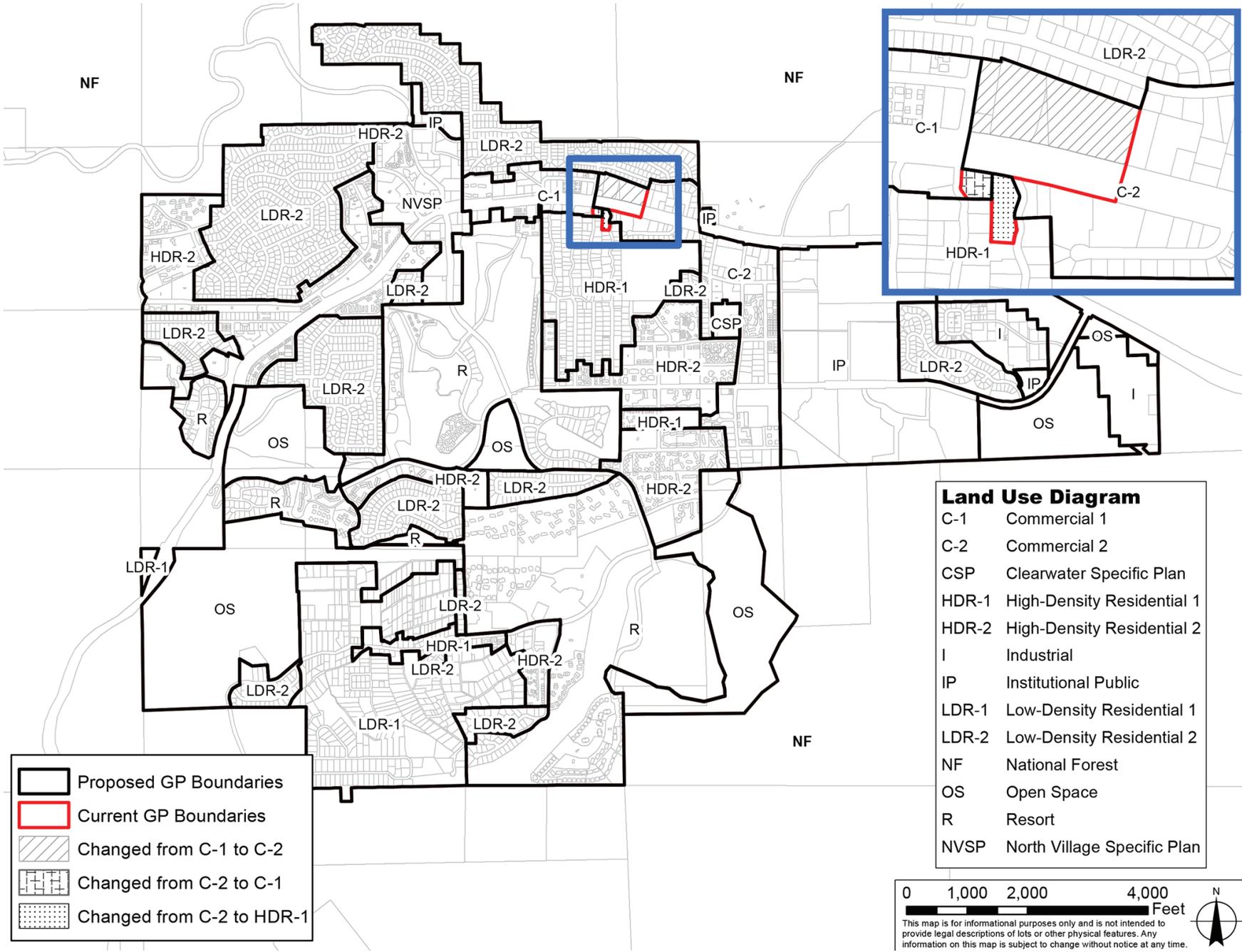
	<u>Residential Units</u>	<u>Lodging Units</u>	<u>Commercial Floor Area</u>
Existing	757 units <sup>a</sup>	537 rooms <sup>b</sup>	1,046,978 square feet <sup>c</sup>
Proposed 2.0 FAR Net Increase	+379 units <sup>d</sup>	+920 rooms <sup>e</sup>	+341,377 square feet <sup>f</sup>
<i>Projected Buildout with 2.0 FAR (Existing + 2.0 FAR Buildout)</i>	<i>1,136 units</i>	<i>1,457 rooms</i>	<i>1,388,355 square feet</i>
Current Regulations Net Increase	43 units <sup>g</sup>	453 to 977 rooms <sup>h</sup>	78,844 square feet <sup>i</sup>
<i>Projected Buildout Under Current Regulations (Existing + Current Regulations Buildout)</i>	<i>800 units</i>	<i>990 to 1,514 rooms</i>	<i>1,235,822 square feet</i>
<b>Net Change (Buildout with 2.0 FAR – Buildout Under Current Regulations)</b>	<b>+336 units</b>	<b>+467 room to -57 rooms</b>	<b>+152,533 square feet</b>

- <sup>a</sup> Residential units – Includes condos, apartments, etc. This category includes all projects that were built according to the 12 units/acre requirement.
- <sup>b</sup> Lodging units – Includes hotels, motels, B & Bs, etc. This category does not include homes or condos that are used transiently or as second homes. Every room or unit is counted as a whole unit.
- <sup>c</sup> Commercial Square Feet – Includes square footage in a structure used for any “commercial” purpose, including retail, office, and service. “Commercial” is any use that is not Residential or Lodging. This category includes for example, post office, day care, churches, and storage.
- <sup>d</sup> This is a net number which is the projected units minus existing units (430 projected units – 74 existing units = 356 net residential units). In addition, this includes the 23 residential units that could be developed as a result of the additional developable land from the vacation of the Main Street frontage road (356 net units + 23 units = 379 units).
- <sup>e</sup> This is a net number which is the projected rooms minus existing rooms (951 projected rooms – 71 existing rooms = 880 net rooms). In addition, this includes the 40 rooms that could occur as a result of the additional developable land from the vacation of the Main Street frontage road (880 net rooms + 40 rooms = 920 rooms).
- <sup>f</sup> This is a net number which is the projected square footage minus existing square footage (483,154 square feet – 170,734 square feet = 312,420 square feet). (This assumes that the existing square footage on parcels that would intensify would remain.) In addition, this includes 28,957 square feet that could occur as a result of the additional developable land from the vacation of the Main Street frontage road (312,420 net square feet + 28,957 square feet = 341,377 square feet).
- <sup>g</sup> This is a net number which is the projected units under current regulations (12 units/acre) minus existing units (117 projected units – 74 existing units = 43 net units).
- <sup>h</sup> This is a net number which is the projected rooms under current regulations (80 rooms/acre) minus existing rooms (524 to 1,048 projected rooms – 71 existing rooms = 453 to 977 net rooms).
- <sup>i</sup> This assumes 0.25 FAR on vacant parcels that are considered for mixed use (7.24 acres, as remaining 1.01 acres are assumed to develop with residential use only). In addition, this assumes the existing non-residential square footage would be replaced at the same intensity as existing and assumes no increase of commercial square footage on parcels identified for intensification under the 2.0 FAR scenario.

Source: Town of Mammoth Lakes and PCR Services Corporation, 2014

2.0. This designation is located along Main Street between the North Village district and Mono Street, and is intended to create a transition zone to the more intensive Commercial 2 and North Village designation. ~~A minimum floor area ratios and amount of commercial uses will be established in the Zoning Code.~~

**Commercial 2 (C-2)** This designation allows for the community’s medium- and large-scale commercial uses. ~~The base density for residential is six (6) to a maximum of twelve (12) residential dwelling units per acre and a maximum of forty (40) hotel rooms per acre. The minimum floor area ratio is 0.75 and the maximum floor area ratio is 2.0.~~ Intended uses include retail and office space for services as well as visitor lodging and



### Proposed Revisions to the Land Use Diagram

Mammoth Lakes Zoning Code Update  
 Source: Town of Mammoth Lakes, 2014.

FIGURE



This page intentionally blank.

residential uses. ~~A minimum floor area ratio and amount of commercial uses will be established in the Zoning Code.~~

### Land Use Diagram Amendment

**Figure 4, Proposed Revisions to the Land Use Diagram**, shows the changes to the Land Use Diagram to correct boundaries of the C-1, C-2 and HDR-1 designations to match the associated zoning. With the correction to the Land Use map, approximately 29 acres of land would be designated C-1 and approximately 93 acres of land would be designated C-2.

### People At One Time Amendment

The project includes an amendment to Policy L.1.A, which limits the PAOT to 52,000 people. Given that the Town has determined that an impacts-based assessment approach would be more meaningful to ensure that the projected and proposed growth do not exceed the Town's carrying capacity, the policy would be amended as follows:

~~L.1.A. Policy: Limit total peak population of permanent and seasonal residents and visitors to 52,000 people. Utilize Project Impact Evaluation Criteria (PIEC) to evaluate the relationship between growth, density, and population to ensure the balance of economic, social, and environmental factors so as to ensure that development does not exceed the carrying capacity of the Town.~~

### Community Benefits Incentive Zoning Amendment

CBIZ has been used to allow an increase in density or height, or exceptions to setback requirements. With the removal of the density cap, CBIZ would not be necessary for density increases. Therefore, the Town's General Plan amendments propose a deletion of Policy L.5.G. from the General Plan as follows:

~~L.5.G. Policy: In the C-1 and C-2 Designations, density may be increased to no more than twice the density for hotel, motel, and similar transient lodging projects that specifically enhance the tourism, community, and environmental objectives of the Town. This enhancement must be through the provision of amenities, services, and/or environmental benefits above and beyond those required to meet the incremental demands of the project. These amenities, services, and environmental benefits include, but are not limited to those listed under "Community Character" on page 24 of this General Plan. Any such increase shall further the Community Vision, shall be consistent with the discussion of "Build-out" on page 37 of this General Plan, shall be consistent with approved District Plans, and shall be subject to such rules, processes, and findings as may be adopted by the Town Council in its sole discretion.~~

### Transfer Development Rights Amendment

Action L.3.H.1. of the General Plan indicates that the Town should prepare a transfer of development rights ordinance. The FAR regulatory approach would eliminate the density limitations within the Commercial Zones which would mean that density would lose value as there would be no density maximums in the Commercial Zones. Therefore, the Town's General Plan amendments propose a modification to Policy L.3.H and the deletion of Action L.3.H.1 as follows:

L.3.H. Policy: Density may be clustered or transferred within clearly articulated district, master and, specific plans to enhance General Plan goals and policies. ~~Development rights may also be transferred between districts when that transfer furthers protection of identified environmentally sensitive areas.~~

L.3.H.1. Action: ~~Prepare a transfer of development rights ordinance describing the methods and findings for approving such density transfers.~~

### Other Amendments

As a result of the proposed amendments discussed above, cleanup of other portions of the General Plan would be necessary. In addition to the amendments discussed above, the discussion regarding buildout in the General Plan (p. 37 of the General Plan) would need to be revised to remove reference to the PAOT.

Appendix A: Action Table and Appendix E: Useful Terms for Understanding the General Plan would be revised to reflect the changes. For example, the definitions for Community Benefit and PAOT would be deleted. In addition, the term and definition for Floor Area Ratio would be added.

### Zoning Code Amendments

The proposed Zoning Code Amendments revise the allowable FAR in the MLR, D, and OMR zoning districts to reflect the 2.0 FAR that was determined to provide an appropriate level of development through the FAR Analysis. In addition, the Zoning Code Amendments would remove the unit and room cap that is currently specified in the code. No change is proposed to other development standards, such as setbacks, height, parking, and areas for snow removal. Thus, Section 17.24.010, Purpose, of the Zoning Code would be revised as follows:

**Downtown District (D).** Downtown (D) District is intended to provide a thriving mix of residential, non-residential, and lodging uses and a distinctive gateway entry into town, with a focus on ground-level commercial uses and active frontages. The development standards are intended to concentrate development along Main Street with a focus on shop front buildings that frame the street and provide an animated, pedestrian-friendly environment with high visual quality. The minimum floor area ratio is 0.75 and the maximum FAR is 2.52.0. ~~Lodging development has a maximum density of 80 rooms/acre. Residential development has a maximum density of 12 units/acre.~~ The D zoning district is consistent with the Commercial 2 (C-2) land use designation of the General Plan.

**Old Mammoth Road (OMR).** The Old Mammoth Road (OMR) District is intended as an arts and culture district oriented toward medium scale commercial development along Old Mammoth Road, emphasizing community serving retail, artist galleries, office and service uses. It is intended to encourage a mix and intensity of uses in a pedestrian-scaled environment at a scale and form that is appropriate to its neighborhood context and adjacent residential uses and forms. The minimum floor area ratio is 0.75 and the maximum FAR is 2.52.0. ~~Lodging development has a maximum density of 80 rooms/acre. Residential development has a maximum density of 12 units/acre.~~ The OMR zoning district is consistent with the Commercial 2 (C-2) land use designation of the General Plan.

**Mixed Lodging/Residential (MLR) District.** The Mixed Lodging/Residential (MLR) District is intended to allow one or more of a variety of lodging, residential, and non-residential uses to encourage a mix of uses and emphasize transient occupancy. The minimum floor area ratio is 0.75 and the maximum FAR is 2.0. ~~Lodging development has a maximum density of 80 rooms/acre. Residential development has a maximum density of 12 units/acre.~~ The MLR zoning district is consistent with the Commercial 1 (C-1) land use designation of the General Plan.

In addition, text would be added to Section 17.24.010 to clarify that while a maximum 2.0 FAR would be allowed, there are other development standards that must be met on a parcel. The 2.0 is considered a maximum allowable FAR and is not “by right” and may not be achieved on all parcels given site constraints and compliance with other standards. The proposed addition to the Zoning Code is as follows:

A. The permissible Floor Area Ratio (FAR) for a particular project or parcel will be affected by applicable design requirements; height, setback, snow storage, parking, and stepback requirements; and other development and dimensional standards. Accordingly, the maximum theoretically possible FAR is not achievable in some instances. Nothing in this Zoning Code or in the Town’s General Plan waives any design requirement or excuses compliance therewith, or entitles any applicant, project, or parcel to receive the maximum theoretically possible FAR.

### **Mobility Element Update**

The Mobility Element is a component of the General Plan and guides the Town’s investment and decision-making for transportation and accessibility improvements to the Town’s system of roads, sidewalks, paths, bike lanes, trails, parking, and public transit. The Mobility Element Update establishes the Town’s goals, policies, and actions necessary to achieve a progressive and comprehensive multimodal transportation system that serves the needs of residents, employees, and visitors in a way that is connected, accessible, and safe.

The Mobility Element Update involved research on emerging and practical transportation and land use principles, coordination with agencies that have jurisdiction within the defined planning area and immediate surrounding area (i.e., California Department of Transportation and Inyo National Forest (U.S. Forest Service) as well as other stakeholders, such as the Great Basin Unified Air Pollution Control District (GBUAPDC), Eastern Sierra Transit Authority (ESTA), United States Forest Service (USFS), Mammoth Mountain Ski Area (MMSA), and Mono County Local Transportation Commission (MCLTC). In addition, public participation played an important role in the development of the Mobility Element Update. Broad-based public outreach and community engagement was conducted to solicit feedback and input from the public about mobility issues and needs and to discuss potential solutions and priorities. Participation from all sectors of the community, including permanent residents, visitors, second home-owners, and other agencies and organizations, was encouraged. The Town provided a series of transportation-specific input opportunities, including two workshops, one all day open house, two “roadshow” trolley tours of the major transportation corridors, and an internet-based survey.

The framework of the Mobility Element Update reflects two key concepts that are a focus of the General Plan:

- The Triple-Bottom-Line – The community’s social, economic, and natural capital, and

- “Feet-first” Transportation – emphasizes and prioritizes non-motorized travel first, public transportation second, and vehicle last.

The following are principles that guide the Mobility Element and help achieve the overarching goals of the General Plan:

- Complete streets: Serve all users and all abilities through bicycle, pedestrian, and vehicle infrastructure;
- Safety: A safe and accessible system is fundamental;
- Environment: Improve air quality, water quality and slow climate change;
- Management: Transportation infrastructure is an expensive and limited resource;
- Context-sensitive design: Design follows function, character, and environment;
- Public spaces and places: Streets are an important part of “place-making”;
- Community health: Improving transportation improves health;
- Affordability: Integration of housing and transportation planning can influence affordability; and
- Economy: Efficient transportation supports a strong economy.

The Mobility Element Update provides the framework for the Town’s existing and future multimodal transportation system. The future multimodal transportation system will be progressive and comprehensive and will serve the various needs of residents, employees, and visitors in a way that is connected, accessible uncongested, and safe. The Mobility Element Update provides detailed guidance for each mode of transportation, including pedestrian, bicycle, transit, and vehicle. The Mobility Element Update is divided into sections addressing each mode of transportation. Each section includes a series of goals, policies, and actions that establish the framework necessary to address transportation needs and to make positive progress toward creating a sustainable and attractive transportation system consistent with the general Plans triple-bottom-line and feet-first concepts.

The Complete Streets section of the Element synthesizes all components of the transportation system and recognizes that streets must provide appropriate infrastructure for pedestrian, bicycle, and vehicle uses. Additionally, complete streets provide unique public spaces and the opportunity to enhance the character and quality of life in the Town. The Mobility Element recognizes that increasing the overall capacity of the system, by emphasizing improvements that reduce vehicle trips and focus on feet-first travel will be necessary.

