

VOLUME 3

FINAL ENVIRONMENTAL IMPACT REPORT

LAND USE ELEMENT/ZONING CODE  
AMENDMENTS AND MOBILITY ELEMENT UPDATE

TOWN OF MAMMOTH LAKES, CALIFORNIA

OCTOBER 2016



VOLUME 3

FINAL ENVIRONMENTAL IMPACT REPORT

**LAND USE ELEMENT/ZONING CODE  
AMENDMENTS AND MOBILITY ELEMENT UPDATE**

TOWN OF MAMMOTH LAKES, CALIFORNIA

Prepared For:

Town of Mammoth Lakes  
Community and Economic Development Department  
437 Old Mammoth Road, Suite R  
Mammoth Lakes, California 93546

Prepared By:

ESA PCR  
201 Santa Monica Boulevard, Suite 500  
Santa Monica, California 90401

OCTOBER 2016



# Table of Contents

---

	<b>Page</b>
<b>Volume 3</b>	
<b>1.0 INTRODUCTION .....</b>	<b>1-1</b>
<b>2.0 COMMENTS AND RESPONSES.....</b>	<b>2-1</b>
2.A Responses to Individual Comments.....	2-5
<b>3.0 CORRECTIONS AND ADDITIONS.....</b>	<b>3-1</b>
<b>4.0 MITIGATION MONITORING AND REPORTING PROGRAM .....</b>	<b>4-1</b>

## List of Figures

---

	<b>Page</b>
2-5 Complete Streets.....	3-3
4.4-1 Vegetation Map.....	3-5

## List of Tables

---

	<b>Page</b>
4.11-6 Summary of New Mitigation Measures .....	3-7
4-1 Mitigation Monitoring and Reporting Program.....	4-2

# Table of Contents (Continued)

---

Page

This page intentionally blank.

## **1.0 INTRODUCTION**



# 1.0 INTRODUCTION

---

## A. PURPOSE OF THE FINAL EIR

The Town of Mammoth Lakes (Town), as the Lead Agency under the California Environmental Quality Act (“CEQA”), has prepared this Final Environmental Impact Report (Final EIR) for the Land Use Element/Zoning Code Amendments and Mobility Element Update (the “Project”). This document, in conjunction with the Draft EIR, comprises the Final EIR.

As described in Sections 15088, 15089, 15090 and 15132 of the State *CEQA Guidelines*, the Lead Agency must evaluate comments received on the Draft EIR and prepare written responses and consider the information contained in a Final EIR before approving a project. Pursuant to State *CEQA Guidelines* Section 15132, a Final EIR consists of: a) the Draft EIR; b) comments and recommendations received on the Draft EIR either verbatim or in summary; c) a list of persons, organizations, and public agencies commenting on the Draft EIR; d) responses of the Lead Agency to significant environmental points raised in the review and consultation process; and e) any other information added by the Lead Agency.

Accordingly, the Final EIR for the Project is comprised of two parts as follows:

### Part 1: Draft EIR and Technical Appendices

Volume 1: Draft Environmental Impact Report (Chapters 1 to 8) - Appendix A

Volume 2: Draft Environmental Impact Report – Appendices B through F

### Part 2: Final EIR

Volume 3: Final Environmental Impact Report

## B. PROJECT SUMMARY

The Project includes the following General Plan Land Use Element Amendments focused on revisions to the development standards for the commercial areas:

1. Changing the allowable intensity of development within commercially designated and zoned areas to require a minimum of 0.75 FAR and allow up to 2.0 FAR and removal of units and rooms per acre;
2. Revisions to the boundaries of commercially designated land in the Land Use Element to match current commercial zoning;
3. Changing Land Use Element policy and text associated with regulating population growth from a People At One Time (PAOT) approach to an impact assessment based approach as well as a change in the buildout methodology; and,
4. Deleting Land Use Element Community Benefits Incentive Zoning (CBIZ) and modifying Transfer of Development Rights (TDR) policies.

The Town is also proposing Zoning Code Amendments associated with Item 1, above, regarding commercial development standards so that the Zoning Code is consistent with the General Plan. In addition, consistent with assumptions in the buildout projections, the Town proposes a Zoning Code Amendment to allow 75% of the ground floor to be used for units or rooms (and other non-active uses) retaining the commercial uses along Primary and Secondary Active Frontages.

The Town also is proposing to adopt and implement a Mobility Element Update. The Mobility Element Update addresses the two key concepts that are a focus of the 2007 General Plan: the triple-bottom line, which is the community's social, economic, and natural capital, and "feet-first" transportation, which emphasizes and prioritizes non-motorized travel first, public transportation second, and vehicle last. The Mobility Element Update identifies a Complete Streets network, which includes physical improvements to the local and regional transportation systems. For example, proposed changes along Main Street (i.e., vacation of the frontage road), extensions of roadways (i.e., Tavern Road, Sierra Nevada Road, Callahan Way) and connections of streets (i.e., Thompsons Way, Shady Rest site, 7B Road, and USFS property). In addition, the Mobility Element Update identifies opportunities for new signals and roundabouts throughout Town.

The Project Area for the General Plan Land Use Element/Zoning Code Amendments relative to the FAR includes approximately 122 acres of commercially designated lands within the Town. Other components of the Project, the shift from a People At One Time (PAOT) to an Impacts Assessment approach, CBIZ and TDR, have Townwide implications and the Project Area is the land within the Urban Growth Boundary (UGB). The Planning Area for the Mobility Element Update is the Town's Municipal Boundary.

