FINAL
ENVIRONMENTAL
IMPACT
REPORT

VOLUME II
COMMENTS & RESPONSES
MITIGATION MONITORING
PROGRAM

LODESTAR

AT

MAMMOTH

PREPARED
FOR
THE
TOWN
OF
MAMMOTH
LAKES

FEBRUARY
1991

EIP
ASSOCIATES

FINAL ENVIRONMENTAL IMPACT REPORT

LODESTAR AT MAMMOTH

Volume II

A. Revisions to the DEIR
B. Comments and Responses
C. Mitigation Monitoring Program

Prepared for:

Town of Mammoth Lakes

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A. Revisions to the DEIR

SUMMARY OF REVISIONS TO THE DRAFT EIR

The Final Environmental Impact Report, Volume I, includes the revised Draft Environmental Impact Report. The revisions were made in order to incorporate additional information about the proposed Project. These revisions did not include any changes to the project description. The revisions are presented in Table A, Revisions to the Draft EIR, in order to assist the reader to identify changes in the text.

The strike-out text (~~example~~) indicates deletions to the inital Draft EIR (Novermber 1990), and the shaded text (example) indicates additions which are reflected in Volume I of the Final EIR.

Table A

Revisions to the Draft Environmental Impact Report Summary of Environmental Impacts and Mitigation Measures

TABLE A
REVISIONS TO THE DRAFT ENVIRONMENTAL IMPACT REPORT
SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation
4.1 Geology, Soils, and Seismicity			
Slope Instability			
4.1.1 Development of the proposed Project ~~**If the project were implemented as proposed, it**~~ **could create new or increased slope instability.** This is a *potentially significant impact.*	PS	4.1.1 (a) Soils and foundation analyses shall be approved by the Public Works Director prior to final Project design approval, as stipulated in the Town's Safety Policy #18. All measures required by the Public Works Director shall be incorporated into grading plans and building plans. ~~**The Project Sponsor should complete the soils and foundation analyses and incorporate the recommendations of those analyses prior to issuance of grading or building permit, whichever is first in the project design, as stipulated in the Town's Safety Policy #18.**~~	LS
		4.1-1 (b) New slopes shall ~~**should**~~ be constructed at an angle and degree of compaction that will ensure stability, as stipulated in the standards of the Town's Development Code.	
		4.1-1 (c) The ponds and man-made lakes *shall* ~~**should**~~ be constructed and operated to prevent downslope saturation or stress that could lead to slope instability.	
		4.1-1 (d) All work shall ~~**should**~~ be overseen by a licensed Civil Engineer (CE), Certified Engineering Geologist (CEG), or similar appropriately qualified professional, who should report to the Town, to ensure the standards of the applicable Codes are met.	

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			4.1-1	(e) Subsequent development phases will require additional environmental review and approval by the Planning Commission.	
Soil Erosion					
4.1.2	Development of the proposed Project ~~**If the project were implemented as proposed, it**~~ **could create new or increased soil erosion.** This is *a potentially significant impact.*	PS	4.1.2	The Project Sponsor shall prepare a comprehensive erosion and sediment transport control plan prior to issuance of grading or building permit, The Plan shall ~~whichever is first, and~~ include ~~it~~ in the project design, as stipulated in the Town's Safety Policy #18. The Plan shall also meet the requirements of the Regional Water Quality Control Board and the Town Municipal Code.	LS
Topography					
4.1.3	Development of the proposed Project ~~**If the project were implemented as proposed, it**~~ **could significantly alter the topography of the site.** This is an *unavoidable, significant impact.*	SU ~~PS~~	4.1.3	Prior to issuance of grading or building permit, ~~the Project Sponsor should complete the~~ geotechnical studies shall be completed and their recommendations shall be incorporated in the Project design, as stipulated in the Town's Safety Policy #26. ~~Since no residential structure is located the southwest section, the plan resolves the issue of potentially high groundwater in the southwest portion of the site. All structures should be designed and built to at least the standards of UBC Seismic Zone 4.~~ Any grading in the southwest portion of the site shall consider the potentially high groundwater in that area.	LS

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Seismic Activity				
4.1.4	Development of the proposed Project ~~If the project were implemented as proposed, it~~ **would increase the number of people living in and visiting an area subject to seismic activity.** This is a *potentially significant impact.*	PS	4.1.4(a) Two measures specifically designed for the geological environment would reduce the number of lives that could be adversely impacted in the event of either an earthquake or volcanic eruption: i) The USGS is actively monitoring both volcanic and seismic activities in the Long Valley area. ii) The Project Sponsor is assisting the Town in completing the existing and emergency access roadway system (Safety Policy #29). 4.1.4(b) The Town shall require ~~should seek~~ the Project Sponsor's cooperation in designing and disseminating information to assist citizens and visitors in responding to emergency situations that are likely to arise (Safety Policy #31). 4.1.4(c) All structures shall be designed and built to at least the standards of UBC Seismic Zone 4.	LS
Volcanic Activity				
4.1.5	Development of the proposed Project ~~If the project were implemented as proposed, it~~ **would increase the number of people living in and visiting an area subject to volcanic activity.** This is a *potentially significant impact.*	PS	4.1.5 Implement ~~See~~ Mitigation Measures 4.1.4 a and b.	LS

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4.2 Hydrology and Water Quality			
Surface Water			
4.2.1 Development of the proposed project would result in a modification of the existing drainage paths and a higher surface runoff than currently leaves the project site. This is a *potentially significant impact.*	PS	4.2.1(a) Prior to approval of the final project design, a final project-specific hydrology analysis for design purposes shall ~~should~~ be required to be completed to estimate the amounts of runoff which would be required to be retained onsite and held within the lakes onsite.	LS
		4.2-1(b) Runoff control shall be designed to meet the Lahontan Regional Water Quality Control Board's requirements and must be approved by the Town prior to issuance of any grading permits.	
		4.2-1(c) The following water conservation procedures shall be incorporated into project elements where feasible: ~~will be entering the downstream stormwater system and assess the impact on drainage structures. The developer should be required to install off-site retention basins, infiltration basins, infiltration systems or improvements to the drainage system downstream of the site if it is found that runoff from the project exceeds the capacity of the system. Drainage collection, or retention and infiltration facilities should be constructed to prevent transport of the runoff from a 20 year, one hour storm from the project storm. The ultimate goal should be no net increase in ponding or flooding and no net increase in peak discharge into Mammoth Creek or Murphy Gulch.~~ ~~The amount of surface runoff can be reduced by incorporation of water conservation procedures into project elements, such as:~~	

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				- Landscape with low water-using plants; - Install efficient irrigation systems that minimize runoff and evaporation and maximize the water that will reach the plant roots, such as drip irrigation, soil moisture sensors and automatic irrigation systems; and - Use pervious paving material whenever feasible.	
4.2.2	**Maintenance of the proposed Project's golf course playing surfaces requires irrigation of a frequent nature through the dry season.** Hydrologically, this is a less-than-significant impact.	LS ~~S~~	4.2.2	None required. ~~Mitigation measures with regard to irrigation are addressed in the water quality mitigation measures below.~~	~~LS~~
~~4.2.3~~	~~**Development on site will require modification of the natural drainage courses and notification of federal government agencies.**~~	~~LS~~	~~4.2.3~~	~~The project proponent is required to notify the California Department of Fish and Game and the U.S. Army Corps of Engineers prior to project construction and obtain appropriate agreements and/or permits as required by these agencies prior to issuance of permits for any grading or site disturbance which may impact drainage.~~	~~LS~~
Groundwater					
4.2.3	Groundwater quality ~~**Quality of groundwater**~~ **would not be affected by project construction activities,** ~~**and will not result in significant impacts on groundwater.**~~ This is considered a *less-than-significant impact*.	LS	4.2.3	None required. ~~No mitigation measures required.~~	~~LS~~

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4.2.4	**The proposed project includes plans for use of reclaimed water for golf course irrigation ~~areas. Provided wastewater used for irrigation meets these specifications, no significant impacts to human health or water quality would be anticipated.~~** which may result in potential hazards to human health and groundwater quality. This is a *less-than-significant impact.*	LS	4.2.4	None required. ~~The project proponent will be required to apply for and receive a reclaimed water discharge permit as designated in California Administrative Code, Title 22, Division 4, from the Regional Water Quality Control Board, Lahontan Region, prior to issuance of grading permit.~~	LS
4.2.5	Development of the proposed Project would result in the application of fertilizers and herbicides on the golf course grounds which could produce a pollutant load in surface and ground waters. This is a *potentially significant impact.* ~~In normal operations, fertilization, and application of herbicides and pesticides would be undertaken by a certified greenskeeper with the appropriate state approved applicators license. Careful application in accordance with manufacturer's directions for safe use for each compound will be necessary to reduce the potential for runoff or infiltration contamination.~~	PS	4.2.5	To avoid impacts resulting from upkeep of greens and fairways the following measures or equivalent shall ~~should~~ be completed ~~to the satisfaction of the town:~~ ▸ A certified greenskeeper with appropriate state-approved applicator's license for use of fertilizers and pesticides shall ~~should~~ be employed for maintenance of greens and fairways. ▸ A fertilization program shall ~~should~~ be specifically developed to match application rate with the known uptake rate for each turf grass species. ▸ Pesticides and herbicides which are rapidly degradable, are relatively insoluble in water and exhibit significant soil adoption shall ~~should~~ be chosen for use. These chemicals shall comply with the requirements of the Lahontan RWQCB and the Soil Conservation Service. ▸ The golf course operator shall submit to the LRWQCB and the MCWD a list of chemicals to be used on the golf course. This list shall be updated annually, before any chemicals are applied, and at any time new chemicals are proposed for use. No chemicals shall be used on the golf course which are	LS

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		prohibited by the LRWQCB or the Department of Health Services (DHS). ▸ During periods when fertilizers and other chemicals are used watering shall be kept to a minimum. ▸ Installation of automatic irrigation timers to implement an irrigation schedule to maximize infiltration. ▸ Installation of automatic rain and soil moisture sensors that will override irrigation programs to reduce excess watering of fairways. ▸ Specific chemical analysis shall be required in the project proponents downstream discharge monitoring program to account for compounds that could indicate contamination by fertilizers, pesticides, or other chemical agents used in golf course maintenance. Should evidence of such contamination occur, use of pesticides or fertilizers shall cease until appropriate contamination prevention measures can be implemented. The monitoring plan shall be developed in accordance with waste discharge requirements established by the Lahontan RWQCB and the well water testing required by the DHS. ▸ Compliance with the LRWQCB "Guidelines for Erosion Control." ~~guidelines.~~	

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4.2.6	**The quality of surface runoff could be degraded as a result** of increased erosion during Project construction. This is a *potentially significant impact.* ~~**development.**~~	PS	4.2.6(a)	For each individual project considered under this development concept, disturbance of soil requires a Waste Discharge Report to be filed with the Lahontan Regional Water Quality Control Board and a Waste Discharge Permit to be issued for the project to ensure that proper control measures for the protection of water quality are taken and adhered to during all phases of the project. ~~An erosion and sediment control plan will also be required to be submitted and approved. Implementation of erosion control measures, as outlined in the Lahontan Regional Water Quality Control Board's "Guidelines for Erosion Control in the Mammoth Lakes Area" (Appendix C) would reduce the impact of construction to a level of insignificance and shall should be incorporated into the development.~~	LS
			4.2-6(b)	See Mitigation Measure 4.1-2.	
4.2.7	**Increased runoff from additional impermeable surface could lower the quality of stormwater runoff. This is a *potentially significant impact.*** ~~Runoff from developed areas tends to contain higher levels of suspended solids, as well as gasoline and other hydrocarbons, oil and grease, rubber, lead and other automotive related contaminants, than the runoff from undeveloped lands. These contaminants already exist in the surrounding environment and the incremental increase of contaminants in the surface runoff would not have a significant impact on water quality.~~	PS	4.2-7	~~Installation of~~ oil and grease separators shall be repaired in the inlets of catch basins where necessary, particularly at the collection points from parking areas, to minimize pollution of downstream water courses. The separators shall be maintained regularly (at least twice per year) to ensure efficient pollution removal.	**

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4.2.8	The proposed project's man-made lakes have the potential to become nuisances due to water quality problems resulting from incorrect maintenance or care. This is a *potentially significant impact.* ~~Runoff from developed areas tends to contain higher levels of suspended solids, as well as gasoline and other hydrocarbons, oil and grease, rubber, lead and other automotive related contaminants, than the runoff from undeveloped lands. These contaminants already exist in the surrounding environment and the incremental increase of contaminants in the surface runoff would not have a significant impact on water quality.~~	PS ~~LS~~	4.2-8(a)	Weeds and algae in the man-made lakes shall be harvested and removed monthly. Removal shall be complete—not temporary control through application of chemicals and algacides.	LS
			4.2-8(b)	Grass swales shall be used to convey runoff from major portions of the site toward the lakes. The swales would promote sedimentation of contaminants in the particulate or absorbed phase, and may allow some capture of dissolved contaminants through infiltration.	
			4.2-8(c)	Implementation of an irrigation schedule (as previously required in Mitigation Measure 4.2-5) to reduce inflow from irrigated areas and to reduce nutrient inflows	
4.2.9	~~The proposed project will result in creation of several man-made lakes for storage of irrigation water.~~	PS	4.2.9	~~Possible adverse impacts resulting from deteriorating lake water quality can be reduced to insignificant levels by the following :~~ ~~— harvesting of weeds and algae, that is complete removal and not just temporary control by chemicals and algacides; and,~~ ~~— construction of catch drains above man-made water bodies to collect and divert any irrigation water which may return to the lake.~~ ~~The project should incorporate these measures or equivalent measures into the project design to avoid possible adverse impacts as determined by the Public Works Director.~~	LS

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4.3 Biotic Resources					
Vegetation					
4.3.1	Development of the proposed Project would result in a loss of vegetation cover due to site clearing for parking lots and buildings. This is an *unavoidable, significant impact.* ~~**It is unlikely that the proposed project will result in a loss of significant biological cover. In fact, cover may be increased in some areas as a result of landscape planting or the golf course. Any increase in cover, however, may not increase habitat values since the resulting vegetation represents a loss of plant species diversity. There may be some cover loss due to parking lots and buildings, but these would be considered less than significant, unavoidable impacts of the project.**~~	SU ~~LS~~	4.3.1	To the maximum extent feasible, the project shall ~~should~~ preserve existing native vegetation. Landscaping shall ~~should~~ emphasize the use of native plants indigenous to the Jeffrey Pine-Fir Forest, Sagebrush Scrub, and Riparian plant communities. Whenever possible native plants used onsite shall ~~should~~ be selected for their replacement habitat value.	SU ~~LS~~
4.3.2	Development of the proposed Project will result in a change in vegetation type. This is an *unavoidable significant impact.* ~~**from conifer forest to urban development, including the creation of an artificial meadow (golf course) and artificial lakes. As in the case of changes in vegetation cover, this change in vegetation will likely result in a lowering of habitat values. The change, though significant as defined above, must be considered an unavoidable significant effect of the proposed project.**~~	SU	4.3.2	Implement Mitigation Measure 4.3.1 above.	SU

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4.3.3	Development of the proposed Project would not result in the loss of a member of a plant Species of Special Concern. There would be *no impacts* to Species of Special Concern. ~~Any loss of a plant species of concern would be considered significant. Field surveys done in late June, 1990, a time of flowering for all species of concern, failed to find any of the four rare, endangered, or threatened plant species listed in Appendix D. As a result it is expected that there will be no significant adverse effects on any species of concern.~~	LS	4.3.3 None required. ~~No mitigation measures required.~~	~~LS~~
4.3-4(a)	Development of the proposed Project could result in the **loss of several large, specimen trees.** This is a *potentially significant impact.* ~~The most significant impact to vegetation would be the loss of the several large trees (mostly Jeffrey pine, but also including at least one white fir). These trees were spared during early logging of the site and should, where possible, be retained.~~	PS	4.3.4(a) All trees greater than ~~12~~ **36** inches dbh (diameter breast height) and significant stands on the Project site shall ~~should~~ be mapped prior to issuance of grading permits or clearing. A registered forester or arborist shall then ~~should~~ determine the age and condition of these and whether they shall ~~should~~ be retained or removed based upon health and visual significance of the trees, except for removal required by approved improvements. Once this determination is made those trees should be retained and integrated into the design of the project. A program of specific protection measures shall ~~should~~ be prepared by the developed and approved by the Town prior to issuance of any construction permits (e.g., construction fencing, grading controls, grading design, etc.) Any trees removed unavoidably by the final Project approval shall be in accordance with Town policies. Off-site replacement will need the approval of the Town Planning Director.	LS
4.3-4(b)	Development of the proposed Project would result in the loss of a significant number of trees currently existing on the Project site. This is an *unavoidable, significant impact.*		4.3.4(b) Construction and site development, such as grading and trenching, shall ~~be~~ ~~should~~ prohibited within the dripline of retained trees. Equipment shall ~~should~~ not be stored or driven under trees. Grading shall ~~should~~ not cover the	

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		ground surface within the dripline of existing trees.	
		4.3.4(c) Landscape materials shall ~~should~~ be incorporated into a landscape plan which allows for the protection and preservation of existing trees. Native plant species, preferably from seed or cuttings from local plants, shall ~~should~~ be used where possible. The landscape plan ~~should~~ be approved by the Planning Director prior to issuance of any construction permits.	
		4.3.4(d) Irrigation, fertilization, and other landscape management practices shall ~~should~~ be designed to minimize effects on existing trees and other vegetation.	
		4.3.4(e) Proper disposal methods for all coniferous slash shall ~~should~~ be used in order to prevent the spread of bark beetles.	
Wildlife			
4.3.5 **Development of the proposed Project would result in the loss of 145 ~~206~~ acres of native wildlife habitat.** This is a *significant impact.*	S	4.3.5(a) ~~Dedicate and enhance open space preserves, establish buffer zones around them and install other protective measures such as fencing and informational signing to preserve wildlife habitats as much as possible.~~ ~~A map indicating areas of densest trees and areas of greatest wildlife habitat value is shown in figure 4.3-1.~~ In order to maintain plant and animal diversity, the design of the Project *shall* ~~should~~ take into account both of these elements. Ideally, the preservation of all of the high-value wildlife habitat areas would preserve an important corridor for the movement of larger species through the area and provide a genetic linkage for smaller less mobile species such as the Lodgepole chipmunk. As	LS

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		it now exists, the project will ~~would~~ eliminate a significant portion of these areas high-value wildlife habitat areas. The project will largely avoid riparian areas. If disturbance is necessary, the applicant shall meet all applicable California Department of Fish and Game (CDFG) and U.S. Corps of Engineers' policies.	
		4.3.5(b) To retain wildlife values, as much native vegetation as possible should be retained and protected during construction. A Revegetation Plan, prepared by a qualified botanist and approved by the Town of Mammoth Lakes, shall ~~should~~ be completed prior to the commencement of the project which will describe in detail the species of trees and shrubs which will be used, where they will be planted, and in what numbers, and the methods of planting and maintenance which will ensure successful growth. It shall ~~should~~ include a monitoring program to follow the progress of new plantings and ensure replacement of unsuccessful plants. Landscaping with native species of trees and shrubs shall ~~should~~ be undertaken wherever possible to enhance wildlife use of cleared areas.	
		4.3.5(c) Under mitigation monitoring, once mitigation plans designed to offset habitat losses are approved and the specific areas where they will be located are identified, the proponent must provide a program to monitor their progress for a period of time (usually three to five years) deemed sufficient by the planning director to assure their successful development. Adequate security shall be deposited with the Town to ensure successful implementation of this measure.	

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4.3.6	**Disturbances and disruptions during project construction scatter/disperse and fragment existing wildlife communities on-site, forcing survivors into already occupied habitats to cause cumulative negative impacts on all wildlife in the area.** This is a *significant impact.*	S	4.3.6	All construction activities, including movement and storage of vehicles and the storage of building and other materials, shall ~~should~~ be confined to areas slated for development. Care shall ~~should~~ be taken during construction to avoid damage to vegetation and habitats not directly involved in project construction. Any damaged vegetation shall be replaced on a one-to-one basis on- or off-site. Off-site replacement will need the approval of the Town Planning Director.	LS
4.3.7	**Increased erosion and siltation as a result of construction and grading activities could alter stream flows, water quality, and vegetation in the Project area.** This is a *significant impact.*	S	4.3.7(a)	To prevent erosion and siltation into intermittent creeks, areas cleared of vegetation, fill or other materials should be stabilized as quickly as possible after clearing and grading. ~~Hay bales, silt screens or similar devices should be used to prevent siltation to the satisfaction of the public works director.~~ To further protect the drainage system and prevent erosion, all grading and construction shall ~~should~~ be completed during the dry summer months.	LS
			4.3.7(b)	To prevent disruptions of normal stream flows and ensure maintenance of water quality for down-stream habitats during the critical low-water summer period, all creek waters shall ~~should~~ be collected above and continuously piped through any construction zone on or near drainages ~~or measures approved by the public works director to meet this objective should be incorporated.~~	

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4.3.8	**Development of the project would alter stream courses and drainages in the area.** This is a *significant impact.*	S	4.3.8(a)	Final construction plans shall ~~should~~ include provisions for construction of retention basins for on-site retention of runoff from roadways, home sites and golf facilities or equivalent alternative measures approved by the public works director (refer to Impact 4.2-1, Hydrology). Such retention basins should be cleaned on a regular basis and accumulated pollutants and debris properly disposed of in areas which will assure that no aquatic habitats on-site or downstream of the project site are damaged.	LS
			4.3.8(b)	Development of on-site water bodies shall ~~should~~ include creation of native riparian habitat. All such design and construction shall ~~should~~ be subject to California Department of Fish and Game review.	
4.4 Jobs/Housing Balance					
HOUSING					
~~Direct Impacts~~					
4.4.1	Employment generated by ~~created from~~ the commercial development of proposed Project ~~Lodestar~~ could increase the population of Mammoth Lakes and the surrounding areas by as much as 1,086 people, with an accompanying housing demand of 472 units. This is a *significant impact.*	S	4.4.1(a)	One hundred percent ~~100%~~ of housing for employees generated by uses within the project shall ~~should~~ be provided on-site, including affordable employee housing based upon the Health and Safety code ~~H&S~~ section 50079.5 and 50105 criteria unless the Town Council allows a portion of this housing need off-site; through an in-lieu fee; or equivalent program. If the Town adopts an employee/affordable housing program requiring on- or off-site housing or in-lieu fees prior to any phase of development, provision of housing in accordance with that ordinance shall constitute adequate mitigation.	LS

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		4.4.1(b) Any housing constructed off-site should be subject to further environmental review to insure that significant or cumulative environmental effects are mitigated on a site specific basis.	
		4.4.1(c) Employee housing or an in-lieu fee or equivalent program as approved by the Town Council should be in place prior to or concurrent with the non-residential development generating the need for such housing.	
EMPLOYMENT			
4.4.2 As presented in Table 4.4-5 4.4.4, the proposed ~~Lodestar~~ project, which includes an 80,000 square feet commercial village, 18-hole golf course and two hotels is estimated to generate 619 permanent jobs and 91 temporary construction jobs at full buildout of all phases. This is a beneficial impact. ~~at the time of completion.~~	B	4.4.2 None required. ~~No mitigation measures are required.~~	NA ~~LS~~
4.5 Utilities			
Water			
4.5.1 The development portion of the project would ~~therefore~~ create a total annual community water demand of 3,250 acre-feet, which is 150 acre-feet less the current available supply. This is a *less-than-significant impact.*	LS	4.5.1(a) In the event that the Dry Creek wells are not developed in a timely fashion, development shall ~~should~~ be deferred until adequate water resources are in place to serve the project and existing development as determined by the Mammoth County Water District.	LS
		4.5.1(b) Golf course water bodies and irrigation shall ~~should~~ use reclaimed water to the fullest extent possible. If reclaimed or domestic water is not available to allow for the water bodies as determined by the Mammoth County Water District, the water bodies shall be reduced in size to obtain District approval or be eliminated in the final	

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				Project design. Approval by the County Health Department shall be obtained prior to final Project approval regarding the use of reclaimed water.	
			4.5.1(c)	Maximum feasible water conservation measures shall ~~should~~ be used in all structures, including reuse and recycling of water, low-use water fixtures, and drought resistant landscaping.	
			4.5.1(d)	The project proponent shall ~~should~~ contribute mitigation fees, as determined by the Mammoth County Water District, for any expanded facilities needed to serve the development.	
			4.5.1(e)	Landscaping shall ~~should~~ be predominately native and drought resistant vegetation.	
Wastewater					
4.5.2	The proposed project is anticipated to generate a total of approximately 346,750 gallons of wastewater per day, made up of 236,250 gallons per day (gpd) from residential uses, 8,000 gpd from the retail space, 82,500 gpd from the hotel rooms (based upon full occupancy), and 20,000 gpd from the restaurants. Since MCWD has adequate treatment capacity for project-generated wastewater flows, the proposed project would have a *less-than-significant* impact on wastewater facilities.	LS	4.5.2	The Project shall comply with all requirements of the Mammoth County Water District regarding flow reduction, and sewer system design and operation. ~~None is required.~~	
Drainage					
4.5.3	Increased amount ~~The construction~~ of impervious surfaces associated with the proposed project will increase surface water runoff from the Project site and could require infrastructure improvements. This is a *potentially significant*	PS ~~S~~	4.5.3(a)	Drainage collection, retention, and infiltration facilities shall ~~should~~ be constructed and maintained to prevent transport of the runoff from a 20-year, one-hour from the proposed Project site.	LS

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impact. ~~could be considered a significant loss of permeable land area.~~		4.5.3(b) The requirements of the Lahontan RWQCB as specified in the "Erosion Control Guidelines" shall be met while construction is being undertaken and during project operation. ~~4.5.3(b) The developer should be required to install off-site retention basins, infiltration basins, infiltration systems, or improvements to the drainage system downstream of the site if it is found that runoff from the project is resulting in overcapacity of the system as required by the public works director. The ultimate goal should be no net increase in ponding or flooding and no net increase in peak discharge into Mammoth Creek.~~ ~~4.5.3(c) Surplus or waste material not be placed in drainage ways or within the 100 year flood plain of surface waters.~~ ~~4.5.3(d) All loose piles of soil, silt, clay, sand, debris, or earthen materials be protected in a manner approved by the public works director to prevent any discharge to waters of the State.~~ ~~4.5.3(e) Except as permitted by the public works director, existing drainage patterns should not be significantly modified.~~ ~~4.5.3(f) Runoff from paved areas should be pretreated using grease and oil traps to remove grease, oils, floatable organic material, and settleable material that may clog infiltration or drainage systems.~~ ~~4.5.3(g) Silt and pollutants should not be allowed to collect on large parking lots and other paved surfaces.~~ ~~4.5.3(h) No snow storage will be allowed on paved surfaces. In turn, permeable soil should be selected for snow storage~~	

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		~~so that the soil may serve as groundwater recharge zones and reduce the undesirable runoff from paved areas.~~	
		~~4.5.3(i) Drainage swales disturbed by construction activities should be stabilized by the addition of crushed rock, riprap, or other appropriate stabilization methods.~~	
		~~4.5.3(j) All construction areas should be protected by filter berms or fencing, or other interim controls such as sediment barriers to control and retain sediment during construction.~~	
		~~4.5.3(k) A Report of Waste Discharge must be filed with the RWQCB and all waste discharge requirements must be met.~~	

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Solid Waste				
4.5.4	The project is anticipated to produce a total of 18,607 pounds of solid waste per day, made up of 5,670 pounds per day from all residences and 12,937 pounds per day from all commercial operations. This is a *significant impact.*	S	4.5.4(a) Alternate methods of solid waste disposal, such as the use of on-site trash compaction, shall be incorporated into the final Project design subject to the approval of ~~should be considered subject to the approval of the Air Pollution Control Board and~~ the Mammoth Lakes Planning Department.	LS
			4.5.4(b) All visible trash collection facilities and features of the development shall ~~should~~ be designed to complement ~~into the development to match~~ the Project design scheme.	
			4.5-4(c) The Project applicant shall provide a recycling collection station or contract a solid waste disposal company which will offer a system of convenient recycling stations for Project residents. Placement and design shall be subject to the review and approval of the Planning Director. ~~Recycling facilities should be located at all hotels and multi family projects.~~	
			4.5-4(d) The Project applicant shall provide each residence with a divided cabinet suitable for aluminum cans, glass bottles, and plastic bottles.	
			4.5-4(e) A portion of the golf course shall be reserved for the processing of green wastes generated by the golf course. The processing of green wastes shall be the responsibility of the golf course management for the life of the Project.	

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Electricity					
4.5.5	Development of the proposed Project ~~Based on current project plans, it~~ is estimated that 28,500,000 kilowatt hours ~~will be used by the development~~ annually. This is a *less-than-significant impact*.	LS	4.5.5	None required. ~~No mitigation measures are required.~~	NA ~~LS~~
Telephone					
4.5.6	Based on project descriptions, approximately 1,700 phones lines will be needed. This is a *less-than-significant impact*.	LS	4.5.6	None required. ~~No mitigation measures are required.~~	NA ~~LS~~
4.6 Traffic					
4.6.1	The proposed project will generate additional vehicular trips, which will impact traffic volumes and intersection Levels of Service throughout the study area. This is a *potentially* significant ~~adverse~~ impact.	PS ~~S~~	4.6.1(a)	The project could be required to contribute "in lieu" fees for transit system improvements if the transit system design study soon to be undertaken by the Town determines that the need for the roadway capacity improvements would be obviated by the reduced level of vehicular trips potentially resulting from increased transit ridership due to an improved transit system. It is anticipated that the continued need for certain roadway improvements and the level of developer financial participation in support of an improved transit system would be determined by the upcoming transit system study.	LS
			4.6.1(b)	Minaret Road (Main Street/Lake Mary Road to south of Old Mammoth Road) - Dedicate and widen Minaret Road between Main Street/Lake Mary Road and a point just south of Old Mammoth Road to provide four travel lanes plus the necessary snow storage easement. This	

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		improvement is consistent with the designation of Minaret Road as an arterial in the Town General Plan. 4.6.1(c) Old Mammoth Road (Main Street to south of Chateau Road) - Restripe or widen Old Mammoth Road between Main Street and a point just south of Chateau Road to provide four travel lanes, and maintain the existing continuous left-turn lane. This improvement is consistent with the designation of Old Mammoth Road as an arterial in the Town General Plan. 4.6.1(d) Lake Mary Road (Main Street to Lakeview Road) - Widen Lake Mary Road between Main Street and Lakeview Road to provide four travel lanes. The outer westbound through lane within this road segment would become a forced right-turn lane at the intersection with Lakeview Road. 4.6.(e) Main Street (Sierra Boulevard to Minaret Road) - Widen and restripe Main Street between Sierra Boulevard and Minaret Road to provide a two-way continuous left-turn lane in the median (consistent with the existing two-way continuous left-turn lane east of Sierra Boulevard). **Intersection Improvements** 4.6.1(f) Minaret Road/Forest Trail - In addition to the traffic signal and other improvements proposed as part of the North Village Specific Plan circulation plan, widen Minaret Road just north of Forest Trail to provide two southbound lanes, resulting in one exclusive left-turn lane, one through lane and a shared through/right-turn lane on the southbound Minaret approach to Forest Trail. Also, eliminate the constant eastbound right-turn arrow	

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		for traffic turning from eastbound Forest Trail to southbound Minaret which is proposed as part of the North Village Specific Plan circulation plan.	
		4.6.1(g) Lakeview Road/Lake Mary Road - In conjunction with the recommended widening of Lake Mary Road as described above, the following localized intersection improvements are required: widen or restripe the eastbound Lake Mary Road approach to provide one exclusive left-turn lane and one through lane (the second eastbound through lane recommended as part of the Lake Mary Road widening east of Lakeview Road would begin at Lakeview Road); widen the westbound Lake Mary Road approach to provide one through lane and one exclusive right-turn lane (the second westbound through lane recommended as part of the Lake Mary Road widening east of Lakeview Road would terminate as the forced right-turn lane at Lakeview Road); and formally stripe the southbound approach Lakeview Road approach to provide one exclusive left-turn lane and one shared left/right-turn lane. These improvements would be in addition to the installation of a traffic signal and grade reconstruction proposed as part of the North Village Specific Plan circulation plan.	
		4.6.1(h) Minaret Road/Main Street/Lake Mary Road - Widen the northbound Minaret approach to provide an exclusive right-turn lane. Restripe the southbound approach and northbound departure to provide the following configuration on the southbound Minaret approach: two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. Restripe the westbound approach and eastbound departure to provide a second left-turn lane on the westbound Main approach. Also,	

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		modify the signal phasing to provide left-turn protected phases on the north and south approaches which would replace the existing split phasing on these approaches.	
		4.6.1(i) Sierra Boulevard/Main Street - Restripe Main Street to provide a left-turn lane on the eastbound approach (in conjunction with the recommended widening of Main Street to provide a two-way continuous left-turn lane between Sierra Boulevard and Minaret Road as described above). This will ~~would~~ remove turning vehicles from the through traffic lanes and thus improve the overall operation of the intersection. However, installation of a traffic signal is not recommended, as the cumulative traffic volumes do not satisfy signal warrants (see Appendix E), and the projected poor level of service will ~~would~~ be experienced only by stop-controlled vehicles waiting to turn left from Sierra onto Main.	
		4.6.1(j) Old Mammoth Road/Main Street - Restripe the northbound and eastbound approaches to provide the following configurations: one exclusive left-turn lane and one shared left/right-turn lane on the northbound Old Mammoth approach; one through lane, one shared through/right-turn lane, and one exclusive right-turn lane on the eastbound Main approach.	
		4.6.1(k) Minaret Road/Meridian Boulevard - In conjunction with the recommended widening of Minaret Road to four through lanes as described above, the following localized intersection improvements will ~~would~~ be required: widen both the northbound and southbound Minaret approaches to provide one exclusive left-turn lane, one through lane, and one shared through/right-turn lane on each approach; and widen and/or restripe the eastbound approach	

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		Meridian to provide an exclusive right-turn lane. These improvements will ~~would~~ be in addition to the exclusive left-turn lanes on the eastbound and westbound Meridian approaches and installation of a traffic signal programmed for implementation by the Town of Mammoth Lakes.	
		4.6.1(l) Mono Street/Meridian Boulevard - Widen and restripe Meridian Boulevard to provide left-turn lanes on both the eastbound and westbound approaches (consistent with the two-way continuous left-turn lane proposed for Meridian Boulevard as a project access improvement in Chapter VI). This will ~~would~~ remove turning vehicles from the through traffic lanes and thus improve the overall operation of the intersection. However, installation of a traffic signal is not recommended, as the cumulative traffic volumes do not satisfy signal warrants, and the projected poor level of service will ~~would~~ be experienced only by stop-controlled vehicles waiting to turn left from Mono onto Meridian.	
		4.6.1(m) Old Mammoth Road/Meridian Boulevard - In conjunction with the recommended widening of Old Mammoth Road as described above, the following localized intersection improvements will ~~would~~ be required: restripe the southbound Old Mammoth approach to provide one exclusive left-turn lane, one through lane, and one shared through/right-turn lane; and widen the northbound Old Mammoth approach to provide two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane.	
		4.6.1(n) Minaret Road/Chateau Road - In conjunction with the recommended widening of Minaret Road as described above, the following localized intersection improvements	

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		will ~~would~~ be required: stripe the northbound Minaret approach to provide one through lane and one shared through/right-turn lane; widen the southbound Minaret approach to provide one exclusive left-turn lane and two through lanes; restripe the westbound Chateau approach to provide an exclusive left-turn lane and a shared left-turn/right-turn lane; and install a two-phase traffic signal (the cumulative traffic volumes satisfy traffic signal warrants).	
		4.6.1(o) Old Mammoth Road/Chateau Road - In conjunction with the recommended widening of Old Mammoth Road as described above, the following localized intersection improvements will ~~would~~ be required: restripe the southbound Old Mammoth approach to provide one exclusive left-turn lane, one through lane, and one shared through/right-turn lane; widen the northbound Old Mammoth approach to provide one exclusive left-turn lane, one through lane, and one shared through/right-turn lane; and install a two-phase traffic signal (the cumulative traffic volumes satisfy traffic signal warrants).	
		4.6.1(p) Minaret Road/Old Mammoth Road - In conjunction with the recommended widening of Minaret Road as described above, the following localized intersection improvements will ~~would~~ be required: widen the northbound Minaret approach to provide one exclusive left-turn lane, one through lane and one shared through/right-turn lane; widen the southbound Minaret approach to provide one exclusive left-turn lane, two through lanes and one exclusive right-turn lane; widen the westbound Old Mammoth approach to provide two exclusive left-turn lanes, one through lane and one exclusive right-turn lane; widen the eastbound Old Mammoth approach to provide	

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			one exclusive left-turn lane, one through lane, and one exclusive right-turn lane; and install a traffic signal with overlapping left-turn phasing on the Old Mammoth approaches (the cumulative traffic volumes satisfy traffic signal warrants).	
4.6.2	A review of projected daily and peak hour traffic volumes on the proposed internal roadways serving the proposed Project ~~Lodestar~~ site indicates that each of the streets will ~~would~~ be adequate to accommodate the projected traffic volumes, as well as non-motorized traffic, at good levels of service with two through lanes (one in each direction). This is a *less-than-significant impact*. ~~Thus, each of the internal roadways providing access to the Lodestar project site should be constructed to two lane collector street standards. The proposed internal cul de sacs should be constructed to two lane local street standards. This is a less than significant impact.~~	LS	4.6-2(a) Each of the internal roadways providing access to the Lodestar Project site should be constructed to two-lane collector street standards. 4.6-2(b) The proposed internal cul-de-sacs shall be constructed to two-lane local street standards. 4.6-2(c) Facilities for pedestrians and bicycle traffic shall be provided. In addition, internal access and circulation for transit facilities shall be provided. These shall be consistent tot he policies of Mammoth Lakes. Policy 2C-4 and 2C-6 of the Town of Mammoth Lakes Parks and Recreation Element of the General Plan. ~~None is required.~~	LS

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4.6.3	Traffic volumes at some intersections indicate that signalization will be required to maintain acceptable Levels of Service. This is a *significant impact.*	S	4.6.3a	Traffic signals shall ~~should~~ be installed at access numbers 1 and 2 onto Minaret Road (See Figure 4.6.2). Left-turn storage pockets shall ~~should~~ be provided on the south-bound Minaret approach to access number 1, and on both the northbound and southbound approaches to access number 2. Two approach (outbound) lanes and one departure (inbound) lane ~~should~~ be provided on each access road. At access number 1, the outbound lanes shall ~~should~~ be striped as one left-turn and one right-turn lane. At access number 2, the outbound lanes shall ~~should~~ be striped as one left-turn lane and one shared through/right-turn lane. All roadway improvements shall be designed and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director.	
			4.6.3b	The four access points onto Meridian Boulevard shall ~~should~~ be controlled by stop signs on the project access approaches, with uncontrolled traffic flows along Meridian. Two approach (outbound) lanes and one departure (inbound) lane shall ~~should~~ be provided on each access road, with the outbound lanes striped as one left-turn and one right-turn lane. All roadway improvements shall be designed and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director.	
			4.6.3c	Access number 6 (from Lodestar Area 3 to Meridian Boulevard) shall ~~should~~ be aligned directly opposite the existing Joaquin Road, to form a four-way intersection rather than two slightly offset "T" intersections. Through movements from the access road onto Joaquin Road shall ~~should~~ be permitted from the right-most approach (outbound) lane on the access road. All roadway	

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		improvements shall be designed and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director.	
		4.6.3d Access number 5 (from Areas 2 and 4 to Meridian Boulevard) shall ~~should~~ be located as close as possible to the midpoint between Minaret Road and Joaquin Road/access number 6, to maximize the spacing between the three adjacent intersections. All roadway improvements shall be designed and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director.	
		4.6.3e ~~Widen~~ Meridian Boulevard along the entire proposed Project ~~Lodestar~~ frontage shall be widened to provide a two-way continuous left-turn lane, thus providing left-turn storage on Meridian Boulevard at each of the proposed project access roads (access numbers 3, 4, 5 and 6), as well as at the existing intersections of Meridian Boulevard with Villa Vista Drive, Joaquin Road, Lupin Street, Mono Street and Manzanita Road. All roadway improvements shall be designed and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director.	
4.7 Air Quality			
~~Construction Impacts~~			
4.7.1 Construction in the area of the proposed site will ~~would~~ temporarily increase PM_{10} concentrations and could lead to	PS ~~LS~~	4.7.1(a) To reduce the potential for nuisance due to dust and odors all construction contracts shall ~~should~~ require	LS

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	violations of the federal and State 24-hour average PM_{10} standards. This is a *potentially significant impact.*			watering twice daily with complete site coverage; the frequency of watering shall ~~should~~ increase if wind speeds exceed 15 mph.	
			4.7-1(b)	Drift fencing tackifiers and covering of stockpiles shall be used in areas not under active construction.	
4.7.2	Operation of construction vehicles-equipment during the construction phase of the proposed Project could result in violations of federal and State 1-hour and 8-hour CO standards. This is a *short-term, potentially significant impact* during the construction phase of the proposed Project only. ~~would emit exhaust at the construction sites.~~	PS ~~LS~~	4.7.2	To reduce the potential of spot violations of the CO standards and odors from construction equipment exhaust, unnecessary idling of construction equipment shall ~~should~~ be avoided.	LS
Traffic Impacts					
Carbon Monoxide "Hot Spots"					
4.7.3	**Operational impacts for the proposed project include emissions from vehicular traffic generated by the project could result in violations of federal and State ambient quality standards. This is a *potentially significant impact.***	PS	4.7.3	Development will not be allowed within 50 feet of ~~Mitigation of exposure to CO levels exceeding the 8-hour standard at~~ the Old Mammoth and Main intersection ~~could be accomplished by establishing an open space within 50 feet of the intersection.~~	LS
4.7.4	**Re-suspended road cinders and vehicle tail pipe and tire wear will contribute approximately 1400 kg/day to the total PM_{10} emissions inventory at buildout of the proposed project. This is a *significant impact.***	S ~~PS~~	4.7.4	Adopt and enforce Control Measures 1 through 7 of the Town of Mammoth Lakes Draft Air Quality Management Plan (see page 4.7-6). ~~Use of vacuum street sweepers to pick up cinders and road dust.~~	LS
			~~4.7.4(b)~~	~~Reduction in vehicle traffic. Reductions in vehicle traffic are aimed at reducing re-entrainment of cinders and dust while street sweeping targets the removal of cinders and~~	

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B. Comments and Responses

INTRODUCTION

This document contains the public comments received during the public review period from November 14 to December 28, 1990 on the Draft Environmental Impact Report (DEIR) for the proposed Lodestar Master Plan, and written responses to those comments.