The Mobility Element Update contains goals, policies, and action items for each of the following sections:

- Complete Streets
- Vehicle
- Pedestrian
- Bicycle
- Transit

- Parking
- Travel Demand Management
- Regional and Interregional Transportation

To carry out its primary objectives, the Mobility Element Update identifies the following improvements to the local and regional transportation systems:

- **Main Street Reconfiguration** – The Main Street Plan includes the vacation of the frontage roads and conversion to a four-lane cross-section with a center median and turn pockets. Implementation would likely be phased. Preliminary phases to provide basic infrastructure and pedestrian access would be constructed by the Town with major capital works being driven by new development on Main Street.
- **USFS Property Connections** – Provides connections within the USFS lands on the north side of Main Street. These connections would provide improved connectivity on the north side of Main Street and would be considered with potential future USFS development plans.
- **Thompsons Way** – Creates a new north-south street connection between Main Street and the Sierra Nevada Road Extension, parallel to Sierra Park Road that would provide access to the new courthouse, Mammoth Hospital, schools, and future civic center development.
- **Tavern Road Extension** – Extends Tavern Road to the east, which connects to Thompsons Way. The extension would primarily serve Mammoth Hospital and potential future development of the Civic Center parcel south of the new courthouse.
- **Sierra Nevada Road Extension** – Extends Sierra Nevada Road to the east to connect to the new Thompsons Way. This connection would create an additional east-west connection parallel to Meridian Boulevard near the schools and hospital.
- **Shady Rest Site Connections** – Provides connections within the Shady Rest Site between Center Street, Tavern Road, Dorrance Drive, and Chapparral Road/Arrowhead Drive. These connections would improve east-west and north-south connectivity in the center of town and would likely occur with development of the Shady Rest Site.
- **Callahan Way Extension** – Extends Callahan Way south to Dorrance Drive. This connection would provide improved access to Main Street from the Sierra Valley neighborhood and would likely occur with development of Sierra Star (Lodestar).
- **7B Road (Sierra Star Connector)** – Connects Minaret Road to East Bear Lake Drive as well as to Main Street. This connection would provide required access to the future (approved) Mammoth Crossing and Tanavista projects as well as to Sierra Star (Lodestar). This connection would also provide enhanced emergency access to the Holiday Haus (approved) and the Chutes properties. This connection would likely occur with development of Sierra Star and Mammoth Crossing.

The Mobility Element Update identifies opportunities for new signals and roundabouts throughout Town. The location and implementation of these facilities will be carefully evaluated for public benefit and cost effectiveness as a traffic management facility.

**E. ANTICIPATED PROJECT APPROVALS**

The Town of Mammoth Lakes is the lead agency under CEQA for the General Plan and Zoning Code Amendments as well as the adoption of the Mobility Element Update. The Mammoth Lakes Town Council will have final discretion over the General Plan and Zoning Code Amendments as well as the Mobility Element through adoption of these documents. No other approvals would be required.

# ATTACHMENT B - EXPLANATION OF CHECKLIST DETERMINATIONS

---

For purposes of this Initial Study, the General Plan Land Use Element/Zoning Code Amendments and the Mobility Element Update are collectively referred to as the “Project,” unless stated otherwise.

## I. AESTHETICS

*Would the project:*

### a. Have a substantial adverse effect on a scenic vista?

**Potentially Significant Impact.** The proposed Land Use Element/Zoning Code Amendments regarding floor area ratio (FAR) would require a minimum 0.75 FAR and allow a maximum 2.0 FAR within the Town’s approximately 122-acres of commercially designated lands. Building heights would not exceed the Municipal Code’s existing maximum building heights of 55 feet in the Downtown (D) zone, 45 feet in the Old Mammoth Road (OMR), and 45 feet for lots of less than 10 percent gradient and 55 feet for lots of greater than 10 percent gradient in the Mixed Use Lodging Residential (MLR) zoning district. However, the changes relative to FAR and removal of the density/intensity cap would result in taller buildings than the one-and two-story development currently characterizing the Town. In addition, the proposed Mobility Element Update would change the relative location of buildings along Main Street, which are now separated from Main Street by diagonal parking and an approximately 24-foot-wide frontage road. Under the Mobility Element Update, which reflects the Town of Mammoth Lakes Main Street Plan,<sup>1</sup> the frontage road and diagonal parking would be vacated, which would allow for buildings to be located approximately 35 feet closer to Main Street. The location of buildings closer to Main Street has the potential to narrow the view corridor of Sherwin Range and Mammoth Mountain and affect panoramic views that are currently visible from this area. In order to evaluate the potential effects of these changes on panoramic views, this issue will be evaluated further in an EIR.

### b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural feature within a city-designated scenic highway?

**Potentially Significant Impact.** Streets within the Town of Mammoth Lakes commercial districts are not designated local scenic routes and the Town’s commercial districts are not visible from the State Highway 395 Scenic Highway corridor. However, several potential landmarks and other sites of interest along Main Street have aesthetic value to the Town. The potential increase in the intensity of development within the Town’s commercial districts, and the placement of buildings closer to the edge of Main Street would affect the appearance of the Town, as viewed from adjacent local streets and sidewalks and from higher areas with views of the commercial districts. In addition, the Main Street reconfiguration under the Mobility Element Update would include the conversion to a four-lane roadway cross section with a center median, which would alter the appearance of the street and would, thus, affect the visual character of the Town. This issue will be evaluated in an EIR in order to address the effects of the Project on scenic resources and visual character.

---

<sup>1</sup> *Town of Mammoth Lakes, Main Street Plan, pages 38 and 39, February 2014.*

**c. Substantially degrade the existing visual character or quality of the site and its surroundings?**

**Potentially Significant Impact.** The Project could result in a change in the intensity of development within the commercial districts as well as a change in building location along Main Street. As such, the aesthetics evaluation will focus on visual quality and potential changes in the form of development that could result within the commercial districts and within a highly visible area of the Town. Therefore, the EIR will evaluate visual changes as a result of the changes to the roadway and the form of development.

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

**Potentially Significant Impact.** The Project would require a minimum 0.75 FAR and would allow a maximum 2.0 FAR within the commercial districts, which would allow for the potential development of approximately 483,154 square feet of commercial floor area, compared to 53,136 square feet under the current General Plan buildout. This has the potential to increase commercial activity beyond that anticipated under the General Plan and could generate greater commercial lighting, including sign lighting, and general light spillage along the street fronts, which would result in an increase in ambient light and glare. In addition, the vacation of the frontage road and location of buildings closer to the Main Street right-of-way would potentially cause shading along the sidewalk, particularly at the north side of the buildings. Shading effects would be of greatest concern during the winter months because of the potential presence of ice. Because potential development could increase ambient light, cause glare, or increase shading, the extent of potential lighting and shade impacts will be evaluated further in an EIR.

## II. AGRICULTURE AND FORESTRY RESOURCES

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

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

**b. Conflict with the existing zoning for agricultural use, or a Williamson Act Contract?**

**No Impact (a-b).** There are no prime or unique farmlands or other agricultural operations within the Town's Urban Growth Boundary. In addition, there are no areas designated for agricultural uses within the Project areas. Therefore, the Project would not conflict with the existing zoning for an agricultural use or a Williamson Act Contract. Thus, no impact would occur in these regards. Further analysis of this issue is not necessary in an EIR.

**c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?**

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

**Potentially Significant Impact (c-d).** The Land Use Element/Zoning Code Amendments relative to commercial development would occur within the Town's UGB and no impacts to forest land would occur. However, the Mobility Element Update could result in a proposed roadway on Forest Service lands on the north side of Main Street. Therefore, a potentially significant impact could occur relative to the Mobility Element Update. This issue will be evaluated further in an EIR.

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

**No Impact.** As discussed in Response No. II (a-b), above, the Project would not result in a conversion of farmland to a non-agricultural use. Therefore, no impact would occur relative to the conversion of Farmland to non-agricultural use and no further analysis of this issue is necessary in an EIR.

### III. AIR QUALITY

*Where available, the significance criteria established by the Great Basin Unified Air Pollution Control District (GBUAPCD) or air quality management plan may be relied upon to make the following determinations. Would the project:*

**a. Conflict with or obstruct implementation of the AQMP or Congestion Management Plan?**

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

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

**d. Expose sensitive receptors to substantial pollutant concentrations?**

**Potentially Significant Impact (a-d).** The Town of Mammoth Lakes is located in the Great Basin Valleys Air Basin (GBVAB). On November 6, 2013, the Town Council adopted an updated Air Quality Management Plan (AQMP) or Air Quality Maintenance Plan and PM<sub>10</sub> Redesignation Request. This was subsequently approved by the Great Basin Unified Air Pollution Control District on May 5, 2014. An update to Municipal Code Chapter 8.30, Particulate Emissions Regulations, was also included in this effort. The Town's Municipal Code Section 80.30.100 contains a 179,708 peak VMT on any given day on the roadway segments evaluated by LSC (the Town's traffic consultant) in the Mammoth Lakes Vehicle Miles Traveled Analysis.

The Project would result in an increase the intensity of development within the commercials districts and would also involve changes in the transportation network. The changes in the intensity of development and the pattern of traffic as well as the construction of new roadways identified in the Mobility Element Update could increase vehicle miles travelled, air pollution emissions and exposure of air pollutants to sensitive receptors. Due to the potential for significant short- and long-term local and regional air emission impacts, a full analysis of air quality impacts will be provided within an EIR.

**e. Create objectionable odors affecting a substantial number of people?**

**Less Than Significant Impact.** During construction activities associated with the modifications to existing roadways and construction of new roadways, various diesel-powered vehicles and equipment could create minor odors. These odors are not likely to be noticeable beyond the immediate vicinity and would be temporary and short-lived in nature. Therefore, construction odor impacts would be less than significant. Long-term odors are typically associated with industrial projects involving use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes. Odors are also associated with such uses as sewage treatment facilities and landfills. The Project involves no elements related to these types of uses. Therefore, less than significant long-term odor impacts would occur with Project implementation. Further analysis of this issue is not necessary in an EIR.

## IV BIOLOGICAL RESOURCES

*Would the project:*

- a. **Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**
- b. **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the City or regional plans, policies, regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**
- c. **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**
- d. **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**
- e. **Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance (e.g., oak trees or California walnut woodlands)?**
- f. **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**Potentially Significant Impact (a-f).** The Project would result in the disturbance of previously undisturbed land with the development of vacant properties within the commercial districts (i.e., approximately 8 acres scattered throughout the commercial districts) and for the new roadways identified in the Mobility Element

Update (please see Figure 5 of the Project Description). A variety of biological resources are known to exist in portions of the Project Areas. These resources include: natural communities such as conifer forest and great basin sagebrush scrub; special status wildlife species such as northern goshawk (*Accipiter gentilis*), greater sage grouse (*Centrocercus urophasianus*) and Sierra Nevada red fox (*Vulpes vulpes necator*), as well as many more common wildlife species; and, special status plants such as smooth saltbush (*Atriplex pusilla*), Long Vallry milkvetch (*Astragalus johannis-howellii*) and Father Crowley's lupine (*Lupinus padre-crowleyi*), as well as many common species. Thus, development of vacant lands in the commercial districts and the construction of the proposed roadways identified in the Mobility Element Update may have the potential to impact sensitive species and habitats, and could interfere with wildlife corridors and wildlife nursery sites. Furthermore, the Project may conflict with one or more of the local policies or ordinances protecting biological resources in the Town's Resource Management and Conservation Element or Municipal Code. As there may be potentially significant impacts associated with these issues, further analysis of biological resources will be included in an EIR.

## V. CULTURAL RESOURCES

*Would the project:*

- a. **Cause a substantial adverse change in significance of a historical resource as defined in State CEQA §15064.5?**
- b. **Cause a substantial adverse change in significance of an archaeological resource pursuant to State CEQA §15064.5?**
- c. **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**
- d. **Disturb any human remains, including those interred outside of formal cemeteries?**

**Potentially Significant Impact (a-d).** The Project Areas have been occupied by humans in historic times. As a result, archaeological resources may be present in vacant lands within the commercial districts (i.e., approximately 8 acres are currently vacant) or areas where new roadways are proposed in the Mobility Element Update. Some development within the commercial districts on currently vacant lands and the construction of proposed roadways would occur on existing undeveloped land, including areas that may contain archaeological resources or be proximate to historic resources. Additionally, development of the commercial lands and construction of new roadways could disturb paleontological resources or disturb human remains. Accordingly, due to the potential for significant impacts on historic, archaeological and paleontological resources, the EIR will include further analysis of these issues.

## VI. GEOLOGY AND SOILS

*Would the project:*

- a. **Exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:**

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

**ii. Strong seismic ground shaking?**

**Less Than Significant Impact (a i-ii).** The Mono Lake Long Valley region is part of one of the most active seismic regions in the U.S. Seismic activity in the vicinity of the Town is a result of continuing tectonic movement along the eastern front of the Sierra Nevada Mountain Range. Three historically active faults located in proximity to the Town have the greatest potential to create significant ground shaking in the Town. These faults include the Hilton Creek fault (1980 earthquake), the Owens Valley fault (1972 earthquake) and the Chalfant Valley fractures (1986 earthquake). These three faults, as well as six other potentially active faults, have the potential for ground shaking within the Town. While these faults are within proximity to the Town, there are no known Alquist-Priolo Earthquake Fault Zones within the project areas. Damage due to surface rupturing is limited to the actual location of the fault line break, unlike damage from ground shaking, which can occur at great distances from the fault. According to the Town's General Plan EIR, the potential for surface rupture in the Town is considered to be low.<sup>2</sup>

In terms of new building development, the proposed Land Use Element/Zoning Code Amendments relative to FAR would apply within the Town's approximately 122-acres of commercially designated lands. The majority of land within the commercial districts is already developed. The Mobility Element Update would result in the extension of roadways and the creation of complete streets within the Town. The Project would not pose new geologic constraints or hazards. Any development within the Town, buildings or roadways, would be required to comply with the requirements of the California Building Code (CBC) (CCRs, Title 24). The CBC is based on the Uniform Building Code (UBC), which is used widely throughout United States (generally adopted on a state-by state or district-by-district basis), and has been modified for California conditions with numerous, more detailed and/or more stringent regulations. Built structures and/or facilities would be constructed in accordance with the requirements of the CBC and the Town's Municipal Code Sections 12.08.076 (Grading and Clearing) and 12.08.080, which requires that grading may be conducted under the following permits within the limits of each: 1) a letter of exemption, for minimal work; 2) a building permit, allowing grading within the footprint and as needed for the foundation excavations; and 3) a grading permit, for all other conditions. Municipal Code Section 12.08.080 requires engineered plans and a soils report to be submitted with an application for a grading permit. Therefore, buildings and facilities would be designed in accordance with the ground motion parameters that have been calculated for a particular site to withstand seismic ground shaking from the maximum credible earthquake anticipated to occur at the particular project site, as necessary per applicable regulatory requirements. Thus, despite the seismically active area in which the Town is located, impacts associated with seismic ground shaking would be less than significant. Further analysis of this issue is not necessary in an EIR.

Based on geologic history, geotechnical hazards related to volcanic activity are possible in the project areas. Potential impacts to the Town include inundation by ash deposition, lava, or lahars, or complete destruction from a catastrophic eruption. A comprehensive daily monitoring program of activity along known faults helps scientists to assess the volcanic hazards in the Long Valley area and to recognize the early signs of possible eruptions. The USGS, in cooperation with the California Office of Emergency Services and local

<sup>2</sup> *Town of Mammoth Lakes Final General Plan EIR, Chapter, 4.4 - Geology, Seismicity, Soils, and Mineral Resources, May 2007.*

jurisdictions in eastern California, has established procedures to promptly alert the public to a possible eruption. In addition, the Town adopted an Emergency Operations Plan (EOP) in 2001, which is updated regularly. The projected increase in intensity of development within the commercial districts could result in a slight increase in the population in the Town. However, with the plans in place stated above, impacts regarding volcanic hazards are concluded to be less than significant. No further analysis of the issue is necessary.

With regards to carbondioxide, since carbon dioxide derived from molten rock is heavier than air, when it leaks from the soil it can collect in snow banks, depressions, and poorly ventilated enclosures, such as cabins and tents. The areas in which carbon dioxide occurs are outside the UGB and are within USFS jurisdiction. The occurrences are seasonal and USFS monitors the areas. The Project would not result in development within the USFS jurisdiction and therefore, impacts regarding carbon monoxide would be less than significant. No further analysis of the issue is necessary.

### **iii. Seismic-related ground failure, including liquefaction?**

**Less Than Significant Impact.** As indicated in the Final Program EIR for the General Plan Update (2007), based on the character of surface and subsurface soil and depth to groundwater, there appears to be little potential for liquefaction in the Town. Within Mammoth Lakes, areas of alluvium and moraine material with shallow groundwater have the potential for liquefaction. Areas subject to liquefaction because of fine-grained alluvium are in the low areas including Sherwin Meadows, areas to the north and south of the Old Mammoth District, and to a lesser extent, an area of shallow groundwater near the Meridian Boulevard and Minaret Road. However, based on the character of surface and subsurface soil and depth to groundwater, there generally appears to be little potential for liquefaction in the Town. Regardless, any development that would occur as a result of the Project would be built in accordance with the applicable seismic requirements of the CBSC and Town of Mammoth Lakes Municipal Code requirements, as described above. Therefore, impacts associated with seismic-related ground failure, including liquefaction would be less than significant. Further analysis of this issue is not necessary in an EIR.

### **iv. Landslides?**

**Less Than Significant Impact.** Landslides move under the force of gravity and are affected by the type of earth materials involved, the internal friction of the slide mass, and the slope over which the mass is moving. Triggering events for landslides include earthquakes, heavy precipitation, natural erosion and earthwork/grading. Landslides are limited primarily to areas with a combination of poorly consolidated material and slopes that exceed 30 percent. While slopes with these gradients are found in portions of Mammoth Knolls, Mammoth Slopes, and areas of Old Mammoth, there is no record of landslide activity in the Town. The proposed Land Use Element/Zoning Code Amendments would not alter the land uses within the commercial districts. As indicated above, any development, buildings or proposed roadways in the Mobility Element Update, would be required to comply with the CBSC and the Town of Mammoth Lakes Municipal Code requirements, as described above. Therefore, impacts relative to landslides would be less than significant and further analysis of this issue is not necessary in an EIR.

### **b. Result in substantial soil erosion or the loss of topsoil?**

**Less Than Significant Impact.** The Town of Mammoth Lakes is underlain by a variety of rock types, including Pliocene to Recent volcanic pyroclastic deposits, Pleistocene glacial deposits and Holocene

alluvium (less than 10,000 years old). Soils are characterized as Frigid and Cyric, which are typically gravelly loams with low water capacity and generally developed on glacial outwash.<sup>3</sup> These soils may be sensitive to disturbances by development and have a moderate to high erosion potential, depending on the steepness of slopes. Construction activities associated with the development have the potential to result in minor soil erosion during site clearing, grading and excavation, which may contribute to subsequent siltation and conveyance of other pollutants into local streams and drainages. Section 12.08.078 of the Municipal Code regulates grading and earthwork for the purpose of minimizing disturbance from erosion and siltation. In addition, all construction projects must comply with the Lahontan Regional Water Quality Control Board's (LRWQCBs) Water Quality Control Plan to reduce soil erosion related to surface water runoff and siltation.<sup>4</sup> The Water Quality Control Plan sets forth control measures that reduce erosion that can occur during construction of road and private development projects. In accordance with the LRWQCB, certain construction projects, including road construction, would require a Storm Water Pollution Prevention Plan (SWPPP) with associated Best Management Practices (BMPs) to control erosion at the source. With the implementation of BMPs and SWPPP requirements, impacts to topsoil would be reduced to a less than significant level and further analysis of this issue in an EIR is not necessary.