### **C. OVERVIEW OF THE PUBLIC REVIEW PROCESS FOR THE EIR**

As described in the Draft EIR, a Notice of Preparation (NOP) was circulated to State, regional, and local agencies, and members of the public for a 30-day review period, from May 29, 2015 to June 29, 2015. As part of the NOP, the Town advertised a notice of public scoping meeting for the Project. The meeting was held during the regularly scheduled Planning and Economic Development Commission Meeting on Wednesday, June 10, 2015, in the Town's Council Chambers located within the Minaret Village Shopping Center at 437 Old Mammoth Road, Suite Z, Mammoth Lakes, California 93546.

The NOP formally informed the public that the Town was preparing a Draft EIR for the Project, and solicited input regarding the scope and content of the environmental information to be included in the Draft EIR. Written comment letters responding to the NOP were submitted to the Town by public agencies and interested organizations; and are included in Appendix A of the Draft EIR and summarized in the Executive Summary, Section 2, Issues Raised During Notice of Preparation Process of the Draft EIR.

In accordance with State *CEQA Guidelines* Section 15085, upon completion of the Draft EIR, a Notice of Completion and Availability as well as CD copies of the Draft EIR were submitted to the State Clearinghouse, Governor's Office of Planning and Research for distribution to State Agencies. The Draft EIR was circulated for a 45-day public review period that ran from June 24, 2016 through August 8, 2016 in compliance with Section 15105(a) of the State *CEQA Guidelines*. As required under Section 15086 of the State *CEQA Guidelines*, a Notice of Availability (NOA) requesting comments on the Draft EIR, and in some instances a hard copy or CD of the Draft EIR, were distributed to approximately 40 public agencies and other interested parties. In compliance with State *CEQA Guidelines*, Section 15087, the NOA was posted in the office of the Mono County Clerk on June 24, 2016 and published in The Sheet on June 25, 2016. Copies of the Draft EIR

were placed at the Town of Mammoth Lakes Community and Economic Development Department and Mono County Library. The Draft EIR was also available for review on the Town's website. In addition to the opportunity to provide written comments, the Town conducted a public meeting during the regularly scheduled Planning & Economic Development Commission Meeting on July 13, 2016 to receive oral and written comments from agencies, organizations and interested parties regarding the Draft EIR. The meeting was held at the Town Council Chambers at Minaret Village Shopping Center, 437 Old Mammoth Road, Suite Z, Mammoth Lakes, CA 93546.

During the public review period, the Town Community Development and Economic Development Department received five comment letters on the Draft EIR from agencies through written correspondence and emails. Comments received during the public review period are presented and responded to in Chapter 3, Comments and Responses.

#### **D. ORGANIZATION OF FINAL EIR**

The Final EIR (Volume 3 of the EIR) consists of the following four chapters and two appendices:

**Chapter 1.0, Introduction.** This chapter describes the purpose of the Final EIR, provides a summary of the proposed Project, summarizes the Final EIR public review process, and presents the contents of this Final EIR.

**Chapter 2.0, Comments and Responses.** This chapter presents all of the comments received by the Town during the 45-day public review period of the Draft EIR (June 24, 2016 through August 8, 2016) as well as the responses to those comments. The responses are addressed to specific sub-topics within each individual comment letter.

**Chapter 3.0, Corrections and Additions.** This chapter includes revisions to the Draft EIR that represent minor changes or additions in response to some of the comments received on the Draft EIR and additional edits to provide clarification. Changes to the Draft EIR are shown with ~~striketrough~~ text for deletions and underline text for additions. These changes are minor and do not add significant new information that would affect the analysis or conclusions presented in the Draft EIR. More specifically, CEQA requires recirculation of a Draft EIR only when "significant new information" is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred (refer to California Public Resources Code Section 21092.1 and CEQA Guidelines Section 15088.5), but before the EIR is certified. Section 15088.5 of the CEQA Guidelines specifically states: "New information added to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. 'Significant new information' requiring recirculation includes, for example, a disclosure showing that:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance.

- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
- The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.”

CEQA Guidelines Section 15088.5 also provides that “[r]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR... A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.”

As demonstrated in this Final EIR, the comments submitted on the Draft EIR, the responses to these comments, and/or the corrections and additions presented in Chapter 3 of this Final EIR, do not constitute new significant information warranting recirculation of the Draft EIR as set forth in CEQA Guidelines Section 15088.5. Rather, the Draft EIR is comprehensive and has been prepared in accordance with CEQA.

**Chapter 4.0. Mitigation Monitoring and Reporting Program.** The Mitigation Monitoring and Reporting Program (MMRP) is the document that will be used by the Town for the implementation of the Project's mitigation measures. Mitigation measures are listed by environmental topic.

## **2.0 COMMENTS AND RESPONSES**



## 2.0 COMMENTS AND RESPONSES

---

CEQA Guidelines Section 15088(a) states that “The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments that were received during the noticed comment period and any extensions . . .” In accordance with these requirements, this Chapter of this Final EIR provides responses to each of the written comments received on the Draft EIR during the public comment period, which began on

The following provides a list of written comments received on the Draft EIR during the public review period that commenced on Friday, June 24, 2016 and ended Monday, August 8, 2016. Each letter has been assigned a numeral-identifier. Individual comments within each letter have been numbered. In addition, the Town of Mammoth Lakes Planning and Economic Development Commission held a public meeting on July 13, 2016. Comments from the meeting are included and addressed in the Final EIR.

