

**FINDINGS AND FACTS IN SUPPORT OF FINDINGS FOR THE INN AT THE
VILLAGE PROJECT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT
(STATE CLEARINGHOUSE NO. 2014032081)**

1. PROJECT SUMMARY

A. Project Location

The project site is located in the Town of Mammoth Lakes, California (Town). The Town is located in the southwest portion of Mono County, on the eastern side of the Sierra Nevada mountain range. The project site is situated in the developed area of North Village Specific Plan (NVSP area) within the northwestern portion of the Town. The project site is specifically located at 50 Canyon Boulevard, to the west of Minaret Road, north of Main Street/Lake Mary Road, and east of Canyon Boulevard. Regional access to the site is provided via U.S. Highway 395 to State Route 203 (Main Street).

B. Project Description

The project proposes a seven-story hotel that includes hotel rooms, food and beverage, spa, outdoor pool/jacuzzis, and landscaping elements. The hotel, totaling 64,750 gross square feet of buildable floor area, would consist of a maximum lodging room count of up to 67 rooms. The project would be built on top of the existing parking podium.

The project proposes to amend the approved 8050 project to address the current performance deficiencies in the existing 8050 project and the NVSP area. The project would necessitate three amendments to the NVSP: (1) an increase in the allowable development density for the project site, including allowing a transfer of 30 rooms from the Mammoth Crossing site (MC zone); (2) an increase in the allowable building height; and (3) a reduction in the required front yard setbacks along Minaret Road. The current Application would supersede the approved 8050C project and seek entitlement/permitting for a proposed hotel (with the requisite market requirement to retain flexibility with respect to ownership structures [e.g., traditional hotel, condominium-hotel, etc.]).

The Town, as Lead Agency for the project, has discretionary authority over the project. In order to implement the proposed Inn at the Village, the Applicant would need to obtain, at a minimum, a District Zoning Amendment, Tentative Tract Map, Conditional Use Permit, Encroachment Permit (California Department of Transportation), Design Review Permit, and a Final Map for the project site.

C. Legal Requirements

Public Resources Code section 21002 states that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” Section 21002 further states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant

effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

Pursuant to section 21081 of the Public Resources Code, the Town may only approve or carry out a project for which an EIR has been completed that identifies any significant environmental effects if the Town makes one or more of the following written finding(s) for each of those significant effects accompanied by a brief explanation of the rationale for each finding:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

As indicated above, section 21002 requires an agency to “avoid or substantially lessen” significant adverse environmental impacts. Thus, mitigation measures that “substantially lessen” significant environmental impacts, even if not completely avoided, satisfy section 21002’s mandate. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521 [“CEQA does not mandate the choice of the environmentally best feasible project if through the imposition of feasible mitigation measures alone the appropriate public agency has reduced environmental damage from a project to an acceptable level”]; *Las Virgenes Homeowners Federation, Inc. v. County of Los Angeles* (1986) 177 Cal. App. 3d 300, 309 [“[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance . . . if such would render the project unfeasible”].)

While CEQA requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts, an agency need not adopt infeasible mitigation measures or alternatives. (Pub. Res. Code § 21002.1(c) [if “economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment of a project, the project may nonetheless be carried out or approved at the discretion of a public agency”]; see also State CEQA Guidelines § 15126.6(a) [an “EIR is not required to consider alternatives which are infeasible”].) CEQA defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” (Pub. Res. Code § 21061.1.) The State CEQA Guidelines, add “legal” considerations as another indicia of feasibility. (State CEQA Guidelines § 15364.) Project objectives also inform the determination of “feasibility.” (*Jones v. U.C. Regents* (2010) 183 Cal. App. 4th 818, 828-829.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and

technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) “Broader considerations of policy thus come into play when the decision making body is considering actual feasibility[.]” (*Cal. Native Plant Soc’y v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000 (“*Native Plant*”); see also Pub. Res. Code § 21081(a)(3) [“economic, legal, social, technological, or other considerations” may justify rejecting mitigation and alternatives as infeasible] (emphasis added).)

Environmental impacts that are less than significant do not require the imposition of mitigation measures. (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1347.).

The California Supreme Court has stated, “[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 576.) In addition, perfection in a project or a project’s environmental alternatives is not required; rather, the requirement is that sufficient information be produced “to permit a reasonable choice of alternatives so far as environmental aspects are concerned.” Outside agencies (including courts) are not to “impose unreasonable extremes or to interject [themselves] within the area of discretion as to the choice of the action to be taken.” (*Residents Ad Hoc Stadium Com. v. Board of Trustees* (1979) 89 Cal.App.3d 274, 287.)

D. Summary of Environmental Findings

At a regular meeting assembled on November 19, 2014, the Town Council determined that, based on all of the evidence presented, including but not limited to the Draft SEIR, written and oral testimony given at meetings and hearings, the submission of testimony from the public, organizations and regulatory agencies, and the whole of the administrative record, which is incorporated by reference herein, the following environmental impacts associated with the Project are: (1) reduced as compared to the Subsequent Program Environmental Impact Report for the North Village 1999 Specific Plan Amendment (1999 SPEIR) or would not result in new impacts as compared to the 1999 SPEIR; or (2) potentially significant but will be avoided or reduced to a level of insignificance through the identified 1999 SPEIR Mitigation Measures and Project level Mitigation Measures; or (3) significant new impacts that were not address in the 1999 SPEIR and cannot be fully mitigated to a level of less than significant but will be substantially lessened to the extent feasible by the identified project design features, existing regulations, and mitigation measures.

Public Resources Code section 21081.6 requires the Town to prepare and adopt a mitigation monitoring and reporting program for any project for which mitigation measures have been imposed to assure compliance with the adopted mitigation measures. The Town is adopting a Mitigation Monitoring and Reporting Program for the Project in this Resolution.

No comments made in the public hearings conducted by the Planning and Economic Development Commission or Town Council or any additional information submitted to the Town has produced any substantial new information requiring recirculation or additional environmental review of the Final SEIR under CEQA because no new significant environmental impacts were identified, no substantial increase in the severity of any environmental impacts would occur, and no feasible Project mitigation measures or Project alternatives as defined in State CEQA Guidelines section 15088.5 were rejected.

2. FINDINGS REGARDING ENVIRONMENTAL IMPACTS FOR WHICH NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED

The Town undertook analysis of the proposed Inn at the Village Project and evaluated it against the standards set forth in Public Resources Code section 21166 and State CEQA Guidelines section 15162. That analysis is set forth in the Modified Initial Study/Environmental Checklist attached to the Draft SEIR as Appendix 11.1. With regard to all environmental factors (except Aesthetics/Light and Glare, Air Quality, Greenhouse Gas Emissions, Land Use and Relevant Planning, Noise, Traffic/Circulation, and Utilities and Service Systems), the Modified Initial Study confirmed that the Project's impacts were fully disclosed, evaluated, and mitigated (to the extent feasible) in the Subsequent Program Environmental Impact Report for the North Village 1999 Specific Plan Amendment (1999 SPEIR). The Modified Initial Study explains why none of the criteria set forth in Public Resources Code section 21166 and State CEQA Guidelines section 15162 are triggered for most of the environmental factors in the Modified Initial Study/Environmental Checklist.

CEQA does not require findings to address environmental effects that an EIR identifies as either "no impact" or "less than significant" impact. (State CEQA Guidelines § 15091.) Similarly, in the tiering context, if the proposed Project would result in a "reduced impact" or "no impact/no new impact" compared to 1999 SPEIR, CEQA does not require subsequent environmental review and no findings for those impacts would be required. (State CEQA Guidelines § 15168, 15152 & 15153.) Nevertheless, these findings fully account for all environmental factors including environmental factors for which the Modified Initial Study and Draft SEIR concluded that no further environmental review is necessary.

No Impact/No New Impact or Reduced Impact

Pursuant to Public Resources Code section 21166 and State CEQA Guidelines section 15162, the Town Council hereby finds that none of the circumstances requiring subsequent environment review for the following environmental factors would be required because the following environmental factors were fully disclosed, analyzed, and mitigated (to the extent feasible) in the 1999 SPEIR:

- (a) *Agriculture and Forest Resources*: The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland),

as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use; conflict with existing zoning for agricultural use; or a Williamson Act contract; conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)); result in the loss of forest land or conversion of forest land to non-forest use; or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

- (b) *Air Quality:* The project would not create objectionable odors affecting a substantial number of people.
- (c) *Biological Resources:* The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species, or any riparian habitat or other sensitive natural community, in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service; have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.
- (d) *Cultural Resources:* The project would not cause a substantial adverse change in the significance of a historical or archaeological resource as defined in CEQA Guidelines §15064.5, or directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or disturb any human remains, including those interred outside of formal cemeteries.
- (e) *Geology and Soils:* The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, liquefaction, and/or seismic landslides; result in substantial soil erosion or the loss of topsoil; be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; or have soils incapable of adequately supporting the use of septic tanks or

alternative waste water disposal systems where sewers are not available for the disposal of waste water.