Comments and responses are grouped by letter for all written comments. As the subject matter of one letter overlap that of other letter, the reader must occasionally refer to more than one group of comments and responses to review all information on a given subject. Where this occurs, cross-references are provided.

These comments and responses, together with the Draft DIR, will constitute the Final EIR for the proposed Project. The Town Council will make the decision on certification of the Final EIR.

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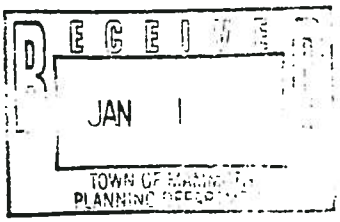
OPR

STATE OF CALIFORNIA—OFFICE OF THE GOVERNOR GEORGE DEUKMEJIAN, Governor

OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET
SACRAMENTO, CA 95814



Dec 28, 1990

WILLIAM TAYLOR
TOWN OF MAMMOTH LAKES
437 OLD MAMMOTH RD
MAMMOTH LAKES, CA 93546

Subject: LODESTAR RESORT AND COUNTRY CLUB
SCH # 90020042

Dear WILLIAM TAYLOR:

The State Clearinghouse has submitted the above named draft Environmental Impact Report (EIR) to selected state agencies for review. The review period is now closed and the comments from the responding agency(ies) is(are) enclosed. On the enclosed Notice of Completion form you will note that the Clearinghouse has checked the agencies that have commented. Please review the Notice of Completion to ensure that your comment package is complete. If the comment package is not in order, please notify the State Clearinghouse immediately. Remember to refer to the project's eight-digit State Clearinghouse number so that we may respond promptly.

Please note that Section 21104 of the California Public Resources Code required that:

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

OPR-1

Commenting agencies are also required by this section to support their comments with specific documentation. These comments are forwarded for your use in preparing your final EIR. Should you need more information or clarification, we recommend that you contact the commenting agency(ies).

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

Sincerely,

David C. Nunenkamp
Deputy Director, Permit Assistance

Enclosures

cc: Resources Agency

Letter OPR
Comment 1

Comment noted.

DFG

STATE OF CALIFORNIA—THE RESOURCES AGENCY

PETE WILSON, *Governor*

DEPARTMENT OF FISH AND GAME
P.O. BOX 944209
SACRAMENTO, CA 94244-2090

(916) 445-3531

January 18, 1991

Mr. William T. Taylor
Town of Mammoth Lakes
437 Old Mammoth Road, Suite R
Mono Lakes, CA 93546

Dear Mr. Taylor:

The Department of Fish and Game has reviewed the Draft Environmental Impact Report (EIR) for the proposed "Lodestar at Mammoth" Mono County, SCH 90020042. This development proposal includes construction of 50 single-family homes, 725 condominiums, 100 apartments, an unspecified number of hotels, a commercial village, and an 18-hole golf course for a total of 1,575 units on 210 acres resulting in a net density of 7.5 units per acre. Five acres of the total 210-acre site would be preserved as undeveloped open space. Although we find in the Draft EIR no estimate of total human population increase resulting from the project, it is reasonable to project that several thousand persons will be added to the population of the Town of Mammoth Lakes as a result of the construction of this major project.

The Department of Fish and Game's review of the Draft EIR has revealed a number of apparent faults in the document which we believe result in failure to comply with the California Environmental Quality Act (CEQA). Accordingly, we submit that the Final EIR must correct the deficiencies of the current draft. Otherwise, to preserve habitat, wildlife, water quality, and water supply, we would object to any but the "no project" alternative. Specific comments on the various sections of the document follow:

1. The document largely fails to discuss, or incorrectly represents the project's impacts to water quantity in the Mammoth Basin to the possible detriment of wildlife resources. For example, on page 1-20, the table reveals the project's reliance on the development of the Dry Creek wells for adequate water supply the environmental effects of which are yet to be analyzed. It should be recognized in the document that such development in Dry Creek cannot be assured, since it first must be the subject of independent environmental analysis which may, or may not, result in approval of the development. The document also ignores the uncertainty of approval of Well No. 11. Finally, all of the mitigations proposed for alleviating water consumption impacts remain, in combination, short of the goal of reducing such impacts upon fish and wildlife to an insignificant level. The document ignores the current water shortage in the Town and that it has resulted in great pressure for additional water development upon the already intensively used water sources.

DFG-1
DFG-2
DFG-3
DFG-4

This has, and will continue, to accumulate further damages to fish and wildlife and this should be part of the present discussion.

2. The document inadequately addresses impact on water quality, which will suffer unavoidable degradation as a result of this major urban development. DFG-5

On page 4.2-9 the potentially serious impacts of the greater surface run-off are recognized. DFG-6

The mitigation measures for these impacts, shown on page 4.2-10, are not quantified. All planned off-site catchment/retention basins should be identified both for size and location so that the impacts of their construction and operation can be disclosed. DFG-7

Also, a sedimentation monitoring program in Mammoth Creek may be required to ensure effectiveness of the control measures. DFG-8

We question the statement on page 4.2-14 that the incremental increase of contaminants in the surface run-off would not have a significant impact on water quality. DFG-9

As stated on page 4.2-8, "...Mammoth Creek is suspected of violating the numerical objectives for coliform bacteria, nutrients, and possible sediment". The replacement of approximately 67 acres of natural surface with impermeable surfaces will increase the amount and velocity of run-off, potentially increasing the sediment and nutrient loads in Mammoth Creek, and eventually affecting the region's premier wild trout fishery in Hot Creek. DFG-10

A more detailed description of the location, size, and operation of the oil and grease separators is also needed. DFG-11

On page 4.2-15, the harvesting of weeds and algae in the lakes and construction of catch drains to divert nutrient-rich surface run-off away from the lakes are listed as mitigation measures to reduce the project impacts from the construction and operation of several manmade lakes. DFG-12

However, location of the disposal sites for the harvested weeds and algae and measures to ensure the confinement of that material in order to prevent additional nutrient loading of Mammoth Creek are not identified. Also, construction of the catch drains can contribute to nutrient loading in Mammoth Creek. DFG-13

Measures to prevent this portion of the increased loading are not identified.

3. The Draft EIR reveals the existence of riparian and/or wetland habitats on the site, yet no mention is made of the need for a Wetland Determination under Section 404 of the Clean Water Act. DFG-14

Pages 4.3-2 and 4.3-3, state that the site encompasses willow, aspen, and rush plant communities, yet these potential wetlands are not indicated on the vegetation map. DFG-15

Wording on page 4.3-11 reveals that development would "eliminate" and "reroute" some of the existing water drainages onsite. DFG-16

Impacts to these critical ecosystems cannot be assessed because the report does not contain a map and table describing the sizes, location, and quality of these habitats. Project proponents should initiate early consultation with the U.S. Army Corps of Engineers regarding a Section 404 determination. DFG-17

4. The document repeatedly describes in detail significant impacts to wildlife and habitat as a result of this intensive urban development, yet its portrayal of proposed mitigations is inadequate to support assertions that the mitigations reduce project impacts to a level of nonsignificance. DFG-18

This inadequate depiction results in the document's failure to accurately and adequately describe the project's resultant environmental impacts. For example, the document reveals that, with all mitigations operative, only five acres of the 210-acre site will be retained as undeveloped open space. DFG-19

On page 4.3-5 it is stated that "A loss of vegetation is the removal of most, if not all, of the vegetation on the site and is the result of clearing land for urban development such as buildings or parking lots". No information, is presented in the document stating how much of the site is to be covered by paving and buildings. This lack of important information renders the document inadequate since project effects cannot be readily evaluated. DFG-20

Table 1-1, page 1-13 states that, "As it now exists, the project would eliminate a significant portion of these areas" (dense trees or wildlife habitat). Yet the table also states that "less than significant" impacts will result. These statements appear to conflict and should be explained. DFG-21

The document again is self-contradictory by stating, on page 4.3-6, that "It is unlikely that the proposed project will result in a loss of biological cover". We believe this contention to be in error since it relies on mitigation measure 4.3.1, which is worded, "To the maximum extent feasible, the project should preserve existing native vegetation", while on page 4,3-5, it states that, "most, if not all" of the vegetation would be removed. DFG-22

Further contradictions appear on page 4.3-8, where it states that, "As presently designed, the residential and recreational development planned for this site would result in the alteration or elimination of much of the native vegetation and wildlife resources presently on the property". We believe this is a valid generalized assessment of project impacts. However, the document asserts that mitigation measure 4.3.5 reduces impacts to a level of insignificance. This appears to be misleading, when one considers that the project as proposed will result in development of 205 acres of the 210-acre site. Further, the mitigation measure is couched in vague and unquantified terms by calling for preserving habitat "...as much as possible", and relying on specific mitigation measures for critical wetlands which have not yet been developed and, thus, are experimental in nature. DFG-23

Such a circumstance leads to deferral of the formulation of mitigation measures until after project approval. This appears to be contrary to CEQA guidelines, as interpreted in case law (see Sundstrom v. County of Mendocino; 88 Daily Journal D.A.R. 8337). DFG-24

5. The wildlife surveys utilized by the document do not provide sufficiently detailed information to allow for an informed or knowledgeable decision. No assessment of numbers of mammals and birds, or type of use by various species is included. For example, although mule deer were documented on the site, the Draft EIR fails to estimate numbers of animals, whether or not fawning or migrating occurs onsite, or any other aspects of mule deer dependence on the subject lands. DFG-25

6. The Draft EIR accurately reveals that, "Noise impacts would likely extend the total area from which wildlife would be displaced beyond the project boundaries". However, the assertion that mitigation measure 4.3.6 will reduce this impact to insignificance does not explain how this relates to the noise impacts. Because we believe the mitigation measures proposed for direct construction-induced impacts to be inadequate, we must object to their use as the rationale for mitigating the noise impact. Separate, or additional measures are clearly needed. DFG-26

7. The discussion of "Irreversible Environmental Changes" (Page 5-1) reveals the unavoidable loss of wildlife habitat values of the site due to human disturbance. The impacts of disturbance by domestic pets should also be disclosed. DFG-27
Additionally, the irreversible and unavoidable loss of wildlife habitat acreage should be presented in precise numerical terms to determine the areal adequacy of mitigation. DFG-28

This section also refers to "...impacts on the reserve's natural ecosystem productivity". This statement raises the issue that there may be concerns for whole ecosystems and that the project may thus impact the nearby Valentine Reserve. The Draft EIR must fully disclose potential for such impacts with appropriate mitigation measures to offset any such impacts. DFG-29

8. The Cumulative Impacts section is deficient because it fails to address the impacts of this and other nearby or similar projects to habitat, wildlife, and water quality and quantity. DFG-30
In conclusion, the Drat EIR is inadequate in regard to a variety of CEQA standards and does not appear to be certifiable in its present form. Until such deficiencies are removed and a new Draft EIR is circulated for additional public review of the project's potential adverse effects on fish and wildlife and effective mitigation measures proposed, we would object to its certification. DFG-31

We request to be kept informed of your decision in the matter and that a copy of the final environmental document be provided to the Department prior to certification.

Thank you for the opportunity to provide comments on the Draft EIR. If you have any questions, please contact Mr. Fred Worthley, Regional Manager, Region 5, Department of Fish and Game, 330 Golden Shore, Suite 50, Long Beach, CA 90802, telephone (213) 590-5113.

Sincerely,

Pete Bontadelli
Director

cc: Mr. Ron Thomas, Coleville
Mr. Alan Pickard, Bishop

Letter DFG
Comment 1

The EIR specifically states (at page 4.5-6) that "*in the event that the Dry Creek wells are not developed in a timely fashion, development shall be deferred pending provision or existence of adequate water as determined by the Mammoth County Water District.*" It is understood that development of additional water sources is beyond the scope of the project and beyond the control of the project proponent. Development of Dry Creek (or other) sources will require additional environmental documentation, which may well render these sources infeasible or impose additional mitigation measures (such as fair share payment) on the present project.

Letter DFG
Comment 2

Well number 11 is not discussed as a potential source in the EIR because of it's uncertainty.

Letter DFG
Comment 3

The commentor's opinion is noted. No threshold of significance is stated. Mitigation reflected by these responses support the conclusion in the FEIR.

Letter DFG
Comment 4

See discussion of MCWD use restrictions at page 4.5-5.

Letter DFG
Comment 5

This comment is the commentor's personal opinion; therefore, no response is required. Runoff control is subject to Lahontan Regional Water Quality Control Board Guidelines. Please see response to comment DFG 9.

Letter DFG
Comment 6

Please see response to comment DFG 9.

Letter DFG
Comment 7

The location of lake retention facilities for the golf course has been provided. Information for retention facilities for the other portions of the Master Plan is not known at this time. The Project proponent will be required at the time the individual development projects within this Master Plan are submitted for

further review to submit detailed drainage plans which will include the retention facilities and subsequent environmental review as necessary as specified in Mitigation Measure 4.2-1(a).

Letter DFG
Comment 8

Comment noted. Determination will be made through the development project review. A sedimentation monitoring program may not be necessary because the majority of sediment will be retained on-site.

Letter DFG
Comment 9

The Mammoth County Water District has provided updated information on water quality of Mammoth Creek. At present, the Creek is not in violation of numerical objectives for coliform, nutrients or sediment. The Lahontan Regional Water Quality Control Board requires compliance with erosion control guidelines devised for the Mammoth Lakes watershed. These guidelines have been implemented to control and maintain water quality within the downstream watercourses. Though the Project will result in an increase in pollutant loading, sediment will be retained on-site in the lake retention basins and will not impact Mammoth Creek.

Letter DFG
Comment 10

Please refer to response to comment DFG-9.

Letter DFG
Comment 11

The location and size for the oil and grease separators is not known at this time. The Project proponent will be required at the time the individual projects within this Master Plan are submitted for further review will be required to furnish this information to the Town Department of Public Works.

Letter DFG
Comment 12

Comment noted. Disposal of harvested weeds and algae will be provided through the Mammoth Disposal Company.

Letter DFG
Comment 13

The complete details of individual site drainage is not known at this time. The Project proponent will be required at the time the individual projects within the Master Plan are submitted for further review to submit the drainage plans as specified in Mitigation Measure 4.2-1(a).

Letter DFG
Comment 14

See mitigation measure 4.3-5(a).

Letter DFG
Comment 15

These communities were not mapped because of the overall low quality of the riparian habitat. Early consultation with DFG, as required by mitigation measure 4.3-5(a) will further define the need for additional, riparian area-specific mitigation measures prior to issuance of any grading permit.

Letter DFG
Comment 16

See response to comment DFG-15.

Letter DFG
Comment 17

See response to comment DFG-14.

Letter DFG
Comment 18

See response to comment PSL-2.

Letter DFG
Comment 19

See response to comment DFG-18. It is true that virtually all of the site would be converted to "urban" use under the proposal.

Letter DFG
Comment 20

See response to comment DFG-18. See also page 4.2-9 of the EIR for site coverage estimates.

Letter DFG
Comment 21

The reference is to the summary table in the front of the EIR. The reader's attention is drawn to the full discussion of impacts and mitigation measures contained in EIR Section 4.3, Biotic Resources, for an explanation of this apparent conflict.

Letter DFG
Comment 22

The statement that a net loss of biological cover would result implies that landscape plantings would replace natural cover. Obviously, development of structures, parking lots, lakes, and other features on the site would remove some areas of existing vegetation without replacement. This should be listed as a ***significant unavoidable impact*** and the EIR is hereby changed by reference to reflect this status. No feasible mitigation measures, aside from implementation of the "no project" alternative, are available to reduce this impact below levels of significance.

Letter DFG
Comment 23

See response to comment DFG-22.

Letter DFG
Comment 24

See response to comment PSL-2.

Letter DFG
Comment 25

Given the fact that the project site is surrounded by development, mitigation may be limited.

Letter DFG
Comment 26

Noise impacts of construction beyond the site boundaries are not anticipated to be significant simply because of the fact that there is virtually no unaltered habitat surrounding the project site. The fact is that the project site is an island of natural habitat remaining within the largely (if not intensively) developed Town limits.

Letter DFG
Comment 27

Primary impacts associated with household pets include predation by cats and dogs. It is likely that this impact would actually decrease because of the decreased habitat value of the site. In other words, the site is presently surrounded by "urban" uses and it is very likely that household pets now exercise and forage on the site. With development, much of the now-resident animal population would leave, reducing foraging possibilities on the site.

Letter DFG
Comment 28

See amended project description, EIR Section 2.

Letter DFG
Comment 29

There is no anticipated biological impact beyond the boundaries of the site. The statement refers to the incremental loss of habitat, to which the project would contribute.

Letter DFG
Comment 30

Because the project site is surrounded by development, habitat value has been degraded. Therefore, the cumulative impacts would be minimal.

Letter DFG
Comment 31

See responses to specific individual comments above. See also response to comments PSL-2 and PSL-178.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY GEORGE DEUKMEJIAN, Governor

DEPARTMENT OF TRANSPORTATION
300 SOUTH MAIN STREET
BISHOP, CA 93514
(619) 872-0693

DOT

12/28

December 17, 1990

Mno-203-4.782
SCH #90020042

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

Attn: Mr. William Taylor

Lodestar at Mammoth Draft Environmental Impact Report
SCH #90020042

We have reviewed the above referenced document and have the following comments:

The traffic analysis and recommended traffic mitigation measures seem reasonable concerning the need for increased capacity on the state and local road system. The Town of Mammoth Lakes should establish a monitoring program to assure the mitigation measures are completed as build-out occurs. DOT-1

The Town may want to consider taking the lead in developing a public transit system since the cumulative effects of the Lodestar project and other proposed development will severely impact the road system and air quality in and around the Town. Other stategies to decrease reliance on the automobile should also be investigated. DOT-2

If you have any questions regarding these comments, please call me.

Very truly yours,

Andrew J. Zeilman, Chief
Transportation Planning Branch

Letter DOT
Comment 1

Comment noted. A mitigation monitoring program is included in the EIR for the Lodestar Project.

Letter DOT
Comment 2

The Town of Mammoth Lakes is currently planning to undertake a transit system design study with the intent of improving the public transit system in order to achieve substantially increased levels of transit ridership throughout the Town. It is anticipated that the study will consider a number of issues, including the identification of routes and service levels necessary to achieve desired ridership levels, coordination of the public system with internal shuttle bus systems proposed as part of the Lodestar Project and other major projects (such as North Village), development of a financing plan that may include developer fees or assessments as well as user fees, the ability of the transit system to reduce future parking demands at key locations (ski bases), and the ability of the transit system to reduce future vehicle trips within the Town to a degree which may eliminate the potential need for certain roadway widenings and improvements.

As noted in Mitigation Measure 4.6-1(a), the Lodestar Project could be required to contribute "in lieu" fees for transit system improvements as an alternative to certain of the proposed physical traffic improvements if the transit system design study determines that the need for the roadway capacity improvements would be obviated by the reduced level of vehicular trips potentially resulting from increased transit ridership due to an improved transit system. It is anticipated that the continued need for certain roadway improvements and the level of developer financial participation in support of an improved transit system would be determined by the upcoming transit system study. Please also see the response to comment GBACD-2 for a discussion of other potential means to reduce vehicular traffic.

PT

Action: It was moved by Commissioner Hunt, seconded by Commissioner Talley and unanimously carried to deny Zone Variance 90-11 because the Commission cannot make the findings.

5. PUBLIC COMMENTS on the DRAFT ENVIRONMENTAL IMPACT REPORT for LODESTAR, a proposed 210 acre master plan for hotels, commercial, golf course, residential and employee housing development located generally south of Main Street on the east and west sides of Minaret Road.

Chairman Thompson explained that this hearing was for the purpose of taking public input. The Commission would take no action today.

Rich McAteer, MUSD Superintendent, concurred with the findings on the impacts to the schools. PT-1

Shirley Blumberg, resident, commented that she had forwarded her comments previously to the Commission. She made comments on the Hydrology/Water section and the Public Services/Fiscal Impacts section. Her concern was with the use of domestic water use in the ponds and the impact it could have on water supply. Her other concern was with the use of reclaimed water and the safety of persons coming in contact with reclaimed water. She felt that both these items needed to be discussed in much greater detail. She felt that in the section on fiscal impacts, that timeshare ownership could affect the fiscal amounts collected for T.O.T. She also made a comment regarding the dates used for the traffic count at Chair 15. She felt they are inaccurate. She also felt that the EIR did not give any information regarding the possibility of a ski lift. She commented that when the EIR is certified that the Appendix should not be certified. PT-2 PT-3 PT-4 PT-5 PT-6 PT-7

Mark Joseph, attorney for Adams & Broadwell of San Mateo, representing the Steam and Pipefitters Union. He felt that in many of the subjects covered in the EIR where impacts were identified, no mitigation measures were given to mitigate the impacts on these areas. The EIR states that studies should be done by the project sponsor to determine what the measures should be. He felt that these studies need to be done first before the EIR is certified. He suggested that a new Draft EIR be prepared. PT-8

Dale Mollenauer, resident, commented that the Draft EIR was incomplete and left out important information, especially regarding water. PT-9

The public hearing was closed.

Letter PT
Comment 1

Comment noted. No response required.

Letter PT
Comment 2

These comments were addressed in response to comment SB-4.

Letter PT
Comment 3

These comments were addressed in response to comment SB-4.

Letter PT
Comment 4

Comment noted. At this time, the projected number of timeshare units cannot be determined, therefore it was assumed that 11 percent of the 735 private condominiums would be occupied by permanent residents and 89 percent by transient occupants.

Letter PT
Comment 5

The methodology used to obtain existing traffic volume data is only briefly described in Section 4.6 of the EIR, as this section of the EIR summarizes the findings of the traffic study prepared for the EIR. Specifics regarding adjustments which were made to the traffic count data are described in detail in the accompanying traffic study report.

As discussed in Chapter II of the traffic report, the traffic study recognized that the majority of the new traffic counts conducted for the study were counted in late March or early April, during the spring skiing season. Although the ideal time to conduct the counts would have been earlier in the ski season, the timing of the traffic counts was dictated by the timing of the study. Therefore, as the study is intended to evaluate traffic conditions for a peak winter ski weekend, a process was developed to factor the existing traffic count data to estimate weekend conditions in the middle of the winter ski season. As discussed in the traffic report, the factors used in this analysis were derived from a comparison of historical traffic count data for sample locations throughout the Town to Mammoth Mountain Ski Area lift ticket sales data for the 1989 and 1990 ski seasons (obtained from the U.S. Forest Service). A regression analysis was performed to develop relationships between traffic volumes and lift ticket sales, with different equations developed depending upon the characteristics of the roadway (i.e., arterials serving commercial areas versus roadways on access routes to MMSA base facilities versus roadways primarily serving residential and lodging areas). The results of this analysis were used to adjust the existing traffic count data to represent estimated peak winter weekend conditions.

It is believed that this process provided the best possible and reasonable estimate of existing peak winter weekend conditions for use as a basis in the study, given that it was not possible to conduct the counts during the peak season.

Letter PT
Comment 6

Please see Section 4.10, Aesthetics\Visual Quality, which describes the proposed ski lift. Also see Impact 4.10-2 on page 4.10-11, which states that the proposed ski lift is not part of the present application, and as no design work has been completed it would be too speculative to assess potential impacts. Specific plans for the project will be subject to a Use Permit and further environmental review.

Letter PT
Comment 7

See response to comment SB-22.

Letter PT
Comment 8

See responses to comments PSL-1 through PSL-202.

Letter PT
Comment 9

Comment noted. No response can be given as no details regarding information required to be included were suggested.

MONO COUNTY
PLANNING DEPARTMENT

HCR 79 BOX 221
MAMMOTH LAKES, CA 93546
619-934-7504

MCPD

P.O. BOX 8
BRIDGEPORT, CA 93517
619-932-7911 Ext. 217

January 2, 1991

Randy Mellinger
Planning Director
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, CA 93546

Dear Randy,

The Mono County Planning Department appreciates the opportunity to review the Draft Environmental Impact Report for Lodestar at Mammoth. Our comments focus on potential impacts to the unincorporated area that could result from this project.

Water

The Planning Department is concerned that the proposed project could impact water resources in the unincorporated area. Section 4.5.1 of the DEIR concludes that the project will have a less than significant impact on water resources. This conclusion appears to be inconsistent with the information provided by Gary Sisson of the MCWD in his letter of January 31, 1990 (see Appendix B). Specifically, Gary indicates that "although the existing water supply figures indicate that demands from this project could be met, the cumulative impacts from development of other projects that have been proposed such as Juniper Ridge, North Village and Sherwin Ski Area, would require that District groundwater supplies referenced above be developed and connected to the distribution system for use in order to meet the total increase in demand that will be created by these projects."

Since the environmental impacts associated with groundwater development projects have yet to be assessed, it is inappropriate to conclude that this project will have a less than significant effect on water resources. It is clear that water development projects will be necessary to serve this and other major projects. Unless the document assesses the potential impacts that may result from the water development projects necessary to serve this and other major projects, and determines that no environmental impacts will occur, the impact on water resource should be identified as a potentially significant impact, and appropriate mitigation should be proposed. We support mitigation measures such as 4.5.1a to prevent the development of the proposed project without adequate water supplies. MCPD-1

Cumulative Impacts

The cumulative impacts section should also be expanded to include a reasonable analysis of water impacts, as well as other cumulative impacts, that will result from this and other past, present, and future projects, including those projects outside the control of the Town of Mammoth Lakes (see Guideline Section 15130). As currently drafted, this section does not meet the requirements of the CEQA Guidelines. We request that the cumulative impacts to water, air quality, and public services be addressed in greater detail, and in particular, include an assessment of impacts to resources in the unincorporated area. MCPD-2

Jobs/Housing

The EIR states that the project will generate the demand for 231 affordable housing units (very-low and low income). The project however is only proposing to provide 100 apartment units, leaving a deficit of 131 units. Unless mitigation measure 4.4.2(a) is MCPD-3

required, the project may increase affordable housing demands in nearby unincorporated areas of the County. We support the mitigation measures as proposed.

Air Quality
The air quality analysis under 4.7.4(b) should place a greater emphasis on local transit systems as a potential mitigation measure for air quality impacts. Such an emphasis may enable eliminating many of the road improvements outlined in the traffic mitigation section, thereby avoiding an expanded road system that will further encourage vehicle use. The emphasis on transit by this and other major projects could greatly assist in managing air quality impacts in the Town and surrounding unincorporated area. MCPD-4

Fiscal Impacts
The fiscal impact section should identify the $1.16 million project deficit to Mono County as a significant unavoidable impact of the project. MCPD-5

Thank you for the opportunity to comment. Please give myself or Steve Higa a call if you have any questions concerning our comments.

Sincerely,

Scott Burns
Planning Director

Letter MCPD
Comment 1

See response to comment DFG-1.

Letter MCPD
Comment 2

Please see the Cumulative Impact subsection on page 4.5-12 of the Utilities Section and page 4.11-20 of the Public Services/Fiscal Section. In addition, buildout as defined in the Town of Mammoth Lakes General Plan would produce approximately 108,593 pounds of additional solid waste per day and 1.31 million gallons of additional wastewater per day, bringing the total wastewater production to 2.75 million gallons per day (GPD). This is within the planned expansion of the wastewater treatment facility to an average 30-day flow rate of 4.05 million gpd. The MCWD projects water demand to be 5,946 acre-feet per year following General Plan Buildout. To account for this demand, the MCWD states that groundwater resources from the Dry Creek Wells (projected to be 2,000 acre-feet per year) will have to be connected to the distribution system. This would bring the total supply of water to approximately 5,400 acre-feet per year. This assumes a constant production from the District's water sources. This deficit will require the MCWD to develop new water sources. As stated in the EIR, a reliance on groundwater supplies may result in an overdraft of groundwater supplies.

Letter MCPD
Comment 3

Comment noted. No response required

Letter MCPD
Comment 4

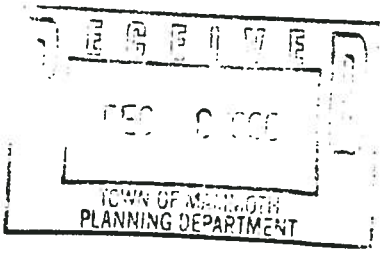
The Air Quality Management Element takes into account a buildout of the Town which includes projects such as this one, therefore the cumulative impact is by reference tiered to the General Plan which also includes a Transportation Management Plan to reduce the impact. If transit is incorporated in the General Plan it will substantially reduce the number of vehicle trips and reduce the air quality impacts to a less-than-significant level. Please see response to comment GBACD 2.

Letter MCPD
Comment 5

The incremental costs to residents living in the Town of Mammoth Lakes is less than the incremental costs of people living in Mono County.

Ellen Hardebeck
Control Officer

GBCD



GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short St. Suite #6 - Bishop, CA 93514
(619) 872-8211

December 6, 1990

Mr. Randy Mellinger
Planning Director
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, California 93546

Subject: Comments on the Draft EIR for Lodestar at Mammoth

Dear Mr. Mellinger:

I have reviewed portions of the Draft EIR for **Lodestar at Mammoth** (November 1990) and find that the project will significantly threaten the future air quality of the Town. The Draft EIR shows that traffic related to the project will increase peak traffic by 38,000 vehicle miles travelled (VMT) per day. This traffic will add to the already high PM-10 concentrations by increasing emissions from reentrained road cinders. In addition, increased VMT may also increase carbon monoxide (CO) to levels that will exceed the State and federal standards. Although the EIR alludes to trip reduction measures in the traffic section of the EIR and in the Air Quality Management Plan for the Town of Mammoth Lakes (AQMP), they are not identified. GBCD-1 GBCD-2

The success of the Air Quality Management Plan for the Town of Mammoth Lakes relies on a total increase in traffic over the next 15 years of 40,320 vehicle miles travelled per day. Although the proposed project is within the growth allowance for the Town, the project would consume 94% of the allowance. This would make it difficult for future developments to stay within the limit without implementing stringent trip reduction measures. GBCD-3

The AQMP does not identify trip reduction measures for new projects. Instead this is left to developers to tailor trip reduction measures to their own projects. The Lodestar at Mammoth project should integrate a vehicle trip reduction strategy into the proposal that will significantly reduce the peak VMT. GBCD-4

A successful trip reduction strategy may also prevent exceedances of the State and federal CO standards. The EIR includes a proposal to set buildings 50 feet away from roadways to escape carbon monoxide violations. Although this is a practical solution to prevent exposure to high CO concentrations, it is not an acceptable strategy for compliance with the State and federal standards. GBCD-5

Please call me if you have any questions regarding my comments.

Sincerely,

Duane M. Ono
Deputy Air Pollution Control Officer

Letter GBACD
Comment 1

The Commentator is correct.

Letter GBACD
Comment 2

The following measures to reduce Project-generated vehicle trips are identified in mitigation measures listed in the EIR:

- Regarding support of public transit, Mitigation Measure 4.6-1(a) provides that the Lodestar Project could be required to contribute "in lieu" fees for transit system improvements as an alternative to certain of the proposed physical traffic improvements if the transit system design study determines that the need for the roadway capacity improvements would be obviated by the reduced level of vehicular trips potentially resulting from increased transit ridership due to an improved transit system. It is anticipated that the continued need for certain roadway improvements and the level of developer financial participation in support of an improved transit system would be determined by the upcoming transit system study.

- Mitigation Measure 4.6-2(c) requires provision of pedestrian and bicycle facilities within the Project site. Bicycle facilities could include bicycle paths and routes, locking bike racks, as well as on-site shower facilities for Project employees who bicycle to work. Pedestrian facilities could include an integrated system of walkways separated from roads connecting the various areas of the site.

- Mitigation Measure 4.6-2(c) requires provision of transit facilities within the Project site. These could include bus stop shelters, bus turnouts, bus layover spaces, etc.

Other measures which could potentially be undertaken by the proposed Lodestar Project to reduce vehicular traffic include:

- Subsidization of employee transit passes for hotel and commercial employees within the Lodestar Project.

- Selling transit passes and tickets on-site to both employees and visitors.

- Provision of bus schedules and routing assistance on-site.

- Scheduling employee shift changes to avoid peak periods of ski traffic.

- Encourage carpooling by employees through such measures as maintenance of an employee matching program and provision of preferential parking for carpools.

- Implementation of a shuttle bus system to supplement the public transit system by providing additional transit service both within the Lodestar Project site (i.e., between various internal areas and land uses) and to points in the vicinity of the Project site (for example, between the Project and MMSA Base 7, between the Project and other MMSA or Sherwin ski bases, between the Project and the commercial areas along Main Street and Old Mammoth Road, etc.). It should be noted that, as discussed in the response to comment JJA-5, establishment of a shuttle bus system

to transport skiers between the Project and MMSA Base 7 would be necessary if the overhead ski lift connecting Lodestar with MMSA Base 7 as indicated in the original Project development plans is not constructed.

- Establishment of an on-site transportation coordinator to plan, promote and coordinate these measures.

Mitigation Measure 4.6-1(p) is hereby added to the EIR as follows:

4.6-1(p) A trip reduction implementation plan shall be prepared prior to issuance of project occupancy permits including, at a minimum, the following elements: identification and description of the various trip reduction measures to be implemented, assignment of responsibilities for implementation, establishment of effectiveness targets, and a program for monitoring the plan's effectiveness.

Letter GBACD
Comment 3

Please see response to comment GBACD-2.

Letter GBACD
Comment 4

Please see response to comment GBACD-2.

Letter GBACD
Comment 5

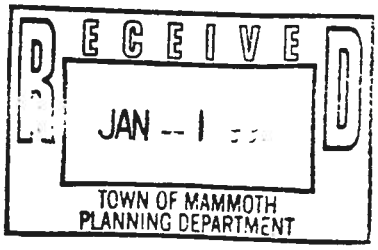
Please see response to comment GBACD-2.

MAMMOTH COUNTY WATER DISTRICT

MCWD

P. O. BOX 597 • MAMMOTH LAKES, CALIFORNIA 93546 • (619) 934-2596

December 27, 1990



Randy Mellinger
Planning Director
Town of Mammoth Lakes
Post Office Box 1609
Mammoth Lakes, CA 93546

Dear Randy:

We have reviewed the Draft Environmental Impact Report concerning the proposed project titled Lodestar at Mammoth. Our comments are basically directed either to water quality or water availability issues.

