
6.0 OTHER CEQA CONSIDERATIONS

A. IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the CEQA Guidelines requires that significant irreversible environmental changes that would be caused by implementation of a proposed project be evaluated to ensure that such changes are justified. Irreversible changes include the use of nonrenewable resources during the construction and operation of a project to such a degree that the use of the resource thereafter becomes unlikely. A significant environmental change can result from a primary and secondary impact (such as a highway improvement that provides access to a previously inaccessible area) that generally commits future generations to similar uses. Finally, irreversible environmental change can also result from environmental accidents associated with the project.

Implementation of the Updated Plan would result in a commitment of limited, slowly renewable, and nonrenewable resources, as these resources would be used in construction projects. The Updated Plan provides for development and redevelopment of lands within the UGB. Such limited, slowly renewable, and nonrenewable resources would include certain types of lumber and other forest products, the raw materials in steel, metals such as copper and lead, aggregate materials used in concrete and asphalt such as sand and stone, water, petrochemical construction materials such as plastic, and petroleum based construction materials. In addition, fossil fuels used in construction vehicles would also be consumed.

The Updated Plan would involve the ongoing consumption of limited, nonrenewable, and slowly renewable resources such as natural gas and electricity, petroleum based fuels, fossil fuels, and water. Energy resources would be used in the retail spaces for heating and cooling of areas, transporting people and goods to, from, and within the spaces, heating and refrigeration for food storage and preparation, heating and cooling of water, and lighting. Title 24 of the California Administrative Code would require conservation practices that would limit the amount of energy consumed by the project. Nevertheless, the use of such resources would continue to represent a long-term commitment of essentially nonrenewable resources.

The Updated Plan would commit particular locations to specific land uses as the Updated Plan would provide guidance for the buildout of the community. Development under the Updated Plan would result in the permanent conversion of vacant areas within the UGB to developed uses. In addition, the Updated Plan would result in an intensification of development and strengthened orientation to resort and recreational uses compared with existing conditions, which would change the character of Mammoth Lakes. However, a similar change would result

from implementation of the existing General Plan. Potential environmental impacts associated with these changes are analyzed in Chapter 4.0 of the Revised Draft PEIR.

In terms of other issues provided in the CEQA Guidelines for consideration, the Updated Plan would not provide for infrastructure improvement, i.e., roadways, which would provide access to a previously inaccessible area. In addition, the Updated Plan would not result in an environmental accident that could result in significant and irreversible environmental change. The Update Plan does not provide for an increase in the use of hazardous materials. Any uses within the Town that use hazardous materials would be required to comply with all applicable federal, state and local regulations as discussed in Section 4.5, Public Safety and Hazards, of this EIR.

The commitment of the limited, slowly renewable, and nonrenewable resources required for the construction and operation of the Updated Plan would limit the availability of these resources for future generations or for other uses during the life of the program. However, continued use of such resources is consistent with regional and local growth and anticipated change in the area. No other significant irreversible changes would occur as a result of program implementation.

6.0 OTHER CEQA CONSIDERATIONS

B. GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the CEQA Guidelines requires that an EIR analyze growth-inducing impacts of a project. Projects which foster economic or population growth or the construction of additional housing, either directly or indirectly, in the area surrounding a project site are potentially growth-inducing. Also, the removal of obstacles to growth as well as the development of facilities that encourage and facilitate growth are potentially growth-inducing. As stated in the CEQA Guidelines, it is not to be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

The Updated Plan can be expected to relate to growth in two very broad ways. First, it defines a capacity for growth within the jurisdiction of the Town of Mammoth Lakes, and secondly, it has the potential to indirectly cause growth outside of the town's jurisdiction. With regard to the first growth relationship, the Project would provide capacity for growth within the Town from 9,871 existing housing units of all sorts and in existing peak people at one time count (PAOT) of 34,264 to comparable values upon buildout in 2024 of 16,710 housing units and 60,700 PAOT. The potential growth is for 6,839 housing units and 26,436 PAOT over the next 19 years. While these growth increments and the changes to be expected therefrom are appreciable, the impacts associated with it have been thoroughly analyzed and discussed in Chapter 4 of this Revised Draft PEIR.

