



FINAL • SEPTEMBER 2014

Inn at the Village Project

SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

Prepared for:
Town of Mammoth Lakes

Prepared by:
RBF Consulting
A Company of Michael Baker Corporation



**FINAL
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT**

Inn at the Village Project

SCH NO. 2014032081

Lead Agency:



TOWN OF MAMMOTH LAKES

P.O. Box 1609
437 Old Mammoth Road, Suite R
Mammoth Lakes, California 93546

**Contact: Ms. Jen Daugherty
Senior Planner
760.934.8989 x260**

Prepared by:



RBF CONSULTING
14725 Alton Parkway
Irvine, California 92618-2027

**Contacts:
Mr. Eddie Torres
Ms. Kristen Bogue
949.472.3505**

September 22, 2014

This document is designed for double-sided printing to conserve natural resources.



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1.0 Introduction



1.0 INTRODUCTION

In accordance with the *California Environmental Quality Act Guidelines* (CEQA Guidelines) Section 15088, the Town of Mammoth Lakes, as the lead agency, has evaluated the comments received on the Inn at the Village Draft Subsequent Environmental Impact Report (Draft SEIR).

The Draft SEIR for the proposed Inn at the Village (herein referenced as the project) was distributed to potential responsible and trustee agencies, interested groups, and organizations. The Draft SEIR was made available for public review and comment for a period of 45 days. The public review period for the Draft SEIR established by the CEQA Guidelines commenced on July 8, 2014 and ended on August 22, 2014.

The Final SEIR consists of the following components:

- Section 1.0 – Introduction
- Section 2.0 – Responses to Comments
- Section 3.0 – Errata
- Section 4.0 – Mitigation Monitoring and Reporting Program

Due to its length, the text of the Draft SEIR is not included with this document; however, it is included by reference in this Final SEIR. None of the corrections or clarifications to the Draft SEIR identified in this document constitutes “significant new information” pursuant to Section 15088.5 of the CEQA Guidelines. As a result, a recirculation of the Draft SEIR is not required.



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2.0 Response to Comments

2.0 RESPONSE TO COMMENTS

In accordance with the *California Environmental Quality Act Guidelines* (CEQA Guidelines) Section 15088, the Town of Mammoth Lakes, as the lead agency, evaluated the written comments received on the Draft Subsequent Environmental Impact Report (SEIR) (State Clearinghouse No. 2014032081) for the Inn at the Village (herein referenced as the project) and has prepared the following responses to the comments received. This Response to Comments document becomes part of the Final SEIR for the project in accordance with CEQA Guidelines Section 15132.

A list of public agencies, organizations, and individuals that provided comments on the Draft SEIR is presented below. Each comment has been assigned a letter number. Individual comments within each communication have been numbered so comments can be cross-referenced with responses. Following this list, the text of the communication is reprinted and followed by the corresponding response.

Commenter	Letter Number
<u>Agencies</u>	
State Clearinghouse – Scott Morgan, Director (August 22, 2014)	1
California Department of Transportation – Gayle Rosander (August 6, 2014)	2
Lahontan Regional Water Quality Control Board – Tom Browne (August 15, 2014)	3
Mammoth Community Water District – Irene Yamashita (August 22, 2014)	4
Mammoth Lakes Fire Protection District – Thom Heller (August 22, 2014)	5
<u>Public</u>	
Margo Raison and Geoffrey Hill (August 8, 2014)	6
Larry Rasmussen (August 12, 2014)	7
Phyllis St. George and John Roth (August 12, 2014)	8
Annette Oltmans (August 13, 2014)	9
<u>Public Meeting</u>	
Public Meeting (August 13, 2014)	10



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

August 22, 2014

Jen Daugherty
City of Mammoth Lakes
P.O. Box 1609
437 Old Mammoth Road, Suite R
Mammoth Lakes, CA 93546

Subject: Inn at the Village
SCH#: 2014032081

Dear Jen Daugherty:

The State Clearinghouse submitted the above named Supplemental EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 21, 2014, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

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

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

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

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures

cc: Resources Agency
1400 F STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 2014032081
Project Title Inn at the Village
Lead Agency Mammoth Lakes, City of

Type SIR Supplemental EIR
Description Note: Reference SCH# 1999092082

The project proposes a seven-story hotel that includes hotel rooms, restaurant, spa, outdoor pool/jacuzzis, and landscaping elements. The hotel, totaling 64,750 gsf 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 structure.

The project proposes to amend the approved 8050 project to address the current performance deficiencies in the existing 8050 project and the North Village area. The project would necessitate three amendments to the North Village Specific Plan (NVSP): (1) an increase in the allowable development density for the project site; (2) an increase in the allowable building height; and (3) a reduction in the required front yard setbacks along Minaret Road. The current application is to amend the approved 8050 project and seek entitlement/permitting for a proposed hotel (with the requisite market requirement to retain flexibility with respect to ownership structures).

Lead Agency Contact

Name Jen Daugherty
Agency City of Mammoth Lakes
Phone (760) 934-8989 x260 **Fax**
email
Address P.O. Box 1609
437 Old Mammoth Road, Suite R
City Mammoth Lakes **State** CA **Zip** 93546

Project Location

County Mono
City Mammoth Lakes
Region
Lat / Long 37° 38' 57.91" N / 118° 59' 2.45" W
Cross Streets Minaret Road and Main Street/Lake Mary Road
Parcel No. 033-044-011-000
Township 3S **Range** 27E **Section** 34 **Base** MDB&M

Proximity to:

Highways Hwy 203
Airports
Railways
Waterways Mammoth Creek
Schools Mammoth HS, MS, ES
Land Use The present General Plan land use designation is North Village Specific Plan (North Village District).
The present Zoning designation is North Village Specific Plan, Resort General.

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption Economics/Jobs; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects; Other Issues; Aesthetic/Visual

**Document Details Report
State Clearinghouse Data Base**

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 6 (Inyo & Mono Region); Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; Resources, Recycling and Recovery; California Highway Patrol; Caltrans, District 9; Air Resources Board; State Water Resources Control Board, Division of Water Quality; Regional Water Quality Control Bd., Region 6 (Victorville); Department of Toxic Substances Control; Native American Heritage Commission

Date Received 07/08/2014 **Start of Review** 07/08/2014 **End of Review** 08/21/2014



1. RESPONSES TO COMMENTS FROM STATE OF CALIFORNIA OFFICE OF PLANNING AND RESEARCH, STATE CLEARINGHOUSE, AUGUST 22, 2014.

- 1-1 This comment indicates that the State Clearinghouse submitted the Draft SEIR to selected State agencies for review and that the comment period for the Draft SEIR concluded on August 21, 2014. The comment indicates that the lead agency complied with the public review requirements for draft environmental documents pursuant to CEQA. As such, the comment does not provide specific comments regarding information presented in the Draft SEIR, and no further response is necessary. The comment also indicates that comments from responsible or other public agencies are enclosed and responses to those comments are provided in response to those letters.

DEPARTMENT OF TRANSPORTATION

DISTRICT 9
500 SOUTH MAIN STREET
BISHOP, CA 93514
PHONE (760) 872-0785
FAX (760) 872-0754
TTY 711
www.dot.ca.gov



Serious drought.
Help save water!



August 6, 2014

Ms. Jen Daugherty, Senior Planner
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, CA 93546-1609

File: Mno-203-4.7
DSEIR
SCH#: 2014032081

Inn at the Village – Draft Subsequent Environmental Impact Report (DSEIR)

Dear Ms. Daugherty:

The California Department of Transportation (Caltrans) District 9 appreciates the opportunity to comment again on the proposed Inn at the Village – a redesign of Building C, above the existing parking structure and part of the previously approved 8050 Club, abutting Minaret Road (State Route 203) - during the DSEIR phase. We have the following comments:

- Thank you for the July 31, 2014 email with a revised plan per our interagency teleconference on July 21, 2014 regarding a “fire lane.” Conceptually, this revision with a widened shoulder area is acceptable. Parts of the DSEIR need to be modified accordingly (e.g. pages 1-6, 3-15, 3-17, 5.1-25, 5.1-30, 5.2-21, and exhibit 3-3). Ensure drainage items address the roadway superelevation and potential shade caused by the wall, remove the angle point at the old wall/new wall transition, and consider “No Stopping” or other signage, which could better deter use of this shoulder area for freight or passenger loading. We trust that effective enforcement of parking and delivery restrictions will occur. 2-1
- We will be able to provide more detailed comments during the encroachment permit application review process on the above shoulder area and other transportation related improvements (e.g. Americans with Disability Act driveway and pedestrian facilities, etc.) along Minaret Road. 2-2
- Page 3-10 - Building Setbacks: The Town would need to grant a zoning amendment to reduce the front yard setback from the State right-of-way (R/W) line along Minaret Road. In your decision, please consider that a reduced setback would create larger shadows on Minaret Road (Exhibits 5.2-9 a, b, c) and pedestrian facilities; hence, reducing natural snow/ice melt. 2-3
- Page 5.3-11 - Mitigation Measure TRA-1: Alter last bullet to read “... as well as Town of Mammoth Lakes and Caltrans requirements.” As the Town is aware, a Caltrans encroachment permit would be required for traffic control items within State R/W. 2-4

Ms. Daugherty
August 6, 2014
Page 2

- Page 3-21 - Section 3.5 Project Approvals: Discretionary approval would also be required from Caltrans – via the Encroachment Permit process. **2-5**
- Page 5.3-23, 24 - Intersection Levels of Service: Signalization of Forest Trail or any of the intersections on SR 203 (Main Street or Minaret Road) will be a result of collaborative efforts between the Town and Caltrans. Discussions are necessary to address Warrants and how best to address challenges like the frontage roads and access management. The February 2014 “Town of Mammoth Lakes Main Street Plan” appears to be moving this direction. **2-6**

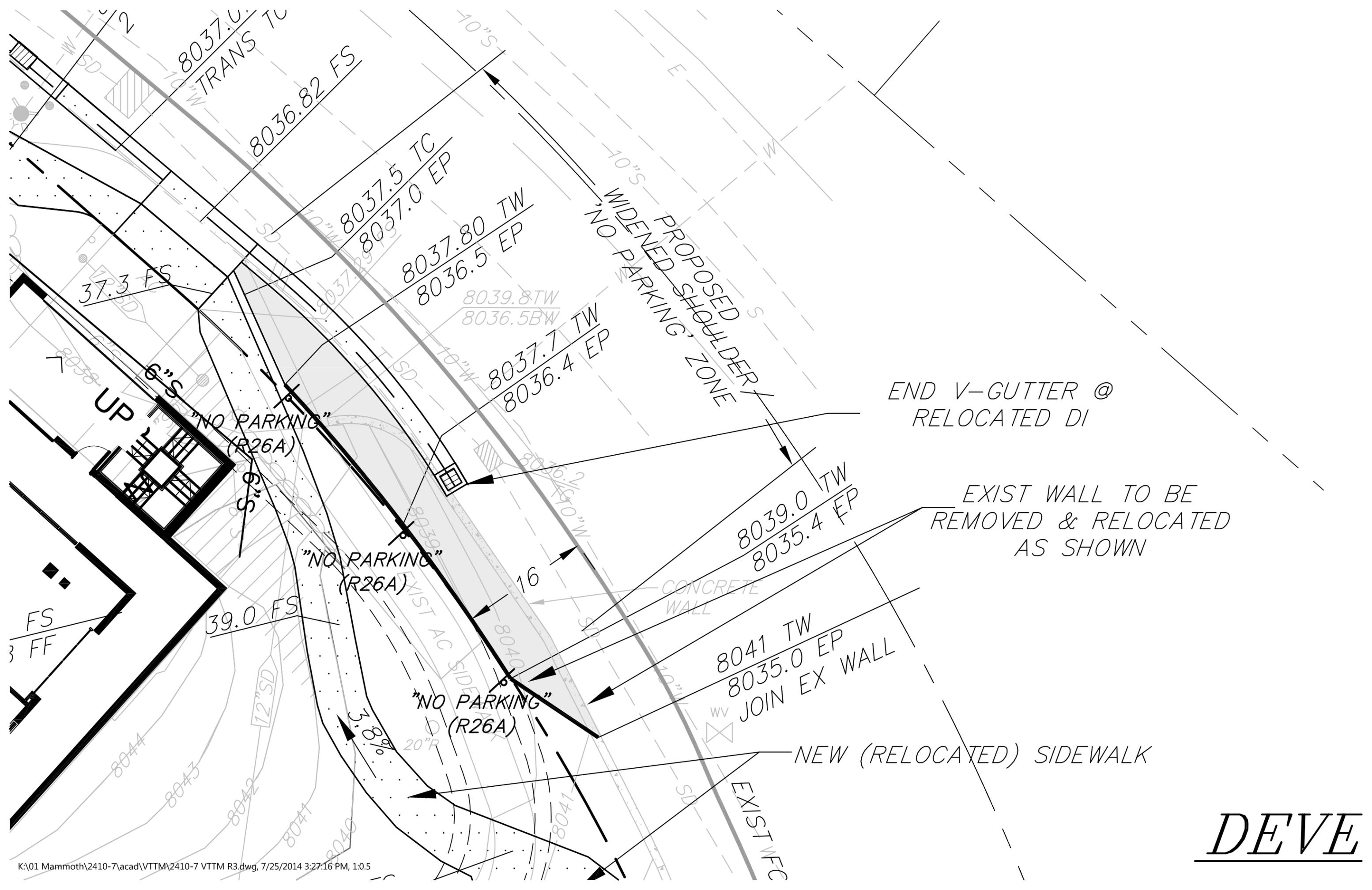
We value our cooperative working relationship with the Town of Mammoth Lakes related to transportation issues. Please contact me at (760) 872-0785, with any questions.

Sincerely,



GAYLE J. ROSANDER
IGR/CEQA Coordinator

c: State Clearinghouse
Dan Watson, Mammoth Lakes Police Department
Mark Reistetter, Caltrans



END V-GUTTER @
RELOCATED DI

EXIST WALL TO BE
REMOVED & RELOCATED
AS SHOWN

NEW (RELOCATED) SIDEWALK

DEVE

2. RESPONSES TO COMMENTS FROM CALIFORNIA DEPARTMENT OF TRANSPORTATION, DATED AUGUST 6, 2014.

- 2-1 The fire lane improvements considered in the Draft SEIR are a worst-case scenario pertaining to environmental impacts. Any design modification, including those discussed per the interagency teleconference on July 21, 2014 (i.e., a widened shoulder within the fire lane footprint already considered, red curb, and “no parking/emergency vehicle parking” signage), that is to a lesser degree than that analyzed in the Draft SEIR, would not result in any new impacts, compared to those already analyzed in the Draft SEIR. Further, a relocated retaining wall along Minaret Road was already considered in the Draft SEIR. Any reconfigured storm drainage facilities or other facilities within the State right-of-way would be constructed consistent with the California Department of Transportation (Caltrans) standards, as applicable. The Town of Mammoth Lakes would enforce all “no parking/emergency vehicle parking” per the Town’s Municipal Code.
- 2-2 The Commenter notes that the project is subject to further comment by Caltrans as part of the encroachment permit application review process. These comments may pertain to Americans with Disability Act driveway and pedestrian facilities, among others, along Minaret Road. The Draft SEIR acknowledges the project’s requirement for an encroachment permit with Caltrans, as stated in Draft SEIR Section 3.5, Project Approvals. This comment does not raise new environmental information or question the Draft SEIR’s factual conclusions or the adequacy of the environmental analysis in the Draft SEIR. Thus, no further response is necessary.
- 2-3 Section 5.2, Aesthetics/Light and Glare, considered the project’s shade/shadow impacts on surrounding uses. As discussed on page 5.2-35 of the Draft SEIR, “As illustrated on Exhibits 5.2-9a through Exhibit 5.2-9c, the proposed buildings would shade the sidewalk and travel lanes of Minaret Road during the spring/autumn and winter months for more than three hours after 12:00 p.m. Particularly, most of the shade increase would occur along the eastern-most northbound travel lane of Minaret Road, compared to the approved 8050 Building C. Caltrans conducts snow removal operations and cindering of the road to maintain safe travel conditions. Furthermore, the existing and future sidewalks along Minaret Road have or will have heat melt systems to address shade conditions.” Thus, it is acknowledged that the proposed building would result in increased shading, particularly along Minaret Road, which would result in decreased natural snow/ice melt. However, Caltrans is currently conducting snow removal operations and cindering of the road and would continue to do so after implementation of the proposed project. Further, it is acknowledged that existing sidewalk heat melt systems, along with heat melt systems that will be required for future sidewalks in the area, would operate, reducing pedestrian safety concerns.
- 2-4 Draft SEIR pages 1-21, 1-22, 5.3-12, and 5.3-13, will be revised, as follows (refer to Section 3.0, Errata, of this Final SEIR):

- 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 construction-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 and California Department of Transportation (as applicable) requirements.