### Agencies

1. Governor’s Office of Planning and Research  
State Clearinghouse  
Scott Morgan, Director  
1400 Tenth Street  
Sacramento, CA 95812
2. California Department of Transportation  
Gayle Rosander, External Project Coordinator  
500 South Main Street  
Bishop, CA 93514
3. Lahontan Regional Water Quality Control Board  
Brianna St. Pierre, PG, Engineering Geologist  
2501 Lake Tahoe Boulevard  
South Lake Tahoe, CA 96150
4. Mammoth Community Water District  
Irene Yamashita, Environmental Specialist/Public Affairs  
Post Office Box 597\1315 Meridian Blvd.  
Mammoth Lakes, CA 93546
5. Mammoth Lakes Fire Protection District  
Thom Heller, Fire Marshal  
3150 Main Street  
Mammoth Lakes, CA 93546

### Public Meeting

Meeting Notes from July 13, 2016 Planning and Economic Development Commission.<sup>1</sup>

---

<sup>1</sup> *These are not the official minutes from the meeting but rather notes taken from the video of the public meeting as the official minutes do not contain the comments or the level of detail necessary for the Final EIR.*

This page intentionally blank.

## 2.A RESPONSES TO INDIVIDUAL COMMENTS

---

This page intentionally blank.



Edmund G. Brown Jr.  
Governor

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



Ken Alex  
Director

August 9, 2016

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

Subject: Land Use Element/Zoning Code Amendments and Mobility Element Update  
SCH#: 2015052072

Dear Sandra Moberly:

The State Clearinghouse submitted the above named Draft 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 8, 2016, 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

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2015052072  
**Project Title** Land Use Element/Zoning Code Amendments and Mobility Element Update  
**Lead Agency** Mammoth Lakes, City of

---

**Type** EIR Draft EIR

**Description** The project includes land use element amendments focused on revisions to development standards for commercial districts as well as amendments regarding transfer of development rights and community benefits incentive zoning and a change from people at one time to an impact based approach. Zoning code revisions regarding commercial development standards are also proposed. In addition, the Town is proposing to adopt and implement a mobility element update.

---

**Lead Agency Contact**

**Name** Sandra Moberly  
**Agency** City of Mammoth Lakes  
**Phone** 760-934-8989 x251 **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**  
**Cross Streets** Townwide

**Parcel No.**

**Township**

**Range**

**Section**

**Base**

---

**Proximity to:**

**Highways** 203  
**Airports**  
**Railways**  
**Waterways** Mammoth Yosemite Airport  
**Schools**  
**Land Use** All (Project includes components that are Townwide)

---

**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Forest Land/Fire Hazard; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Solid Waste; Traffic/Circulation; Water Supply; Growth Inducing; Landuse; Cumulative Effects

---

**Reviewing Agencies** Resources Agency; Department of Fish and Wildlife, Region 6; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 9; Air Resources Board; Regional Water Quality Control Bd., Region 6 (So Lake Tahoe); Department of Toxic Substances Control; Native American Heritage Commission

---

**Date Received** 06/24/2016 **Start of Review** 06/24/2016 **End of Review** 08/08/2016

8-8-16

E

**DEPARTMENT OF TRANSPORTATION****DISTRICT 9**

500 SOUTH MAIN STREET  
 BISHOP, CA 93514  
 PHONE (760) 872-0785  
 FAX (760) 872-0678  
 TTY 711  
 www.dot.ca.gov



*Serious drought.  
 Help save water!*

Governor's Office of Planning & Research

JUL 29 2016

STATE CLEARINGHOUSE

July 27, 2016

Ms. Sandra Moberly, Planning Manager  
 Town of Mammoth Lakes  
 P.O. Box 1609  
 Mammoth Lakes, CA 93546-1609

File: Mno-203  
 DEIR  
 SCH #: 2015052072

**General Plan Land Use Element/Zoning Code Amendment and Mobility Element Update -  
 Draft Environmental Impact Report (DEIR)**

Dear Ms. Moberly:

The California Department of Transportation (Caltrans) District 9 appreciates the opportunity to comment on the DEIR for the Town's General Plan and Mobility Element updates. We commend the Town for its efforts to create a multimodal transportation system. Clarifications provided during my June 27, 2016 telephone conversation with Town staff (resulting in the delivery of the Mobility Plan CD) were very helpful. As the Responsible Agency with jurisdiction over State Route 203 (Main Street/Minaret Boulevard), and of Local Assistance and Transit funding, we offer the following comments:

- **DEIR Table ES-1, MM AES-2** (page ES-6, elsewhere): For shading on Main Street or Old Mammoth Road, another option/measure could simply be restricting building height.
- **DEIR Table ES-1, Impact Statement TRAF-1** (page ES-27, elsewhere): Consider rewording "If signal warrants are not approved by Caltrans..." to "If traffic demands do not meet signal warrants...". Caltrans does not "approve" signal warrants. Warrants are either met or not met and must be performed in compliance with the methods in the California Manual of Uniform Traffic Control Devices.
- **DEIR Table ES-1, MM TRAF-1, 4, 5** (page ES-27, elsewhere): Perhaps reword "analysis ... is expected to be provided as part of project-specific specific analysis..." to "analysis would be provided as part of private project proposals...". This may clarify the responsibility of a private project – separate from an agency/public facility project.
- **Draft Mobility Element Update** (page 3-14, 15): Potential new street connections for **Main Street Reconfiguration** and **7B Road (Sierra Star Connector)**, will require collaboration between the Town and Caltrans. **United States Forest Service Property Connections** will require close collaboration amongst the Town, Forest Service, and Caltrans for any alterations of Main Street access.

Ms. Sandra Moberly  
July 27, 2016  
Page 2

- **Draft Mobility Element Update** (Figures 3-3a and 3-4a): A future multi-use path at the 7B Road (Sierra Star Connector), along and south of the proposed Mammoth Crossings project is shown. In the past the Town and Caltrans discussed a multi-use path north of the Mammoth Crossing project, along the south side of Main Street. The Town and Caltrans could revive this option to accommodate active transportation options.

We value our cooperative relationship with the Town regarding multimodal transportation facilities. Feel free to contact me at (760) 872-0785, with any questions.