Moreover, the Updated Plan would neither induce nor foster, that is, cause, this growth to occur. It is interesting to note that while the existing General Plan provided growth capacity in 1987 for 17,396 housing units of all sorts and 61,376 PAOT, both somewhat greater than proposed in the Updated Plan, nowhere close to that growth has actually occurred. This is because the General Plan does not actually cause or induce growth, but is instead dependent on demand for recreational and related opportunities which has its principal origins in other parts of California and the West. As these regions grow, and southern California, as the dominant source of this demand, will be under tremendous growth pressure for the next 20 years, demand on the recreational potential in and around the Town of Mammoth Lakes would also continue to grow. The importance of the recreational segment to overall growth capacity within the Town is evidenced by the fact that 70% of total existing housing units of all sorts is for transient occupancy, and that 73% and 72% of existing General Plan and Updated Plan capacity, respectively, is as well. In addition, the project maintains the urban growth boundary in its current location and does not propose to extend the road network. Therefore, the project would not enable development to occur outside of the already developed areas of town.

The intent of the Project is to serve as a blueprint for the physical development of the community and a foundation for optimizing land use decisions based on community goals and policies related to land use, transportation, population growth and distribution, development, open space, resource preservation and utilization, infrastructure, and other related physical, social, and economic factors. To the extent that demand cannot be absorbed where it is focused in the Town of Mammoth Lakes under either the Updated Plan or any reduced intensity scenario, efforts can be reasonably expected elsewhere to absorb it. This may occur in the form of efforts to expand existing destination resorts or proposals to create new ones, either of which would likely have environmental consequences of their own. What is clear is that the Town of Mammoth Lakes cannot stem the demand being generated in other regions, but can only determine how much and how well to accommodate it, on the one hand, and how much of that demand to deflect to other recreational locales on the other.

With regard to the second type of growth relationship, the Updated Plan does have the potential to affect growth in outlying communities beyond the Town's jurisdiction since the employment base in Mammoth Lakes is expected to increase at a faster rate than population and local employees are drawn from a much larger geography than the town, itself. As a result, housing demand indirectly related to growth within the Town of Mammoth Lakes is likely to impact nearby county communities such as Lake Crowley, June Lake, and Lee Vining as well as more distant locations, particularly in and around Bishop, and even points south. All of these communities have experienced spin-off growth over the past decade, an unknown fraction of which can be indirectly attributed to growth in the Town of Mammoth Lakes.

As the Town of Mammoth Lakes continues to grow, it is anticipated that it would continue to export some amount of employee housing demand as well as opportunities for goods and service providers to outlying communities in the Mono Basin and upper Owens Valley. Unfortunately, the amounts of such exported housing and business demand cannot be estimated without undue speculation. While incremental urbanization effects such as those attributable to the conversion of open spaces, traffic generation with associated air and noise pollution, need for public services and utilities, etc., can be imagined, the magnitude of such an increment or its geographic distribution cannot be accurately identified. It is possible that such growth would comply with the expectations of the respective host communities. However, because it cannot be argued with certainty that this would be the case, for purposes of conservative documentation in this Revised Draft PEIR, it is concluded that the Updated Plan has the potential to induce significant growth-inducing impacts in one or more outlying communities and that those communities would not be able to satisfactorily mitigate such effects.

6.0 OTHER CEQA CONSIDERATIONS

C. EFFECTS FOUND NOT TO BE SIGNIFICANT

Pursuant to Section 15128 of the State CEQA Guidelines, an EIR must contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were, therefore, not discussed in detail in the EIR. This section discusses those issue areas that were determined not to require further analysis in the EIR through the Initial Study process. This section explains how a less than significant determination was derived for the issue area in question.

Agricultural Resources

Based on information provided by the Town as well as comments received on the NOPs, there is no evidence that the Updated Plan would cause significant environmental effects on agricultural resources. There are no prime or unique farmlands or other agricultural operations within the UGB or the Municipal Boundary. All new disturbance under the project would occur within the UGB or on adjacent lands that may be acquired from the USFS through land exchanges. In addition, the project would not lead to a conflict with existing zoning for agricultural uses or a Williamson Act contract nor would it result in conversion of farmland to non-agricultural uses for the same reasons. Therefore, the project would not impact agricultural resources. Note that the USFS has issued grazing leasehold permits to a number of cattle and sheep operations, several of which enter into the Planning Area. Issues pertaining to these allotments are addressed in the Land Use Section of this Revised Draft PEIR.