Our specific comments are as follows:

Page 1-6 4.2-1

Retention basin or infiltration areas are generally best dealt with on-site by a proposed developer. They are usually smaller and therefore more easily maintained. MCWD-

A 20 year, one hour storm has generally been considered to be one inch of rainfall, by the Lahontan Regional Board, in areas such as Mammoth Lakes. MCWD-2

A goal of no increased flow is important only in developed portions of the community to prevent flooding of that development. The real reason for retention or infiltration facilities is to minimize the discharge of pollutants to surface waters. These pollutants include oil, grease, sediment and nutrients. These are most generally associated with the first flush of a storm or approximately the first one inch of precipitation. MCWD-3

The amount of surface run-off will not be significantly altered by the type of vegetation or irrigation system if reasonable application rates are utilized. Landscaping requirements are however enforced by the Water District at present. MCWD-

Page 1-8 "... exhibit significant soil adoption... MCWD-

Does the writer mean adsorption?

4.2-8 & 4.2-9

Page 1-9&10 Oil and grease separators generally should be incorporated with all sediment catchment basins. MCWD-

All material that is collected is considered to be deleterious to water quality so naturally those facilities need to be routinely maintained. Efficient utilization of the reclaimed water in the lakes and any associated nutrients is the best method for maintaining lake water quality. MCWI -7

4.3-2

Page 1-11 Habitat character will undoubtedly change, however riparian and wetland areas tend to be the most critical habitat areas in the Eastern Sierra. The creation of artificial habitats of that type may actually prove to be an enhancement of habitat values. The increase in linear feet or areas of those modified habitats should at least be identified for proper consideration of any impact. MCWD-

Page 1-12 4.3.4(c)

A landscape plan shall be approved by the Mammoth County Water District prior to development. MCWD-

Page 4.2-1 Surface Water

The statement "Mammoth Creek Basin" should read "Mammoth Lakes Basin". Also, Mammoth Creek originates above Lake Mary, not from Lake Mary as stated. MCWD-1

4.3-4(d)

Impacts should also be minimized on other types of native vegetation besides just trees. Maintaining understory is a valuable water quality protection strategy. MCWD-1

Page 4.2-4 In the fifth paragraph from the top it should be stated that Mammoth Lakes water supply is obtained from Lake Mary and groundwater supplies instead of just Lake Mary. MCWD-1

Page 4.2-5 (TH-8) was abandoned because the waters encountered during drilling had an elevated temperature. The District did not and does not desire to develop geothermal waters and the well was therefore properly abandoned. MCWD-1

Page 4.2-8 In Table 4.2.1 it is stated that water quality problems exist in Well No. 1 relating to "elevated iron and low pH". Laboratory analysis shows that iron and pH levels meet State Health Department MCWD-1

standards. Also, it is stated that water quality problems exist in Well No. 10 relating to low pH. Laboratory analysis shows that the pH of Well 10 water is 7.5 which is close to neutral (7.0).

Water Quality

Total dissolved solids (TDS) concentrations in the waters of Mammoth Creek average 20 mg/l not 200. The surface water is also soft not moderately hard. TDS levels for groundwaters are also incorrect. (A copy of our Annual Water Quality Report is included for your reference attachment #1). MCWD-1

Regulation

Page 4.2-8 References are made to violations of numerical objectives for coliform bacteria, nutrients and possible sediment. The District is unaware of any present Water Quality problems in Mammoth Creek. Inadequate construction practices or sewage spills in the past have had adverse impacts on water quality in the creek, but these problems have been corrected. (Attachment #2 are copies of recent analysis of Mammoth Creek basin surface waters). (Water quality objectives for Mammoth Creek are listed on pages I-4-11 and I-4-12 of the South Lahontan Basin Plan - attachment #3). MCWD-1

Page 4.2-9 Impacts and Mitigation Measures

It is stated that "If a domestic supply is unavailable, the upper lake will also store reclaimed water." The District has stated previously that all water to be used for golf course irrigation shall be reclaimed water. Also, the proposed use of the upper lake for recreational purposes may require more stringent water quality requirements than those lakes used as landscape impoundments. MCWD-1

Mitigation Measure

4.2.1

4.2-10 The last sentence is at best misleading, increased run-off is not a problem by itself. The real problems are generally relate to increased velocities and therefore increased erosion or increased flooding potentials. Discharge of sediment laden waters also generally increase nutrient loads in surface waters. Proper placement MCWD-1

of development and appropriate on-site drainage treatment is the best mitigation for run-off from new development.

Minimizing impervious areas may minimize run-off, however water conservation plantings and irrigation systems are of little or no use in that regard. Water conservation principles are integral factors in all development within the Mammoth County Water District service now and in the future. MCWD-19

4.2-11 4.2.3

Another alternative that may be beneficial for surface waters of the Mammoth Creek watershed is to provide on-site treatment and discharge to drainage facilities that would direct the flows to Mammoth Creek rather than to Murphy Gulch. Especially in dry years this could add some measurable increased flow in Mammoth Creek. MCWD-20

Page 4.2-12 In the first paragraph it is stated that construction of lakes will not require excavation below the water table. It is the District's experience during pipeline repairs on Joaquin and Lupin Streets, which are adjacent to Lodestar, that water tables of 4 - 8 feet are not uncommon. Under the Water Quality section of this page, the treatment processes are described that are required to produce acceptable quality of reclaimed water. Filtration is not a treatment requirement for reclaimed water to be utilized for golf course irrigation. Also, it is stated that the median number of coliform organisms in the effluent is not to exceed 2.2 per 100 ML. The coliform requirement for golf course irrigation is a median number not to exceed 24 per 100 ml with no two consecutive samples exceeding 240 per 100 ML. There is a difference between treatment requirements established for landscape impoundments, restricted recreational impoundments and nonrestricted recreational impoundments, therefore it is an important factor as to whether some of these lakes will be used for ice skating in addition to golf course irrigation. MCWI-2 MCWD-2

In the last paragraph Well #1 was omitted from the list of District wells. MCWD-23

Page 4.5-1 In the second paragraph it is stated that the elevation of Lake Mary is 8957 feet. Lake Mary's maximum elevation is 8912.7 feet. In the fourth paragraph it is stated that the District's wells MCWD-24 MCWD-25

6 and 10 are located in Snowcreek. They are actually located within the first nine holes of the Snowcreek golf course in the Old Mammoth area.

Page 4.5-2 — The first paragraph states that the District is evaluating the Lake Mary filtration plant. In 1989, the District filed a Notice of Determination to proceed with modifications to the plant. The project is awaiting approval from State Health. In the third paragraph it states the Lodestar project site receives water directly from well #1. It also receives water from Wells 6, 10 and Lake Mary also. — MCWD-26, MCWD-27

Table 4.5.1 — In this table it should be noted that the Mammoth Knolls pumping station is now complete and is no longer proposed as listed. — MCWD-28

Page 4.5-6 — In the last paragraph, it is stated the approval for Well No. 11 should be completed at any time. This project has been delayed and approval is now uncertain at this time. — MCWD-29

Page 4.5-7 — Once again, it is stated in this section that the upper lake will utilize domestic water for irrigation purposes. The District will only allow reclaimed water for golf course irrigation. — MCWD-30

Page 4.5-8 — In the last paragraph, it is stated that raw wastewater is delivered to the treatment facility through two 18 inch interceptor sewer lines. Actually there is one 18 inch will the other is 21 inch. — MCWD-31

If you should have any questions or wish to discuss any of the comments, you may contact either Gary Sisson or me at the District during our regular working hours.

Sincerely,

MAMMOTH COUNTY WATER DISTRICT

James Kuykendall

JAMES KUYKENDALL
General Manager

JK:sw

Letter MCWD
Comment 1

It was not made clear in the original document that the lakes within the development are intended to act as retention basins to contain stormwater runoff from the project site. The discussion of Impact 4.2-1 has been amended to reflect this. Please see Impact 4.2-1, page 4.2-9.

Letter MCWD
Comment 2

The Commentor is correct. The storm specified by the Lahontan Regional Water Quality Control Board was that used in calculating the increase in storm runoff. Please see discussion under Impact 4.2-1 (page 4.2-9) and Endnote 19 of Section 4.2.

Letter MCWD
Comment 3

Comment noted. No response required.

Letter MCWD
Comment 4

The increase in surface runoff from development and irrigation is addressed in Impact 4.2-1 and Impact 4.2-5. Please see pages 4.2-9 and 4.2-12.

Letter MCWD
Comment 5

The commentor is correct. Pesticides exhibiting soils adsorption should be chosen for use. This has been corrected in Mitigation Measure 4.2-5, page 4.2-12.

Letter MCWD
Comment 6

Comment noted. No response required. Separators are already being required as a mitigation measure.

Letter MCWD
Comment 7

Comment noted. The maintenance of oil and grease separators is specified in Mitigation Measure 4.2-7, page 4.2-14. Maintenance of lake edges and control of inflow water quality must be undertaken as specified in Mitigation Measure 4.2-8, page 4.2-15 to ensure that future operation of the golf course does not result in water quality and aesthetic problems.

Letter MCWD
Comment 8

The proponent states that the lakes will be lined and edges will be gunnited to control water loss. Thus it would be difficult to create substantial "natural" riparian and/or wetland areas. Limited areas could be created as islands or peninsulas within the lake system.

Letter MCWD
Comment 9

Comment noted. This is not a comment on the DEIR.

Letter MCWD
Comment 10

The Commentor is correct. The description of the watershed has been corrected as required.

Letter MCWD
Comment 11

Comment noted. The use of grass swales has been required to promote sediment and pollutant capture, though maintaining native understory may not be feasible for large portions of the site. Please see Mitigation Measure 4.2-8, page 4.2-15.

Letter MCWD
Comment 12

The Commentor is correct. The source of water supplies has been revised by this reference.

Letter MCWD
Comment 13

Comment noted. The discussion of drilled wells has been corrected to reflect this information provided by the Agency.

Letter MCWD
Comment 14

Table 4.2-1 has been corrected to reflect this new information supplied by the Agency.

Letter MCWD
Comment 15

The Commentor is correct. The water quality description has been corrected to reflect this additional information supplied by the Agency.

Letter MCWD
Comment 16

Comment noted. The information on the status of Mammoth Creek's water quality has been updated to include the information provided by this agency.

Letter MCWD
Comment 17

Comment noted. The project description has been revised to reflect the Agency's considerations. Domestic water will not be used as lake water supply. Reclaimed water will be used as the lake water supply. Please see the description of the lakes on page 4.2-8.

Letter MCWD
Comment 18

Increased surface runoff can result in serious flooding problems if downstream stormwater drainage is inadequate in any way. A small increase in surface flow to a drain which is not operating efficiently or near capacity can result in backwater flooding problems to areas in the vicinity of the inlet. Retention of stormwater on site can reduce the peak flow of water off-site and reduce the impacts of increased surface waters. The project proponent is required under Mitigation Measure 4.2-1(a) to provide storage for the storm water to be retained on-site to prevent an increase in flow downstream and to provide adequate drainage.

Letter MCWD
Comment 19

Comment noted. Though conservation principles may be an integral part of development, it needs to be specified at within this document to ensure conservation procedures are undertaken, will be followed and monitored when the development is operating.

Letter MCWD
Comment 20

Comment noted. As the project is not immediately adjacent to Mammoth Creek, any contribution of flow from the site to Mammoth Creek would require agreement between the Town, the Regional Water Quality Control Board and the Mammoth County Water District. At this time, the comment can only be noted.

Letter MCWD
Comment 21

Comment noted. It was stated on page 4.2-11 in the discussion of Impact 4.2-3, that groundwater is found erratically within the underlying volcanics. Given this information supplied by the MCWD, each individual development phase will be required to conform to the Town of Mammoth Lakes building and grading requirement prior to the issuance of building permits.

Letter MCWD
Comment 22

Comment noted. The lakes within the golf course are not intended to provide any contact or non-contact recreational opportunities. The standards have been corrected to reflect this. Please see discussion under Impact 4.2-4, page 4.2-11.

Letter MCWD
Comment 23

The Commentor is correct. The production wells located outside of the influence of the project site have been corrected to include Well #1.

Letter MCWD
Comment 24

The Commentor is correct. Lake Mary's maximum elevation is 8912.7 feet.

Letter MCWD
Comment 25

The Commentor is correct. Wells 6 and 10 are located within the first nine holes of the Snowcreek golf course in the Old Mammoth area.

Letter MCWD
Comment 26

The Commentor is correct. The modifications to the Lake Mary filtration plant are awaiting the approval of the State Health Department.

Letter MCWD
Comment 27

The Commentor is correct. In addition to Well 1, the Project site will receive water for wells 6, 10 and Lake Mary.

Letter MCWD
Comment 28

The Commentor is correct. Table 4.5-1 has been corrected to show that the Mammoth Knolls pumping station has been completed.

Letter MCWD
Comment 29

The Commentor is correct. Reference to Well No. 11 has been deleted from the EIR because of the uncertainty of its final approval.

Letter MCWD
Comment 30

Only reclaimed water will be used for irrigation of the golf course.

Letter MCWD
Comment 31

The Commentor is correct. Wastewater is delivered to the treatment facility through one 18 inch interceptor line and one 21 inch interceptor line rather than two 18 inch lines.

FD

January 2, 1991

Randy Mellinger,
Planning Director
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, CA 93546

The Mammoth Lakes Fire Protection District has reviewed the Draft Environmental Impact Report for the Lodestar project. The District has the following concerns:

1. Public services Table 1-1 Section 4.11.4(m). Add: Vehicular bridges must comply with the weight requirements of firefighting equipment. 50 ton minimum. FD-1

2. The size of this project will require additional manpower to deal with the complex fire preventions problems due to its' size. A full-time fire prevention position will cost approximately $40,000 per year including benefits. The position will be activated when the Chief determines that the project has impacted his staff. The cost of this position shall be borne by the developer. The cost of the position will cease when the Chief determines that the project no longer impacts his staff. FD-2

Sincerely,

Jon A. Sweeny
Fire Chief
Mammoth Lakes Fire Protection District

JAS/blc

LODESTAR

Letter FD
Comment 1

Mitigation Measure 4.11-4(m) has been revised. It also requires that vehicular bridges comply with the weight requirements of firefighting equipment (50 tons minimum).

Letter FD
Comment 2

Funding of government staff positions via mitigation measures for a particular project is not consistent with State Law. The fiscal implications of the proposed project are addressed in the Fiscal analysis, beginning at page 4.11-7 of the EIR.

B&M

BAKER & McKENZIE

ATTORNEYS AT LAW

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January 31, 1991

Randy Mellinger
Planning Director
Planning Department
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, California 93546

Re: Lodestar at Mammoth Draft EIR

Dear Mr. Mellinger:

On behalf of the Lodestar Development Company, we have reviewed the draft EIR for the Lodestar at Mammoth Project. Our comments follow:

1. Project Description

The project description should be clarified to more clearly explain the Lodestar project and the scope of the EIR. Enclosed with this letter is project information and specific comments which should be of assistance in this regard. **B&M-1**

2. Mitigation Measures

a. The EIR fails in a number of instances to emphasize the studies which have already been done in connection with the project and are part of the EIR analyses. In this regard, refer specifically to the December 21, 1990 comments of Triad Engineering and the attached specific comments. **B&M-2** In addition, the EIR should further emphasize the overall mitigation measures which will be applicable to the project (eg.,the geologic and seismic safety policies in the Town of Mammoth Lakes General Plan safety element; the Lahontan Regional Water Quality Control Board requirements; Town of Mammoth Lakes zoning development setback requirements, grading ordinance, and others). **B&M-3**

3791u

b. Certain mitigation measures appear inappropriate in light of the nature of the project and resulting impacts, or the proportional impact attributable to this project. For example, as discussed in more detail in the attached specific comments and project description materials, the requirement of mitigation measure 4.3.5 (a) to "dedicate and enhance open space preserves" appears totally unnecessary since almost one third of the project area is already preserved as natural open space. The traffic mitigations should be reviewed, as it does not appear that a logical connection can be made between the proposed mitigation measures and Lodestar's proportional share of the cumulative traffic impacts. Similarly, there is an insufficient nexus between the projected school impacts resulting from the Lodestar project and mitigation measure 4.11.2 (b) requiring designation of a portion of the project site to the School District for the purpose of constructing a new elementary school facility.

B&M-4

B&M-5

B&M-6

Please feel free to contact me should you have any question regarding these comments.

Very truly yours,

Judy V. Davidoff

Judy V. Davidoff

Enclosures

3791u

Summary of Proposed Action

The proposed commercial is 80,000 SF not 515,600 SF. The third sentence should be re-written to say: Also proposed are two full service hotels consisting of 550 rooms, 150 resort condominiums, 80,000 square feet of retail and restaurant space and an 18-hole golf course. B&M-7

Alternatives

Pg. 1-3 par 3 - Limiting the golf course to 9 holes is not a viable alternative. An economic feasibility study prepared for the project has determined that a 9 hole course would not be profitable due to a substantial reduction in revenue, caused by 50% fewer rounds, without an equivalent reduction in management expenses. It would take almost the same staff to manage a 9 or 18 hole course. A 9 hole course would also be a marketing liability for the project as well as town. B&M-8

Reference to "additional (unforested) acreage south of the project side" is questionable. There is no such acreage. B&M-9

When considering "Reduced Project Size" Alternatives it should be pointed out that the existing Resort Zoning and approved Master Plan for the Lodestar property consists of 2080 units and 100,000 SF of commercial space. The new proposed plan is for 1575 units which is a 25% reduction. At an overall density of 7.5 units/acre the proposed project is well within the Town's General Plan guidelines. B&M-10

TABLE 1-1

4.1.1. Prior to the construction of Minaret Rd. through
4.1.2. the project site a Geotechnical Study was
4.1.3. done by Sierra Geotechnical Services Inc. A copy of this report was given to EIP for their work on the Draft EIR and should be included in the project's planning documents (see items 4+5 pg 4.1-24 of EIR). The slopes and soils analyzed are very representative of a majority of the 210 acre project site. The recommendations of the study were incorporated into the design of the Minaret Rd extention and will similarly be used when developing foundation design, slope stability and soil erosion plans in future grading plans. Representative erosion control measures include: 2:1 or flatter slope gradients, seeding and revegetating all disturbed areas and using erosion control blankets on new slopes until new vegetation is established.

B&M-11

B&M-12

4.2.1. The entire site drains into Murphy Gulch. Therefore, impact on Mammoth Creek is not applicable. A complete hydrology analysis and drainage control plan will be done for the entire site in conjunction with the final golf course grading plans. The objectives of the plan will be to comply with all of Lahontan Regional Water Quality Control Board requirements for runoff control. By incorporating a series of retention ponds, depressions, swales and berms into the golf course design in each drainage area the project will be able to control and prevent any increase in surface runoff from the project site. In addition many recent studies have shown that golf courses are excellent at controlling and reduction runoff (see enclosed articles).

B&M-13

B&M-14

B&M-15

4.2.5. Water Quality As part of the project's water conservation reclaimed water will be used for irrigation of the golf course as well as all other project landscaping. The quality of the water is governed by LRWQCB and will satisfy all state health and safety guidelines. It should be pointed out that MCWD currently uses reclaimed water in maintaining the water level in the Laural Ponds and is subject to the same quality guidelines of LRWQCB.

B&M-16

4.2.6.

4.2.7. Quality of Surface Runoff The potential for long term silt and sediment runoff from the completed golf course project are considered minimal assuming that ground cover vegetation is well established and maintained. The discharge of nutrients, fertilizers and pesticides can be controlled by the timing and rate of the applications and the selection of appropriate formulas. Fertilizers will be minimized in the spring months when the runoff potential is the greatest and the use of pesticides and weed control agents will be restricted to the dry summer months as much as possible.

B&M-17

4.3.4. Where possible the project will incorporate into its plans all significantly large and healthy trees. This was done during the construction this past summer of Minaret Rd. with the construction of a large retaining wall around one 48" diameter pine. Rather than map all 36 inch dbh trees prior to issuance of grading permits it would be more appropriate to locate the large trees on a project by project basis that are within a specific area to be cleared (for example a golf course fairway).

B&M-18

B&M-19

4.3.5. The statement that the "Development of the project will result in the loss of 205 acres of native wildlife habitat" is inaccurate. Of the 115 acres planned for golf and open space only 76 acres will be cleared, graded and landscaped, leaving the remaining 39 acres of the golf course in a natural state. Of the 85 acres included in the developed residential and commercial areas 33% or 28 acres will remain in a natural landscaped state. Adding the two, results in approximately 67 acres or 32% of the overall project remaining in a natural state. B&M-20

With almost one third of the project already planned to remain in a natural state it would seem excessive to require dedication of open space preserves on the project as further mitigation. Additionally, with the entire site being surrounded by development it is questionable that a "corridor for the movement of larger species through the area" currently exists and that the mitigation measure recommended would have any significant benefit. B&M-21 B&M-22

References to existing wetlands and creeks on the project site are misleading since there is only one small area of less than 5 acres in the southwest portion of the 210 acres that has any potential wetland habitats. Development in this area is limited to some golf course construction. It is anticipated that the creation of water features throughout the golf course will add more potential wetland habitats than currently exist on the site. B&M-23

4.5.1. (a) This project should be subject to the same water availability requirements as any other project. The MCWD has stated that water will be available on a first come first served basis as long as the pace of development does not surpass their ability to provide water. B&M-24

4.5.3. (a) Drainage collection, retention, and infiltration facilities will be constructed and maintained as part of the golf course to prevent runoff from a 20 year, one-hour storm from the project site. B&M-25

4.6. Traffic This project should be reviewed, as an other project, for its proportional share of the total impact on traffic generated by the entire community. The mitigation measures presented do not properly assign any proportionate responsibility. B&M-26 Additionally, the consultant has taken the approach that Lodestar to date has not contributed anything towards mitigating traffic from the proposed project which is not true. It is hoped that in deciding on appropriate future mitigation that alternate means of transportation will be considered to reduce vehicular traffic instead of simply recommending that all roads be widened to handle increased traffic. B&M-27 The mitigation measurers as recommended will "pave over" the town creating a very undesirable community. In order to fund alternate transportation, equivalent in lieu of fees should be considered.

4.8. Noise Limiting construction activity to Monday through Friday in a community where construction is already limited during the winter would make it difficult to finish projects in one season. B&M-28

PHASE I - SINGLE FAMILY LOTS: Although it is anticipated that a single family lot subdivision in Area No. 3 will be pursued in 1991, the project is not part of the current application. It is understood that a separate application and tentative map will be required after receiving approval for the revised Master Plan and E.I.R. It is our understanding that the current application does include a request for approval for the 18 hole golf course and the 200 room hotel in addition to the revised Master Plan as part of the Phase I development plan. B&M-29

NATURAL OPEN SPACE: A significant portion of the total project will remain in natural open space. Of the 115 acres designated on the master plan for golf and open space only 78 acres will actually be cleared, graded and developed into tees, greens, fairways and water features for the golf course, leaving 37 acres surrounding the golf course in an undeveloped natural state. These 37 acres will provide a natural buffer of forest between adjacent golf holes and between the fairways and all residential building areas. The buffers will consist of 50 to 100 feet of natural vegetation. Irrigation in these areas shall be limited inorder to preserve the natural characteristics of the site and not increase the water intake by the native vegetation. Of the 85 acres included in the developed residential and commercial areas the maximum site coverage shall be 67% leaving approximately 33% or 28 acres in open space. The net result will be a total of approximately 65 acres remaining in natural open space. This is shown on the Concept Master Plan enclosed that depicts all of the undeveloped areas in dark green. B&M-30

WETLAND AREA OPEN SPACE: Wetland vegetation such as Willow, Aspen and Rush are found primarily in 2 areas of the project. The first area, which is the largest, follows a natural drainage course in a west-east direction across the southwest part of the site approximately 100 to 150 feet from Meridian Blvd. The total size of the area is only 3 to 4 acres. It varies between 100 and 150 feet wide and extends from the westerly property line, near chair 15 parking lot, about 800 feet to the east. There is no building planned within 100 feet of the area and the golf course will only impact it slightly on holes no. 1, 2 and 17. The objective of the golf plan is to preserve as much of the native vegetation as possible in this area. Landscape plans for the area shall include transplanting, where possible, the Aspens and Willows that are affected by the golf routing and adding new indigenous plants on a one for one basis inorder to maintain the overall size of the area. B&M-31 B&M-32

The second area follows another drainage course in the center of the property just south of the main entry road near where it intersects with Minaret Road. This area is not planned for any development and shall remain in its natural state. B&M-33

RECLAIMED WATER USE: In September the golf course irrigation plan was amended to use only reclaimed water. This information was provided to EIP by the golf architect. The following recaps this plan. B&M-34

The water regime for the Lodestar Golf Course consists of a main upper lake and a main lower lake serviced with reclaimed water. The golf course has other smaller lakes and streams interconnected to their main source for aesthetic purposes and aeration considerations creating a natural appearing lake/pond/stream environment. The upper lake serves as a reservoir to irrigate holes 1 through 5 and holes 16, 17 and 18 as well as the hotel grounds. The lower lake will serve as the reservoir for the balance of the golf irrigation requirements. B&M-35

Combined the two lakes will service about 80 acres of turf over the 5 month growing season. Peak demand on the system occurs during July when 605,000 gallons per day are needed to meet the evapotranspiration requirements of the turf. Replenishment to the lakes during this period should occur over 15 hours resulting in a 675 GPM demand on the Mammoth County Water District reclaimed water supply. These figures represent a typical yearly worst case condition. Average daily consumption during the irrigation season is approximately 400,000 gallons per day or 166 acre/ft. on an annual basis. B&M-36

HOTEL NUMBER ONE: The first hotel is programmed to be a 200 room facility with 100 standard hotel guest rooms and 100 one-bedroom suites. The guest rooms and suites will be interconnected to provide 100 two-bedroom suites. This flexible combination accommodates the longer stays and extended family vacations during the summer and functions as a full maid service luxury apartment during the winter ski season. The flexibility continues into the bar and lounge areas. These areas are important as social gathering spots during the ski season and function as upgraded meeting facilities during the shoulder and summer seasons. The hotel is planned to have one 3-meal restaurant with seating for approximately 175 persons. The restaurant shall be positioned so as to overlook the lake and ice skating during the winter season and the golf course during the summer season. The hotel shall have dedicated meeting space of approximately 7,500 square feet. The space shall include a ballroom of 4,000 square feet, divisible into 3 units, plus 4 break-out rooms of 850 square feet each. During the shoulder and summer seasons, additional meeting space is available due to the flexible planning in the lounge and restaurant areas. Parking for the hotel will be accomodated by a 200 car garage under the hotel. Additional space will be provided under the hotel for approximately 50 golf carts. The golf course clubhouse shall share the hotel facilities and be part of the hotel. The clubhouse shall consist of men's and lady's locker facilities and a pro shop and starter area. The hotel shall also include a heated indoor-outdoor swimming pool and both indoor and outdoor spas. B&M-37

GOLF COURSE: The golf course shall be a scenic 6,200 yard, Par 70, 18-hole mountain style course. A total of 76 to 80 acres of the site will be cleared and graded for the construction of the tees, greens, fairways and water features. The clearing will be done in stages inorder to preserve any significant trees and rock outcroppings that will enhance the natural look of the course. All trees over 36 inches in diameter will be tagged and saved within the initial fairway clearing areas. Then wherever possible hole alignments will be adjusted to save these trees. Total grading for the golf course and lakes will be 160,000 to 180,000 cubic yards. The primary objective of the grading plan is to minimize the amount of cut and fill required and blend in grading of the fairway edges to natural grade to save the maximum number of trees. Subtle mounding will be added in some of the fairways to accentuate the natural terrain. Two main lakes will be constructed at the same time as the golf course. The main function of the lakes is to serve as a source of water for the irrigation of the golf course and hotel grounds. The upper lake is approximately 2.75 acres in size and the lower lake 1.5 acres. The maximum depth will be 10 feet. The bottoms will be lined to prevent water percolation and the lake edges gunited to prevent errosion. In addition to providing a source of water for irrigation, the lakes are also designed as an integral part of the drainage control plan for overall project. This plan will be designed to meet the 20-year, one-hour storm requirements of the Lahontan Regional Water Quality Control Board.

B&M-38

SKI LIFT: The ski lift that is shown on the project master plan going from the commercial area, area no. 5, to the southwest corner of the property connects to the base of Chair No. 15 at the ski area via a 20 foot wide ski lift easement that Lodestar has owned since the early 1970's. There is also a 60 foot wide ski back easement from the ski area to the Lodestar property that parallels the ski lift easement. It has been an objective of the Lodestar planning for many years to minimize car use and provide alternative transportation, particularly to the ski area in the winter. At present no definitive planning has been done on a ski lift from the project. This in part is due to other alternative transportation, such as shuttle buses, that will be more economical in the short run as the project begins to be developed. If at some future time a ski lift makes sense then a design would be attempted that could incorporate the lift into the planning of the Juniper Ridge parking and commercial facility at the base of the ski area. This it seems would minimize the visual impact on the adjacent residential area. It is also understood that any future design will be subject to a Use Permit and is not part of the current development application.

B&M-39

Letter BM
Comment 1

See more detailed project description in EIR.

Letter BM
Comment 2

Where existing studies have been used in preparation of the EIR, that use has been noted in the references for the particular section. In certain instances, background material provided by the project proponent was not relied on, either due to inappropriate content or "staleness" of the material.

Letter BM
Comment 3

Clearly, the project will be subject to the regulatory control of several local agencies, including those mentioned. The purpose of the analysis is not to restate these numerous regulations, but to indicate where violations may occur (e.g., dust control during grading) or where the regulations of responsible or trustee agencies do not govern areas of potential impact (e.g., loss of timber on privately held property). Where new regulations have been adopted, such as the Town's Emergency Response Plan, those regulations are described in greater detail.

Letter BM
Comment 4

As described in the EIR, the proposed project would convert 210 acres of heavily forested land to various urban uses including a golf course. A portion of the site would remain as natural open space. However, retention of small fringe areas of the parcel as open space has little habitat value. The mitigation measures requiring enhancement of open space are intended to set aside biologically meaningful reserves of an area sufficient to function as "freestanding" habitat.

Letter BM
Comment 5

As discussed in the "Cumulative Plus Project Levels of Service" subsection of the traffic section of the EIR (page 4.6-28), most of the street segments and all of the intersections which the Project is expected to impact are locations at which poor levels of service are projected under both Cumulative Base and Cumulative Plus Project conditions, indicating that the Project-generated traffic would contribute to poor future operating conditions but would not be solely responsible for them. The exception is the section of Main Street between Sierra Boulevard and Old Mammoth Road, along which levels of service are projected to decline from a good LOS C under Cumulative Base conditions to an unacceptable LOS D with the addition of Project-generated traffic, indicating that the impact would be primarily caused by the Project.

Mitigation Measures 4.6-1(a) through 4.6-1(o) are roadway or intersection improvements developed in an attempt to accommodate the total projected future traffic volumes, including both Project-generated and cumulative traffic volumes, at acceptable levels of service throughout the roadway system. These

mitigation measures were intended to mitigate cumulative impacts which would be aggravated by the addition of Project traffic, and were not directed solely at mitigation of the direct Project impacts only (with the resulting poor cumulative operating conditions which would otherwise remain). As a result, in order to ascertain that portion of the mitigation measures which could be attributable to the proposed Project, the EIR includes an analysis of the percentage contribution of the Project to the projected cumulative traffic volumes at each impacted location. The results of this analysis are indicated on Tables 4.6-10 and 4.6-11 of the EIR. As indicated on Table 4.6-10, the proposed Project is expected to contribute anywhere from 3 percent (on Lake Mary Road between Lakeview Road and Minaret Road) to 32 percent (on Minaret Road south of Main Street) of the net incremental growth in cumulative future traffic volumes on the roadway segments requiring mitigation. As indicated on Table 4.6-11, the Project contribution would range from less than 1 percent (at Old Mammoth Road/Chateau Road) to 56 percent (at Mono Street/Meridian Boulevard) of the net incremental growth in cumulative future traffic volumes at the intersections requiring mitigation. These tables indicate the portion of the cumulative impact which could be attributed to the proposed Project, and could potentially be used to identify the proportional contribution of the Project to the proposed mitigation measures.

Mitigation measures to many road improvements will likely be replaced by transit, pedestrian, bicycle, and other trip reducing measures. Please see response to comment APCD-2.

It should be noted that Mitigation Measures 4.6-2(a) through 4.6-2(c) regarding internal Project site roadways and Mitigation Measures 4.6-3(a) through 4.6-3(e) regarding Project site access relate to direct impacts of the Project, and would be solely the responsibility of the proposed Project.

Letter BM
Comment 6

The Mammoth Lakes Unified School District has requested that a portion of the Project site be designated for the construction of an elementary school.

Letter BM
Comment 7

See response to comment BM-37. Note that the specific statement in this comment appears to conflict with the description of Phase One of the project provided by the applicant.

Letter BM
Comment 8

Comment noted. The alternatives analysis does not consider the return on investment to the project developer, but rather, focuses on the physical aspects of each alternative. It should be noted that the "reduced project" alternative suggests that it may be possible to relocate a portion of the golf course off-site to avoid removal of the dense stand of trees present on the project site. Creative design and the participation of additional property owners would be required.

Letter BM
Comment 9

Comment noted.

Letter BM
Comment 10

The aerial photographs of the project site and surrounding area provided by the project proponent show an area of less densely forested land south of the project site. This does not mean that the land is clear, or even sparsely forested. The word "unforested" should be changed to read "less densely forested" in the EIR.

Letter BM
Comment 11

Comment noted. Mitigation Measure will be modified to read " The Project Sponsor shall incorporate the recommendations of The Sierra Geotechnical Services report in the grading plans.

Letter BM
Comment 12

Comment noted; see response to comment B&M-11.

Letter BM
Comment 13

Murphy Gulch is a tributary of Mammoth Creek. Any increase in runoff into Murphy Gulch will result in an increase in flow in Mammoth Creek.

Letter BM
Comment 14

The project description with the Hydrology section has been corrected to reflect that the lakes within the golf course will act as retention basins. Please see Impact 5.2-1 page ....

Letter BM
Comment 15

Comment noted. No response required.

Letter BM
Comment 16

Comment noted. No response required.

Letter BM
Comment 17

The Commentor is correct. These measures were incorporated in Mitigation Measure 4.2-5 and 4.2-8.

Letter BM
Comment 18

Comment noted.

Letter BM
Comment 19

The purpose of mapping these trees at this earlier stage of project design is to provide a greater degree of flexibility in overall site development. For example, if a large number of significant trees were found in the middle of the 14th fairway (hypothetically), then that portion of the golf course could be redesigned now, rather than being locked into the overall site plan by development of earlier phases.

Letter BM
Comment 20

The site development acreages were obtained from the developer. It should be noted that retention of thin strips and small patches of native trees between cleared golf course fairways provides little or no habitat value.

Letter BM
Comment 21

See response to comment BM-20.

Letter BM
Comment 22

The fact that the site is "surrounded" by urban development is precisely the condition which focuses wildlife use onto the site.

Letter BM
Comment 23

Wetlands determination must be made by DFG. See also response to comment MCWD-8.

Letter BM
Comment 24

Please see Comment TE-16.

Letter BM
Comment 25

Comment noted. No response required.

Letter BM
Comment 26

Please see response to comment BM-5.

Letter BM
Comment 27

As noted in the response to comment DOT-2, the Town of Mammoth Lakes is currently planning to undertake a transit system design study with the intent of improving the public transit system in order to achieve substantially increased levels of transit ridership throughout the Town. As noted in Mitigation Measure 4.6-1(a), the Lodestar Project could be required to contribute "in lieu" fees for transit system improvements as an alternative to certain of the proposed physical traffic improvements if the transit system design study determines that the need for the roadway capacity improvements would be obviated by the reduced level of vehicular trips potentially resulting from increased transit ridership due to an improved transit system. It is anticipated that the continued need for certain roadway improvements and the level of developer financial participation in support of an improved transit system would be determined by the upcoming transit system study. Please also see the response to comment GBACD-2 for a discussion of other potential means to reduce vehicular traffic.

Letter BM
Comment 28

Mitigation measure 4.8.1(b) has been modified to replace "Friday" with "Saturday."

Letter BM
Comment 29

See response to comment BM-38.

Letter BM
Comment 30

Comment noted.

Letter BM
Comment 31

Comment noted.

Letter BM
Comment 32

Comment noted.

Letter BM
Comment 33

Comment noted.

Letter BM
Comment 34

Comment noted. No response required.

Letter BM
Comment 35

Comment noted. The aesthetic contribution of the lakes proposed for the golf course was not discussed in the EIR. Although the lakes may contribute to the aesthetic quality of the project, their presence on the site will not reduce the visual impact of the project to a less-than significant level.

Letter BM
Comment 36

Comment noted. No response required.

Letter BM
Comment 37

Comment noted. This level of detail was not available during preparation of the EIR.

Letter BM

Comment 38

Comment noted. No response required.

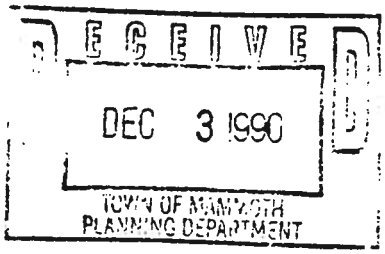
Letter BM
Comment 39

Comment noted. This level of detail was not available during preparation of the EIR. It should be noted that the ski lift is not a part of the present application. Please see response to comment JJA-5.

Clements Engineers, Inc.

ENVIRONMENTAL ENGINEERING

CE



December 10, 1990

Mr. William T. Taylor
The Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, California 93546

Dear William:

Enclosed is the section of the draft EIR for the Jordan Ranch project which addresses solid waste generation and disposal. Our firm developed a comprehensive recycling and composting program for the project which provided the basis for some of the material included in the EIR. We submitted comments to this draft which I believe will result in more or our recycling recommendations being incorporated into the final EIR.

Although the Lodestar project covers a much smaller land area than the Jordan Ranch development, you may wish to consider using the outline of the Jordan Ranch EIR as a guide to the issues that should be addressed in the Lodestar document. At a minimum, the EIR should make some estimate of the types and quantities of waste to be generated and should identify the options for disposing of that waste. With the advent of AB 939, it would seem appropriate for the EIR to include as mitigation measures, the options for reducing the amount of waste generated.

CE-1

CE-2

If you found it useful, we could compile a brief guidebook that the developer could use to incorporate recycling and composting programs into the design of the project. This undertaking would have to be separate from our AB 939 work for the Town and County - perhaps funded by the developer.