Sincerely,



GAYLE J. ROSANDER  
External Project Liaison

c: State Clearinghouse  
Mark Reistetter, Caltrans D-9



WAT  
88-16  
8



**Lahontan Regional Water Quality Control Board**

August 5, 2016

File: Environmental Doc Review  
Mono County  
Governor's Office of Planning & Research

Sandra Moberly  
Town of Mammoth Lakes  
Community and Economic Development Department  
P.O. Box 1609  
437 Old Mammoth Road, Suite R  
Mammoth Lakes, CA 93546  
Email: [smoberly@townofmammothlakes.ca.gov](mailto:smoberly@townofmammothlakes.ca.gov)

AUG 05 2016

STATE CLEARINGHOUSE

**Comments on the Draft Environmental Impact Report for the Land Use Element, Zoning Code Amendments, and Mobility Element Update, Mono County, State Clearinghouse Number 2015052072**

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received the Draft Environmental Impact Report (DEIR) for the above-referenced project (Project) on June 24, 2016. The DEIR was prepared by the Town of Mammoth Lakes (Town) and circulated for public comment in compliance with provisions of the California Environmental Quality Act (CEQA). 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 information provided, we recommend the DEIR be revised to include a separate analysis of potential impacts to hydrology and water quality that may result from Project implementation. Further, we encourage the Town to integrate elements into the Plan that: 1) promote watershed management; 2) support low impact development (LID); 3) reduce the effects of hydromodification; and 4) provides incentive for projects that avoid or enhance/restore wetlands and other water resources. Our comments are outlined below.

**PROPOSED PROJECT**

Generally, the proposed Project includes: amending the General Plan Land Use Element (Plan) to change the allowable intensity of development within commercially designated and zoned areas; revising the boundaries of commercially designated land to match current zoning; changing policy and text associated with regulating population growth from a "People At One Time" approach to an impact assessment based approach; and deleting Community Benefits Incentive Zoning and modifying Transfer of Development Rights policies. The Project also includes adopting and implementing a Mobility Element Update to identify a Complete Streets Network, including: physical

AMY L. HORNE, Ph.D, CHAIR | PATTY Z. KOLYJUMDJIAN, EXECUTIVE OFFICER

2801 Lake Tahoe Blvd., So. Lake Tahoe, CA 96150 | 15095 Amerigo Rd #4, Bldg 2, Ste 210, Victorville CA 92304  
e-mail [Lahontan@waterboards.ca.gov](mailto:Lahontan@waterboards.ca.gov) | web at [www.waterboards.ca.gov/lahontan](http://www.waterboards.ca.gov/lahontan)

improvements to the local and regional transportation systems; proposed changes along Main Street; extensions of roadways and connections of streets; and identifies opportunities for new signals and roundabouts throughout the Town.

## **WATER BOARD'S 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](http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml)

## **SPECIFIC COMMENTS ON THE ENVIRONMENTAL REVIEW**

Our specific comments on the Project and DEIR are outlined below.

1. Impacts to hydrology and water quality were evaluated in the Initial Study, but were determined to be "not significant" and so were not carried forward for evaluation in the DEIR. We disagree with the finding that the Project will not have a significant impact on hydrology and water quality. In fact, the DEIR discusses potential watershed and storm water related impacts in section 4.12, Utilities and Service Systems, and potential impacts to wetland resources in section 4.4, Biological Resources. In addition, implementation of the Project will expand Main Street, which may encourage new development and redevelopment. Without adequate mitigation, new development and redevelopment may alter drainage patterns, which could lead to impacts to waters of the State that, ultimately, may require additional mitigation. Therefore, hydrology and water quality should be evaluated separately in the DEIR and mitigation measures identified that reduce potential hydrology and water quality impacts to a less than significant level.
2. Section 4.12, Utilities and Service Systems, subsection 3.c.i, page 4.12-31, states the Storm Drain Master Plan recommends the Town replace corrugated metal pipelines that fail to transmit 20-year flows with pipes of the same size made of concrete, polyvinyl chloride, high density polyethylene, or other materials that do not have a rough texture. Water Board staff do not recommend

replacing storm conveyance structures with smooth-sided structures, as smooth-sided structures tend to result in higher flow velocities compared to corrugated or rough-textured structures. Increases in flow velocities can lead to hydromodification, which typically results in stream channel instability, water quality degradation, changes in groundwater recharge processes, impacts to aquatic habitats, and disconnecting of a stream channel from its floodplain. Therefore, we request the Town establish guidelines and develop mitigation measures, such as maintaining rough-textured storm conveyance structures to reduce flow velocities, which will help to avoid hydromodification from future projects. The guidelines should include maintaining natural drainage paths of streams and creeks and establishing buffers and setback requirements to protect channels, wetlands, and floodplain areas from encroaching development.

3. There are many known wetland areas adjacent to and within the vicinity of the Project area, and development within the Town could pose potential impacts to wetland hydrology and water quality including: 1) direct impacts and loss of wetland area attributed to fill and excavation discharges; 2) indirect impacts to vegetation attributed to shading from overhead structures such as bridges; 3) indirect impacts to hydrology as a result of reduced spring/stream flows; and 4) direct and indirect water quality concerns associated with untreated storm water runoff. We request the Town incorporate provisions in the proposed Plan updates to preclude development within or adjacent to a wetland and/or provide incentive for projects that avoid or enhance/restore wetlands and other water resources.
4. Storm water management should be considered a significant component of the Plan, yet the DEIR does not specifically identify features to control storm water onsite or prevent pollutants from non-point sources from entering and degrading surface waters or groundwater. The DEIR should evaluate the capacity of the Murphy Gulch Detention Basin and include an analysis of the adequacy of the basin to perform as designed with Plan implementation. Additional storm water controls may be required and should be identified and evaluated in the environmental review.
5. We urge the Town to take a critical look at cumulative impacts on water quality and hydrology that may result over time from implementing the Plan. The cumulative analysis should consider the impacts of full implementation of the Plan and evaluate, at a minimum, the potential impacts to groundwater recharge due to increased impervious surface and/or compacted soils, and changes in hydrology of the watershed and potential flooding implications. The cumulative impacts analysis should identify regional, broad-scale mitigation measures that, when implemented, will reduce potential impacts to a less than significant level.