Hazards and Noise Relative to Private Airstrips

There are no private airstrips within the Planning Area. Therefore, no safety hazards or noise impacts for people residing or working in an area within the vicinity of a private airstrip would occur.

Hazards Relative to Cortese List

No sites within the Planning Area have been included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5. Accordingly, no development associated with implementation of the Updated Plan would be subject to existing hazards from such a site.

6.0 OTHER CEQA CONSIDERATIONS

D. SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL IMPACTS

1. SIGNIFICANT UNAVOIDABLE IMPACTS

Section 15126.2(b) of the CEQA Guidelines requires that an EIR describe significant environmental impacts that cannot be avoided, including those effects that can be mitigated but not reduced to a less than significant level. Following is a summary of the impacts that were concluded to be significant and unavoidable. These impacts are also described in detail in Chapter 4 of this EIR.

Aesthetics

Due to the permanent change in visual character of newly developed areas of the Town, it is concluded that impacts to the Town's visual character and quality are significant and unavoidable. In addition, due to the increase in night lighting that would occur from development associated with the Updated Plan, the project would result in a significant impact with regard to night lighting and a reduction in the quality of star-gazing for residents and visitors that would result.

Air Quality

With the incorporation of implementation measures in the Updated Plan as well as a mitigation measure in Section 4.2, development associated with the Updated Plan would not be expected to exceed the federal air quality standards. However, the State 24 hour PM₁₀ and 1 hour O₃ standard would continue to be exceeded. The O₃ impact is primarily the result of pollution generated in the San Joaquin Valley, transported by air currents and winds over the Sierra Nevadas into the Planning Area during limited periods of the year and is not a condition substantially generated by Town activities. Mitigation measure 4.2-1 would decrease the long-term impacts to air quality from wood burning and road dust, but attainment of the State standard for PM₁₀ and 1 hour standard for O₃ are not expected. Therefore, the Updated Plan would result in a significant and unavoidable air quality impact and sensitive receptors would be exposed to substantial pollutant concentrations associated with implementation of the Updated Plan. The project would also contribute to a cumulative air quality impact.

Biological Resources

Development associated with implementation of the Updated Plan would involve the redevelopment of land or the development of vacant lands within the Urban Growth Boundary. With implementation measures contained in the Updated Plan, impacts attributable to land and/or infrastructure development within the UGB to species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFG or the USFWS would be reduced to a less than significant level. However, the Updated Plan has potential for indirect impact upon resources beyond the UGB and even the Planning Area. Such potential is associated with incidental contact or intrusion impacts produced by growing resident and visitor recreational activities in areas surrounding the UGB, particularly during non-winter months. While excessive use of these areas is not indicated at present, the project does provide for a considerable growth increment. While the peak people at one time data (PAOT) is dominated by wintertime visitation, increases in non-winter months must also be expected. In the absence of data clearly establishing otherwise, it is conservatively concluded that such increased wilderness and open lands usage as may be indirectly caused by the Updated Plan could have significant impact upon one or more of the special status wildlife or plants species. As such, impacts related to candidate, sensitive, or special status species would be potentially significant and unavoidable from contact intrusion due to Plan induced increases in recreational visitation to wilderness and open lands areas. In addition, the project would contribute to a cumulatively significant impact due to an increase in population that would occur from the related projects in combination with the project.

Public Safety and Hazards

The Updated Plan could result in significant impacts with regard to wildfires. Assuming all agencies manage fuel sources properly, the risk of exposure to wildland fires would be reduced but not eliminated. The Town is currently implementing all possible measures to reduce the risk of exposure from wildland fires, such as collecting Development Impact Fees on behalf of the Mammoth Lakes Fire Protection District to fund the districts development schedule. Based on the Updated Plan and development schedule the Town estimates collecting over three million dollars which will be used to fund the expansion of Fire Station One, and possible for the purchase of new equipment and/or the development of Fire Station Three. However, given that the Town does not have control over the entire area and additional feasible mitigation measures have not been identified to reduce the risk, the project as well as cumulative impact with regard to wildland fires is considered to be potentially significant and unavoidable.