- (f) *Hazards and Hazardous Materials:* The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; be located within two miles of a public/public use airport or private airstrip, resulting in a safety hazard for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.
- (g) *Hydrology and Water Quality:* The project would not substantially impair the water quality of receiving waters during construction; degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would substantially increase the rate or surface runoff or result in substantial erosion, which would result in siltation and/or flooding on- or off site; create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; otherwise substantially degrade water quality; place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map; place within a 100-year flood hazard area structures which would impede or redirect flood flows; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or cause inundation by seiche, tsunami, or mudflow.
- (h) *Lane Use and Planning:* The project would not physically divide an established community, or conflict with any applicable habitat conservation plan or natural community conservation plan.
- (i) *Mineral Resources:* The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, or result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

- (j) *Noise:* The project would not be located within an airport land use plan, within two miles of a public airport or public use airport, or within the vicinity of a private airstrip and would not expose people residing or working in the project area to excessive noise levels.
- (k) *Population and Housing:* The project would not induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; or displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.
- (l) *Public Services:* The project would not result in substantial adverse physical impacts associated with the need or provision of new or physically altered fire, police, school, park, or other public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives.
- (m) *Recreation:* The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.
- (n) *Transportation/Traffic:* The project would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways; result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); result in inadequate emergency access; or conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.
- (o) *Utilities and Service Systems:* The project would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs, and comply with federal, state, and local statutes and regulations related to solid waste.

3. ENVIRONMENTAL ISSUES THAT WERE DETERMINED NOT TO BE SIGNIFICANTLY AFFECTED BY THE PROPOSED PROJECT

Impacts Determined to be Less Than Significant in the Draft SEIR

The following impacts were evaluated in the Draft EIR and determined to be less than significant solely through adherence to the project design and standard conditions of the Town of Mammoth Lakes.

Based upon the environmental analysis presented in the SEIR, and the comments received by the public on the Draft SEIR, no substantial evidence was submitted to or identified by the Town indicating that the project would have an impact on the following environmental areas:

- (a) *Aesthetic/Light and Glare*: The project would not have a substantial adverse effect on scenic vistas, or substantially damage scenic resources including but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway.
- (b) *Air Quality*: The project would not conflict with or obstruct implementation of the applicable air quality plan or expose sensitive receptors to substantial pollutant concentrations.
- (c) *Greenhouse Gas Emissions*: The project would not generate greenhouse gas emissions that would have a significant impact on the environment, and would not conflict with the plans adopted for the purpose of reducing GHG emissions.
- (d) *Land Use and Planning*: The project would not with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- (e) *Noise*: Project implementation would not generate excessive vibration levels to nearby sensitive receptors.
- (f) *Utilities and Service Systems*: The project would not exceed wastewater treatment requirements or require the construction of new water or wastewater treatment facilities.

4. FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL EFFECTS

The following potentially significant environmental impacts were analyzed in the Draft SEIR, and the effects of the project were considered. As a result of environmental analysis of the project and the identification of project design features; compliance with

existing laws, codes, and statutes; and the identification of feasible mitigation measures (together referred herein as the Mitigation Program), some potentially significant impacts have been determined by the Town to be reduced to a level of less than significant, and the Town has found—in accordance with CEQA Section 21081(a)(1) and State CEQA Guidelines Section 15091(a) (1)—that “Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. This is referred to herein as “Finding 1.” Where the Town has determined—pursuant to CEQA Section 21081(a)(2) and State CEQA Guidelines Section 15091(a)(2)—that “Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency,” the Town’s finding is referred to herein as “Finding 2.”

A. Aesthetics/Light and Glare

- (1) **Potential Impact:** Project construction activities would temporarily degrade the visual character/quality of the site and its surroundings.

Finding: 1. Mitigation measures would reduce visual character/quality impacts from project construction activities to less than significant levels. The Town hereby makes Finding 1 and determines that this impact is mitigated to less than significant.

Facts in Support of Finding

1999 SPEIR Mitigation Measure 5.3-1j requires action to be taken prior to construction activities in order to avoid adverse visual impacts from construction hauling vehicles. Further, Additional Mitigation Measure AES-1 requires action to be taken prior to construction activities in order to avoid adverse visual impacts from the stockpiling of materials, construction traffic, and vehicle staging areas. Therefore, visual character/quality impacts from construction activities would be less than significant.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~striketrough~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.3-1j: Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material from public and sensitive viewers (e.g., residents and motorists/bicyclists/pedestrians), when feasible. Staging locations shall be indicated on the project Building Permit and Grading Plans and shall be subject to review by the Town of Mammoth Lakes Community and Economic Development Department Planning

Manager Director in accordance with the Municipal Code requirements.

Additional Mitigation Measure AES-1: The Applicant shall prepare and submit a construction hauling plan to be reviewed and approved by the Community and Economic Development Department Planning Manager prior to issuance of Grading Permit. The hauling plan shall ensure that construction haul routes minimize impacts to sensitive uses in the project vicinity.

(2) **Potential Impact:** Project implementation could degrade the visual character/quality of the site and its surroundings.

Finding: 1. Mitigation measures would reduce long-term visual character/quality impacts from the proposed project to less than significant levels. The Town hereby makes Finding 1 and determines that this impact is mitigated to less than significant.

Facts in Support of Finding

1999 SPEIR Mitigation Measures 5.3-1d and 5.3-2b require the project's proposed landscaping and architectural style to blend with the area's natural setting, which would reduce impacts in this regard. Therefore, long-term visual character/quality impacts from project implementation would be less than significant.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~striketrough~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.3-1d: The landscape design for the site shall maximize the use of existing vegetation, and where new plants are introduced, they shall include, and/or blend with, plants native to the Mammoth Lakes environment. Landscaping shall be tolerant of shaded areas, where applicable. Landscape plans for the site shall be completed by a certified landscape architect.

1999 SPEIR Mitigation Measure 5.3-2b: The architectural style for the development shall blend with the site's natural setting. Rooflines shall reflect (step down) the slope of the site, and natural "earth tone" colors and materials such as stone and wood shall be emphasized. Conformance shall be assured through the Town's design review procedures.

- (3) **Potential Impact:** Development of the proposed project would introduce new sources of light and glare into the project area.

Finding: 1. Mitigation measures would reduce light and glare impacts from the proposed project to less than significant levels. The Town hereby makes Finding 1 and determines that this impact is mitigated to less than significant.

Facts in Support of Finding

1999 SPEIR Mitigation Measures 5.3-3c and 5.3-3d require the use of minimally reflective glass and vegetative buffers to minimize glare and light intrusion from the project site. Further, Additional Mitigation Measures AES-2 and AES-3 require an outdoor lighting plan to reduce lighting impacts at adjacent sensitive receptors, and integration of landscape lighting at the project site. Therefore, light and glare impacts from project implementation would be less than significant.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.3-3c: The project shall use minimally reflective glass and all other materials used on the exterior of the proposed buildings and structures ~~(including the gondola cabins and towers)~~ shall be selected with attention to minimizing reflective glare.

1999 SPEIR Mitigation Measure 5.3-3d: Vegetative buffers shall be used to reduce light intrusion on residential development to the south of the project site ~~and on forested areas located adjacent to the project site.~~

Additional Mitigation Measure AES-2: The Applicant shall prepare and submit an outdoor lighting plan pursuant to the Town's Lighting Regulations (Section 17.36.030, *Outdoor Lighting Plans*, of the Municipal Code) to the Community and Economic Development Planning Manager that includes a footcandle map illustrating the amount of light from the project site at adjacent light sensitive receptors.

Additional Mitigation Measure AES-3: Landscape lighting should be designed as an integral part of the project. Lighting levels shall respond to the type, intensity, and location of use. Safety and security for pedestrians and vehicular movements must be anticipated.

Lighting fixture locations shall not interfere or impair snow storage or snow removal operations. Light fixtures shall have cut-off shields to prevent light spill and glare into adjacent areas.

B. Air Quality

- (1) **Potential Impact:** Short-term construction activities associated with the proposed project would result in increased air pollutant emission impacts or expose sensitive receptors to substantial pollutant concentrations.

Finding: 1. Mitigation measures would reduce impacts related to short-term construction air emissions to less than significant levels. The Town hereby makes Finding 1 and determines that this impact is mitigated to less than significant.

Facts in Support of Finding

1999 SPEIR Mitigation Measure 5.5-1a and 5.5-1b require one or more actions to be taken prior to approval of the project plans and specifications, to avoid adverse air quality emission impacts. Additional Mitigation Measures AQ-1 and AQ-2 require the project Applicant to obtain proper permits from the Great Basin Unified Air Pollution Control District prior to the commencement of construction activities to reduce impacts from construction emissions. Therefore, short-term construction air quality impacts would be less than significant.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.5-1a: Prior to approval of the project plans and specifications, the Public Works Director, or his designee, shall confirm that the plans and specifications stipulate that excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures and that fugitive dust shall not cause a nuisance off-site, as specified in the Great Basin Unified Air Pollution Control District (GBUAPCD) Rules and Regulations. ~~In order to reduce fugitive dust emissions, each development project shall obtain permits, as needed, from the Town and the State APCD and shall implement~~The following measures shall be implemented during grading and/or construction of the ~~individual development sites~~ project to ensure compliance with permit conditions and applicable Town and GBUAPCD requirements.