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

**Less Than Significant Impact.** Potential impacts with respect to liquefaction and landslide potential were determined to be less than significant based on the analysis presented under Checklist Questions VI.a.iii and iv, above. Moraines (unconsolidated rock and soils resulting from glacial debris) can result in lateral spreading or collapse. However, moraine features in the middle of town are considered relatively stable unless they are underlain by shallow groundwater.<sup>5</sup> Excavation for subterranean structures (such as underground parking) would cause disturbance of existing soils and contribute to potential localized caving of excavated areas (e.g. the excavated side walls losing stability). All required excavations would be sloped and properly shored in accordance with applicable provisions of the 2013 CBSC as incorporated into the Municipal Code. Where the proposed excavation is deeper than adjacent off-site buildings, it is recommended that shoring should be designed to resist the surcharge imposed by the adjacent building, as required under the CBSC. Construction of streets and sidewalks would comply with the design standards with respect to cut slopes, gradients, and other requirements pertinent to underlying geologic conditions, as approved by the Director of Public Works.<sup>6</sup> Other geologic hazards, such as seismically induced settlement and dynamic compaction of dry and loose soils may occur during a major earthquake. These hazards are also addressed through CBSC-compliant site preparation, foundation design, and road construction standards. With compliance with standard Town of Mammoth Lakes and CBSC requirements, impacts associated with lateral spreading, subsidence, or collapse would be less than significant and no further analysis of this topic in an EIR is necessary.

<sup>3</sup> *Town of Mammoth Lakes General Plan Environmental Impact Report, Chapter 4.4, page 4-96, May 2007.*

<sup>4</sup> *California Regional Water Quality Control Board, Water Quality Control Plan for the Lahontan Region North and South Basins, Chapter 4.3, Stormwater Runoff, Erosion, and Sedimentation, 1995 (with Amendments through October 2014).*

<sup>5</sup> *Town of Mammoth Lakes General Plan Environmental Impact Report, Chapter 4.4, page 4-97.*

<sup>6</sup> *Town of Mammoth Lakes Department of Public Works, Town of Mammoth Lakes Standards, Section 100, Streets and Sidewalks, Subsection D., Road Design Standards, July 2013.*

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

**No Impact.** Expansive soils are typically associated with fine-grained clayey soils that have the potential to shrink and swell with repeated cycles of wetting and drying. According to the Town's General Plan EIR, no expansive soils have been mapped or encountered in the Town.<sup>7</sup> Any development that would occur as a result of the Project would be built in accordance with the applicable requirements of the CBSC and Town of Mammoth Lakes Municipal Code requirements, as described above. Therefore, impacts associated with expansive soils would be less than significant and further analysis of this issue is not necessary in an EIR.

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

**Less Than Significant Impact.** Development anticipated as a result of the Land Use Element/Zoning Code Amendments would occur in the commercial districts. These areas are already designated for development. In addition, sewer service is provided to this area of the Town and any new development would tie into the existing facilities. The Mobility Element Update contains policies relative to the transportation infrastructure in the Town. As such, the Project would not result in the use of septic tanks or alternative wastewater disposal systems. No impact would occur from the Project and no further analysis of this issue is necessary.

## **VII. GREENHOUSE GAS EMISSIONS**

*Would the project:*

**a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance?**

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

**Potentially Significant Impact (a-b).** The Project could result in an intensification of development in the commercial districts and in new roadways. While both of these components of the Project could result in more walkability and shorter vehicle routes, there is a potential for significant short- and long-term greenhouse gas emission impacts. Therefore, further analysis of greenhouse gas impacts will be provided in an EIR. In addition, the EIR will evaluate the Project's consistency with applicable plans, policies or regulations adopted for the purpose of reducing the emissions of greenhouse gases, such as Executive Orders S-3-05 and S-01-07, Assembly Bill 32, and the Town's Resource Management and Conservation Element of the General Plan.

---

<sup>7</sup> *Ibid.*

## VIII. HAZARDS AND HAZARDOUS MATERIALS

*Would the project:*

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

**Less Than Significant Impact.** Hazardous materials may be used during the construction phase of new development or for the proposed roadways identified in the Mobility Element Update. Hazardous materials that may be used during construction include, but are not limited to, fuels (gasoline and diesel), paints and paint thinners and possibly herbicides and pesticides. Generally these materials would be used in concentrations that would not pose significant threats during the transport, use and storage of such materials. Furthermore, it is assumed that potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations, including California Occupational Safety and Health Administration requirements, and Title 8 and 22 of the Code of California Regulations. Accordingly, risks associated with hazards to the public or environment posed by the transport, use or disposal of hazardous materials during construction are considered less than significant due to compliance with applicable standards and regulations.

Over the long-term, the Project would not involve development that would include substantial storage, use, disposal, or generation of hazardous materials or wastes. The Land Use Element/Zoning Code Amendments would not result in a change in the uses allowed in the commercial districts. Routine maintenance activities associated with the Town's proposed roadways may involve the occasional use of hazardous materials. Potentially toxic or hazardous compounds associated with maintenance activities typically consist of readily available solvents, cleaning compounds, paint, herbicides, and pesticides. These compounds are regulated by stringent federal and state laws mandating the proper transport, use, and storage of hazardous materials in accordance with product labeling. The use and storage of these substances is not considered to present a health risk when used in accordance with manufacturer specifications and with compliance to applicable regulations.

Overall, the Project would not change the potential for hazards associated with the routine transport, use, or disposal of hazardous materials as the Town will continue to manage and regulate hazards and hazardous materials. Construction and operation of the Project would result in a less than significant impact with regard to routine transport, use, or disposal of hazardous materials relative to the safety of the public or the environment. Further analysis of this issue is not necessary in an EIR.

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

**Less Than Significant Impact.** The Land Use Element/Zoning Code Amendments would not result in changes in land use and therefore, would not include facilities or land uses typically associated with hazardous materials handling, storage, or use. The construction and use of proposed roadways would not result in the use of hazardous materials aside from those discussed in VIII.a., above. Further, existing federal, State and local regulations exist to ensure hazardous materials use, storage, and disposal associated with any proposed activities or facilities would not result in significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Given the limited use of hazardous materials associated with the Project, and

anticipated compliance with associated federal, State, and Town regulations and requirements, impacts related to the accidental release of hazardous materials would be less than significant. Further analysis of this issue is not necessary in an EIR.

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

**Less Than Significant Impact.** The Land Use Element/Zoning Code Amendments would not result in changes in land use in the commercial districts and therefore would not change the uses within proximity of existing and future school sites. The construction and use of proposed roadways would not result in the use of hazardous materials aside from those discussed in VIII.a., above. Further, it is assumed that the limited use of hazardous materials that would occur would be carried out in conformance with manufacture guidelines and applicable federal, State and local regulations that exist to ensure hazardous materials use, storage, and disposal would not result in a significant hazard to the public or the environment, including exposure of school sites to hazardous materials or emissions. Accordingly, impacts related to the exposure of school sites to hazardous materials or emissions would be less than significant. Further analysis of this issue is not necessary in an EIR.

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

**No Impact.** No sites within the project areas have been included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5.<sup>8</sup> Accordingly, Project implementation would not be subject to existing hazards from such a site. No impact would occur in this regard. Further analysis of this issue is not necessary in an EIR.

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

**No Impact.** The Mammoth Yosemite Airport (MMH) is located to the east of the Town but within the Town's Urban Growth Boundary. The Mono County Airport Land Use Commission oversees development and land use compatibility issues. The Mammoth/June Lake Airport Land Use Plan (ALUP) establishes a comprehensive land use plan that defines the type and pattern of future development in the area surrounding the existing airport. The Land Use Element/Zoning Code Amendments would not change the uses or heights of buildings within the commercial districts. In addition, the Mobility Element Update would not result in changes to development located within an airport land use plan area or result in changes in roadways within proximity to the MMH. As such, no safety hazards for people residing or working in the area would occur as a result of the Project and no impact would occur. Further analysis of this issue is not necessary in an EIR.

<sup>8</sup> California Environmental Protection Agency official website. Cortese List: Section 65962.5(a). <http://www.calepa.ca.gov/SiteCleanup/CorteseList/SectionA.htm> Accessed March 17, 2015.

**f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for the people residing or working in the area?**

**No Impact.** There are no private airstrips in the vicinity of the project areas. Therefore, the Project would not result in airport-related safety hazards for the people residing or working in the area. No impact would occur in this regard. Further analysis of this issue is not necessary in an EIR.

**g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

**Less Than Significant Impact.** Development of buildings or roadways would be subject to compliance with emergency access standards and requirements specified by State Fire Code and the Town's Municipal Code, as well as the Town's General Plan, where appropriate. In addition, it is acknowledged that the Town has an adopted EOP for emergency response within the Town. The EOP sets forth the responsibilities, functions, and operations of the Town government and its interrelationship with other agencies and jurisdictions which provide services during an emergency. The EOP addresses earthquakes, volcanic activity, flooding, rapid snowmelt, fire, avalanches, landslides, transportation incidents, hazardous materials releases, medical emergencies, social unrest, terrorism, and war. The Plan meets the State's Standardized Emergency Management System (SEMS) and is updated regularly. Project implementation would not impair implementation or physically interfere with the EOP, because no circulation changes are being proposed which conflict with the procedures set forth in the plan. In fact, the complete streets that would be implemented by the proposed roadways and the alternative transportation that is supported in the Mobility Element Update would increase access to areas for meeting and staging in an emergency event. The Mobility Element Update could have a beneficial impact regarding emergency access. Therefore, impacts regarding emergency response are considered to be less than significant. Further analysis of this issue is not necessary in an EIR.

**h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

**Less Than Significant Impact.** The characteristics of the Town of Mammoth Lakes, including limited points of entry/exit and location near forested land present unique fire hazard problems. Wildfires can result in death, injury, economic loss, and heavy public investment in firefighting efforts. The proposed Land Use Element/Zoning Code Amendments would potentially allow intensification of development in the Town's commercial districts, which would potentially increase residential and visitor populations and, thus, expose more people to wildland fires. For this purpose, the Town of Mammoth Lakes maintains the EOP, which sets forth the responsibilities, functions, and operations of the Town government and its interrelationship with other agencies and jurisdictions to provide emergency services during such events as wildfires. In addition, the Eastern Sierra Fire Safety Council (ESRFSC) prepared a Fire Safety Plan to help residents improve defenses against wildfires. The ESRFSC is made up of private citizens and advised by the U.S. Forest Service (USFS), California Department of Forestry and Fire Protection (CDFFP), and the Bureau of Land Management (BLM). Fire hazard and risk are measured by the amount of fuel available to burn at any given time and the likelihood that an ignition would occur. The risk factors are used to provide a relative ranking of fire risk, hazard, and susceptibility to a large, severe fire. Fire hazard severity for Mammoth Lakes, which has been mapped by the CDFFP, is considered "very high." In response to this rating and the Sierra Nevada Forest Plan Amendment (SNFPA) (2004), USFS crews began the construction of the Mammoth Lakes Fuelbreak,

which is funded by the National Fire Plan (NFP) for the Inyo National Forest. The purpose of the fuel break is to protect the north end of Mammoth Lakes from fire and treat approximately 400 acres of urban interface (the 0.25-mile Defense Zone defined in the NFP). The fuel breaks are monitored annually by the USFS and may be re-mowed in five-year intervals. The ESRFSC also collaborates with local volunteer fire departments and assists CDFFP as they train fire prevention volunteers to perform residential fire hazard inspections. Volunteers also work with homeowners and businesses to raise awareness concerning wildland fire risks and methods of hazard reduction.

The Town's EOP, which meets the state's Standardized Emergency Management System (SEMS) requirements, provides emergency response procedures such as identification of critical hazard areas, locations for meeting and staging in an emergency event, communications, and emergency evacuation. In a disaster situation, the Town would provide an Emergency Operations Center (EOC) at 437 Old Mammoth Road, Suite Z. The EOC is fully equipped with emergency communication equipment and cooking, showering, and sleeping facilities. Other EOC's include the Mammoth Community Water District (MCWD) office, Fire Station 2, Police Department, Canyon Lodge, and other facilities. Radio and satellite communications would be utilized to maintain communications should other systems fail and local radio and television would be utilized to notify residents and visitors of an emergency.

The Mobility Element Update also provides for roadway improvements that would extend existing streets thereby improving mobility and connectivity throughout the Town. Improvements include connections to USFS property at the north side of Main Street, new north-south access via Thompsons Way, extension of Tavern Road to the east, extension of Sierra Nevada Road to the east, connections to the Shady Rest site and new signals, extension of Callahan Way to the south, and the extension of 7B (Sierra Star) to connect Minaret Road to East Bear Lake Drive and to Main Street. With improvements to the transportation system and the effective use of EOCs and other procedures set forth in the EOP and NFP, risk to the Town of Mammoth Lakes related to wildfires would be reduced to a less than significant level. Because the proposed Land Use Element/Zoning Code Amendments would not interfere with EOP and NFP procedures, they would not increase risk related to wildland fires. Therefore, the impact of the Project with respect to wildland fires would be less than significant and further evaluation of this issue in an EIR is not necessary.

## IX. HYDROLOGY AND WATER QUALITY

*Would the project:*

### a. Violate any water quality standards or waste discharge requirements?

**Less than Significant Impact.** The Project consists of Land Use Element/Zoning Code Amendments and upgrades and extensions of the Town's street network through the General Plan's Mobility Element Update. Potential new development under the proposed Land Use Element/Zoning Code Amendments includes approximately 8.3 acres of vacant land and potential intensification of development on approximately 19.1 acres of land. Street improvements under the Mobility Element Update include consolidation of Main Street (vacation of frontage road, turn lanes, etc.), connections to USFS property at the north side of Main Street, new north-south access via Thompsons Way, extension of Tavern Road to the east, extension of Sierra Nevada Road to the east, connections to the Shady Rest site and new signals, extension of Callahan Way to the south, and the extension of 7B (Sierra Star) to connect Minaret Road to East Bear Lake Drive and to Main Street.

The construction of new roadway segments would increase paved surfaces thereby increasing impermeable surfaces throughout the Town. The development of existing vacant land in the Town's commercial districts would increase impervious surfaces in the approximately 122-acre area by approximately eight acres. The Land Use Element/Zoning Code amendments would not alter the overall pattern of development or change lands that are already anticipated for development. The Land Use Element/Zoning Code amendments would not substantially affect anticipated surface runoff. The increase in impermeable surfaces for roadways has the potential to increase the volume and velocity of surface runoff during a storm event. During construction, runoff from disturbed areas may contain silt and debris and potentially increase the sediment load in the storm drain system. As a result, water quality and the carrying capacity of the storm drain system could be impaired. Impacts during construction would vary depending on the level of construction activity and weather conditions. However, all construction projects would be subject to state and local water quality regulations, such as Section 12.08.078 of the Municipal Code, which regulates grading and earthwork for the purpose of minimizing disturbance from erosion and siltation. Additionally, grading and construction projects are required to comply with State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) permitting and BMP's. Roadway construction would be administered by the Town of Mammoth Lakes Department of Public Works and would comply with standards for surface water runoff and erosion control set forth in the Town of Mammoth Lakes Standards for roadway design and drainage facilities.<sup>9</sup> In addition, recommendations set forth in the Final Recommendations on Erosion, Drainage and Flooding Project would be applicable to all erosion and runoff control during road construction.<sup>10</sup> These documents set forth design standards and flood and erosion control measures, including BMPs that have successfully been deployed in alpine settings. In addition, all construction projects must comply with the Lahontan Regional Water Quality Control Board's (LRWQCB's) Water Quality Control Plan to reduce surface water runoff and siltation.<sup>11</sup> Where applicable, a Storm Water Pollution Prevention Plan (SWPPP) with associated Best Management Practices (BMPs) to control surface runoff at the source would be implemented. With the implementation of Municipal Code and SWPPP requirements, impacts related to water quality standards during construction would be reduced to a less than significant level.

During operation, any increase in motor vehicle activity associated with new streets and greater residential and commercial occupancy than currently anticipated under the General Plan could increase the discharge of pollutants from motor vehicles, such as petroleum hydrocarbons, glycol, and dissolved heavy metals. The LRWQCB reports that runoff from paved surfaces has increased the concentrations of nutrients, organic compounds, asphaltic concrete particles, and petroleum in Mammoth Creek. Motor vehicle activity is addressed in the proposed Mobility Element Update to emphasize "feet first" (non-motorized) transportation. The potential reduction or reduced growth in motor vehicle use would benefit water quality by reducing discharge pollutants from paved surfaces that currently enter Mammoth Creek and other water bodies in the area. In addition, all new road segments would install new surface water collection systems and drains which would channel water to the Murphy Gulch detention basin. Detention basins act as filters that reduce adverse runoff from storm events. This reduction is accomplished by decreasing the peak flow to downstream watersheds and/or by delaying the time at which downstream hydraulic systems are impacted. Such a delay allows a longer period for downstream watersheds to drain, effectively increasing

---

<sup>9</sup> *Town of Mammoth Lakes Department of Public Works, Standards, updated April 2014.*

<sup>10</sup> *Nichols Consulting Engineers, Chtd, for the Town of Mammoth Lakes Department of Public Works, Town of Mammoth Lakes Erosion, Drainage, and Flooding Project Final Recommendations Report, April 2008*

<sup>11</sup> *California Regional Water Quality Control Board, Water Quality Control Plan for the Lahontan Region North and South Basins, Chapter 4.3, 1995 (with amendments through October 2014).*

the ability of downstream drainage systems to accommodate runoff generated upstream. The combined effects of flow reduction and time delay are created by utilizing available storage volume in the basin and by designing the hydraulic outflow structures from the basin. Downstream benefits associated with the combined action of discharge reduction and time delay due to the presence of a detention basin may include lowering the water surface elevation in streams, hence decreasing the magnitude of risks, and reducing downstream damage associated with streambed erosion, sediment transport, or pollution transport.<sup>12</sup> The Town of Mammoth Lakes also requires that all new development retain on-site the runoff produced from a one-hour 20-year storm event. This reduces the downstream impact of new development, while reducing the sediment and nutrient material that is washed from roofs, roads, and other hard surfaces. Because construction runoff would be controlled by existing state and local regulations and required BMPs, and operational runoff would be directed from the pavement to detention systems that reduce pollutants, the Project would not violate water discharge requirements at existing water bodies, such as Mammoth Creek. Impacts with respect to water quality standards would be less than significant and no further analysis of this issue in an EIR is necessary.