I hope you find the enclosed information useful. Please call me if you have any questions.

Sincerely,

Joseph Heisdorf

6290 Sunset Blvd., Suite 1223, Los Angeles, CA 90028 • (213) 469-4406 • FAX (213) 469-5425

Letter CE
Comment 1

Please see Impact 4.5-4 and revised Mitigation Measures 4.5-4(a-e) on page 4.5-10 of the Utilities Section.

Letter CE
Comment 2

The project will be required to comply with the Town's Waste Reduction Plan prepared in response to AB 939.

JOSEPH L. & JANINE H. ANGELETTI
PO BOX 1887
MAMMOTH LAKES, CA 93546
(619) 934-9226

William T. Taylor, Asso. Planner
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, CA 93546

4 Dec 1990

JJA

SUBJECT: Review of Draft Environmental Impact Report (DEIR), LODESTAR dtd Nov 1990

REF: Letter Angeletti to Taylor dtd Apr 10, 1990: LODESTAR Development Plan, dtd Mar 90--Local residents opposition to proposed ski lift/ski return (SL/SR).

Dear Bill:

We have reviewed the subject document and are surprised that it fails to address substantively any of the factors outlined in our REF. letter to you. The factors and the DEIR response are as follows:

1. VISUAL POLLUTION: Brief general discussion of ski lift visual effect (p 4.10-9) with zero specific content regarding Monterey Pine Rd. Single Family Residences. JJA-1

2. NOISE POLLUTION: No discussion of ski lift at all. JJA-2

3. DESTRUCTION OF NATURAL FEATURES AND HABITAT: No specific discussion. JJA-3

Note that the DEIR fails to address the issues we raised both in the discussion body of the document and the specific "Environmental Impacts and Mitigation Measures" summarized in Table 1-1. We find this especially inexplicable, Bill, since you specifically asked us to write the letter in April so that you could give it to the DEIR contractor for action. JJA-4

In addition, Bill, you are quoted in the Review Herald (Nov 29, 1990) as saying that the peak 13,000 vehicle trips "...assumes that the ski lift takes some of the peak traffic load...". We find no such assumption stated in the document either as a general condition or more appropriately as a specific number. This same comment also applies to any off-loading due to skier busing (i.e., not treated in DEIR); please also recall that our REF letter suggested this as a reasonable and proven alternative to the SL/SR. JJA-5

It is our intention to voice the above at the 12 Dec public hearing. A copy of our REF letter is enclosed for your convenience.

Very truly yours,

Joseph L. & Janine H. Angeletti

INFO CC:
o Myron Blumberg, Atty.
o Chair 15 Property Owners

Letter JJA
Comment 1

Please see response to comment PT-6.

Letter JJA
Comment 2

Noise impacts from ski lift would be discussed when specific data and plans are available. The project description does not include such information.

Letter JJA
Comment 3

At this time, there is no design plan for the ski lift/ski return. When a plan is created it will be subject to further design review.

Letter JJA
Comment 4

This comment is too vague for specific response.

Letter JJA
Comment 5

The methodology used to project future vehicle trips is only generally described in Section 4.6 of the EIR, as this section of the EIR summarizes the findings of the traffic study prepared for the EIR. The specific methodology and assumptions used in the projection of future vehicle trips are described in detail in the accompanying traffic study report.

As discussed in Chapter III of the traffic report, the traffic study did assume that a portion of the Lodestar traffic generation would be accommodated by the proposed overhead ski lift between Lodestar and MMSA Base 7, as the ski lift was part of the proposed project site plan evaluated in the study. As part of the projection of both cumulative and project-generated traffic, the traffic study assumed that 75 percent of skiers staying in lodging within a one-quarter mile radius of either a ski base facility (MMSA or Sherwin) or an overhead lift (such as those proposed by the Lodestar and North Village projects) would walk to the nearby base facility or lift, while the remaining 25 percent would travel via automobile or bus to another base facility (11 percent by transit or tour bus and 11 percent by automobile, with an additional 3 percent drop-offs). For skiers staying at lodging outside of a one-quarter mile walk-in zone, 44 percent were assumed to travel by transit or tour bus, 45 percent by automobile and 11 percent drop-off.

For the purposes of the proposed Project, all of the proposed 550 resort hotel rooms and 150 resort condominium units proposed in Lodestar Area 5 were assumed to be within the one-quarter mile walk-in zone surrounding the proposed overhead lift from Lodestar to MMSA Base 7, while one-half of the proposed 300 resort condominium units proposed in Lodestar Area 1 were assumed to be within the one-quarter mile walk-in zone surrounding MMSA Base 7 itself. Thus, the traffic study did assume that a substantial portion of Lodestar skiers Project-generated traffic would utilize the overhead lift, while a

significant portion of the remainder would travel by bus. If the overhead ski lift is not constructed as part of the Project, increased shuttle bus service between Lodestar and MMSA, possibly in combination with improvements to the public transit system, would be necessary to accommodate the skiers otherwise assumed to use the overhead lift (please see response to comment DOT-2 for further discussion of potential public transit system improvements).

OA

LODESTAR AT MAMMOTH LAKES

December 19, 1990

By: Olson Associates

The draft Environmental Impact Report ("EIR") for Lodestar at Mammoth Lakes addresses two major issues concerning the golf course. The first area of concern involves offsite drainage from the golf course and residential development, the second concern is contamination of storm water runoff by pesticides and/or fertilizers.

OFFSITE DRAINAGE

The proposed development and golf course must not add to the existing discharge of water offsite. Olson Associates Golf Course Architecture has been working with Triad Engineering to reduce the amount of surface runoff from the golf course and residential development. We have incorporated grassy depressions within the playable portions of the golf course to act as retention areas during a 20 year design storm (see Exhibit 1). We have also created 1 foot of natural "freeboard" around the lakes and ponds to increase their storage capacity during a 20 year storm (see Exhibit 2).

OA-1

PESTICIDES AND FERTILIZER CONTAMINATION

The second concern focuses on the potential contamination of groundwater. However, recent studies suggest that the problem may not be as serious as initially thought. Perhaps the most significant of these studies was conducted on Cape Cod where due to a permeable soil and a relatively high water table, groundwater may be its most vulnerable. Several golf courses with a history of extensive pesticide use were sampled with surprising results. No currently registered pesticides were detected at toxicologically significant concentrations. Also, lower nitrate concentrations resulted when management practices were modified to use less nitrogen and slow release nitrogen. Several reasons can be associated with the studies results. Natural processes including adsorption, volatilization, photodecomposition, degradation and chemical conversion are constantly breaking down pesticides into environmentally acceptable chemicals. Also, the structure of a turfgrass plant community, which typically includes a dense thatch layer and extensive root system, greatly inhibits vertical movement of chemicals.

OA-2

The other two areas relate to contamination created by runoff which carries pesticides and fertilizers either off-site or into the project's system of lakes and streams. Again however, recent literature and studies indicate that the capacity of a dense turf to absorb water is tremendous and that run-off is therefore not a major problem. Some estimate that the 150 acres of turf on a standard sized golf course can completely absorb 12 million gallons generated by a 3" rainstorm. Research in the Northeast indicates unusual climatic conditions such as rains with intensities exceeding 6" per hour are required to generate

OA-3

measurable runoff. In Mammoth Lakes, a storm of this severity can be expected to occur infrequently. Pesticides and fertilizers are applied to the golf course by a state approved pesticide applicator. One of his major concerns is monitoring the weather to insure that a rain storm will not fall within three days after he has applied the fertilizer to the golf course. Also, irrigation precipitation rates are approximately 1/6 of this value and consequently are unlikely to produce runoff.

Contamination of lakes by fertilizers, which can cause eutrophication, can be largely controlled by management techniques. Fertilizers can be prevented from directly entering the lake environment through the use of drop-type application as opposed to a broadcast method. Also, oxygen can be introduced into the lake through recirculation or injection.

OA-4

CONCLUSION

The environmental concerns addressed in the EIR can be mitigated by incorporating grassy retention areas and "freeboard" around the lakes and ponds so that there will be no net increase in ponding, flooding of peak discharge into Mammoth Creek or Murphy Gulch. In most cases, the nature of turfgrass, combined with maintenance practices can effectively mitigate potential problems with pesticides and/or fertilizers.

SOURCES

Cooper, Richard J. 1990 "Evaluating The Runoff And Leaching Potential Of Turfgrass Pesticides" Golf Course Management.

Watscheke, Thomas L. 1990 "The Environmental Fate Of Pesticides" Golf Course Management.

Cohen, Stuart Z. 1990 "The Cape Cod Study" Golf Course Management.

Letter OA
Comment 1

Comment noted. The project description was corrected to reflect that the golf course lakes would be used as retention basins. Please see discussion of Impact 4.2-1.

Letter OA
Comment 2

Comment noted. Please see discussion of Impact 4.2-5, on page 4.2-12. Excessive application of fertilizers is a potentially significant impact, that could occur if an appropriate fertilization program was not implemented and undertaken by a certified greenskeeper.

Letter OA
Comment 3

Comment noted. In the discussion of Impact 4.2-5, on page 4.2-12 it is noted that careful application of fertilizers would not result in a potential for contamination. It could potentially result in significant impacts if excessive application is undertaken with excessive irrigation.

Letter OA
Comment 4

Comment noted. The management techniques have been revised to reflect additional techniques noted in this comment. Please see Mitigation Measure 4.2-8 on page 4.2-15.

PFO

TOWN OF MAMMOTH LAKES
PLANNING DEPT.
P.O. BOX 1609
MAMMOTH LAKES, CA 93546
ATTENTION: W.T. TAYLOR

RECEIVED
DEC 31
TOWN OF MAMMOTH LAKES
PLANNING DEPT.

12-30-90
PHILIP F. O'BRIEN
142 N. CARMELINA AV.
LOS ANGELES, CA, 90044
(213) 472-4152

RE: LODESTAR AT MAMMOTH, D.E.I.R., NOV. 1990

DEAR MR. TAYLOR:

I INTEND THIS LETTER AS PUBLIC INPUT TO THE EIR PROCESS FOR LOADSTAR. MY ENGAGEMENT IN LOS ANGELES PREVENTS ATTENDANCE AT THE PUBLIC HEARING IN JAN 91.

4 MY CONCERN RELATES TO PROPERTY OWNERSHIP (3 CONDOS IN MAMMOTH) AND MY LONG PRACTICE (45 YEARS) IN PROFESSIONAL ENGINEERING (CALIF. M.E. 1456)

4 MY SUGGESTIONS RELATE TO FIRE SAFETY AND AUTOMOBILE CIRCULATION IN THE AREA NORTH AND WEST OF LOADSTAR. A TREE AND STRUCTURE FIRE ORIGINATING SOUTH OF THE LAKE MARY ROAD AND WEST OF LOADSTAR COULD, WITH A STRONG WIND FROM MAMMOTH PASS, SWEEP EASTERLY INTO THE CENTER OF TOWN. PFO-1

4 ACCESS FOR FIRE EQUIPMENT WOULD BE ENHANCED GREATLY BY THE EXTENSION OF MAJESTIC PINES DRIVE EASTERLY FROM BIGWOOD CONDOS TO MINARET ROAD. THIS ROADWAY EXTENSION COULD BE ACCOMPLISHED WITH LAND DEDICATED TO THE TOWN BY LOADSTAR AND THE PROPERTY OWNER NORTHERLY OF THE SECTION OF MAJESTIC PINES DRIVE. THE AREA HAS ALREADY BEEN CLEARED OF TREES FOR A SEWER LINE CONSTRUCTION. THE PROPOSED ROAD SECTION WOULD FOLLOW THE EXISTING SEWER LINE AND ALLOW MAINTENANCE OF THE SEWER. BOTH LOADSTAR AND THE PROP. OWNER NORTHERLY WOULD BENEFIT FROM INCREASED ACCESS TO TOWN SERVICES (e.g. TRASH COLLECTION, FIRE VEHICLES, STORM DRAIN, POLICE, ETC.) PFO-2

4 NEXT LET'S BUILD A FIREHOUSE AT THE SOUTH WESTERLY CORNER OF THE EXTENDED MAJESTIC PINES DRIVE AND MINARET ROAD. FIRE EQUIPMENT WOULD BE ADJACENT TO NORTH VILLAGE, LODESTAR, JUNIPER RIDGE, ETC. PFO-3

4 FINALLY A LOCKED CHAIN FIRE ACCESS ROAD SHOULD BE BUILT BETWEEN MAJESTIC PINES ROAD AND THE HIDDEN VALLEY LOOP ROAD. NO ADDITIONAL AUTO TRAFFIC SHOULD BE ALLOWED ON THE STEEP, WINTER ICY, HIDDEN VALLEY LOOP. PFO-4

VERY TRULY YOURS
PHILIP F. O'BRIEN
Philip F O'Brien

COPY TO MAMMOTH WATER + SEWER
FIRE CHIEF J.A. SWEENY

Letter PFO
Comment 1

Comment noted. No response required.

Letter PFO
Comment 2

The Project will be consistent with all guidelines established by the Mammoth Lakes Fire Protection District as discussed in Mitigation Measures 4.11-4(a-n).

Letter PFO
Comment 3

The Mammoth Lakes Fire Protection District has reviewed the Draft EIR and have not expressed a need for a new fire station. There are two existing fire stations within ½ mile of the project site.

PSL

I. INTRODUCTION.

The Draft Environmental Impact Report (DEIR) for the Lodestar at Mammoth project is unquestionably inadequate. Much of the DEIR does not even approach meeting the requirements of the California Environmental Quality Act (CEQA)(Pub. Resources Code § 21000 et seq.) PSL-1

As we describe in detail below, the DEIR fails to identify mitigation measures for numerous impacts which were found to be significant. Instead, the DEIR makes the classic error of deferring the selection of mitigation to future studies, often studies performed by the applicant itself. PSL-2

The DEIR also fails to analyze several potentially significant impacts, such as the potential for radon infiltration into buildings, the energy consumption impacts of the project, and the impacts of the construction work force on the Town and surrounding areas. PSL-3 PSL-4 PSL-5

In addition, the DEIR fails to consider the cumulative impacts of increased solid waste generation, loss of wildlife habitat, and the degradation of runoff water quality. PSL-6 PSL-7 PSL-8

Furthermore, the DEIR does not discuss the extent to which the project is consistent or inconsistent with the Town's General Plan. PSL-9

Important sections of the analysis which the DEIR did include are not correct. For example, there may not be adequate water available to support the project because there may be radon in the groundwater. Also, contamination of surface water runoff may have a significant effect on water quality, and the use of reclaimed water for irrigation may expose people to infection or trihalomethanes, which are carcinogens. PSL-10 PSL-11 PSL-12

Finally, the DEIR fails to identify the environmentally superior alternative as required by CEQA. PSL-13

As a result of all of these defects, the DEIR will require significant new information before it will be a useful and legally adequate document. The changes are so substantial that a new draft EIR must be prepared and circulated for comment. PSL-14

ML1301.agt

II. THE DRAFT EIR FAILS TO IDENTIFY OR DESCRIBE MITIGATION MEASURES FOR NUMEROUS IMPACTS WHICH WERE FOUND TO BE SIGNIFICANT. IN MANY CASES, THE DRAFT EIR VIOLATES CEQA BY REQUIRING THAT THE APPLICANT ADOPT MITIGATION MEASURES RECOMMENDED IN FUTURE STUDIES.

PSL-15

The DEIR repeatedly violates one of CEQA's fundamental requirements for an EIR. For numerous significant adverse environmental impacts of the proposed project, the DEIR fails to describe any mitigation measures. Instead of determining what feasible measures are available to mitigate the significant impacts, as required by CEQA, the DEIR repeatedly proposes that the applicant adopt mitigation measures recommended by future studies, and often recommends that the future studies be performed by the applicant itself.

However, CEQA requires that the actual mitigation measures be discussed in the DEIR. Otherwise, neither the public, the Planning Commission, nor the Town Council will know what the ultimate environmental effects of the project will be until after the CEQA process is over, if ever. Moreover, if the Town delegates the selection of mitigation measures to the applicant, it would abdicate its responsibility to assess the environmental impacts of the project and determine appropriate mitigation.

PSL-16

A. CEQA Requires That The EIR Identify Specific Feasible Mitigation Measures For Each Significant Impact.

One fundamental requirement of CEQA is that agencies are required to adopt feasible alternatives or feasible mitigation measures which would substantially lessen the significant environmental effects of a project. (Pub. Resources Code §§ 21002, 21081; State CEQA Guidelines ("Guidelines") 14 C.C.R. §§ 15002 subd.(a)(3), 15021 subd.(a), 15091 subd.(a)(1).)

PSL-17

When approving a project for which one or more significant impacts has been identified, an agency must find for each significant impact either that measures have been required which mitigate or avoid the impact, or that specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR. (Pub. Resources Code § 21081; Guidelines § 15091; *Citizens for Quality Growth v.*

PSL-18

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Mount Shasta (1988) 198 Cal.App.3d 433, 440 [243 Cal.Rptr. 727, 730].) The findings concerning the feasibility of mitigation measures or alternatives must be based on substantial evidence in the record. (Pub. Resources Code § 21081.5; Guidelines § 15091, subd. (b).) PSL-1

To carry out this obligation, the DEIR is required to set forth feasible mitigation measures for each significant adverse environmental effect, if such measures exist. The Guidelines require an EIR to "[d]escribe measures which could minimize significant adverse impacts. . . . The discussion shall identify mitigation measures for each significant environmental effect identified in the EIR." (Guidelines § 15126, subd. (c).) PSL-2

Moreover, where several measures are available to mitigate a significant impact. the EIR must discuss each measure and the basis for selecting a particular measure. (*Id.*) PSL-2

If an EIR fails to identify feasible mitigation for each significant impact, or discuss why no such measures are feasible, it is not possible for the agency to make the findings required by CEQA that each significant impact will be mitigated or that specific economic, social or other conditions make the mitigation measures infeasible. PSL-2

It is not enough for the DEIR to assert that certain mitigation measures might be available; a DEIR must discuss the feasibility of mitigation. (See, *Laurel Heights Improvement Ass'n. v. Regents of the University Of California* (1988) 47 Cal.3d 376, 404-405 [253 Cal.Rptr. 426, 439-440](explaining the obligation for an EIR to discuss the feasibility of alternatives); *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296 [248 Cal.Rptr. 352] (describing CEQA violation where the agency relies on mitigation measures of unknown feasibility).) PSL-2

In addition, if an EIR fails to recommend specific feasible mitigation. the agency cannot have any evidentiary basis upon which to adopt enforcement and monitoring measures. CEQA now requires an agency to adopt a program to ensure compliance with the mitigation measures. (Pub. Resources Code § 21081.6) If the mitigation measures are not specifically set out in the EIR, it is impossible for the agency to determine the appropriate enforcement and monitoring to ensure that the mitigation is implemented. PSL-2

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B. CEQA Prohibits Deferring The Selection Of Mitigation Measures To Future Studies.

The obligation of an EIR to identify and describe feasible mitigation measures for each significant impact is not satisfied by requiring as "mitigation" that a future study be prepared which would determine the actual mitigation for significant impacts. Just such a technique was attempted in the case of *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296 [248 Cal.Rptr. 352].

PSL-25

In *Sundstrom*, the applicant proposed constructing a waste water treatment plant and disposing of the treated water by irrigating a forest and meadow area. The large volume of irrigation water raised concern that there would be impacts related to the surface and groundwater hydrology, soil stability, erosion, sediment transport and flooding.

However, rather than determine what those impacts would be and what mitigation measures would be appropriate, Mendocino County required as a permit condition that the applicant have studies prepared by a hydrologist and civil engineer which evaluated the potential impacts and recommended mitigation measures. The studies were required to be reviewed and approved by the Mendocino Planning Commission and several administrative departments. The mitigation measures recommended by the studies were to become binding on the applicant.

PSL-26

The Court held that this procedure violated CEQA:

> The requirement that the applicant adopt mitigation measures recommended in a future study is in direct conflict with the guidelines implementing CEQA.
>
> * * *
>
> By deferring environmental assessment to a future date, the conditions run counter to that policy of CEQA which requires environmental review at the earliest feasible stage in the planning process. . . . A study conducted after approval of a project will inevitably have a diminished influence on decision making. Even if the study is subject to administrative approval,

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> it is analogous to the sort of post hoc rationalization of agency actions that has been repeatedly condemned in decisions construing CEQA. [citations]
>
> It is also clear that the conditions improperly delegate the County's legal responsibility to assess environmental impact by directing the applicant himself to conduct the hydrological studies subject to the approval of the Planning Commission staff.
>
> * * *
>
> Finally, the use permit circumvents the provisions of CEQA governing the process of environmental review. . . . By merely requiring administrative approval of the hydrological studies, the use permit provides no similar guarantee of an adequate inquiry into environmental effects. An EIR or negative declaration, moreover, are subject to review by the public and interested agencies. [citations] This requirement of 'public and agency review' has been called 'the strongest assurance of the adequacy of the EIR.'

(202 Cal.App.3d at pp. 306-308 [248 Cal.Rptr. at pp. 358-359].)

Therefore, the Town cannot adopt "mitigation measures" for the significant impacts of the Lodestar project which merely direct the applicant or another party to conduct a study whose recommendations will become the actual mitigation measures. Such requirements would be "in direct conflict with the guidelines implementing CEQA" and would be an improper delegation of the Town's obligations. Such "mitigation" also would not be adequate substantial evidence upon which to make the findings required by CEQA. PSL-2

However, such measures are exactly what the DEIR proposes as "mitigation" for numerous significant impacts. PSL-2

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C. The Draft EIR Repeatedly Violates CEQA By Deferring The Selection Of Mitigation Measures To Future Studies.

Time after time, the DEIR recommends as "mitigation" that the project sponsor prepare or complete studies and incorporate the recommendations as the actual mitigation for the significant adverse impacts of the project. The most blatant examples are listed below. Each of the items listed below should be considered a separate comment. PSL-30

1. Slope Instability

The DEIR concludes that the project could create new or increased slope instability, and that this is a potentially significant impact. (DEIR, p. 4.1-18.) PSL-31

As mitigation for this impact, the DEIR simply acknowledges that it had failed to finish the required analysis and proposes that the project sponsor complete the environmental analysis. The DEIR proposes that "[t]he project sponsor should complete the soils and foundation analyses and incorporate the recommendations of those analyses" and that Town Code be followed. (*Id.*) PSL-32

The requirement to follow Town Code is unobjectionable. However, the remainder of the recommendation is exactly the sort of deferral to a future study by the applicant of the determination of mitigation conditions which was condemned in *Sundstrom*. Without knowing what the soils and foundation analyses will recommend, it is impossible to know how effective the mitigation will be. PSL-33

The mitigation measure proposed for the impact of slope instability does not satisfy the Guidelines or CEQA, as described in the *Sundstrom* case. Specific mitigation measures must be described and analyzed for the increased slope instability caused by this project. PSL-34

2. Soil Erosion

The DEIR concludes that the project could create new or increased soil erosion, and that this is a potentially significant impact. (DEIR, p. 4.1-19.) PSL-35

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As mitigation for this impact, the DEIR proposes that "[t]he Project Sponsor should prepare a comprehensive erosion and sediment transport control plan, . . . and include it in the project design . . . ." (*Id.*) Again, this is exactly the sort of deferral to a future study by the applicant of the determination of mitigation conditions which was condemned in *Sundstrom*. Without knowing what the erosion and sediment transport control plan will recommend, it is impossible to know how effective the mitigation will be.

The mitigation measure proposed for the impact of soil erosion violates CEQA. Specific mitigation measures must be described and analyzed for the increased soil erosion which this project could cause.

3. Topography

The DEIR concludes that the project could significantly alter the topography of the site, and that this is a potentially significant impact. (DEIR, p. 4.1-20.)

a. As mitigation for this impact, the DEIR again acknowledges that it had failed to complete the environmental analysis. The DEIR proposes that "the Project Sponsor should complete the geotechnical studies and incorporate their recommendations in the project design . . . ." (DEIR, p. 4.1-20.) This is yet another violation of CEQA as described in the *Sundstrom* case. Specific mitigation must be presented in a draft EIR. PSL-36

b. More bewildering than the deferral of the selection of mitigation is the inexplicable choice of studies upon which the mitigation will be based. There is no apparent relationship between a geotechnical study and the significant alteration of the topography of the site. It is difficult to imagine any recommendation from a geotechnical study which would mitigate this impact. If there is any relationship between a geotechnical study and the impact of the project on topography, it must be explained. PSL-37

c. In addition, the proposed mitigation measure also provides that "[s]ince no residential structure is located in the southwest section, the plan resolves the issue of potentially high groundwater in the southwest portion of the site." (*Id.*) The assertion that there are no residential structures in the southwest section is directly contradicted by Figure 2.3 in the Project Description section of the DEIR. This PSL-38

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inconsistency undermines the validity of the DEIR. "An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193 [139 Cal.Rptr. 396, 401].) This inconsistency must be resolved.

For all three of these reasons, the mitigation measure proposed for the impacts of the project on topography does not satisfy the requirements of CEQA. Specific mitigation measures must be described and analyzed for the impact this project will have on topography.

PSL-3

4. Destruction Of Trees

The DEIR concludes that the most significant impact to vegetation would be the loss of several large trees. (DEIR, p. 4.3-7.) However, the DEIR failed to disclose how many large trees are on the site, where these trees are, how many will be destroyed by the proposed project, or even the criteria which will be used to select those that will live and those that will die.

PSL-4(

Instead, the DEIR proposes to delegate both the information gathering and the preparation of the mitigation plan. The DEIR proposes, in part, as follows:

> A registered forester or arborist should . . . determine the age and condition of [trees greater that 36 inches diameter] and whether they should be retained or removed. Once this determination is made those trees should be retained and integrated into the design of the project. A program of specific protection measures should be prepared by the develope[r] and approved by the Town prior to issuance of any construction permits . . . .

PSL-4

(DEIR, p. 4.3-7.)

This measure would deprive both the Planning Commission and the public of any ability to determine how many large trees are on the site now and how many would remain. It is, therefore, impossible for anyone to determine the impacts of the project on the large trees on site. There is no way to determine whether this measure would save all of the large trees on

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the site or none of them. CEQA does not permit a finding that such an ill-defined measure is effective mitigation.

CEQA and the Guidelines require that the DEIR include an inventory of the important trees on the site and a discussion of which would be destroyed by the project and by the various alternative projects. Alternatively, the DEIR could estimate the tree loss by calculating the number of acres of woodlands and the average density of the woodlands, and compare the result to the conceptual site plan. Another technique would be to overlay the site plan on an aerial photo. The DEIR must also discuss methods for modifying the project so as to save more of the important trees. PSL-4

5. Loss Of Wildlife Habitat

The DEIR concludes that the project would cause the loss of 205 acres of native wildlife habitat, and that this would be a significant impact. (DEIR, p. 4.3-8.) The DEIR was candid in acknowledging the devastating impact of this project on wildlife:

> The loss of wildlife habitat in California, especially in this rapidly developing region, threatens the continued existence of a number of wildlife species which depend o[n] these areas for most or all of their life requirements. In addition to the water, food and shelter available in these rich habitats, riparian and forest corridors are used for concealment during daily passages to foraging and nesting sites and during seasonal migrations in much the same way that man uses a highway. Any activity which interrupts or blocks these corridors severely restricts or eliminates their use by wildlife.
>
> Because of the foraging, nesting and roosting opportunities provided by these various habitats, their loss and especially that of the intermittent creek habitats would cause the extirpation or displacement of most wildlife presently residing on the site. . . .

PSL-4

(*Id.*)

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However, despite acknowledging the dramatic impact of the project on wildlife, the DEIR fails to describe any specific mitigation measures. Instead, the DEIR merely offers vague platitudes and defers the actual selection of mitigation to the future.

PSL-4

a. Open Space Preserves As Mitigation

The DEIR first suggests as mitigation that open space preserves be dedicated and enhanced, that buffer zones be established around the open space preserves, and that fencing and informational signs be set up "to preserve wildlife habitats as much as possible." (*Id.*)

PSL-4

The DEIR says that "[i]deally, the preservation of all of the area indicated as preferred by wildlife would preserve an important corridor for the movement of larger species through the area and provide a genetic linkage for smaller less mobile species such as the Lodgepole chipmunk. *As it now exists, the project would eliminate a significant portion of these areas.*" (*Id.*, emphasis added.)

(1) It is impossible to know what this measure means. What areas are "indicated as preferred by wildlife"? Where would the open space preserves be located? Would they be on-site or off-site? How extensive would they be? How much preservation of wildlife habitat is actually possible? Does this measure suggest that the size of the project should be reduced? Does this measure suggest that the layout of the project should be changed? Each of these questions must be definitively answered before the effectiveness of the mitigation can be determined.

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PSL-53

(2) The DEIR directs the project proponent to consult with the California Department of Fish and Game, the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers to determine the status of the drainage creek as potential wetlands habitats. (DEIR, p. 4.3-9.) Mitigation measures to minimize impacts to marsh or riparian communities would be defined during the review by these agencies. (*Id.*) This directly contradicts the requirements of CEQA set forth in the *Sundstrom* case because consultation and the design of mitigation must take place during the CEQA process, not after it is over.

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Moreover, the Town cannot refuse to consider mitigation measures simply because another agency also has the power to address these impacts. In *Citizens for Quality Growth*, *supra*, as here, the city asserted that it could rely on the Corps of Engineers to mitigate any impacts on wetlands. However, the court held that the city could not shirk its CEQA obligations by relying on other agencies. "*Each* public agency is required to comply with CEQA and meet its responsibilities, including evaluating mitigation measures and project alternatives." (198 Cal.App.3d at p. 442 n.8 [243 Cal.Rptr. at p. 732 n.8](emphasis in original).) PSL-5

Therefore, mitigation measures for the loss of wildlife habitat must be defined during the Town's CEQA process. They cannot be deferred.

(3) The DEIR refers to "mitigation plans designed to offset habitat losses". (DEIR, p. 4.3-9.) What does the DEIR mean by "offset"? The word suggests that for each acre of habitat lost, at least one other acre of equivalent habitat value will be created. Is the DEIR suggesting that a new forest be created somewhere? There is no discussion of any creation of <u>new</u> habitat. Nor is there any discussion of dedication of any off-site habitat as permanent open space. PSL-5

Permanent dedication of wildlife habitat, frequently 3 acres for each acre lost, is a common mitigation measure which should be considered.

b. <u>Revegetation Plan As Mitigation</u>

The second measure suggested by the DEIR for the loss of wildlife habitat is to prepare a Revegetation Plan prior to the commencement of the project. (*Id.*) The Revegetation Plan should retain "as much native vegetation as possible". The purpose of this measure is to "retain wildlife values". Again, it is impossible to know at this time how much native vegetation will be retained if the project is approved. Will most of the native vegetation be preserved or only a few isolated pockets? CEQA requires that the mitigation measure be presented in a draft EIR so that consideration of the ultimate impacts of the project on native vegetation will be part of the CEQA process. PSL-5

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6. Visual Impacts

The DEIR concludes that the conversion of forested area as proposed would be a significant visual impact. (DEIR, p. 4.10-8.) PSL-59

As partial mitigation, the DEIR recommends that, to the maximum extent feasible, the project should retain forested areas on the site, and that the applicant prepare a tree protection and replacement program. (DEIR, p. 4.10-10.) PSL-60

Again, this measure postpones to the future any determination of how many trees it is feasible to retain. Without more specific description of the mitigation measures, such as variations in the project design, it is impossible to meaningfully evaluate the effectiveness of any mitigation measure at this time. The need for specific mitigation measures is particularly critical because the DEIR itself acknowledged that "it can be assumed that most [trees] would be in the path of proposed developments." (DEIR, p. 4.3-8.) CEQA requires more specific mitigation measures than were provided in the DEIR. PSL-61

7. Solid Waste Generation

The DEIR concludes that the increased generation of solid waste resulting from the project would be a significant impact. (DEIR, p. 4.5-11.)

However, the DEIR does not even make a pretense of determining what mitigation measures are available to mitigate this impact. Instead, the DEIR states that "[a]lternate methods of solid waste disposal, such as compaction, *should be considered* subject to the approval of the Air Pollution Control Board [sic] and the Mammoth Lakes Planning Department. . . . Recycling facilities should be located at all hotels and multi-family projects." (DEIR, p. 4.5-12 (emphasis added).) PSL-62

This so-called mitigation measure is a patent violation of CEQA. Mitigation measures must be considered ***in the DEIR***, not later. PSL-63

Moreover, the feasibility of the only methods mentioned, compaction and recycling, are undermined by the DEIR itself. The DEIR says that waste is already compacted. (DEIR p. 4.5-11.) Compaction therefore PSL-64

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cannot be considered as genuine mitigation of the impacts of this project, since it was assumed when it the impacts were found to be significant.

There is no evidence that locating recycling facilities at hotels and multi-family projects is true mitigation. Presumably, the DEIR is actually suggesting that collection centers be established at hotels and multi-family projects. Such collection centers are of no value unless the materials collected are actually recycled, and the DEIR states that "[t]here are no recycling activities currently taking place" at the landfill (*Id.*) and does not disclose any other facilities which could recycle materials collected at the hotels and multi-family projects. PSL-65

Moreover, by suggesting that mitigation measures be subject to approval by the air pollution authorities, the DEIR raises the specter of a municipal waste incinerator as mitigation. If that is, in fact, what is being suggested, the plan obviously needs to be disclosed and analyzed. The Guidelines require that the impacts of the mitigation measures themselves must be considered in an EIR. (Guidelines § 15126, subd. (c).) If the DEIR is suggesting something other than an incinerator, the suggestion must be set forth clearly. PSL-66

CEQA requires that the Draft EIR describe and analyze specific mitigation measures for the impact of increased solid waste generation which this project would cause. PSL-67

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III. THE DRAFT EIR FAILS TO ANALYZE SEVERAL POTENTIALLY SIGNIFICANT IMPACTS.

CEQA requires that all potentially significant impacts of a project be analyzed in the draft EIR. Nevertheless, the DEIR gives no consideration to the risk of radon infiltration into project buildings, increased energy consumption as a result of the project, or the impacts of the construction work force on the Town and surrounding areas.

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PSL-70

A. The Draft EIR Must Identify All Significant Impacts Of The Project.

It should go without saying that an EIR must identify all of the significant adverse impacts of a proposed project. The Guidelines specifically provide that an EIR "shall identify and focus on the significant environmental effects of the proposed project. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects." (Guidelines § 15126, subd. (a).)

PSL-7

The impacts of a project which must be examined in an EIR include both the immediate impacts of the project and the effect the project might have by bringing people into an area in which they would be exposed to environmental risks. As the Guidelines state,

> [t]he EIR shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected. For example, an EIR on a subdivision astride an active fault line should identify as a significant effect the seismic hazard to future occupants of the subdivision. The subdivision would have the effect of attracting people to the location and exposing them to the hazards found there.

PSL-7

(*Id.*)

Although the agency is not required to foresee the unforeseeable, the agency "must use its best efforts to find out and disclose all that it reasonably can." (Guidelines § 15144.) If, "after thorough investigation," the agency determines that a particular impact is "too speculative for evaluation,

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it should note its conclusion and terminate discussion of the impact." (Guidelines § 15145.)

Despite the clear obligation to discuss all significant impacts both on the environment and on the people drawn to the project site, the Draft EIR fails to analyze several subject areas to determine the significance of the impacts. Each of these areas must be discussed in the EIR. PSL-74

B. The Draft EIR Fails To Present Any Analysis Of Several Potentially Significant Impacts.

1. Radon Infiltration Into Buildings

There is substantial scientific evidence showing that there are dangerously high levels of radon in some drinking water and soils in the Mammoth Lakes area. When radon is allowed to infiltrate into buildings, it can create a significant increased cancer risk. Since this project would result in construction of hundreds of residences and would bring many people to the area, the EIR must consider the potential exposure to cancer risk which this project would cause. PSL-75

Radon is a naturally occurring, colorless radioactive gas that recently has been identified as a significant health risk in some home interiors and in some drinking waters. It is well established that radon and some of its decay products ("daughters") cause lung cancer. The estimated lifetime risk of dying from radon-related lung cancer is about 0.4 percent or 4×10^{-3}, which is equal to about 4 cancers out of 1,000 people exposed. These risk levels dwarf those due to exposure to asbestos, ethylene bromide, and air pollutants such as benzene, which have risks in the range of 10^{-4} to 10^{-6}. (W.A. Mills, "Risk Assessment," in: C.R. Cothern and J.E. Smith, Jr. (Eds.), Environmental Radon, Environmental Science Research, v. 35, pp. 273-283, 1987.) PSL-76

Metamorphosed rocks in general and granite in particular, which occur near the project site (DEIR, p. 4.1-1 - 4.1-4), are known to contain high concentrations of uranium, which decays to form radon. (J. Michel, Distribution of Radon in Groundwater in California, Report Prepared for California Public Health Foundation by RPI International, Inc., December 1988; S. Flexser, H.A. Wollenberg, and A.R. Smith, "Radon in Ground PSL-77

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Water of the Long Valley Caldera," In: B. Graves (Ed.), Radon, Radium, and Other Radioactivity in Ground Water, Proc. NWWA Conference, Lewis Publishers, Inc., Chelsea, Mich., p. 131-152, 1987.) (Attachments 1 and 2)[1] Measurements of groundwater in and around the Town have shown very high radon levels. (*Id.*)

Numerous studies have demonstrated that radon in soils and rocks adjacent to and beneath buildings is drawn into the interior of homes by pressure differences created by the wind and temperature variations between the inside and outside. (A.V. Nero, Jr., "Indoor Concentrations of Radon-222 and Its Daughters: Sources, Range, and Environmental Influences," In: Indoor Air and Human Health, R.B. Gammage, S.V. Kaye, and V.A. Jacobs (Eds.), Lewis Publishers, Inc. Chelsea, MI, p. 43-67, 1984.) (Attachment 3.) The radon concentrations in the interior of homes in regions that have high soil radon fluxes frequently reach levels of 10 to 100 pico-Curies per liter of air ("pCi/L"), which are high enough to cause a lifetime risk of lung cancer that exceeds 1 x 10^{-2}. (*Id.*) PSL-78

The geology of the Mammoth Lakes area, along with the known levels of radon in groundwater in the area, indicates that it is quite possible that the project site would have high radon fluxes. The homes that would be built on the site (50 single family homes, 725 multi-family condominiums/townhomes, 100 apartments) may expose inhabitants, particularly those on the ground level, to dangerously high radon concentrations, leading to a high lung cancer rate in the community. PSL-79

The DEIR did not discuss the potential risk of cancer from radon infiltration into buildings. Given the existing scientific evidence of radon in the Mammoth Lakes area, and the geology of the site which is conducive to a high radon flux, the EIR must address this potentially important public health risk. The radon flux rate at the project site should be measured by an expert in the field. We recommend Dr. Tony Nero of Lawrence Berkeley Laboratory, Berkeley, California. PSL-80

If the radon flux rate is shown to be elevated, the developer should be required to incorporate design features in the project that would minimize

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[1] We have attached for the convenience of the reader copies of the scientific articles referred to which may not be otherwise readily available.

the entry of radon into homes. This can be done using barriers and sealants on understructures, localized venting, soil depressurization, and high home ventilation rates coupled with air-to-air heat exchangers to recover energy. (Nero, pp. 60-62; Nazaroff et al., "The Use of Mechanical Ventilation with Heat Recovery for Controlling Radon and Radon-Daughter Concentrations in Houses," Atmospheric Environment, v. 15, p. 263-270, 1981.) PSL-8

2. Energy Consumption

Even though CEQA requires that an EIR analyze the energy consumption impacts of a project, and the Planning Commission specifically requested that the consultant include the analysis in the EIR,[2] the DEIR did not discuss the energy consumption impacts of the project. PSL-8

The State CEQA Guidelines provide that an EIR must "include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy." (Guidelines, Appen. F.) If a project will "[e]ncourage activities which result in the use of large amounts of fuel, water or energy " or "[u]se fuel, water, or energy in a wasteful manner" it will "normally have a significant effect on the environment". (Guidelines, Appen. G.) PSL-8

Appendix F of the Guidelines, which is entitled "Energy Conservation", states that the project description may include the "[t]otal estimated daily trips to be generated by the project and the additional energy consumed per trip by mode." and the "[t]otal energy requirements of the project by fuel type and end use." PSL-8

Appendix F also sets forth a list of energy related environmental impacts, which include the "degree to which the project complies with existing energy standards," and the "project's projected transportation energy use requirements and its overall use of efficient transportation alternatives." PSL-8

In addition, Appendix F describes potential mitigation measures as those which would reduce "wasteful, inefficient and unnecessary PSL-8

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[2] April 23, 1990 letter from William Taylor, Mammoth Lakes Planning Department, to Brent Barnes, EIP Associates, reproduced in DEIR Appendix B.