- a. The ~~individual development~~ projects shall comply with State, GBUAPCD, Town, and Uniform Building Code dust control regulations, so as to prevent the soil from being eroded by wind, creating dust, or blowing onto a public road or roads or other public or private property.
- b. Adequate watering techniques shall be employed on a daily basis to partially mitigate the impact of construction-generated dust particulates.
- c. Clean-up on construction-related dirt on approach routes to ~~individual development~~ the project sites/improvements shall be ensured by the application of water and/or chemical dust retardants that solidify loose soils. These measures shall be implemented for construction vehicle access, as directed by the Town Engineer. Measures shall also include covering, watering or otherwise stabilizing all inactive soil piles (left more than 10 days) and inactive graded areas (left more than 10 days).
- d. Any vegetative ground cover to be utilized on the ~~individual development~~ the project sites/improvements shall be planted as soon as possible to reduce the amount of open space subject to wind erosion. Irrigation shall be installed as soon as possible to maintain the ground cover.
- e. All trucks hauling dirt, soil or other loose dirt material shall be covered.

1999 SPEIR Mitigation Measure 5.5-1b: To reduce the potential of spot violations of the CO standards and odors from construction equipment exhaust, unnecessary idling of construction equipment shall be avoided pursuant to CARB anti-idling regulations for in-use Off Road Diesel Vehicles, paragraph (d)(3) (Idling).

Additional Mitigation Measure AQ-1: Under the Great Basin Unified Air Pollution Control District (GBUAPCD) Rule 200-A and 200B, the project Applicant shall apply for a Permit To Construct prior to construction, which provides an orderly procedure for the review of new and modified sources of air pollution.

Additional Mitigation Measure AQ-2: Under the Great Basin Unified Air Pollution Control District (GBUAPCD) Rule 216-A (New Source Review Requirement for Determining Impact on Air Quality Secondary Sources), the project Applicant shall complete the necessary permitting approvals prior to commencement of construction activities.

- (2) **Potential Impact:** Development associated with the proposed project would result in increased impacts pertaining to operational air emissions.

Finding: 1. Mitigation measures would reduce impacts related to long-term operational air emissions to less than significant levels. The Town hereby makes Finding 1 and determines that this impact is mitigated to less than significant.

Facts in Support of Finding

1999 SPEIR Mitigation Measures 5.5-2a, 5.5-2b, and 5.5-2c require one or more actions to be taken prior to approval of the project plans to avoid adverse long-term air quality emission impacts. Therefore, long-term operational air quality impacts would be less than significant.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.5-2a: In order to reduce emissions associated with both mobile and stationary sources (i.e., wood burning stoves and fireplaces), ~~all individual development projects~~ the proposed project shall adhere to the regulations contained in the 2013 Air Quality Management Maintenance Plan for the Town of Mammoth Lakes and Chapter 8.30, Particulate Emission Regulations, of the Town's Municipal Code. The commercial use tenants throughout the Specific Plan area shall, at a minimum, include the following, as appropriate:

- Bicycle racks, lockers or secure storage areas for bicycles;
- Transit access, including bus turnouts;
- Site access design shall avoid queuing in driveways; and
- Mulch, groundcover, and native vegetation to reduce dust.

1999 SPEIR Mitigation Measure 5.5-2b: ~~Each~~ The proposed project shall contribute on a fair share basis to the Town's street sweeping operations in order to reduce emissions and ~~achieve~~ maintain the required Federal standard.

1999 SPEIR Mitigation Measure 5.5-2c: ~~New development within the Specific Plan area shall not be permitted to utilize wood burning appliances unless the Federal standard is documented to not be exceeded.~~ Prior to approval of building plans, the Applicant shall provide

confirmation, to the satisfaction of the Town of Mammoth Lakes Community and Economic Development Department, that wood fired stoves or appliances would not be used on-site.

C. Noise

- (1) **Potential Impact:** Grading and construction within the area would result in temporary noise impacts to nearby noise sensitive receivers.

Finding: 1. The Town hereby makes Finding 1 and determines that this impact would be reduced to less than significant levels with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

Construction activities associated with the proposed project would temporarily increase noise levels in the project vicinity and along nearby roadways. 1999 SPEIR Mitigation Measures 5.6-1a and 5.6-1b, as well as Additional Mitigation Measures N-1 and N-2 would be required prior to Grading Permit issuance to mitigate construction noise impacts. 1999 SPEIR Mitigation Measures 5.6-1a and 5.6-1b would reduce short-term construction noise impacts by requiring construction activities to only occur within the Town's allowable construction hours, and mobile construction equipment to be muffled. Further, Additional Mitigation Measures N-1 and N-2 would require the Applicant to provide a Noise Disturbance Coordinator, and locate stationary construction equipment on the project site in such a way that it does not impact sensitive noise receivers. With implementation of applicable mitigation, impacts would be less than significant.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.6-1a: Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm that the Grading Plan, Building Plan, and specifications stipulate that construction activities shall not take place outside of the allowable hours specified by Pursuant to ChapterSection 8.16.090 of the Town's Municipal Code,Ordinance, construction activities shall be limited to the hours of (7:00 a.m. to 8:00 p.m. Monday through Saturday and prohibited on Sunday or holidays, or as otherwise permitted by ChapterSection 8.16.090).

1999 SPEIR Mitigation Measure 5.6-1b: Prior to Grading Permit issuance, all ~~C~~construction equipment, fixed or mobile, shall be muffled or

controlled, if required, to meet Chapter 8.16 requirements for maximum noise generated by construction equipment. Contracts shall specify that engine-driven equipment be fitted with appropriate noise mufflers.

Additional Mitigation Measure N-1: Prior to Grading Permit issuance, the Applicant shall provide a qualified “Noise Disturbance Coordinator.” The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall notify the Town within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Community and Economic Development Department Planning Manager. The contact name and the telephone number for the Disturbance Coordinator shall be clearly posted on-site.

Additional Mitigation Measure N-2: Prior to Grading Permit issuance, during construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers (e.g., along Minaret Road and away from the Fireside at the Village condominiums).

(2) **Potential Impact:** The proposed project would result in an increase in long-term stationary ambient noise levels.

Finding: 1. The Town hereby makes Finding 1 and determines that this impact would be reduced to less than significant levels with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

Additional Mitigation Measure N-3 requires mechanical equipment to be placed as far as practicable from sensitive receivers. With implementation of applicable mitigation, long-term stationary noise impacts would be less than significant.

Mitigation Measures

Additional Mitigation Measure N-3: Mechanical equipment shall be placed as far practicable from sensitive receptors. Additionally, the following shall be considered prior HVAC installation: proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into the building design.

D. Transportation and Traffic

- (1) **Potential Impact:** Project construction would not cause a significant increase in traffic for existing conditions when compared to the traffic capacity of the street system.

Finding: 1. The Town hereby makes Finding 1 and determines that this impact would be reduced to less than significant levels with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

Construction activities associated with the proposed project would generate traffic as a result of equipment being transported to the site and vehicular traffic related to construction workers and delivery of materials to the project site. Construction related trips associated with trucks and employees traveling to and from the project site may result in minor traffic delays within the project area. Additional Mitigation Measure TRA-1 would require implementation of a construction management plan, consisting of a variety of measures to minimize traffic and parking impacts upon the local circulation system. Implementation of Additional Mitigation Measure TRA-1 would reduce potential short-term traffic impacts from project construction to less than significant levels.

Mitigation Measures

Additional Mitigation Measure TRA-1: Prior to Issuance of any Building Permits, a Construction Management Plan shall be submitted for review and approval by the Community and Economic Development Department Planning Manager. The Construction Management Plan shall, at a minimum, address the following:

- Traffic control for any street closure, detour, or other disruption to traffic circulation.
- Identify the routes that construction vehicles would utilize for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.), to access the site, traffic controls and detours, and proposed construction phasing plan for the project.
- Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.
- Require the Applicant to keep all haul routes clean and free of debris, including but not limited to gravel and dirt as a result of its operations. The Applicant shall clean adjacent streets, as directed by the Town Engineer (or representative of the Town Engineer), of any material which may have been spilled, tracked, or blown onto adjacent streets or areas.

- The scheduling of hauling or transport of oversize loads shall avoid peak hour traffic periods to the maximum extent feasible, unless approved otherwise by the Town Engineer. No hauling or transport shall be allowed during nighttime hours or Federal holidays. All hauling and transport activities shall comply with Municipal Code Chapter 8.16, *Noise Regulation*.
- Haul trucks entering or exiting public streets shall at all times yield to the public traffic.
- If hauling operations cause any damage to existing pavement, streets, curbs, and/or gutters along the haul route, the Applicant shall be fully responsible for repairs. The repairs shall be completed to the satisfaction of the Town Engineer.
- All constructed-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur within the identified construction staging area.
- This Plan shall meet standards established in the current California Manual on Uniform Traffic Control Device (MUTCD) as well as Town of Mammoth Lakes requirements.

E. Utilities and Service Systems

- (1) **Potential Impact:** Project implementation would increase the demand for water at the project site.