**b. Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater 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 land uses for which permits have been granted)?**

**Less Than Significant Impact.** The MCWD provides domestic water to the Town from both surface water and groundwater from six distinct watersheds comprising the 45,000 acre (71-square-mile) Mammoth Hydrologic Basin. The primary source of water comes from surface water diverted from the Mammoth Creek watershed, plus eight groundwater production wells within the Town. The potential increase in intensity of development associated with the proposed Land Use Element/Zoning Code Amendments would not increase the amount of impervious surfaces in the Town's commercial districts compared to the existing General Plan, which had anticipated development of existing vacant sites. However, the Mobility Element Update anticipates the completion of several new roadways. New roadways would increase impervious surfaces compared to existing conditions. However, the new roadways would incorporate storm drain infrastructure. The collection of runoff would reduce groundwater recharge and divert more runoff into the Town's storm drainage system. Surface water runoff is managed under the Mammoth Lakes Storm Drain Master Plan (SDMP), which establishes a system of drains from Mammoth Slopes to the Mammoth Ranger Station via Canyon Boulevard, Bener Street, Alpine Circle, and Main Street. This system discharges into Murphy Gulch just west of the Mammoth Ranger Station and would re-enter the Mammoth Hydrologic Basin. Because of surface runoff from the new streets would eventually re-enter the basin and because of the relatively small percentage of new impermeable roadways, compared to the Mammoth Hydrologic Basin, the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update would not substantially deplete groundwater supplies or interfere with groundwater recharge. Therefore, impacts related to groundwater recharge would be less than significant impact and no further analysis of this issue in an EIR is necessary.

**c. Substantially alter 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?**

<sup>12</sup> *Town of Mammoth Lakes Storm Drain Master Plan, page 32, May 26, 2005.*

- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off site?**
- e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**
- f. Otherwise substantially degrade water quality?**

**Less than Significant Impact (c-f).** Less-than-significant impacts relative to water quality are discussed under IX.a, above. New road development or extensions of roadways under the Mobility Element Update would potentially result in an increase in collected surface runoff. Construction of streets would adhere to the Town Standards and other design policies that provide for the collection and diversion of surface runoff to the Town's system of storm drains. The storm drain system diverts runoff to the Town's detention basin, which, as discussed above, would substantially reduce potential damage associated with streambed erosion, sediment transport, and pollution transport. Control of surface runoff from new roads would not cause the area's drainage patterns to be altered. The proposed Land Use Element/Zoning Code Amendments would potentially result in intensified development along established streets within the Town's existing commercial districts, which comprises approximately 122 acres. However, development resulting in impervious surfaces was anticipated in the commercial districts under the existing General Plan and would not be substantially different as a result of the Land Use Element/Zoning Code amendments. Therefore, development under the Land Use Element/Zoning Code Amendments would not increase impervious surfaces or runoff compared to anticipated conditions. Moreover, the approximately 8.3 acres of vacant land represents approximately 6.5 percent of the Town's 122-acre commercial districts within the Town's approximately 25-square-mile incorporated area and would, thus, generate a negligible percentage increase in total runoff. In addition, the Town requires that all new development retain on-site the runoff produced from a one-hour 20-year storm event. This would reduce the downstream impact of the development, both within the Town and within the natural channels beyond the Town. Retention of runoff also reduces the sediment and nutrient material that is washed from roofs, roads, and other hard surfaces. With the use of on-site retention, road and storm drain design consistent with Town Standards and the 2005 Storm Drain Master Plan, and off-site detention, impacts with respect to streambed or drainage patterns alteration, runoff in excess of existing capacity, or substantial degradation of water quality would not occur. Therefore, impacts with respect to these issues would be less than significant and no further analysis in an EIR is necessary.

- g. Place housing within a 100-year flood plain as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

**Less than Significant Impact.** Any future housing related to the Project would be located within the Town's existing commercial districts, which terminate to the north of Mammoth Creek in the approximate vicinity of the Mammoth Creek Inn. The FEMA-mapped 100-year flood plain is located along Mammoth Creek, with the nearest section to the Project Area occurring in the vicinity of Mammoth Creek Park and Mammoth Creek Road to the south of the Mammoth Creek Inn. The Project Area is not within the 100-year floodplain which is located south of the southern edge of the Project boundary. Therefore, the Project would not involve the placement of any habitable structures within a flood hazard boundary. Impacts with respect to flooding would be less than significant and no further analysis of this issue in an EIR is necessary.

#### **h. Place within a 100-year flood plain structures which would impede or redirect flood flows?**

**Less than Significant Impact.** The Land Use Element/Zoning Code Amendments would not change the development patterns from those anticipated under the adopted General Plan in relationship to the flood plain. Moreover, no new buildings would be constructed within a 100-year floodplain or stream bed and, thus, would not impede or redirect flood flows. New or extended roadways under the Mobility Element Update have the potential to cross tributary streams and, as such, would be required to comply with State regulations and Town Standards related to roadway and culvert design to provide that all stream crossings accommodate the peak 100-year-storm flood level. Therefore, any potential new structures, such as bridges or culverts, would not impede or redirect flood flow within a 100-year flood plain. Impacts with respect to redirection of flood flow would be less than significant and no further analysis of this issue in an EIR is necessary.

#### **i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

**Less than Significant Impact.** The Town of Mammoth Lakes EOP notes that three dams occur in elevations above the Town, including dams at Lake Mamie, Lake Mary, and Twin Lakes. Lake Mamie and Lake Mary drain into Twin Lakes. Twin Lakes impounds about 150 acre-feet and breach of its dam could send a 3-foot high wall of water downstream. Areas along Mammoth Creek, particularly in the Old Mammoth District, could experience considerable and rapid flooding within the 100-year floodplain. No critical facilities are located within the inundation area and the Town regulates development within floodplain areas where inundation is more likely to occur.<sup>13</sup> The Town's 100-year flood plains occur along the Mammoth Creek drainage and Murphy Gulch, which are defined in the Town's General Plan EIR as potential flood areas. Any future flooding or inundation is addressed under the discussion of the 100-year flood plain, above (see Responses to IX.g and h). No new dams or levees are anticipated under the General Plan or would be associated with the Project. Impacts associated with inundation by failure of a dam or levee would be less than significant and no further analysis of this issue in an EIR is necessary.

#### **j. Inundation by seiche, tsunami, or mudflow?**

**Less than Significant Impact** A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank and a tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of the sea floor associated with large, shallow earthquakes. These conditions are characteristic of a marine setting and are not applicable to the Project Area. Mudflows, however, can occur during wet weather or snow melt conditions in hillside areas and along cuts and ravines where unconsolidated materials occur or bedding planes are oriented downslope, or where deep soils are exposed to heavy rainfall or other water sources. During any construction in the Town's commercial districts, compliance with Section 12.08.078 of the Municipal Code for grading and earthwork would reduce the exposure of deeper soils to surface water, and the potential for mud flow would be considered negligible. In addition, adherence to adopted design standards for public works projects for new road construction would require retention and appropriate drainage along all cut slopes and, thus, would not generate mudflows or exacerbate hillside instability conditions. All construction projects must also comply with the Lahontan Water Quality Control Plan to

<sup>13</sup> *Mono County and Town of Mammoth Lakes, Mono County Multi-Jurisdictional Local Hazard Mitigation Plan, pages 30-31, October 2006.*

reduce exposure of soil to surface water runoff. Therefore, the potential to cause mudflows as a result of roadway construction would also be negligible. Impacts associated with inundation by failure of a dam or levee, seiche, tsunami, or mudflows would be less than significant and no further analysis of this issue in an EIR is necessary.

## X. LAND USE AND PLANNING

*Would the project:*

### a. Physically divide an established community?

**Less than Significant Impact.** The proposed Land Use Element/Zoning Code Amendments would require a minimum 0.75 FAR and would allow a maximum 2.0 FAR. These changes would potentially result in greater residential and commercial development than anticipated under the existing General Plan. However, the proposed amendments would not change the configuration of the zoning districts or the overall pattern of development within the Town. Any development in the commercial districts would represent infill of the Town's existing commercial districts and would not require the alteration or closure of roadways and routes to surrounding residential and industrial neighborhoods. The Mobility Element Update emphasizes non-motorized transportation, to facilitate multi-modal access throughout the commercial districts, and to improve connectivity among the Town's neighborhoods through new streets and road extensions. These changes would increase commercial and pedestrian activity and social interactions among Town residents as well as visitors. In addition, new or extended roadways under the Mobility Element Update would improve traffic flow and access throughout the area. These conditions would reduce community disconnections and division. Therefore, impacts related to the physical division of an established community as a result of changes to the Town's General Plan policies would be less than significant. No further analysis of this issue in an EIR is necessary.

### b. Conflict with applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

**Potentially Significant Impact.** The Project would amend the Town's Zoning Code and the General Plan to:

1. Allow for intensified development within the Town's commercial districts, including the Mixed Use Lodging Residential (MLR), Old Mammoth Road (OMR), and Downtown (D) districts,
2. Update the Mobility Element to emphasize and encourage non-motorized transportation. The update would result in complete streets through the extension of some segmented roads or development of new roads.
3. Remove the "People At One Time" (PAOT) policy in order to move forward with an impact-based assessment. In the past, the Town proposed to limit growth through the PAOT concept. PAOT was established to describe population intensity and, accordingly, Policy L.1.A of the General Plan states: "*Limit total peak population of permanent and seasonal residents and visitors to 52,000 people.*" Subsequently, the Town moved away from the policy of monitoring growth to a policy of evaluating potential impacts of a project relative to the quality of life and the environment rather than focus on a particular number of people that could result from development. The impacts-

based approach is intended to help ensure that growth in the Town would not exceed the carrying capacity of infrastructure or other constraints.

Although it is expected that the Project would be in general conformance with the intent of the General Plan, because the Project would change text and development standards set forth in the Zoning Code and General Plan and update the Mobility Element, the changes will be further evaluated in the EIR to ensure general compliance with policies adopted for the purpose of mitigating environmental effects.

### **c. Conflict with any applicable habitat conservation plan or natural community conservation plan?**

**Potentially Significant Impact.** The Project would result in the disturbance of previously undisturbed land with the development of vacant properties within the commercial districts and construction of new roadways identified in the Mobility Element Update. A variety of biological resources are known to exist in portions of the project areas. These resources include: natural communities such as conifer forest and great basin sagebrush scrub; special status wildlife species such as northern goshawk (*Accipiter gentilis*), greater sage grouse (*Centrocercus urophasianus*) and Sierra Nevada red fox (*Vulpes vulpes necator*), as well as many more common wildlife species; and, special status plants such as smooth saltbush (*Atriplex pusilla*), Long Valley milkvetch (*Astragalus johannis-howellii*) and Father Crowley's lupine (*Lupinus padre-crowleyi*), as well as many common species. Thus, development of vacant lands may conflict with one or more of the local policies or ordinances protecting biological resources in the Town's Resource Management and Conservation Element or Municipal Code. As there may be potentially significant impacts, the issue of conformance with any habitat conservation plans or natural community conservation areas, such as Critical Aquatic Refuges (CARs) proposed in the Sierra Nevada Forest Plan Amendment (USDA 2001c), will be further evaluated in the EIR.

## **XI. MINERAL RESOURCES**

*Would the project:*

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**
- b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

**Less than Significant Impact (a-b).** Mineral resources in the Mammoth Lakes region (Planning Area) include industrial minerals (clay, aggregate, cinders, etc.) and precious metals associated with volcanic rocks and hot spring and geothermal activity. The Project does not incorporate heavy industrial uses that would increase demand or availability of minerals and does not propose mineral development activities. The potential construction of new and redeveloped buildings in the Town's existing commercial districts and construction of extensions of existing streets under the Mobility Element Update would not occur in areas of known mineral resources, which are located outside of the Town boundaries.<sup>14</sup> The construction of new roadway segments would not impede access or the potential for direct use or future exploration of mineral resources in the region. Therefore, impacts with respect to the loss of availability of mineral resource would be less than significant. No further analysis of these issues in an EIR is necessary.

<sup>14</sup> *Town of Mammoth Lakes General Plan EIR, Figure 4.4-1, May 2007.*

## XII. NOISE

*Would the project result in:*

- a. **Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**
- b. **Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**
- c. **A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**
- d. **A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

**Potentially Significant Impact (a-d).** Construction of buildings and street segments under the Project could create periodic and short-term noise, including groundborne vibration and noise, which could exceed established noise standards. The potential higher number of residents and greater commercial floor area that could occur under the proposed Land Use Element/Zoning Code Amendments compared to the existing General Plan estimated buildout could increase noise levels due to new or increased use of existing vacant or currently underutilized sites. During operation, vehicle noise associated with new road segments could also increase noise levels at sensitive receptor sites. Accordingly, potential increases in construction and operational noise are considered significant, and a noise analysis will be included in an EIR. The analysis will include a discussion of both temporary construction and operational noise increases and the potential for significant impacts on Town's residents and other sensitive receptors.

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

**Less than Significant Impact (e-f).** Proposed Land Use Element/Zoning Code Amendments could increase commercial and residential development in the commercial districts compared to buildout estimates under the existing General Plan. However, future development would occur within the same land use pattern and locations described in the General Plan and would not be located within the vicinity of an airport. As evaluated in the General Plan EIR, the nearest airport to the commercial districts is the Mammoth Yosemite Airport, located approximately 7.5 miles to the southeast of the Town of Mammoth.<sup>15</sup> No airstrips of heliports are located within the Town of Mammoth Lakes. As indicated above in Response No. VIII.e., the Mammoth/June Lake Airport Land Use Plan (ALUP) establishes a comprehensive land use plan that defines the type and pattern of future development in the area surrounding the existing airport. Helicopter use or landings in the area use may occur during emergency situations or if/when filming occurs in Town. However, because this would not be a regular occurrence it would not generate higher ambient noise levels.

<sup>15</sup> *Town of Mammoth General Plan EIR, page 4-291, May 2007.*

The Land Use Element/Zoning Code Amendments would not alter the land uses or land use patterns within the Town. Airport noise impacts would not be pertinent to the proposed Mobility Element Update because the latter does not affect the location of occupied structures, such as residences or businesses. Implementation of the Project would not expose people to excessive airport related noise levels because of the proximity of an airfield or heliport or helistop and impacts with respect to this issue would be less than significant. Airport noise would be less than significant and analysis of this issue in an EIR is not necessary.

### **XIII. POPULATION AND HOUSING**

*Would the project:*

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

**Potentially Significant Impact.** The Project would potentially add new residential, visitor, and employment population to the Town by allowing a more intensified buildout within the commercial districts than under the current General Plan. Compared to the current General Plan buildout, the proposed 2.0 FAR would allow a net increase of approximately 313 residential units and approximately 430,018 square feet of commercial floor area. The 2.0 FAR would allow up to 951 hotel rooms, compared to 524 to 1,048 hotel rooms allowed under the current General Plan buildout estimate. This represents a potential net change ranging from 427 additional hotel rooms to a reduction of 97 rooms.

Policy L.1.A of the Town of Mammoth Lakes General Plan currently limits peak population and visitors to 52,000 people, using a concept of People At One Time or PAOT. In April 2009 the Town Council adopted the PAOT/Impact Assessment Policies, which included direction to “(s)hift from PAOT based project evaluation to impact-based evaluation and mitigation.” The proposed General Plan Amendment of Policy L.1.A would change the approach to allow potential growth based on monitoring growth through evaluation of the potential impacts of a project relative to the quality of life and the environment rather than to focus on a particular number of people that could result from development. Under the proposed approach, rather than using the Town’s PAOT model, which assumes 2.4 persons per permanent resident and 4.0 persons per transient unit, potential impacts would be assessed on a project-by-project basis through use of Project Impact Evaluation Criteria (PIEC) and/or environmental review, including but not limited to evaluations of air quality, including vehicle miles travelled (VMT); biological resources; cultural resources; geology and soils; hazards; hydrology; land use; noise; transportation, public services and utilities, including water demand.

While the Land Use Element/Zoning Code Amendments would directly induce growth, new roadways constructed under the proposed Mobility Element Update are not likely to generate new growth because respective new roadways and extensions would occur within the Urban Growth Boundary and result in complete street networks. Because changes in the Zoning Code and General Plan amendments could cause an increase in the Town’s buildout in the commercial districts, this issue will be evaluated further in an EIR.

**b. Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?**

**c. Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?**

**Potentially Significant Impact (b-c).** Project implementation would allow for the intensification of development within the commercial districts. Redevelopment of properties within the commercial districts could result in the temporary removal of existing residential units or hotel rooms. Any displaced residents would require replacement housing. Because the proposed Land Use Element/Zoning Code Amendments may result in the need for replacement housing, this issue will be evaluated further in an EIR.

#### **XIV. PUBLIC SERVICES**

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

**a. Fire protection.**

**Potentially Significant Impact.** The Mammoth Lakes Fire Protection District (MLFPD) provides fire protection and emergency response within the Town of Mammoth Lakes. Existing characteristics of the Town, including narrow roadways and limited points of entry/exit, would be improved by the Mobility Element Update. Increases in population result in an increase in the demand for fire protection services, which is based on per capita demand. Given the intensification of development that could occur in the commercial districts, the potential increase in permanent and seasonal residents associated with the increase in potential buildout development would increase demand on fire protection and emergency medical services and could result in a potentially significant impact on fire protection services. In addition, the construction of new street segments under the Mobility Element Update may cause temporary lane closures or other access issues that would affect emergency response. However, when completed, new roadway segments would provide greater connectivity throughout the Town and would enhance emergency access. Because the proposed Land Use Element/Zoning Code Amendments could increase demand and temporary emergency access impacts could occur during construction and the vacation of the frontage road would reconfigure Main Street, the ability of the MLFPD to provide adequate fire protection services with Project implementation will be evaluated in an EIR.

**b. Police protection.**

**Potentially Significant Impact.** Police protection in the Town of Mammoth is provided by the Mammoth Lakes Police Department (MLPD), the Mono County Sheriff's Department (MCSD), and the California Highway Patrol (CHP). Increases in population can result in an increase in the demand for police protection services, which is based on per capita demand. The proposed Land Use Element/Zoning Code Amendments would allow an increase of up to 313 residential units, 430,018 square feet of commercial floor area compared to the existing General Plan buildout estimate, and up to 951 hotel rooms, compared to 524 to 1,048 hotel rooms allowed under the current General Plan buildout estimate. The potential intensification in the commercial districts and the relative increase in permanent and seasonal residents and employees could increase demand on police services and could result in a potentially significant impact on police protection

services and resources. Because the proposed Land Use Element/Zoning Code Amendments could increase demand and temporary emergency access impacts could occur during construction and the vacation of the frontage road would reconfigure Main Street, the ability of the affected law enforcement agencies to provide adequate police protection services with Project implementation will be evaluated further in an EIR.