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consumption of energy", and the "siting, orientation, and design to minimize energy consumption, including transportation energy."

For this project, there are a number of energy consumption issues which could be significant:

* the energy used by thousands of increased trips to Mammoth Lakes, a remote location, by the skiers and golfers the project is intended to serve; PSL-8

* the energy used by increased transportation needs in town; PSL-8

* the energy needed to heat and light each of the project's buildings. PSL-8

Given the explicit requirements of the CEQA Guidelines, and the obvious potential for this project to cause a substantial increase in energy consumption, the EIR must analyze the energy consumption impacts of this project. PSL-9

3. Construction Work Force

The construction of the Lodestar project will require a substantial work force. Depending on the extent to which local workers are used and whether workers are paid the prevailing wage, construction of this project could cause a substantial positive or negative impact on the Town and surrounding areas. In major development projects, it is standard that an EIR will analyze the impacts of the construction work force on the area.[3] However, the DEIR failed to include any consideration of the impacts of the construction work force on Mammoth Lakes or the surrounding area. PSL-9

Although we do not know the precise number of construction workers that will be required, since no information is presented in the DEIR, we expect that there will be an adequate number of construction workers available within daily commuting distance of the project site if local prevailing wages are paid. If prevailing wages are paid, therefore, the construction payroll would generate substantial direct and secondary benefits to the economy in Mammoth Lakes and nearby communities. PSL-9

[3] For example, the EIR for the considerably smaller Juniper Ridge project included such an analysis. (Juniper Ridge Draft EIR, p. 32 et seq.)

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However, if prevailing wages are not paid, there will likely need to be a substantial numbers of workers, along with their families, imported into the area. This would not only reduce the direct and secondary benefits to the local economy from the construction payroll, it would likely impose substantial costs on the Town from the increased demand for local services such as schools, police and health care. In addition, the imported work force will exacerbate the existing, unmet demand for affordable housing.[4]

PSL-9

The EIR should analyze the effects of the construction work force on Mammoth Lakes and neighboring communities, paying special attention to the different impacts from a work force paid the prevailing wage and one paid lower wages.

PSL-9

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[4] The differing effects on the local community from the construction work force, depending on whether the local prevailing wage is paid, was the subject of a 1989 study by Dr. William T. Dickens, Associate Professor of Economics, University of California, Berkeley. A copy of the Executive Summary is Attachment 4. The full report is available on request.

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IV. THE DRAFT EIR FAILED TO CONSIDER SEVERAL CUMULATIVE IMPACTS.

Although cumulative impact analysis is a mandatory part of any EIR, the DEIR completely failed to analyze the cumulative impacts of increased solid waste generation, loss of wildlife habitat and degradation of runoff water quality. These omissions must be rectified. PSL-95 PSL-96 PSL-97

A. An EIR Must Analyze The Cumulative Impacts Of The Project Along With The Impacts Of Other Reasonably Foreseeable Projects.

An analysis of the impacts of the project under consideration together with the impacts of other past. present and reasonably foreseeable future projects is one of the required parts of any EIR. CEQA explicitly requires that an EIR find that a project may have a significant effect on the environment if "[t]he possible effects of a project are individually limited but cumulatively considerable." (Pub. Resources Code § 21083, and subd. (b); Guidelines § 15065, subd. (c).) PSL-98

The Guidelines require that an adequate discussion of cumulative impacts must include, among other things, a "summary of the expected environmental effects" of the relevant projects and "a reasonable analysis of the cumulative impacts of the relevant projects." (Guidelines § 15130.) PSL-99

The courts have vigorously enforced the obligation to discuss cumulative impacts. For example, in *San Franciscans For Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61 [198 Cal.Rptr. 634], the court called the cumulative impact analysis "vital", and if inadequate, would "subvert[] the Commission's ability to adopt appropriate and effective mitigation measures" and "skew[] the Commission's perspective concerning the benefits of particular projects." (*Id.* at pp. 73, 639, and 80, 644.) (Accord, *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692 [270 Cal.Rptr. 650, 662]; *Mountain Lion Coalition v. California Fish & Game Comm'n.* (1989) 214 Cal.App.3d 1043 [263 Cal.Rptr. 104]; *Citizens to Preserve the Ojai v. County of Ventura* (1985) 176 Cal.App.3d 421 [222 Cal.Rptr. 247].) PSL-100

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Even if the analysis shows that the cumulative impacts will not be significant, an EIR must give the reasons for that conclusion. (*Citizens to Preserve the Ojai, supra*, at p. 429, 251; *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30 [271 Cal.Rptr. 393, 402].) PSL-101

B. The DEIR Did Not Analyze Several Cumulative Impacts.

Although the DEIR apparently recognizes that it is obligated to analyze cumulative impacts,[5] in three subject areas it failed to do so. These omissions must be corrected before an EIR can be certified. PSL-102

1. Solid Waste Generation

The analysis of the solid waste generation in the DEIR is limited solely to stating the expected generation from this project and "present population and disposal rates". (DEIR, p. 4.5-11.) There is no discussion of any kind of increased disposal rates resulting from other projects which have already been approved (such as Juniper Ridge), are currently seeking approval (such as North Village) or are contained in the General Plan forecast of full Town build out. PSL-103

The EIR must be revised to consider the cumulative effects of increased solid waste generation from other projects. PSL-104

2. Loss Of Wildlife Habitat

The analysis of the impacts of this project on wildlife is limited solely to the loss of 205 acres of habitat which would be destroyed as a result of this project. There was no consideration of the loss of nearby wildlife habitat to other development and the cumulative effect of habitat destruction. PSL-105

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[5] The traffic analysis explicitly considered cumulative impacts. (DEIR, p. 4.6-3.) In addition, the DEIR has a section entitled "Cumulative Impacts". Although that section states that there will be cumulative impacts on traffic, vegetation, noise, public services, utilities and water consumption, there is no discussion of the impacts or mitigation measures. Instead, the reader is referred to the sections relating to each individual subject. (DEIR, pp. 5-1 - 5-2.)

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This omission is somewhat surprising, given the apparent recognition in the DEIR of the critical problem of widespread habitat destruction and the interdependence of adjacent habitat areas:

> The loss of wildlife habitat in California, especially in this rapidly developing region, threatens the continued existence of a number of wildlife species which depend o[n] these areas for most or all of the life requirements. In addition to the water, food and shelter available in these rich habitats, riparian and forest corridors are used for concealment during daily passages to foraging and nesting sites and during seasonal migrations in much the same way that man uses a highway. Any activity which interrupts or blocks these corridors severely restricts or eliminates their use by wildlife.
>
> * * *
>
> The more mobile birds and mammals such as the Coyote and Mule Deer would be dispersed into nearby, undeveloped areas.

PSL-106

(DEIR, p. 4.3-8.)

The EIR must be revised to include analysis of the cumulative effects of the loss of wildlife habitat. PSL-107

3. Degradation Of Runoff Water Quality

As we discuss below, we believe that the DEIR incorrectly assessed the impacts of the degradation of the quality of surface water resulting from the urbanization of the project site. PSL-108

In any event, the DEIR gave no consideration to the cumulative effects on runoff water quality from other projects. Even if the impacts on runoff water quality from this project were not significant, the EIR must nevertheless discuss the cumulative effects of other development in the area. PSL-109

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V. THE DEIR FAILS TO DISCUSS THE RELATIONSHIP BETWEEN THE PROJECT AND THE GENERAL PLAN.

One of the functions of a General Plan is to form a framework for evaluating the environmental impacts of a project. Among other things, the General Plan

* describes the various uses and densities that are planned for different areas,

* sets forth the plans for development of the transportation system,

* characterizes the housing stock and formulates plans for meeting housing needs, PSL-110

* delineates the specific plans for conserving natural resources and open space,

* establishes acceptable noise levels in different areas, and

* establishes policies for protecting people from seismic and other safety risks.

The Guidelines require that an EIR "discuss any inconsistencies between the proposed project and applicable general plans". (Guidelines. § 15125. subd. (b).) If a project conflicts with the environmental plans and goals of the community, it will normally have a significant effect on the environment. (Guidelines. Appen. G, subd. (a).) PSL-111

Typically, an EIR will have a separate section which describes the relationship between the project and various policies, objectives and limitations contained in the applicable general plan. In addition, it is normal for an EIR to have a section specifically devoted to assessing the land use impacts of the project. While this is not the only adequate method for addressing the relationship between the project and the general plan. it is effective and we recommend that it be added to this EIR. PSL-112

As it stands now, very few of the subject areas in the DEIR discuss the consistency of the project with the general plan. There is no section in PSL-113

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the DEIR which discusses the relationship between the project and the land use policies in the general plan.

* Does the project satisfy the density and other requirements of the Land Use Element? PSL-114

* Does the project satisfy the Open Space requirements? PSL-115

* Is the project consistent with the Housing Element? PSL-116

* What is the relationship between the proposed mitigation for traffic impacts and the Transportation and Circulation Element? PSL-117

Each of these questions, as well as the other issues raised by the General Plan must be addressed in the EIR before it can be certified. PSL-118

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VI. PORTIONS OF THE ANALYSIS IN THE DEIR ARE POORLY REASONED, FACTUALLY UNSUPPORTED OR LACKING CRITICAL INFORMATION.

A. The Water Consumption Impacts Of The Project Could Be Significant Because There May Be Inadequate Water Available To Support The Project.

The discussion of local water demand (DEIR, p. 4.5-4 - 4.5-8) indicates that the local water supply may not be adequate to support the proposed Project. PSL-119

The DEIR requires that project development be contingent upon the Mammoth County Water District ("District") developing additional wells. (DEIR, p. 4.5-8.) Further, it points out that "it is not known whether these supplies would be adequate under drought conditions" (DEIR, p. 4.5-4), and is quite candid in admitting that the District "does not provide any unconditional guarantee of priority or reservation of capacity regarding water availability" (DEIR, p. 4.5-6). PSL-120

Mammoth Lakes' surface water entitlement is limited to 2,760 acre-feet per year ("ac-ft/yr"), which is about equal to the total water demand for 1989 without the project, 2,746 ac-ft/yr. (Letter from G. Sisson, Mammoth County Water District, to B. Hawley, Planning Department, Mammoth Lakes. January 31, 1990.) Demand in excess of 2,760 ac-ft/yr is met from groundwater. The District presently uses three wells to supplement its water supply (DEIR, p. 4.5-1), and additional Dry Creek wells may be installed in the future to meet this excess demand. PSL-121

Nevertheless, the DEIR concludes water supply impacts to be "less than significant" if the golf course water demand of 150 ac-ft/yr is met from reclaimed water. The uncertainty in the future supply coupled with radon considerations discussed below suggest that the EIR should find a "significant" water supply impact and require more extensive mitigation than presently indicated at page 4.5-8. In addition, the EIR should find a significant cumulative water supply impact. PSL-122

On September 30, 1986, the EPA published an advanced notice of proposed rule making that stated its intent to promulgate a Maximum PSL-123

Contaminant Level for radon. Recently, the EPA has indicated that the limit, expected to be published soon, would be 300 pCi/L. (F.H. Habenicht, "Radionuclides in Drinking Water: Proposed Maximum Contaminant Level Regulation," September 7, 1990, U.S. EPA Memo.) California is already developing its own standard, which will be at least as stringent as the federal standard. (R.H. Sakaji and J. Michel, "Radon in California's Groundwater: An Exposure Assessment," AWWA Water Quality Technology Conference, San Diego, CA, November 11-15, 1990.) (Attachment 5.)

Because very high concentrations of radon, much higher than 300 pCi/L, are known to occur in the project area (Michel, 1988, p. 21, 26; Flexser, et al., 1987), some of the local groundwater may not be suitable as a drinking water supply without expensive treatment to remove radon. PSL-124

The DEIR should re-evaluate the ability of the District to supply adequate water to the project and to other foreseeable projects during an extended drought and after EPA promulgates a radon limit. The radon content of groundwaters from the three existing wells and from the site of the proposed Dry Creek wells should be measured and published in the EIR. These data should be used to determine whether groundwater would continue to be an economic source of drinking water for Mammoth Lakes. Additional mitigation measures to reduce the impact of the project on the limited water supply should be considered, such as development of an alternate source of water for all landscape uses, not just the golf course, using reclaimed water for toilet flushing, and requiring the project to provide treatment to remove radon from all potable water used by the project. PSL-125

B. Surface Runoff May Adversely Affect Water Quality.

The DEIR concludes that surface runoff from the project would not have a significant impact on water quality because it contains contaminants that "already exist in the surrounding environment and the incremental increase of contaminants in surface runoff" would not be significant if oil and grease separators are installed at the inlets of catch basins. (DEIR, p. 4.2-14.) However, the DEIR does not present any supporting analyses or data, and this conclusion is certainly not intuitive. PSL-126

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Storm water runoff from urban areas is well known to contain many pollutants of concern in addition to oil and grease. A nationwide EPA study, for example, concluded that heavy metals, especially copper, lead, and zinc are the most prevalent priority pollutants discharged in urban runoff. Arsenic, cadmium, chromium, and nickel are also common constituents. (U.S. EPA, Results of the Nationwide Urban Runoff Program, 1983.) The Lahonton Regional Water Quality Control Board has already indicated that surface runoff and storm water drainage has begun to deteriorate the water quality of Mammoth Creek. (DEIR, p. 4.5-2.) PSL-1

This Project would increase the area contributing surface runoff, about double the population of Mammoth Lakes, and increase the amount of surface runoff from the site by about 40 percent (DEIR, p. 4.2-10). These factors would substantially increase the amount of contaminated urban drainage reaching Mammoth Creek and may potentially lead to substantial contamination of Creek waters. PSL-12

The EIR should explicitly analyze the impact of the project on the water quality of Mammoth Creek as a result of the discharge of increased amounts of contaminated urban drainage. The analysis should use typical urban runoff composition data from the 1983 EPA Nationwide Urban Runoff Program to estimate stream concentrations for high and low flow conditions. The significance of changes in the quality of Mammoth Creek should be evaluated by comparing the estimated water quality with limits that are presently being considered for adoption as part of the Water Quality Control Plan for Inland Surface Waters of California. (State Water Resources Control Board, Draft, November 26, 1990.) PSL-12

Absent such analysis, the DEIR cannot support its conclusion that the effect on water quality of surface water runoff degradation caused by the project is less than significant. PSL-13

C. <u>The Use Of Reclaimed Water Requires Mitigation.</u>

The DEIR indicates that 150 ac-ft/yr of reclaimed water would be used at the golf course. (DEIR, p. 1-20, p. 4.5-7.) The reclaimed water would be supplied to several man-made lakes at the golf course. The upper lake would serve as an ice-skating rink in winter for hotel guests and as a reservoir for irrigation of the golf course and hotel grounds. The lower lake PSL-13

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also would be used for irrigation purposes, but the DEIR does not indicate where (i.e., on the golf course or elsewhere at the Project site). The lakes would be interconnected. (DEIR, p. 4.2-9.)

California allows appropriately treated reclaimed water to be used as proposed in the DEIR. (California Code of Regulations, Title 22, Division 4., Chapter 3, Reclamation Criteria.) However, it is widely recognized that the State standards do not adequately protect public health, and the California Department of Health Services is presently revising these standards. (T. Asano and R.H. Sakaji, "Virus Risk Analysis in Wastewater Reclamation and Reuse," In: H.H. Hahn and R. Klute (Eds.), Chemical Water and Wastewater Treatment, Springer-Verlag, Berlin, p. 483-496, 1990.) (Attachment 6.) The DEIR assumes that impacts from the use of reclaimed water would be insignificant if the use met California regulation. (DEIR, p. 4.2-13.) This is not necessarily true.

PSL-132

The Department Of Health Services (DOHS) has recently evaluated the probability of infection from using reclaimed water treated to California standards in the urban environment. (Asano and Sakaji, 1990.) It found that the probability of contacting an infectious disease from golfing for a single day on a course irrigated with reclaimed water ranged from about 4 x 10^{-4} for Poliovirus to 3 x 10^{-8} for S. dysenteriae. (*Ibid.*, Table 4.) The corresponding lifetime risk, assuming 3,120 days of golfing ranged, from about 0.75 to 1 x 10^{-4}. The upper end of this range, a 75 percent lifetime risk corresponding to exposure to Poliovirus, is substantial and requires mitigation.

PSL-133

Similarly, the DOHS study found that the risk of contacting an infectious disease from swimming[6] for a single day in a recreational impoundment, such as the proposed lakes, ranged from about 4 x 10^{-2} to 3 x 10^{-6}. The corresponding lifetime risk, assuming 1600 days of swimming, ranges from greater than 99 percent to 4 x 10^{-3}. Again, the upper end of the risk range is substantial and requires mitigation.

PSL-134

[6] We discuss the risks from swimming because the DEIR does not indicate all potential recreational uses for the lakes, and swimming is not specifically precluded by any information in the DEIR.

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Moreover, although not specifically evaluated in the DOHS study, children and others using the yards of homes immediately adjacent to the golf course and the hotel grounds are also at risk from irrigation with reclaimed water. The risk level would depend upon the amount of reclaimed water ingested. This could be substantial for a child at play and could be comparable to the risk associated with swimming in a recreational impoundment, which only assumes that 100 milliliters or about a tenth of a quart of reclaimed water is ingested. This would also require mitigation. PSL-135

The DOHS study and standard practice in implementing successful reclamation projects indicate that the EIR should be revised to include the following mitigation measures:

(1) Either restrict access to the golf course and all other areas irrigated with reclaimed water for a suitable period after irrigation or provide storage for the reclaimed water, to allow the pathogens to die off.

(2) Do not allow any recreational activities on the man-made lakes, including ice skating. For ice skating, an accident involving a break in the ice could produce substantial risk if water were swallowed.

PSL-136

(3) Provide a buffer zone of tall vegetation between the golf course and other irrigated areas, and homes or other sites that would be used by children or adults who may conceivably ingest reclaimed water.

(4) Irrigation with reclaimed wastewater should take place at night to minimize public exposure to aerosols.

(5) An engineering report and operational requirements, including a contingency plan to assure that no inadequately treated wastewater is used, should be prepared to comply with State standards. (Wastewater Reclamation Criteria, *supra* § 60323.)

Finally, the DEIR did not evaluate whether the effluent from the District's wastewater treatment plant complies with State standards. Those standards are based on secondary treatment plus alum coagulation (150 mg/L alum, 0.2 mg/L anionic polymer), flocculation (1-hour), sedimentation, filtration, and disinfection (2-hour chlorine contact or 18 minute ozone PSL-137

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contact). (Asano and Sakaji, 1990, p. 484.) The DEIR does not contain adequate information to determine if minimum State standards are met.

D. Trihalomethanes In Reclaimed Water May Produce A Significant Impact On The Environment.

The reclaimed water that would be used by the project must be extensively chlorinated to kill viruses and comply with State standards. It is well known that chlorination of wastewaters produces trihalomethanes, such as chloroform. (R.L. Jolley et al., Water Chlorination: Chemistry, Environmental Impacts and Health Effects, 1st through 6th Conference Proceedings, Lewis Publishers, Chelsea, MI, 1984-1990.)[7] Many of these compounds are carcinogens. PSL-138

Reclaimed wastewaters used for landscape irrigation and stored in man-made lakes could percolate through the soils and contaminate underground aquifers that are potential sources of drinking water, since trihalomethanes are not appreciably removed as the water passes through soils into the groundwater. (P.H. Howard, Handbook of Environmental Fate and Exposure Data for Organic Chemicals, Lewis Publishers, Chelsea, MI, 1990.) Because trihalomethanes are regulated under the Safe Drinking Water Act (40 CFR § 141.12) and would be expected to occur at elevated concentrations in the reclaimed water, the EIR should evaluate the impact of such percolation on the quality of underground aquifers. PSL-139

Most trihalomethanes are also quite volatile. Those that do not move with the reclaimed water into underground sources of water would evaporate into the atmosphere and contribute to the overall health risk of the project. The man-made lakes, for example, may be significant sources of toxic air pollutants. PSL-140

The EIR should also evaluate the effect of emissions from lake surfaces and irrigated areas of trihalomethanes on air quality and on the health of residents of the town and seasonal users of the project's facilities. PSL-141

[7] If the wastewater is currently being treated to the standards required for reclamation, that water should be tested to determine the specific level of trihalomethanes present.

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E. The Impacts Of Construction On Air Quality Should Be Found To Be Significant.

The DEIR correctly states that a project will have a significant effect if it would violate any ambient air quality standard. (DEIR p. 4.7-8.) The DEIR then discloses that construction of the project "would temporarily increase PM_{10} concentrations and could lead to violations of the federal and State 24-hour average PM_{10} standards." (*Id.*) PSL-14

After correctly selecting the standard of significance for air quality impacts, and determining that construction activity would cause the standard to be exceeded, the DEIR concludes without any explanation that construction of the project would not cause a significant impact. (*Id.*) PSL-14

This conclusion is illogical on its face, and no attempt is made to explain or justify this conclusion. PSL-14

The impacts of construction on air quality should be found to be significant and appropriate mitigation should be proposed. PSL-14

F. The DEIR Failed To Consider Whether Water Would Be Available For Dust Suppression During Construction.

Although the DEIR recommended using water for dust suppression to mitigate the impacts of construction dust (DEIR, p. 4.7-9), it did not discuss whether any water was available for such a use. On the contrary, the DEIR notes that due to the continuing drought, "water from the District's potable water system used for general construction and maintenance activities, including dust control, compaction and concrete curing, is not permitted." (DEIR, p. 4.5-4 (emphasis added).) The DEIR also did not discuss whether alternate water supplies would be available in the event that the drought continues. PSL-14

Because 1991 is now forecast to continue the already four-year long drought (California Department of Water Resources, Bulletin 120 Series, Water Condition in California, 1990), the restrictions on water use contained in Resolution No. 03-15-90-06 should be assumed to continue into 1991, and perhaps beyond. PSL-14

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The DEIR should identify the amount of water that would be used for construction and the timing of that use, and should analyze the impacts of construction use under normal and drought conditions. The mitigation measures at page 4.5-8 should be expanded to include a restriction on the use of potable water for construction activities if the water supply is reduced due to the continuing drought. PSL-148 PSL-149 PSL-150

G. Although This Project Would Consume Almost All Growth In Vehicle Miles Traveled Allowable Under The Air Quality Management Plan, The DEIR Fails To Present Any Traffic Reduction Measures.

PSL-15

The DEIR is internally inconsistent.

In the air quality section, the DEIR states that the Air Quality Management Plan sets a limit of 106,600 vehicle miles traveled (VMT), and that this project would consume 38,000 of the remaining 40,320 VMT available. Therefore, as mitigation for air quality impacts, the air quality section of the DEIR recommends a reduction in vehicle traffic. (DEIR, p. 4.7-12.) PSL-15

However, the air quality section does not actually describe any measures to reduce vehicle traffic. Rather, that section refers the reader to the trip reduction measures in the traffic section of the DEIR. (DEIR, 4.7-13.) PSL-15

The traffic section of the DEIR contains no trip reduction measures. On the contrary, all of the mitigation measures recommended in the traffic section are designed to facilitate increased traffic by expanding streets and intersections. (DEIR, pp. 4.6-27 - 4.6-30, 4.6-36.) PSL-15

The DEIR should be corrected to include the specific trip reduction measures which would mitigate the air quality impacts of this project. The DEIR should consider both measures which would reduce the need to use cars within the Town and measures which would reduce the influx of vehicles into Town, such as requiring the applicant to provide or promote group transportation from Los Angeles. PSL-15

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H. The Noise Impacts From Construction Of The Project Should Be Considered Significant.

Contrary to the conclusion of the DEIR, it appears that construction of the project would cause significant noise impacts. PSL-15

The DEIR correctly notes that under CEQA, a project will normally result in a significant impact if there would be either a substantial increase in ambient noise levels or if land use compatibility standards for community noise are exceeded. PSL-15

The DEIR states that outdoor receptors within 1,600 feet of construction sites, with an uninterrupted view of the construction site, would experience noise greater that 60 dB when noise on the construction site exceeds 90 dB. (DEIR, p. 4.8-8.) Thus, although the DEIR is not clear, it appears that the construction of this project has the potential to violate the Noise Element of the General Plan and local noise ordinances. (DEIR, pp. 4.8-3 - 4.8-8.) PSL-15

The DEIR should be clarified to state explicitly whether the project has the potential to cause violations of any noise standards and, if so, should find that there would be significant noise impacts from construction. PSL-15

I. The DEIR Fails To Analyze The Incremental Noise Impacts Of This Project On Existing Conditions.

Although, as discussed above, CEQA requires consideration of the cumulative impacts of a project, this consideration cannot come at the expense of consideration of the incremental impacts of a project on the existing environmental setting. PSL-16

The noise analysis of the project, after construction, consists entirely of a comparison of the noise levels in 2005 (at full build out of the Town according to the General Plan) with and without the project. There is no evaluation of what the noise impacts of the project would be on existing conditions. PSL-16

This is exactly the error which was condemned in *Environmental Planning and Information Council v. County of El Dorado* (1982) 131 PSL-16

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Cal.App.3d 350 [182. Cal.Rptr. 317]. In that case, as here, the impacts of the project were compared to the full build out as described in the General Plan. The impacts are assessed based on the differences at build out with and without the project. The court held as follows:

> [D]oes CEQA generally, and the standards for preparation of EIRs in particular, compel agencies to assess environmental impacts of a proposed general plan amendment by comparing the proposal with the actual conditions in the area? To ask the question ... is to answer it. CEQA ... concerns itself with the impacts of the project on the environment, defined as the existing physical conditions in the affected area.

(131 Cal.App.3d at p. 354 [182 Cal.Rptr. at p. 319](emphasis added).)

Accordingly, the noise analysis must be amended to include a discussion of the effect of the noise from operation of the project on the existing noise levels in the area. PSL-16

J. The DEIR Incorrectly Assesses The Significance Of The Cumulative Noise Impacts By Focusing Only On The Project's Contribution To Excessive Noise Levels Resulting From Cumulative Development.

The DEIR finds that noise levels at all intersections reviewed already exceed 60 dB and would increase significantly as a result of cumulative development. However, the DEIR finds that the incremental increase in noise from the project would not be noticeable when added to the cumulative development. Thus, the DEIR concludes that the project would not have a significant cumulative noise impact. (DEIR, p. 4.8-8.) PSL-16

This analysis completely misunderstands the concept of cumulative impacts. Under this analysis, since only the incremental contribution to the cumulative impact is considered, the worse the cumulative noise impact, the less likely that an EIR will find that any particular project contributes to the problem. PSL-16

This was exactly the type of cumulative impact analysis which the court in *Kings County Farm Bureau*, *supra*, rejected. PSL-16

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> Under GWF's "ratio" theory, the greater the overall problem, the less significance a project has in a cumulative impacts analysis. . . . [T]he analysis must assess the collective or combined effect of energy development. The EIR improperly focused upon the individual project's relative effects . . . .

(270 Cal.Rptr. at p. 662.)

The EIR must be revised to assess whether the noise from the project plus other cumulative development is collectively significant. PSL-16

K. The DEIR Incorrectly Concludes That The Mitigation Measures For The Seismic Risk Will Reduce The Impact Below The Level Of Significance.

The DEIR correctly discusses the fact that the Mammoth Lakes area is part of one of the most active seismic regions in the United States, and that "very large shocks have occurred in the area and are expected to occur again." (DEIR, p. 4.1-4.) PSL-16

As the DEIR acknowledges, there are several major fault zones within 60 miles of the Town, each capable of generating a maximum credible earthquake of at least 6.2 on the Richter scale, and the Owens Valley fault is capable of generating a magnitude 8.3 earthquake. (*Id.*) These earthquakes would be sufficient "to cause major damage to structures, foundations and underground utility lines." (*Id.*) PSL-16

Consequently, the DEIR concludes that, by attracting people to the site, the project would increase the number of people put at risk from seismic activity, and that this was a potentially significant impact. (DEIR, p. 4.1-20.) PSL-17

However, the DEIR concludes that monitoring seismic activity, completing the roadway system and providing emergency response information to citizens and visitors will reduce the seismic impacts to a less than significant level. (DEIR, p. 4.1-21.) PSL-17

That conclusion is not supported by any information in the DEIR. There is no evidence that earthquakes (as opposed to volcanic activity) can PSL-17

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be successfully predicted, and there are no preventive measures offered in the DEIR which eliminate the possibility of the loss of life. No matter how many roads are built, how much information is disseminated, or how closely the Uniform Building Standards are followed, there will continue to be a substantial possibility that people will be killed by the maximum credible earthquake near the project site.

PSL-173

Accordingly, the DEIR should find that attracting people to an area of severe seismic risk creates an unavoidable significant impact.

PSL-174

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VII. THE DRAFT EIR FAILS TO IDENTIFY THE ENVIRONMENTALLY SUPERIOR ALTERNATIVE.

CEQA requires that an EIR describe a range of reasonable alternatives to the project which could feasibly attain the objectives of the project, and evaluate the comparative merits of the alternatives. (Guidelines, § 15126, subd. (d).) PSL-17

CEQA also requires the EIR to identify the environmentally superior alternative, and if it is the "no project" alternative, then "the EIR shall also identify an environmentally superior alternative among the other alternatives." (Guidelines, § 15126, subd. (d)(2).) PSL-17

The DEIR presents three alternatives to the project, including the no project alternative, and briefly discusses the impacts of each, by subject area. However, the DEIR fails to present any comprehensive comparison of alternatives and thus, fails to identify the environmentally superior alternative. PSL-17

This omission must be corrected.

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VIII. THE DRAFT EIR MUST BE RECIRCULATED.

If significant new information is added to an EIR or if there are substantial changes made in the report, then it must be recirculated. Recirculation is necessary to protect the right to comment on an EIR and the right to receive responses to those comments. PSL-178

Here, the DEIR requires wholesale changes and major amounts of new information in order to provide the information required by CEQA. PSL-179

Accordingly, the DEIR must be recirculated. PSL-180

A. CEQA Requires Recirculation Of A Draft EIR If There Is Significant New Information Added Or Substantial Changes Made To An EIR.

CEQA requires recirculation of an EIR whenever "significant new information" is added to a report or where there are "substantial changes" to the initial draft.

The Public Resources Code provides:

> When significant new information is added to an environmental impact report after notice has been given pursuant to Section 21092 and consultation has occurred pursuant to Sections 21104 and 21153, but prior to certification, the public agency shall give notice again pursuant to Section 21092, and consult again pursuant to Sections 21104 and 21153 before certifying the environmental impact report. PSL-181

(§ 21092.1.)

Similarly, California courts have had occasion to examine the circumstances under which a public agency has a duty to recirculate an EIR. In *Sutter Sensible Planning v. Sutter County Board* (1981) 122 Cal.App.3d 813 [176 Cal.Rptr. 342], the court stated: PSL-182

> While recirculation is not required where the supplement merely clarifies or amplifies or makes insignificant modification in an

adequate EIR, where 'substantial changes' are made, recirculation is required. [*Id.* at p. 823, 347 (citations omitted).]

In *Sutter* the court held that the failure to recirculate a revised EIR rendered the document "procedurally inadequate." (*Id.* at p. 823, 347.) PSL-18

Recirculation of an EIR where there is significant new information or a substantial change is necessary in order to protect fundamental components of the EIR process. A final EIR has only three basic components to it: the draft, the comments on the draft, and responses to the comments. (Guidelines, § 15362, subd.(b).) If significant new information is added to an EIR or if there is a substantial change, failure to recirculate could eviscerate two of the three fundamental components of a final EIR. Obviously, responsible agencies and the public will be deprived of an opportunity to comment on the new or changed information. It is equally clear that the decision makers will be deprived of written responses to such potential public comments. PSL-18

Because the failure to recirculate eliminates essential elements of the CEQA process, the *Sutter* court stated that the failure to recirculate an EIR turned the process of environmental evaluation into a "useless ritual" which could jeopardize "responsible decision-making." (*Id.* at p. 822, 347.) Both the opportunity to comment and the preparation of written responses to those comments are crucial parts of the EIR process. PSL-18

The *Sutter* court held that the failure to include all the significant information in the original document denied the public the "opportunity to test, assess, and evaluate the data and make an informed judgment as to the validity of the conclusions to be drawn therefrom." (*Id.*) PSL-18

In *M.M. Homeowners v. San Buenaventura County* (1985) 165 Cal.App.3d 357 [212 Cal.Rptr. 127], the court noted that

> [i]n reviewing an EIR a paramount consideration is the right of the public to be informed in such a way that it can intelligently weigh the environmental consequences of any contemplated action and have an appropriate voice in the formulation of any decision.

(*Id.* at p. 365, 132 (citation omitted).) PSL-18

ML1301.agt

Recirculation of the EIR is also required in order to assure that responses will be prepared by the lead agency to all comments. "The policy of citizen input which underlies the act supports the requirement that the responsible public officials set forth in detail the reasons why the economic and social value of the project, in their opinion, overcomes the significant environmental objections raised by the public." *People v. County of Kern* (1974) 39 Cal.App.3d 830 [115 Cal.Rptr. 67]. In fact, that court determined that the responses to comments played a vital role to help "insure the integrity of the process of decision by precluding stubborn problems or serious criticism from being swept under the rug." (*Id.*)

PSL-18

Responses to comments play such an important role in the integrity of environmental evaluation that the Guidelines spell out the agency's duty to avoid pro forma responses: "In particular, the major environmental issues raised when the Lead Agency's position is at variance with recommendations and objections raised in the comments must be addressed <u>in detail</u> giving reasons why specific comments and suggestions were not accepted. There must be <u>good faith, reasoned analysis</u> in response. <u>Conclusory statements unsupported by factual information will not suffice</u>." (Guidelines, § 15088, subd. (b), emphasis added.)

PSL-18

It should go without saying that a lead agency's duty to provide detailed, reasoned responses cannot be fulfilled when responsible agencies and the public have been deprived of an opportunity to even offer the comments to which response would be required.

PSL-19

CEQA is much more than simply a presentation to the public of the lead agency's environmental analysis. Public comments and responses to comments are equally essential ingredients of a valid EIR. "...CEQA compels an interactive process of assessment of environmental impacts and responsive project modification which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process." (*County of Inyo v. City of Los Angeles* (1984) 160 Cal.App.3d 1178, 1185 [207 Cal.Rptr. 425, 429].)

PSL-19

Failure to recirculate an EIR when there is significant new information or a substantial change is fatal to the process. The final EIR

PSL-19

will not be valid because essential components have not been included. California courts have not hesitated either to protect the right to comment or to enforce the duty to prepare responses. Recirculation of an EIR in consistent with the most fundamental purpose of CEQA: to provide information about environmental impacts. Failure to recirculate deprives the decision maker of comments from responsible agencies and members of the public and of written, reasoned responses to those comments.

CEQA requires that a recirculated document be subjected to the same notice and consultation procedures of an original EIR. (Pub. Resources Code § 21092.1.) The notice must specify ". . .the period during which comments will be received. . ." (*Id.* § 21092, subd. (a).) In addition, the lead agency is required to ". . .consult with and obtain comments from, each responsible agency, any public agency which has jurisdiction by law with respect to the project, and any city or county which borders on a city or county within which the project is located, and may consult with any person who has special expertise. . ." (*Id.* § 21104, subd. (a).)

PSL-19

B. The EIR For This Project Must Be Recirculated Because Significant New Information Must Be Added And Substantial Changes Made In Order To Provide The Information Required By CEQA.

PSL-19

In this case, there can be no doubt that significant new information must be presented and there must be substantial changes from the original draft.

For example, the new EIR must identify the mitigation measures for a host of impacts for which the selection of mitigation was deferred to future studies. These new mitigation measures will be required for the impacts of the project on increased slope instability, soil erosion, topography, destruction of trees, loss of wildlife habitat, visual impacts, and solid waste generation.

PSL-19

There are other examples also. The new EIR must analyze, for the first time, the potential impacts of radon infiltration into buildings, increased energy consumption, and the impacts of the construction work force.