- 2-5 The Draft SEIR acknowledges the project's requirement for a discretionary encroachment permit with Caltrans, as stated in Draft SEIR Section 3.5, *Project Approvals*.
- 2-6 Although Table 5.3-12, *Cumulative Without Project Peak Hour Intersection Analysis*, of the Draft SEIR identified that there is an existing unacceptable LOS (LOS F) at the intersection of Forest Trail and Main Street, there are currently no plans to improve this intersection (as discussed on page 5.3-24, paragraph 2). As discussed on pages 5.3-18 through 5.3-22, the project would not create a significant traffic impact under 2007 General Plan buildout with project conditions assuming a density transfer from either the Whiskey Creek/Mammoth Brewing Company or Ullr sites. Further, as identified on page 5.3-28, the proposed project would not result in cumulatively considerable traffic impacts in regards to local intersections and roadway segments. As the project would not result in the requirement for improvements to the intersection of Forest Trail and Main Street, no further analysis is required in this regard. However, the Town acknowledges that should the Town undergo future improvement of the intersection of Forest Trail and Main Street, these improvements would be a collaborative effort between the Town and Caltrans. The Town would discuss Warrants and how best to address challenges like the frontage roads and access management with Caltrans at that time.



Lahontan Regional Water Quality Control Board

August 15, 2014

Jen Daugherty, Senior Planner
Town of Mammoth Lakes
Community and Economic Development Department
P.O. Box 1609
437 Old Mammoth Road, Suite R
Mammoth Lakes, CA 93546
Email: jdaugherty@townofmammothlakes.ca.gov



File: Environmental Doc Review
Mono County

COMMENTS ON SUBSEQUENT ENVIRONMENTAL IMPACT REPORT, INN AT THE VILLAGE, TOWN OF MAMMOTH LAKES, MONO COUNTY, STATE CLEARINGHOUSE NUMBER 2014032081

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received the Supplemental Environmental Impact Report (SEIR) that consisted of a Modified Initial Study / Environmental Checklist for the above-referenced project (Project) on July 14, 2014. The SEIR was prepared by the Town of Mammoth Lakes (Town) and submitted in compliance with provisions of the California Environmental Quality Act (CEQA). The SEIR cites two prior certified environmental documents issued for the Project, the Subsequent Program Environmental Impact Report for the North Village 1999 Specific Plan Amendment (1999 SPEIR) and the 1991 Final EIR (1991 FEIR) for the North Village Specific Plan (NVSP). The SPEIR was required to address significant changes in the building plans from the original NVSP for the parcel on which this Project is located. Water Board staff, acting as a responsible agency, are providing these comments to specify the scope and content of the environmental information germane to our statutory responsibilities pursuant to CEQA Guidelines, California Code of Regulations, title 14, section 15096. Based on our review of the SEIR, we have determined that use of low-impact development construction practices, best management practices (BMPs) to capture surface run-on, and BMPs that effectively treat post-construction stormwater run-off, should be included as part of the Project. We encourage the Town to consider our comments and value our mission to protect waters of the State and maintain water quality in the Lahontan Region.

3-1

Project Description

This Project is the construction of a 7-story hotel on top of an existing parking garage near the intersection of Minaret Road and Main Street in the Town of Mammoth Lakes. The Project is the third phase (Phase C) of construction of what is known as the 8050 complex on Tract Map 36-229 and constitutes a small portion of the NVSP. The developer has made substantial changes in Phase C from its original, necessitating this SEIR. The Project

3-2

requires amendments to the NVSP for the following reasons: (1) an increase in the allowable development density for the project site, including allowing a transfer of 30 rooms from the Mammoth Crossing site; an increase in the allowable building height to 80 feet; and a reduction in the required front yard setbacks along Minaret Road. The current application would supersede the approved 8050 complex project of fractionally-owned condominiums and seeks entitlement/permitting for a proposed hotel.

Authority

All groundwater and surface waters are considered waters of the State. Surface waters include streams, lakes, ponds, and wetlands, and may be ephemeral, intermittent, or perennial. All waters of the State are protected under California law. State law assigns responsibility for protection of water quality in the Lahontan Region to the Lahontan Water Board. Some waters of the State are also waters of the U.S. The Federal Clean Water Act (CWA) provides additional protection for those waters of the State that are also waters of the U.S.

The *Water Quality Control Plan for the Lahontan Region* (Basin Plan) contains policies that the Water Board uses with other laws and regulations to protect the quality of waters of the State within the Lahontan Region. The Basin Plan sets forth water quality standards for surface water and groundwater of the Region, which include designated beneficial uses as well as narrative and numerical objectives which must be maintained or attained to protect those uses. The Basin Plan can be accessed via the Water Board's web site at http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml.

3-2

Specific Comments

1. We request that construction be performed in a manner consistent with low impact development (LID) principles that will minimize impacts from stormwater discharges. We suggest you review the following websites on LID and include applicable practices of LID in the construction narrative for this Project:
 - <http://water.epa.gov/polwaste/green/index.cfm>, and
 - <http://water.epa.gov/polwaste/green/upload/lidnatl.pdf>, or
 - <http://www.lowimpactdevelopment.org/lidarticles.htm>
2. Post-construction stormwater management must be considered a significant Project component, and BMPs that effectively treat post-construction stormwater runoff should be included as part of the Project. The SEIR needs to specify temporary and permanent sediment and erosion control BMPs that will be implemented to mitigate potential water quality impacts related to stormwater.
3. We request that construction staging areas be sited in designated areas as far as possible from any ephemeral drainages on the Project site. An adequate combination of BMPs must be used to prevent unauthorized non-stormwater discharges from the site and to stabilize soils from erosion. Construction equipment should use existing roadways to the extent feasible.

3-3

3-4

4. Obtaining a permit and conducting monitoring does not constitute adequate mitigation. Development and implementation of acceptable mitigation is required. The environmental document must specifically describe the best management practices and other measures used to mitigate Project impacts.

3-5

Permitting Requirements

A number of activities associated with the proposed Project appear to have the potential to impact waters of the State and, therefore, may require permits issued by either the State Water Resources Control Board (State Water Board) or Lahontan Water Board. The required permits may include:

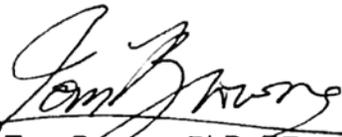
3-6

1. Land disturbance of more than 1 acre will require a CWA, section 402(p) stormwater permit, including a National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit, Water Quality Order (WQO) 2009-0009-DWQ, obtained from the State Water Board, or an individual stormwater permit obtained from the Lahontan Water Board; and
2. If water diversion and/or dewatering activities are required for construction, these activities may be subject to discharge and monitoring requirements under either NPDES General Permit, Limited Threat Discharges to Surface Waters, Board Order R6T-2008-0023, or General Waste Discharge Requirements for Discharges to Land with a Low Threat To Water Quality, WQO-2003-0003, both issued by the Lahontan Water Board.

Please be advised of the permits that may be required for the proposed Project, as outlined above. Should Project implementation result in activities that will trigger these permitting actions, the Project proponent must consult with Water Board staff prior to Project construction. Information regarding these permits, including application forms, can be downloaded from our web site at <http://www.waterboards.ca.gov/lahontan/>.

3-7

Thank you for the opportunity to comment on the SEIR. If you have any questions regarding this letter, please contact me at (760) 241-7391 (tbrowne@waterboards.ca.gov) or Patrice Copeland, Senior Engineering Geologist, at (760) 241-7404 (patrice.copeland@waterboards.ca.gov).



Tom Browne, PhD, PE
Water Resource Control Engineer

cc: State Clearinghouse (SCH 2014032081)
(via email, state.clearinghouse@opr.ca.gov)
California Department of Fish and Wildlife, East Sierra Region
(via email, heidi.sickler@wildlife.ca.gov)

3. RESPONSES TO COMMENTS FROM LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD, DATED AUGUST 15, 2014.

- 3-1 The Commenter requests that the use of low-impact development construction practices, best management practices (BMPs) to capture surface run-on, and BMPs that effectively treat post-construction stormwater run-off, should be included as part of the project.

As discussed in the Draft SEIR Appendix 11.1, *Modified Initial Study and Notice of Preparation*, pages 4.9-1 through 4.9-6, the proposed project would require minor earthwork activities for perimeter improvements, as the new building would be constructed atop the existing parking podium. During project operations, the existing drainage system would be used to support the proposed project. Drainage is routed through the subterranean parking structure to a Conspan retention structure near the parking structure entrance on Canyon Boulevard. The drainage would not be altered as a result of the proposed project. The capacity of the existing on-site and off-site storm drain system was constructed to support future development at the project site. Implementation of the proposed project would not impact the capacity of the existing storm drain system such that on- or off-site flooding would result. During project operations, the existing on-site drainage system would support the proposed project. It should be further noted that construction of the proposed project would be subject to the Town's Municipal Chapter 12.08, *Land Clearing, Earthwork, and Drainage Facilities*, which include applicable Lahontan Regional Water Quality Control Board requirements as well as other best management practices during construction. Refer to Response to Comment 3-3.

- 3-2 The Commenter requests that construction be performed in a manner consistent with low impact development (LID) principles that would minimize impacts from stormwater discharges. As discussed in the Draft SEIR Appendix 11.1, *Modified Initial Study and Notice of Preparation*, pages 4.9-1 through 4.9-6, the proposed project would be required to comply with all the Municipal Code regulatory requirements, as well as those of the Lahontan Regional Water Quality Control Board (RWQCB). This comment does not raise new environmental information or question the Draft SEIR's factual conclusions or the adequacy of the environmental analysis in the Draft SEIR. Thus, no further response is necessary.

- 3-3 Refer to Response to Comment 3-1. The existing 8050 drainage facilities at the project site were designed to accommodate development of a future Building C at the project site. Development of the additional density increase would not substantially change the runoff at the site compared to the existing condition. As discussed in the Draft SEIR Appendix 11.1, *Modified Initial Study and Notice of Preparation*, pages 4.9-1 through 4.9-6, the capacity of the existing on-site and off-site storm drain system was constructed to support future development at the project site. The project will be required to comply with the Town's Municipal Chapter 12.08, *Land Clearing, Earthwork, and Drainage Facilities*, which include applicable Lahontan Regional Water Quality Control Board requirements as well as other best management practices during construction. Specifically, during the Town's permitting process, the applicant will be required to demonstrate that the existing facilities provide the required capacities for the proposed development.

- 3-4 The construction staging areas would occur at the Mammoth Crossing property to the south of the project site. This area is not located within the vicinity of an ephemeral drainage, as the project site is surrounded by developed land, and is located greater than one mile from the nearest creek (Mammoth Creek to the south). The haul/access route is located on existing paved roadways.

Construction equipment would use the existing roadways, as well as the Mammoth Crossing property and the project site. In order to reduce the potential impact of construction-related vehicles interacting with pedestrians and local traffic, a construction management plan would be developed to implement a variety of measures to minimize traffic and parking impacts upon the local circulation system (Additional Mitigation Measure TRA-1). The construction management plan would include, but not be limited to the: prohibition of construction vehicle parking along local streets, identification of appropriate haul routes to avoid traffic disruptions, and limitation of hauling activities to off-peak hours. Implementation of a construction management plan would further ensure potential impacts associated with construction-related traffic would be reduced to a less than significant level.

- 3-5 Refer to Response to Comment 3-1.

- 3-6 The project site is already disturbed at 62 percent lot coverage (1.13 acres) because the parking garage is already built. The project would be constructed on top of this parking garage. However, the project would require some additional site disturbance along the Minaret Road side of the project for pedestrian/frontage improvements. Lot coverage would increase from 62 percent to 70 percent. If the disturbed area is less than one acre, a National Pollutant Discharge Elimination System (NPDES) permit is not required. Thus, as the project site's remaining undisturbed area is less than 0.70 acre, then disturbance of these areas would not require NPDES permit coverage.

- 3-7 Water diversion and/or dewatering activities are not anticipated to be required for construction of the proposed project. If these unanticipated activities are required for construction, the Town and project Applicant will consult with the Lahontan Regional Water Quality Control Board to ensure the necessary permits are obtained.



Mammoth Community Water District
Post Office Box 597
1315 Meridian Blvd.
Mammoth Lakes, CA 93546
(760) 934-2596

August 22, 2014

Via E-mail

Jen Daugherty
Senior Planner
Town of Mammoth Lakes
437 Old Mammoth Road, Suite R
Mammoth Lakes, CA 93546

Subject: MCWD comments regarding the Draft Subsequent Environmental Impact Report (DSEIR) for the Inn at the Village

Dear Ms. Daugherty,

Thank you for the opportunity to review the DSEIR. The Mammoth Community Water District (MCWD) provided scoping comments regarding potential impacts to public utilities for the Proposed Inn at the Village Project (Proposed Project). The MCWD asked that the DSEIR provide the following analysis or information:

1. A description of how the density transfer between the Mammoth Crossing Project to the Proposed Project will be assured. **4-1**
2. A comparison of water demand and wastewater flow between the Proposed Project and the project proposed in the North Village District Planning Study (2009). **4-2**
3. A review of density increases provided to projects compared with densities allowed under the 2007 General Plan. **4-3**
4. Provide an accurate description of water demand as it relates to the MCWD settlement agreement with the Los Angeles Department of Water and Power. Water demand in the agreement includes process, recycled, raw, potable, and non-revenue water. **4-4**

Density transfer

The revised project will require an "increase in the allowable development density for the project site including allowing a transfer of 30 rooms from the Mammoth Crossing site" according to the DSEIR. The

4-5

project description describes that “The proposed NVSP amendments would ensure that the density transfer would occur prior to development of the proposed project.” However, the DSEIR does not provide a clear explanation of whether approval and adoption of the NVSP amendments for the density transfer are required for approval of the Proposed Project or if the Proposed Project may be approved without the density transfer from the Mammoth Crossing site.

4-5

Comparison of water demand between approved project and proposed project

The DSEIR did not compare water use between the prior approved project and the amended proposed project. The following table provides a rough estimate between the two projects based on usage information in the MCWD 2010 Urban Water Management Plan. The increase in estimated water usage for the proposed project, emphasizes the importance of providing assurances that the transfer in density from the Mammoth Crossing project is required for project approval.

Prior approved project	Projected water demand
21 residential condos (33 bedrooms)	1,083,180 (3.3 acre feet) ¹
New project	
Hotel (67 rooms)	1,548,873 (4.8 acre feet) ²
Spa/restaurant, etc.	1,397,078 (4.3 acre feet) ³
Total estimate for proposed project	2,899,308 (9.1 acre feet)
Difference	1,862,770 (5.7 acre feet)

4-6

1. Applied average condominium water use in 2005 and multifamily water in 2010 multiplied by 21 units.
2. Applied average Hotel/Motel from water use in 2005 and 2010. Usage estimate probably high because MCWD counts units by front door not rooms.
3. Applied average commercial use per 1,000 sq. ft. in 2005 in 2010 multiplied by 29.9.

Cumulative impacts of density increases

The DSEIR included Table 4-1, Cumulative Project List, with the status and unit specifications of upcoming and completed development projects. However, the list did not include information on whether the listed projects received density bonuses. The MCWD relies on the 2007 General Plan build-out projections of new units to plan for future water and wastewater service demand needs. If the Town has changes to the projections of the number of new units at build-out from that presented in the 2007 General Plan, these changes should be described to evaluate potential impacts to water and wastewater service projections.

4-7

Water Supply from MCWD

On page 5.7-1 the description of the MCWD water right permit and licenses should clearly separate the water permitted by the state and the water use limits set by agreement with LADWP. In addition, the 4,387 acre feet limit should not be included in the paragraphs describing surface water because the 4,387 acre-feet of water includes extracted groundwater, diverted surface water and delivered recycled water.

4-8

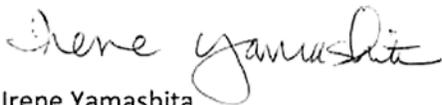
The DSEIR relied upon the MCWD’s Urban Water Management Plan (UWMP) to determine that adequate water supplies are available for the Proposed Project. Readers of the DSEIR should be aware that the UWMP cautioned that the “analysis [of future water supplies in the UWMP] is largely dependent on the Town land use policies and the actual type and density of development which occurs

4-9

between now and build-out. Town policies on development type, density, and enforcement of effective landscape practices will influence water demand significantly. In addition, water supply could be reduced by “climate change impacts to snowpack water content and watershed runoff patterns” and that “local groundwater supplies could be impacted by the major expansion of geothermal energy production planned by ORMAT Corporation at the Casa Diablo power plant complex ...”

4-9

Sincerely



Irene Yamashita
Environmental Specialist/Public Affairs

4. RESPONSES TO COMMENTS FROM MAMMOTH COMMUNITY WATER DISTRICT, DATED AUGUST 22, 2014.

4-1 As discussed on page 3-7 of the Draft SEIR, given the project's maximum room count of up to 67 rooms, the project proposes a zoning amendment for the shortfall of 30 bedrooms and not including commercial space towards the maximum allowable building density. However, this deficiency is proposed to be mitigated by way of a density transfer of an equivalent number of bedrooms from the nearby Mammoth Crossing property that is also owned by the project Applicant. This density transfer requires an amendment to the North Village Specific Plan (NVSP) because density transfers are not currently permitted between zones within the NVSP (i.e., from the Mammoth Crossing zone to the Resort General zone). The project site would have a maximum density of 72 rooms per acre pursuant to a density transfer of 30 rooms from the Mammoth Crossing property. As such, there would be no net increase in development density in the overall NVSP area associated with the project.