#### c. Schools.

**Potentially Significant Impact.** The Mammoth Lakes Unified School District (MUSD) provides education for grades Kindergarten (K) through 12, with facilities that include Mammoth Elementary School, Mammoth Middle School, Mammoth High School, Sierra High School, and the Mammoth Olympic Academy for Academic Excellence. Increases in permanent population would increase the demand for school services, which is based on the estimated rate of children within respective new households. The proposed Land Use Element/Zoning Code Amendments would allow an increase of up to 313 residential units and approximately 430,018 square feet of commercial floor area compared to the existing General Plan buildout estimate. The potential increase in residential population and associated students would increase demand on school services and could contribute to the need for additional school facilities and services. The increase in demand could, thus, result in a potentially significant school impact. The ability of the MUSD to provide adequate school services with Project implementation will be evaluated further in an EIR.

#### d. Parks.

**Potentially Significant Impact.** The Town provides recreational facilities for use by the general public. Existing parks comprise approximately 18 acres, owned and operated by the Town, in addition to four acres at Mammoth Creek Park and 12.5 acres at Shady Rest Park operated by the Town under a Special Use Permit from the USFS, and 18.66 acres at Whitmore Park operated jointly by the Town and Mono County from Los Angeles Department of Water and Power (LADWP) land. The proposed Land Use Element/Zoning Code Amendments would result in a potential increase of up to 313 residential units and approximately 430,018 square feet of commercial floor area compared to the existing General Plan buildout estimates, and up to 951 hotel rooms, compared to 524 to 1,048 hotel rooms estimated for the existing General Plan buildout. The potential increase in permanent and seasonal residents associated with the relative increase in potential buildout development would increase demand on parks and recreational facilities and could result in a potentially significant impact on these resources. Therefore, the ability of the Town to provide adequate parks services with Project implementation will be evaluated further in an EIR. Direct impacts to park facilities are similarly addressed under Response No. XV.a, below.

#### e. Other governmental services (including roads).

**Potentially Significant Impact (Library Services).** Library services in the Town of Mammoth Lakes are provided by Mono County, which operates a branch in the Town. Potential new growth in residential units and employment opportunities represented by the Project would introduce new demand for library services that could result in a potentially significant impact on this public service. Therefore, the ability of Mono County to provide adequate library services with Project implementation will be evaluated further in an EIR.

**Less than Significant Impact (Street Maintenance and Snow Removal).** The proposed Mobility Element Update would result in additional roadways and potential increase in maintenance and snow removal requirements. This would primarily fall under the purview of the Town's Public Works Department. Depending on the ownership of the respective roadways, a variety of Town, Mono County, or state funding

sources would fund street maintenance. Maintenance activities regarding the new street components are not anticipated to result in significant physical impacts associated with the provision of new or physically altered governmental facilities. Therefore, a less than significant impact would occur in this regard. Further analysis of street maintenance facilities in an EIR is not necessary.

## **XV. RECREATION**

- a. Would the project 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?**
- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

**Potentially Significant Impact (a-b).** As discussed in Section XIV.d, above, the potential intensification of development within the commercial districts that would result from the proposed Land Use Element/Zoning Code Amendments would introduce new population to the Town not anticipated under the existing General Plan. This would generate greater demand for public recreational and park facilities and services, which could require the potential need for the expansion of existing or construction of new facilities. Because new construction could result in potentially significant impacts, this issue will be evaluated further in an EIR.

## **XVI. TRANSPORTATION/TRAFFIC**

*Would the project:*

- a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**
- b. Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

**Potentially Significant Impact (a-b).** The project could result in an increase in the intensity of development in the commercial districts and in changes to the transportation network in the Town. A traffic study will be prepared to evaluate the Project's potential to result in traffic impacts (i.e., reduction in the level of service at study intersections) as well as to evaluate the vehicle miles traveled. The results of the traffic study will be presented in an EIR.

- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

**No Impact.** The Project does not propose any structures that would interfere with air traffic patterns; nor is the Project expected to increase use of the Mammoth Yosemite Airport to a level that would significantly

increase air traffic levels or require a change in air traffic patterns thereby increasing traffic levels. Thus, no impact regarding air traffic patterns would occur with Project implementation. Further analysis of this issue is not necessary in an EIR.

**d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

**Potentially Significant Impact.** The proposed Mobility Element Update involves improvements to the local and regional transportation network and would establish a multimodal framework with the purpose of being connected, accessible, uncongested, and safe. Proposed street improvements would enhance connectivity throughout the Town, reduce pedestrian/vehicle conflicts, create a more active street front on Main Street, and increase the overall capacity of the Town's road system. The Update would also identify opportunities for new signals and roundabouts throughout Town. Roadway design would be consistent with Town of Mammoth Lakes standards,<sup>16</sup> which are intended to standardize street design and improve road safety. Although the Mobility Element Update anticipates improvements to safety, several major design features such as new signals and roundabouts and vacation of the existing frontage road along Main Street to provide a single street, the redesign of roadways and intersections has the potential to change patterns of use and result in unanticipated hazardous conditions. Because of the extent of the proposed changes, the safety aspect of the Mobility Element Update will be further evaluated in an EIR.

**e. Result in inadequate emergency access?**

**Potentially Significant Impact.** The Mobility Element Update proposes the construction of new roadway extensions and segments, including the consolidation of Main Street (vacation of frontage road, turn lanes, etc.), connections to USFS property at the north side of Main Street, new north-south access via Thompsons Way, extension of Tavern Road to the east, extension of Sierra Nevada Road to the east, connections to the Shady Rest site, extension of Callahan Way to the south, and the extension of 7B (Sierra Star) to connect Minaret Road to East Bear Lake Drive and to Main Street. Although the proposed Land Use Element/Zoning Code Amendments have the potential to increase residential and visitor traffic in the Town's commercial districts and access highways, the improvement in connectivity would likely improve emergency access at the completion of proposed improvements. However, roadway construction has the potential to cause the closure of lanes or streets, which could increase congestion and reduce emergency access. Because any reduction in emergency access would be potentially significant, this issue will be evaluated further in an EIR.

**f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?**

**Potentially Significant Impact.** The Mobility Element Update is intended to improve the local and regional transportation network and establish a multimodal framework for the Town. In 2014, the Town accepted the Main Street Plan for the transformation of the Main Street corridor from an auto-dominated state highway that passes through town into a pedestrian-first street. This represents a move that would transform existing multimodal facilities. Action items under the Mobility Element Update consist of additional pedestrian, bicycle, and transit networks. Because the Mobility Element Update would change existing policies and conditions relative to public transit, bicycle, and pedestrian facilities in the Town, the

<sup>16</sup> *Town of Mammoth Lakes Department of Public Works, Standards, Section 100, Streets and Highways, July 2013.*

Update has the potential to conflict with existing policies. Therefore, the environmental effects of the Update with respect to multi-modal policies and conditions will be evaluated further in an EIR.

## **XVII. UTILITIES AND SERVICE SYSTEMS**

*Would the project:*

### **a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

**Potentially Significant Impact.** Project implementation would generate new growth in excess of existing General Plan buildout estimates. Compared to the current General Plan buildout, the proposed 2.0 FAR would allow a net increase of approximately 313 residential units and approximately 430,018 square feet of commercial floor area. The 2.0 FAR would allow up to 951 hotel rooms, compared to 524 to 1,048 hotel rooms allowed under the current General Plan buildout estimate, which represents a potential net change ranging from 427 additional hotel rooms to a reduction of 97 rooms. This relative increase over General Plan buildout estimates could result in impacts to wastewater treatment facilities and, thus, exceed treatment requirements of the Lahontan RWQCB. Because impacts related to treatment requirements would be potentially significant, this issue will be analyzed further in an EIR.

### **b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

**Potentially Significant Impact.** Project implementation would potentially allow for growth in excess of existing General Plan buildout estimates. The relative increase over existing General Plan buildout estimates would generate water demand and wastewater generation for the Town not anticipated under the current General Plan and, thus, potentially impact water and wastewater treatment facilities. Because impacts related to treatment facilities would be potentially significant, this issue will be evaluated further in an EIR.

### **c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

**Potentially Significant Impact.** Proposed development growth that could occur under the Land Use Element/Zoning Code Amendments would involve the infill of approximately eight acres of vacant land, which would be converted from permeable to impermeable surfaces. The location of new growth in the Town's commercial districts would increase the runoff of snow melt and storm water into the existing drainage system serving that area. The Town requires that all new development retain on-site the runoff produced from a one-hour 20-year storm event, which would reduce the downstream impact of new development. However, because new growth would be concentrated in the commercial districts, the potential exists that any increase in runoff would impact adjacent storm drains. In addition, implementation of the Project would require grading and potential alterations in the local drainage patterns at respective construction sites; and would require verification of available capacity in the local drainage system. Also, the Mobility Element Update would include a reconfiguration of Main Street including utility relocations. Therefore, this issue will be evaluated further in an EIR.

**d. Have sufficient water supplies available to serve the project from existing entitlements and resource, or are new or expanded entitlements needed?**

**Potentially Significant Impact.** The Mammoth Community Water District (MCWD) is the supplier to the public water system for the Town of Mammoth Lakes. The MCWD's Urban Water Management Plan (UWMP) estimated that the MCWD had adequate supplies to support the existing General Plan buildout;<sup>17</sup> however, given the increase in intensity of development that could occur, a Water Supply Assessment (WSA) is required to determine adequacy of supply. In addition, the proposed changes on Main Street, which would result in an increase in landscaping within the public right-of-way, could increase water demand. Thus, the Land Use Element/Zoning Code Amendments, which would increase population relative to the estimated General Plan buildout, the increase in landscaping, and the recent and potentially on-going drought conditions, which could affect water supply, have the potential to adversely affect the ability of the MCWD to meet domestic water demand with implementation of the Project. Because the Project would increase demand beyond the estimated demand under the General Plan buildout, and a potential shortfall in supply could occur, this issue will be evaluated further in an EIR.

**e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

**Potentially Significant Impact.** The MCWD owns and operates the sewage collection systems, including pump stations and more than 35 miles of sewer mains and interceptors that serve the Town. Main trunks are located in Main Street, Old Mammoth Road, Meridian Boulevard, and Sierra Star Golf Course to Center Street. The MCWD concluded that adequate treatment capacity existed in the system to support the existing General Plan at buildout.<sup>18</sup> However, the potential intensification within the commercial districts that could occur as a result of the Land Use Element/Zoning Code Amendments would increase population relative to the estimated General Plan buildout. The increase in population would increase wastewater. Therefore, a potential shortfall in treatment availability could occur and this issue will be analyzed further in an EIR.

**f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

**g. Comply with federal, state, and local statutes and regulations related to solid waste?**

**Potentially Significant Impact (f. and g.).** Solid waste disposal is provided at the Benton Crossing Landfill, which is owned and operated by Mono County. It is anticipated that the Benton Crossing Landfill will remain open until December 2023.<sup>19</sup> To reduce solid waste flow, the Town operates a waste collection and recycling program in accordance with Assembly Bill 939 and provides for collection of plastic, aluminum, glass, metal, paper, and cardboard. A number of state policies address the availability of sufficient landfill capacity and the diversion/recycling of solid waste. In addition, the population growth that could occur as a result of the proposed Land Use Element/Zoning Code Amendments relative to current General Plan growth estimates could increase demand on the landfill. Therefore, the capacity of the Benton Crossing Landfill and the

<sup>17</sup> *Town of Mammoth Lakes General Plan EIR, page 4-258, May 2007.*

<sup>18</sup> *Town of Mammoth Lakes General Plan EIR,, page 4-266, May 2007.*

<sup>19</sup> *Town of Mammoth Lakes General Plan EIR,, page 4-267, May 2007.*

compliance of the Town with applicable regulations and guidelines for waste reduction will need to be evaluated to determine available landfill capacity. Since the Project could result in a potentially significant impact, this issue will be analyzed further in an EIR.

## **XVIII. MANDATORY FINDINGS OF SIGNIFICANCE**

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

**Potentially Significant Impact.** As discussed above, the Project could result in potentially significant impacts related to aesthetics, forestry resources, air quality, biological resources, cultural resources, greenhouse gas emissions, land use and planning, noise, population and housing, public services (fire, police, parks, schools, and library), recreation, transportation/traffic, utilities and service systems (water supply, sewer, storm drains, and solid waste). In addition, impacts to any of the issue areas described above (which have been identified as potentially significant) could be considered to affect the quality of the environment. This impact is considered potentially significant and will be analyzed further in an EIR.

- b. Does the project have impacts which are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)**

**Potentially Significant Impact.** As discussed above, the Project could result in potentially significant impacts related to aesthetics, forestry resources, air quality, biological resources, cultural resources; greenhouse gas emissions, land use and planning, noise, population and housing, public services (fire, police, parks, schools, and library), recreation, transportation/traffic and utilities (water supply, sewer, storm drains, and solid waste). Because the Project would result in potentially significant impacts in these issue areas, it has the potential to result in potentially significant cumulative impacts in the same issue areas. Therefore, the EIR will evaluate potential cumulative impacts associated with aesthetics, forestry resources, air quality, biological resources, cultural resources, greenhouse gas emissions, land use and planning, noise, population and housing, public services, recreation, transportation/traffic and utilities and service systems.

The Project would comply with all applicable local, State and federal regulations related to geology and soils, hazards and hazardous materials, and hydrology and water quality. Compliance with existing regulations would ensure that environmental impacts related to geology, hazards, and hydrology and water quality would be less than significant. Compliance with applicable regulations by the Project and cumulative projects would preclude significant cumulative impacts in these issues areas. In addition, because the Project would not cause a reduction in mineral resources or prevent access to the area’s mineral resources, it would not result in significant impacts to mineral resources or in cumulative impacts with respect to such.

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

**Potentially Significant Impact.** The General Plan Land Use Element/Zoning Code Amendments and the Mobility Element Update have the potential to result in significant environmental effects as discussed in this Initial Study. Therefore, these issues will be discussed in the relevant sections of the EIR.

---

## References

California Environmental Protection Agency official website. Cortese List: Section 65962.5(a). <http://www.calepa.ca.gov/SiteCleanup/CorteseList/SectionA.htm>. Accessed March 17, 2015.

California Regional Water Quality Control Board, *Water Quality Control Plan for the Lahontan Region North and South Basins*, 1995 (with amendments up to October 2014).

Nichols Consulting Engineers, Chtd, *Town of Mammoth Lakes Erosion, Drainage, and Flooding Project Final Recommendations Report*, April 2008 (Prepared for the Town of Mammoth Lakes Department of Public Works).

Mono County and Town of Mammoth Lakes, *Mono County Multi-Jurisdictional Local Hazard Mitigation Plan*, October 2006

Town of Mammoth Lakes Department of Public Works, *Town of Mammoth Lakes Standards*, July 2013.

Town of Mammoth Lakes, *General Plan Final Environmental Impact Report*, May 2007.

Town of Mammoth Lakes, *Main Street Plan*, February 2014.

Town of Mammoth Lakes, *Storm Drain Master Plan*, May 26, 2005.



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

Notice of Preparation

May 29, 2015

To: Reviewing Agencies

Re: General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update  
SCH# 2015052072

Attached for your review and comment is the Notice of Preparation (NOP) for the General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Sandra Moberly  
City of Mammoth Lakes  
P.O. Box 1609  
437 Old Mammoth Road, Suite R  
Mammoth Lakes, CA 93546

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Attachments  
cc: Lead Agency

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2015052072  
**Project Title** General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update  
**Lead Agency** Mammoth Lakes, City of

---

**Type** NOP Notice of Preparation  
**Description** Project includes General Plan Land Use Element Amendments focused on revisions to the development standards for the commercial districts as well as amendments regarding transfer of development rights and Community Benefits Incentive Zoning and a change from People at One Time (PAOT) approach to an impact assessment based approach. In addition, the Town is proposing to adopt and implement a Mobility Element Update. The Town is also proposing Zoning code Amendments associated with development standards for the commercial zones.

---

**Lead Agency Contact**

**Name** Sandra Moberly  
**Agency** City of Mammoth Lakes  
**Phone** 760-934-8989 x251 **Fax**  
**email**  
**Address** P.O. Box 1609  
437 Old Mammoth Road, Suite R  
**City** Mammoth Lakes **State** CA **Zip** 93546

---

**Project Location**

**County** Mono  
**City** Mammoth Lakes  
**Region**  
**Cross Streets** Townwide  
**Lat / Long**  
**Parcel No.**  
**Township** **Range** **Section** **Base**

---

**Proximity to:**

**Highways** 203  
**Airports**  
**Railways**  
**Waterways** Mammoth Yosemite Airport  
**Schools**  
**Land Use** All (Project includes components that are Townwide)

---

**Project Issues**

**Reviewing Agencies** Resources Agency; Department of Conservation; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Wildlife, Region 6; Department of Housing and Community Development; Office of Emergency Services, California; Native American Heritage Commission; Caltrans, Division of Transportation Planning; Caltrans, District 9; Air Resources Board, Transportation Projects; Regional Water Quality Control Bd., Region 6 (Victorville)

---

**Date Received** 05/29/2015 **Start of Review** 05/29/2015 **End of Review** 06/29/2015

2015052072

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update

Lead Agency: Town of Mammoth Lakes

Contact Person: Sandra Moberly, Planning Manager

Mailing Address: 437 Old Mammoth Road, Suite R

Phone: (760) 934-8989 ext 251

City: Mammoth Lakes

Zip: 93546

County: Mono

Project Location: County: Mono

City/Nearest Community: Mammoth Lakes

Cross Streets: Townwide

Zip Code: 93546

Longitude/Latitude (degrees, minutes and seconds): ... N / ... W Total Acres: ...

Assessor's Parcel No.: NA

Section: ...

Twp.: ...

Range: ...

Base: ...

Within 2 Miles: State Hwy #: 203

Waterways: ...

Airports: Mammoth Yosemite Airport

Railways: ...

Schools: ...

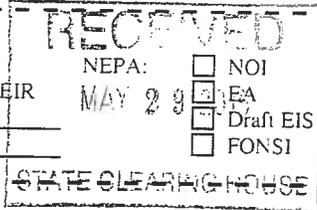
Document Type:

- CEQA: [x] NOP [ ] Early Cons [ ] Neg Dec [ ] Mit Neg Dec

- [ ] Draft EIR [ ] Supplement/Subsequent EIR (Prior SCH No.) Other: ...

- NEPA: [ ] NOI [x] EA [ ] Draft EIS [ ] FONSI

- Other: [ ] Joint Document [ ] Final Document [ ] Other: ...