PSL-19

ML1301.agt

In addition, the new EIR must analyze, also for the first time, the cumulative impacts of increased solid waste generation, loss of wildlife habitat, and degradation of runoff water quality. PSL-197

Moreover, the new EIR must discuss the extent to which the project is consistent with the Town's General Plan. PSL-198

Furthermore, the new EIR will have to present detailed analysis which responds to our eleven technical comments in section VI above. PSL-199

Recirculation is not required when it is necessary only to clarify or amplify existing information or to add insignificant new information. But such is clearly not the case here. Entire new subjects will need to be addressed. New mitigation measures will need to be proposed. These are no mere clarifications. PSL-200

Moreover, it will not satisfy CEQA to make the substantial changes needed and add the significant new information required, and then merely issue a Final EIR which is subject to comment by the public. As discussed above, it is not only the opportunity to comment on an EIR which CEQA requires. The public is also entitled to see the agency's response to those comments. A Final EIR for which comments are accepted will not provide the required agency response to those comments. PSL-201

Failure to recirculate under these circumstances would violate some of the most basic tenets of CEQA and deprive the members of the Planning Commission and the Town Council of critical information that they are both entitled to and duty bound to consider in their deliberations on this project. PSL-202

ML1301.agt

Letter PSL
Comment 1

This comment is too vague to respond to individually. See responses to individual comments on the EIR which follow.

Letter PSL
Comment 2

Each of the potential significant adverse impacts identified in the EIR is followed by discussion and one or more mitigation measures. The reader is reminded that the present EIR is a *program EIR*, covering a generalized master plan for development and the first phase of a phased development project. The analysis required in a program EIR is somewhat less detailed than would be necessary for a single one-time development project. This is true for two reasons. First, only a generalized notion (i.e., "the plan) has been developed with regard to the ultimate buildout. Secondly, an EIR necessarily analyzes the proposed plan in the context of the present environment. It is impossible to accurately predict environmental conditions which may be present at the time future project phases are proposed, thus conditions and related projects *known now* are the basis for analysis. The specific design studies related to future phases are not presently necessary to adequately analyze the generalized impacts of the proposed plan. Some mitigation measure call for specific studies based on specific future design solutions. Some mitigation measures in the EIR have been reworded to be more specific, but none of these suffer the *Sundstrom* flaw of deferring basic analysis (e.g., a hydrology study) to a future date.

Letter PSL
Comment 3

Please see response to comment PSL-75

Letter PSL
Comment 4

Please see the response to comment PSL-82.

Letter PSL
Comment 5

Construction related employment has been calculated on page 4.4-10 of Volume I EIR. Please see TABLE 4.4-6 of the Jobs/Housing Relationship Section.

Letter PSL
Comment 6

Please see page 4.5-12 of Section 4.5 Utilities. In addition, buildout under the Town of Mammoth Lakes General Plan would produce an additional 108,593 pounds of solid waste per day. This is based on 20.9 pounds per day per employee and 3.6 pounds per dwelling unit.

Letter PSL
Comment 7

See response to comment DFG-30.

Letter PSL
Comment 8

Please see response to comment PSL-108.

Letter PSL
Comment 9

The density and proposed uses are consistent with both the zoning and general plan designation of the property (except for the need to change the location of the Lodestar park in the Park and Recreation Element for which a General Plan amendment has been filed). The Master Plan is intended to refine applicable regulations and provide a greater degree of consistency for all individual development projects on the site.

Letter PSL
Comment 10

Please see response to comment PSL-75.

Letter PSL
Comment 11

Please see response to comment PSL-128.

Letter PSL
Comment 12

Please see responses to Comments PSL-132 and PSL-139.

Letter PSL
Comment 13

Response The environmentally superior alternative is the "no project" alternative. CEQA requires that an additional alternative be identified as superior if the "no project" alternative is determined to be the least damaging to the environment. In this case, the reduced project alternative as described in the EIR is also environmentally superior to the proposed project.

Letter PSL
Comment 14

See response to comment PSL-179.

Letter PSL
Comment 15

See response to comment PSL-2.

Letter PSL
Comment 16

See response to comment PSL-2.

Letter PSL
Comment 17

Comment noted. This is not a comment on the EIR.

Letter PSL
Comment 18

Comment noted. This is not a comment on the EIR.

Letter PSL
Comment 19

See response to comment PSL-17.

Letter PSL
Comment 20

See response to comment PSL-17.

Letter PSL
Comment 21

See response to comment PSL-17.

Letter PSL
Comment 22

See response to comment PSL-17.

Letter PSL
Comment 23

See response to comment PSL-17.

Letter PSL
Comment 24

See response to comment PSL-17.

Letter PSL
Comment 25

This is not a comment on the EIR.

Letter PSL
Comment 26

See response to comment PSL-18.

Letter PSL
Comment 27

See response to comment PSL-25.

Letter PSL
Comment 28

See response to comment PSL-25.

Letter PSL
Comment 29

See response to comment PSL-2.

Letter PSL
Comment 30

See response to comment PSL-25.

Letter PSL
Comment 31

This is a Program EIR. Project specific mitigation measures can only be discussed after each specific project design has been completed. Any construction project involving the construction of building pads and/or grading could create slope instabilities if improperly engineered. This is a potentially significant impact. However, no soil conditions were noted on the site for which a feasible engineering design cannot be developed.

Letter PSL
Comment 32

A site specific geotechnical study is a standard requirement of Mammoth Geologic Safety Element # 18. Geotechnical studies provide design constraints. Since the Town will have to approve the plans, a mitigation measure and a monitoring procedure have been outlined.

Letter PSL
Comment 33

The soils study conducted during the EIR preparation found no severe soils conditions associated with the site nor unmitigable impacts from the project. Keeping in mind that this is a program EIR and that actual building locations and configurations may change as the plan is built out, it would be foolish and unnecessarily speculative to proceed now with engineering analysis of building sites beyond those described as Phase One of the project. In this situation, deferral of *specific engineering studies* is not violative of CEQA any more than deferral of detailed architectural drawings would be, especially since this element is a Program EIR.

Letter PSL
Comment 34

See Response to PSL-31 and PSL-32 above.

Letter PSL
Comment 35

Correct. An erosion plan is not a separate product but incorporated in the design. Isolating it for discussion ensures that it receives due attention in the approval process.

Letter PSL
Comment 36

Any construction project involving the construction of building pads and/or grading will create permanent topographic changes. This is a potentially significant unavoidable impact. Since this is a programmed EIR, specific mitigation measures can only be discussed after specific project design has been completed. However, specific measures can be given after site specific plans have been completed.

Letter PSL
Comment 37

Geotechnical studies define the limits of grading and slope parameters.

Letter PSL
Comment 38

See more detailed project description in EIR.

Letter PSL
Comment 39

See comments to PSL-31 above.

Letter PSL
Comment 40

Consultation of aerial photographs reveals that trees of various sizes and conditions are scattered unevenly across the site. Virtually all of these trees are "second growth," with an estimated 5 "old growth" trees remaining on the site. The total number of trees (of all sizes) is estimated at between 366,000 and 732,000. The most pessimistic scenario (clearing of 205 of the 210 acres) indicates that about 97.6% of the trees could be removed. A more realistic scenario would involve removal of 183,000 to 350,000. Again, these are trees of all sizes (from saplings to old growth) and conditions (from vital to standing dead).

Letter PSL
Comment 41

The commentor correctly quotes the EIR.

Letter PSL
Comment 42

See response to comment PSL-40.

Letter PSL
Comment 43

See response to comment PSL-40.

Letter PSL
Comment 44

The commentor correctly quotes the EIR.

Letter PSL
Comment 45

See response to comment PSL-2.

Letter PSL
Comment 46

The commentor correctly quotes the EIR.

Letter PSL
Comment 47

This is the commentor's opinion and not a comment on the EIR.

Letter PSL
Comment 48

Areas where concentrations of wildlife are observed.

Letter PSL
Comment 49

Preferably, at these existing concentrations.

Letter PSL
Comment 50

See responses to comments DFG-22 and BM-4. It is estimated that 25-40 acres of the site could be preserved as meaningful habitat.

Letter PSL
Comment 51

Yes, or consolidated or rearranged.

Letter PSL
Comment 52

See response to comment PSL-51.

Letter PSL
Comment 53

See responses to comments PSL-46 through PSL-52.

Letter PSL
Comment 54

See response to comment PSL-2.

Letter PSL
Comment 55

See response to comment PSL-17.

Letter PSL
Comment 56

"offset" *n.* Something that balances, counteracts, or compensates. American Heritage Dictionary, Second College Edition, 1985, Houghton Mifflin Company, Boston, page 864.

Letter PSL
Comment 57

The commentor's characterization of the magnitude of the offset is an opinion, not a comment on the EIR. No, no new forest is proposed. Reforestation and/or habitat enhancement would occur on-site.

Letter PSL
Comment 58

See responses to comments DFG-19 and DFG-22.

Letter PSL

Comment 59

Comment noted.

Letter PSL
Comment 60

Comment noted.

Letter PSL
Comment 61

See response to comment PSL-2.

Letter PSL
Comment 62

Please see revised Mitigation Measures 4.5-4(a-e) on page 4.5-10.

Letter PSL
Comment 63

See response to comment PSL-2.

Letter PSL
Comment 64

Mitigation Measure 4.5-4(a) now reads: Alternative methods of solid waste disposal, such as onsite bundling, shall be incorporated into the final Project design subject to the approval of the Mammoth Lakes Planning Department.

Letter PSL
Comment 65

The Town is working with Mono County to implement source reduction and recycling as required under Ab 939.

Letter PSL
Comment 66

There is no municipal waste incinerator planned for the Town of Mammoth Lakes.

Letter PSL

Comment 67

See response to comment PSL-62.

Letter PSL
Comment 68

See response to comment to PSL-31.

Letter PSL
Comment 69

Please see the response to comment PSL-82.

Letter PSL
Comment 70

Comment noted. Please see response to comment PSL-5

Letter PSL
Comment 71

Comment noted. This is not a comment on the EIR.

Letter PSL
Comment 72

See response to comment PSL-71.

Letter PSL
Comment 73

See response to comment PSL-71.

Letter PSL
Comment 74

See responses to comments PSL-80, PSL-82, and PSL-94.

Letter PSL
Comment 75

Comment noted; the following paragraph is incorporated by reference into the EIR. Radon decays by emitting alpha particles therefore the total alpha emission in an area includes Radon emissions. The highest value obtained in the Mammoth area (Minaret Spring, 1430 pCi/l in the Steve Flexser, et. al. report, p. 136) amounts to less than 0.014 pCi/l in homes (see p. 2 of Jacqueline Michael Report Quoted for method of arriving at this figure). This is below the 5 pCi/l daily exposure limit set by EPA. The uranium (2.6 - 6.5 ppm) and thorium (11.2 - 22 ppm) listed in the reports mentioned are within the average for volcanic rocks of the type found in the Long Valley Caldera (see for example, Krauskopf, K. B., Introduction to Geochemistry, 2nd. Ed., p. 545, McGraw Hill, New York). Since the project site is within outwash and till, the values will be lower.

Letter PSL
Comment 76

Please see response to comment PSL-75.

Letter PSL
Comment 77

Please see response to comment PSL-75. The project site is at least 1000 feet away from the volcanic terrain. As shown on Figure 4.1.2 the project site is located on glacial debris (outwash and till) which have lower uranium and radon concentrations.

Letter PSL
Comment 78

Comment noted. See response to comment PSL-75.

Letter PSL
Comment 79

The evidence quoted above (PSL-75) does not support the need for further study.

Letter PSL
Comment 80

Please see Comment PSL-75 and 79.

Letter PSL
Comment 81

Please refer to response to comments PSL-75 to PSL-80.

Letter PSL
Comment 82

Please see the Electricity Subsection on page 4.5-11 of the Utilities Section. In addition, the Project will consume approximately 76.81 million cubic feet (cf) per year of natural gas. This is based on generation factors of 6,665 cf per month per unit for single-family residential, 4,105 cf per month per unit for multi-family residential, 4.8 cf per month per square foot of hotel space, and 2.9 cf per month per square foot of retail space.

Letter PSL
Comment 83

Comment noted. This is not a comment on the EIR.

Letter PSL
Comment 84

This is a correct reiteration of an advisory statement of CEQA. For a program EIR such as this one, such detail would be highly speculative.

Letter PSL
Comment 85

Please see the response to comments PSL 82, 87, 88, and 89.

Letter PSL
Comment 86

Please see the response to comment PSL-85.

Letter PSL
Comment 87

The amount of gasoline consumption resulting from Project-generated vehicle trips has been estimated ont he assumptions of a 700-mile round trip length (Los angeles to Mammoth Lakes and back), resort condominium and hotel occupancy rates of 50 percent and 70 percent, respectively, with a three-day stay and a fuel consumption factor of 15 miles to the gallon. Applying these factors to an estimated 273 trips per day, approximately 12,700 gallons of gasoline is consumed per day.

Letter PSL
Comment 88

The amount of gasoline consumption resulting from Project generated vehicle trips has been estimated on the assumptions of a 10-mile average trip length, and a fuel consumption factor of 15 miles to the gallon.

Applying these factors to the estimated 13,160 daily trips associated with the Project, results in gasoline consumption levels of 8,773 gallons per day.

Letter PSL
Comment 89

As the size of each of the buildings is not available, it is not possible to determine the energy needed to heat and light each building. However, each building will conform with State Building Efficiency Standards contained in Title 24 of the California Administrative Code. Please see page 4.5-11 of the Utilities Section for a discussion of electricity consumption associated with the total Project.

Letter PSL
Comment 90

Please see response to comment PSL-82.

Letter PSL
Comment 91

Comment noted. See response to comment PSL-5.

Letter PSL
Comment 92

As shown in Table 4.4-10 of the EIR, the proposed Project has the potential of generating 91 construction related workers. The additional job opportunities to the Town is considered a beneficial impact.

Letter PSL
Comment 93

Comment noted. At this time, wages to be paid to construction workers is unknown and speculative, therefore, no response is required.

Letter PSL
Comment 94

The EIR has calculated the impacts of the proposed Project on construction related jobs. As shown in TABLE 4.4-10 of the EIR, 91 construction jobs could be generated. According to the Town's General Plan, approximately 80 percent of its workers reside in the Town, while 20 percent reside in communities such as Crowley/Hilton, June Lake, Bridgeport, Lee Vining and Bishop. Assuming these percentages, approximately 73 construction workers would reside in the Town and 18 would reside in the surrounding communities.

Letter PSL
Comment 95

Please see the response to comment PSL-6.

Letter PSL
Comment 96

See response to comment PSL-105.

Letter PSL
Comment 97

Please see response to comment PSL-108.

Letter PSL
Comment 98

Comment noted. This is not a comment on the adequacy of the EIR.

Letter PSL
Comment 99

See response to comment PSL-98.

Letter PSL
Comment 100

See response to comment PSL-98.

Letter PSL
Comment 101

See response to comment PSL-98.

Letter PSL

Comment 102

See response to comments PSL-103, PSL-105, and PSL-109.

Letter PSL
Comment 103

Please see the response to comment PSL-6.

Letter PSL
Comment 104

Please see the response to comment PSL-6.

Letter PSL
Comment 105

As noted elsewhere, the project site is a relative island of altered natural habitat within the urbanized area of the Town. The other development projects on the "cumulative list" consist of partially developed sites, also within the urbanized area, which are proposed to be developed to a more intensive level of use. As discussed in the environmental documentation for these other projects, virtually no significant habitat loss would occur.

Letter PSL
Comment 106

The commentor correctly quotes the EIR.

Letter PSL
Comment 107

See response to comment PSL-105.

Letter PSL
Comment 108

In order to control the cumulative effects of development within the Mammoth Lakes Basin, the Lahontan Regional Water Quality Control Board has implemented a Resolution in agreement with the Town of Mammoth Lakes which requires a set of guidelines to be complied with for all development over a specified size. These guidelines required that all major land development contain facilities to retain the 20-year 1-hour storm from the project site. These retention facilities act as sediment traps and effectively treat the water for removal of sediment and the majority of the concentration of heavy metals which have entered the stormwater flow. These measures have been implemented to control the impact of cumulative development and provided these measures are implemented in some form no significant impacts will occur.

Letter PSL
Comment 109

Please see response to comment PSL-108.

Letter PSL
Comment 110

Comment noted. This is not a comment on the adequacy of the EIR.

Letter PSL
Comment 111

See response to comment PSL-110.

Letter PSL
Comment 112

See response to comment PSL-110. As indicated by Town staff in the Initial Study for the project, the proposed development is consistent with the Town's General Plan. This being the case, together with the fact that substantially less density is proposed than could be built under applicable General Plan and zoning standards, it was deemed that no further discussion of General Plan compatibility would be necessary, except for the map amendment in the Parks and Recreation Element of the General Plan.

Letter PSL
Comment 113

See response to comment PSL-112.

Letter PSL
Comment 114

See response to comment PSL-112.

Letter PSL
Comment 115

See response to comment PSL-112.

Letter PSL
Comment 116

Comment noted. The proposed Project is consistent with the policies in the Town of Mammoth Lakes Housing Element of the General Plan.

Letter PSL
Comment 117

Mitigation Measures 4.6-1(a) and 4.6-1(b), widening of Minaret Road (Main Street to Old Mammoth Road) and Old Mammoth Road (Main Street to Chateau Road) to four lanes each, are consistent with the designations of the affected sections of both Minaret Road and Old Mammoth Road as arterials in the General Plan Transportation and Circulation Element.

Mitigation Measure 4.6-1(c), widening of Lake Mary Road (Main Street to Lakeview Road) to four lanes, is not necessarily compatible with the current designation of Lake Mary Road as a collector street. However, the projected growth in traffic volumes along this section of Lake Mary Road, coupled with the potential increased importance of Lakeview Road as the primary access route to Warming Hut 2 given the street system changes proposed as part of the North Village Specific Plan, indicate a need to widen this section of Lake Mary Road.

Mitigation Measure 4.6-1(d), providing a two-way continuous left-turn lane on Main Street west of Sierra Boulevard to Minaret Road, is consistent with the designation of Main Street as an arterial and is consistent with the existing two-way continuous left-turn lane east of Sierra Boulevard.

Mitigation Measures 4.6-1(e) through 4.6-1(o) are localized intersection improvements to accommodate projected traffic volumes, including such improvements as additional turn lanes and/or signalization modifications, and as such are consistent with the overall goal #6 of the Circulation Element to provide for "safe, efficient economical movement of people and goods over an improved roadway system commensurate with the growth and development needs of Mammoth Lakes." These mitigations, as well as all of the other traffic mitigations listed in the EIR, are also consistent with streets and highways policy #6 which states that new developments should use appropriate roadway standards, should be assessed mitigation fees for the improvement of substandard roads and the construction of additional transportation facilities which serve the development, and should dedicate rights of way needed to comply with the Transportation and Circulation Element.

The potential contribution of "in lieu" fees for transit system improvements as an alternative to physical traffic mitigation measures as discussed in Mitigation Measure 4.6-1(a) is consistent with surface transit policy #5 which states that "major developments shall be required to contribute appropriate mitigation fees for transit facility purchase and construction." Provision of transit facilities within the Project site as part of Mitigation Measure 4.6-2(c) is consistent with surface transit policy #11 which states that developers shall "provide on-site bus turnouts and shelters, where appropriate, and/or in lieu impact fee contributions for the construction and purchase of transit facilities."

Mitigation Measure 4.6-2(c) regarding on-site pedestrian and bicycle facilities is consistent with non-motorized transportation policies #6 and #8 regarding provision of non-motorized and pedestrian facilities in new developments.

Finally, the Project site access plan is generally consistent with streets and highways policy #12, which seeks to minimize direct access to arterial facilities, as the internal roadway plan consolidates access from the various on-site land uses to a minimal number of access points onto Minaret Road and Meridian Boulevard.

Letter PSL
Comment 118

See response to comment PSL-112.

Letter PSL
Comment 119

There is currently existing water available to supply the Project. Potential difficulties may arise if other projects attain rights to the water before Lodestar. However, as Mitigation Measure 4.5-1(a) states: development will occur only if there is an available water supply in place. In addition, the Project will conform to all applicable State and local water conservation regulations.

Letter PSL
Comment 120

Comment noted. No response required.

Letter PSL
Comment 121

Comment noted. No response required.

Letter PSL
Comment 122

The Mammoth County Water District has indicated that the Town of Mammoth Lakes water supply is within State water quality standards.

Letter PSL
Comment 123

Please see response to comment PSL-75.

Letter PSL
Comment 124

Please see response to comment PSL-75.

Letter PSL
Comment 125

Comment noted. Please see the response to comments PSL-199 and PSL-122.

Letter PSL
Comment 126

In order to control the effects of development within the Mammoth Lakes Basin, the Lahontan Regional Water Quality Control Board requires the erosion control guidelines to be complied with for all development over a specified size. These guidelines required that all major land development contain facilities to retain the 20-year 1-hour storm from the project site. These retention facilities act as sediment traps and effectively treat the water for removal of sediment and the majority of the concentration of heavy metals which have entered the stormwater flow. Oil and grease separators effectively treat the stormwater runoff closer to the pollutant source and prevent the dispersal of the pollutants into the downstream natural drainages. However, retention facilities can also provide this treatment through sedimentation.

Letter PSL
Comment 127

Comment noted. Please see response to comments PSL-126 and PSL-128.

Letter PSL
Comment 128

Development will increase runoff and increase pollutant load above the undeveloped state. However, the Erosion Control Guidelines required by the RWQCB have been developed to address the issue of deteriorating water quality in Mammoth Creek and to improve water quality status. Therefore, though pollutants generated will increase they will not ne able to enter the downstream water courses.

Letter PSL
Comment 129

Please see response to comment PSL-128.

Letter PSL
Comment 130

Please see response to comment PSL-128.

Letter PSL
Comment 131

The lakes within the golf course will not be used for any contact or non-contact recreation. They will be used only as the source of irrigation supply, and will be subject to requirements specified for landscape irrigation in Title 22 of the California Administrative Code.

Letter PSL
Comment 132

Comment noted. Water quality is required to meet State standards. If these standards are changed, the project will be required to meet the revised State standards.

Letter PSL
Comment 133

Please refer to response to comment PSL-132.

Letter PSL
Comment 134

Neither contact (e.g. swimming) or non-contact recreational (e.g. fishing or boating), will be permitted in the lakes within the golf courses. Discussion of risk associated with swimming is not pertinent to the analysis of the project.

Letter PSL
Comment 135

Please see response to comment PSL-132 and Comment PSL-134.

Letter PSL
Comment 136

Comment noted. The project will comply with all Health Service requirements.

Letter PSL
Comment 137

Comment noted. The Annual Water Quality Report published by the Mammoth County Water District demonstrates that the District is in compliance with the State standards required by the Department of Health Services.

Letter PSL
Comment 138

Comment noted. The Annual Water Quality Report for the Mammoth County Water District lists the concentrations and maximum contaminant levels for primary and secondary standards. Samples are undertaken to detect Trihalomethanes. They have not been detected in the District's water supply.

Letter PSL
Comment 139

Please see response to comment PSL-138.

Letter PSL
Comment 140

The quality of reclaimed wastewater used in irrigation is controlled by the Safe Drinking Water Act. Trihalomethanes are produced during the chlorination process and not after and may escape into the air at the water reclamation plant. The Project Description does not include a water reclamation plant therefore trihalomethanes do not constitute a health risk in the current project. Consequently no health risk analysis is necessary.

Letter PSL
Comment 141

Please see comments to PSL-140.

Letter PSL
Comment 142

The Commentator is correct.

Letter PSL
Comment 143

Mitigation measures 4.7.1 and 4.7.2 are designed to reduce temporary construction impacts to less than-significant-level.

Letter PSL
Comment 144

Please see response to PSL-143.

Letter PSL
Comment 145

Please see response to PSL-143.

Letter PSL
Comment 146

Comment noted. The following sentence will be added to Mitigation Measure 4.7.1; " The applicant shall include the source of water for dust control in the grading plans."

Letter PSL
Comment 147

Comment noted. No response required.

Letter PSL
Comment 148

Please see Mitigation Measure 4.7-1(a) of Section 4.7 Air Quality. As the amount of water needed to control dust depends on wind velocity, it is difficult to accurately predict the amount of water which will be consumed. It is too speculative to estimate how much water will be consumed for other construction purposes.

Letter PSL
Comment 149

Comment noted. Please see the response to comment PSL-148.

Letter PSL
Comment 150

Page 4.5-7 of the Utilities Section has been revised to include this new mitigation measure. Mitigation Measure 4.5-1(f). If adequate potable water supplies are not available as determined by the MCWD, than the use of reclaimed water for construction purposes (i.e., dust control) shall be explored pending the approval of the MCWD and the State Health Department. If, however, adequate supplies are not available, then grading shall not commence.

Letter PSL
Comment 151

Every attempt has been made to find and eliminate internal inconsistencies in the document. This comment by itself cannot be further addressed. If the commentor is referring to comments PSL-152 through PSL-155, please see responses to those individual comments.

Letter PSL
Comment 152

Please see response to comment GBACD-2.

Letter PSL
Comment 153

Please see response to comment GBACD-2.

Letter PSL
Comment 154

Please see response to comment GBACD-2.

Letter PSL
Comment 155

Please see response to comment GBACD-2.

Letter PSL
Comment 156

All construction projects cause temporary noise impacts. Specific mitigation measures (4.8.1) have been provided to reduce the impact.

Letter PSL
Comment 157

Comment noted.

Letter PSL
Comment 158

All construction projects cause short term impacts, these are not considered significant after the construction phase. Please see Measure 4.8.1 for specific recommendations to minimize the impact.

Letter PSL
Comment 159

Refer to mitigation measure 4.8.1.

Letter PSL
Comment 160

Comment noted. The EIR extensively discusses individual impacts.

Letter PSL
Comment 161

Refer to Table 4.8.3 under 'Existing'.

Letter PSL
Comment 162

Comment noted. This is not a comment on the EIR.

Letter PSL
Comment 163

Please refer to Response to PSL-161.

Letter PSL
Comment 164

The projected noise level with the project would not be more than 2dB above the level without the project therefore the impact is not significant.

Letter PSL
Comment 165

Please refer to response to PSL-161.

Letter PSL
Comment 166

Please refer to response to PSL-161.

Letter PSL
Comment 167

The noise element of the General Plan takes into account a buildout of the Town, therefore the cumulative impact is by reference tiered to the General Plan.

Letter PSL
Comment 167

The noise element of the General Plan takes into account a buildout of the Town, therefore the cumulative impact is by reference tiered to the General Plan.

Letter PSL
Comment 168

Statement is correct, no further comment.

Letter PSL
Comment 169

No further Comment.

Letter PSL
Comment 170

Comment noted.

Letter PSL
Comment 171

Those studies present the Best Available Technology (BAT) in a seismic and/or volcanic environment.

Letter PSL
Comment 172

Since earthquakes cannot be precisely predicted, BAT is the next alternative, together with the ability to evacuate residents in an emergency situation.

Letter PSL
Comment 173

Refer to response to comment PSL-172.

Letter PSL
Comment 174

The introduction to Mitigation Measure 4.1.4 is amended to read: "Construction to standards of the Uniform Building Code Seismic Zone 4 is considered to be an adequate mitigation for public safety."

Letter PSL
Comment 175

Comment noted. This is not a comment on the adequacy of the EIR.

Letter PSL
Comment 176

Comment noted. This is not a comment on the adequacy of the EIR.

Letter PSL
Comment 177

See response to comment PSL-13.

Letter PSL
Comment 178

This comment is a misstatement of CEQA. The EIR need not be recirculated if there are "substantial changes" made in the report. For example, the format of the present document has been improved to enhance readability. This alone creates the appearance of a "substantial change," without actually changing any of the document's content.

Letter PSL
Comment 179

See response to comment PSL-178. We disagree that the document requires "wholesale changes and major amounts of new information." Rather, the information contained in the document has been substantially reorganized or clarified. Certain deficiencies in the presentation have been corrected by elaborating on information already in the document. No new topics have been added. New information is *di minimus*.

Letter PSL
Comment 180

See response to comment PSL-178.

Letter PSL
Comment 181

See response to comment PSL-178.

Letter PSL
Comment 182

Comment noted. This is not a comment on the EIR.

Letter PSL
Comment 183

See response to comment PSL-182.

Letter PSL
Comment 184

See response to comment PSL-182.

Letter PSL
Comment 185

See response to comment PSL-182.

Letter PSL
Comment 186

See response to comment PSL-182.

Letter PSL
Comment 187

See response to comment PSL-182.

Letter PSL
Comment 188

See response to comment PSL-182.

Letter PSL
Comment 189

See response to comment PSL-182.

Letter PSL
Comment 190

See response to comment PSL-182.

Letter PSL
Comment 191

See response to comment PSL-182.

Letter PSL
Comment 192

See response to comment PSL-182.

Letter PSL
Comment 193

See response to comment PSL-182.

Letter PSL
Comment 194

See response to comment PSL-182.

Letter PSL
Comment 195

Each of the topics mentioned was considered in the EIR. See response to comment PSL-2.

Letter PSL
Comment 196

See responses to comments PSL-75, PSL-82, and PSL-91.

Letter PSL
Comment 197

See responses to comments PSL-95, PSL-96, and PSL-97.

Letter PSL
Comment 198

See response to comment PSL-113.

Letter PSL
Comment 199

See responses to these individual comments.

Letter PSL
Comment 200

See responses to comments PSL-178 and PSL-179.

Letter PSL
Comment 201

See response to comment PSL-178.

Letter PSL
Comment 202

See response to comment PSL-178.

SB

COMMENTS ON NOVEMBER 1990 LODESTAR DEIR
FOR 12/12/90 MAMMOTH LAKES PLANNING COMMISSION HEARING
By Shirley Blumberg

The following comments on the Lodestar DEIR are not in order of importance, but in the order that they appear in the DEIR. The ones I believe are especially important for the decision makers to consider are the comments on Hydrology/Water, Biotic Resources and Public Service/Fiscal Impacts. The visual impacts and traffic impacts are almost as important. The other comments are mostly for omissions that the DEIR preparer can easily remedy.

PROJECT SUMMARY.

The Project Summary, page 1-8, section 4.2.5 misleads those who read only the summary by suggesting that the golf course will be watered by reclaimed water only, when in fact the largest watering pond will be domestic water. (See discussion below in Hydrology/Water section). SB-1

PROJECT DESCRIPTION

No real site plan for the project is included. All maps are vague diagrams with no clear indications of building locations. Exact route of the ski lift is nowhere shown. Even the number of hotel rooms proposed varies from the 435,000 square feet in the Project Description to 550 rooms in the conceptual diagram in Figure 2.3 to 500 in the Public Service section on page 4.11-8 of the EIR to 300 in the Initial Study of January 1990. SB-2

Section 15124(d)(1)(A) and (B) of CEQA requires the Project Description to include to the extent known "a list of the agencies that are expected to use the EIR in their decision-making, and a list of the approvals for which the EIR will be used." Neither of these lists are included in the Project Description. The Mammoth County Water District and the Lahonton RWQCB are only two of the agencies, and tract maps, use permits and possibly a development agreement are some of the approvals for which this EIR will be used. SB-3

HYDROLOGY/WATER.

The DEIR does not show or indicate that the reclaimed water ponds will be covered or protected in any way. According to MCWD, such water is not considered safe for children to swim or wade in, drink from or skate on. (telephone conversation with Gary Sissons of MCWD 12/11/90). The ponds will be very inviting for such activities. Sissons said that children must somehow be protected from contact with the reclaimed water -- in the ponds, on the golf course and hotel grounds. In addition, no one knows if reclaimed water is safe for pets or other animals. The DEIR does not discuss or mitigate these problems. SB-4

It is very difficult to find in the EIR, but page 4.5-7, section 4.5.1 (Utilities section) states that the largest pond of 2.75 acres will use domestic water. This is a significant impact and must be mitigated or prohibited. Gary Sissons of MCWD said (12/11/90) that the District would be unwilling to supply domestic water to the pond for the golf course. He said "It's a waste of water" and he said that at no time did the District approve such domestic water use. Sissons also said that the District would not approve mingling of domestic and reclaimed water as would happen with the interconnections between ponds as proposed in the EIR. SB

Section 4.2.2 on page 4.2-11: Although the first sentence of this section says that the need for frequent irrigation is a "significant impact", the rest of the paragraph says that the only impacts are related to water quality concerns. The water quality mitigation section (4.2.5) discusses only the treatment for reclaimed water, not the excessive use of domestic water. The water use data given by MCWD specifically omitted the golf course at the request of the proponent. The additional domestic water to be used in the upper pond must be added to the total. Perhaps the total use would then be a significant impact. SE

Section 4.2.4 states that the groundwater depth is about 150 feet, but it later says on page 1.4.3 that there is "potentially high groundwater in the Southwest portion of the site." Statements must be consistent in the EIR. SE

BIOTIC RESOURCES.

Plants. Page 4.3-6, section Impact 4.3.1 states that loss of biological cover is less than significant. Justification for this designation is that landscape planting may increase the cover, and in (Mitigation Measure 4.3.4(a) that trees with diameter greater than 36 inches may be mapped and saved. The Town has previously required that trees over 12 inches be so marked and saved if possible. Designation of less than significant should be changed to Significant Unmitigated, and the mitigation measure should be changed that all trees over 12 inches in diameter must be marked and saved or replaced with equivalent trees in the area. SB

Wildlife. Page 4.3-8, sections Impact 4.3.5 and Mitigation Measures 4.3.5(a, et seq.): Regarding the stated loss of 205 acres of wildlife habitat, the mitigations proposed to reduce the impact to less than significant are much too vague. Statements that the design should take into account both animal and plant diversity gives no specific direction or protection. This section discusses a corridor for animals, but does not require any, and it says that the current plan would eliminate a significant portion of the areas that could be used as a corridor, but no other plan is included in the EIR. Thus, the impacts should be regarded as Significant Unmitigated at this time. SB

UTILITIES.

Statements about use of domestic water for large pond must be changed for the reasons stated above. SB-10

TRAFFIC.

Traffic counts for a purported winter weekend were taken on March 31 and April 7, 1990 (page 4.6-7). Chair 15 was officially closed on April 4 and was minimally used on March 31 because of lack of snow. According to their detailed data, but not in the DEIR, they augmented their data with ski ticket sale information and previous traffic studies. It is very difficult to know whether the traffic figures are accurate -- especially for the Minaret-Majestic Pines and the Kelley Road-Majestic Pines areas. There may be a great deal more or a great deal less traffic than forecast by the DEIR. Also, there is no discussion at all of use of a bus system to the lifts. The apparent reliance on a ski lift to relieve congestion limits the alternatives. In addition, there is no detailed discussion of the ski lift -- exact path, noise, intrusion, etc.) The ski lift may reduce car traffic, but may impact nearby neighborhoods too. SB-11

AESTHETICS/VISUAL QUALITY.

As in the traffic section, the ski lift could be a visual intrusion into a single family neighborhood. It must be discussed and possibly mitigated. SB-12

The proposed development plan proposes a perimeter wall around the Lodestar development (Appendix A). This must not occur. Southern California walled communities are inappropriate for Mammoth Lakes. In addition, the buffer of trees that is a mitigation measure in the DEIR (4.10.4 on page 4.10-10) must be more specific. It should be at least 50 feet deep to preserve the forested appearance. SB-13

The aerial views referred to on page 4.10-1 are not included in the DEIR. They will show Summers Home Road, which the proponents have called a dirt path or dirt road, as a clearly defined public road that must be dealt with by the Town before the project is approved. SB-14

PUBLIC SERVICES/FISCAL IMPACTS.

On page 4.11-8 to page 4.11-12, the fiscal impact on the Town of Mammoth Lakes is discussed, and the conclusion given that the Town would have a projected benefit of $2.35 million. However, this profit depends on $2.775 Transient Occupancy Taxes and 70% to 72% hotel occupancy. The proposed Lodestar "Permitted Uses" Paragraph L, includes timeshare ownership of dwelling units. Lodestar owners have previously indicated that the project will include timeshare dwellings. If so, the Town would not receive any transient occupancy tax from such units (See §7280 of the California Revenue and Taxation Code). A substantial part of the financial gain to the Town could be lost. The proponents should be required to disclaim any timeshare plans, or the EIR cannot use the figures for possible fiscal benefit. SB-15

The 70% to 72% hotel occupancy is patently absurd if it is an annual figure. The DEIR does not say whether the figure is annual or seasonal. In addition, with seven new hotels now being proposed in Mammoth Lakes, that figure is unrealistic even for the winter season. The TOT is probably grossly overstated, and the Town could have an actual loss from the project. There is not enough information in the DEIR to justify the fiscal conclusions reached for the Town. The DEIR states that the County and the Fire District will lose money from it. However, there is no discussion of mitigation of such adverse impact. SB-1

LONG-TERM IMPLICATIONS OF THE PROPOSED PROJECT.

This section (Page 5-1) does not mention the loss of trees as a short-term (and long-term) loss and as an irreversible environmental change if the project is developed as planned. SB-1

ALTERNATIVE SITE.

There is no map, but only a vague description. The DEIR should state or show the exact location and ownership of the alternate site. The DEIR paragraph on this (page 7-5) says that the location is east of Meridian and southeast of Highway 203. However, most of Meridian runs east and west. Mistake? SB-1

ALTERNATIVES.

The location of "unforested acreage south of the project site" for the "18 hole executive length golf course" is uncertain. A photo or more precise description should be included in the DEIR. SB-1

APPENDICES.

The Traffic Study is missing from the DEIR. SB-2

The Archaeology report has every other page missing: 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24. SB-2

When approving the EIR, Appendix A, which includes the Lodestar Development Plan and Exhibit B-2 to the Plan, should not be accepted as part of the EIR. Exhibit B-2 is not the Town's permitted uses. It is a Lodestar proposal. The EIR approval should not include approval of any of the Appendices, and the action should specifically so state. SB-22

Shirley Blumberg

Shirley Blumberg

Letter SB
Comment 1

The lakes will be filled with reclaimed water. The Hydrology Section has corrected to reflect this. Please see the introductory discussion of Impacts and Mitigation Measures on page 4.2-8.

Letter SB
Comment 2

The project description has been consolidated into a concise statement located at the front of the EIR. The reader is reminded that this is a *program EIR*, and, as such analyzes a master plan for development rather than detailed architectural or engineering drawings. The format limitations of the document dictate that descriptive figures are rather small and therefore somewhat difficult to read. Every attempt was made to provide the highest quality graphic reproduction, including computer enhancement of exhibits provided by the project proponent. It should be noted that the ski lift is not a part of the present application.

