

6.0 OTHER MANDATORY CEQA CONSIDERATIONS

INTRODUCTION

This section summarizes the findings with respect to growth inducing impacts; significant, unavoidable environmental impacts; irreversible environmental changes; potential secondary effects; and less than significant impacts of the Project.

1. 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 (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in population could tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. The Guidelines also require analysis of the characteristics of projects that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

Project implementation would not result in the construction of new homes or businesses. The Project was prepared for the purpose of providing recreational opportunities and promoting the Town's "feet first" strategy to a population that is anticipated to grow, even without the Project. While the Project is expected to improve recreational experiences for residents and visitors, in and of themselves, the Project's proposed trail system components are not expected to meaningfully change or substantially increase the number of visitors or residents in the Town in the near- or long-term. Further, urban development within the Town is restricted to areas within the Town's Urban Growth Boundary (UGB). Accordingly, the Project's proposed trail system components are not expected to induce substantial population growth directly or indirectly. Also, the Project's potential to foster to economic growth through revenue generating facilities is minimal and would not result in growth-inducing effects.

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. Section 4, *Environmental Impact Analysis*, of this EIR analyzes the Project's potentially significant impacts with regards to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Wildland Fires/Fire Protection, Hydrology/Water Quality, Land Use/Planning, Noise, Recreation, and Transportation/Traffic. As discussed therein, the Project would not result in any significant, unavoidable impacts.

3. SIGNIFICANT 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 should the project be implemented. As stated in CEQA Guidelines Section 15126.2(c) indicates:

“[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 necessarily consume limited, slowly renewable and non-renewable resources. This consumption would occur during the construction phase new facilities and implementation of management activities in the Town and would continue throughout its operational lifetime. 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. Construction of trail-related components would require the consumption of resources that are not replenishable or which 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. Fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment.

The resources that would be committed during project operation would be similar to those currently consumed within the Town of Mammoth Lakes. These would include energy resources such as electricity and natural gas, petroleum-based fuels required for vehicle-trips, fossil fuels, and water, including operation of vehicle for facilities maintenance,. Fossil fuels would represent the primary energy source associated with both construction and ongoing operation of the Project, and the existing, finite supplies of these natural resources would be incrementally reduced. Project operation would occur in accordance with Title 24, Part 6 of the California Code of Regulations, which sets forth conservation practices that would limit the amount of energy consumed by the Project. However, the energy requirements associated with the Project would, nonetheless, represent a long-term commitment of essentially non-renewable resources. It should also be noted that the implementation of the proposed Project is expected to result in a reduction in motor vehicle trips within and around the Town of Mammoth Lakes due to the provision of improved trails and other facilities that foster non-vehicular transportation. As such, given the anticipated offset in vehicle miles traveled and associated reduction in overall fuel consumption in the Project Area, the proposed Project would have a net beneficial effect relative to consumption of fossil fuels.

Limited use of potentially hazardous materials typical of commercial uses, including cleaning supplies and vehicle maintenance materials (i.e., paints, oil, and grease) could be used and stored within facilities developed as part of the Project. The use of these materials would be in small quantities and used, handled, stored, and disposed of in accordance with the manufacturer’s instructions and applicable government

regulations and standards. Compliance with these regulations and standards would serve to protect against significant and irreversible environmental change resulting from the accidental release of hazardous materials.

In summary, Project construction and operation would result in the irretrievable commitment of limited, slowly renewable, and nonrenewable resources, which would incrementally limit the availability of these particular resource quantities for future generations or for other uses during the life of the Project. However, continued use of such resources would be on a very small scale and consistent with regional and local growth forecasts in the area. As such, although irreversible environmental changes would result from the Project, such changes would not be considered significant.