Finding: 1. The Town hereby makes Finding 1 and determines that this impact would be reduced to less than significant levels with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

The project would result in result in an increase long-term water demand for operational uses, including hotel rooms, food and beverage service, outdoor pool/jacuzzis, and landscaping. To ensure that the Town would have necessary infrastructure and water supply to accommodate the proposed project, 1999 SPEIR Mitigation Measure 5.10-8 would require the project Applicant to comply with all applicable Municipal and Fire Code requirements, and pay the appropriate fees to the Mammoth Community Water District and Mammoth Lakes Fire Protection District. Implementation of 1999 SPEIR Mitigation Measure 5.10-8 would reduce potential long-term impacts from water demand to a less than significant level.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.10-8: Prior to building permit issuance, ~~the project a~~Applicant shall comply with all applicable Municipal and Fire Code requirements and pay the appropriate fees to the MCWD and MLFPD. ~~All new water conveyance facilities shall be installed within public rights-of-way or utility easements.~~

- (2) **Potential Impact:** Project implementation would result in an increase in wastewater generation at the project site.

Finding: 1. The Town hereby makes Finding 1 and determines that this impact would be reduced to less than significant levels with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

The project would result in result in an increase in long-term wastewater generation at the project site as a result of the proposed 67-room hotel. To ensure that the Town would have necessary infrastructure to accommodate the wastewater generation from the proposed project, 1999 SPEIR Mitigation Measure 5.10-7 would require the project Applicant to comply with all applicable Municipal Code requirements, and pay the appropriate fees to the Mammoth Community Water District. Implementation of 1999 SPEIR Mitigation Measure 5.10-7 would reduce potential long-term impacts from water demand to a less than significant level.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.10-7: Prior to building permit issuance, ~~the project a~~Applicant shall comply with all applicable Municipal Code requirements and pay the appropriate fees to the MCWD. ~~All new wastewater conveyance facilities shall be installed within public rights-of-way or utility easements.~~

5. CUMULATIVE ENVIRONMENTAL IMPACTS

The Town hereby finds as follows:

A. Aesthetics/Light and Glare

- (1) **Potential Impact:** Development associated with the proposed project and related cumulative projects could result in a significant cumulative short-term aesthetic impact.

Finding: 1. The Town hereby makes Finding 1 and determines that this impact would be reduced to less than significant levels with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

1999 SPEIR Mitigation Measure 5.3-1j requires action to be taken prior to construction activities in order to avoid adverse cumulative visual impacts from construction hauling vehicles. Further, Additional Mitigation Measure AES-1 requires action to be taken prior to construction activities in order to avoid adverse cumulative visual impacts from the stockpiling of materials, construction traffic, and vehicle staging areas. Therefore, cumulative long-term visual character/quality impacts from construction activities would be less than significant.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.3-1j: Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material from public and sensitive viewers (e.g., residents and motorists/bicyclists/pedestrians), when feasible. Staging locations shall be indicated on the project Building Permit and Grading Plans and shall be subject to review by the Town of Mammoth Lakes Community and Economic Development Department Planning Manager ~~Director~~ in accordance with the Municipal Code requirements.

Additional Mitigation Measure AES-1: The Applicant shall prepare and submit a construction hauling plan to be reviewed and approved by the Community and Economic Development Department Planning Manager prior to issuance of Grading Permit. The hauling plan shall ensure that construction haul routes minimize impacts to sensitive uses in the project vicinity.

- (2) **Potential Impact:** Development associated with the proposed project and related cumulative projects could result in significant long-term cumulative character/quality impacts.

Finding: 1. The Town hereby makes Finding 1 and determines that this impact would be reduced to less than significant levels with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

1999 SPEIR Mitigation Measures 5.3-1d and 5.3-2b require the project's proposed landscaping and architectural style to blend with the area's natural setting, which would further reduce cumulative impacts in this regard. Therefore, cumulative long-term visual character/quality impacts from project implementation would be less than significant.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.3-1d: The landscape design for the site shall maximize the use of existing vegetation, and where new plants are introduced, they shall include, and/or blend with, plants native to the Mammoth Lakes environment. Landscaping shall be tolerant of shaded areas, where applicable. Landscape plans for the site shall be completed by a certified landscape architect.

1999 SPEIR Mitigation Measure 5.3-2b The architectural style for the development shall blend with the site's natural setting. Rooflines shall reflect (step down) the slope of the site, and natural "earth tone" colors and materials such as stone and wood shall be emphasized. Conformance shall be assured through the Town's design review procedures.

- (3) **Potential Impact:** Development of the proposed project would introduce new sources of light and glare into the project area, which could result in cumulatively considerable light and glare impacts.

Finding: 1. Mitigation measures would reduce cumulative light and glare impacts from the proposed project to less than significant levels. The Town hereby makes Finding 1 and determines that this impact is mitigated to less than significant.

Facts in Support of Finding

1999 SPEIR Mitigation Measures 5.3-3c and 5.3-3d require the use of minimally reflective glass and vegetative buffers to minimize glare and light intrusion from the project site. In addition, Mitigation Measures AES-2 and AES-3 require an

outdoor lighting plan to reduce lighting impacts at adjacent sensitive receptors, and integration of landscape lighting at the project site. Therefore, cumulative light and glare impacts from project implementation would be less than significant.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.3-3c: The project shall use minimally reflective glass and all other materials used on the exterior of the proposed buildings and structures ~~(including the gondola cabins and towers)~~ shall be selected with attention to minimizing reflective glare.

1999 SPEIR Mitigation Measure 5.3-3d: Vegetative buffers shall be used to reduce light intrusion on residential development to the south of the project site ~~and on forested areas located adjacent to the project site.~~

Additional Mitigation Measure AES-2: The Applicant shall prepare and submit an outdoor lighting plan pursuant to the Town's Lighting Regulations (Section 17.36.030, *Outdoor Lighting Plans*, of the Municipal Code) to the Community and Economic Development Planning Manager that includes a footcandle map illustrating the amount of light from the project site at adjacent light sensitive receptors.

Additional Mitigation Measure AES-3: Landscape lighting should be designed as an integral part of the project. Lighting levels shall respond to the type, intensity, and location of use. Safety and security for pedestrians and vehicular movements must be anticipated. Lighting fixture locations shall not interfere or impair snow storage or snow removal operations. Light fixtures shall have cut-off shields to prevent light spill and glare into adjacent areas.

B. Air Quality

(1) **Potential Impact:** Short-term construction activities associated with the proposed project and other related cumulative projects, would result in increased air pollutant emission impacts or expose sensitive receptors to increased pollutant concentrations.

Finding: 1. The Town hereby makes Finding 1 and determines that this impact would be reduced to less than significant levels with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

1999 SPEIR Mitigation Measure 5.5-1a and 5.5-1b require one or more actions to be taken, prior to approval of the project plans and specifications, to avoid adverse cumulative air quality emission impacts. Additional Mitigation Measures AQ-1 and AQ-2 require the project Applicant to obtain proper permits from the Great Basin Unified Air Pollution Control District prior to the commencement of construction activities to reduce impacts from construction emissions. Therefore, cumulative short-term construction air quality impacts would be less than significant.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.5-1a: Prior to approval of the project plans and specifications, the Public Works Director, or his designee, shall confirm that the plans and specifications stipulate that excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures and that fugitive dust shall not cause a nuisance off-site, as specified in the Great Basin Unified Air Pollution Control District (GBUAPCD) Rules and Regulations. ~~In order to reduce fugitive dust emissions, each development project shall obtain permits, as needed, from the Town and the State APCD and shall implement~~The following measures shall be implemented during grading and/or construction of the ~~individual development sites~~ project to ensure compliance with permit conditions and applicable Town and GBUAPCD requirements.

- a. ~~The individual development projects shall comply with State, GBUAPCD, Town, and Uniform Building Code dust control regulations, so as to prevent the soil from being eroded by wind, creating dust, or blowing onto a public road or roads or other public or private property.~~
- b. Adequate watering techniques shall be employed on a daily basis to partially mitigate the impact of construction-generated dust particulates.

- c. Clean-up on construction-related dirt on approach routes to ~~individual development~~ the project sites/improvements shall be ensured by the application of water and/or chemical dust retardants that solidify loose soils. These measures shall be implemented for construction vehicle access, as directed by the Town Engineer. Measures shall also include covering, watering or otherwise stabilizing all inactive soil piles (left more than 10 days) and inactive graded areas (left more than 10 days).
- d. Any vegetative ground cover to be utilized on the ~~individual development~~ the project sites/improvements shall be planted as soon as possible to reduce the amount of open space subject to wind erosion. Irrigation shall be installed as soon as possible to maintain the ground cover.
- e. All trucks hauling dirt, soil or other loose dirt material shall be covered.

1999 SPEIR Mitigation Measure 5.5-1b: To reduce the potential of spot violations of the CO standards and odors from construction equipment exhaust, unnecessary idling of construction equipment shall be avoided pursuant to CARB anti-idling regulations for in-use Off Road Diesel Vehicles, paragraph (d)(3) (Idling).

Additional Mitigation Measure AQ-1: Under the Great Basin Unified Air Pollution Control District (GBUAPCD) Rule 200-A and 200B, the project Applicant shall apply for a Permit To Construct prior to construction, which provides an orderly procedure for the review of new and modified sources of air pollution.

Additional Mitigation Measure AQ-2: Under the Great Basin Unified Air Pollution Control District (GBUAPCD) Rule 216-A (New Source Review Requirement for Determining Impact on Air Quality Secondary Sources), the project Applicant shall complete the necessary permitting approvals prior to commencement of construction activities.