Letter SB
Comment 3

Because the project is phased over a period of several years, development processing regulations may change prior to issuance of the final entitlements. Therefore, the full extent of entitlements and reviewing agencies cannot be known at this time. However, the following agencies are anticipated to rely on the EIR in reviewing the project and issuing discretionary entitlements:

Reviewing Agency	Type of Discretionary Permit	When Issued
Town of Mammoth Lakes	Specific Plan Conditional Use Permit Tentative Tract Map Condominium Tract Map Business License Live Entertainment Permit Design Review	Prior to grading Prior to grading Prior to grading Prior to occupancy Prior to occupancy Prior to use Prior to construction
Forest Service	MMSA Use Permit	Prior to construction of any portion of the project which encroaches on National Forest land, including the gondola and ski back
Mammoth County Water District	Connection Permit Sewer Connection Permit	Prior to construction Prior to construction
Army Corps of Engineers (possible)	Section 404 Permit	Prior to grading
Great Basin Unified Air Pollution Control District	Air Quality Permit	Prior to construction
Lahontan Regional Water Quality Control Board	Waste Discharge Permit	Prior to grading
California Department of Fish and Game	Stream Alteration Permit	Prior to construction
Caltrans	Encroachment Permit	Prior to construction which encroaches on a State highway

Letter SB
Comment 4

Regulations are effectively enforced by the Regional Water Quality Control Board to ensure a health hazard is not created by the storage and use of reclaimed water. Different water quality standards are used for different water uses, that is water in which people may have contact will require more stringent water quality standards. These lakes will not be used for recreation. Young children and domestic animals will be prevented from encountering the lake by a fence. Please see discussion of Impact 4.2-4, page 4.2-11.

Letter SB
Comment 5

Only reclaimed water will be used for golf course irrigation and water bodies.

Letter SB
Comment 6

Domestic water will not be used to fill the lakes within the golf course. Reclaimed water supplied by the Mammoth County Water District will be used. Please see page 4.2-8.

Letter SB
Comment 7

Comment noted. Please see response to Comment MCWD-21.

Letter SB
Comment 8

There are literally thousands of trees over 12" dbh on this 210 acre site (see response to comment PSL-40). See also response to comment DFG-22.

Letter SB
Comment 9

As noted elsewhere, retention of significant habitat would require substantial alteration of the proposed development plan. Absent such changes, the quantitative loss of habitat could be considered significant unavoidable. One method for reducing this impact has been discussed under the aegis of the "reduced intensity alternative" in Chapter 7 of the EIR.

Letter SB
Comment 10

Please see the Response to comment SB-5

Letter SB
Comment 11

Please see Response to comment PT-5 regarding traffic count dates and adjustments. Please see Response to comment JJA-5 regarding assumed usage of bus systems and the proposed overhead ski lift. Also see Response to comment GBACD-2 for a discussion of means to reduce vehicle trips.

Letter SB
Comment 12

See response to comment PT-6.

Letter SB
Comment 13

Appendix A "Statement of Permitted Uses", paragraph B states that "Temporary and permanent perimeter walls may be constructed around part and/or all of the project as long as they do not exceed (6) feet above the existing surface and comply with the Zoning Ordinance." The development plan does not propose a perimeter wall around the project site. The project architect has indicated that open fencing or sections of walls may be constructed if specific situations warrant their use to ensure safety or to provide privacy. Where screening or buffers may be needed the project architect has indicated that vegetation will be used in lieu of fencing to the maximum extent feasible.

Also please see Mitigation Measure 4.10-x on page 4.10-x, which has been changed to specify a forested buffer along adjacent roadways of no less than 100 feet.

Letter SB
Comment 14

Comment noted.

Letter SB
Comment 15

Comment noted. The fiscal impact to the Town could be reduced if timeshare units are developed.

Letter SB
Comment 16

The assumed annual occupancy rates for the proposed hotels are based on a market study prepared by KPMG Peat Marwick. The study projected that in the competitive market, the proposed hotel is "expected to capture more than its fair share of individual tourists by its second year of operation. During the winter season, the proposed hotel should easily attract its fair share of individual tourists. The property's planned golf course and recreational amenities should generate above its fair share of business from individual tourists in the slow season, more so that the competitive supply."

Mitigation measures for the Fire District (4.11-8) and Mono County (4.11-10) fiscal impacts section have been include in Volume I EIR. Mitigation Measure 4.11-8 has been added to address the Fire District fiscal impact. Impact 4.11-10 is considered a significant unavoidable impact and no mitigation measure is currently feasible. (See Mitigation Measure 4.11-10).

Letter SB
Comment 17

Please see Mitigation Measure 4.3-4(a).

Letter SB
Comment 18

The alternative site is located *south* of Meridian, east of the Minaret Village Shopping Center (Vons Center). Ownership of the site was not considered pursuant to the language of the *Goleta* decisions which established the requirement for an off-site alternative. Rather, a site of similar *size* (e.g., approximately 200 acres) and generally matching the *physical characteristics* of the project site was sought.

Letter SB
Comment 19

See response to comment BM-9.

Letter SB
Comment 20

The traffic study appendix was inadvertently left out of some copies of the EIR. It was distributed separately and its conclusion are in the FEIR.

Letter SB
Comment 21

Consistent with industry practice, the archaeology study for the site should not have been included in the EIR at all. It has been omitted from the FEIR.

Letter SB
Comment 22

"Approval" of the EIR is not an approval of the project. Section 15090 of the CEQA Guidelines requires that the lead agency (the Town of Mammoth Lakes) "(a) certify that the final EIR has been completed in compliance with CEQA; and (b) the final EIR was presented to the decision-making body (and it) reviewed and considered the information contained in the final EIR prior to approving the project." In other words, the EIR is an information document, the approval of which does not constitute approval of any particular aspect of the project itself. The following sections of the Guidelines (15091, 15092, and

15093) describe the findings which must be made and the procedures which must be followed if the project itself is to be approved.

TA

Tim Alpus - Oral communication

Indirect effect on Big Springs and upper Owens River if if Dry Creek wells are developed. TA-1

Letter TA
Comment 1

The specific impacts associated with the development of the Dry Creek Wells should be addressed in the environmental documentation performed for that project.

triad engineering
CIVIL ENGINEERING
SURVEYING
PUBLIC WORKS
LAND DEVELOPMENT

TE

December 21, 1990

Town of Mammoth Lakes
Planning Department
P.O. Box 1609
Mammoth Lakes, California 93546

Attention: Randy Mellinger, Director

Dear Mr. Mellinger:

On behalf of the Lodestar Development Company, we have reviewed the recommended mitigation measures in the Draft Environmental Impact Report dated November, 1990, for the Lodestar at Mammoth project prepared by E.I.P. Associates. We would like to offer the following comments to the proposed mitigation measures. Our comments are organized in the same order as the Summary Table of Impacts and Mitigation Measures, Pages 1-3 through 1-49 of the document, and are referenced by the mitigation measure number in the document.

Triad Comment No.	Mitigation Measure No.	Comment	
1.	4.1.1	This measure is somewhat vague in that it says the developer "should complete the soils and foundation analyses ... prior to issuance of grading or building permit". We feel that detailed soils and foundation investigations cannot be performed until certain site specific information is known such as: 1) locations of all excavations, fills and structures, 2) depth of excavations for buildings or underground parking structures, and 3) detailed information pertaining to utility and roadway horizontal and vertical alignment. When any individual portion of this development is applying for grading or building permits, we feel that it "shall", not should, complete a site specific soils/ geotechnical investigation prior to issuance of the permit. While we feel that an individual site specific report should be	TE-1 TE-2

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prepared for each project (hotel, condo, or lot subdivision), we do not feel that any soils report is necessary for the golf course grading and could be waived. Previous soils investigations have already been prepared throughout this property and on nearby properties that contain adequate information for golf course grading design. This may not apply to golf course clubhouse facilities which would be required to perform soils investigations as with any commercial structure.

2. 4.1.2 This measure should be clarified to read "shall prepare", not "should prepare". For clarification purposes, we would like to state that such an "erosion and sediment transport control plan" is not a separate document. Interim and permanent erosion control measures are defined in the submittal to the Lahontan Regional Water Quality Control Board of a Report of Waste Discharge for Erosion Control and are repeated on the grading plan. TE-3 TE-4

3. 4.1.3 Sufficient geotechnical studies (S.G.S. and Kleinfelder) have already been prepared (and are referenced as Items 4 and 5 on Page 4.1-24 of EIR) for construction of a golf course. Other portions of the development will require more specific studies. TE-5

4. 4.2.1 Stormwater retention and percolation facilities capable of dissipating runoff from a 20-year, one-hour storm according to Lahontan RWQCB guidelines are required for all development of this scale. Therefore we disagree with the impact statement that "Development...would result in...higher surface runoff than currently leaves the project site." Attached hereto is a preliminary stormwater retention design for the golf course project. This has been prepared for The Lodestar Development Company TE-6

by this firm in conjunction with Olson Associates, the golf course architect. The report contains calculations for the 20-year storm water runoff per Lahontan RWQCB guidelines and shows the location and size of retention facilities to mitigate the runoff from the golf course and primary roadways through the site. This report will be submitted to the Lahontan Board in substantially its same form as a "Report of Waste Discharge for Stormwater Runoff" prior to obtaining a grading permit for the golf course, assuming that the Lodestar Project and EIR are approved. Additional retention facilities will be required for individual commercial and residential developments as they are proposed. It is not possible to calculate accurate runoff volumes for those areas until accurate impervious surface quantities are known and detailed drainage patterns in the developments are defined. A Report of Waste Discharge will accompany the Town grading/drainage permit for each of these future development areas when the design of the area has been sufficiently completed and permits are desired.

Finally, the statement that "The ultimate goal should be no net increase in ponding..." should be modified. The retention basins that 4.2.1 recommends be constructed are themselves ponds. If stormwater runoff is to be reduced, ponding will be increased in order to provide retention. The remainder of that sentence is correct with respect to the 20-year storm.

TE-7

5. 4.2.3 It is our understanding that U.S. Army Corps of Engineers permits are required only in wetland areas as the ACOE has defined them.

TE-8

6. 4.2.5 The Mammoth County Water District (MCWD) is required to meet Title 22 DW4 requirements in order to discharge the wastewater from the sewage treatment plant into Laurel Ponds. MCWD already has a reclaimed waste discharge permit from the Lahontan Regional Water Quality Control Board and will only need an amendment to its permit, which will add a new point of discharge (Lodestar Golf Course). As part of the permit, MCWD is required to test coliform levels daily and BOD levels weekly for conformance with the discharge requirements. TE-9

The waste discharge permit should not be tied to the issuance of the grading permit for the golf course. The issuance of the amended waste discharge permit described previously will not be a problem to obtain because the MCWD already meets Title 22 Division 4 requirements. TE-10

7. 4.2.7 This statement is correct, however it should be understood that a Report and Permit Application must be made for each individual project prior to grading in addition to a Report and Permit Application covering the golf course. TE-11

8. 4.2.8 Strongly disagree with recommended mitigation measure. Such oil and grease separators would be extremely expensive. Recently constructed public roadways near and crossing Mammoth Creek have not installed such separators and setting a precident for installing such facilities would be a significant installation and maintenance cost factor for all projects including public roads. Most of the drainage from onsite runoff on this project will be contained in a closed system, draining to the lowest lakes on the golf course, then pumped back up to the highest lakes, and therefore will not leave the site. Any site runoff that did leave the site also must pass through the Murphy Gulch desilting basin before reaching Mammoth Creek, miles downstream. TE-12

Finally, the percolation facilities required by the Lahontan RWQCB guidelines (basins and drywells) will act to trap contaminants before they can even enter the storm drainage system offsite of the project. TE-1

9. 4.3.4 The statement that "the most significant impact to vegetation would be the loss of the several large trees" should be questioned. Our experience with California Department of Forestry's registered foresters have shown that they tend to call for removal of older trees to provide for a healthier, younger forest. While we know that both the project proponent and golf course architect would like to retain as many of the large diameter trees as possible for aesthetic reasons, we do not feel that if removal of some of these trees were required, the "most significant impact to vegetation" would result. TE-1

10. 4.3.4(b) All three sentences should be modified in order to eliminate unnecessary removal of trees. The site is heavily forested and prohibiting grading, trenching and equipment movement "within the dripline of existing trees" will actually require the removal of far more trees than would otherwise be necessary. For example, a cleared swath for a utility trench might normally be about 15 feet wide either side of the line. Removal of all trees with driplines extending over the trench and equipment paths will create a cleared swath far wider than necessary, perhaps 30 feet wide. While we do not dispute a claim that grading, paving, trenching and driving within tree driplines could damage the trees, experience has shown that trees can often survive these stresses. The subdivision immediately east of Lodestar, Sierra Valley Sites I, had grading and paving up to numerous tree trunks in 1946, and the trees are doing fine today. Implementation of 4.3.4(b) will result in the type of clearing that many local residents have strongly protested at recent public hearings. TE-1

11. 4.5.1(a) This project should be subject to the same water availability requirements as any other project. MCWD has stated that water will be available on a first come first served basis as long as the pace of development does not surpass their ability to deliver water. TE-1(

12. 4.5.3(f) Same Comment as No. 8 (4.2.8)

13. 4.6.1(a) through (o) The general impression anyone familiar with Mammoth Lakes would receive after reading these mitigation measures is that all potential traffic related improvements throughout the town are the responsibility of Lodestar to construct. The text in the EIR does consider the Lodestar project's impact to various roadways (Page 4.6-32 Tables 4.6.10 and 4.6.11). The mitigation measures however do not mention proportional contributions to any of the improvements. While I would hope that a reasonable reduction or elimination regarding all of these measures could be achieved, I would offer specific comments on a few of the items as follows in comments 14 through 18. TE-17

14. 4.6.1(a) Should the Lodestar responsibility include all of Minaret Road south of Main Street or a proportional amount according to its impact as other previous projects have done along that route? Any widening south of Old Mammoth Road would be in the Snowcreek/ Fairway Homes entry area which has been nicely improved with the interlocking pavers, curbs, rockfaced walls and landscaping by Dempsey Construction Corp. They would most likely not appreciate Lodestar adding two lanes of asphalt paving to their entry area.

15. 4.6.1(b), 4.6.1(d), 4.6.1(g) 4.6.1(h), and 4.6.1(i) Lodestar has recently completed the Minaret Road link which provides the second major north-south arterial link in this town, relieving Old Mammoth Road and Main Street of some of their traffic load. Did the traffic study consider the effect of the new Minaret Road link on existing conditions? TE-19

16. 4.6.1(n) Table 4.6.11 lists Lodestar's impact on two intersections at 1% and this intersection (Old Mammoth Road and Chateau Road) at less than 1%. This is similar to the project's impact on Highway 395 and 203 leading into Town. Why are mitigation measures necessary for an impact that can barely be detected? TE-2

17. 4.6.3(a) A traffic signal at access number 1 on Minaret Road could possibly do more to hinder Minaret Road through traffic than help the access to Lodestar. Access point number 2 provides access to the same development areas so two signals so close together may not be necessary. Northbound traffic leaving the northern Lodestar development areas can easily turn right at access point number 1 without a signal. At peak hours when left turn movements out of Lodestar could be difficult at access point number 1, southbound traffic leaving that portion of Lodestar could take the internal project roads to access point number 2 which would actually provide a shorter route than through access point number 1. Left turn movements into Lodestar from southbound Minaret also do not need a signal. Peak traffic is the late afternoon of Saturdays during the ski season when most of the traffic will be southbound on Minaret. Vehicles turning left into access point number 1 will encounter relatively light traffic northbound on Minaret which should not significantly restrict their ability to turn. TE-2

18. 4.6.3(e) Why is the Meridian Blvd. widening at its intersections with all four Sierra Valley Sites II access points the responsibility of Lodestar? TE-22

19. 4.7.1 This should be reworded. The grading operations should be required to perform adequate watering to control dust whether that is twice daily or ten times daily. When dirt is being excavated or placed in fill, TE-23

twice daily watering will most likely not be sufficient regardless of wind speed. "All construction contracts" should be eliminated from this section since roofers, framers, etc. do not create a potential for dust hazard.

20. 4.8.1(a) Restricting work to five days per week conflicts with the requirements that all grading be accomplished during the "dry" season. TE-24

Yours truly,

TRIAD ENGINEERING CORP.

David Laverty

DL:jj

Letter TE
Comment 1

Comments noted. See response to comment PSL-31.

Letter TE
Comment 2

Comment noted.

Letter TE
Comment 3

Comments noted. Refer to response to comment BM-11.

Letter TE
Comment 4

Comment noted.

Letter TE
Comment 5

Comment noted. The following sentence will be added to Measure 4.1-3: "Incorporate the recommendations of the Kleinfelder report in the plans of the golf course.

Letter TE
Comment 6

Comment noted. Please see the discussion under Impact 4.2-1 on page 4.2-9.

Letter TE
Comment 7

See Mitigation Measure 4.2-1 page 4.2-9.

Letter TE
Comment 8

Comment noted. No response required.

Letter TE
Comment 9

Comment noted. Please see discussion under Impact 4.2-4 on page 4.2-11.

Letter TE
Comment 10

Comment noted. Please see discussion of Impact 4.2-4 on page 4.2-11.

Letter TE
Comment 11

Comment noted. No response required.

Letter TE
Comment 12

At the present time, retention facilities have been proposed for the golf-course but no design details have been provided nor are available for stormwater runoff from the built areas of the project. It was assumed that these built areas would contribute to a separate drainage system than the golf course areas. To maintain lake water quality for irrigation and aesthetic purposes it would not be advisable to contribute surface inflows from the asphalted and paved areas. Oil and grease separators are one way in which to settle the pollutant loads from parking areas provided they are satisfactorily maintained. However, if these separators are not installed, to ensure that adequate treatment is provided to stormwater prior to it entering the downstream natural drainage system the Lahontan Regional Water Quality Guidelines must be satisfied for all areas of the site, i.e. in particular, that retention facilities must be provided for the design storm as specified in the Guidelines.

Letter TE
Comment 13

Comment noted. Retention facilities as required by the Lahontan RWQCB will trap the "first flush" of runoff which holds the large majority of pollutants. From parking areas extremely high pollutant loads, particular heavy metals and petroleum based products accumulate. Installation of oil and grease separators collect the pollutant loads much closer to the source and prevent the dispersal of the pollutants within the drainage system. If retention facilities were to be preferred for these built areas, design of the facilities would be required to satisfy the Lahontan Regional Water Quality Control Boards Guidelines.

Letter TE
Comment 14

Comment noted.

Letter TE
Comment 15

The intent of this Mitigation Measure is to reduce the area of grading, not increase the number of trees being removed.

Letter TE
Comment 16

This Project will be subject to the same water availability requirements as any other project. Mitigation Measure 4.5.1(a) is intended to defer the construction of the Project if water is not available at the time construction is to begin. As water availability is on a first-come-first-serve basis, the same would be true for all projects within the jurisdiction of the MCWD.

Letter TE
Comment 17

Comment noted. Please see the Response to Comments TE-18 through TE-23.

Letter TE
Comment 18

Please see Response to comment BM-5 for a general discussion of the potential Lodestar Project contribution to the cumulative traffic impacts and mitigation measures. Regarding Mitigation Measures 4.6.1(a), widening Minaret Road between Main Street/Lake Mary Road and just south of Old Mammoth Road, Table 4.6-10 in the EIR indicates that the Lodestar Project is expected to contribute approximately 18 to 32 percent of the net growth in future cumulative traffic volumes on Minaret Road between Main Street and Meridian Boulevard, and about 14 to 15 percent of the net traffic growth between Meridian Boulevard and Old Mammoth Road. The widening south of Old Mammoth Road is proposed to be in the immediate vicinity of the Minaret Road/Old Mammoth Road intersection only, with the intent of flaring Minaret Road just south of Old Mammoth Road to provide additional lanes at the intersection.

Letter TE
Comment 19

The traffic study did not consider the effect of the new Minaret Road link on existing traffic conditions, as the link had not been constructed as of the time of the existing conditions analysis. The effect of the new link is, however, considered in all future scenarios analyzed in the study (i.e., Cumulative Base and Cumulative Plus Project conditions).

Letter TE
Comment 20

Regarding the Lodestar impact of 1 percent referred to in the Comment at two intersections, it should be noted that the more appropriate number to use when assessing the proportional contribution of the Project to the impact is the percent of the net incremental increase in future traffic (i.e., not including existing

traffic) which the Project-generated traffic is expected to contribute, as opposed to the percent of total future traffic (including existing traffic). As indicated on Table 4.6-11, the Lodestar project is expected to contribute 7 percent and 4 percent of the net incremental growth in traffic at the Kelley Road/Lake Mary Road and Majestic Pines Drive/Meridian Boulevard intersections, respectively, as opposed to the 1 percent of total traffic referred to in the Comment.

Regarding the Lodestar impact of less than 1 percent at the Old Mammoth Road/Chateau Road intersection, the Commentor is correct in noting that the Project impact can barely be detected. However, even though the Project impact is almost unnoticeable, Mitigation Measure 4.6-1(n) was developed as a cumulative mitigation since the location is projected to operate at unacceptable levels of service under both the Cumulative Base and Cumulative Plus Project scenarios. Under the significance criteria used in the analysis, an impact is considered to be significant if the location operates at an unacceptable level of service. The percentage contribution analysis, however, obviously indicates that the need for this mitigation in fact results from the cumulative growth in traffic volumes, not the proposed Project.

Letter TE
Comment 21

The traffic signal warrant analysis for Lodestar access number 2 at Minaret Road determined that Warrants 2 (interruption of continuous traffic), 3 (combination warrant), 9 (four hour volume) and 11 (peak hour volume) would all be satisfied by the projected traffic volumes, providing a strong indication that a signal should be installed at this location, especially since it is the primary access point to much of the Lodestar development. The signal warrant analysis for access number 1 at Minaret Road determined that the projected traffic volumes would satisfy only one warrant (Warrant 9, four hour volume). This implies that, although the warrant is satisfied, the potential need for a signal at this location is much weaker than at access number 2. As noted in the Caltrans Traffic Manual, satisfaction of a warrant is not in and of itself necessarily justification for a signal if other conditions indicate that a signal may not be desirable. Given this, and the various points noted by the Commentor, the potential need for a signal at access point 1 could be considered to be borderline. Thus, it is recommended that, instead of installing a traffic signal at this location at the time of Project construction, traffic conditions should be monitored over time, and a signal only be installed if the need for it becomes apparent in the future.

Note that, in order to minimize impacts on Minaret Road through traffic, any signal which is ultimately installed should be demand-actuated such that a green is given to the access road approach(es) only when vehicles are present.

Letter TE
Comment 22

The purpose of Mitigation Measure 4.6-3(e) is to provide left-turn storage on Meridian at each of the proposed project access roads (access numbers 3, 4, 5 and 6). This could potentially be accomplished by simply flaring Meridian Boulevard in the immediate vicinity of each access point only such that separate left-turn storage lanes could be provided at each. However, given the proximity of the proposed access points along Meridian Boulevard to other existing intersections (Villa Vista Drive, Joaquin Road, Lupin Street, Mono Street and Manzanita Road) as well as to each other, and the overall increase in number of intersections/access points along this section of Meridian Boulevard (and hence resulting increases in side friction) that would be created by the Lodestar Project, a uniform widening to provide a two-way continuous left-turn lane along the entire Project frontage is believed to represent a better design from an operational and safety standpoint, and thus was recommended in the mitigation measure.

Letter TE
Comment 23

The intent is to strike a balance between over use of a finite resource (water) and pollutant emissions. There is substantial potential for dust from trucks driven over the site during all construction phases.

Letter TE
Comment 24

Mitigation measure 4.8.1(b) has been modified to replace "Friday" with "Saturday."

C. Mitigation Monitoring Program

1. INTRODUCTION

CEQA Requirements

The California Environmental Quality Act (CEQA) requires the public agency approving a project to adopt a Monitoring Program to ensure effective implementation of mitigation measures contained in the EIR (Public Resources Code Section 21081.6, AB 3180, (1988). The reporting or monitoring program must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

Program Objectives

The basic objectives of the Lodestar at Mammoth Mitigation Monitoring Program will be to achieve the following:

- To report periodically to the Town's Planning Director, who is the designated representative of The Town of Mammoth Lakes regarding project compliance with mitigation measures, performance standards and/or other conditions;
- To provide assurance and documentation that on-site mitigation measures are implemented as planned;
- To seek assurance that the physical infrastructure improvements identified as mitigation measures are provided on a timely basis by the agencies that have responsibility and jurisdiction over such improvements;
- To collect analytical data to assist The Town of Mammoth Lakes in its determination of the effectiveness of the mitigation measures used; and
- To make available to the public, upon request, the Town's record of compliance with project mitigation measures.

Organization of the Mitigation Monitoring Program

Section 1 - Introduction: Provides an overview of CEQA's monitoring and reporting requirements, program objectives, the project for which the program has been prepared, and the way in which the Mitigation Monitoring Program has been organized.

Section 2 - Description of Program: Describes The Town of Mammoth entities that are responsible for the implementation of the Mitigation Monitoring Program, the program scope, procedures for monitoring, public availability of documents, the process for making changes to the program, and the way in which monitoring will be coordinated to ensure implementation of mitigation measures.

Section 3 - Mitigation Monitoring Form: Outlines the mitigation measures, responsible entities, and the timing for monitoring for each mitigation measure included in the program.

2. PROGRAM DESCRIPTION

Responsibility for the Mitigation Monitoring Program

The Town Council is ultimately responsible for the enforcement of all adopted mitigation measures.

The Planning Commission and the Planning Department for the Town of Mammoth Lakes have overall responsibility for implementing this and other Town Mitigation Monitoring Programs and will report directly to the Town Council regarding the status of their implementation.

Under the present organization, the Town Manager will play a critical role in implementing the Mitigation Monitoring Program by assigning responsibility for monitoring and reporting of measures to appropriate departments and/or staff.

Organizations and agencies with special areas of interest will participate in the monitoring and reporting program. They will also provide the Planning Commission and/or Planning Department with periodic progress reports on the status of implementation.

The Planning Director will serve as a clearinghouse for the Mitigation Monitoring Program. The Planning Director will receive reports from other units within the Planning Department and other Town divisions and departments responsible for implementation. The Planning Department will maintain a master file containing all appropriate environmental data, statistics, reports and drawings pertaining to each project mitigation measure. Copies of all reports, checklists and verification forms relating to the implementation of mitigation measures for a particular project will be kept in a central file that will be updated on a regular basis.

Program Scope

The mitigation measures that will be monitored for the proposed project consist primarily of those that have been adopted to reduce or avoid significant impacts. In some cases, The Town of Mammoth Lakes may adopt mitigation measures that would further reduce the effect of less-than-significant impacts. Several less-than-significant impacts and associated mitigation measures have been included in this program because they are impacts of local interest and concern.

Mitigation Monitoring Procedures

The Mitigation Monitoring Program delineates responsibilities for monitoring projects, but allows responsible Town Departments flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. The timing for monitoring and reporting is described in Section 3. Mitigation Monitoring and Reporting Form, of this document. Establishing adequate monitoring procedures generally consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented.

In order to enhance the effectiveness of the monitoring program, the Town will utilize existing systems where appropriate. Specifically, with any major construction project the Town generally will have at least one inspector assigned the responsibility of inspecting the project construction. These inspectors are familiar with a broad range of regulatory issues such as OSHA compliance, and will provide the front line capabilities for much of the monitoring program.

Town planning inspectors are responsible for reporting mitigation measures related problems that may arise during implementation of the Master Plan, including such problems as non-compliance, further impacts, etc. These problems are generally corrected through directions to the appropriate mechanisms. Daily internal reporting procedures should be in place to document any problems and to address broader implementation issues.

Reporting Procedures

As just discussed, the Town's planning inspection process will be utilized as the front line for much of the monitoring program, and will also serve to provide the background documentation for the reporting program. Since these planning inspection records are voluminous and address many issues unrelated to the EIR's mitigation measures, the Town will distill and separate this information into a summary report on an annual basis through the process described below.

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

- The Planning Department distributes reporting forms to the appropriate Town office as indicated in Section 3 or uses that office's existing reporting process for verification of compliance.
- Responsible entities will verify compliance by either signing the Monitoring and Reporting Form or documenting compliance using their own internal procedures when monitoring is triggered.
- Responsible parties will provide verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented.
- The Planning Department will prepare a monthly report during the construction phase and an annual report during project operation plus any interim progress reports.
- Monthly and annual reports will be available at specified libraries.

The monthly and annual reports to be prepared by the Planning Department will summarize the implementation status of mitigation measures for Lodestar Mammoth Specific Plan. The monthly and annual reports will describe implementation of mitigation measures included in this program to date. Annual progress reports will evaluate the extent of progress in the provision of mitigation measures, evaluate the ability of the town to complete the mitigation measures according to schedule, and propose corrective actions as necessary.

The Planning Department is also responsible for assisting departments with reporting responsibilities to understand their charge and complete their reporting procedures accurately and on a timely basis.

Public Availability

All monitoring progress reports, summaries, data sheets, and correction instructions related to the Lodestar at Mammoth Mitigation Monitoring Program will be available for public review upon request at the Town Library reference room. Any questions regarding availability should be directed to the Planning Department.

Program Changes

Changes to the Mitigation Monitoring Program will be made in accordance with CEQA and would be permitted after further review by the Town Manager and approval by the Town Council. This flexibility is necessary in light of the prototype nature of the Town Mitigation Monitoring Plan Implementation process. Such changes could include reassignment of monitoring and reporting responsibilities and/or program redesign to make any appropriate improvements. No change will be permitted unless the mitigation monitoring and reporting program continues to satisfy the requirements of Public Resources Code Section 21081.6.

Types of Mitigation Measures Being Monitored

The Mitigation Monitoring form identifies the types of measures that will be undertaken by the Town to mitigate identified potential significant adverse environmental impacts of the proposed project.

The mitigation measures identified in the EIR have been divided into two broad categories for the purpose of implementing appropriate monitoring procedures. These are: a) mitigation measures related to the implementation of the Lodestar Master Plan project, and b) program mitigation measures related to the ongoing implementation of other plans. The Program Mitigation Measures are generally measures required to implement cumulative impacts. Implementation of each mitigation measure in the summary table of impacts and mitigation measures will follow one of these two monitoring processes.

A. Project-Level Mitigation Measures

The Lodestar at Mammoth Master Plan EIR specifies a number of mitigation measures that the Town will implement for the proposed project. Compliance with these mitigation measures will be accomplished through administrative controls over project planning and implementation, such as modifications to design

plans and construction contract provisions. Monitoring of these measures will be accomplished primarily as described above through verification and certification by Town personnel currently responsible for monitoring architectural and engineering contracts for compliance; additional monitoring responsibilities are also specified.

Implementation of the mitigation monitoring program will require the following actions:

- Appropriate mitigation measures will be included in design and construction documents.
- Town Departments with reporting responsibilities will review the EIR, which provides general background information on the reasons for including specified mitigation measures and will also review the EIR's specific mitigation measures.
- Problems or exceptions to compliance will be addressed as appropriate.
- Periodic meetings will be held during project implementation to report on compliance of mitigation measures.

B. Ongoing Master Plan Program Measures

The EIR for the Lodestar Master Plan identifies specific actions which may not be directly linked with specific future development projects, which the Town will initiate in order to mitigate certain impacts of general Town development. Such actions are generally related to ongoing town programs such as those conducted by the Planning Department.

3. MITIGATION MONITORING AND REPORTING FORM

Table 3-1 outlines the mitigation measures included in this environmental impact report and presents them in a matrix for easy reference. Mitigation measures from each of the environmental sections of the EIR are numbered and presented along with the type of mitigation measure it conforms to. "Type of Mitigation Measure" refers to whether the mitigation measure pertains to construction of the project, is operational (i.e., ongoing), or is cumulative in nature. The table also illustrates the timing of the implementation of the mitigation measure and names the entity or agency responsible for its implementation and/or enforcement.

TABLE B
Lodestar at Mammoth Mixed Use Development Mitigation Monitoring Reporting

Mitigation Measures	Type	Time of Implementation	Responsible Entity
4.1 Geology, Soils and Seismicity			
4.1-1(a) *Soils and foundation analyses shall be approved by the Public Works Director prior to final Project design approval, as stipulated in the Town's Safety Policy #18. All measures required by the Public Works Director shall be incorporated into grading plans and building plans.*	Project	Prior to issuance of Building Permits	Applicant
4.1-1(b) *New slopes shall be constructed at an angle and degree of compaction that will ensure stability, as stipulated in the standards of the Town's Municipal Code.*	Project	Prior to issuance of Building Permits	Applicant
4.1-1(c) *The ponds and man-made lakes shall be constructed and operated to prevent downslope saturation or stress that could lead to slope instability.*	Project	Prior to issuance of Building Permits	Applicant
4.1-1(d) *All work shall be overseen by a licensed Civil Engineer (CE), Certified Engineering Geologist (CEG), or similar appropriately qualified professional, who shall report to the Town in order to ensure the standards of the applicable Codes are met.*	Project	Prior to issuance of Building Permits	Applicant
4.1-1(e) *Subsequent development phases will require additional environmental review and approval by the Planning Commission.*	Project	Prior to issuance of Building Permits	Applicant
4.1-2 *A comprehensive Erosion and Sediment Transport Control Plan shall be prepared and approved by the Town prior to issuance of any grading or building permit. The Plan shall be included in the Project design, as stipulated in the Town's Safety Policy #18. The Plan shall also meet the requirements of the Regional Water Quality Control Board and the Town Municipal Code.*	Project	Prior to issuance of Building Permits	Applicant
4.1-3 *Prior to issuance of grading or building permits, geotechnical studies shall be completed and their recommendations shall be incorporated in the Project design, as stipulated in the Town's Safety Policy #26. Any grading in the southwest portion of the site shall consider the potentially high groundwater in that area.*	Project	Prior to issuance of Building Permits	Applicant Town

TABLE B
Lodestar at Mammoth Mixed Use Development Mitigation Monitoring Reporting

Mitigation Measures	Type	Time of Implementation	Responsible Entity
4.1-4(a) *Two measures specifically designed for the geological environment would reduce the number of lives that could be adversely impacted in the event of either an earthquake or volcanic eruption:*			
i) The USGS is actively monitoring both volcanic and seismic activities in the Long Valley area.	Operational	Ongoing	Applicant Town
ii) The Project Sponsor is assisting the Town in completing the existing and emergency access roadway system (Safety Policy #29).	Operational	Ongoing	Applicant Town
4.1-4(b) *The Town shall require the Project Sponsor's cooperation in designing and disseminating information to assist citizens and visitors in responding to emergency situations that are likely to arise (Safety Policy #31).*	Project	Prior to Certificate of Occupancy	Applicant Town
4.1-4(c) *All structures shall be designed and built to at least the standards of UBC Seismic Zone 4.*	Project	Prior to issuance of Structural Building Permits	Applicant Town
4.1-5 *Implement Mitigation Measures 4.1-4(a) and (b).*	Operational Project	Ongoing Prior to Certificate of Occupancy	Applicant Town
4.2 Hydrology and Water Quality			
4.2-1(a) *Prior to approval of the final project design, a final project-specific hydrology analysis for design purposes shall be required to estimate the amounts of runoff which would be required to be retained onsite and held within the lakes onsite.*	Project	Prior to issuance of Building Permits	Applicant Town
4.2-1(b) *Runoff control shall be designed to meet the Lahontan Regional Water Quality Control Board's requirements and must be approved by the Town prior to issuance of any grading permits.*	Project	Prior to issuance of Building Permits	Applicant
4.2-1(c) *The following water conservation procedures shall be incorporated into project elements where feasible:*			
▸ *Landscape with low water-using plants;*	Project	Prior to issuance of Building Permits	Applicant

TABLE B
Lodestar at Mammoth Mixed Use Development Mitigation Monitoring Reporting

	Mitigation Measures	Type	Time of Implementation	Responsible Entity
	▸ *Install efficient irrigation systems that minimize runoff and evaporation and maximize the water that will reach the plant roots, such as drip irrigation, soil moisture sensors, and automatic irrigation systems; and*	Project	Prior to issuance of Building Permits	Applicant Town
	▸ *Use pervious paving material whenever feasible.*	Project	Prior to issuance of Building Permits	Applicant
4.2-2	*None required.*	-----	-----	-----
4.2-3	*None required.*	-----	-----	-----
4.2-4	*None required.*	-----	-----	-----
4.2-5	*To avoid impacts resulting from upkeep of greens and fairways, the following measures or equivalent shall be completed:*	Operational	Ongoing	Applicant
	▸ *A certified greenskeeper with appropriate state-approved applicator's license for use of fertilizers and pesticides shall be employed for maintenance of greens and fairways.*	Operational	Ongoing	Applicant
	▸ *A fertilization program shall be specifically developed to match application rate with the known uptake rate for each turf grass species.*	Operational	Ongoing	Applicant
	▸ *Pesticides, herbicides, and fertilizers which are rapidly degradable, are relatively insoluble in water and exhibit significant soil adoption shall be chosen for use. These chemicals shall comply with the requirements of the Lahonton RWQCB and the Soil Conservation Service.*	Operational	Ongoing	Applicant
	▸ *The golf course operator shall submit to the LRWQCB and the MCWD a list of chemicals to be used on the golf course. This list shall be updated annually, before any chemicals are applied, and at any time new chemicals are proposed for use. No chemicals shall be used on the golf course which are prohibited by the LRWQCB or the Department of Health Services (DHS).*	Operational	Ongoing	Applicant
	▸ *During periods when fertilizers and other chemicals are used watering shall be kept to a minimum.*	Operational	Prior to issuance of Building Permits	Applicant Town

TABLE B
Lodestar at Mammoth Mixed Use Development Mitigation Monitoring Reporting

	Mitigation Measures	Type	Time of Implementation	Responsible Entity
	▸ *Installation of automatic irrigation timers to implement an irrigation schedule to maximize infiltration.*	Operational	Prior to issuance of Building Permits	Applicant Town
	▸ *Installation of automatic rain and soil moisture sensors that will override irrigation programs to reduce excess watering of fairways.*	Operational	Prior to issuance of Building Permits	Applicant Town
	▸ *Specific chemical analysis shall be required in the project proponents downstream discharge monitoring program to account for compounds that could indicate contamination by fertilizers, pesticides, or other chemical agents used in golf course maintenance. Should evidence of such contamination occur, use of pesticides or fertilizers shall cease until appropriate contamination prevention measures can be implemented. The monitoring plan shall be developed in accordance with waste discharge requirements established by the Lahontan RWQCB and the well water testing required by the DHS.*	Operational	Prior to issuance of Building Permits	Applicant Town
	▸ *Compliance with the LRWQCB "Guidelines for Erosion Control."*	Operational	Ongoing	Applicant Town
4.2-6(a)	*For each individual project considered under this development concept, disturbance of soil requires a Waste Discharge Report to be filed with the Lahontan Regional Water Quality Control Board and a Waste Discharge Permit to be issued for the project to ensure that proper control measures for the protection of water quality are taken and adhered to during all phases of the project.*	Operational	Ongoing	Applicant
4.2-6(b)	*A comprehensive Erosion and Sediment Transport Control Plan shall be prepared and approved by the Town prior to issuance of any grading or building permit. The Plan shall be included in the Project design, as stipulated in the Town's Safety Policy #18. The Plan shall also meet the requirements of the Regional Water Quality Control Board and the Town Municipal Code.*	Project	Prior to issuance of Building Permits	Applicant
4.2-7	*Installation of oil and grease separators shall be required in the inlets of catch basins where necessary, particularly at the collection points from parking areas, to minimize pollution of downstream water courses. The separators shall be*	Project	Prior to certificate of occupancy; ongoing	Applicant