4. 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.

a. Aesthetics

Mitigation Measure 4.A-3.A through 4.A-3.A provide environmental protections for the appearance of potential trail alignments during trail alignment selection, design and construction, including limiting trail alignments to slopes of less than 20 percent where feasible, avoidance of removal of mature trees where feasible, replacement of any native trees removed, re-vegetation and irrigation of cleared areas, visual screening of retaining walls, prohibition of above-grade concrete walls, preservation of natural features, and removal of debris piles created by project construction as soon as possible. These mitigation measures would reduce the adverse aesthetics impacts of trail construction, would not result in additional development, and would not result in additional construction or other activities that could result in significant environmental effects. As such, there would be no significant secondary effects associated with the implementation of these mitigation measures.

b. Air Quality

Mitigation Measures 4.B-1.A through 4.B-1-F, 4.B-2 and 4.B-3 require that project construction practices be carried out in a manner that reduces the levels of construction-related air quality emissions. Such practices include watering to prevent excessive dust generation, limiting on-site construction vehicle speeds, paving of on-site roads as soon as feasible, watering and/or covering of material transported off-site during transit, limiting mass grading to no more than 5 acres daily, and limiting the number of pieces of construction equipment that can be used at any one time. These mitigation measures would reduce the adverse air quality impacts of trail construction, would not result in additional development, and would not result in additional construction or other activities that could result in significant environmental effects. As such, there would be no significant secondary effects associated with the implementation of these mitigation measures.

c. Biological Resources

Mitigation Measures 4.C-1 through 4.C-4 require the protection of sensitive bird, wildlife and plant species that may be affected by proposed trail construction and operation. Protective measures include requiring the performance of habitat evaluations for sensitive bird, wildlife and plant species and nesting birds prior to approval of individual projects, the performance of pre-construction surveys for these species in accordance with CDFG survey protocols if suitable habitat is present, and both consultations with USFWS/CDFG and the implementation of appropriate measures (e.g., such as restrictions on the time of year for construction, noise monitoring, restrictions on equipment use, provision of 300-500 foot construction buffers, relocation, obtaining of a Incidental Take permits if required, etc.) if such species are found to be present.

Mitigation Measure 4.C-5 requires the protection of sensitive habitats and stream courses that may be affected by proposed trail construction and operation. Protective measures include avoidance if possible, and if not possible, consultation with CDFG and the implementation of appropriate measures (e.g., in-kind replacement, restoration, obtaining of a Streambed Alteration Agreement if required, implementing a Habitat Mitigation and Monitoring Plan if required, erosion control, the establishment of buffers, etc.).

Mitigation Measure 4.C-6 requires the protection of federally protected wetlands and Waters of the U.S. that may be affected by proposed trail construction and operation. Protective measures include consultation with ACOE regarding the need for Section 404 Permits and RWQCB regarding the need for 401 certifications, and the implementation of any measures specified in these (e.g., in-kind replacement or restoration at specified ratios, etc.).

Each of the above mitigation measures would reduce the adverse impacts of the proposed project on biological resources, would not result in additional development, and would not result in construction or other activities that could result in significant environmental effects. In addition, some of the above mitigation represents procedural actions (such as surveys and the obtaining of the requisite permits) which would not result in physical changes. As such, there would be no significant secondary effects associated with the implementation of these mitigation measures.

Mitigation Measure 4.C-7 would reduce human/wildlife conflicts through the required installation of signage at the entry points to the trail system educating the public on what do to in case of potential encounters with wildlife and instructing the public on requirements and prohibitions with respect to trash and use of fire arms along the trails. While this mitigation would require the installation of signs, any physical disturbance associated with the installations would be confined to these installation sites and would be subject to the full suite of mitigations identified in this DEIR. Therefore, no significant secondary effects associated with the implementation of this mitigation would occur.

d. Cultural Resources

Mitigation Measures 4.D-1 and 4.D-2 provide environmental protections for historical resources by requiring that any proposed project activities that could impact the Old Mammoth City neighborhood, Sherwin's Grade Toll Road, Ranger Station, CCC Camp and/or Hayden Cabin be evaluated by a qualified historical consultant and comply with both the consultants recommendations and the Secretary of the Interior's Standards for the treatment of historical resources. This mitigation would assure that historical resources are treated consistent with CEQA guidelines and regulatory provisions for the protection of historical resources, would

not result in additional development, and would not result in additional construction or other activities that could result in significant environmental effects. In addition, some of the above represents procedural actions (such as surveys) which would not result in physical changes. As such, there would be no significant secondary effects associated with the implementation of these mitigation measures.