Local Action Type:

- [ ] General Plan Update [x] General Plan Amendment [x] General Plan Element [ ] Community Plan

- [ ] Specific Plan [ ] Master Plan [ ] Planned Unit Development [ ] Site Plan

- [ ] Rezone [ ] Prezone [ ] Use Permit [ ] Land Division (Subdivision, etc.)

- [ ] Annexation [ ] Redevelopment [ ] Coastal Permit [x] Other: Zoning Code Amendment

Development Type:

- [ ] Residential: Units ... Acres ... [ ] Office: Sq.ft. ... Acres ... Employees ... [ ] Commercial: Sq.ft. ... Acres ... Employees ... [ ] Industrial: Sq.ft. ... Acres ... Employees ... [ ] Educational: ... [ ] Recreational: ... [ ] Water Facilities: Type ... MGD ...

- [ ] Transportation: Type ... [ ] Mining: Mineral ... [ ] Power: Type ... MW ... [ ] Waste Treatment: Type ... MGD ... [ ] Hazardous Waste: Type ... [ ] Other: ...

Project Issues Discussed in Document:

- [ ] Aesthetic/Visual [ ] Agricultural Land [ ] Air Quality [ ] Archeological/Historical [ ] Biological Resources [ ] Coastal Zone [ ] Drainage/Absorption [ ] Economic/Jobs [ ] Fiscal [ ] Flood Plain/Flooding [ ] Forest Land/Fire Hazard [ ] Geologic/Seismic [ ] Minerals [ ] Noise [ ] Population/Housing Balance [ ] Public Services/Facilities [ ] Recreation/Parks [ ] Schools/Universities [ ] Septic Systems [ ] Sewer Capacity [ ] Soil Erosion/Compaction/Grading [ ] Solid Waste [ ] Toxic/Hazardous [ ] Traffic/Circulation [ ] Vegetation [ ] Water Quality [ ] Water Supply/Groundwater [ ] Wetland/Riparian [ ] Growth Inducement [ ] Land Use [ ] Cumulative Effects [ ] Other: ...

Present Land Use/Zoning/General Plan Designation:

All (Project includes components that are Townwide)

Project Description: (please use a separate page if necessary)

The Project includes General Plan Land Use Element Amendments focused on revisions to the development standards for the commercial districts as well as amendments regarding transfer of development rights and Community Benefits Incentive Zoning and a change from People at One Time (PAOT) approach to an impact assessment based approach. In addition, the Town is proposing to adopt and implement a Mobility Element Update. The Town is also proposing Zoning Code Amendments associated with development standards for the commercial zones (Please see attached NOP and Initial Study for more detail.)

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.



**DEPARTMENT OF TRANSPORTATION**

DISTRICT 9  
500 SOUTH MAIN STREET  
BISHOP, CA 93514  
PHONE (760) 872-0785  
FAX (760) 872-0678  
TTY 711  
www.dot.ca.gov



*Serious drought.  
Help save water!*

June 24, 2015

Ms. Sandra Moberly, Planning Manager  
P.O. Box 1609  
Town of Mammoth Lakes  
Community & Economic Development Department  
Mammoth Lakes, CA 92415-0187

File: Mno-203-var  
NOP DEIR  
SCH #: 2015052072

**General Plan Land Use Element/Zoning Code Amendment and Mobility Element Update**

Dear Ms. Moberly:

Thank you for giving the California Department of Transportation (Caltrans) District 9 the opportunity to comment during the Notice of Preparation phase for the subject project updates. We appreciate our ongoing interaction with the Town regarding State Route (SR) 203, local roads and other multimodal facilities. As the Responsible Agency with jurisdiction over SR 203 (Main Street in the Figure 2 project area) and Local Assistance funding, we offer the following comments:

- Page A-7, “potential impacts would be assessed on a project-by-project basis through use of Project Impact Evaluation Criteria (PIEC) and/or environmental review, including but not limited to evaluations of air quality, including vehicle miles travelled (VMT)... public services...; and transportation.”: Please ensure that specific PIECs, performance measures, etc. are defined and that assessment tools are utilized appropriately for individual project analysis.
- Page B-2, d. Light or Glare: In addition to shading sidewalks, buildings that are taller and/or built closer to transportation facilities could also shade roads; thus, contribute to additional snow/ice build-up.
- Page B-23-24, e. Governmental Services (including roads): Although it is stated that analysis of maintenance, snow removal, etc. “in an EIR is not necessary,” the Town must assure such services are addressed for transportation items - roadways, sidewalks, bike paths, signals and any related enhancement features, via agreements and/or during specific project review.

Ms. Sandra Moberly  
June 24, 2015  
Page 2

- Page B-25, item e. Emergency Access: Ensure analysis addresses design features, which may not be conducive to emergency vehicle through-access and maneuverability.
- Page B-24, XVI. Transportation/Traffic, “potential to result in traffic impacts (i.e. reduction on LOS at study intersections)...”: Please also perform queuing analysis at noteworthy intersections.

We value our cooperative working relationship with the Town regarding transportation matters. Feel free to contact me at (760) 872-0785, with any questions.

Sincerely,



GAYLE J. ROSANDER  
Local Development-Intergovernmental Review

c: State Clearinghouse  
Mark Reistetter, Caltrans D-9



State of California - Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Inland Deserts Region  
3602 Inland Empire Blvd., Suite C-220  
Ontario, CA 91764  
(909) 484-0459  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

*EDMUND G. BROWN, Jr., Governor*  
*CHARLTON H. BONHAM, Director*



June 24, 2015

Ms. Sandra Moberly  
Town of Mammoth Lakes  
Community and Economic Development Department  
P.O. Box 1609  
Mammoth Lakes, CA 93546

**Subject: Notice of Preparation of a Draft Environmental Impact Report for the General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update  
State Clearinghouse No. 2015052072**

Dear Ms. Moberly:

The California Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Notice of Preparation (NOP) of the draft Environmental Impact Report (DEIR) for the General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update (Project [State Clearinghouse No. 2015052072]) prepared by the Town of Mammoth Lakes (Town [Lead Agency]). The Department is responding to the NOP as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 *et seq.*) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

#### Project Description

The Project includes General Plan Land Use Element amendments focused on revisions to the development standards for the commercial districts as well as amendments regarding transfer of development rights and Community Benefits Incentive Zoning, and a change from People at One Time (PAOT) approach to an impact assessment based approach. In addition, the Town is proposing to adopt and implement a Mobility Element Update. The Town is also proposing Zoning Code amendments associated with development standards for the commercial zones.

NOP

General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update

SCH No. 2015052072

Page 2 of 5

### Biological Resources and Impacts

The DEIR should contain sufficient, specific, and current biological information on the existing habitat and species at the Project site; measures to minimize and avoid sensitive biological resources; and mitigation measures to offset the loss of native flora and fauna and State waters. The DEIR should not defer impact analysis and mitigation measures to future regulatory discretionary actions, such as a Lake or Streambed Alteration Agreement.

If state or federal endangered or threatened species have the potential to occur on the Project site, species specific surveys should be conducted using methods approved by the Department, or the presence of the species throughout the project site should be assumed. The DEIR should address species of special concern and federal critical habitat, and should include recent survey data (CEQA Guidelines Section 15125(a)).

### California Endangered Species Act (CESA)

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the CESA. The Department recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the Project. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats. The Department encourages early consultation, as significant modification to the proposed project and mitigation measures may be necessary to obtain a CESA ITP. Revisions to the California Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA ITP unless the Project CEQA document addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit.

### Lake and Streambed Alteration Program

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required. The Department's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the

NOP

General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update

SCH No. 2015052072

Page 3 of 5

environmental document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <https://www.wildlife.ca.gov/Conservation/LSA>.

The Department's website has information regarding dryland streams in "A review of Stream Processes and Forms in Dryland Watersheds," available at this location: <https://www.wildlife.ca.gov/Conservation/LSA/Resources>.

Additional information can also be found in "Methods to Describe and Delineate Episodic Stream Processes on Arid Landscapes for Permitting Utility-Scale Solar Power Plants, With the MESA Field Guide - Final Project Report" available here: <http://www.energy.ca.gov/2014publications/CEC-500-2014-013/index.html>

The following information will be required for the processing of a Notification of Lake or Streambed Alteration and the Department recommends incorporating this information into the DEIR to avoid subsequent documentation and project delays. Please note that failure to include this analysis in the project's environmental document could preclude the Department from relying on the Lead Agency's analysis to issue a LSA Agreement without the Department first conducting its own, separate Lead Agency subsequent or supplemental analysis for the project:

- 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
- 2) Discussion of avoidance and minimization measures to reduce project impacts; and,
- 3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. Please refer to section 15370 of the CEQA Guidelines for the definition of mitigation.

#### Department Recommendations

The Department recommends that the Town address the following in the DEIR:

1. The DEIR should quantify impacts to habitats and species as per the informational requirements of CEQA. An accompanying map showing the areas of impact should also be included.
2. The DEIR should include recent biological surveys for fauna and flora (CEQA Guidelines Section 15125(a)). To assist with review, an accompanying map

NOP

General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update

SCH No. 2015052072

Page 4 of 5

showing the areas of impact should be included. The Department recommends that the Lead Agency contact the Department's California Natural Diversity Database (CNDDDB) in Sacramento ((916) 327-5960) to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the California Fish and Game Code. Please note that the Department's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. The Department recommends that it be used as a starting point in gathering information about the potential presence of species within the general area. If state or federal threatened or endangered species may occur within the project area, species specific surveys, conducted at the appropriate time of year and time of day, should be included with the DEIR. Acceptable species specific surveys have been developed by the Department and by the U.S. Fish and Wildlife Service, and are accessible through the agencies' websites. Assessments for rare plants and rare plant natural communities should follow the Department's 2009 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities, available here: [http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/protocols\\_for\\_surveying\\_and\\_evaluating\\_impacts.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/protocols_for_surveying_and_evaluating_impacts.pdf)

3. The DEIR should thoroughly discuss mitigation measures for adverse project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should first emphasize avoidance and reduction of project impacts. For unavoidable impacts, the feasibility of on-site habitat restoration or enhancement should be discussed. If on-site mitigation is not feasible, off-site mitigation through habitat creation, enhancement, acquisition and preservation in perpetuity should be addressed. Please note that the Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unnecessary.
4. The analysis in the DEIR should satisfy the requirements of the Department's Lake and Streambed Alteration Program and CESA (if deemed necessary).
5. The DEIR should include a thorough discussion of direct, indirect and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. A cumulative effects analysis should be developed as described under CEQA Guidelines, Section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on biological resources.

NOP

General Plan Land Use Element/Zoning Code Amendments and Mobility Element  
Update

SCH No. 2015052072

Page 5 of 5

6. The DEIR should analyze a range of fully considered and evaluated alternatives to the Project (CEQA Guidelines Section 15125.6). The analysis should include a range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources.

In summary, the Department requests that the DEIR include current information regarding biological resources, provide a thorough analysis of cumulative impacts, and provide an alternatives analysis. If you should have any questions pertaining to these comments, please contact Rose Banks at (760) 873-4412 or [Rose.Banks@wildlife.ca.gov](mailto:Rose.Banks@wildlife.ca.gov).

Sincerely,



Leslie MacNair  
Regional Manager  
Inland Deserts Region

cc: CHRON  
State Clearinghouse



**Mammoth Community Water District**  
Post Office Box 597  
1315 Meridian Blvd.  
Mammoth Lakes, CA 93546  
(760) 934-2596

June 25, 2015

Sandra Moberly, Planning Manager  
Town of Mammoth Lakes Community and Economic Development Department  
P.O. Box 1609  
Mammoth Lakes, CA 93546

Dear Ms. Moberly,

**Subject:** Mammoth Community Water District's scoping comments regarding the content of the Town of Mammoth Lakes General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update EIR

Thank you for the opportunity to comment on the Notice of Preparation for the Town of Mammoth Lakes General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update Environmental Impact Report.

The intense development scenario described in the Initial Study for the proposed project may have significant impacts to the community's future water supply and existing and planned infrastructure for water and wastewater. As indicated in the Initial Study, Attachment A Table 2, the proposed project may result in an 809 percent increase in commercial square feet, an 81 percent increase in lodging rooms, a 268 percent increase in residential units plus an additional 40 rooms and 23 units that can be developed when the Main Street Plan is implemented when compared to buildout under the current 2007 TOML General Plan. In addition, the Initial Study describes a future increase in landscaping along Main Street. This significant increase in developable area in the downtown corridor is not compensated by decreasing density in the remaining areas of town.

The Mammoth Community Water District would like to emphasize the current drought situation has resulted in Level 3 Water Shortage Conditions this year. The current drought is more extreme than the drought scenario utilized in the 2010 Urban Water Management Plan (UWMP). Therefore, a water supply assessment for the Proposed Project should not rely wholly on MCWD's 2010 UWMP for water supply data.

The Proposed Project's potential impacts to the Town of Mammoth Lakes' (TOML or Town) water supply and use of the Project Impact Evaluation Criteria (PIEC) instead of PAOT must consider the MCWD's long-term Agreement with the LADWP to limit water consumption to the 2007 TOML General Plan

buildout water demand projection of 4,387 acre-feet. About 14 percent of this water is necessary for treatment processes and distribution system losses. The proposed PIEC process must include water demand estimates for existing and potential future developments when evaluating a proposed development's water demand. Exclusion of the cumulative impacts of future development during the PIEC evaluation may result in reaching the MCWD/LADWP Agreement water limit before the town is developed in a manner envisioned by the city's planners. The MCWD is not confirming the ability to provide either the 4,387 acre-feet limit or, if less, buildout demand; however, MCWD will continually assess whether the water resources available are sufficient to meet buildout demand every five years through the UWMP process.

The discontinuation of PAOT may impact MCWD's ability to determine per capita water use and estimate future population numbers. MCWD relies on estimates of PAOT, occupancy rates and the Traffic Analysis Zone (TAZ) model developed by the Town to evaluate the impact of current and future non-resident visitors and permanent residents on water demand. Since the resident population is a small proportion of the number of people in town, some aspects of PAOT provide a useful tool to explain the community's water demand to state regulators, for example, the occupancy rates of "2.4 persons per permanent resident and 4.0 persons per transient unit." It is assumed that other agencies and TOML departments rely on occupancy rates for planning purposes, e.g. affordable housing need assessments or the TAZ model and that some means to evaluate occupancy should remain in effect.

The MCWD appreciates the opportunity to provide the comments above. Please contact me if you would like clarification on issues related to the scoping comment letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Irene Yamashita", written in a cursive style.

Irene Yamashita  
Environmental Specialist/Public Affairs

## Lahontan Regional Water Quality Control Board

June 26, 2015

File: Environmental Doc Review  
Mono County

Sandra Moberly, Planning Manager  
Town of Mammoth Lakes  
Community & Economic Development Department  
P.O. Box 1609  
437 Old Mammoth Road, Suite R  
Mammoth Lakes, CA 93546  
Email: [smoberly@townofmammothlakes.ca.gov](mailto:smoberly@townofmammothlakes.ca.gov)

### **COMMENTS ON THE NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE TOWN OF MAMMOTH LAKES GENERAL PLAN LAND USE ELEMENT/ZONING CODE AMENDMENTS AND MOBILITY ELEMENT UPDATE (FILE NOS. GPA 15-002 AND ZCA 15-002), MONO COUNTY, STATE CLEARINGHOUSE NUMBER 2015052072**

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the above-referenced plan amendment (Plan) on June 1, 2015. The NOP, which included an Initial Study environmental checklist, was prepared by the Town of Mammoth Lakes Community and Economic Development Department (Town) and submitted in compliance with provisions of the California Environmental Quality Act (CEQA). Water Board staff, acting as a responsible agency, is providing these comments to specify the scope and content of the environmental information germane to our statutory responsibilities pursuant to CEQA Guidelines, California Code of Regulations (CCR), title 14, section 15096. We encourage the Town to take this opportunity to integrate elements into the Plan that (1) promote watershed management, (2) support "Low Impact Development" (LID), (3) reduce the effects of hydromodification, (4) encourage development/redevelopment on previously disturbed lands, and (5) encourage recycled water uses. Our comments on the NOP are outlined below.

### **PURPOSE OF THE PLAN**

The proposed General Plan Land Use Element amendments focus on revisions to the development standards for commercial areas, specifically, to address changes in allowable densities and to revise land use boundaries and designations. The Zoning Code amendments are necessary for consistency with the proposed updates to the General Plan. The Mobility Element Update would emphasize non-motorized modes of travel and would include improvements to existing transportation systems and infrastructure. Given the conceptual, long-term nature of the Project, the EIR will be prepared as a Programmatic EIR. Subsequent more focused environmental review will occur as individual projects are proposed to implement elements of the Plan.

## **AUTHORITY**

All groundwater and surface waters are considered waters of the State. Surface waters include streams, lakes, ponds, and wetlands, and may be ephemeral, intermittent, or perennial. All waters of the State are protected under California law. State law assigns responsibility for protection of water quality in the Lahontan Region to the Lahontan Water Board. Some waters of the State are also waters of the U.S. The Federal Clean Water Act (CWA) provides additional protection for those waters of the State that are also waters of the U.S.

The *Water Quality Control Plan for the Lahontan Region* (Basin Plan) contains policies that the Water Board uses with other laws and regulations to protect the quality of waters of the State within the Lahontan Region. The Basin Plan sets forth water quality standards for surface water and groundwater of the Region, which include designated beneficial uses as well as narrative and numerical objectives which must be maintained or attained to protect those uses. The Basin Plan can be accessed via the Water Board's web site at [http://www.waterboards.ca.gov/lahontan/water\\_issues/programs/basin\\_plan/references.shtml](http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml).

## **RECOMMENDED ELEMENTS TO INCLUDE IN THE PLAN**

We encourage the Town to take this opportunity and incorporate into the Plan elements that promote watershed management, support LID, reduce the effects of hydromodification, encourage development/redevelopment on previously disturbed lands, and encourage recycled water uses.

### **A Watershed Approach**

Healthy watersheds are sustainable. Watersheds supply drinking water, provide for recreational uses, and support ecosystems. Watershed processes include the movement of water (i.e. infiltration and surface runoff), the transport of sediment, and the delivery of organic material to surface waters. These processes create and sustain the streams, lakes, wetlands, and other receiving waters of our region. The Town is located within the Long Hydrologic Area (603.10) of the larger Owens River watershed.