TABLE B
Lodestar at Mammoth Mixed Use Development Mitigation Monitoring Reporting

	Mitigation Measures	Type	Time of Implementation	Responsible Entity
	maintained regularly (at least twice per year) to ensure efficient pollution removal.			
4.2-8(a)	*Weeds and algae in the man-made lakes shall be harvested and removed on a regular as-needed basis. Removal shall be complete—not temporary control through application of chemicals and algacides.*	Operational	Ongoing (monthly)	Applicant
4.2-8(b)	*Grass swales shall be used to convey runoff from major portions of the site toward the lakes. The swales would promote sedimentation of contaminants in the particulate or absorbed phase, and may allow some capture of dissolved contaminants through infiltration.*	Operational	Ongoing (monthly)	Applicant
4.2-8(c)	*Implementation of an irrigation schedule (as previously required in Mitigation Measure 4.2-5) to reduce inflow from irrigated areas and to reduce nutrient inflows.*	Operational	Ongoing (monthly)	Applicant
4.3 Biotic Resources				
4.3-1	*To the maximum extent feasible, the Project shall preserve existing native vegetation. Landscaping shall emphasize the use of native plants indigenous to the Jeffrey Pine-Fir Forest, Sagebrush Scrub, and Riparian plant communities. Whenever possible, native plants used onsite shall be selected for their replacement habitat value.*	Project	Prior to issuance of Building Permits	Applicant Town
4.3-2	*Implement Mitigation Measure 4.3-1.*	Project	Prior to issuance of Building Permits	Applicant Town
4.3-3	*None required.*	-----	-----	-----
4.3-4(a)	*All trees greater than 12 inches dbh (diameter breast height) and significant stands on the Project site shall be mapped prior to issuance of grading permits or clearing. A registered forester or arborist shall then determine the age and*	Project	Prior to issuance of Building Permits	Applicant Town

TABLE B
Lodestar at Mammoth Mixed Use Development Mitigation Monitoring Reporting

	Mitigation Measures	Type	Time of Implementation	Responsible Entity
	condition of these trees and whether they should be retained or removed based upon health and visual significance of the trees, except for removal required by approved improvements. Once this determination is made those trees should be retained and integrated into the design of the Project. A program of specific protection measures shall be prepared by the developer and approved by the Town prior to issuance of any construction permits (e.g., construction fencing, grading controls, grading design, etc.) Any trees removed unavoidably by the final Project approval shall be replaced in accordance with Town Policies. Off-site replacement will need the approval of the Town Planning Director.			
4.3-4(b)	*Construction and site development, such as grading and trenching, shall be prohibited within the dripline of retained trees. Equipment shall not be stored or driven under trees. Grading shall not cover the ground surface within the dripline of existing trees.*	Project	During construction phase	Applicant
4.3-4(c)	*Landscape materials shall be incorporated into a landscape plan which allows for the protection and preservation of existing trees. Native plant species, preferably from seed or cuttings from local plants, shall be used where possible. The landscape plan shall be approved by the Planning Director prior to issuance of any construction permits.*	Project	Prior to issuance of Building Permits	Applicant
4.3-4(d)	*Irrigation, fertilization, and other landscape management practices shall be designed to minimize effects on existing trees and other vegetation.*	Project	Prior to issuance of Building Permits	Applicant Town
4.3-4(e)	*Proper disposal methods for all coniferous slash shall be used in order to prevent the spread of bark beetles.*	Operational	Ongoing	Applicant
4.3-5(a)	*In order to maintain plant and animal diversity, the design of the Project shall take both of these elements into account. Ideally, the preservation of all of the high-value wildlife habitat areas would preserve an important corridor for the movement of larger species through the area and provide a genetic linkage for smaller less mobile species such as the lodgepole chipmunk. As it now exists, the Project would eliminate a significant portion of these high-value wildlife habitat areas.*	Project	Prior to issuance of Building Permits	Applicant

TABLE B
Lodestar at Mammoth Mixed Use Development Mitigation Monitoring Reporting

	Mitigation Measures	Type	Time of Implementation	Responsible Entity
	The project will largely avoid riparian areas. If disturbance is necessary, the applicant shall meet all applicable California Dept. of Fish and Game (CDFG) and U.S. Corps of Engineers policies.			
4.3-5(b)	*To retain wildlife values, as much native vegetation as possible should be retained and protected during construction. A Revegetation Plan, prepared by a qualified botanist and approved by the Town of Mammoth Lakes, shall be completed prior to the commencement of the Project which will describe in detail the species of trees and shrubs which will be used, where they will be planted and in what numbers, and the methods of planting and maintenance which will ensure successful growth. It shall include a monitoring program to follow the progress of new plantings and ensure replacement of unsuccessful plants. Landscaping with native species of trees and shrubs shall be undertaken wherever possible to enhance wildlife use of cleared areas.*	Project	Prior to issuance of Building Permits	Applicant Town
4.3-5(c)	*Under mitigation monitoring, once mitigation plans designed to offset habitat losses are approved and the specific areas where they will be located are identified, the proponent must provide a program to monitor their progress for a period of time (usually three to five years) deemed sufficient by the Planning Director to assure their successful development. Adequate security shall be deposited with the Town to ensure successful implementation of this measure.*	Operational	Following habitat mitigation plan approval	Applicant Town
4.3-6	*All construction activities, including movement and storage of vehicles and the storage of building and other materials, shall be confined to areas slated for development. Care shall be taken during construction to avoid damage to vegetation and habitats not directly involved in Project construction. Any damaged vegetation shall be replaced on a one-to-one basis on- or off-site. Off-site replacement will need the approval of the Town Planning Director.*	Project	During Construction Phase	Applicant
4.3-7(a)	*To prevent erosion and siltation into intermittent creeks, areas cleared of vegetation, fill or other materials shall be stabilized as quickly as possible after clearing and grading. To further protect the drainage system and prevent erosion, all grading and construction shall be completed during the dry summer months.*	Project	During Construction Phase	Applicant

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	Mitigation Measures	Type	Time of Implementation	Responsible Entity
4.3-7(b)	*To prevent disruptions of normal stream flows and ensure maintenance of water quality for down-stream habitats during the critical low-water summer period, all creek waters should be collected above and continuously piped through any construction zone on or near drainages.*	Project	Prior to issuance of Building Permits	Applicant Town
4.3-8(a)	*Final construction plans shall include provisions for construction of retention basins for on-site retention of runoff from roadways, home sites and golf facilities or equivalent alternative measures approved by the public works director (refer to Impact 4.2-1, Hydrology). Such retention basins shall be cleaned on a regular basis and accumulated pollutants and debris properly disposed of in areas which will assure that no aquatic habitats onsite or downstream from the Project site are damaged.*	Project	Prior to issuance of Building Permits	Applicant
4.3-8(b)	*Development of on-site water bodies shall include creation of native riparian habitat. All such design and construction shall be subject to California Department of Fish and Game review.*	Project	Prior to issuance of Building Permits	Applicant
4.4 Jobs/Housing				
4.4-1(a)	*One hundred percent of housing for employees generated by uses within the Project shall be provided onsite, including affordable employee housing based upon Health and Safety code section 50079.5 and 50105 criteria unless the Town Council allows a portion of this housing need offsite, through an in-lieu fee, or equivalent program. If the Town adopts an employee/affordable housing program, requiring on- or off-site housing or in-lieu fees prior to any phase of development, provision of housing in accordance with that ordinance shall constitute adequate mitigation.*	Project	Prior to issuance of Building Permits	Applicant Town
4.4-1(b)	*Any housing constructed offsite shall be subject to further environmental review to ensure that significant or cumulative environmental effects are mitigated on a site-specific basis.*	Project	Prior to issuance of Building Permits	Applicant

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	Mitigation Measures	Type	Time of Implementation	Responsible Entity
4.4-1(c)	*Employee housing, an in-lieu fee, or equivalent program as approved by the Town Council shall be in place prior to or concurrent with the non-residential development generating the need for such housing.*	Project	Prior to issuance of Building Permits	Applicant Town
4.4-2	*None required.*	-----	-----	-----
4.5 Utilities				
4.5-1(a)	*In the event that the Dry Creek wells are not developed in a timely fashion, development shall be deferred pending availability of adequate water as determined by the Mammoth County Water District.*	Operational	Prior to issuance of Building Permits	Applicant
4.5-1(b)	*Golf course water bodies and irrigation shall use reclaimed water to the fullest extent possible. If reclaimed or domestic water is not available to allow for the water bodies as determined by the Mammoth County Water District, the water bodies shall be reduced in size to obtain District approval or be eliminated in the final Project design. Approval by the County Health Department shall be obtained prior to final Project approval regarding the use of reclaimed water.*	Operational	Prior to issuance of Certificate of Occupancy; ongoing	Applicant
4.5-1(c)	*Maximum feasible water conservation measures shall be used in all structures, including reuse and recycling of water, low-use water fixtures, and drought resistant landscaping.*	Operational	Prior to issuance of Certificate of Occupancy; ongoing	Applicant
4.5-1(d)	*The Project proponent shall contribute mitigation fees, as determined by the Mammoth County Water District, for any expanded facilities needed to serve the development.*	Operational	Ongoing	Applicant
4.5-1(e)	*Landscaping shall be predominately native and drought resistant vegetation.*	Project	Prior to issuance of Building Permits	Applicant Town
4.5-2	*The Project shall comply with all requirements of the Mammoth County Water District regarding flow reduction, and sewer system design and operation.*	Project	Prior to issuance of Building Permits	Applicant Town

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	Mitigation Measures	Type	Time of Implementation	Responsible Entity
4.5-3(a)	*Drainage collectors, retention and infiltration facilities shall be constructed and maintained to prevent transport of the runoff from a 20-year, 1-hour storm from the proposed Project site.*	Project	Prior to issuance of Building Permits; ongoing	Applicant
4.5-3(b)	*The requirements of the Lahonton RWQCB as specified in the "Erosion Control Guidelines" shall be met while construction is being undertaken and during project operation.*	Operational	During construction phase; ongoing	Applicant
4.5-4(a)	*Alternate methods of solid waste disposal, such as onsite compaction, shall be incorporated into the final Project design subject to the approval of the Mammoth Lakes Planning Department.*	Project	Prior to issuance of Building Permits	Applicant Town
4.5-4(b)	*All visible trash collection facilities and features of the development shall be designed to complement the Project design scheme.*	Project	Prior to issuance of Building Permits	Applicant Town
4.5-4(c)	*The Project applicant shall provide a recycling collection station or contract a solid waste disposal company which will offer a system of convenient recycling stations for Project residents. Placement and design shall be subject to the review and approval of the Planning Director.*	Project, Operational	Prior to issuance of Building Permits; ongoing	Applicant
4.5-4(d)	*The Project applicant shall provide each residence with a divided cabinet suitable for aluminum cans, glass bottles, and plastic bottles.*	Project	Prior to issuance of Building Permits	Applicant
4.5-4(e)	*A portion of the golf course shall be reserved for the processing of green wastes generated by the golf course. The processing of green wastes shall be the responsibility of the golf course management for the life of the Project.*	Project	Prior to issuance of Building Permits	Applicant
4.5-5	*None required.*	-----	-----	-----
4.5-6	*None required.*	-----	-----	-----

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Lodestar at Mammoth Mixed Use Development Mitigation Monitoring Reporting

Mitigation Measures	Type	Time of Implementation	Responsible Entity
4.6 Traffic			
4.6-1(a) *The project shall be required to contribute "in lieu" fees if transit system improvements are not implemented by the Town. It is anticipated that the continued need for certain roadway improvements and the level of developer financial participation in support of an improved transit system would be determined by the upcoming transit system study.*	Cumulative	Prior to Issuance of Certificate of Occupancy	Caltrans
4.6-1(b) *Minaret Road (Main Street/Lake Mary Road to south of Old Mammoth Road) - Dedicate and widen Minaret Road between Main Street/Lake Mary Road and a point just south of Old Mammoth Road to provide four travel lanes plus the necessary snow storage easement. This improvement is consistent with the designation of Minaret Road as an arterial in the Town General Plan.*	Cumulative	Prior to issuance of Certificate of Occupanty	Caltrans
4.6-1(c) *Old Mammoth Road (Main Street to south of Chateau Road) - Restripe or widen Old Mammoth Road between Main Street and a point just south of Chateau Road to provide four travel lanes, and maintain the existing continuous left-turn lane. This improvement is consistent with the designation of Old Mammoth Road as an arterial in the Town General Plan.*	Cumulative	Prior to issuance of Certificate of Occupancy	Caltrans
4.6-1(d) *Lake Mary Road (Main Street to Lakeview Road) - Widen Lake Mary Road between Main Street and Lakeview Road to provide four travel lanes. The outer westbound through lane within this road segment would become a forced right-turn lane at the intersection with Lakeview Road.*	Cumulative	Prior to issuance of Certificate of Occupancy	Caltrans
4.6-1(e) *Main Street (Sierra Boulevard to Minaret Road) - Widen and restripe Main Street between Sierra Boulevard and Minaret Road to provide a two-way continuous left-turn lane in the median (consistent with the existing two-way continuous left-turn lane east of Sierra Boulevard).*	Cumulative	Prior to issuance of Certificate of Occupancy	Caltrans
4.6-1(f) *Minaret Road/Forest Trail - In addition to the traffic signal and other improvements proposed as part of the North Village Specific Plan circulation plan, widen Minaret Road just north of Forest Trail to provide two southbound lanes, resulting in one exclusive left-turn lane, one through lane, and a shared through/right-turn lane on the southbound Minaret approach to Forest Trail.*	Cumulative	Prior to issuance of Certificate of Occupancy	Caltrans

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	Mitigation Measures	Type	Time of Implementation	Responsible Entity
	Also, eliminate the constant eastbound right-turn arrow for traffic turning from eastbound Forest Trail to southbound Minaret which is proposed as part of the North Village Specific Plan circulation plan.			
4.6-1(g)	*Lakeview Road/Lake Mary Road - In conjunction with the recommended widening of Lake Mary Road as described above, the following localized intersection improvements are required: widen or restripe the eastbound Lake Mary Road approach to provide one exclusive left-turn lane and one through lane (the second eastbound through lane recommended as part of the Lake Mary Road widening east of Lakeview Road would begin at Lakeview Road); widen the westbound Lake Mary Road approach to provide one through lane and one exclusive right-turn lane (the second westbound through lane recommended as part of the Lake Mary Road widening east of Lakeview Road would terminate as the forced right-turn lane at Lakeview Road); and formally stripe the southbound approach Lakeview Road approach to provide one exclusive left-turn lane and one shared left/right-turn lane. These improvements will be in addition to the installation of a traffic signal and grade reconstruction proposed as part of the North Village Specific Plan circulation plan.*	Cumulative	Prior to issuance of Certificate of Occupancy	Caltrans
4.6-1(h)	*Minaret Road/Main Street/Lake Mary Road - Widen the northbound Minaret approach to provide an exclusive right-turn lane. Restripe the southbound approach and northbound departure to provide the following configuration on the southbound Minaret approach: two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. Restripe the westbound approach and eastbound departure to provide a second left-turn lane on the westbound Main approach. Also, modify the signal phasing to provide left-turn protected phases on the north and south approaches which will replace the existing split phasing on these approaches.*	Cumulative	Prior to issuance of Certificate of Occupancy	Caltrans
4.6-1(i)	*Sierra Boulevard/Main Street - Restripe Main Street to provide a left-turn lane on the eastbound approach (in conjunction with the recommended widening of Main Street to provide a two-way continuous left-turn lane between Sierra Boulevard and Minaret Road as described above). This will remove turning vehicles from the through traffic lanes and thus improve the overall operation of the intersection. However, installation of a traffic signal is not recommended, as*	Cumulative	Prior to issuance of Certificate of Occupancy	Caltrans

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	Mitigation Measures	Type	Time of Implementation	Responsible Entity
	the cumulative traffic volumes do not satisfy signal warrants (see Appendix E), and the projected poor level of service would be experienced only by stop-controlled vehicles waiting to turn left from Sierra onto Main.			
4.6-1(j)	*Old Mammoth Road/Main Street - Restripe the northbound and eastbound approaches to provide the following configurations: one exclusive left-turn lane and one shared left/right-turn lane on the northbound Old Mammoth approach; one through lane, one shared through/right-turn lane, and one exclusive right-turn lane on the eastbound Main approach.*	Cumulative	Prior to issuance of Certificate of Occupancy	Caltrans
4.6-1(k)	*Minaret Road/Meridian Boulevard - In conjunction with the recommended widening of Minaret Road to four through lanes as described above, the following localized intersection improvements will be required: widen both the northbound and southbound Minaret approaches to provide one exclusive left-turn lane, one through lane, and one shared through/right-turn lane on each approach; and widen and/or restripe the eastbound approach Meridian to provide an exclusive right-turn lane. These improvements will be in addition to the exclusive left-turn lanes on the eastbound and westbound Meridian approaches and installation of a traffic signal programmed for implementation by the Town of Mammoth Lakes.*	Cumulative	Prior to issuance of Certificate of Occupancy	Caltrans
4.6-1(l)	*Mono Street/Meridian Boulevard - Widen and restripe Meridian Boulevard to provide left-turn lanes on both the eastbound and westbound approaches (consistent with the two-way continuous left-turn lane proposed for Meridian Boulevard as a project access improvement in Chapter VI). This will remove turning vehicles from the through traffic lanes and thus improve the overall operation of the intersection. However, installation of a traffic signal is not recommended, as the cumulative traffic volumes do not satisfy signal warrants, and the projected poor level of service will be experienced only by stop-controlled vehicles waiting to turn left from Mono onto Meridian.*	Cumulative	Prior to issuance of Certificate of Occupancy	Caltrans Applicant
4.6-1(m)	*Old Mammoth Road/Meridian Boulevard - In conjunction with the recommended widening of Old Mammoth Road as described above, the following localized intersection improvements will be required: restripe the southbound Old Mammoth approach to provide one exclusive left-turn lane, one through lane, and one shared through/right-turn lane; and widen the northbound Old Mammoth*	Cumulative	Prior to issuance of Certificate of Occupancy	Caltrans Applicant

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	Mitigation Measures	Type	Time of Implementation	Responsible Entity
	approach to provide two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane.			
4.6-1(n)	*Minaret Road/Chateau Road - In conjunction with the recommended widening of Minaret Road as described above, the following localized intersection improvements will be required: stripe the northbound Minaret approach to provide one through lane and one shared through/right-turn lane; widen the southbound Minaret approach to provide one exclusive left-turn lane and two through lanes; restripe the westbound Chateau approach to provide an exclusive left-turn lane and a shared left-turn/right-turn lane; and install a two-phase traffic signal (the cumulative traffic volumes satisfy traffic signal warrants).*	Cumulative	Prior to issuance of Certificate of Occupancy	Caltrans Applicant
4.6-1(o)	*Old Mammoth Road/Chateau Road - In conjunction with the recommended widening of Old Mammoth Road as described above, the following localized intersection improvements will be required: restripe the southbound Old Mammoth approach to provide one exclusive left-turn lane, one through lane, and one shared through/right-turn lane; widen the northbound Old Mammoth approach to provide one exclusive left-turn lane, one through lane, and one shared through/right-turn lane; and install a two-phase traffic signal (the cumulative traffic volumes satisfy traffic signal warrants).*	Cumulative	Prior to issuance of Certificate of Occupancy	Caltrans Applicant
4.6-1(p)	*Minaret Road/Old Mammoth Road - In conjunction with the recommended widening of Minaret Road as described above, the following localized intersection improvements will be required: widen the northbound Minaret approach to provide one exclusive left-turn lane, one through lane and one shared through/right-turn lane; widen the southbound Minaret approach to provide one exclusive left-turn lane, two through lanes and one exclusive right-turn lane; widen the westbound Old Mammoth approach to provide two exclusive left-turn lanes, one through lane and one exclusive right-turn lane; widen the eastbound Old Mammoth approach to provide one exclusive left-turn lane, one through lane, and one exclusive right-turn lane; and install a traffic signal with overlapping left-turn phasing on the Old Mammoth approaches (the cumulative traffic volumes satisfy traffic signal warrants).*	Cumulative	Prior to issuance of Certificate of Occupancy	Caltrans Applicant

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	Mitigation Measures	Type	Time of Implementation	Responsible Entity
4.6-2(a)	*Each of the internal roadways providing access to the Lodestar Project site should be constructed to two-lane collector street standards.*	Project	Prior to issuance of Certificate of Occupancy	Applicant
4.6-2(b)	*The proposed internal cul-de-sacs shall be constructed to two-lane local street standards.*	Project	Prior to issuance of Certificate of Occupancy	Applicant
4.6-2(c)	*Facilities for pedestrians and bicycle traffic shall be provided. In addition, internal access and circulation for transit facilities shall be provided. These shall be consistent with the policies of Mammoth Lakes Policies 2C-4 and 2C-6 of the Town of Mammoth Lakes and Recreation Element of the General Plan.*	Project	Prior to issuance of Certificate of Occupancy	Applicant
4.6-3(a)	*Traffic signals shall be installed at access numbers 1 and 2 onto Minaret Road (See Figure 4.6-2). Left-turn storage pockets shall be provided on the southbound Minaret approach to access number 1, and on both the northbound and southbound approaches to access number 2. Two approach (outbound) lanes and one departure (inbound) lane shall be provided on each access road. At access number 1, the outbound lanes shall be striped as one left-turn and one right-turn lane. At access number 2, the outbound lanes shall be striped as one left-turn lane and one shared through/right-turn lane. All roadway improvements shall be designed and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director.*	Project	Prior to issuance of Certificate of Occupancy	Applicant Town
4.6-3(b)	*The four access points onto Meridian Boulevard shall be controlled by stop signs on the project access approaches, with uncontrolled traffic flows along Meridian. Two approach (outbound) lanes and one departure (inbound) lane shall be provided on each access road, with the outbound lanes striped as one left-turn and one right-turn lane. All roadway improvements shall be designed and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director.*	Project	Prior to issuance of Certificate of Occupancy	Applicant
4.6-3(c)	*Access number 6 (from Lodestar Area 3 to Meridian Boulevard) shall be aligned directly opposite the existing Joaquin Road, to form a four-way intersection rather than two slightly offset "T" intersections. Through movements from the access road onto Joaquin Road shall be permitted from the right-most approach (outbound) lane on the access road. All roadway improvements shall be designed*	Project	Prior to issuance of Certificate of Occupancy	Applicant

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	Mitigation Measures	Type	Time of Implementation	Responsible Entity
	and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director.			
4.6-3(d)	*Access number 5 (from Areas 2 and 4 to Meridian Boulevard) shall be located as close as possible to the midpoint between Minaret Road and Joaquin Road/access number 6, to maximize the spacing between the three adjacent intersections. All roadway improvements shall be designed and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director.*	Project	Prior to issuance of Certificate of Occupancy	Applicant
4.6-3(e)	*Meridian Boulevard, along the entire proposed Project frontage shall be widened to provide a two-way continuous left-turn lane, thus providing left-turn storage on Meridian Boulevard at each of the proposed project access roads (access numbers 3, 4, 5 and 6), as well as at the existing intersections of Meridian Boulevard with Villa Vista Drive, Joaquin Road, Lupin Street, Mono Street and Manzanita Road. All roadway improvements shall be designed and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director.*	Project	Prior to issuance of Certificate of Occupancy	Applicant
4.7-1(a)	*To reduce the potential for nuisance due to dust and odors, all construction contracts shall require watering twice daily with complete site coverage; the frequency of watering shall increase as necessary to minimize dust if wind speeds exceed 15 mph.*	Operational	During Project Construction	Applicant
4.7-1(b)	*Drift fencing tackifiers and covering of stockpiles shall be used in areas not under active construction.*	Operational	During Project Construction	Applicant
4.7-2	*To reduce the potential of spot violations of the CO standards and odors from construction equipment exhaust, unnecessary idling of construction equipment shall be added.*	Operational	During Project Construction	Applicant
4.7-3	*Development will not be allowed within 50 feet of the Old Mammoth and Main intersection.*	Operational	During Project Construction	Applicant

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	Mitigation Measures	Type	Time of Implementation	Responsible Entity
4.7-4	*Adopt and enforce Control Measures 1 through 7 of the Town of Mammoth Lakes Draft Air Quality Management Plan (see page 4.7-6).*	Operational Ongoing	Applicant	
4.7-5(a)	*Residential units shall be limited to one woodburning appliance per dwelling. The appliance must be an EPA Phase II-certified woodburning stove or pellet stove. Woodburning shall comply with standards in the Town's woodburning ordinance (Chapter 8-30, Particulate Emissions Regulations).*	Project	Prior to issuance of Building Permits	Applicant
4.7-5(b)	*Each hotel may have only one fireplace in the lobby or other common area. No other solid fuel appliances shall be allowed.*	Project	Prior to issuance of Building Permits	Applicant
4.7-5(c)	*All structures shall have high-efficiency central heat.*	Project	Prior to issuance of Building Permits	Applicant
4.8-1(a)	*Construction activities shall be limited to the hours between 7 a.m. and 8 p.m. Monday through Saturday and 9 a.m. to 5 p.m. on Sunday in order to minimize noise impacts.*	Operational	During Project Construction Phase	Applicant
4.8-1(b)	*Construction equipment shall be required to be muffled or controlled. Contracts shall specify that engine-driven equipment be fitted with appropriate noise mufflers.*	Project	During Project Construction Phase	Applicant
4.8-2(a)	*The proposed project shall be located or architecturally designed so the exterior noise levels will not exceed 60 dB and interior noise levels will not exceed 45 dB. Design features could include setbacks, berms, landscaping and architectural features, adjacent to both arterial and interior streets.*	Project	Prior to Issuance of Building Permits	Applicant Town
4.8-2(b)	*Multi-family buildings shall be located or architecturally designed so the interior noise level will not exceed 45 L_{dn}. As a minimum, multi-family housing shall comply with Title 24 of the California Administrative Code.*	Project	Prior to Issuance of Building Permits	Applicant Town
4.8-2(c)	*The project proponents shall work with Town staff to implement transit alternatives to reduce automobile traffic, as outlined in the Town's General Plan. Cumulative site development shall be reviewed at each phase and a trip reduction*	Cumulative	Prior to Issuance of Building Permits	Applicant Town

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	Mitigation Measures	Type	Time of Implementation	Responsible Entity
	program developed for current phase implementation. Typically, a reduction in traffic of one-half would reduce the noise level by 3 dB.			
4.9 Archaeological Resources				
4.9-1(a)	*A qualified archaeologist shall be present during initial site clearing and grading to monitor the removal of any potential cultural deposits. If applicable, all procedures in Appendix K of the CEQA guidelines shall be implemented as determined by the Planning Director.*	Project	Prior to Issuance of Structural Permits	Applicant Town
4.9-1(b)	*The project design shall be modified as feasible to avoid disturbances to archaeological sites identified as potentially significant. If avoidance is not feasible, see Mitigation Measure 4.9-1(c).*	Project	Prior to Issuance of Structural Permits	Applicant Town
4.9-1(c)	*Prior to the issuance of a grading permit for any earth disturbance in the vicinity of any site identified as potentially significant, that site shall be excavated or the impacts otherwise mitigated to the satisfaction of the State Historic Preservation Officer.*	Project	Prior to Issuance Structural Permits	Applicant Town
4.10 Aesthetics/Visual Quality				
4.10-1(a)	*To the maximum extent feasible, the proposed Project shall retain forested areas of the site, and shall remain subordinate to the natural character of the site and the surrounding landscape.*	Project, Operational, Cumulative	Ongoing	Applicant Town
4.10-1(b)	*Prior to final approval of project development plans the applicant shall submit a tree preservation and replacement plan prepared by a professional forester or arborist. Trees shall be replaced on a one-to-one basis with as many trees retained on-site as possible. Where trees have to be relocated off-site, the locations shall be determined through consultation with the Planning Director. The preservation and replacement plan, including the type, size, number, and location of replacement trees shall be subject to the approval of the Town of Mammoth Lakes Planning Director.*	Project, Operational, Cumulative	Prior to issuance of Building Permits; ongoing	Applicant Town

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	Mitigation Measures	Type	Time of Implementation	Responsible Entity
4.10-1(c)	*Contour grading shall be used to blend manufactured slopes into the natural terrain. Grading shall be minimized to preserve existing landform and vegetation to the greatest extent possible.*	Project	Prior to issuance of Building Permits	Applicant Town
4.10-1(d)	*In order to reduce visual impacts, a forested buffer averaging no less than 100 feet shall be retained along Meridian Boulevard, Minaret Road, and along the western and eastern edges of the project site as required in project approval or by the Planning Director.*	Project	Prior to issuance of Building Permits	Applicant
4.10-1(e)	*Designs for open areas of the site, most specifically the golf course, shall integrate existing trees to give the appearance of continual forest coverage from off-site vantage points.*	Project	Prior to issuance of Certificate of Occupancy	Applicant
4.10-1(f)	*To the maximum extent feasible, native trees and landscaping shall be concentrated around all structures, streets, and parking lots located on the project site.*	Project	Prior to issuance of Certificate of Occupancy	Applicant
4.10-1(g)	*The architectural style for all development shall blend with the site's natural setting. Rooflines shall reflect the slope of the site, and natural "earth tone" colors and materials such as stone and wood shall be emphasized. Project development plans (Use Permits & Building Permits) shall be subject to design review by the Town of Mammoth Lakes Planning Commission.*	Project	Prior to issuance of Certificate of Occupancy	Applicant Town
4.10-1(h)	*Buildings fronting Main Street shall respond to the scale, massing, and visual context established by existing development along Main Street.*	Project	Prior to issuance of Certificate of Occupancy	Applicant Town
4.10-1(i)	*All multi-family housing structures shall be physically separated and buffered from non-residential structures, except resort condominium units which are a part of the Hotel complex. Setbacks between residential and non-residential structures shall be subject to the approval of the Town of Mammoth Lakes Planning Commission.*	Project	Prior to issuance of Certificate of Occupancy	Applicant Town
4.10-1(j)	*Employee housing shall have the same architectural, site design, and landscaping quality as all other development in the master plan.*	Project	Prior to issuance of Certificate of Occupancy	Applicant Town

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	Mitigation Measures	Type	Time of Implementation	Responsible Entity
4.10-2	*Not applicable.*			
4.11 Public Services/Fiscal				
4.11-1(a)	*All project road alignments and project phases shall be designed to provide the necessary snow storage areas as determined by the Town Department of Public Works. Snow storage areas shall equal at least 70 percent of the surfaces to be cleared.*	Project	Prior to issuance of Building Permits	Applicant Town
4.11-1(b)	*All buildings, walkways and pedestrian open spaces shall be located a minimum of 20 feet from the roadway edge to limit the amount of snow storage/blowing interference.*	Project	Prior to issuance of Building Permits	Applicant Town
4.11-1(c)	*Alternate methods of snow removal, such as radiant heat decking, shall be implemented in the plaza area to ensure that access is provided to all businesses at all times.*	Operational	Ongoing	Applicant Town
4.11-1(d)	*Parking garage entry points shall avoid north-facing orientation. Design solutions shall be implemented to prevent blowing and drifting snow from accumulating in the garage entry area.*	Project	Prior to issuance of Building Permits	Applicant
4.11-1(e)	*Sloping roofs shall be designed so as not to shed snow onto adjacent properties, parking lots, walkways or other passage ways.*	Project	Prior to issuance of Building Permits	Applicant
4.11-1(f)	*The Town and CALTRANS shall retain the right to cover any sidewalks with snow located adjacent to streets for snow removal purposes.*	Operational	Ongoing	Town Caltrans
4.11-1(g)	*No snow removal activities, except that which is performed by the Town or by CALTRANS, shall be allowed to deposit snow within the public rights-of-way.*	Operational	Ongoing	Applicant
4.11-1(h)	*To avoid ice build-up, all structures shall be oriented to minimize shading of streets and pedestrian areas.*	Project	Prior to issuance of Building Permits	Applicant

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	Mitigation Measures	Type	Time of Implementation	Responsible Entity
4.11-1(i)	*Clearing of private roads shall be the responsibility of the developer or homeowners associations.*	Operational	Ongoing	Applicant
4.11-2(a)	*The project proponent shall pay school impact fees under the provisions of AB 2926 or provide equivalent alternative mitigation as determined by the School District.*	Operational	Ongoing	Applicant
4.11-2(b)	*The project proponent may volunteer to designate a portion of the project site to the District for the purpose of constructing a new elementary school facility or to participate in a proportionate share of a school site at another location.*	Operational	Ongoing	Applicant
4.11-3	*The project proponent shall contribute sufficient funds to the Town of Mammoth Lakes for the cost of purchasing one patrol car.*	Operational	Ongoing	Applicant
4.11-4(a)	*The project proponent shall pay a one-time mitigation fee for construction of the project, based upon building height, and another one-time mitigation fee on project operations. Both fees are to be determined by the Fire Protection District and collected by the Town.*	Project	Prior to issuance of Building Permits	Applicant Town
4.11-4(b)	*Access to all structures shall comply with Mammoth Lakes Fire Protection District Ordinance #85-02.*	Project	Prior to issuance of Building Permits	Applicant Town
4.11-4(c)	*Access roads shall be of an approved hard all-weather surface and shall have a minimum clear unobstructed width of 20 feet. All access roads shall have a minimum vertical clearance of 15 feet. Access roads shall have a grade of not more than 10 percent.*	Project	Prior to issuance of Certificate of Occupancy	Applicant
4.11-4(d)	*To provide for aerial ladder access to building rooftops, a minimum 20-foot wide access road shall be provided for each structure located not more than 25 feet from the structure, but no closer than 1 foot for every 3 feet of building height. This access road shall have a grade of not more than three percent and shall be clearly posted "No Parking - Fire Lane." All high-rise structures (defined by the District as any structure exceeding 3 stories or 35 feet in height for nonresidential structures, and 55 feet for residential*	Project	Prior to issuance of Certificate of Occupancy	Applicant

TABLE B
Lodestar at Mammoth Mixed Use Development Mitigation Monitoring Reporting

	Mitigation Measures	Type	Time of Implementation	Responsible Entity
	structures) should be required to have approved Fire Department access roads to at least 2 sides of the structure. One of these access roads should be on the side of the building with the longest continual roof line.			
4.11-4(e)	*Fire Department access roads that are 150 feet or more in length shall be provided with approved fire apparatus turn-arounds. The required width and height clearances for Fire Department access roads shall be maintained.*	Project	Prior to issuance of Certificate of Occupancy	Applicant
4.11-4(f)	*If a smoke tower or stairway is used as a required exit for a structure, that exit shall have an unobstructed passage of not less than 6 feet in width to Fire Department access, and then not less than 3 feet in width from that point to the public way.*	Project	Prior to issuance of Building Permits	Applicant
4.11-4(g)	*An approved water supply system capable of supplying required fire flow for fire protection purposes be provided to all premises upon which buildings or portions of buildings are constructed. The establishment of gallons-per-minute requirements for fire flow shall be based on the "Guide for Determination of Required Fire Flow" published by the Insurance Service Office.*	Project	Prior to issuance of Building Permits	Applicant
4.11-4(h)	*Fire hydrants shall be located and installed per Fire Department standards and approved by the Fire Chief. On-site fire hydrants shall be provided when any portion of the building protected is in excess of 150 feet from a water supply on a public street, or as required by the Fire Chief.*	Project	Prior to issuance of Building Permits	Applicant Town
4.11-4(i)	*Fire hydrants and access roads shall be installed and made serviceable prior to and during time of construction. All hydrants shall be properly identified per Fire Department standards.*	Project	Prior to issuance of Building Permits	Applicant Town
4.11-4(j)	*An approved automatic fire extinguishing system is required for all covered parking areas and other structures having: a foundation footprint of 5,000 square feet or more; a height of more than 35 feet (50 feet for residential condominiums or apartment buildings); or a height of more than 3 stories. Fire extinguishing systems shall also be installed for all other occupancies designated for this system in the Uniform Fire and Uniform Building Code,*	Project	Prior to issuance of Building Permits	Applicant

TABLE B
Lodestar at Mammoth Mixed Use Development Mitigation Monitoring Reporting

	Mitigation Measures	Type	Time of Implementation	Responsible Entity
	or structures identified as special hazard occupancies as outlined in the appropriate National Fire Protection Association pamphlet.			
4.11-4(k)	*Fire standpipe systems shall be installed in conformance with National Fire Protection Association Standards and the Uniform Fire Code.*	Project	Prior to issuance of Building Permits	Applicant Town
4.11-4(l)	*Incorporation of other fire protection methods as necessary in underground parking garages and high-rise structures, based upon building construction, size, and adjoining occupancy types, shall be determined by the Fire Chief upon formal plan submission.*	Project	Prior to issuance of Building Permits	Applicant Town
4.11-4(m)	*All vehicular bridges and pedestrian bridges shall comply with fire apparatus access road requirements in regards to minimum width and height clearances.*	Project	Prior to issuance of Building Permits	Applicant Town
4.11-4(n)	*Liquid petroleum gas storage and system installation shall comply with Mammoth Lakes Fire Protection District Ordinance #85-02, which establishes and regulates the storage of liquid petroleum gases.*	Project, Operational	Prior to issuance of Building Permits	Aplicant Town
4.11-5	*None required.*	-----	-----	-----
4.11-6	*Implement Mitigation Measures 4.11-2(a) and 4.11-2(b).*	Operational	Ongoing	Applicant
4.11-7	*None required.*	-----	-----	-----
4.11-8	*Implement Mitigation Measure 4.11-4(a).*	Project	Prior to issuance of Building Permits	Applicant Town
4.11-9	*None required.*	-----	-----	-----
4.11-10	Not feasible.	-----	-----	-----