## **PERMITTING REQUIREMENTS**

A number of individual projects that may be implemented as part of the proposed Project 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 the following.

6. Streambed alteration and/or discharge of fill material to a surface water may require a CWA, section 401 water quality certification for impacts to federal waters (waters of the U.S.), or dredge and fill waste discharge requirements for impacts to non-federal waters, both issued by the Lahontan Water Board or State Water Board. Early consultation with Water Board staff regarding these types of permits is highly encouraged.
7. Land disturbance or more than 1 acre, including linear construction projects, may require a CWA, section 402(p) storm water permit, under 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 storm water permit obtained from the Lahontan Water Board.
8. Water diversion and/or dewatering activities may be subject to discharge and monitoring requirements under either NPDES General Permit, Limited Threat Discharges to Surface Waters, Board Order R6T-2014-0049, 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, as outlined above. The specific Project activities that may trigger these permitting actions should be identified in the appropriate sections of the DEIR. Should Project implementation result in activities that trigger these permitting actions, the Project proponent must consult with Water Board staff. Information regarding these permits, including application forms, can be downloaded from our web site at <http://www.waterboards.ca.gov/lahontan/>.

Thank you for the opportunity to comment on the DEIR. If you have any questions regarding this letter, please contact me at (760) 241-7305 ([Brianna.St.Pierre@waterboards.ca.gov](mailto:Brianna.St.Pierre@waterboards.ca.gov)) or Patrice Copeland, Senior Engineering Geologist, at (760) 241-7404 ([Patrice.Copeland@waterboards.ca.gov](mailto:Patrice.Copeland@waterboards.ca.gov)). Please send all future correspondence regarding this Project to the Water Board's email address at [Lahontan@waterboards.ca.gov](mailto:Lahontan@waterboards.ca.gov) and be sure to include the State Clearinghouse Number and Project name in the subject line.



Brianna St. Pierre, PG  
Engineering Geologist

cc: State Clearinghouse (SCH 2015052072) ([state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov))  
California Department of Fish and Wildlife, Region 6 ([AskRegion6@wildlife.ca.gov](mailto:AskRegion6@wildlife.ca.gov))

**LETTER NO. 1: STATE CLEARINGHOUSE**

Governor's Office of Planning and Research  
Scott Morgan, Director  
1400 Tenth Street  
Sacramento, CA 95812

**COMMENT NO. 1-1**

This comment acknowledges receipt of the Draft EIR by the State Clearinghouse and indicates that circulation of the Draft EIR to State Agencies has occurred through the State Clearinghouse. The comment documents that the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act, have been met. This comment does not include statements regarding the contents of the Draft EIR and therefore, requires no further response. The letter includes two attachments, a letter from the California Department of Transportation, Caltrans, and the Lahontan Regional Water Quality Control Board. These letters were also provided directly to the Town and are provided below as Comment Letters No. 2 and 3, respectively.

This page intentionally blank.

**DEPARTMENT OF TRANSPORTATION****DISTRICT 9**

500 SOUTH MAIN STREET

BISHOP, CA 93514

PHONE (760) 872-0785

FAX (760) 872-0678

TTY 711

www.dot.ca.gov



*Serious drought.  
Help save water!*

July 27, 2016

Ms. Sandra Moberly, Planning Manager  
Town of Mammoth Lakes  
P.O. Box 1609  
Mammoth Lakes, CA 93546-1609

File: Mno-203  
DEIR  
SCH #: 2015052072

**General Plan Land Use Element/Zoning Code Amendment and Mobility Element Update -  
Draft Environmental Impact Report (DEIR)**

Dear Ms. Moberly:

The California Department of Transportation (Caltrans) District 9 appreciates the opportunity to comment on the DEIR for the Town's General Plan and Mobility Element updates. We commend the Town for its efforts to create a multimodal transportation system. Clarifications provided during my June 27, 2016 telephone conversation with Town staff (resulting in the delivery of the Mobility Plan CD) were very helpful. As the Responsible Agency with jurisdiction over State Route 203 (Main Street/Minaret Boulevard), and of Local Assistance and Transit funding, we offer the following comments:

- **DEIR Table ES-1, MM AES-2** (page ES-6, elsewhere): For shading on Main Street or Old Mammoth Road, another option/measure could simply be restricting building height. 2-1
- **DEIR Table ES-1, Impact Statement TRAF-1** (page ES-27, elsewhere): Consider rewording "If signal warrants are not approved by Caltrans..." to "If traffic demands do not meet signal warrants...". Caltrans does not "approve" signal warrants. Warrants are either met or not met and must be performed in compliance with the methods in the California Manual of Uniform Traffic Control Devices. 2-2
- **DEIR Table ES-1, MM TRAF-1, 4, 5** (page ES-27, elsewhere): Perhaps reword "analysis ... is expected to be provided as part of project-specific specific analysis..." to "analysis would be provided as part of private project proposals...". This may clarify the responsibility of a private project – separate from an agency/public facility project. 2-3
- **Draft Mobility Element Update** (page 3-14, 15): Potential new street connections for **Main Street Reconfiguration** and **7B Road (Sierra Star Connector)**, will require collaboration between the Town and Caltrans. **United States Forest Service Property Connections** will require close collaboration amongst the Town, Forest Service, and Caltrans for any alterations of Main Street access. 2-4