(2) Potential Impact: Development associated with the proposed project and other related cumulative projects, would result in increased impacts pertaining to operational air emissions.

Finding: 1. Mitigation measures would reduce impacts related to cumulative long-term operational air emissions to less than significant levels. The Town hereby makes Finding 1 and determines that this impact is mitigated to less than significant.

Facts in Support of Finding

1999 SPEIR Mitigation Measures 5.5-2a, 5.5-2b, and 5.5-2c require one or more actions to be taken prior to approval of the project plans to avoid adverse cumulative long-term air quality emission impacts. Therefore, cumulative long-term operational air quality impacts would be less than significant.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.5-2a: In order to reduce emissions associated with both mobile and stationary sources (i.e., wood burning stoves and fireplaces), ~~all individual development projects~~ the proposed project shall adhere to the regulations contained in the 2013 Air Quality Management Maintenance Plan for the Town of Mammoth Lakes and Chapter 8.30, Particulate Emission Regulations, of the Town's Municipal Code. The commercial use tenants throughout the Specific Plan area shall, at a minimum, include the following, as appropriate:

- Bicycle racks, lockers or secure storage areas for bicycles;
- Transit access, including bus turnouts;
- Site access design shall avoid queuing in driveways; and
- Mulch, groundcover, and native vegetation to reduce dust.

1999 SPEIR Mitigation Measure 5.5-2b: ~~Each~~ The proposed project shall contribute on a fair share basis to the Town's street sweeping operations in order to reduce emissions and ~~achieve~~ maintain the required Federal standard.

1999 SPEIR Mitigation Measure 5.5-2c: ~~New development within the Specific Plan area shall not be permitted to utilize wood burning appliances unless the Federal standard is documented to not be exceeded. Prior to approval of building plans, the Applicant shall provide confirmation, to the satisfaction of the Town of Mammoth Lakes Community and Economic Development Department, that wood fired stoves or appliances would not be used on-site.~~

C. Noise

- (1) **Potential Impact:** Grading and construction within the area combined with other related cumulative projects could result in short-term noise impacts to nearby noise sensitive receivers.

Finding: 1. The Town hereby makes Finding 1 and determines that this impact would be reduced to less than significant levels with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

Construction activities associated with the proposed project would temporarily increase noise levels in the project vicinity and along nearby roadways. 1999 SPEIR Mitigation Measures 5.6-1a and 5.6-1b, as well as Additional Mitigation Measures N-1 and N-2 would be required prior to Grading Permit issuance to mitigate construction noise impacts. 1999 SPEIR Mitigation Measures 5.6-1a and 5.6-1b would reduce short-term construction noise impacts by requiring construction activities to only occur within the Town's allowable construction hours, and mobile construction equipment to be muffled. Further, Additional Mitigation Measures N-1 and N-2 would require the Applicant to provide a Noise Disturbance Coordinator, and locate stationary construction equipment on the project site in such a way that it does not impact sensitive noise receivers. With implementation of applicable mitigation, short-term cumulative construction noise impacts would be less than significant.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~strike through~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.6-1a: Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm that the Grading Plan, Building Plan, and specifications stipulate that construction activities shall not take place outside of the allowable hours specified by Pursuant to ChapterSection 8.16.090 of the Town's Municipal Code Ordinance, construction activities shall be limited to the hours of (7:00 a.m. to 8:00 p.m. Monday through Saturday and prohibited on Sunday or holidays, or as otherwise permitted by ChapterSection 8.16.090).

1999 SPEIR Mitigation Measure 5.6-1b: Prior to Grading Permit issuance, all ~~C~~construction equipment, fixed or mobile, shall be muffled or controlled, if required, to meet Chapter 8.16 requirements for maximum noise generated by construction equipment. Contracts shall specify that engine-driven equipment be fitted with appropriate noise mufflers.

Additional Mitigation Measure N-1: Prior to Grading Permit issuance, the Applicant shall provide a qualified “Noise Disturbance Coordinator.” The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall notify the Town within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Community and Economic Development Department Planning Manager. The contact name and the telephone number for the Disturbance Coordinator shall be clearly posted on-site.

Additional Mitigation Measure N-2: Prior to Grading Permit issuance, during construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers (e.g., along Minaret Road and away from the Fireside at the Village condominiums).

- (2) **Potential Impact:** The proposed project combined with other related cumulative projects would result in an increase in long-term stationary ambient noise levels.

Finding: 1. The Town hereby makes Finding 1 and determines that this impact would be reduced to less than significant levels with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

Additional Mitigation Measure N-3 requires mechanical equipment to be placed as far as practicable from sensitive receivers. With implementation of applicable mitigation, cumulative long-term stationary noise impacts would be less than significant.

Mitigation Measures

Additional Mitigation Measure N-3: Mechanical equipment shall be placed as far practicable from sensitive receptors. Additionally, the following shall be considered prior HVAC installation: proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into the building design.

D. Transportation and Traffic

- (1) **Potential Impact:** Construction of the proposed project, and other related cumulative projects, could increase traffic when compared to the traffic capacity of the existing street system.

Finding: 1. The Town hereby makes Finding 1 and determines that this impact would be reduced to less than significant levels with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

Construction activities associated with the proposed project would generate traffic as a result of equipment being transported to the site and vehicular traffic related to construction workers and delivery of materials to the project site. Construction related trips associated with trucks and employees traveling to and from the project site may result in minor traffic delays within the project area. Additional Mitigation Measure TRA-1 would require implementation of a construction management plan, consisting of a variety of measures to minimize traffic and parking impacts upon the local circulation system. Implementation of Additional Mitigation Measure TRA-1 would reduce potential cumulative short-term traffic impacts from project construction to less than significant levels.

Mitigation Measures

Additional Mitigation Measure TRA-1: Prior to Issuance of any Building Permits, a Construction Management Plan shall be submitted for review and approval by the Community and Economic Development Department Planning Manager. The Construction Management Plan shall, at a minimum, address the following:

- Traffic control for any street closure, detour, or other disruption to traffic circulation.
- Identify the routes that construction vehicles would utilize for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.), to access the site, traffic controls and detours, and proposed construction phasing plan for the project.
- Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.
- Require the Applicant to keep all haul routes clean and free of debris, including but not limited to gravel and dirt as a result of its operations. The Applicant shall clean adjacent streets, as directed by the Town Engineer (or representative of the Town Engineer), of any material which may have been spilled, tracked, or blown onto adjacent streets or areas.
- The scheduling of hauling or transport of oversize loads shall avoid peak hour traffic periods to the maximum extent feasible, unless approved otherwise by the Town Engineer. No hauling or transport shall be allowed during nighttime hours or Federal holidays. All hauling and transport activities shall comply with Municipal Code Chapter 8.16, *Noise Regulation*.

- Haul trucks entering or exiting public streets shall at all times yield to the public traffic.
- If hauling operations cause any damage to existing pavement, streets, curbs, and/or gutters along the haul route, the Applicant shall be fully responsible for repairs. The repairs shall be completed to the satisfaction of the Town Engineer.
- All constructed-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur within the identified construction staging area.
- This Plan shall meet standards established in the current California Manual on Uniform Traffic Control Device (MUTCD) as well as Town of Mammoth Lakes requirements.

E. Utilities and Service Systems

- (1) **Potential Impact:** Development associated with the proposed project and other related cumulative projects could result in cumulatively considerable impacts to the water supply and wastewater generation.

Finding: 1. The Town hereby makes Finding 1 and determines that this impact would be reduced to less than significant levels with the incorporation of the proposed mitigation measures.

Facts in Support of Finding

The project would result in an increase in long-term water demand, and wastewater generation from operational uses, including hotel rooms, food and beverage service, outdoor pool/jacuzzis, and landscaping. To ensure that the Town would have necessary wastewater infrastructure and water supply to accommodate the proposed project, 1999 SPEIR Mitigation Measures 5.10-7 and 5.10-8 would require the project Applicant to comply with all applicable Municipal and Fire Code requirements, and pay the appropriate fees to the Mammoth Community Water District and Mammoth Lakes Fire Protection District. Implementation of 1999 SPEIR Mitigation Measures 5.10-7 and 5.10-8 would reduce potential cumulative long-term impacts from water demand and wastewater generation to less than significant levels.

Mitigation Measures

Modifications to the 1999 SPEIR mitigation measures are made in ~~strikethrough~~ and double underline text. The changes to the 1999 SPEIR mitigation measures have been made to clarify/up-date the information and/or present the measure in a project-specific manner (as these measures are programmatic in nature).