The watershed approach for managing water resource quality and quantity is a collaborative process that focuses public and private efforts on the highest priority problems within a drainage basin. The Inyo-Mono Integrated Regional Water Management Group has assembled a collaborative group of stakeholders, both public and private, to address both water quantity and water quality issues within the Inyo and Mono basins. A number of water management plans are being developed through that stakeholder collaboration process, and strategies continue to be developed and refined to sustain water quantity and to manage salts and nutrients to maintain the quality of groundwater and surface water resources. The Town is encouraged to play an active stakeholder role in the development of these plans and to incorporate the applicable implementation strategies into their Plan.

### **Low Impact Development Strategies**

The foremost method of reducing impacts to watersheds from development is LID, the goals of which are maintaining a landscape functionally equivalent to predevelopment hydrologic conditions and minimal generation of non-point source pollutants. LID results in less surface runoff and potentially less impacts to receiving waters, the principles of which include:

- Maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge;
- Reducing compacted and impervious cover created by development and the associated road network; and
- Managing runoff as close to the source as possible.

LID development practices that maintain aquatic values also reduce local infrastructure requirements and maintenance costs and benefit air quality, open space, and habitat. Vegetated areas for storm water management and infiltration onsite are valuable in LID. We encourage the Town to establish LID implementation strategies for commercial and transportation development projects and incorporate these strategies into the Plan.

### **Storm Water Management**

Because increased runoff from developed areas is a key variable driving a number of other adverse effects, attention to maintaining the pre-development hydrograph will prevent or minimize many problems and will limit the need for other analyses and mitigation. However, traditional methods for managing urban storm water do not adequately protect the environment and tend to treat symptoms instead of causes. Such practices have led to channelization and stream armoring that permanently alter stream habitat, hydrology, and aesthetics, resulting in overall degradation of a watershed.

Storm water control measures that are compatible with LID are preferred over more traditional methods. Examples include the use of bioretention swales, pervious pavement, and vegetated infiltration basins, all of which can effectively treat post-construction storm water runoff, help sustain watershed processes, protect receiving waters, and maintain healthy watersheds. Any particular one of these control measures may not be suitable, effective, or even feasible on every site, but the right combination, in the right places, can successfully achieve these goals.

We encourage the Town to establish guidelines for implementing specific storm water control measures into the Plan. Additional information regarding sustainable storm water management can be accessed online at

[http://www.waterboards.ca.gov/water\\_issues/programs/low\\_impact\\_development/](http://www.waterboards.ca.gov/water_issues/programs/low_impact_development/).

### **Hydromodification**

Hydromodification is the alteration of the natural flow of water through a landscape (i.e. lining channels, flow diversions, culvert installations, armoring, etc.). Disturbing and

compacting soils, changing or removing the vegetation cover, increasing impervious surfaces, and altering drainage patterns limit the natural hydrologic cycle processes of absorption, infiltration, and evapotranspiration, and increases the volume and frequency of runoff and sediment transport. Hydromodification results in stream channel instability, degraded water quality, changes in groundwater recharge processes, and aquatic habitat impacts. Hydromodification also can result in disconnecting a stream channel from its floodplain. Floodplain areas provide natural recharge, attenuate flood flows, provide habitat, and filter pollutants from urban runoff. Floodplain areas also store and release sediment, one of the essential processes to maintain the health of the watershed. Information regarding hydromodification can be accessed online at [http://www.swrcb.ca.gov/water\\_issues/programs/stormwater/hydromodification.shtml](http://www.swrcb.ca.gov/water_issues/programs/stormwater/hydromodification.shtml).

We encourage the Town to establish guidelines and develop mitigation measures that will help to avoid hydromodification from future projects. The guidelines should include maintaining natural drainage paths of streams and creeks and establishing buffers and setback requirements to protect channels, wetlands, and floodplain areas from encroaching development.

### **Recycled Water Uses**

The State Water Resources Control Board adopted the Recycled Water Policy in February 2009 (effective May 14, 2009, and amended January 22, 2013). The purpose of the policy is to increase the use of recycled water from municipal wastewater sources, in a manner that implements state and federal water quality laws, as a means towards achieving sustainable local water supplies. The Recycled Water Policy establishes goals and mandates for recycled water use. The mandates are to increase the use of recycled water from the amount used in 2009 by 200,000 acre-feet per year by 2020 and by 500,000 acre-feet per year by 2030. Incentives for implementing recycled water projects include grant opportunities and priority funding. The Town is encouraged to consider the use of recycled water as an implementation strategy in their Plan to reduce demand on groundwater resources.

### **Other Issues to be Considered**

1. There are many known wetland areas adjacent to and within the vicinity of the Plan area, and development within the Town could pose potential impacts to wetland hydrology and water quality including: 1) direct impacts and loss of wetland area attributed to fill and excavation discharges; 2) indirect impacts to vegetation attributed to shading from overhead structures (i.e. bridges); 3) indirect impacts to hydrology as a result of reduced spring/stream flows; and 4) direct and indirect water quality concerns associated with untreated storm water runoff. We encourage the Town to incorporate into the Plan provisions to preclude development within or adjacent to a wetland and/or provide incentive for projects that avoid or enhance/restore wetlands and other water resources.
2. The Plan area is located within Long Hydrologic Area (603.10) of the Owens Hydrologic Unit and overlies the Long Valley Groundwater Basin No. 6-11. The beneficial uses of these waters are listed either by watershed (for surface waters) or

by groundwater basin in Chapter 2 of the Basin Plan. The EIR should identify and list the beneficial uses of all water resources within the Plan area and include an analysis of the potential impacts to water quality and hydrology with respect to those beneficial uses.

3. Water quality objectives and standards, both numerical and narrative, for all waters of the State within the Lahontan Region, including surface waters and groundwater, are outlined in Chapter 3 of the Basin Plan. Water quality objectives and standards are intended to protect the public health and welfare, and to maintain or enhance water quality in relation to the existing and/or potential beneficial uses of the water. It is these objectives and standards that should be used when evaluating thresholds of significance for Project impacts.
4. Storm water management should be considered a significant component of the Plan. The EIR should evaluate the capacity of the Murphy Gulch Detention Basin and include an analysis of the adequacy of the basin to perform as designed with implementation of the Plan. Additional storm water controls may be required and should be included and evaluated in the EIR. Where feasible, alternatives should be considered that redirect these flows to areas where they will dissipate by percolation into the landscape rather than directly discharge to surface water.
5. Wastewater treatment systems that are expected to exceed capacity and are no longer able to adequately treat the wastewater must be upgraded in order to protect water quality and maintain compliance with the existing Waste Discharge Requirements (WDRs). In order to amend the current Board Order and WDRs, the responsible party must submit a Report of Waste Discharge (ROWD) and an Engineering Feasibility Study (EFS) to the Lahontan Water Board at minimum of 180 days before the proposed change in discharge.
6. Water quality impacts to irrigated lands that use treated wastewater and/or degradation of surface water or groundwater due to improperly treated wastewater caused by population growth and/or other influencing factors must be analyzed in the EIR. Mitigations to reduce potential impacts to a less than significant level must be provided in the EIR.
7. We urge the County to take a critical look at cumulative impacts on water quality and hydrology that may result over time from implementing the various components of the Plan. The analysis should consider the impacts of full implementation of the Plan and evaluate, at minimum, the potential impacts to groundwater recharge due to increased impervious surface and/or compacted soils, changes in the hydrology of the respective watershed(s) and potential flooding implications, and habitat connectivity. The cumulative impacts analysis should identify regional, broad-scale mitigation measures that, when implemented, will reduce potential impacts to a less than significant level.

## PERMITTING REQUIREMENTS FOR INDIVIDUAL PROJECTS

A number of activities that will be implemented by individual projects under the Plan have the potential to impact waters of the State and, therefore, may require permits issued by either the State Water Resources Control Board (State Water Board) or Lahontan Water Board. The required permits may include the following.

1. Streambed alteration and/or discharge of dredge and/or fill material to a surface water, including water diversions, may require a CWA, section 401 water quality certification for impacts to federal waters (waters of the U.S.), or dredge and fill WDRs for impacts to non-federal waters, both issued by the Lahontan Water Board.
2. Land disturbance of more than 1 acre may require a CWA, section 402(p) storm water permit, including a National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit, Water Quality Order (WQO) 2009-0009-DWQ, obtained from the State Water Board, or an individual storm water permit obtained from the Lahontan Water Board.
3. Recycled water use may require General WDRs under WQO 2009-0006-DWQ (specifically for landscape irrigation uses), or under WQO-2014-0090-DWQ (for all other authorized uses), both issued by the Lahontan Water Board.

We request that the EIR recognize the potential permits that may be required for individual projects, as outlined above. Information regarding these permits, including application forms, can be downloaded from our web site at <http://www.waterboards.ca.gov/lahontan/>.

Thank you for the opportunity to comment on the NOP. If you have any questions regarding this letter, please contact me at (760) 241-7376 [jan.zimmerman@waterboards.ca.gov](mailto:jan.zimmerman@waterboards.ca.gov) or Patrice Copeland, Senior Engineering Geologist, at (760) 241-7404 [patrice.copeland@waterboards.ca.gov](mailto:patrice.copeland@waterboards.ca.gov). Please send all future correspondence regarding this Project to the Water Board's email address at [Lahontan@waterboards.ca.gov](mailto:Lahontan@waterboards.ca.gov) and be sure to include the State Clearinghouse No. and Project name in the subject line.



Jan M. Zimmerman, PG  
Engineering Geologist

cc: State Clearinghouse (SCH 2015052072) ([state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov))  
California Department of Fish and Wildlife ([AskRegion6@wildlife.ca.gov](mailto:AskRegion6@wildlife.ca.gov))



Mammoth Lakes Fire Protection District  
Post Office Box 5, 3150 Main Street  
Mammoth Lakes, CA 93546  
760-934-2300 Fax- 760-934-9210  
thom@mlfd.ca.gov

June 27, 2015

Ms. Sandra Moberly, Planning Manager  
Town of Mammoth Lakes  
PO Box 1609  
Mammoth Lakes, CA 93546

Re: General Plan Land Use Element/Zoning Code Amendments

Enclosed please find the comments for the Mammoth Lake Fire Protection District (Fire District) pertaining to this Environmental Impact Report (EIR). The following are the Fire District's views on the scope and content of the EIR analysis.

Page 28:

As the agency responsible for fire and rescue in the project area, the Fire District is interested in how the town is going to manage the build-out numbers of people at one time when it institutes the floor area ratio (FAR) process. It is anticipated that number of bedrooms will not equate to number of people staying in a particular unit.

Page 31:

The concept of doubling the maximum hotel, motel, and transient lodging projects within the project area seems to place a significant number of people along two of the most heavily travelled roadways in town. The impacts associated with that many people will need to be assessed as part of the EIR, especially in light of potentially significant impacts to tourism, community, and environmental conditions. We have gone from a planned community with several development pods to locating a significant concentration of people along the two most heavily travelled roads with the majority of existing town services.

Page 32:

The scoping document states that the current average commercial development is assumed to have a FAR of about 0.25. The proposed increase to 2.0 FAR could result in a potential increase in commercial floor area within the identified districts. The EIR should provide an analysis of the impacts that this increase in commercial space will result in and how the difference is necessary to meet the goals of the current owners of commercial space and community services.

Page 33:

The EIR should provide a description and assessment of the project by project evaluation that the Project Impact Evaluation Criteria (PIEC) and/or environmental review will consist of relative to quality of life, community services, and potential environmental impacts.

Ms. Sandra Moberly, Planning Manager  
June 27, 2015  
Page 2

Page 35:

The EIR needs to provide a detailed description and analysis of how the State Highway 203 road network will function to access the new expanded buildings with the removal of the frontage roads. The Fire District is interested in understanding how these expanded businesses will be accessed. Will additional driveways off of 203 be developed or will there be some sort of road network developed that parallels 203. The analysis should go beyond the 2.6 acres available for development and identify the acreage needed to provide the new roadway system.

Table 1, Page 40:

An analysis of this table is needed based upon the response to the previous item.

Tables 2/3, Page 41:

An analysis is needed that displays the impacts of growth, density, and population increases on quality of life, traffic/congestion, shadow/icing issues on 203 and intersections, visual qualities of development (45 feet high immediately adjacent to 203), environmental issues, utility capacities, and the like.

Page 45:

Provide an analysis that demonstrates that the proposed changes will not exceed the carrying capacity of the town as it relates to government's ability to provide services, the concentration of people at one time in the project vicinity, and the general quality of life. Identify what controls will be enacted to ensure success.

Page 49:

The mobility changes proposed in the scoping document will do little to improve the over-all movement of vehicles in town. The identified roadway improvements will expose residential areas of town to increased traffic and will do little to move the visitor around the community, especially as the community gets closer to buildout numbers.

Thank you for the opportunity to provide comments on this very important analysis concerning the Town's future. I will be the point of contact for the environmental review process and can be reached at the contact information provided above.

Sincerely,



THOM HELLER  
Fire Marshal

## Jessie Barkley

---

**Subject:** Main Street Shadowing Discussion  
**Attachments:** 20140404094045.pdf; 20140404094632.pdf

**From:** Thom Heller [<mailto:Thom@mlfd.ca.gov>]  
**Sent:** Friday, April 04, 2014 5:33 PM  
**To:** Matthew Lehman; Sandra Moberly; Peter Bernasconi  
**Subject:** Main Street Shadowing Discussion

Matt, as per the discussion from the other night, attached you will find the information from the district plans for Main Street. The two street diagrams show the existing and proposed recommended design schematics from the Main Street Plan, October 16, 2013, and the building setbacks from the preferred concept from the "Final Downtown Concept for Main Street Plan", September 1, 2010.

If I understand these documents, the existing width of the right of way for Main Street is 200 feet and the proposed future width will be 130 feet. Thus the recommendation put forth in the proposal is to provide an additional 70 feet (the diagram indicates 35 feet on each side, but it might not be exactly that even), but anyway the proposal is to offer up to the owners (sell) this 35 feet to the existing owners so that they will be encouraged to expand their businesses forward to what will be the future property line. Sure, not all will take the town up on this offer, but for those that do they, their structures will be 35 feet closer to the highway than currently. Thus the closer positioning of the structures and the additional height (up to 55 feet, even with the staggering) will result in increased shadowing on the roadway surface. Sure the simple answer would be to wait until a proponent walks in the door with a proposal and then have them do the analysis, but if we find this degree of shadowing unacceptable and unsafe, we should be making that determination now and not wait until we pull the rug out from under someone's plans in the future.

It is simple to do the analysis now and have the answers ready for the projects as they walk through the door (especially if we wish to be project ready). A simple analysis would be to take the roadway, the new property line, enter the staggered building profile, and enter the sun profile. Do this for 9am, noon, and 3 pm for all four seasons. I may be wrong, but I do not believe that we are going to like the results (especially during the Christmas/New Years holiday period when most of our guests are in town). In addition, there will be a safety consequence of having an icy, snow cover roadway for an extended period of time. Jo Bacon's analogy of Meridian is right on point. That same snow covered situation will exist on Main Street for the same period of time that we currently deal with the situation on Meridian.

Thank you for the consideration.....have a good weekend.

Thom Heller, Fire Marshal/Division Chief  
Mammoth Lakes Fire Protection District  
PO Box 5, 3150 Main Street  
Mammoth Lakes, CA 93546  
(760) 934-2300 (o), (760) 934-9210 (f), (760) 914-0194 (c)  
[thom@mlfd.ca.gov](mailto:thom@mlfd.ca.gov)

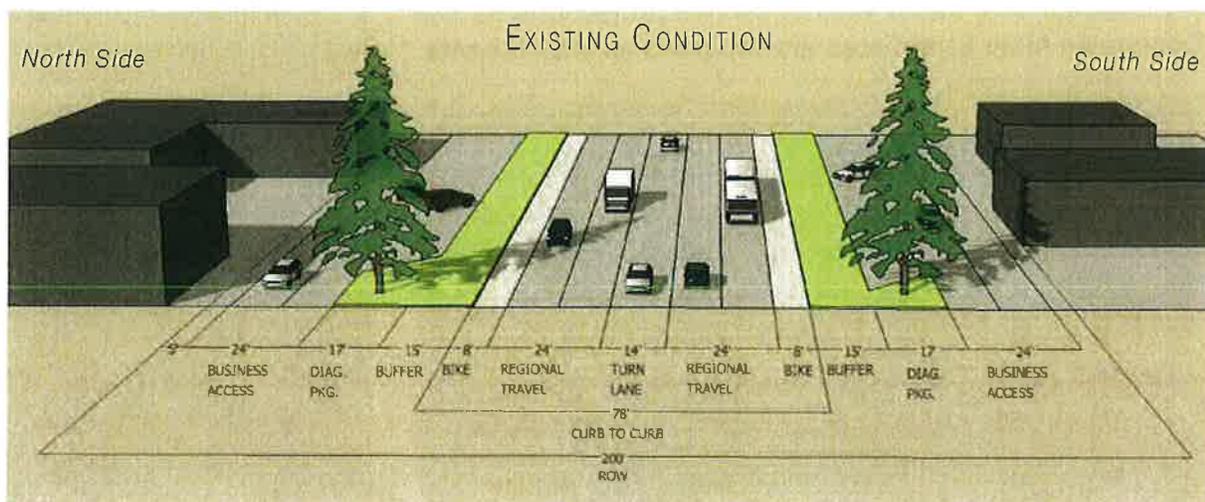
## Downtown Main Street - A Grand Avenue

The Downtown Main Street area includes the section of Main Street between Sierra Park Road and Manzanita Road, as illustrated below.



### EXISTING CONDITIONS IN THE DOWNTOWN MAIN STREET AREA

The Town has completed some pedestrian, bike and landscape improvements in the Downtown Main Street area. However, the overall design and configuration of Main Street in this area remains dominated by cars, with most existing buildings separated from the street by parking areas and driving lanes. Frontage lanes exist on both the north and south side of Main Street throughout most of the Downtown Main Street area. Although these lanes reduce the need for multiple driveways and provide access to parking areas, they also create a very wide, auto-centric area between businesses on either side of Main Street (see below.)