The proposed NVSP amendments would ensure that the density transfer would occur prior to development of the proposed project. A condition of project approval would require a density transfer covenant to be recorded on the project site and the Mammoth Crossing site to ensure maximum allowable densities are disclosed and adhered to.

4-2 The North Village District Planning Study (NVDPS) was prepared and accepted in accordance with the Town's district planning policy, which requires completion of district planning in conjunction with major land use applications seeking Zoning Code or General Plan amendments. This planning study was initiated by the Mammoth Crossing project application and assumed development of the planned Building C of the 8050 project at the project site. The NVDPS recommended density of up to 80 rooms per acre along both sides of Minaret Road with the provision of community benefits. The proposed project site density is 72 rooms per acre.

As discussed in Section 5.7, Utilities and Service Systems, pages 5.7-14 through 5.7-17, the proposed project's total water demand is 1,774 gallons per day (gpd) (or 1.99 acre-feet per year [AFY]). Refer to Response to Comment 4-6 pertaining to the water demand discrepancy between the information provided in the Draft SEIR and that provided in Comment 4-6. Per CEQA Guidelines Section 15125(e), where a proposed project is compared with an adopted plan¹, the analysis shall examine the existing physical conditions at the time the notice of preparation is published, as well as the potential future conditions discussed in the plan. Section 5.7.1 of the Draft SEIR discusses the existing water demand for the project site and for the Town. The Draft SEIR discusses that at the expected project completion date in 2015, the Mammoth Community Water District (MCWD) has projected an available water supply of 4,164 AFY in normal water years, and a projected demand of 2,989 AFY (page 5.7-15). As the proposed project would create a demand of 1.99 acre-feet for an average year (less than one percent of the total projected demand), it is anticipated that an adequate supply of water is available for the project. Although the expected water demand of the 8050 Building C was not calculated for this analysis, the Draft SEIR provides a more conservative analysis of the existing conditions (i.e., existing water usage without any building) compared to the proposed project. This analysis concludes that, with

1. Please note that the NVDPS is not an adopted plan; it was "accepted" by the Town Council.

implementation of the 1999 SPEIR Mitigation Measure 5.10-8, the potential impacts to water demand, water supplies, and infrastructure would be reduced to less than significant levels.

With regard to wastewater generation, based on mixed lodging and retail average water use for years 2008, 2009, and 2010 and excluding irrigation usage, the project's estimated annual indoor mixed use wastewater demands are approximately 1,673 gpd (1.87 AFY) (Draft SEIR page 5.7-16). The increased wastewater flows from the proposed project can be accommodated within the existing design capacity of the plant. Given the minimal increase in wastewater generation from the project, wastewater demand would not substantially increase compared to that analyzed in the 1999 SPEIR. Thus, as with the water demand analysis discussed above, although the expected wastewater generation of the 8050 Building C was not calculated for this analysis, the Draft SEIR provides a more conservative analysis of the existing conditions (i.e., existing wastewater usage without any building) compared to the proposed project, which concludes that the proposed project would not require, nor would it result in, the construction of new wastewater treatment or collection facilities or the expansion of existing facilities that could cause significant environmental effects. In addition, implementation of 1999 SPEIR Mitigation Measure 5.10-7 would ensure that the project complies with all appropriate regulations and fees from the MCWD.

- 4-3 As discussed in Response to Comment 4-1, the proposed project would amend the NVSP to transfer density from the Mammoth Crossing project site to the proposed project site. Thus, no density increases in the NVSP area or Town-wide would occur, and the density considered in the Town's General Plan would not change or increase as a result of the proposed project.
- 4-4 As discussed on page 5.7-2 of the Draft SEIR, based on the *2010 Urban Water Management Plan* (UWMP), the MCWD can currently supply 3,895 AFY (as of 2010) to their service area. By 2030, available water supply is anticipated to increase to 4,436 AFY, above the MCWD water demand limit of 4,387 AFY per the recent settlement agreement between the Los Angeles Department of Water and Power (DWP) and the MCWD. According to the settlement agreement between DWP and MCWD, future water demands including water diversions, extractions, and deliveries in the MCWD's service area should not exceed 4,387 AFY. The groundwater and surface water supply values do not change over the planning horizon, as there are no new anticipated sources of surface or groundwater supply, with the exception of one planned back up well (Well 11). The recycled water quantities reflect the existing and planned increased use at the Sierra Star and Snowcreek golf courses only.

As required by CEQA, the Draft SEIR evaluated whether or not the MCWD would have sufficient water supplies available to serve the project from existing entitlements and resources, and if new or expanded entitlements are needed. The project's water demand calculations were obtained from the MCWD per written correspondence from Irene Yamashita, Public Affairs/Environmental Specialist on May 14, 2014, which has also been provided in [Appendix 11.5, *Utility Correspondence*](#), of the Draft SEIR. The total water demand for the proposed project is 1,774 gpd (1.99 AFY) compared to existing conditions. Refer to Response to Comment 4-6 pertaining to the water demand discrepancy between the information provided in the Draft SEIR and that provided in Comment 4-6. Per written correspondence from Irene Yamashita, the MCWD anticipates it would be able to

accommodate the proposed project’s demand for water services in combination with other water demands throughout the Town with existing water supplies during normal, single-dry, and multiple-dry water years.

At the expected project completion date in 2015, the MCWD has projected an available water supply of 4,164 AFY in normal water years, and a projected District-wide demand of 2,989 AFY (Draft SEIR page 5.7-15). As the proposed project would create a demand of 1.99 acre-feet for an average year (less than one percent of the total projected demand), it is anticipated that an adequate supply of water is available for the project. Thus, implementation of the proposed project, with an increase in demand of 1.99 AFY (or an increase in District-wide MCWD projected demand of up to 2,991 AFY [with the project]), would be below the settlement agreement cap of 4,387 AFY. Thus, no significant impacts are anticipated in this regard.

- 4-5 Refer to Response to Comment 4-1. Adoption of the proposed project would include adoption of the proposed NVSP Amendments, including those pertaining to the required density transfer. As the project relies on the proposed 30-room density transfer in order to be feasible, should the density transfer not be implemented after project approval, the proposed project would not be built.
- 4-6 Refer to Response to Comments 4-1, 4-2, and 4-5. It should be noted that the information presented in this comment differs from that provided by Irene Yamashita, Public Affairs/Environmental Specialist, MCWD, via written correspondence dated May 14, 2014. As discussed in Section 5.7, *Utilities and Service Systems*, page 5.7-14 and 5.7-15, the MCWD confirmed that the project’s estimated demand would be approximately 1,673 gallons per day (gpd) (1.87 AFY). In addition, the irrigation usage is anticipated to be approximately 101 gpd (0.11 AFY). Therefore, the total water demand for the project would be 1,774 gpd (1.99 AFY)

Based on information presented in Comment 4-6, the approved Building C would have an estimated water demand of up to 3.3 AFY. This comment states that the proposed project would actually have an estimated water demand of 9.1 AFY; with a difference in water demand of 5.7 AFY; as illustrated in the Table 1, *Changes in Estimated Water Demand*.

Table 1
Changes in Estimated Water Demand

Land Use	Estimated Water Demand (gallons per year)	Estimated Water Demand (acre-foot per year)
Draft SEIR Estimated Water Demand		
Commercial Uses	610,600	1.87
Irrigation	36,700	0.11
<i>Total</i>	<i>647,300</i>	<i>1.99</i>
Final SEIR Estimated Water Demand		
Hotel Uses	1,548,873	4.75
Commercial Uses	1,397,078	4.29
Irrigation	36,700	0.11
<i>Total</i>	<i>2,982,651</i>	<i>9.15</i>
Difference	2,335,351	7.17

Upon follow-up e-mail correspondence conducted between the Town and Irene with MCWD, conducted on September 12, 2014, Irene clarified that the 610,600 gallons noted as water demand for the project, as identified in the Draft SEIR, considered only the total square footage of the development and the water usage history from the MCWD's commercial customers. The 9.15 AFY water demand calculation discussed in this comment separates the project into two categories, hotel water usage (for 67 rooms) and commercial water usage for the 29,910 square feet of the development that would be used for food service and a spa. In addition, the irrigation usage for the proposed project is anticipated to be approximately 101 gpd (0.11 AFY). Thus, this comment suggests an increase in water demand of the project by approximately 7.17 AFY.

Even considering the increased demand of 7.17 AFY, the proposed project would require a NVSP Amendment requiring a 30-room density transfer from the Mammoth Crossing site to the south. Thus, implementation of the proposed project would not result in an increase in the overall water demand considered for the NVSP area, or for the water demand assumptions considered for buildout of the Town's 2007 General Plan. Thus, no new impacts would result in this regard.

- 4-7 Table 4-1 provides a complete description of cumulative projects. For example, the Holiday Haus project received a density bonus for on-site affordable housing, and this density bonus is included the total number of units identified in the project description.

Per CEQA Guidelines Section 15130(a), an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable. Although the proposed project would increase the density allowed at the project site, this increase would occur as a result of a proposed NVSP Amendment which would transfer 30-rooms of allowed density from the nearby Mammoth Crossing property to the project site. Also refer to Response to Comment 4-3. Thus, the proposed project would not result in an increase in the anticipated future water demand for the NVSP area or throughout the Town (as considered in the Town's General Plan). Therefore, regardless of the density bonuses considered by the Town for other projects in the area, the proposed project would not result in an increase in water demand considered as part of the Town's General Plan and, thus, would not result in any significant cumulatively considerable impacts in this regard.

- 4-8 Draft SEIR page 5.7-1, will be revised, as follows (refer to Section 3.0, *Errata*, of this Final SEIR):

Water Supply

The project site is served by the MCWD. The 2010 UWMP was adopted in November 2011. Based on the 2010 UWMP, the MCWD has 3,660 water service connections and relies on water supply provided by local surface water, ground water, recycled water, and savings from water conservation (demand management) measures.==

The MCWD has two water right licenses and one permit issued by the State Water Resources Control Board (SWRCB) that entitle the MCWD to both store and divert surface water at Lake Mary, allowing up to a maximum annual surface water diversion of 2,760 acre-feet (permitted by

the State) with the exception of future water demands including water diversions, extractions, and deliveries in the MCWD's service area not exceeding 4,387 acre-feet per year (AFY) per a recent settlement agreement between Los Angeles Department of Water and Power (DWP) and the MCWD. However, actual diversions are typically significantly lower due to the combined influence of natural variability in snowpack runoff quantity and timing, limited storage to manage the variable runoff, mismatch between the seasonal trends in supply availability and community water demands, and compliance with the monthly minimum Mammoth Creek fishery bypass.

Surface Water. The MCWD utilizes surface water as the primary water source when it is available because less energy and fewer chemicals are required to divert, treat, and deliver water from the Lake Mary Water Treatment Plant (WTP). Surface water requires minimal treatment, and the supply is gravity-fed to almost the entire service area. The MCWD has two water right licenses and one permit issued by the State Water Resources Control Board (SWRCB) that entitle the MCWD to both store and divert surface water at Lake Mary, allowing up to a maximum annual surface water diversion of 2,760 acre-feet with the exception of future water demands including water diversions, extractions, and deliveries in the MCWD's service area not exceeding 4,387 acre-feet per year (AFY) per a recent settlement agreement between Los Angeles Department of Water and Power (DWP) and the MCWD. However, actual diversions are typically significantly lower due to the combined influence of natural variability in snowpack runoff quantity and timing, limited storage to manage the variable runoff, mismatch between the seasonal trends in supply availability and community water demands, and compliance with the monthly minimum Mammoth Creek fishery bypass.

- 4-9 This comment is acknowledged. The commenter does not raise new environmental information or directly challenge information provided in the Draft SEIR. The Town of Mammoth Lakes decision makers will consider all comments on the proposed project.



Mammoth Lakes Fire Protection District
Post Office Box 5, 3150 Main Street
Mammoth Lakes, CA 93546
760-934-2300 Fax- 760-934-9210

August 22, 2014

Town of Mammoth Lakes
Ms. Jen Daugherty, Senior Planner
PO Box 1609
Mammoth Lakes, CA 93546

Re: Comments on Subsequent Environmental Impact Report

Thank you for the opportunity to comment on the Subsequent EIR for the Inn at the Village Project. The following are the comments from the Fire District:

General Comment:

The project proponent shall provide a name for the project that is not similar to an already existing name or location in town.

5-1

As previously identified, the delivery location/processing of goods to support this project over the long haul has still not been identified in a detailed fashion (if Minaret Road or the loading dock is going to be used, this proposed location needs to be identified). There are safety issues associated with Minaret Road (either in the center lane or on the shoulder) and as the loading dock seems to be used more for private vehicles than delivery trucks, under the present management scheme, additional delivery use may be more problematic.

5-2

As previously identified, the diagram(s) that have been provided thus far are incomplete and make it very difficult to gain an understanding as to the shadowing/shading and the impact of the proposed project on Minaret Road and the surrounding neighborhood. Based upon the information that has been provided to date, it is difficult to understand how a determination of "Less Than Significant Impact" was made.

5-3

Specific Comments:

Page 1-2, Project Summary:

If the original project has not previously paid the required Developer Impact Fees those need to be paid, and in addition, the project proponent shall be required to pay the increase in fees for the currently proposed project verses the original anticipated project.

5-4

Ms. Jen Daugherty
August 22, 2014
Page 2

Page 1-3: Building Height:

The structure will be classified as a high-rise and shall conform with all of the requirements of a high-rise for state and local code compliance.

5-5

Page 1-6: Fire Lane:

The Town, Fire District, and Caltrans are in the process of working on approval of a lane that will be available for emergency vehicles staging within the Minaret Road right of way. If successful, this will be a lane available for emergency vehicles only. If not approved by Caltrans, the Fire District will work with the project proponent on locating an area for such staging within the private lands of the project.

5-6

Page 1-7, Construction Phasing and Staging:

As the height of the proposed project is taller than the previously designed structure, and if the water supply line for the fire suppression system for Building C is going to come from the existing buildings, a calculation needs to be performed and provided to the Fire District to determine if the existing line capacity(s) and fire pump are adequate to provide adequate flows for the proposed project.

5-7

Page 3-12, Parking

As the exiting from the parking garage onto Minaret Road is right turn only, there should be a directional configuration to the exit ramp (pork chop configuration) that makes left hand turns onto Minaret difficult. Under the current configuration, left hand turns are occurring frequently by the users of the garage.

5-8

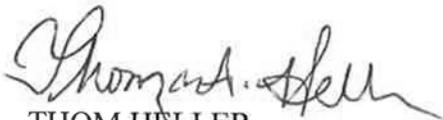
Page 3-17 Construction Phasing and Staging:

It shall be noted that the current emergency fire lane that serves the 80/50 complex and Fireside shall be kept free and clear of all construction related vehicles and building materials throughout the construction of the C Building structure.

5-9

Thank you again for the opportunity to comment on this stage of the project. The Fire District will require a permit for the project and will need a complete set of plans for review. If there are any questions, please feel free to contact me at your convenience.