1999 SPEIR Mitigation Measure 5.10-7: Prior to building permit issuance, the project Applicant shall comply with all applicable Municipal Code requirements and pay the appropriate fees to the MCWD. ~~All new~~

~~wastewater conveyance facilities shall be installed within public rights-of-way or utility easements.~~

1999 SPEIR Mitigation Measure 5.10-8: Prior to building permit issuance, the project applicant shall comply with all applicable Municipal and Fire Code requirements and pay the appropriate fees to the MCWD and MLFPD. ~~All new water conveyance facilities shall be installed within public rights-of-way or utility easements.~~

6. GROWTH-INDUCING IMPACTS

The State CEQA Guidelines require an EIR to “discuss the ways” a project could be growth inducing and to “discuss the characteristics of some projects that may encourage...activities that could significantly affect the environment.” According to State CEQA Guidelines section 15126.2(d), growth inducing impacts can occur when a proposed Project places additional stress on a community by directly inducing economic or population growth that would lead to construction of new development projects in the same area as the Project. However, the State CEQA Guidelines do not require that an EIR predict (or speculate) specifically where such growth would occur, in what form it would occur, or when it would occur. The answers to such questions require speculation, which CEQA discourages (refer to State CEQA Guidelines § 15145). (Draft SEIR Section 6.3, *Growth-Inducing Impacts.*)

In general terms, a project may foster spatial, economic, or population growth in a geographic area if it meets any one of the following criteria: (Draft SEIR Section 6.3.)

- Removal of an impediment to growth (e.g., establishment of an essential public service and provision of new access to an area);
- Fostering economic expansion or growth (e.g., changes in revenue base and employment expansion);
- Fostering of population growth (e.g., construction of additional housing), either directly or indirectly;
- Establishment of a precedent-setting action (e.g., an innovation, a change in zoning, and general plan amendment approval); or
- Development of or encroachment on an isolated or adjacent area of open space (being distinct from an in-fill project).

Should a project meet any one of the above-listed criteria, it may be considered growth inducing. The potential growth-inducing impacts of the proposed project are evaluated below.

Please note that growth-inducing effects are not to be construed as necessarily beneficial, detrimental, or of little significance to the environment. This issue is presented to provide additional information on ways in which this project could contribute to significant changes in the environment beyond the direct consequences of developing the land use concept examined in the preceding sections of the Draft SEIR.

Growth Inducing Impact Threshold 1: Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area or through changes in existing regulations pertaining to land development?

Finding: The proposed project is the last phase of a three-phase development. The first two phases have been completed, as well as the 136-space parking structure. The project would be located atop the parking podium, adjoining the existing buildings. The project site is within the North Village District. Although the project would increase density on the site, it would accommodate the increase by transferring 30 rooms from one of the Mammoth Crossing sites. Therefore, the project would not result in overall growth beyond what is anticipated in the North Village Specific Plan (NVSP) and the Town of Mammoth Lakes General Plan 2007 (2007 General Plan).

As the project site is already developed, transportation and infrastructure exist to serve the existing on-site and surrounding uses. The project would not require new roadways, sewer lines, or storm drain facilities to serve the project site and would not represent a removal of an impediment to growth.

Growth Inducing Impact Threshold 2: Would this project foster economic expansion or growth?

Finding: As stated above, the project involves the development of a 67-room hotel with associated commercial square footage. During project construction, construction-related jobs would be created. However, these jobs would be temporary and would not be growth-inducing. During project operation, economic growth associated with the hotel rooms and commercial uses would be consistent with the 2007 General Plan with respect to the planned land use for the project site and with respect to overall density within the NVSP.

Growth Inducing Impact Threshold 3: Would this project foster population expansion or growth?

Finding: A project could foster population growth in an area either directly (through the development of new homes) or indirectly (through the development of employment-generating land uses). The project proposes 67 hotel rooms above an existing parking podium. Therefore, the proposed project would foster indirect growth in the Town's population. Since a condominium-hotel project could be constructed, the project also has the potential to foster direct growth; however, this is not anticipated because of the hotel design and transient function. As concluded above, transportation and infrastructure exist to serve the range of recreational, commercial, and residential uses in the project vicinity. The project does not involve the extension of roads or other infrastructure into undeveloped areas. Therefore, the project would not foster population growth through the extension of roads or other infrastructure. Given the proposed project would occur in accordance with the 2007 General Plan and 1999 SPEIR's anticipated

development (with implementation of the proposed density transfer from one of the Mammoth Crossing sites), project implementation would be consistent with the Town's growth forecasts and would result in no greater impacts associated with population growth than previously analyzed. Therefore, the project would not result in substantial population growth in the Town.

Growth Inducing Impact Threshold 4: Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

Finding: As demonstrated in Section 5.1, *Land Use and Relevant Planning*, the proposed project would require a District Zoning Amendment to allow development of the proposed project. However, the amendments proposed would apply solely to the project site. The amendments to the NVSP are not considered to be precedent-setting since other projects in the NVSP have obtained approvals for buildings of the same height or taller, the same or increased density, and modified setbacks. Further, due to the nature of the project and minimal amount of population growth anticipated to be generated, the proposed project would not be considered growth inducing with respect to a precedent-setting action.

Growth Inducing Impact Threshold 5: Would approval of this development encroach on an isolated or adjacent area of open space?

Finding: The proposed project would not be growth-inducing with respect to development or encroachment into an isolated or adjacent area of open space. The proposed project would be developed on top of an existing parking structure podium. Additionally, development of the project site has been identified in the 1999 SPEIR and anticipated by the Town's 2007 General Plan. The project site is zoned North Village Specific Plan (NVSP), Resort General (RG), according to the Town's *Official Zoning Map* and the *North Village Specific Plan Zoning*. According to the 2007 General Plan, the NVSP is intended to create a visitor-oriented entertainment retail and lodging district anchored by a pedestrian plaza and a gondola connection to Mammoth Mountain Ski Area. Proposed development would be contained within the project site and would not encroach into surrounding areas or any areas designated as Open Space. No impacts would result with regard to development or encroachment of open space.

7. FINDINGS REGARDING ALTERNATIVES

A. Alternatives Considered and Rejected During the Scoping/Project Planning Process

In addition to the guidance cited above regarding purpose and contents of an analysis of alternatives to a proposed project, CEQA Guidelines Section 15126.6(c) states that an EIR should identify alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. According to the CEQA Guidelines, the following factors may be used to eliminate alternatives from detailed

consideration: the alternative's failure to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. The alternatives that were considered and rejected as infeasible are discussed below.

- **1999 SPEIR Alternatives:** The project site is part of the NVSP. The NVSP was adopted in 1991 and has been amended several times. The NVSP establishes development regulations for approximately 64 acres located around Minaret Road, Main Street/Lake Mary Road, and Canyon Boulevard. The intent of the NVSP is to develop a cohesive, pedestrian-oriented resort activity node, and to provide a year-round focus for visitor activity within the town.

Several projects have been approved under the NVSP, resulting in the development or redevelopment of various properties in the area. One of these projects is the 8050 project (encompassing the project site), which consists of a three-phased development. The certified 1999 SPEIR was found to adequately cover and address the 8050 project. The first two phases of the 8050 project, Buildings A and B, have been completed, as well as the parking structure that would serve all three phases, Buildings A, B, and C. On April 27, 2005, the Planning Commission of the Town of Mammoth Lakes approved Tentative Tract Map 36-229 and Use Permit 2005-01, which approved Building C, the third and final building in the 8050 complex. The requisite building permit was subsequently issued by the Town to allow for construction of the approved Building C, which totaled 41,134 square feet and included 21 residential condominiums with a total of 33 bedrooms. The proposed Inn at the Village project is a redesign of Building C. The analyses that were conducted as part of the 1999 SPEIR that were considered by the Town, but were rejected as infeasible, are discussed below. It encompasses the alternative development scenarios that were considered, and presents the findings of the environmental impact analyses that were conducted.

1999 SPEIR Chapter 7, *Alternatives to the Proposed Project*, analyzed the following alternatives to the project or to the location of the project:

No Project Alternative. This alternative consisted of the buildout of the 1994 NVSP. The 1994 NVSP included 41 separate parcels under several separate ownerships, totaling 64.1 acres. It created a set of land use designations and development standards to facilitate the development of the NVSP area as a concentrated, pedestrian-oriented activity center with limited demand for automobile use. Buildout of the 1994 NVSP would have resulted in the development of up to 3,020 accommodation rooms, in addition to affordable housing, and 135,000 square feet of commercial uses. The overall NVSP density would be approximately 54 rooms per acre based on three land use districts, the highest intensity district permitting a maximum of 80 rooms per acre and the lowest intensity district permitting a maximum of 48 rooms per acre. While the proposed types of land uses would be similar between the

1994 and 1999 NVSP Amendment, the orientation and distribution of uses differed with the 1999 NVSP Amendment. Despite the differences in development standards and distribution, the No Project Alternative would fulfill the primary project objectives outlined for the 1999 NVSP Amendment.

Reduced Density Alternative. The Reduced Density Alternative assumed a 30 percent reduction in the overall density (square footage) of the 1999 NVSP Amendment. The density reduction would occur proportionally for all permitted land use types. The overall distribution of uses would remain the same as the 1999 NVSP Amendment. The Reduced Density Alternative would fulfill the primary project objectives for the 1999 NVSP Amendment to a lesser degree because of the reduction in size.