## RECOMMENDED DESIGN FOR THE DOWNTOWN MAIN STREET AREA

Downtown Main Street will be the heart of the improved Downtown character area. The design for this section of the street includes:

- Two auto travel lanes in each direction along Main Street
- A landscaped median and more formal turn lane in the center of the street
- Parallel parking within the curb-to-curb dimension (replaces bike lanes)
- A landscape buffer area, cycle track and wide sidewalk outside of the curb
- Removal of the frontage roads to allow redevelopment to move forward to the edge of the new sidewalk (approximately 35' closer to the street than most existing buildings)

### Key Features:

- 130' Main Street right-of-way
- 14' median
- On-street parallel parking
- Protected bike lanes (cycle track)
- 70' \*land gain (35' each side)
- Significant trees saved
- 4' buffer, 14' sidewalk

### Opportunities:

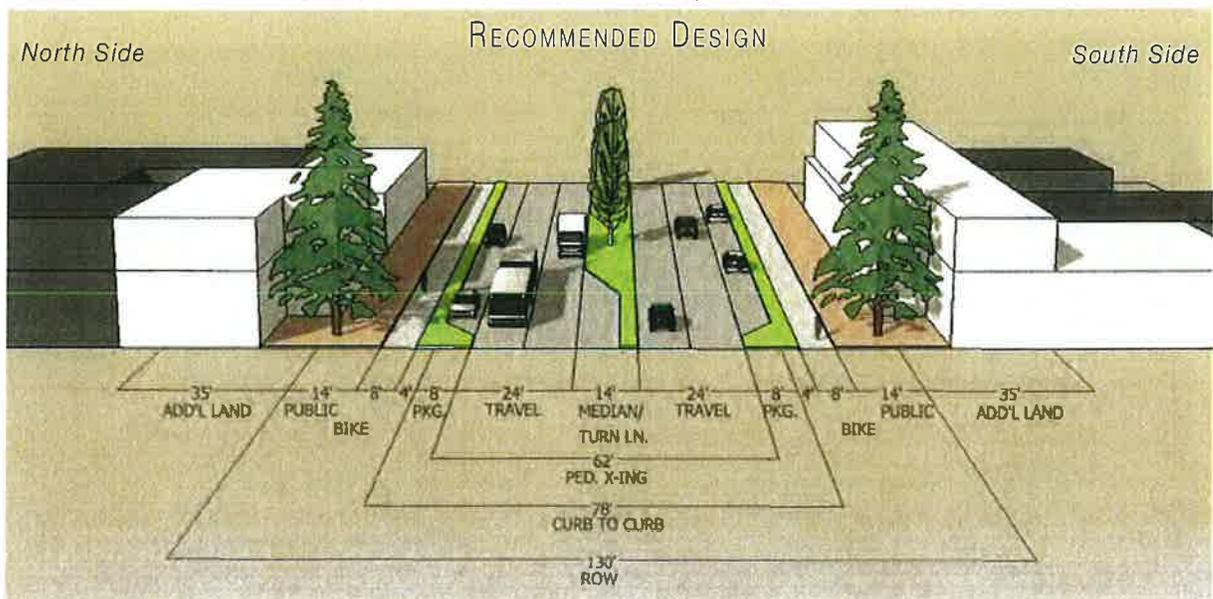
- Approximately 12.7 acres gained for redevelopment
- Keeps existing curb-to-curb dimension
- Easily phased
- Significant trees saved
- Median used for temporary snow storage
- Bikes and pedestrians protected from snow sludge/splashing

### Constraints:

- May be difficult to parallel park with heavy traffic
- The Town (or management district) would be responsible for maintaining the bike path (rather than CalTrans)
- Need creative financing strategy to help pay for pedestrian upgrades



\*Land gain = land that could become available for redevelopment under special conditions (see Chapter 8.)



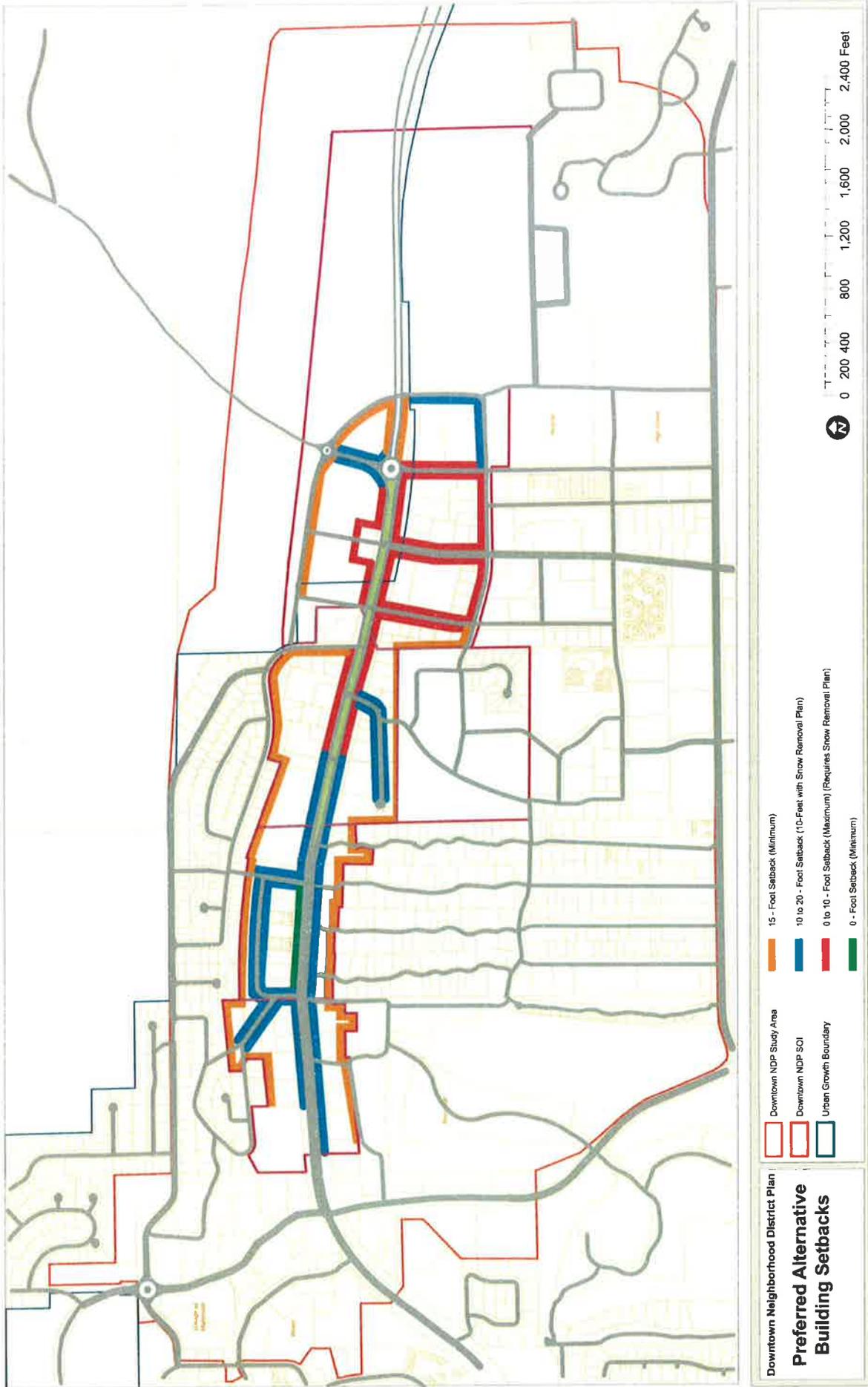


Figure 5-23: Building Setbacks



P.O. Box 260  
587 Old Mammoth Rd. #4  
Mammoth Lakes, CA 93546  
(760) 934-4740

June 25, 2015

Sandra Moberly, Planning Manager  
Town of Mammoth Lakes Community & Economic Development Department  
P.O. Box 1609  
Mammoth Lakes, CA 93546

Re: Town of Mammoth Lakes General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update (File Nos. GPA 15-002 and ZCA 15-002)

Dear Ms. Moberly:

According to the Notice of Preparation of an Environmental Impact Report and Notice of Public Scoping Meeting dated May 29, 2015, the Town has identified “potentially significant impacts” to population and housing as a result of the proposed Floor Area Ratio (FAR) amendment. Mammoth Lakes Housing, Inc. (MLH) agrees that the proposed Zoning Code Amendments associated with the allowable intensity of density of the recommended FAR would have significant effects on Mammoth Lakes’ workforce and available housing for the local population, which in turn would place increased demand for in-commuting, thereby adding to greenhouse gas emissions through increased vehicle miles traveled.

There is a greater propensity for an increased need for affordable housing in order to fulfill the demands generated by employment growth created by increased density in the commercial zone. Currently, there is limited land for the development of affordable housing within the Town’s Urban Growth Boundary and the gap between local incomes and housing prices continues to widen. It is important for the Town to consider the availability of workforce housing when making decisions that will increase the need for local employees.

MLH suggests that the analysis of an affordable housing component to the Town’s FAR, similar to the ones highlighted by the Town’s FAR consultant, PCR, be considered. According to PCR’s September 2014 FAR analysis, the FAR standards in the model communities evaluated included preferences and bonuses for developments of affordable housing, senior housing, and transitional housing. The City of Aspen went so far as to report that “without the bonus FAR, many affordable housing units and smaller lodging facilities would not have been developed.” Adopting such a tool would help to mitigate the significant negative effects of this amendment to the Town’s General Plan Vision of “adequate and appropriate housing residents and workers can afford.”

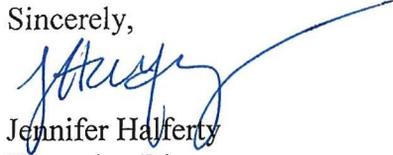
The displacement of the town’s current workforce through the elimination of existing housing will further exacerbate the already limited supply of workforce housing in town, which will contribute to over-crowding, in-commuting, and even homelessness. In order to mitigate the impacts associated with displacing current residents, an effort to promote the adherence to relocation laws by new projects should be considered. Additionally, projects that remove existing housing units should be required to replace them with workforce units. These tools will help relieve some of the impacts associated with a denser commercial zone than the General Plan previously anticipated.

Furthermore, the displacement of current workforce through the elimination of existing housing and the increased employment demand has potentially significant impact to increasing greenhouse gas emissions by adding VMT by the workforce that are unable to live in close proximity to their jobs. Increased in-

community miles between home and work by Mammoth Lakes' workforce should be analyzed through the EIR process and mitigation steps such as those suggested above should be implemented.

Thank you for your consideration. Please don't hesitate to contact me with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jennifer Halferty", with a long, sweeping flourish extending to the right.

Jennifer Halferty  
Executive Director

June 22, 2015

Sandra Moberly  
Planning Manager  
ML Community and Economic Development  
POB 1609  
Mammoth Lakes, Calif.

Dear Ms. Moberly,

I am writing in reference to your letter of May 29, 2015. As an affected Property Owner at Krystal Villa West I am initially opposed to the changes proposed by the Town of Mammoth Lakes. Specifically, the increase density allowance for my neighborhood and the extension of Laurel Mountain Road. As an owner of unit 20 and a the Treasurer for the Homeowners Association, I am very reluctant to approve any plan that would increase the density of our neighborhood. What possible advantage would that be to the existing owners in this area? There is no sidewalk on Laurel Mountain Road and pedestrians are constantly in danger – especially near KV West as there is a hill which obstructs visibility for drivers approaching from Sierra Park Road towards Main Street. The speed limit of 25 is rarely enforced. Any vehicle or pedestrian attempting to enter Laurel Mountain Road from this blind section is endangered. Increasing population density and making Laurel Mountain Road a main access road to Hwy 203 cannot possible be in the best interests of the current residents.

I am wondering what economic interest is driving this proposal. My guess is that it was not initiated by nor is supported by any of the current homeowners along Laurel Mountain Road. I will be bringing this to our Homeowner's Meeting at the end of July.

I hope this is not something that a few special interests (and I am guessing, non-residents) are imposing on the rest of us. Please keep me informed via email as to developments.

Sincerely,

Lynn Monteverde  
[attitude@npgcable.com](mailto:attitude@npgcable.com)  
Krystal Villa West Unit 20  
KVHOA Treasurer

**From:** [Sandra Moberly](#)  
**To:** [Luci Hise](#)  
**Cc:** [Ruth Traxler](#); [Haislip Hayes](#)  
**Subject:** NOP Comment  
**Date:** Monday, June 01, 2015 10:13:26 AM

---

Hi Luci,

I received a phone call from Bill West who owns property on Main Street and he requested that the EIR analyze the relocation of the utilities on Main Street that would be necessary for the frontage roads to be relinquished. Please include this comment in the scoping meeting comments.

Thanks,

Sandra Moberly  
Planning Manager  
Community & Economic Development Department  
P.O. Box 1609  
Mammoth Lakes, CA 93546  
Phone: (760) 934-8989 ext. 251  
FAX: (760) 934-8608  
Email: [smoberly@townofmammothlakes.ca.gov](mailto:smoberly@townofmammothlakes.ca.gov)

*The Town Administrative Offices are closed to the public on Fridays, except by appointment. Please call ahead to make an appointment if needed.*

*Disclaimer: Public documents and records are available to the public as provided under the California Public Records Act (Government Code Section 6250-6270). This e-mail may be considered subject to the Public Records Act and may be disclosed to a third-party requester.*

**TOWN OF MAMMOTH LAKES**  
**PLANNING AND ECONOMIC DEVELOPMENT COMMISSION**  
**REGULAR MEETING MINUTES**

**June 10, 2015**

**ROLL CALL**

The meeting was called to order at 2:03 p.m. Commissioners Amy Grahek, Elizabeth Tenney, and Chair Brown were in attendance. Commissioner Michael Vanderhurst was absent. Commissioner Dave Harvey announced his resignation last week and was not in attendance.

**PLEDGE OF ALLEGIANCE**

Chair Brown led the pledge of allegiance.

**PUBLIC COMMENTS**

**SPEAKING FROM THE FLOOR**

Andy Ott, 36-year resident, showed a picture of power poles along Main Street. He described the history of discussions between property owners, the Town, and Southern California Edison (SCE) regarding undergrounding these power lines. He commended all three parties on working together to help make this happen and specifically thanked Jen Daugherty, Senior Planner, on her hard work to help make this happen. He said that the underground work will begin in July.

Sherine Sanders, Code Compliance Officer, provided an update on code enforcement efforts. She summarized the Town Clean-up Day event that took place in May.

Grady Dutton, Public Works Director, also thanked staff, Mono County, and Andy Ott for their work and for highlighting the achievement of undergrounding the power lines on Main Street. He distributed a handout regarding the Development Impact Fee (DIF) study and provided an update on the work for this project. The Commission asked questions of Mr. Dutton and he responded.

The public comment period was closed.

**CORRESPONDENCE**

1. Findings of Fact for Planning Commissions, from Chair Brown.

Chair Brown discussed the Findings of Fact for Planning Commission.

The Commission asked a question of Sandra Moberly, Planning Manager, about findings and she responded.

## **BUSINESS MATTERS**

2. General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update Environmental Impact Report Scoping Meeting.

Ms. Moberly introduced the item. She introduced Luci Hise-Fisher, PCR Consulting, who will be presenting the item.

Ms. Hise-Fisher gave a PowerPoint presentation.

### **SPEAKING FROM THE FLOOR**

Tom Hodges, VP Development for Mammoth Mountain Ski Area (MMSA), said that MMSA will thoroughly review the document and submit comments before the comment period is over. He asked Ms. Hise-Fisher about the density assumptions and she responded.

Thom Heller, Mammoth Lakes Fire Protection District (MLFPD), asked about increase in potential buildout development and Ms. Hise-Fisher responded. There was a discussion between the two.

Mr. Hodges asked a question about vehicle miles traveled and traffic impact assumptions.

Teri Stelhik, resident, asked a question about the public notice process and Ms. Moberly responded.

Chair Brown asked questions of Ms. Hise-Fisher and she responded.

3. Consider the Draft Quality of Life Ordinance for transient rentals and provide a recommendation on the ordinance to Town Council.

Ms. Moberly presented the staff report.

The Commission asked questions of Ms. Moberly and she responded.

### **SPEAKING FROM THE FLOOR**

Mr. Heller answered a question that the Commission had asked regarding occupancy requirements. There was additional discussion.

### **SPEAKING FROM THE FLOOR**

Mr. Hodges expressed concerns about signage requirements and Ms. Moberly responded. Chair Brown also responded and there was additional discussion about this item.

Mr. Heller spoke about the possibility of combining interior and exterior signage to reduce the overall signage. He talked about the Fire Department's definition of change of use and said that some units may be required to make changes to meet current fire code requirements, such as installing sprinklers. The Commission asked questions of Mr. Heller and he responded.

Ms. Stelhik requested that this item be discussed with the TOT Committee this month. She suggested a checklist that the owner needs to fill out to help satisfy the inspection requirement. She asked a question about parking and Ms. Moberly responded. She spoke about the signage requirements. There was a discussion between Ms. Stelhik and Ms. Moberly regarding trash issues.

The Commission provided comments on the draft ordinance. There was discussion between the Commission, staff, and members of the public on a number of items.

4. Review the current public art fee and consider recommending to Town Council a temporary reduction in the fee.

Ms. Moberly presented the staff report.

There was a discussion among the Commission regarding the item.

#### CONSENSUS:

The Commission had consensus to support suspending collection of the Public Art Fee for a minimum of two years. Additionally, the Commission recommends that prior to reinstatement of the public art fee the Town Council consider directing staff to prepare an implementation plan for public art using the current money available in the Public Art Fund.

#### SPEAKING FROM THE FLOOR

Mr. Hodges said that he supports the suggestions made by the Commission. He said that we should reconsider how the art program may be funded. He said that MMSA supports the direction to reduce the fee to zero for two years and to reevaluate the fee, and also the idea of developing a Master Art Program. He discussed fees in general in the context of getting development started again.

#### **CONSENT AGENDA**

5. Minutes of May 13, 2015.

#### ACTION:

It was moved by Commissioner Elizabeth Tenney, seconded by Commissioner Amy Grahek, and carried by a 3 - 0 vote to Approve the Consent Agenda.

**COMMISSIONER REPORTS**

Commissioner Tenney reported on the Design Committee reviewing a single family home application in Juniper Ridge today.

Commissioner Grahek reported on a duplex at the corner of Hillside and Canyon Blvd. that the Design Committee reviewed today as well.

Chair Brown congratulated Commissioner Grahek on her upcoming wedding.

**DIRECTOR'S REPORT**

Ms. Moberly reported that at the August 12, 2015 meeting a new Commissioner will be appointed and the Commission will also appoint the new Chair and Vice Chair. Regarding the November meeting, she asked the Commission to choose a specific date to reschedule that meeting.

**CONSENSUS:**

The Commission had consensus to reschedule the November meeting to Thursday, November 12 at 2:00 p.m.

Commissioner Tenney asked Ms. Moberly about the timing of the Main Street Plan project and Ms. Moberly responded.

**ADJOURNMENT**

The meeting ended at 4:39 p.m. and adjourned to the July 8, 2015 meeting.

Respectfully submitted,



Pam Kobylarz

Planning and Economic Development Commission Secretary