Ms. Sandra Moberly  
July 27, 2016  
Page 2

- **Draft Mobility Element Update** (Figures 3-3a and 3-4a): A future multi-use path at the 7B Road (Sierra Star Connector), along and south of the proposed Mammoth Crossings project is shown. In the past the Town and Caltrans discussed a multi-use path north of the Mammoth Crossing project, along the south side of Main Street. The Town and Caltrans could revive this option to accommodate active transportation options. 2-6

We value our cooperative relationship with the Town regarding multimodal transportation facilities. Feel free to contact me at (760) 872-0785, with any questions. 2-7

Sincerely,



GAYLE J. ROSANDER  
External Project Liaison

c: State Clearinghouse  
Mark Reistetter, Caltrans D-9

**LETTER NO. 2: CALIFORNIA DEPARTMENT OF TRANSPORTATION**

California Department of Transportation  
District 9  
Gail Rosander, External Project Coordinator  
500 South Main Street  
Bishop, CA 93514

**RESPONSE NO. 2-1**

The comment is introductory in nature and does not provide a comment on the Draft EIR. As such, no further response is necessary. The comment refers to a conversation between the Town and CalTrans in which information regarding the Mobility Element Update was provided by the Town.

**RESPONSE NO. 2-2**

The Town acknowledges the comment that a requirement to reduce building height could address potential shade/shadow effects along Main Street. As indicated in Section 4.1, Aesthetics, of the Draft EIR several factors affect shadows, including topography, the height and bulk of a building's structural elements, sensitivity of surrounding uses, and time of year. Implementation of the Land Use Element/Zoning Code Amendments would not change the development standards that establish the parameters of development or the allowed uses within the commercial districts. More specifically the amendments would not change the maximum building heights (45 to 55 feet), setbacks, articulation, or parking requirements in the Town's adopted Municipal Code. These development standards were established to create a visual character consistent with the Downtown Concept for Main Street and the Main Street Plan that were accepted by Town Council in 2010 and 2014, respectively. The proposed change would affect the intensity of development by removing the cap for the number of units or rooms and development would be regulated through floor area ratio.

Since the EIR is a program-level document, the shade/shadow analysis on which the conclusions are based uses a generic building that was defined based on the development standards for height and setbacks in the D and MLR districts. While the analysis indicates that the implementation of the Main Street Plan could result in a significant shadow impact, MM AES-2 is provided which requires that a detailed shade/shadow analysis be conducted at the time of a development application for proposed buildings or substantial additions in the C-1 and C-2 designations. If a significant shading impact would result, MM AES-2 requires that a snowmelt system shall be installed if necessary in the pedestrian and bicycle areas and/or enhanced snow removal through a maintenance agreement or participation in an assessment district would be implemented to address potential significant impacts on vehicle travel lanes. In addition, since vehicles travelling at unsafe speeds in winter conditions can result in accidents resulting in additional emergency calls, the measure includes funding to reduce these potential impacts. The Town of Mammoth Lakes shall review the methods and effectiveness of these measures during its implementation to ensure that hazardous roadway conditions do not occur. With the implementation of MM AES-2, potentially significant hazardous roadway impacts identified at the program-level would be reduced to a less than significant level.

**RESPONSE NO. 2-3**

The Town acknowledges the comment to revise the language regarding signal warrants. The text for Impact Statement TRAF-1 has been revised to accurately reflect the process. In addition, revisions were made to the text in Section 4.11, Transportation and Traffic, in Impact Statement TRAF-1 and in the Cumulative Impacts and Level of Significance After Mitigation discussions. Please see Chapter 3, Corrections and Additions, for the revisions to the text. These changes do not alter the conclusions reached in the EIR with regard to the traffic analysis.

**RESPONSE NO. 2-4**

The Town acknowledges the comment to revise the language of MM TRAF-1, MM TRAF-4 and MM TRAF-5. These measures have been revised as suggested in the Executive Summary and in Section 4.11, Transportation and Traffic, of the EIR. These changes do not alter the conclusions reached in the EIR with regard to the traffic analysis.

**RESPONSE NO. 2-5**

The Town acknowledges the comment that the Main Street Reconfiguration and new street connector 7B (Sierra Star Connector) will require close collaboration with Caltrans and that the U.S. Forest Service Property Connectors will require close collaboration between Caltrans, Forest Service, and the Town. The Town will collaborate with the appropriate agencies as needed with regard to the implementation of the Mobility Element Update.

**RESPONSE NO. 2-6**

The Mobility Element Update shows a multi-use path at the 7B road (Sierra Star Connector), along and south of the Mammoth Crossings project. If and when the Town is ready to implement this component of the Mobility Element Update, Town staff will partner with Caltrans to determine the final location that will work best for the Town's multi-modal transportation system and for Caltrans operation.

**RESPONSE NO. 2-7**

The comment is conclusionary in nature and does not provide a comment on the Draft EIR. As such, no further response is necessary.