Alternative Site Alternative. The Alternative Site Alternative assumed the construction of the same proposed land uses under the 1999 NVSP Amendment on the Lodestar at Mammoth Master Plan site. The Lodestar at Mammoth site is bordered to the north by Main Street, to the south by Meridian Boulevard and Minaret Road, to the west by Lake Mary Road and to the east by Joaquin Road. In May 1991, a Master Plan for development within the area of Lodestar at Mammoth Master Plan was prepared including land use development standards and conditions of approval for all development. A Final EIR was prepared in February 1991 and subsequently certified in April 17, 1991 for the Master Plan based on construction of a 210-acre master planned destination resort, which includes 40 single-family homes, 735 multi-family condominiums, 100 lodges and apartments (employee housing), 515,600 square feet of full-service hotels, an 80,000 square feet commercial village, and a 110-acre 18-hole golf course. Although the Alternative Site Alternative would result in the same amount and type of development proposed, it would not fulfill the primary project objectives of the 1999 NVSP Amendment to facilitate the development (or renovation) of NVSP area as a concentrated, pedestrian oriented activity center with restricted vehicular access.

Based on the analysis presented in Chapter 7 of the 1999 SPEIR, the No Project Alternative was identified as the environmentally superior alternative. CEQA Section 15126.6 indicates that if the "No Project" Alternative is the "Environmentally Superior" Alternative, the EIR should also identify an environmentally superior alternative among the alternatives. As the Reduced Density Alternative would result in the least environmental impacts when compared to the 1999 NVSP Amendment project while still meeting many of the project objectives and not increasing the significance of anticipated impacts, the Reduced Density Alternative was considered the Environmentally Superior Alternative.

As these alternatives do not focus analysis on a project-level basis, the three alternatives analyzed in the 1999 SPEIR have been considered, but rejected from further consideration.

- **Alternative Development Areas:** CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project. Per CEQA Guidelines Section 15126.6(2)(A), the key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the SEIR. In general, any development of the size and type proposed by the Inn at the Village project would have substantially the same impacts on an environmental basis. Without a site specific analysis, impacts on aesthetics, air quality, greenhouse gas emissions, land use and planning, and utilities and service systems cannot be evaluated. However, it could be inferred that other impacts, such as biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, noise, etc., could result in increased impacts, as an alternative site may be undeveloped. The Applicant has a vested right to develop the previously approved 8050 Building C on the project site, pursuant to the building permit issued under the approved Tentative Tract Map 36-229 and Use Permit 2005-01. Although the Applicant owns other properties in the NVSP area, these other properties are not yet entitled for future development (Mammoth Crossing sites located to the south of the project site). Furthermore, it is a key objective of the proposed project, and a key aspect of its design, to enhance pedestrian integration and accessibility while improving animation and vibrancy of the streetscape along Minaret Road at the project site. Consequently, this alternative has been considered and rejected from further analysis.

B. Alternatives Selected for Analysis

Based on the criteria listed above, the following three alternatives have been determined to represent a reasonable range of alternatives that could potentially attain most of the basic objectives of the project and have the potential to avoid or substantially lessen one or more of the significant effects of the project. These alternatives are analyzed in detail in the following sections.

- No Project/No Development Alternative
- No Project/Reasonably Foreseeable Development Alternative; and
- Reduced Height Alternative

An EIR must identify an “environmentally superior” alternative, and where the No Project Alternative is identified as environmentally superior, the EIR is required to identify as environmentally superior an alternative from among the others evaluated. Each alternative's environmental impacts are compared to the proposed project and determined to be environmentally superior, neutral, or inferior. However, only significant

and unavoidable impacts are used in making the final determination of whether an alternative is environmentally superior or inferior to the proposed project. However, no impacts analyzed in the Draft SEIR were found to be significant and unavoidable. Section 7.3, “Environmentally Superior” Alternative, of the Draft SEIR identifies the environmentally superior alternative as the No Project/Reasonably Foreseeable Development Alternative.

The proposed project is analyzed in detail in Section 7.0, Alternatives, of the Draft SEIR.

1. Alternatives Comparison

Table 1, *Comparison of Impacts Associated with the Alternatives and Impacts of the Proposed Project*, below, provides a summary matrix that compares the impacts associated with the project with the impacts of each of the proposed alternatives.

**Table 1
Comparison of Impacts Associated with the
Alternatives and Impacts of the Proposed Project**

Section	Alternative 1: No Project/No Development	Alternative 2: No Project/ Reasonably Foreseeable Development	Alternative 3: Reduced Height
Aesthetics/Light and Glare	Less (Less Than Significant)	Less (Less Than Significant)	Less (Less Than Significant)
Air Quality	Less (Less Than Significant)	Less (Less Than Significant)	Similar (Less Than Significant)
Greenhouse Gas Emissions	Less (Less Than Significant)	Less (Less Than Significant)	Similar (Less Than Significant)
Land Use and Relevant Planning	Similar (Less Than Significant)	Similar (Less Than Significant)	Similar (Less Than Significant)
Noise	Less (Less Than Significant)	Less (Less Than Significant)	Similar (Less Than Significant)
Traffic and Circulation	Less (Less Than Significant)	Less (Less Than Significant)	Similar (Less Than Significant)
Utilities and Service Systems	Less (Less Than Significant)	Less (Less Than Significant)	Similar (Less Than Significant)

a) **No Project/No Build Alternative**

Description: This alternative assumes that the existing 8050 project would remain in the current state, with Buildings A and B of the project completed as well as the 136-space parking structure that serves the project site. The project site would remain the parking structure podium, and no development would be constructed atop. The seven-story hotel, totaling 64,750 gross square feet that includes up to 67 hotel rooms, food and beverage service, spa, outdoor pool/jacuzzis, lobby, and landscaping elements would not be developed. Under this alternative, the pedestrian porte cochere, allowing

for pedestrian integration and improved circulation and a public kiosk or retail space at street level would not be constructed. Additionally, the existing sidewalk along Minaret Road would not be reconstructed to Town standards.

Environmental Effects: A full discussion of the No Project/No Development Alternative's environmental impacts as compared to the proposed project is set forth in Section 7.2.1, "No Project/No Development" Alternative, of the Draft SEIR, which is hereby incorporated by reference. In comparison to the proposed project, as shown above in Table 1, the No Project/No Development Alternative would reduce impacts to aesthetics/light and glare, air quality, greenhouse gas emissions, noise, traffic and circulation, and utilities and service systems. Impacts related to land use and relevant planning would be similar to the proposed project. Overall, the No Project/No Development Alternative would have less environmental impacts than the proposed project.

Ability to Achieve Project Objectives: The No Project/No Development Alternative would not attain most of the project's basic objectives. This Alternative would not meet the Town's goals and objectives pertaining to creating a sense of exploration using pedestrian-oriented sidewalks, plazas, and courtyards with pedestrian comforts; a visitor-oriented entertainment retail district; active day and evening through all four seasons, designed to achieve a two to three hour visit; resort and resident activities, amenities, and services; animation with retail and significant businesses oriented to the street; retail and services in "storefront" setting located at the sidewalk; and a variety of resort lodging supported by meeting facilities, outdoor activities, and restaurants, arts, culture, and entertainment.

The goals and objectives of the NVSP would not be fully realized with implementation of the No Project/No Development Alternative. This Alternative would not provide resort accommodations and supporting commercial facilities for visitor-oriented activities and facilities or integrated pedestrian access to and from the plazas.

This Alternative would not meet many of the project's objectives, including the objectives to construct a compelling, iconic, and economically sustainable lodging development that would revitalize and enhance vibrancy to the NVSP area by providing greater pedestrian integration and accessibility for tourists and locals. An array of services and amenities including dining, casual gathering places, publically accessible landscaped spaces, and visitor accommodations for residents and visitors would not be provided at the project site. The No Project/No Development Alternative would also not achieve economic sustainability by creating Town revenue through transient occupancy tax.

Finding: In comparison to the proposed project, the No Project/No Development Alternative would reduce impacts to aesthetics/light and glare, air quality, greenhouse gas emissions, noise, traffic and circulation, and utilities and service systems. Impacts related to land use and relevant planning would be similar to the proposed project. Overall, the No Project/No Development Alternative would have fewer environmental impacts than the proposed project, making it an environmentally superior alternative. However, since the No Project/No Development Alternative fails to meet most of the

project, NVSP, and Town’s objectives, it has been rejected by the Town in favor of the proposed project.

b) No Project/No Reasonably Foreseeable Development Alternative

Description: The No Project/Reasonably Foreseeable Development Alternative proposes the development of new private residential condominiums on the project site as currently permitted (the approved 8050 Building C), which would total 41,134 square feet including 21 residential condominiums with a total of 33 bedrooms and would be five stories (62 feet) in height. The development associated with this alternative would have a broader building mass, covering the entire existing parking structure podium. The No Project/Reasonably Foreseeable Development Alternative would be consistent with the NVSP and amendments would not be required.

Table 2, *Comparison of Proposed Project and No Project/Reasonably Foreseeable Development Alternative*, compares the land use type and overall building height of the proposed project and the No Project/Reasonably Foreseeable Development Alternative.

**Table 2
Comparison of Proposed Project and No Project/
Reasonably Foreseeable Development Alternative**

Land Use	Proposed Project	No Project/Reasonably Foreseeable Development Alternative
Hotel Rooms ¹	34,840 square feet (67 rooms)	-
Accessory Uses (e.g., lobby, circulation, etc.)	29,910 square feet	-
Residential Condominiums	-	41,134 square feet (21 residential condominiums, 33 rooms)
Building Height	80 feet ²	62 feet ³
Notes: 1. The hotel proposes rooms that would be approximately +/- 520 square feet per room. 2. Building height for the proposed project excludes an additional 4 feet and 6 inches for roof appurtenances. 3. Building height for the No Project/Reasonably Foreseeable Development Alternative excludes an additional 3 feet for roof appurtenances.		