Sincerely,



THOM HELLER
Fire Marshal

5. RESPONSES TO COMMENTS FROM MAMMOTH LAKES FIRE PROTECTION DISTRICT, DATED AUGUST 22, 2014.

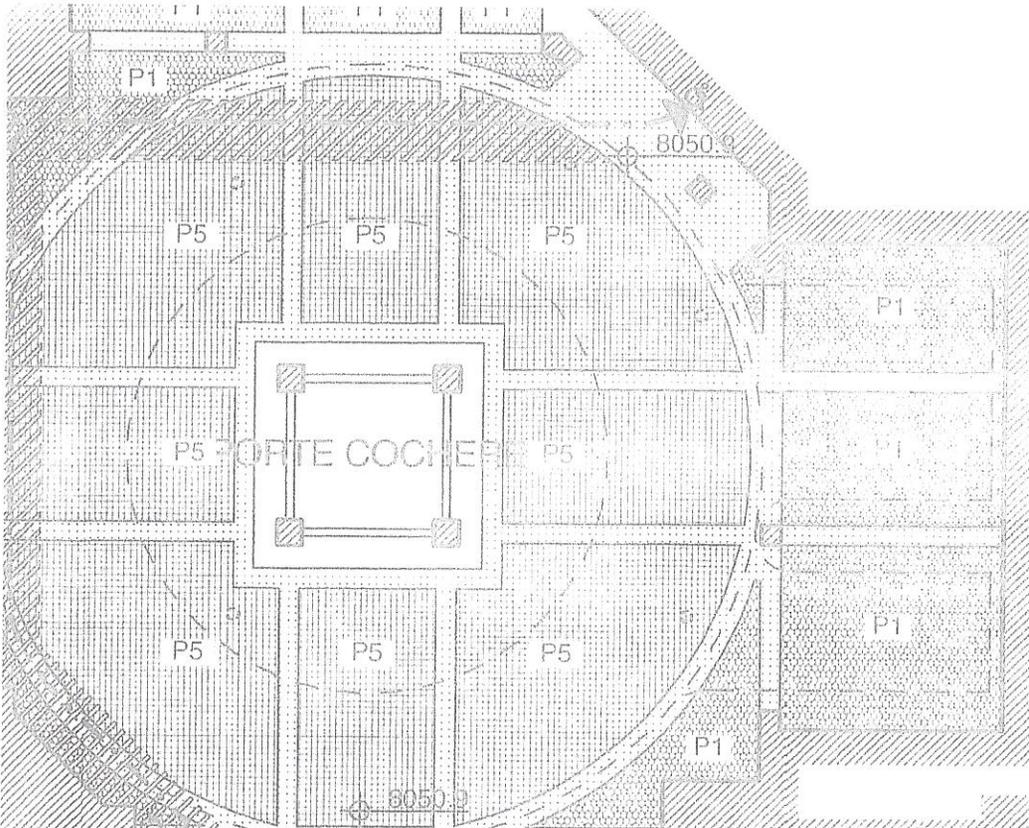
- 5-1 This comment is acknowledged. The commenter does not raise new environmental information or directly challenge information provided in the Draft SEIR. A condition of project approval would require the proposed project name to be reviewed and approved by the Mammoth Lakes Fire Protection District (MLFPD).
- 5-2 Delivery trucks serving the proposed project would access the site using the existing project driveway off of Canyon Boulevard. Attachment A, *Delivery Truck Options*, of this Response, includes 1/16-inch scale drawings depicting large delivery trucks (vehicle size is 8 feet by 25 feet) with dimensions provided by the American Institute of Architects' industry recognized dimensional guidebook, Architectural Graphic Standards. There are three options, all of which respect the ingress and egress needs associated with the porte cochere and the subterranean parking garage access doors. Further, it should be noted that no loading/unloading activities would occur along Minaret Road (which would be signed accordingly) for the proposed project. A condition of project approval would require a delivery operational plan to be reviewed and approved by the Town.
- 5-3 The shade/shadow diagrams for the proposed project are provided in Exhibits 5.2-9a through 5.2-9c of the Draft SEIR, and include the entire project site and immediate area for 9:00 AM, 12:00 PM, and 3:00 PM. The analysis includes impacts along Minaret Road. However, this road is not considered a shadow-sensitive use. Land uses are termed "shadow-sensitive", such as residential, recreational, churches, schools, outdoor restaurants, and pedestrian areas, have expectations for direct sunlight and warmth from the sun. Further, as discussed in the Draft SEIR, the proposed buildings would shade the sidewalk and travel lanes of Minaret Road during the spring/autumn and winter months for more than three hours after 12:00 p.m. Particularly, most of the shade increase would occur along the eastern-most northbound travel lane of Minaret Road, compared to the approved 8050 Building C. Caltrans conducts snow removal operations and cinderling of the road to maintain safe travel conditions. Furthermore, the existing and future sidewalks along Minaret Road have or will have heat melt systems to address shade conditions. Thus, as Minaret Road and adjacent areas already experiences similar shading to the north (Village at Mammoth area), and existing snow removal operations and cinderling of Minaret Road would continue after implementation of the proposed project, impacts in this regard would be less than significant.

The proposed project would not result in the shading of residential uses to the south (i.e., Fireside Condominiums). As described in the Draft SEIR, the project would result in increased shading of existing residential units on the 8050 site (8050A and B); however, this would generally only occur in the winter morning hours. There are no other shadow-sensitive uses in the vicinity that would be affected. While the Alpenhof Lodge, including cabins that are rented nightly, and Petra's restaurant are not shadow-sensitive uses, they would only be shaded after 12:00 PM during the winter months. During winter, these uses would be shaded at 3:00 PM by the entitled 8050 Building C. Although shadow patterns are cut off at the 3:00 PM winter months diagram (depicting this area to the northeast), these shadows are wide-spread throughout the Town at this time of day in the winter months. Further, as the sun sets earlier in the evening during the winter months, the uses located

- further northeast than that depicted in Exhibit 5.2-9b of the Draft SEIR would be shaded for less than three hours of daylight, if not already shaded as a result of large pine trees in the area. Thus, as discussed in the Draft SEIR, no significant impacts would result in this regard.
- 5-4 Upon building permit issuance, the Applicant would pay all required Developer Impact Fees.
- 5-5 Project design and implementation would be consistent with the Town's Municipal Code, including all applicable requirements pertaining to a high-rise structure. Compliance would be ensured during building permit review and approval.
- 5-6 Refer to Response to Comment 2-1.
- 5-7 As discussed on page 5.7-15 of the Draft SEIR, based on written correspondence from Thom Heller, Fire Marshal/Division Chief (included in [Appendix 11.5, Utility Correspondence](#) of the Draft SEIR), the proposed project would be subject to the fire flow requirements specified by the Mammoth Lakes Fire Protection Department (MLFPD), which would be a minimum of 2,750 gallons per minute for a 2 hour period, and would need to provide 100 pounds per square inch (psi) of water pressure on the roof at all times. Based on written correspondence from Irene Yamashita, Public Affairs/Environmental Specialist, Mammoth Community Water District (MCWD), the MCWD anticipates it would be able to provide adequate water supply to accommodate the fire flow requirements. As part of the building permit review, the project Applicant would be required to provide specifications demonstrating adequate capacity and flows pursuant to MLFPD requirements consistent with 1999 SPEIR Mitigation Measure 5.10-1c.
- 5-8 Implementation of the proposed project would require all hotel users to use the porte cochere accessed on Canyon Boulevard, at which time, hotel users would use the valet service. The only vehicles exiting the parking garage onto Minaret Road would be the Fireside Condominium homeowners (through a parking agreement to use 50 spaces in the on-site parking structure). Implementation of the proposed project would not change the vehicle conditions at the driveway at Minaret Road. The Town of Mammoth Lakes decision makers will consider all comments on the proposed project.
- 5-9 The existing emergency fire lane that serves the 8050 site and Fireside Condominiums to the west is not proposed to be used for construction staging as shown in [Exhibit 3-9](#) of the Draft SEIR. Enforcement of the construction management plan and necessary emergency access requirements during construction shall be conducted by the Town of Mammoth Lakes, as required through the Town's Municipal Code, and MLFPD, respectively.



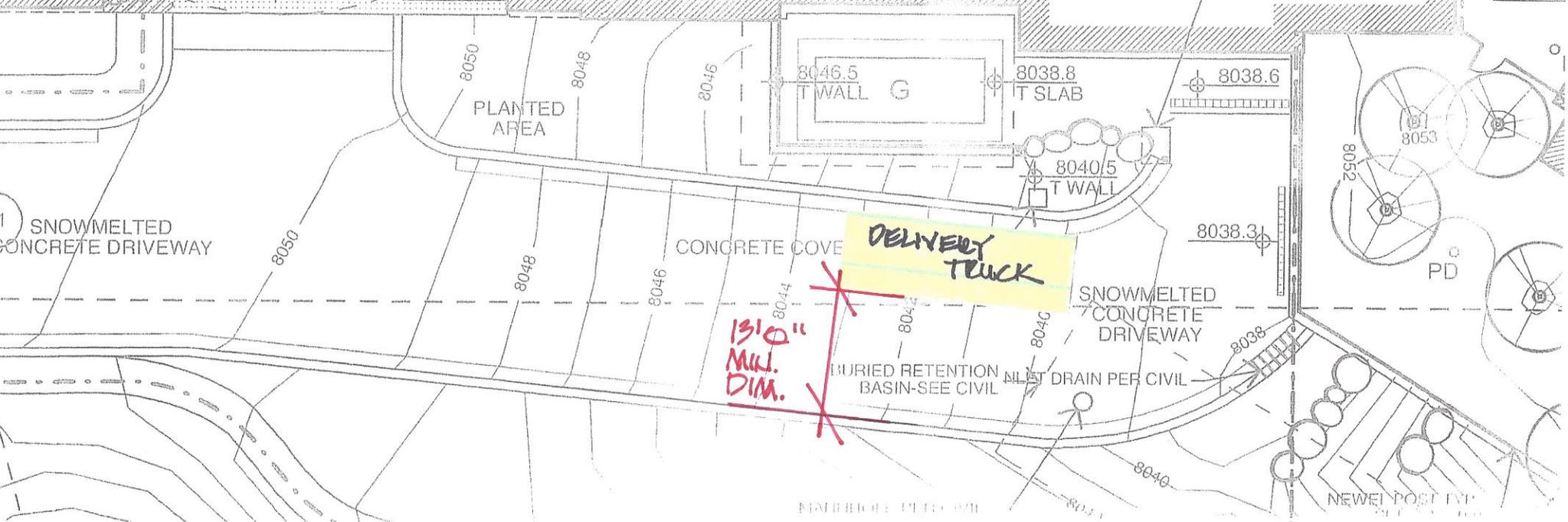
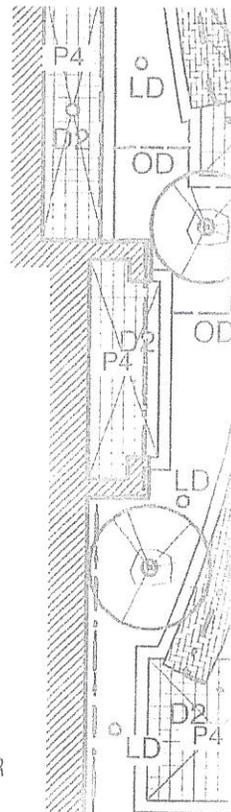
Attachment A
Delivery Truck Options



BLDG A

8051

OPTION "A"



1) SNOWMELTED CONCRETE DRIVEWAY

1310"
MUL.
DIM.

DELIVERY TRUCK

BURIED RETENTION BASIN-SEE CIVIL

CARD READER

MATERIAL: PLD. 041

NEWEL POST EYE

10 FT BLDG. SETBACK LINE

PROPERTY LINE

ACCESSIBLE PATH OF TRAVEL-
PAINTED STRIPING

AB

PLANTED AREA

8052

ACCESSIBLE PATH OF TRAVEL- PAINTED STRIPING: MAX SLOPE NOT TO EXCEED 8.33% & MAX CROSS-SLOPE NOT TO EXCEED 2%- TYPICAL OF ALL ACCESSIBLE PATHS OF TRAVEL.

A1

SNOWMELTED CONCRETE DRIVEWAY

15'6"
MULT.
DIM.

DELIVERY TRUCK

12'0"
MULT.
DIM.

PLANTED AREA

8050

8048

8046

8046.5 T WALL G

CONCRETE COVER- PEF

8048

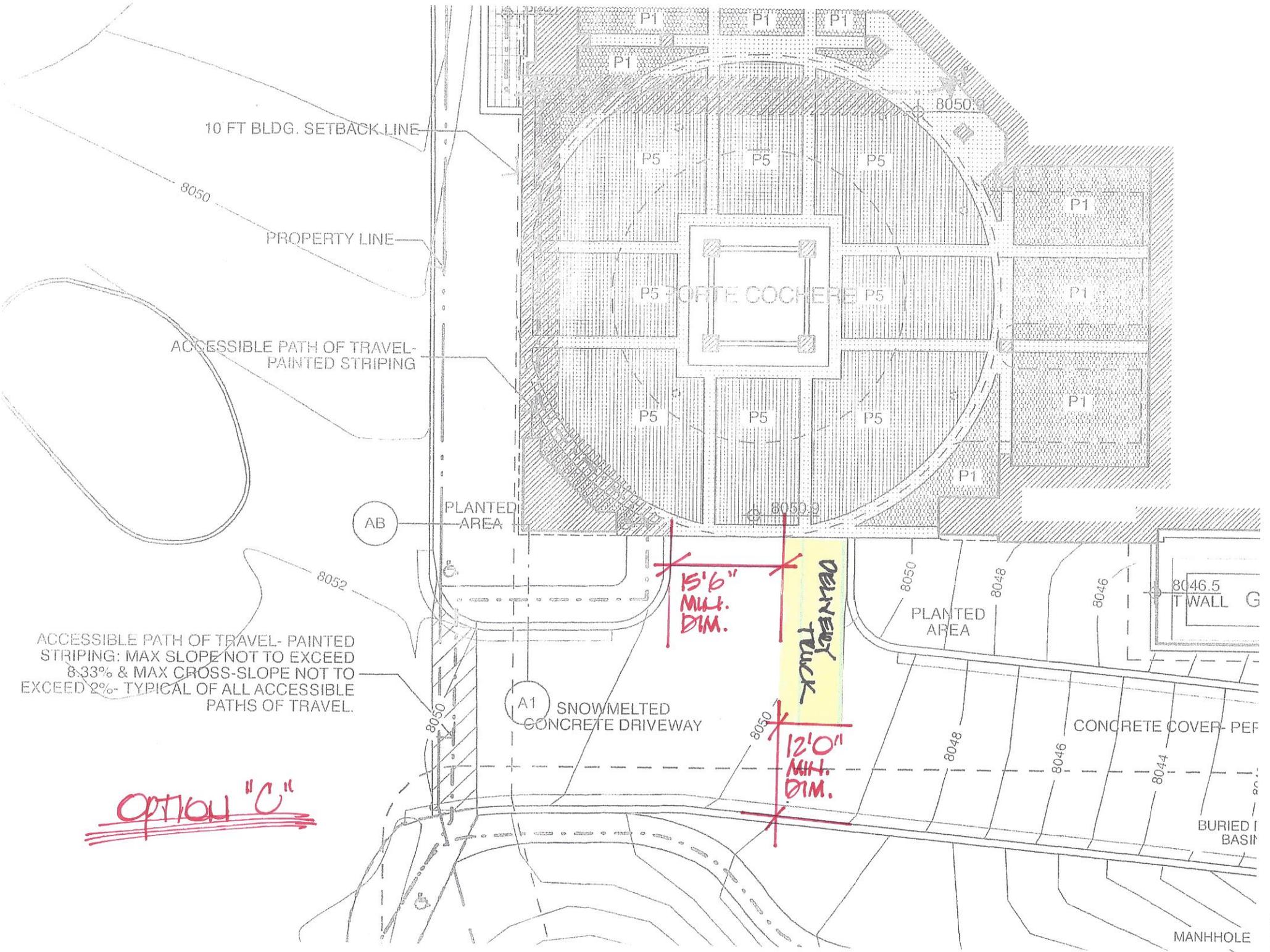
8046

8044

BURIED I
BASIN

MANHOLE

OPTION "C"



Date: August 8, 2014

To: Jen Daugherty, Senior Planner,
Town of Mammoth Lakes, Community and Economic Development Department,
P.O. Box 1609, 437 Old Mammoth Road, Suite R, Mammoth Lakes, CA, 93546,

From: Margo Raison and Geoffrey Hill, Owners,
Mammoth Fireside Unit 115

We are writing this as individual owners. We are writing this in the interest of fully informing the Town of Mammoth Lakes (Town) and the Planning Commission's (Commission) opinion with regard to the impacts to us the Town and Commission's actions may have. As you thoughtfully consider the SEIR for the Inn at the Village, please take into account the following:

The SEIR Sec 03 Building Setbacks states that "An additional setback is described in a private agreement between Fireside at the Village condominiums to the south and the 8050 property owner (Settlement Agreement, Mutual Release, and Joint Escrow Instructions). Since this is a private agreement, and the Town of Mammoth Lakes is not a party, the Town is not responsible for enforcing the terms and conditions of this agreement."

The agreement between Mammoth Fireside and iStar (Agreement) includes constraints for building setbacks and the building (sight lines). The owner of the Inn at the Village (Project Owner) project does not at this time have the legal right to construct a building closer than "(50) feet from the closest residential improvement existing on the Fireside Property as of this date." The Agreement further constrains the Project Owner to (1) building the originally approved project, (2) construct the building depicted in the agreement as Exhibit 3, or (3) construct a project "redesigned by iStar entities in their discretion, provided any such redesign maintains materially the same sight lines as the design plans attached as Exhibit 3..." I have attached Exhibit 3 for the Town and Commission's use. While the Town and Commission are not a party to the Agreement, the Town and Commission's actions may negatively impact us as parties to the Agreement.

The current SEIR seeks the Towns and Commission's approval for a project to which the Project Owner does not have legal right. SEIR Section 03 Project Description, Preliminary Site Plan, Exhibit 3-3 plan notes indicate a project that is "35'...FROM FIRESIDE CONDOMINIUM STRUCTURES." As this right does not exist with the Project Owner, the project documents and SEIR should not consider them. It is our opinion that the SEIR Project Description is flawed, therefore so is the SEIR in total.