Noise

Implementation of the measures provided in the Updated Plan along with measures provided in the Noise Element would ensure that existing and proposed sensitive uses would not exceed applicable noise standards. However, a significant unavoidable impact would occur because the noise generated by traffic from implementation of the Updated Plan would exceed current ambient levels by up to 6 dBA.⁷⁵ As an example, Forest Trail east of Minaret would increase from 48 dB L_{dn} to 54 dB L_{dn}. An L_{dn} of 54 dB is well within the generally acceptable outside noise level provided in the Noise Element of 60 dB L_{dn}, but an increase of 6 dBA would be readily noticeable and, thus, considered a substantial change in noise levels. Therefore, the permanent increase in ambient noise levels in the UGB above existing levels that would result from development associated with the Updated Plan would be significant and unavoidable.

With regard to cumulative impacts, each of the related projects would have to comply with the applicable noise ordinance. No increase in traffic related noise levels within the Town are anticipated from the related projects. However, traffic from development associated with the Updated Plan combined with related project traffic could incrementally increase noise levels along Interstate 395 within the Planning Area and result in a cumulatively significant noise impact.

Public Services and Utilities

Development associated with the Updated Plan would result in an increase of population and a corresponding demand for library services. The existing library facility is at capacity and inadequate to address the proposed population growth. While a parcel of land has been purchased to accommodate a new library and it is anticipated that construction of the new library could begin as early as spring of 2006, the library would be a County facility and ultimate control over the development of additional libraries are under the County's control. Although development of the new library, as well as the Updated Plan's policies and implementation measures, would reduce impacts to library services and facilities to a less than significant level, the impacts to library services cannot be mitigated by the Town to a less than significant level.

Permanent and transient population increases in the Town as a result of the project would also increase the demand for hospital and health services. Implementation measures contained in the Updated Plan would assist in reducing potential impacts to hospital and health services to a less than significant level. However, the Updated Plan is an approximately 20-year plan and the Southern Mono Health Care District does not have funded improvements for the expansion of

⁷⁵ Community responses to changes in noise levels fluctuate, but a change in noise level from 3 to 5 dBA may be noticed by some individuals who are extremely sensitive to changes in noise, while a 5 dBA increase is readily noticeable.

facilities over a 20-year timeframe. Since the Town does not have ultimate control over the provision of health care services, impacts to hospital and health services is significant and unavoidable.

Recreation

Development associated with the Updated Plan would result in an increase of population and a corresponding demand for recreational facilities as well as an increased demand on existing facilities. Based on the performance objective for parks of 5 acres per 1000 permanent and seasonal residents, the Updated Plan would require an additional 22 acres of park and recreation facilities at buildout. The Town would need to construct or expand facilities in order to maintain the stated performance objective. The Town of Mammoth Lakes anticipates adoption of a revised Parks and Recreation Element in 2006. While the current park demand is met and parks are maintained, the demand for parks based on the adopted performance objective would increase as population increases. The Updated Plan contains policies and/or implementation measures and the Town collects development impact fees to reduce potential impacts to parks. However, based on the increased demand, and the uncertainty of the location of additional park lands, impacts to recreation are considered significant and unavoidable. In addition, the Updated Plan would redesignate Mammoth Creek Parks to IP. While the facilities at Mammoth Creek Park would remain with the redesignation, the redesignation would provide the potential loss of that park. If the park were redeveloped, the loss of the park would be significant and unavoidable.

6.0 OTHER CEQA CONSIDERATIONS

E. POTENTIAL SECONDARY EFFECTS

Section 15126.4(a)(1)(D) of the CEQA Guidelines requires that, “If a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed.” With regard to this section of the CEQA Guidelines, the potential impacts that could result with the implementation of each mitigation measure proposed for the project was reviewed. The following provides a discussion of the potential secondary impacts that could occur as a result of the implementation of the measures by environmental issue area.