Mitigation Measures 4.D-3 through 4.D-5 provide environmental protections for archaeological resources that could potentially be impacted by subsequent projects under the proposed project. This would be accomplished by requiring that: (1) a Phase I Cultural Resources Assessment be conducted within the area of any proposed project component, and any archaeological resources found be treated in accordance with applicable standards; (2) the APE be identified for any actions on federal lands in accordance with HPA 106; (3) Phase II/III Assessments (including, potentially, subsurface investigations) be conducted if determined to be required by the Phase I/II; and (4) archaeological monitoring by qualified archaeologists be conducted during ground-disturbing activities if determined to be required by the Phase I/II/III Assessments, and archaeological reports be prepared for any finds as required by California OHP.

Mitigation Measures 4.D-6 and 4.D-7 provide environmental protections for archaeological resources that could potentially be impacted by project components already proposed. This would be accomplished by requiring that: (1) ground-disturbing activities be halted if archaeological resources are encountered during construction; (2) a qualified archaeologist evaluate the finds, record the finds in accordance with California Department of Parks and Recreation requirements, and prepare a report that documents the finds and specifies required mitigation; and (3) if human remains are encountered, all required parties be notified and California Health and Safety Code procedures be followed with respect to the disposition of the remains.

Mitigation Measure 4.D-8 provides environmental protections for paleontological resources by requiring that if such resources are encountered during ground-disturbing activities, work stop at the find site, a qualified paleontologist examine the find, and the paleontologist prepare a report that identifies required treatment measures and determines whether on-site monitoring of ground-disturbing activities is required.

With respect to the archaeological and paleontological mitigation measures above, while some of these measures could potentially include physical effects (e.g., excavations, investigatory pits, collection/curation of archaeological or paleontological resources), any such effects would be highly localized and of small scale, and would mostly occur within areas to be affected by project components already proposed for which the impacts have already been fully evaluated in this EIR. In addition, some of the above represents procedural actions (such as surveys) which would not result in physical changes. As such, there would be no significant secondary effects associated with the implementation of these mitigation measures.

e. Geology/Soils

Mitigation Measures 4.E-1.A through 4.E-1.C require that trail development be avoided on slopes greater than 20 percent where feasible, a geotechnical study be prepared to identify the potential for and set forth any measures required to avoid landsliding and soil instability where the trails must be constructed on slopes of 20 percent or greater, and that trails on slopes of greater than 20 percent be regularly monitored for unstable soil conditions and that any trails where unstable soil conditions are identified be closed until conditions are improved. While this mitigation could potentially require the construction of some retaining structures to mitigate unstable slope conditions, the environmental effects of retaining structures known to be required at the present time have been evaluated and mitigated in this DEIR. In addition, any physical

disturbance associated with retaining structures which may be required by this mitigation in the future would be confined to the installation sites and would be subject to the full suite of mitigations identified in this DEIR. Therefore, no significant secondary effects associated with the implementation of this mitigation would occur.

f. Wildland Fires/Fire Protection

Mitigation Measure 4.G-1.A requires that, for individual projects under the TSMP, design for adequate emergency access be maintained or incorporated wherever appropriate and feasible, that signage be provided at trail heads and along the trails relating to fire prevention, fuel modification be applied where appropriate, the trails be properly maintained and patrolled, and curfews and other rules be enforced along the trails to limit unwanted activity after-hours. Because existing emergency access routes are already maintained, and because patrols and the enforcement of curfews and rules would not result in physical effects, no significant secondary effects would occur. Similarly, any required fuel modification would be subject to the Town's existing fuel modification procedures which have been adopted to prevent significant physical effects, and also would be subject to the full suite of mitigation measures identified in this DEIR.