The Agreement additionally constrains the Project Owner to the three options for construction described previously in this letter. The project being considered by the Town and Commission in the SEIR does not comport with these constraints. With regard to the three options legally available to the Project Owner please consider the following:

1. The Project Owner is free to construct the originally approved project. However, from the SEIR: "The currently approved design for Building C allows for a total of five stories with a maximum height of 62 feet plus another three feet for roof appurtenances." The project depicted in the SEIR (7 stories, etc) does not agree with the project previously approved by the Town.
2. The Project Owner can construct the building depicted in the agreement as Exhibit 3. The project included in the Agreement as Exhibit 3 shows a 4 story building with rooftop pool deck. The project described and depicted in the SEIR does not agree with the project described in the Agreement.
3. The Project Owner can construct a project "redesigned by iStar entities in their discretion, provided any such redesign maintains materially the same sight lines as the design plans attached as Exhibit 3..." The new project must maintain materially the same sight lines as the design plans attached as Exhibit 3. The project depicted and described in the SEIR "proposes a maximum height of seven stories (80 feet), when measured from the top of the existing parking structure podium, with an additional 4 feet, 6 inches, for roof appurtenances; refer to Exhibit 3-4, North and South Building Elevations, and Exhibit 3-5, East and West Building Elevations." Further, SEIR Section 03 Project Description, Preliminary Site Plan, Exhibit 3-3 plan notes indicate a "POOL AREA RELOCATED TO PLAZA LEVEL." The project depicted and described in the SEIR does not meet the requirements of the Agreement for sight lines and is materially different from the legally available options.

Again, it is our opinion the Project Owner does not have the legal right to the project described in the SEIR, the SEIR Project Description is flawed, and therefore, so is the SEIR in total.

We can only infer intent of the Project Owner through the document, so it is our belief that the Project Owner's intent is not to build either option 1 and 2 (from above). The Project Owner's intent is to construct a 7 story building 35 feet from Fireside. A project so described is not a legal right at this time for the Project Owner.

It is true, and appropriately noted in the SEIR, there is an Agreement in place between iStar and Mammoth Fireside to which the Town is not a party and is not in a position to enforce. Our concern is the Town and Commission may approve a project to which the Project Owner does not currently have the legal right and, if approved, the Town and Commission may provide additional force in favor of the Project Owner. As there is an agreement in place with options for the Project Owner to obtain the right to a building 35 feet from Fireside, the Town and Commission's approval may disadvantage us in negotiation. We suggest the Town and Commission postpone approval of the flawed SEIR until the Project Owner possesses the legal right to the project therein described, or correct the SEIR to accurately reflect a project to which the Project Owner has the legal right.

Respectfully,

Margo Raison, and Geoffrey Hill

- NOTES:
1. REFER TO COMPLY WITH SECTION 05113 OF SMI C2C.
 2. CLUMBERS & TO COMPLY WITH SECTION 051 OF SMI C2C.
 3. REFER TO AC-80 FOR WINDOW SCHEDULE.
 4. RESEARCH & AC-81 FOR METAL TRUSS DETAILS.
 5. EXTERIOR FINISH COLORS INTO RECESSED WALL AREAS TO INSIDE CORNER OF RECESSED WALL THIS IS THE TRANSITION POINT BETWEEN OUTER SURFACES UNLESS OTHERWISE NOTED.
 6. ICE DAM PROTECTION TO EXTEND 2' UP VERTICAL SURFACES.
 7. PLAZA WATERPROOFING SYSTEM TO EXTEND 2' UP VERTICAL SURFACES.
 8. CORNER TRIM AT ALL INSIDE AND OUTSIDE CORNERS PER DETAILS 3.4.5 (0416-20)



REFER TO NORTH ELEVATION
AC-201 FOR TYPICAL NOTES

1 EAST ELEVATION
1/2" = 1'-0"



100 NORTH SPANISH STREET
SANTA ANA, CALIFORNIA 92701
PH: 714.241.1111
WWW.STRYKERBROWN.COM

PHASE 2

80/50
PRIVATE RESIDENCE CLUB
Merced Lake, California

DATE	ISSUE
08/26/2014	Conceptual Design
09/18/2014	Program Set
01/08/2015	Permit Review Set
04/14/2015	CD Review Set
06/23/2015	Permit, Planning Set
06/29/2015	CD Permit Review Set
08/27/2015	Planning Permit Set
08/27/2015	Permit Set
07/28/2016	Program Set
07/28/2016	Planning Permit Resubmitted
08/16/2016	Permit Resubmitted
09/07/2016	Program - Not for Construction
11/16/2016	For Construction

Building C

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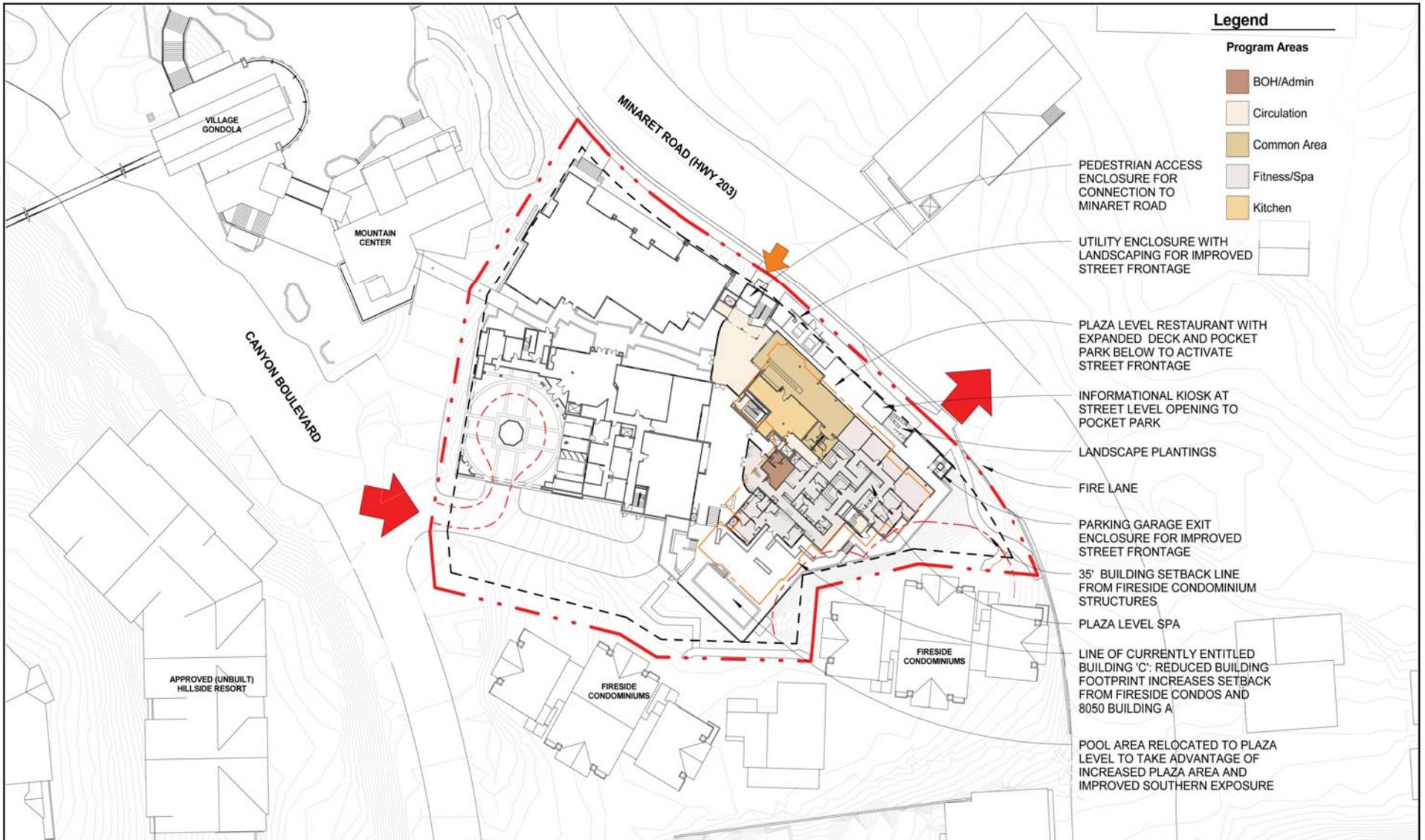
© 2015 Stryker Brown Architecture
04/22/2015 10:00 AM 1/2" = 1'-0"

SHEET TITLE

BUILDING
ELEVATIONS
East Elevation

AC 202

SHEET 40 OF 282



Source: Bull Stockwell Allen, May 22, 2014.

NOT TO SCALE

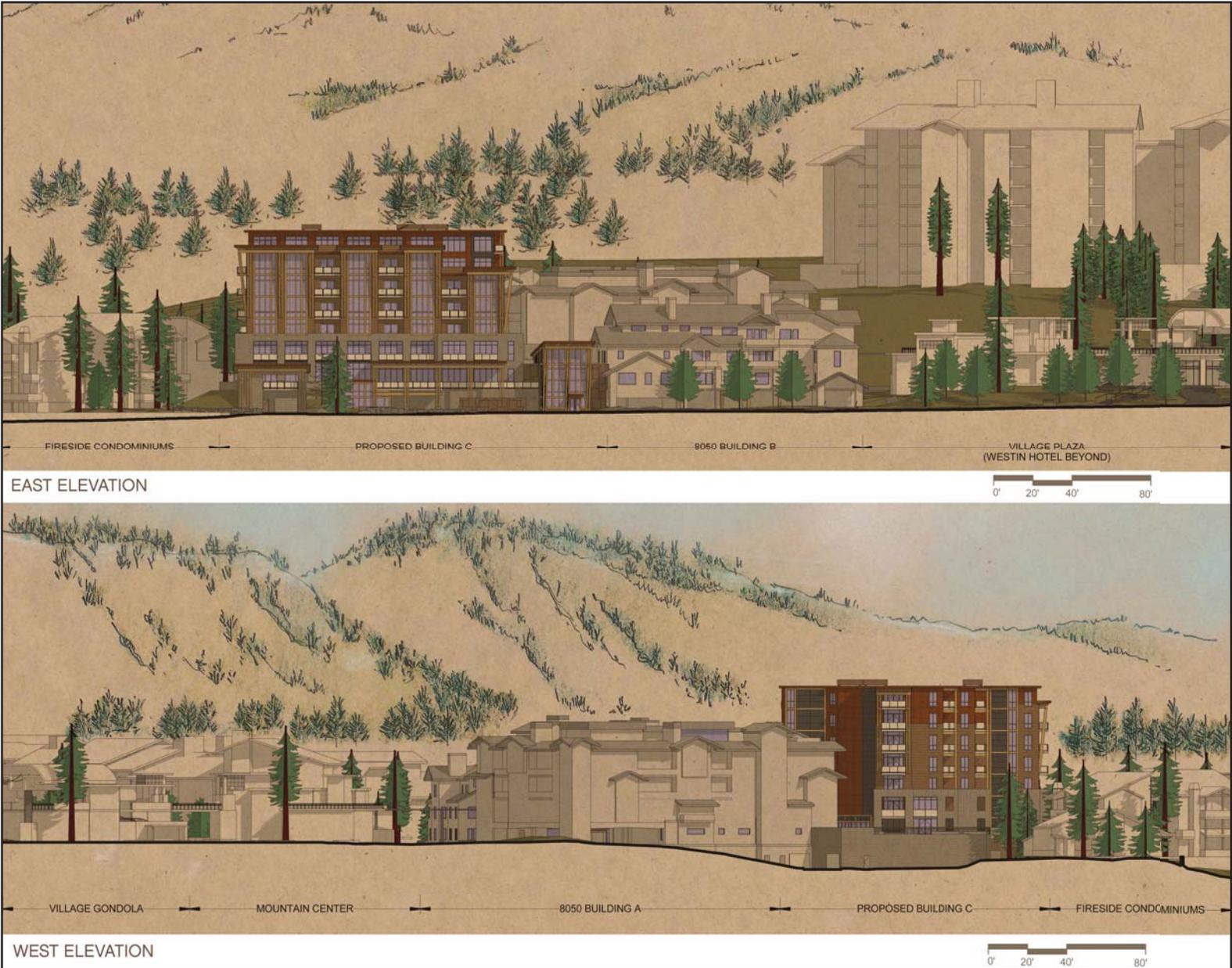


07/14 • JN 139231

INN AT THE VILLAGE
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

Preliminary Site Plan

Exhibit 3-3



Source: Bull Stockwell Allen, May 22, 2014.



6. RESPONSES TO COMMENTS FROM MARGO RAISON AND GEOFFREY HILL, DATED AUGUST 8, 2014.

- 6-1 This comment is regarding a settlement agreement between the Applicant and the Fireside Condominium Owners Association. The comment addresses the height and the location of the proposed project, and contends that the project as proposed would violate the settlement agreement. The Town is not a party to that agreement and does not have any obligation or authority to enforce it. The Town is required to evaluate the proposed project on its own merits and based on whether it complies with the Town's zoning code and development standards. Additionally, the settlement agreement does not prohibit the project from obtaining development approvals. The Applicant is aware of its obligations under the agreement.

*Architecture
Planning
Interiors*

Aug. 12, 2014

Jen Daugherty, Senior Planner
Community & Economic Development Department
Town of Mammoth Lakes
437 Old Mammoth Road, Suite R
Mammoth Lakes, CA 93546

re: Proposed redesign of 8050C
The Inn at the Village

Dear Jen Daugherty,

As an owner of Mammoth Fireside condominium unit 313 have reviewed the proposed redesign of the unbuilt 8050C project described in the Draft SEIR, submitted for the Inn at the Village.

Never, in over 50 years of architectural practice, have I experienced such a disregard for the existing architectural context of a proposed building's neighbors.

It is my belief, and the belief of countless architects, designers, and authors of Specific Plans and Design Guidelines, that proposed buildings should relate to the architectural characteristics of surrounding buildings. The intent is not to replicate or emulate existing buildings, but to allow a range of architectural expression that complements the existing neighborhood fabric. Building design should be based on and reflect a thorough analysis of the surrounding patterns with regard to:

1. Horizontal and vertical building articulation
2. Architectural style
3. Building scale and proportion
4. Roof line and form
5. Fenestration and detailing
6. Exterior finish materials and colors

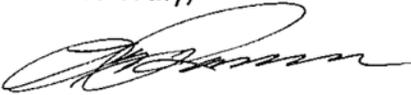
7-1

The design and massing of the proposed project not only fails to complement the design and planning context of the neighborhood, it compromises the character of North Village and Fireside Condominiums. It is possible to achieve the Project Goals and Objectives stated in the Draft SEIR without the introduction of a structure totally unfitted to its location.

I believe the project can correct any real or imagined performance deficiencies in the approved 8050 project with a project redesign to complement rather than compromise existing adjacent structures and without necessitating the three proposed amendments to the NVSP, i.e. density increase, transfer of 30 rooms, and reduction in front yard setback.

7-1

Yours Truly,



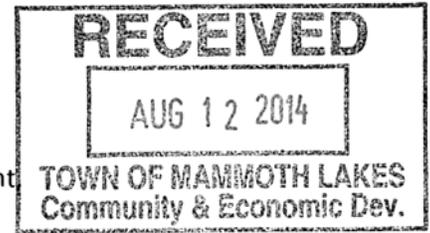
Larry Rasmussen

7. RESPONSES TO COMMENTS FROM LARRY RASMUSSEN, DATED AUGUST 12, 2014.

7-1 The Commenter states that the project should relate to the architectural context and characteristics of the surrounding buildings, including but not limited to design and massing. The project Applicant's architect, Bull Stockwell Allen, has provided the following responses to these comments:

- Although the Commenter is not specific in his discussion of context, we assume he may favor a more traditional, gabled design aesthetic, as opposed to the more contemporary mountain design of our current design scheme;
- Architectural "style" is a subjective subject as traditional or contemporary architecture is not for everybody;
- Contemporary architecture is increasingly popular in mountain communities as it reflects our current place in time and history;
- Demographic trends within the real estate market support a more contemporary approach as fresh architecture tends to attract younger, well-educated individuals;
- Today's design ideas are an important consideration given Mammoth's proximity to Southern California and Silicon Valley;
- The current design, generally well received by the Advisory Design Panel, replaced a more contextual approach characterized by gable roof forms that was described as "too generic and predictable";
- Villages and their architecture evolve over time, underscoring the dynamic evolution of a the living, man-made environment;
- We developed an exterior materials palette that was compatible, if not an identical color match, with the materials used on 8050 buildings A and B. This includes painted horizontal siding and stone cladding; and
- Heavy timber detailing, a classic component of mountain architecture, is used throughout the project.

General Plan Policy C.2.U discourages architectural monotony, as reflected in Bull Stockwell Allen's responses above. The design of the project would be reviewed by the Planning and Economic Development Commission and Town Council during their consideration of the project, and the required findings for a design review permit would need to be made prior to project approval.



To: Jen Daugherty, Senior Planner,
Town of Mammoth Lakes, Community and Economic Development Department
P.O. Box 1609, 437 Old Mammoth Road, Suite R, Mammoth Lakes, CA, 93546,

From: Phyllis St. George, John Roth, Owners
Mammoth Fireside Unit 315

I am writing this in the interest of fully informing the Town of Mammoth Lakes (Town) and the Planning Commission’s (Commission) opinion with regard to the impacts to me the Town and Commission’s actions may have. As you thoughtfully consider the SEIR for the Inn at the Village, please take into account the following.

The SEIR Sec 03 Building Setbacks states that “An additional setback is described in a private agreement between Fireside at the Village condominiums to the south and the 8050 property owner (Settlement Agreement, Mutual Release, and Joint Escrow Instructions). Since this is a private agreement, and the Town of Mammoth Lakes is not a party, the Town is not responsible for enforcing the terms and conditions of this agreement.”