**Lahontan Regional Water Quality Control Board**

August 5, 2016

File: Environmental Doc Review  
Mono County

Sandra Moberly  
Town of Mammoth Lakes  
Community and Economic Development Department  
P.O. Box 1609  
437 Old Mammoth Road, Suite R  
Mammoth Lakes, CA 93546  
Email: [smoberly@townofmammothlakes.ca.gov](mailto:smoberly@townofmammothlakes.ca.gov)

**Comments on the Draft Environmental Impact Report for the Land Use Element, Zoning Code Amendments, and Mobility Element Update, Mono County, State Clearinghouse Number 2015052072**

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received the Draft Environmental Impact Report (DEIR) for the above-referenced project (Project) on June 24, 2016. The DEIR was prepared by the Town of Mammoth Lakes (Town) and circulated for public comment in compliance with provisions of the California Environmental Quality Act (CEQA). 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 information provided, we recommend the DEIR be revised to include a separate analysis of potential impacts to hydrology and water quality that may result from Project implementation. Further, we encourage the Town to integrate elements into the Plan that: 1) promote watershed management; 2) support low impact development (LID); 3) reduce the effects of hydromodification; and 4) provides incentive for projects that avoid or enhance/restore wetlands and other water resources. Our comments are outlined below.

3-1

**PROPOSED PROJECT**

Generally, the proposed Project includes: amending the General Plan Land Use Element (Plan) to change the allowable intensity of development within commercially designated and zoned areas; revising the boundaries of commercially designated land to match current zoning; changing policy and text associated with regulating population growth from a "People At One Time" approach to an impact assessment based approach; and deleting Community Benefits Incentive Zoning and modifying Transfer of Development Rights policies. The Project also includes adopting and implementing a Mobility Element Update to identify a Complete Streets Network, including: physical

3-2

improvements to the local and regional transportation systems; proposed changes along Main Street; extensions of roadways and connections of streets; and identifies opportunities for new signals and roundabouts throughout the Town.

3-2

**WATER BOARD'S 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.

3-3

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](http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml)

**SPECIFIC COMMENTS ON THE ENVIRONMENTAL REVIEW**

Our specific comments on the Project and DEIR are outlined below.

1. Impacts to hydrology and water quality were evaluated in the Initial Study, but were determined to be "not significant" and so were not carried forward for evaluation in the DEIR. We disagree with the finding that the Project will not have a significant impact on hydrology and water quality. In fact, the DEIR discusses potential watershed and storm water related impacts in section 4.12, Utilities and Service Systems, and potential impacts to wetland resources in section 4.4, Biological Resources. In addition, implementation of the Project will expand Main Street, which may encourage new development and redevelopment. Without adequate mitigation, new development and redevelopment may alter drainage patterns, which could lead to impacts to waters of the State that, ultimately, may require additional mitigation. Therefore, hydrology and water quality should be evaluated separately in the DEIR and mitigation measures identified that reduce potential hydrology and water quality impacts to a less than significant level.

3-4

2. Section 4.12, Utilities and Service Systems, subsection 3.c.i, page 4.12-31, states the Storm Drain Master Plan recommends the Town replace corrugated metal pipelines that fail to transmit 20-year flows with pipes of the same size made of concrete, polyvinyl chloride, high density polyethylene, or other materials that do not have a rough texture. Water Board staff do not recommend

3-5

replacing storm conveyance structures with smooth-sided structures, as smooth-sided structures tend to result in higher flow velocities compared to corrugated or rough-textured structures. Increases in flow velocities can lead to hydromodification, which typically results in stream channel instability, water quality degradation, changes in groundwater recharge processes, impacts to aquatic habitats, and disconnecting of a stream channel from its floodplain. Therefore, we request the Town establish guidelines and develop mitigation measures, such as maintaining rough-textured storm conveyance structures to reduce flow velocities, which will help to avoid hydromodification from future projects. The guidelines should include maintaining natural drainage paths of streams and creeks and establishing buffers and setback requirements to protect channels, wetlands, and floodplain areas from encroaching development.

3-5

3. There are many known wetland areas adjacent to and within the vicinity of the Project area, and development within the Town could pose potential impacts to wetland hydrology and water quality including: 1) direct impacts and loss of wetland area attributed to fill and excavation discharges; 2) indirect impacts to vegetation attributed to shading from overhead structures such as bridges; 3) indirect impacts to hydrology as a result of reduced spring/stream flows; and 4) direct and indirect water quality concerns associated with untreated storm water runoff. We request the Town incorporate provisions in the proposed Plan updates to preclude development within or adjacent to a wetland and/or provide incentive for projects that avoid or enhance/restore wetlands and other water resources.

3-6

4. Storm water management should be considered a significant component of the Plan, yet the DEIR does not specifically identify features to control storm water onsite or prevent pollutants from non-point sources from entering and degrading surface waters or groundwater. The DEIR should evaluate the capacity of the Murphy Gulch Detention Basin and include an analysis of the adequacy of the basin to perform as designed with Plan implementation. Additional storm water controls may be required and should be identified and evaluated in the environmental review.

3-7

5. We urge the Town to take a critical look at cumulative impacts on water quality and hydrology that may result over time from implementing the Plan. The cumulative analysis should consider the impacts of full implementation of the Plan and evaluate, at a minimum, the potential impacts to groundwater recharge due to increased impervious surface and/or compacted soils, and changes in hydrology of the watershed and potential flooding implications. The cumulative impacts analysis should identify regional, broad-scale mitigation measures that, when implemented, will reduce potential impacts to a less than significant level.

3-8

**PERMITTING REQUIREMENTS**

A number of individual projects that may be implemented as part of the proposed Project have the potential to impact waters of the State and, therefore, may require

3-9

permits issued by either the State Water Resources Control Board (State Water Board) or Lahontan Water Board. The required permits may include the following.

6. Streambed alteration and/or discharge of fill material to a surface water may require a CWA, section 401 water quality certification for impacts to federal waters (waters of the U.S.), or dredge and fill waste discharge requirements for impacts to non-federal waters, both issued by the Lahontan Water Board or State Water Board. Early consultation with Water Board staff regarding these types of permits is highly encouraged.
7. Land disturbance or more than 1 acre, including linear construction projects, may require a CWA, section 402(p) storm water permit, under 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 storm water permit obtained from the Lahontan Water Board.
8. Water diversion and/or dewatering activities may be subject to discharge and monitoring requirements under either NPDES General Permit, Limited Threat Discharges to Surface Waters, Board Order R6T-2014-0049, 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.