Comparatively, this alternative proposes 21 residential condominiums with 33 rooms, resulting in a difference in land use type and a decrease of 23,616 square feet from the proposed project. This Alternative would not require a density transfer from the Mammoth Crossing zone. In addition, this Alternative proposes a maximum height of five stories (62 feet) plus another three feet for roof appurtenances, a decrease of 18 feet and an additional one foot, six inches for roof appurtenances from the proposed project. The Alternative’s maximum height would be consistent with the current NVSP. As this Alternative has a wide building mass, this Alternative would have increased building footprint that increases the proposed building massing along the adjacent Fireside at the Village condominiums to the south. Under the No Project/Reasonably Foreseeable Development Alternative, the architecture and landscaping components

would be developed as residential condominiums (with fractional ownership) similar to the existing 8050 Buildings A and B. In addition, the remaining accessory components (i.e., food and beverage service, spa, outdoor pool/jacuzzis, lobby, and pedestrian porte-cochere) would not be developed, since this Alternative would not function as a more traditional hotel operation.

Environmental Effects: A full discussion of the No Project/Reasonably Foreseeable Development Alternative's environmental impacts as compared to the proposed project is set forth in Section 7.2.2, "No Project/Reasonably Foreseeable Development" Alternative, of the Draft SEIR, which is hereby incorporated by reference. In comparison to the proposed project, as shown above in Table 2, the No Project/Reasonably Foreseeable Development Alternative would reduce impacts to aesthetics/light and glare, air quality, greenhouse gas emissions, land use and relevant planning, noise, traffic and circulation, and utilities and service systems. Impacts related to land use and relevant planning would be similar to the proposed project. Overall, the No Project/No Development Alternative would have less environmental impacts than the proposed project.

Ability to Achieve Project Objectives: The No Project/Reasonably Foreseeable Development Alternative would only attain some, but not all, of the project's objectives. This alternative would result in 21 residential condominiums with 33 rooms, but would eliminate the accessory components related to hotel uses including the food and beverage service, spa, outdoor pool/jacuzzis, and pedestrian porte-cochere, public kiosk, and public pocket park. As a result, the No Project/Reasonably Foreseeable Development Alternative would not meet the Town's goals and objectives pertaining to creating a sense of exploration using pedestrian-oriented sidewalks, plazas, and courtyards with pedestrian comforts; a visitor-oriented entertainment retail district; active day and evening through all four seasons, designed to achieve a two to three hour visit; resort and resident activities, amenities, and services; animation with retail and significant businesses oriented to the street; retail and services in "storefront" setting located at the sidewalk; and a variety of resort lodging supported by meeting facilities, outdoor activities, and restaurants, arts, culture, and entertainment.

The goals and objectives of the NVSP would not be fully realized with implementation of the No Project/Reasonably Foreseeable Development Alternative. This Alternative would not provide facilities or integrated pedestrian access to and from the plazas. Implementation of the No Project/ Reasonably Foreseeable Development Alternative would not meet most of the project's basic objectives. This Alternative would not enhance pedestrian integration and amenities. Dining, casual gathering places, publically accessible landscaped spaces, and hotel-type visitor accommodations for the residents and visitors of the Town would not be provided at the project site. The No Project/Reasonably Foreseeable Development Alternative would create Town revenue through fractional ownership taxes and assessments, although would not provide the fullest extent of economic sustainability compared to the proposed project. Therefore, unlike the proposed project, this alternative would only partially achieve the project objectives.

Finding: In comparison to the proposed project, the No Project/Reasonably Foreseeable Development Alternative would reduce impacts to aesthetics/light and glare, air quality, greenhouse gas emissions, noise, traffic and circulation, and utilities and service systems. Impacts related to land use and relevant planning would be similar to the proposed project. Overall, the No Project/Reasonably Foreseeable Development Alternative would have fewer environmental impacts than the proposed project, making it an environmentally superior alternative. However, since the No Project/Reasonably Foreseeable Development Alternative would not achieve many of the project, NVSP, and Town’s objectives, it has been rejected by the Town in favor of the proposed project.

c) Reduced Height Alternative

Description: The Reduced Height Alternative proposes the development of a hotel use (with option for condominium or fractional ownership) on the project site that would have 56 hotel rooms and would be five stories (58 feet) in height. This alternative would have the same building footprint, architecture, and landscaping elements as the proposed project. However, this alternative would have a loss of amenities including the food and beverage service, spa, outdoor pool/jacuzzis, and pedestrian porte-cochere, as this alternative would not function as a more traditional hotel. The development associated with this alternative would still be built on top of the existing parking structure podium; however, the proposed outdoor pool/jacuzzi area would instead be utilized to accommodate outdoor patios for condominium units and modest landscape features. Under the Reduced Height Alternative, the NVSP would need to be amended to increase the allowable development density for the project site (a transfer of 19 rooms from one of the Mammoth Crossing sites [MC zone]). However, amendments pertaining to building heights and setbacks would not be required.

Table 3, *Comparison of Proposed Project and Reduced Height Alternative*, compares the overall density, building height, and average daily trips of the proposed project and Reduced Height Alternative.

**Table 3
Comparison of Proposed Project and Reduced Height Alternative**

Land Use	Proposed Project	Reduced Height Alternative	Difference
Hotel ¹	34,840 square feet (67 rooms)	29,120 square feet (56 rooms)	-5,720 square feet (-11 rooms)
Accessory Uses (i.e., circulation)	29,910 square feet	24,135 square feet	-5,775 square feet
Building Height ²	80 feet	58 feet	-22 feet
Peak Hour Trips ³	19	16	-3
Notes: 1. The hotel proposes rooms that would be approximately +/- 520 square feet per room. 2. Building height excludes an additional 4 feet and 6 inches for roof appurtenances. 3. Based on a trip generation rate of 0.28 trips per occupied unit per <i>The Inn at the Village Project – Traffic Analysis</i> , dated May 8, 2014.			

Comparatively, this Alternative proposes a 16.4 percent decrease in hotel units, with 11 fewer hotel rooms, resulting in a decrease in the allowable development density transfer of 19 rooms from the Mammoth Crossing zone. This Alternative would also decrease three

peak hour trips. In addition, the Reduced Height Alternative proposes a maximum height of five stories (58 feet) with an additional 4 feet, 6 inches for roof appurtenances, a decrease of 22 feet from the proposed project. The proposed maximum height would be consistent with the current NVSP. As the proposed maximum height decreases, the proposed building also conforms to the building setback requirements in the Resort General (RG) zone. Under the Reduced Height Alternative, the architecture and landscaping components would be developed similar to the proposed project. However, the remaining accessory components (i.e., food and beverage service, spa, outdoor pool/jacuzzis, pedestrian porte-cochere, public pocket park, and public kiosk) would not be developed.

Environmental Effects: A full discussion of the Reduced Height Alternative's environmental impacts compared to those of the proposed project is set forth in Section 7.2.3, "Reduced Height" Alternative, of the Draft SEIR, which is hereby incorporated by reference. In comparison to the proposed project, as shown above in Table 3, the Reduced Height Alternative would reduce impacts to aesthetics/light and glare. The Reduced Height Alternative would result in similar impacts regarding air quality, greenhouse gas emissions, land use and relevant planning, noise, traffic and circulation, and utilities and service systems in comparison to the proposed project.

Ability to Achieve Project Objectives: Implementation of this Alternative would not attain most of the Town's goals and objectives, including those pertaining to creating a sense of exploration using pedestrian-oriented sidewalks, plazas, and courtyards with pedestrian comforts; a visitor-oriented entertainment retail district; active day and evening through all four seasons, designed to achieve a two to three hour visit; resort and resident activities, amenities, and services; animation with retail and significant businesses oriented to the street; retail and services in "storefront" setting located at the sidewalk; and a variety of resort lodging supported by meeting facilities, outdoor activities, and restaurants, arts, culture, and entertainment.

The goals and objectives of the NVSP would not be fully realized with implementation of the Reduced Height Alternative. This Alternative would not provide desired facilities.

Last, implementation of the Reduced Height Alternative would only meet some, but not all of the project's objectives. The Reduced Height Alternative would not attain enhanced pedestrian integration and amenities. Dining, casual gathering places, and publically accessible landscaped spaces would not be provided on the project site. The Reduced Height Alternative would create Town revenue through transient occupancy tax, although not to the extent of the proposed project. Therefore, unlike the proposed project, this Alternative would not fully act as a catalyst for the revitalization and added vibrancy of the NVSP area.

Finding: In comparison to the proposed project, the Reduced Height Alternative would reduce impacts to aesthetics/light and glare, and result in similar impacts related to air quality, greenhouse gas emissions, land use and relevant planning, noise, traffic and circulation, and utilities and service systems. Overall, the Reduced Height Alternative would be neither environmentally superior nor inferior to the proposed project regarding

impacts, given that it would be a similar use and it would have similar impacts as the proposed project. In addition, since the Reduced Height Alternative would not attain many of the project, NVSP, and Town's objectives, it has been rejected by the Town in favor of the proposed project.