The agreement between Mammoth Fireside and iStar (Agreement) includes constraints for building setbacks and the building (sight lines). The owner of the Inn at the Village (Project Owner) project does not, at this time, have the legal right to construct a building closer than “(50) feet from the closest residential improvement existing on the Fireside Property”. The Agreement further constrains the Project Owner to (1) building the originally approved project, (2) construct the building depicted in the agreement as Exhibit 3, or (3) construct a project “redesigned by iStar entities in their discretion, provided any such redesign maintains materially the same sight lines as the design plans attached as Exhibit 3...” I have attached Exhibit 3 for your use. While the Town is not a party to the Agreement, the Town and Commission’s actions may negatively impact me as a party to the Agreement.

8-1

The current SEIR seeks the Town’s and Commission’s approval for a project to which the Project Owner does not have legal right. SEIR Section 03 Project Description, Preliminary Site Plan, Exhibit 3-3 plan notes indicate a project that is “35’...FROM FIRESIDE CONDOMINIUM STRUCTURES”. As this right does not exist with the Project Owner, the project documents and SEIR should not consider them. It is my opinion that the SEIR Project Description is flawed, therefore so is the SEIR in total.

The Agreement additionally constrains the Project Owner to the three options for construction described previously in this letter. The project being considered by the Town and Commission in the SEIR does not comport with these constraints. With regard to the three options legally available to the Project Owner please consider the following:

1. From the SEIR: “The currently approved design for Building C allows for a total of five stories with a maximum height of 62 feet plus another three feet for roof appurtenances.” The project depicted in the SEIR does not agree with the project previously approved by the Town.

2. The project included in the Agreement as Exhibit 3 shows a 4 story building. The project described and depicted in the SEIR does not agree with the project described in the Agreement.

3. The new project must maintain materially the same sight lines as the design plans attached as Exhibit 3. The project depicted and described in the SEIR “ proposes a maximum height of seven stories (80 feet), when measured from the top of the existing parking structure podium, with an additional 4 feet, 6 inches, for roof appurtenances; refer to Exhibit 3-4, North and South Building Elevations, and Exhibit 3-5, East and West Building Elevations. The project proposes a zoning amendment to increase the maximum permitted height allowed for the project site.” Further SEIR Section 03 Project Description, Preliminary Site Plan, Exhibit 3-3 plan notes indicate a “POOL AREA RELOCATED TO PLAZA LEVEL” The project depicted and described in the SEIR does not meet the requirements of the Agreement for sight lines and is materially different from the legally available options.

Again, it is my opinion the Project Owner does not have the legal right to the project described in the SEIR, the SEIR Project Description is flawed, therefore so is the SEIR in total.

I can only infer intent of the Project Owner through the document, so it is my belief that the Project Owner’s intent is not to build either option 1 and 2 (from above). The Project Owner’s intent is to build a 7 story building 35 feet from Fireside. A project so described is not a legal option at this time for the Project Owner.

It is true, and appropriately noted in the SEIR, there is an Agreement in place between iStar and Mammoth Fireside to which the Town is not a party. My concern is the Town and Commission may approve a project to which the Project Owner does not currently have the legal right. If approved, the Town and Commission may provide additional force in favor the Project Owner. As there is an agreement in place with options for the Project owner to obtain the right to a building 35 feet from Fireside, the Town and Commission’s approval may disadvantage me in negotiation. I suggest the Town and Commission postpone approval of the flawed SEIR until the Project Owner possesses the legal right to the project therein described, or correct the SEIR to accurately reflect a project to which the Project Owner has the legal right.



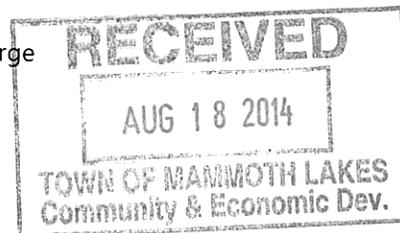
8. RESPONSES TO COMMENTS FROM PHYLLIS ST. GEORGE AND JOHN ROTH, DATED AUGUST 12, 2014.

8-1 Refer to Response to Comment 6-1.

Jen Daugherty

From: Geoffrey Hill <hillgema@gmail.com>
Sent: Saturday, August 16, 2014 7:59 AM
To: Jen Daugherty
Cc: Annette@AnnetteOltmans.com; Phyllis St. George
Subject: Fwd: SEIR For the Inn at the Village

Follow Up Flag: Follow up
Flag Status: Completed



Jen,
 Annette Oltmans tried to send the email below but it was bouncing back. She has asked me to try to forward it. Please let me know that you've received this and it is considered valid public comment.

Sent from my iPad

>
 > Begin forwarded message:
 >
 >> From: Annette Oltmans <Annette@AnnetteOltmans.com>
 >> Subject: SEIR For the Inn at the Village
 >> Date: August 13, 2014 11:11:23 PM PDT
 >> To: jdaugherty@townofmammothlakes.ca.gov
 >>
 >> Dear Ms. Daugherty,
 >>
 >> As a former board member of Mammoth Fireside during the time of the iStar legal negotiations and obtained settlement, I can personally attest to the hardship it placed on our Fireside community financially and emotionally to have to take on such a legal battle to enforce an agreement which was broken without any moral self regulation from iStar. Since then, we have also had to maintain a partnership with iStar sharing the garage.
 >>
 >> My husband is President and CEO of a large commercial construction company which has relationships with many repeat client developers and REITs across the United States. It's imperative business practice to build relationships with companies one knows can be trusted to honor their contracts just as it is avoid those who are know to not.
 >>
 >> It's my sincere hope the Town Of Mammoth Lakes will respect the proper steps and order of business before approving a plan which knowingly violates an agreement which took many years and substantial dollars to enforce.
 >>
 >> It's also my sincere hope the Town of Mammoth Lakes will take caution before entering an agreement which has a high probability of exposing the town to yet another money draining law suit itself. Fireside nor the Town of Mammoth Lakes should want to spend monies in such a way if they can avoid doing so.
 >>
 >> Sincerely,
 >>
 >> Annette Oltmans
 >>
 >>
 >

9-1



9. **RESPONSES TO COMMENTS FROM ANNETTE OLTMANS, AUGUST 13, 2014.**

9-1 Refer to Response to Comment 6-1.

Inn at the Village Subsequent Environmental Impact Report
 Public Meeting
 August 13, 2014

Public Comment – None

Commissioner Comments –

Commissioner David Harvey: Commissioner Harvey expressed concerns with the Town's position on the Private Agreement.

10-1

Mr. Harvey expressed concerns regarding the delivery of commercial goods to the project site, as North Village has a problem with deliveries already. This issue is particularly bad along Minaret Road, in the vicinity of the project site. Mr. Harvey would like the Applicant to consider using the existing Mammoth Mountain Ski Area loading dock next to 8050. He is also concerned that the proposed pedestrian stairs/porte-cochere may encourage deliveries off of Minaret Road as well as parking for other loading/unloading activities.

10-2

Mr. Harvey requests more detail pertaining to the re-sizing and functionality of the proposed streetscape improvements along Minaret Road.

10-3

Mr. Harvey requests clarification of the shading impacts on Minaret Road and other properties. Mr. Harvey is concerned about the resultant shading onto businesses across Minaret Road, which should be addressed in the EIR.

10-4

Commissioner Elizabeth Tenney: Commissioner Tenney is concerned about pedestrian access. Ms. Tenney feels that the project could better integrate pedestrians and requests that pedestrian connection to the Mammoth Crossing sites (now Mammoth Brewing Company) be provided.

10-5

Ms. Tenny feels that the project may appear "looming" and requests if more information can be provided regarding if the structure could "turn the corner" better; if this is the case, this could impact shade/shadow. Ms. Tenny is concerned about shade/shadow impacts.

10-6

Madame Chair Madeleine "Mickey" Brown: Madame Chair Brown requests and alternative development sites be considered. The Draft SEIR's reasoning is not logical based on how Minaret Road narrows. Ms. Brown disagrees that there are no alternative sites based on the rationale (of enhancing pedestrian integration, etc.), as Minaret Road is too narrow at the project site. The proposed project does not create a more animated street. Ms. Brown also disagrees that the proposed pedestrian porte cochere improves pedestrian integration.

10-7

Ms. Brown is also concerned about shade/shadow impacts, particularly for commercial uses across Minaret Road.

10-8

Ms. Brown is concerned about traffic patterns along Minaret Road, which already tend to be problematic.

10-9

10. RESPONSES TO COMMENTS FROM THE MAMMOTH LAKES PLANNING AND ECONOMIC DEVELOPMENT COMMISSION, DATED AUGUST 13, 2014.

10-1 Refer to Response to Comment 6-1.

10-2 Refer to Response to Comment 5-2.

10-3 Additional detail pertaining to the streetscape improvements proposed by the project along Minaret Road will be provided to the Commission prior to consideration of the project. The Commenter does not provide specific comments regarding analysis presented in the Draft SEIR, and does not raise new environmental information or directly challenge information provided in the Draft SEIR. Therefore, no further response is necessary.

10-4 As discussed in Response to Comment 5-3, the businesses to the northeast of the project site are not considered shadow-sensitive. Further, shadow patterns cast onto these properties would only occur after 12:00 PM during winter months, and the shadow patterns are anticipated to be similar in character to the large pine trees located throughout these properties. Refer to Response to Comment 5-3.

10-5 The Town will be constructing a sidewalk along the west side of Minaret Road that would connect the project site to Main Street/State Route (SR) 203. The sidewalk would continue east along the north side of Main Street/SR 203 and terminate at Mountain Boulevard. This sidewalk project is funded through the State Transportation Improvement Program (STIP), and also includes lighting and safety signage. The construction of this sidewalk is anticipated to start in 2017. The Inn at the Village project includes construction of a permanent sidewalk along Minaret Road in front of the project. This sidewalk is being designed to connect seamlessly with the STIP funded sidewalk.

10-6 The Commenter notes a potential concern that was also voiced by the Advisory Design Panel over “larger architectural expression at the southwest corner,” which may appear to be a “looming” component of the building. The Commenter has requested that the Applicant consider stepping height down at this corner; “turn corner” in a different way.’ Attachment B, *Building Diagrams*, of this Response, includes diagrams that illustrate this portion of the building and the desire to turn the corner in a successful manner. This holistic strategy breaks up and steps back the façade in this area such that the scale feels appropriate. To reiterate this approach, the following has been used to reduce the building’s overall mass at this corner:

- The overall building height has been reduced from the original 93’-9” down to 80’-0”. Since this change, the Applicant has also added a new 13’-6” step-back from the Minaret façade in order to reduce building mass at the corner and provide a stepped appearance;
- A trellis element has been placed along the corner that further breaks down scale and enriches the building profile, reinforcing the idea of a building base, a middle, and reduced mass along the top;
- Materials and colors also vary to create distinct scaling elements: base, middle, and top;

- On the Fireside Condominium-facing façade, the upper floor units have been offset 9'-2" from the face of the trellis and balconies below; and
- The stone clad base was lowered from 3 stories to 2 stories at this corner in order to reduce the mass of this element.

The objective of these strategies was to create a modulated and well-articulated building as it turns the corner at Minaret Road and opposite the Fireside Condominiums development.

- 10-7 As discussed in the Draft SEIR, the Applicant has a vested right to develop the proposed project on the 8050 Building C project site, pursuant to the building permit issued under the approved Tentative Tract Map 36-229 and Use Permit 2005-01, which approved Building C, the third and final building in the 8050 complex. Although the Applicant does own 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.

The project would not be able to achieve the project objective of providing “an array of amenities and related back-of-house functions that would allow for the inn to operate efficiently and attract an experienced and quality hotel operator to reinforce 8050’s quality as a compelling year-round destination for visitors and locals alike” if the project were not located adjacent to the existing 8050 buildings. Thus, an alternative development site is not considered appropriate.

- 10-8 Refer to Response to Comment 10-4.

- 10-9 Page 5.3-5 of the Draft SEIR discusses the existing traffic conditions in the project vicinity. As discussed, the roadway segment of Canyon Boulevard, north of Lake Mary Road, currently experiences a deficient level of service (LOS) F. Table 5.3-5, Existing With Project Peak Hour Roadway Segment Analysis, summarizes the peak hour LOS results of the roadway segments for existing with project conditions.

As indicated in Table 5.3-5, all study area roadway segments are anticipated to operate at an acceptable LOS based on the Town’s performance criteria under existing with project conditions, with the exception of Canyon Boulevard north of Lake Mary Road. Although the project would increase the volume-to-capacity ratio at this segment, significant impacts would not occur at the adjacent intersections of Canyon Boulevard/Lake Mary Road or Minaret Road/Lake Mary Road-Main Street. Therefore, the project would not create a significant impact to the study area roadway segments under existing with project conditions. Impacts would be less than significant in this regard.

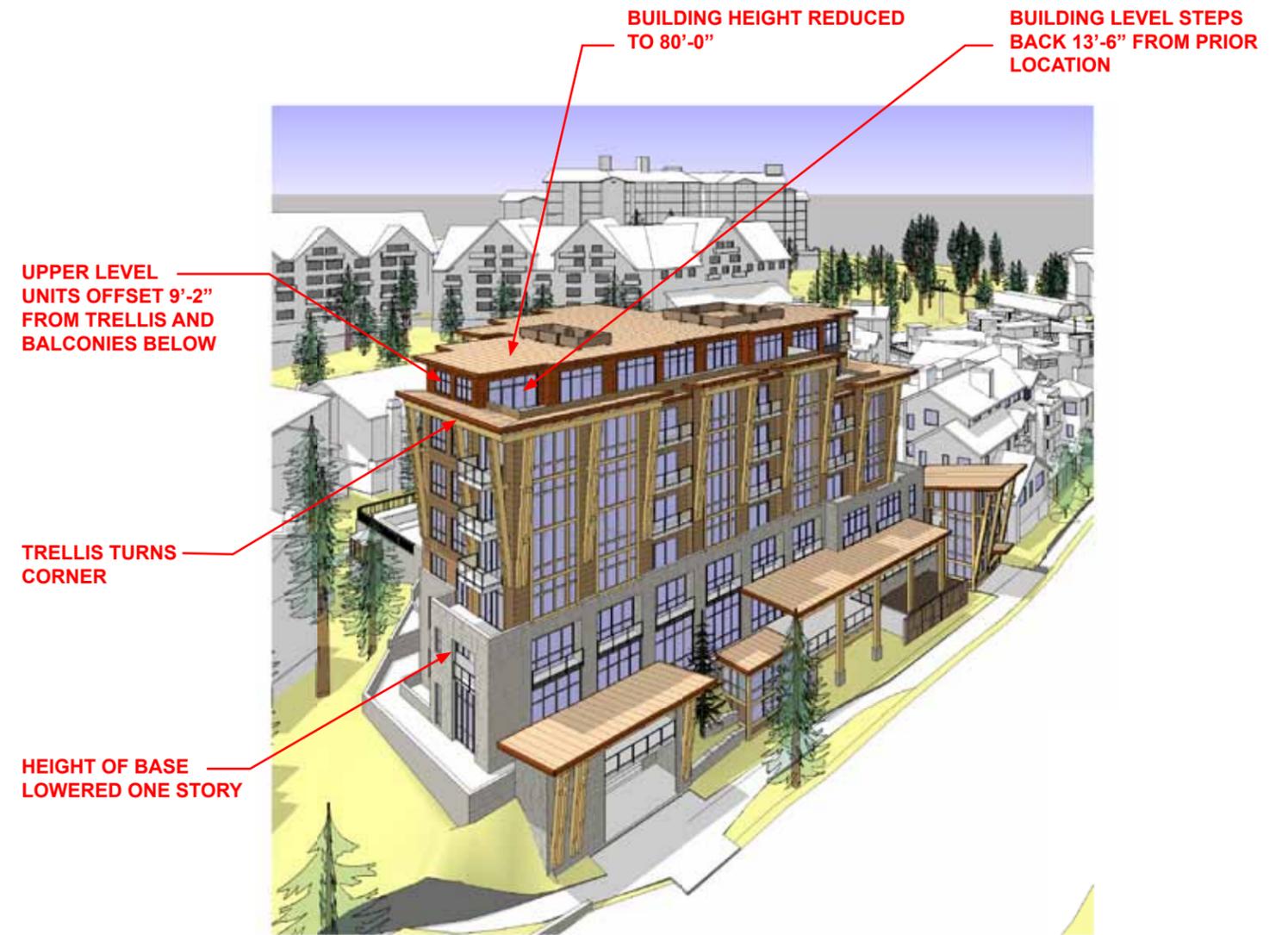
Implementation of the proposed project would not change the vehicle conditions at the driveway at Minaret Road because the only vehicles that would exit the parking garage onto Minaret Road would continue to be the vehicles associated with the 50 parking spaces assigned to the Fireside Condominiums through a private agreement. No access into the parking garage is allowed off of Minaret Road; all parking garage access occurs off of Canyon Boulevard. Also Refer to Response to Comment 5-2.