g. Hydrology and Water Quality

Mitigation Measure 4.H-1 through 4.H-17 provide environmental protections for streams and water quality, including (1) developing/siting individual trails to avoid modification of existing hydrologic conditions to the extent feasible; (2) prohibiting structures within FEMA-designated 100-year flood zones; (3) placing hazard warnings along trail segments subject to flooding; (4) implementing specified erosion control measures during trail design/construction; (5) preparation/implementation of the required SWPPPs and where SWPPPs are not required implementing BMPs to control erosion/pollutants from the construction sites; (6) avoidance of wet areas (springs, wetlands, etc.) where feasible and elevating the trail where avoidance is infeasible; (7) mapping any "receiving resources" (e.g., wetlands, streams, riparian areas) to be impacted and incorporation of trail design that minimizes impacts to these areas, selecting narrow areas for stream and wetland crossings; (8) avoiding use of heavy construction/maintenance equipment in wet areas; (9) establishing buffers between proposed trails and existing streams/wetlands; (10) avoiding trail grades in excess of 12 percent where feasible, and incorporating switchbacks to minimize stormwater runoff velocities where not feasible; (11) implementation of a full suite of erosion control measures; (12) prepared more detailed drainage studies prior to construction to determine appropriate design and sizing of any required storm drain facilities; (13) prepare/implement a Maintenance Plan for proposed trails that specifies the type/frequency of maintenance activities to be employed; (14) replanting/mulching of disturbed areas as soon as possible after disturbance; (15) implement specified runoff control measures in parking areas; and (16) design bathroom/restroom sites to be erosion resistant. These mitigation measures would reduce the adverse hydrologic and water quality impacts of trail construction while providing additional protections for streams and water quality, and would not result in additional development. As such, there would be no significant secondary effects associated with the implementation of these mitigation measures.

h. Noise

Mitigation Measures 4.J-1.A through 4.J-1-C requires that project construction practices be carried out in a manner that reduces the levels of construction-related noise in compliance with the Town's Noise Ordinance. Such practices include limiting the idling of construction equipment and locating construction staging areas as far away from sensitive receptors as possible. These mitigation measures would reduce the adverse

construction noise impacts of trail construction, would not result in additional development, and would not result in additional construction or other activities that could result in significant environmental effects. As such, there would be no significant secondary effects associated with the implementation of these mitigation measures.

i. Transportation

Mitigation Measure 4.L-1 requires modifications to the MUP crossing to provide at least 150 feet stopping sight distance for northbound drivers approaching the crossing on Majestic Pines Drive between Meridian Boulevard and Monterey Pine Road. The mitigation also suggests that this could be accomplished by modifying the MUP trail alignment and/or the existing landscaping and embankment. While this mitigation could require some minor relocation of the proposed trail alignment and/or clearing of some vegetation at the referenced trail crossing, any associated physical effects would be highly localized and would be subject to the full suite of mitigations identified in this DEIR. Therefore, no significant secondary effects associated with the implementation of this mitigation would occur.

5. LESS THAN SIGNIFICANT IMPACTS

Section 15128 of the *CEQA Guidelines* states that an EIR shall contain a brief statement indicating reasons that various possible significant effects of a project were determined not to be significant and not discussed in detail in the Draft EIR. An Initial Study was prepared for the project and is included in Appendix A of this Draft EIR. The Initial Study provides a discussion of the potential environmental impact areas and the reasons that each topical area is or is not analyzed further in the Draft EIR.

The Town of Mammoth Lakes determined that the Project would not result in potentially significant impacts related to:

- Agriculture and Forestry Resources;
- Air Quality (only impacts regarding creation of objectionable odors were determined to be less than significant – refer to the Project Initial Study included in Appendix A in this EIR);
- Geology and Soils (only impacts regarding surface fault rupture and expansive soils were determined to be less than significant - refer to the Project Initial Study included in Appendix A in this EIR);
- Hazards and Hazardous Materials (only impacts regarding wildland fires were determined to be potentially significant - refer to Chapter 4 in the EIR);
- Hydrology and Water Quality (only impacts regarding groundwater depletion, flood hazards to housing, and inundation by seiche, tsunami, or mudflow were determined to be less than significant - refer to the Project Initial Study included in Appendix A in this EIR);
- Land Use and Planning (only impacts regarding physical division of established communities were determined to be less than significant - refer to the Project Initial Study included in Appendix A in this EIR);
- Mineral Resources;
- Noise (only noise impacts regarding public airports or private airstrips were determined to be less than significant – refer to the Project Initial Study included in Appendix A in this EIR);

- Population and Housing;
- Public Services (only impacts regarding fire protection were determined to be potentially significant - refer to the Project Initial Study included in Appendix A in this EIR);
- Transportation and Circulation (only impacts regarding changes in air traffic patterns, hazardous design features and consistency with alternative transportation plans were determined to be less than significant - refer to the Project Initial Study included in Appendix A in this EIR); and
- Utilities and Service Systems.