Aesthetics

Mitigation Measures 4.1-1 ~~and to~~ 4.1-24 would not ~~resulting in any~~ environmental impacts. Measure 4.1-1 would ensure that the Town maintains an easement along Mammoth Creek to protect scenic resources. Measure 4.1-2 requires that the Town provide Design Review Guidelines to ensure that development in the vicinity of Main Street and the Old Mammoth Road intersection presents an attractive face to the road. The standards would address issues such as building height and massing, tree preservation, and lighting to ensure that public and private development in proximity to SR203, which is eligible for designation as a scenic highway, do not detract from scenic resources. Mitigation Measure 4.1-3 requires that the Town through its environmental review process ensure that development at the Mammoth Yosemite Airport is consistent with the State scenic highway regulations for U.S. Highway 395. Mitigation Measure 4.1-4 requires the Town to review and revise the Town’s Lighting Ordinance to protect views of the night sky. No secondary effects would result from the implementation of these measures.

Air Quality

Mitigation Measures 4.2-1 and 4.2-1, which are the same, would require that the Town evaluate PM₁₀ levels on an annual basis and requires that VMT be limited to a level that shows compliance with the federal standard. This measure would serve to ensure that air quality impacts do not exceed federal standards. No secondary effects would result from the implementation of this measure.

Biological Resources

Mitigation Measure 4.3-1 would require that developers of residential properties include a disclosure statement indicating that the area is habitat for mountain lions. This measure would not involve activities that would result in secondary effects to the environment.

Geology, Soils and Mineral Resources

Mitigation Measures 4.4-1 and 4.4-2 regard geothermal exploration and investigation. Measure 4.4-1 requires that the Town work with MPLP to ensure that geothermal exploration does not conflict with land uses in the Town. Measure 4.4-2 provides for the continued investigation regarding the feasibility and opportunities for the use of geothermal energy. These measures would not involve activities that would result in secondary effects to the environment.

Public Utilities

Mitigation Measure 4.11-1 requires that the Town work with MCWD to ensure that land use approvals are phased in tandem with development of necessary water supply. The measure also states that the Town shall not approve new development that would result in a water demand that exceeds the capacity. Implementation of this measure would ensure that land use and water supply are integrated. As such, this measure would not result in secondary effects.

Transportation and Circulation

~~Mitigation Measure 4.13-1 requires that Minaret Road from Main Street to Forest Trail be widened to four travel lanes (two in each direction) in order to provide sufficient roadway segment capacity at buildout (2024) of the Updated Plan. The widening would require the removal of on-street parking. There are approximately 20 parking spaces that would be impacted. However, these spaces are short term, loading spaces and do not provide long term parking. In addition, as individual projects are developed in the area, each project would provide its own parking. Therefore, this mitigation, if it were to be implemented, would not result in secondary effects.~~

Mitigation Measure 4.13-~~21~~ requires that the Master Facility Plan be updated to reflect the measures identified in the traffic study completed for the Updated Plan. No secondary effects would result from such an amendment.

The traffic study identified potential significant impacts at ~~10~~nine study intersections. Mitigation measures, which would reduce the impact to a level of less than significant, are provided for each of the impacts. Mitigation Measure 4.13-~~54~~ would require a change in the

phasing of a traffic signal. The remaining measures present options, such as a traffic signal, roundabout, or signal phasing at ~~nine~~nine impacted intersections. These measures would be implemented over time depending on the location and level of development that occurs within the UGB. Given that the EIR is a program level EIR, additional environmental analysis would be required for any improvements covered in the measures. As the improvements are designed and implemented, appropriate construction practices intended to minimize impacts would be required. For example, the implementation of best management practices with regard to erosion, the watering of construction sites, the use of properly operating equipment, and the use of noise reduction devices would minimize environmental impacts. In addition, traffic flow during construction of the improvements would be considered.

Cultural Resources

Mitigation Measures regarding cultural resources (Mitigation Measures 4.14-1 through 4.14-7) all provide protection for cultural resources. The measures provide steps that need to be taken in the event that a cultural resource is discovered during construction of a project. These measures would not involve activities that would result in secondary effects to the environment.