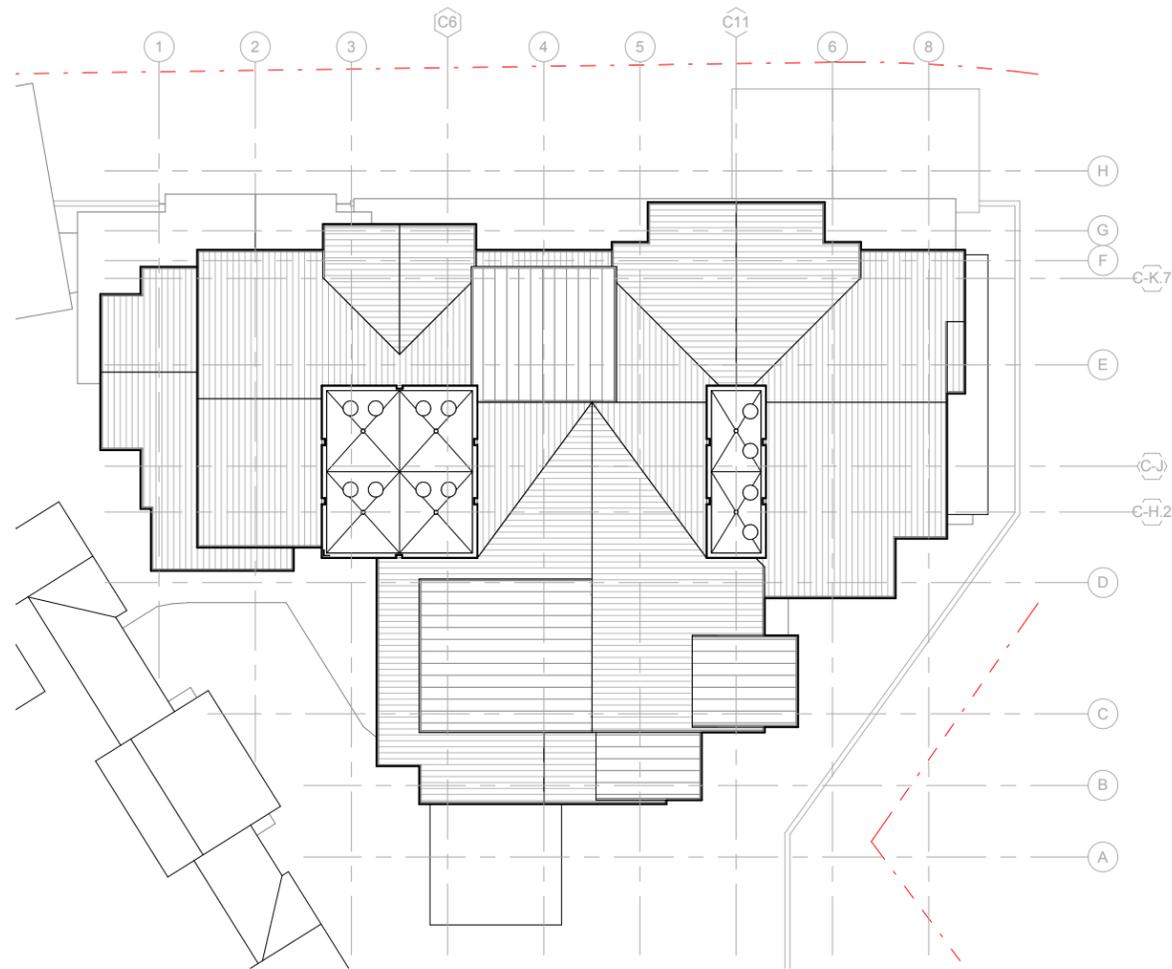
Attachment B
Building Diagrams



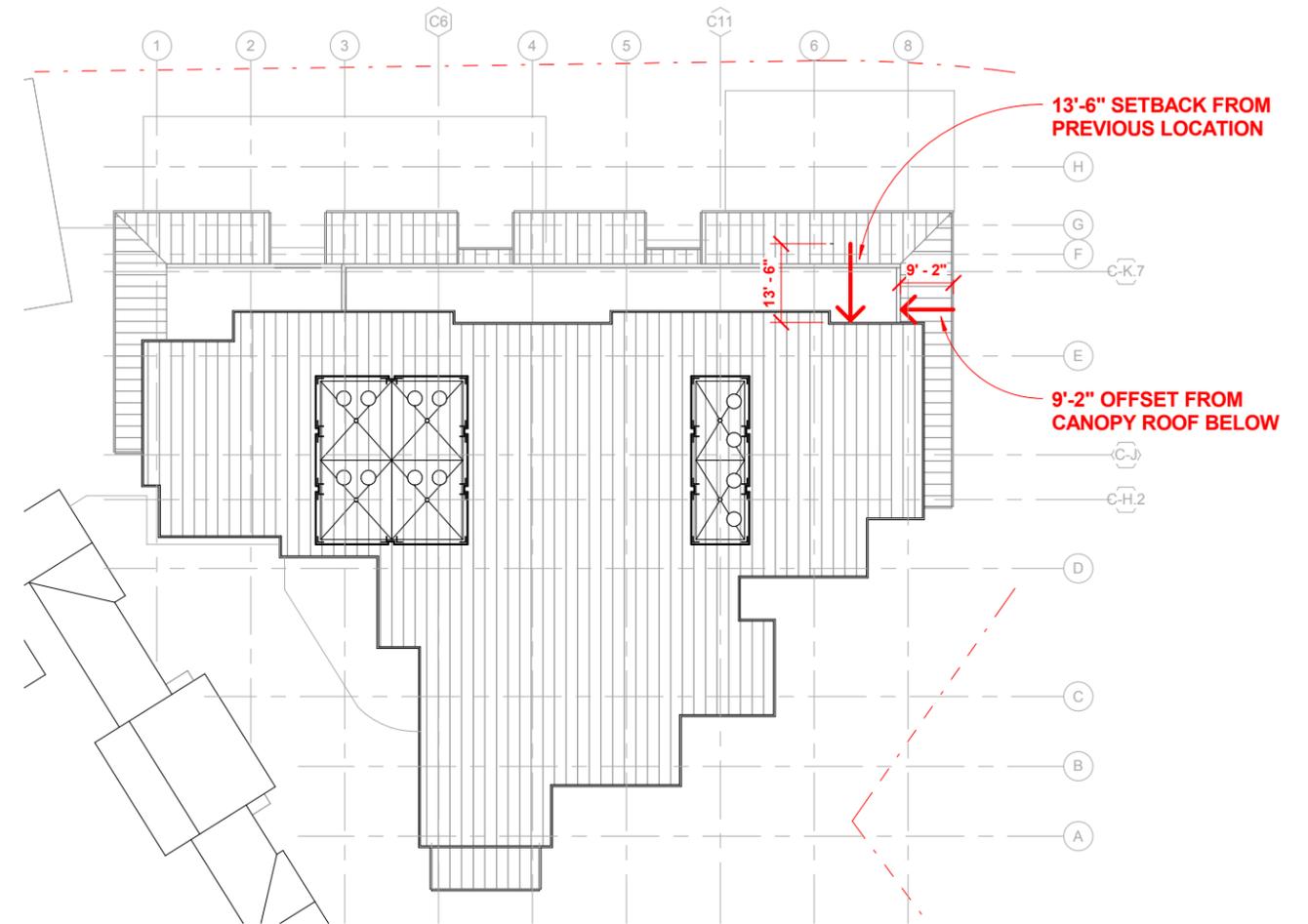
ORIGINAL BUILDING PROPOSAL



REVISED BUILDING PROPOSAL



ORIGINAL BUILDING PROPOSAL



REVISED BUILDING PROPOSAL



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3.0 Errata

3.0 ERRATA

Changes to the Draft Subsequent Environmental Impact Report (Draft SEIR) are noted below. A double-underline indicates additions to the text; ~~striketrough~~ indicates deletions to the text. Changes have been analyzed and responded to in Section 2.0, *Response to Comments* of the Final SEIR. The changes to the Draft SEIR do not affect the overall conclusions of the environmental document. Changes are listed by page and, where appropriate, by paragraph. All mitigation measure modifications have been reflected in Section 4.0, *Mitigation Monitoring and Reporting Program* of the Final SEIR.

SECTION 3.0, PROJECT DESCRIPTION

Draft SEIR Page 3-12, Last Paragraph, and Page 3-13, 1st, 2nd, 3rd, 4th Paragraphs

~~On November 5, 2003, the Town Council adopted Resolution No. 2003-63, by which the Town Council identified the “value of cost gap per Employee Housing Unit (EHU)” in the amount of \$52,802. This resulted in the establishment of an Affordable Housing Mitigation In-Lieu Fee of \$30,889 per Full Time Employee Equivalent (FTEE), which equates to the \$52,802 per EHU. On August 12, 2004, Mammoth 8050, LLC, the original developer of the 8050 project, and the Town entered into an In-Lieu Fee Agreement for the EHUs (AH In-Lieu Fee Agreement) to mitigate the impact the proposed 8050 project would have on the availability of workforce housing within the community, and to provide additional housing credits to the original developer. The AH In-Lieu Fee Agreement confirmed that at the time, the Town’s value of each EHU was \$52,802. Nonetheless, the AH In-Lieu Agreement provides that in exchange for credit for 30 EHUs, the original developer would pay the Town \$3,000,000 (\$100,000 per EHU credit), in three separate payments of \$1,000,000, in connection with each phase of the proposed project (e.g., Buildings A, B, and C). Pursuant to the AH In-Lieu Fee Agreement, the original developer paid the Town in-lieu fees totaling \$2,000,000. The original developer, however, did not construct Building C at 8050 and did not pay the Town the final payment of \$1,000,000 when it became due.~~

~~At the rate of \$100,000 per EHU, the \$2,000,000 that the original developer paid the Town in mitigation fees yielded credits for 20 EHUs. In addition, the original developer received credit for two EHUs for demolishing two commercial buildings on the project site, for a total of 22 EHUs. The construction of Buildings A and B by the original developer generated a demand for 17.5 EHUs. Therefore, the 8050 project maintains a credit of 4.5 EHUs.~~

~~The AH In-Lieu Fee Agreement provides as follows: “In the event the formula for calculating housing requirements shall be changed prior to the Remaining Credits being utilized to offset housing mitigation requirements, the value of such Remaining Credits shall be applied in conformance with the formulas in effect at the time of use of the Remaining Credits.” Since the effective date of the AH In-Lieu Fee Agreement, the Town has changed its affordable housing policy. The Town’s interim housing policy (Town Council Resolution 09-76) now requires that 10 percent of the total project units be provided for on-site affordable housing; however, an Affordable Housing Mitigation Plan (AHMP) may be approved instead of providing on-site housing if a substantial additional affordable housing benefit is achieved.~~

The Applicant proposes to construct up to 67 bedrooms in Building C. Pursuant to the Town's interim housing policy, those 67 bedrooms would require the Applicant to provide 6.7 bedrooms (6.7 EHUs) on the project site. Since each of the project's 4.5 existing EHU credits was generated at the rate of \$100,000 per EHU (which is 189% of the then value of \$52,802 per EHU), the Town has already achieved a substantial additional affordable housing benefit for each of the project's 4.5 EHU credits. Therefore, the Applicant will apply for an AHMP which confirms that no additional housing mitigation is required beyond the Application of the project's existing credit of 4.5 EHUs. The Town and Mammoth Lakes Housing, Inc. would evaluate the Applicant's AHMP request. Per the Town's Interim Affordable Housing Policy (Council Resolution 09-76), the proposed project would be required to provide on-site workforce housing at a rate of 10% of the market rate rooms (i.e., 67 rooms) unless an Alternate Housing Mitigation Plan (AHMP) is approved. An AHMP may be approved if on-site mitigation is undesirable for the community or infeasible, and there would be substantial additional affordable housing benefit derived from the AHMP. The Applicant has requested an AHMP that proposes conformance to the Housing Ordinance in effect at the time of building permit submittal. The Applicant's AHMP would be subject to approval by the Town pursuant to the Interim Affordable Housing Policy.

Draft SEIR Page 3-12, 6th Paragraph

The property owner, iStar, has an agreement with Mammoth Mountain Ski Area (MMSA) to provide up to 50 parking spaces on property owned by iStar. To date, iStar has been providing these spaces in the existing 8050 parking structure. Once the proposed project is developed, it is assumed that no spaces would be available in the 8050 parking structure for MMSA parking during peak occupancy periods. Consistent with the flexible terms of the above-referenced agreement, iStar anticipates providing the MMSA spaces at one or more other properties owned by iStar, such as the Mammoth Crossing properties along Lake Mary Road and Minaret Road.

It should also be noted that a parking agreement exists between the Mammoth Hillside property and the 8050 property in favor of the latter. The Mammoth Hillside property is located on the west side of Canyon Boulevard across from the 8050 property. This agreement provides 8050 parking for up to 50 vehicles at one time at the Mammoth Hillside property. These 50 parking spaces are not considered in the Draft SEIR parking analysis, as the Mammoth Hillside property has not been developed and these spaces do not currently exist.

Draft SEIR Page 3-15, 3rd Paragraph

The project proposes a new fire lane along Minaret Road, to the south of the existing parking structure entrance exit for the 50 Fireside Condominium parking spaces.

SECTION 5.1, LAND USE AND RELEVANT PLANNING

Draft SEIR Page 5.1-33, Table 5.1-2, Housing, Housing Mix, H1, Basis of Analysis

Housing							
<i>Project provides housing opportunities to enhance the quality of life of the town's workforce.</i>							
Housing Mix	Providing quality, diverse, and livable housing opportunities within the community increases quality of life for workers and reduces vehicle travel impacts.	H1	Project provides a mix of housing sizes, types, and affordability, including housing on-site	<input type="checkbox"/>	True	\$2M provided per in-lieu housing agreement <u>Alternate Housing Mitigation Plan (AHMP) to be reviewed and approved by the Town</u>	
				<input type="checkbox"/>	False		
				<input checked="" type="checkbox"/>	NA or TBD		
		H2	Project exceeds workforce/affordable housing requirements	<input type="checkbox"/>	True		Project proposes to use existing credits to meet requirements
				<input type="checkbox"/>	False		
				<input checked="" type="checkbox"/>	NA or TBD		

SECTION 5.2, AESTHETICS/LIGHT AND GLARE

Draft SEIR Page 5.2-25, No. 4

4. Emphasize Sunlight – As discussed in Impact Statement AES-6 below, the proposed project would result in increased shade along Minaret Road and public sidewalks, compared to the approved 8050 Building C massing. ~~However, Additional Mitigation Measures have been provided in order to ensure public safety along streets and sidewalks.~~

SECTION 5.3 TRAFFIC/CIRCULATION

[Note these changes are also applicable to Section 1.0, Executive Summary, of the Draft SEIR.]

Draft SEIR Pages 1-21, 1-22, 5.3-12, and 5.3-13, Additional Mitigation Measures Heading

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 and California Department of Transportation (as applicable) requirements.

SECTION 5.7 UTILITIES AND SERVICE SYSTEMS

Draft SEIR Page 5.7-1, 3rd, 4th Paragraphs

Water Supply

The project site is served by the MCWD. The 2010 UWMP was adopted in November 2011. Based on the 2010 UWMP, the MCWD has 3,660 water service connections and relies on water supply provided by local surface water, ground water, recycled water, and savings from water conservation (demand management) measures.

The MCWD has two water right licenses and one permit issued by the State Water Resources Control Board (SWRCB) that entitle the MCWD to both store and divert surface water at Lake Mary, allowing up to a maximum annual surface water diversion of 2,760 acre-feet (permitted by the State) with the exception of future water demands including water diversions, extractions, and deliveries in the MCWD's service area not exceeding 4,387 acre-feet per year (AFY) per a recent settlement agreement between Los Angeles Department of Water and Power (DWP) and the MCWD. However, actual diversions are typically significantly lower due to the combined influence of natural variability in snowpack runoff quantity and timing, limited storage to manage the variable runoff, mismatch between the seasonal trends in supply availability and community water demands, and compliance with the monthly minimum Mammoth Creek fishery bypass.



Surface Water. The MCWD utilizes surface water as the primary water source when it is available because less energy and fewer chemicals are required to divert, treat, and deliver water from the Lake Mary Water Treatment Plant (WTP). Surface water requires minimal treatment, and the supply is gravity-fed to almost the entire service area. ~~The MCWD has two water right licenses and one permit issued by the State Water Resources Control Board (SWRCB) that entitle the MCWD to both store and divert surface water at Lake Mary, allowing up to a maximum annual surface water diversion of 2,760 acre feet with the exception of future water demands including water diversions, extractions, and deliveries in the MCWD's service area not exceeding 4,387 acre-feet per year (AFY) per a recent settlement agreement between Los Angeles Department of Water and Power (DWP) and the MCWD. However, actual diversions are typically significantly lower due to the combined influence of natural variability in snowpack runoff quantity and timing, limited storage to manage the variable runoff, mismatch between the seasonal trends in supply availability and community water demands, and compliance with the monthly minimum Mammoth Creek fishery bypass.~~



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4.0 Mitigation Monitoring and Reporting Program

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring program. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring program must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, Table 1, *Mitigation Monitoring and Reporting Checklist*, has been prepared for the Inn at the Village (the proposed project). This Mitigation Monitoring and Reporting Checklist is intended to provide verification that all applicable mitigation measures relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the Town of Mammoth Lakes Inn at the Village Project file.

This Mitigation Monitoring and Reporting Program (MMRP) delineates responsibilities for monitoring the project, but also allows the Town flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the Mitigation Monitoring and Reporting Checklist (Table 1). If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The Town distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Modified Initial Study, Draft SEIR, and Final SEIR, which provide general background information on the reasons for including specified mitigation measures.
- Problems or exceptions to compliance will be addressed to the Town as appropriate.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.
- Responsible parties provide the Town with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.

- The Town prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.
- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals.

Minor changes to the MMRP, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the Town. No change will be permitted unless the MMRP continues to satisfy the requirements of Public Resources Code Section 21081.6.

The following subsections of the Draft SEIR contain a detailed environmental analysis of the existing conditions, project impacts (including direct and indirect, short-term, long-term, and cumulative impacts), recommended mitigation measures, and unavoidable significant impacts, if any. Based on the Modified Initial Study, as stated in Appendix 11.1, *Modified Initial Study and Notice of Preparation*, no significant impacts or no new significant impacts beyond those identified in the *Subsequent Program Environmental Impact Report for the North Village 1999 Specific Plan Amendment (1999 SPEIR)* would occur in regard to the following environmental issue areas:

- Agricultural Resources;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Mineral Resources;
- Population and Housing;
- Public Services; and
- Recreation.

As a result, these issues are addressed in Section 8.0, *Effects Found Not To Be Significant*. In accordance with Appendix G of the *CEQA Guidelines*, the following environmental issue areas were determined to have a potentially significant impact, as identified in Appendix 11.1, and have been included within this SEIR for further analysis:

- Aesthetics/Light and Glare;
- Air Quality;
- Greenhouse Gas Emissions;
- Land Use and Planning;
- Noise;
- Traffic, Circulation, and Parking; and
- Utilities and Service Systems.

For the purposes of the environmental analysis in the Draft SEIR, impacts were analyzed in each environmental issue area for the proposed project. If necessary, mitigation measures were recommended in order to reduce any significant impacts. As the SEIR was prepared for the Inn at the Village, the 1999 SPEIR Mitigation Measures were applied as appropriate. The “Mitigation Measures” are project-specific measures that would be required of the project to avoid a significant adverse impact; to minimize a significant adverse impact; to rectify a significant adverse impact by



restoration; to reduce or eliminate a significant adverse impact over time by preservation and maintenance operations; or to compensate for the impact by replacing or providing substitute resources or environment. Modifications to the 1999 SPEIR mitigation measures are made in ~~strike through~~ and double underline text. The changes to the 1999 SEIR 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). Where further Mitigation Measures were required beyond what was recommended in the 1999 SPEIR, Additional Mitigation Measures were prescribed.



**Table 1
MITIGATION MONITORING AND REPORTING CHECKLIST**

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
AESTHETICS/LIGHT AND GLARE								
Applicable 1999 SPEIR Mitigation Measures								
5.3-1j	<u>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.</u> Staging locations shall be indicated on <u>the project Building Permit and Grading Plans</u> and shall be subject to review by the Town of Mammoth Lakes Community <u>and Economic Development Department Planning Manager Director</u> in accordance with <u>the Municipal Code requirements.</u>	Applicant/ Construction Contractor	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit/ Review of Grading Plans			
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. <u>Landscaping shall be tolerant of shaded areas, where applicable.</u> Landscape plans for the site shall be completed by a certified landscape architect.	Applicant/ Certified Landscape Architect	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit/ Review of Landscape Plans			
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.	Applicant	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit/ Review of Project Plans			
5.3-3c	The project shall use minimally reflective glass and all other materials used on <u>the exterior of the proposed buildings and structures (including the gondola cabins and towers)</u> shall be selected with attention to minimizing reflective glare.	Applicant	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit/ Review of Project Plans			



Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
5.3-3d	Vegetative buffers shall be used to reduce light intrusion on residential development <u>to the south of the project site and on forested areas</u> located adjacent to the project site.	Applicant	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit/ Review of Landscape Plans			
Additional Mitigation Measures								
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.	Applicant/ Construction Contractor	Prior to Issuance of a Grading Permit or any Construction Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Grading Permit/ Review of Hauling Plan			
AES-2	The Applicant shall prepare and submit an outdoor lighting plan pursuant to the Town's Lighting Regulations (Section 17.36.030, <i>Outdoor Lighting Plans</i> , 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.	Applicant	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit/ Review of Outdoor Lighting Plan			
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.	Applicant	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit/ Review of Outdoor Lighting Plan			
AGRICULTURE AND FOREST RESOURCES								
	No mitigation measures are required.							



Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
AIR QUALITY								
Applicable 1999 SPEIR Mitigation Measures								
5.5-1a	<p><u>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.</u></p> <p>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.</p> <p>b. Adequate watering techniques shall be employed on a daily basis to partially mitigate the impact of construction-generated dust particulates.</p> <p>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.</p>	Applicant/ Construction Contractor	Prior to Issuance of Grading or Building Permit /During Construction	Public Works Director/ Designee	Prior to Issuance of Grading or Building Permit/ Review of Project Plans/ During Construction			



Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	<p>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).</p> <p>d. Any vegetative ground cover to be utilized on the individual development <u>the project sites/improvements</u> 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.</p> <p>e. All trucks hauling dirt, soil or other loose dirt material shall be covered.</p>							
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 <u>CARB anti-idling regulations for in-use Off Road Diesel Vehicles, paragraph (d)(3) (Idling)</u> .	Applicant/ Construction Contractor	Prior to Issuance of a Grading or Building Permit /During Construction	Public Works Director/ Community and Economic Development Department Planning Manager	Prior to Issuance of a Grading or Building Permit/ During Construction			
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 <u>the proposed project</u> shall adhere to the regulations contained in the <u>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</u> . The commercial use tenants throughout the Specific Plan area shall, at a minimum, include the following, as appropriate:	Applicant/ Construction Contractor	Prior to Issuance of a Building Permit	Public Works Director/ Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit			



Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	<ul style="list-style-type: none"> 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. 							
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 <u>maintain</u> the required Federal standard.	Applicant/ Construction Contractor	Prior to Issuance of a Building Permit	Public Works Director	Prior to Issuance of a Building Permit			
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.	Applicant	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit			
Additional Mitigation Measures								
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.	Applicant/ Construction Contractor	Prior to Issuance of a Grading Permit or any Construction Permit	Public Works Director/ Community and Economic Development Department Planning Manager/ GBUAPCD	Prior to Issuance of a Grading Permit			
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.	Applicant/ Construction Contractor	Prior to Issuance of a Grading Permit or any Construction Permit	Public Works Director/ Community and Economic Development Department Planning Manager/ GBUAPCD	Prior to Issuance of a Grading Permit			



Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
BIOLOGICAL RESOURCES								
Applicable 1999 SPEIR Mitigation Measures								
5.9-2a	The project shall preserve existing native vegetation to the maximum extent feasible. Landscaping shall emphasize the use of native plants indigenous to the Jeffrey Pine-Fir Forest plant community. Whenever possible, native plants used on-site shall be subject to the Design Review procedure of the Town.	Applicant/ Certified Landscape Architect	Prior to Issuance of a Grading Permit or any Construction Permit that would impact existing vegetation	Community and Economic Development Department Planning Manager	Prior to Issuance of a Grading Permit/ Review of Landscape Plans			
5.9-2b	Landscape materials shall be used that allow for the protection and preservation of existing trees. Native plant species, preferably from seed or cuttings from local plants, shall be used where possible. The Landscape Plan shall be approved by the Town Planning Director <u>Manager</u> prior to issuance of any construction permits.	Applicant/ Certified Landscape Architect	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit/ Review of Landscape Plans			
5.9-2c	Irrigation, fertilization, and other landscape management practices shall be designed to minimize effects on existing trees and other vegetation.	Applicant/ Certified Landscape Architect	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit/ Review of Landscape Plans			
5.9-2d	To the extent possible, native vegetation shall be retained and protected during construction. A Revegetation Plan, prepared by a qualified Landscape Architect and approved by the Town of Mammoth Lakes, shall be completed prior to the commencement of the project, which will describe in detail the species of trees and shrubs which will be used, where they will be planted, and in what numbers, and the methods of planting and maintenance which will ensure successful growth. It shall include a monitoring program to follow the progress of new plantings and ensure replacement of unsuccessful plants. Landscaping with native species of trees and shrubs shall be undertaken to enhance wildlife use of cleared areas.	Applicant/ Certified Landscape Architect	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit/ Review of Landscape Plans			



Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
5.9-2f	All construction activities, including movement and storage of vehicles and the storage of building and other materials, shall be confined to areas slated for development. Care shall be taken during construction to avoid damage to vegetation and habitats not directly involved in project construction. Any vegetation inadvertently damaged outside of the area slated for development shall be replaced on a one-to-one basis on- or off-site. Off-site replacement shall require the approval of the Town Planning Director <u>Manager</u> .	Applicant/ Construction Contractor	Prior to Issuance of a Building or Grading Permit /During Construction	Public Works Director/ Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit/ Review of Grading Plans/ During Construction			
5.9-2j	Construction and site development, such as grading and trenching, shall be prohibited within the dripline of retained trees. Equipment shall <u>not</u> be stored or driven under trees. Grading shall not cover the ground surface within the dripline of existing trees. Grading limits shall be clearly defined and protected.	Applicant/ Construction Contractor	Prior to Issuance of a Building Permit /During Construction	Public Works Director/ Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit/ Review of Grading Plans/ During Construction			
Additional Mitigation Measures								
	No additional mitigation measures are required.							
CULTURAL RESOURCES								
Applicable 1999 SPEIR Mitigation Measures								
5.11-1e	In the event that a material of potential cultural significance is uncovered during grading activities on the project site, all grading in the area of the uncovered material shall cease and the project applicant shall retain a professional archaeologist to evaluate the quality and significance of the material. Grading shall not continue in the area where a material of potential cultural significance is uncovered until resources have been completely removed by the archaeologist and recorded as appropriate.	Applicant/ Construction Contractor/ Professional Archaeologist	During Construction	Community and Economic Development Department Planning Manager	During Construction			



Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
5.11-2	See Mitigation Measure 5.11; in addition, if human remains are discovered, work shall cease and an appropriate representative of Native American Indian groups and the County Coroner shall both be informed and consulted, as required by State law.	Applicant/ Construction Contractor/ Professional Archaeologist	During Construction	Community and Economic Development Department Planning Manager	During Construction			
Additional Mitigation Measures								
	No additional mitigation measures are required.							
GEOLOGY								
Applicable 1999 SPEIR Mitigation Measures								
	No 1999 SPEIR mitigation measures are applicable or required.							
Additional Mitigation Measures								
	No additional mitigation measures are required.							
GREENHOUSE GAS EMISSIONS								
Applicable 1999 SPEIR Mitigation Measures								
	At the time of the 1999 SPEIR document preparation, the CEQA Guidelines did not expressly address global climate change, and GHG analyses were not required under CEQA.							
Additional Mitigation Measures								
	No additional mitigation measures are required.							
HAZARDS AND HAZARDOUS MATERIALS								
Applicable 1999 SPEIR Mitigation Measures								
	No 1999 SPEIR mitigation measures are applicable or required.							
Additional Mitigation Measures								
	No additional mitigation measures are required.							



Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
HYDROLOGY								
Applicable 1999 SPEIR Mitigation Measures								
5.8-1c	<p>The following water conservation procedures shall be incorporated in the project elements where feasible:</p> <ul style="list-style-type: none"> Landscape with low water-using plants; Install efficient irrigation systems that minimize runoff and evaporation and maximize the water that will reach the plant roots, such as drip irrigation, soil moisture sensors, and automatic irrigation systems; and Use pervious paving materials whenever feasible. 	Applicant/ Certified Landscape Architect	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit/ Review of Landscape Plans			
Additional Mitigation Measures								
	No additional mitigation measures are required.							
LAND USE AND PLANNING								
Applicable 1999 SPEIR Mitigation Measures								
	No additional 1999 SPEIR mitigation measures are applicable to this topical area; refer to <u>Section 5.2, Aesthetics/Light and Glare</u> .							
Additional Mitigation Measures								
	No additional mitigation measures are required.							
MINERAL RESOURCES								
Applicable 1999 SPEIR Mitigation Measures								
	No 1999 SPEIR mitigation measures are applicable or required.							
Additional Mitigation Measures								
	No additional mitigation measures are required.							



Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
NOISE								
Applicable 1999 SPEIR Mitigation Measures								
5.6-1a	<u>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 Chapter Section 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 Chapter Section 8.16.090.</u>	Applicant/ Construction Contractor	Prior to Issuance of a Grading Permit and Building Permit	Public Works Director/ Building Official	Prior to Issuance of a Grading Permit and Building Permit/ During Construction			
5.6-1b	<u>Prior to Grading Permit issuance, all 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.</u>	Applicant/ Construction Contractor	Prior to Issuance of a Grading Permit or any Construction Permit	Public Works Director	Prior to Issuance of a Grading Permit/ During Construction			
Additional Mitigation Measures								
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.	Applicant/ Construction Contractor/ Noise Disturbance Coordinator	Prior to Issuance of a Grading Permit or any Construction Permit/ During Construction	Community and Economic Development Department Planning Manager	Prior to Issuance of a Grading Permit/ During Construction			



Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
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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).	Applicant/ Construction Contractor	Prior to Issuance of a Grading Permit or any Construction Permit/ During Construction	Community and Economic Development Department Planning Manager	Prior to Issuance of a Grading Permit/ During Construction			
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.	Applicant/ Construction Contractor	Prior to Issuance of a Grading or Building Permit/ During Construction	Community and Economic Development Department Planning Manager	Prior to Issuance of a Grading or Building Permit/ During Construction			
POPULATION AND HOUSING								
Applicable 1999 SPEIR Mitigation Measures								
	No 1999 SPEIR mitigation measures are applicable or required.							
Additional Mitigation Measures								
	No additional mitigation measures are required.							
PUBLIC SERVICES								
Applicable 1999 SPEIR Mitigation Measures								
5.10-1a	Each project <u>The Applicant</u> shall contribute a fair share financial contribution for an emergency services facility (fire and police) to be located on the site of Fire Station No. 1 on Main Street.	Applicant	Prior to Issuance of a Building Permit	Fire Chief	Prior to Issuance of a Building Permit			
5.10-1b	Access roads to all structures, and areas of use, shall comply with Mammoth Lakes Fire Protection District requirements <u>Ordinance 98-04</u> .	Applicant	Prior to Issuance of a Building Permit	Fire Chief	Prior to Issuance of a Building Permit			
5.10-1c	An approved water supply system capable of supplying required fire flow for fire protection purposes, as determined by the Fire District, shall be provided.	Applicant	Prior to Issuance of a Building Permit	Fire Chief	Prior to Issuance of a Building Permit			



Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
5.10-3	In accordance with A.B. 2926, the developer shall pay Developer Fees for commercial uses and foot for residential uses (condominiums).	Applicant	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit			
5.10-4a	The Applicant project proponent shall contribute a fair share financial contribution in accordance with the Town's DIF Mitigation Program established Resolution 98-06.	Applicant	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit			
Additional Mitigation Measures								
	No additional mitigation measures are required.							
RECREATION								
Applicable 1999 SPEIR Mitigation Measures								
5.10-4a	Refer to Mitigation Measure 5.10-4a.							
Additional Mitigation Measures								
	No additional mitigation measures are required.							
TRANSPORTATION/TRAFFIC								
Applicable 1999 SPEIR Mitigation Measures								
	No 1999 SPEIR mitigation measures are applicable to this topical area.							
Additional Mitigation Measures								
TRA-1	<p>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:</p> <ul style="list-style-type: none"> 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 	Applicant/ Construction Contractor	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager/ Public Works Director/ California Department of Transportation	Prior to Issuance of a Building Permit			



Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
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	<p>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.</p> <ul style="list-style-type: none"> • 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, <i>Noise Regulation</i>. • 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. 							



Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
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	<ul style="list-style-type: none"> 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 and California Department of Transportation (as applicable) requirements. 							
UTILITIES AND SERVICE SYSTEMS								
Applicable 1999 SPEIR Mitigation Measures								
5.10-9	Prior to issuance of a building permit, the applicant shall provide an Integrated Solid Waste Management Plan (ISWMP) consistent with the Town's SRRE. The plan shall address, at a minimum, the following measures: construction demolition ; recycling; composting ; source reduction programs; storage areas for collected recyclable materials, and disposal of hazardous waste materials used on-site.	Applicant	Prior to Issuance of a Building Permit	Public Works Director	Prior to Issuance of a Building Permit			
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 MLEPD. All new water conveyance facilities shall be installed within public rights of way or utility easements.	Applicant	Prior to Issuance of a Building Permit	Fire Chief/ Mammoth Community Water District	Prior to Issuance of a Building Permit			
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.	Applicant	Prior to Issuance of a Building Permit	Mammoth Community Water District	Prior to Issuance of a Building Permit			



Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
Additional Mitigation Measures								
	No additional mitigation measures are required.							