3-9

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

Thank you for the opportunity to comment on the DEIR. If you have any questions regarding this letter, please contact me at (760) 241-7305 ([Brianna.St.Pierre@waterboards.ca.gov](mailto:Brianna.St.Pierre@waterboards.ca.gov)) or Patrice Copeland, Senior Engineering Geologist, at (760) 241-7404 ([Patrice.Copeland@waterboards.ca.gov](mailto:Patrice.Copeland@waterboards.ca.gov)). Please send all future correspondence regarding this Project to the Water Board's email address at [Lahontan@waterboards.ca.gov](mailto:Lahontan@waterboards.ca.gov) and be sure to include the State Clearinghouse Number and Project name in the subject line.

3-10



Brianna St. Pierre, PG  
Engineering Geologist

cc: State Clearinghouse (SCH 2015052072) ([state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov))  
California Department of Fish and Wildlife, Region 6 ([AskRegion6@wildlife.ca.gov](mailto:AskRegion6@wildlife.ca.gov))

**LETTER NO. 3: LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD**

Lahontan Regional Water Quality Control Board  
Brianna St. Pierre, PG, Engineering Geologist  
2501 Lake Tahoe Boulevard  
South Lake Tahoe, Ca 96150

**RESPONSE NO. 3-1**

The comment introduces the role of the Lahontan Regional Water Quality Control Board and the statutory responsibilities of the Board in reviewing CEQA documents pertinent to hydrology and water quality. The Board's recommendation that the Draft EIR should be revised to incorporate the evaluation of hydrology and water quality is noted. However, hydrology and water quality issues have been adequately addressed in the Initial Study. As discussed in the Initial Study and shown in the figures provided in the Initial Study, the Project's Land Use Element/Zoning Code Amendment floor area ratio (FAR) component is limited to the Town's existing commercial districts. The proposal is to focus growth; encourage proximity of services and housing in a discrete, walkable neighborhood; and to limit the geographic extent of new growth. Most of this area is currently developed, with limited undeveloped properties. In addition, some of the projected new development would occur within the vacated Main Street frontage road, which is currently paved. The Mobility Element Update is a policy document that provides the framework for the Town's existing and future multimodal transportation system. While the Mobility Element Update identifies future roadway and trail extensions, the figures are conceptual and detailed plans would be prepared prior to implementation. Upon design of the infrastructure further evaluation would occur.

The Town's 2015 Stormwater Master Plan (SWP) and Municipal Code promote watershed management, the stated concern of the Water Board. In addition the Town Standards set forth specific stormwater control standards for local road construction and Caltrans' Highway Project Planning and Design Guide includes stormwater control BMPs for state highways, such as SR 203 (Main Street). Existing regulations and design guidelines would apply to private development that would occur under the Land Use Element/Zoning Code Amendment as well as public projects that would occur under the Mobility Element Update. Municipal Code policies, for example, include erosion control for both construction and occupied sites; stream protection and setbacks; at source retention; and LID methods such as required landscaped buffers (bioswales or rain gardens) to treat stormwater runoff, and preservation of watercourses, drainages, topography and natural features in planned developments. The scope of existing regulations applicable to the Project, including existing RWQCB regulations, is deemed adequate to reduce potential impacts from the Project's Land Use Element/Zoning Code Amendment and Mobility Element Update without additional mitigation not already addressed by existing regulations. As such, the evaluation of the Project's hydrological and water quality effects in an EIR is not deemed necessary by the Town.

**RESPONSE NO. 3-2**

The comment provides a general overview of the Project. The comment does not raise any issues with regard to the document and therefore, no further response is necessary.

**RESPONSE NO. 3-3**

The comment provides information regarding the agency's responsibility to provide protection of water quality in the Lahontan Region, in which the Town of Mammoth Lakes is located. The comment provides information regarding the Basin Plan. The comment does not raise any issues with regard to the document and therefore, no further response is necessary.

**RESPONSE NO. 3-4**

The comment asserts that the Initial Study improperly found the potential effects of the Project relative to hydrology and water quality to be less than significant. The Initial Study responds to questions contained in CEQA Guidelines Appendix G, Item, IX, Hydrology and Water Quality with regard to the proposed Land Use Element/Zoning Code Amendment and Mobility Element Update. As discussed therein, all new development occurring under the Land Use Element/Zoning Code Amendment would occur within the Town's existing commercial districts, as shown in Figure 2 in the Initial Study. New buildings that would be constructed under the Land Use Element/Zoning Code Amendment would consist of development or redevelopment of properties within a limited, primarily developed section of the Town. The Initial Study concluded that existing regulations set forth in the Municipal Code and guidelines and standards, such as those contained in the Town's Standards, Storm Water Management Plan, Erosion Control Manual, adequately address state and federal water quality regulations and, as such, further mitigation would not be required. The reconfiguration of Main Street narrows rather than expands the roadway. Main Street is being reconfigured to be more walkable and to serve the existing, developed commercial district along Main Street. New development would be allowed under the Land Use Element/Zoning Code Amendment within the vacated frontage road. The reconfiguration would be implemented so as to not alter drainage patterns but to better control surface water runoff. With the exception of the vacation of the frontage road along Main Street, the Project would not change the areas in which development could occur within the Town.

Proposed roadway extensions that would occur under the Mobility Element Update would be administered by the Town of Mammoth Lakes Department of Public Works and would comply with standards for surface water runoff and erosion control set forth in the Town of Mammoth Lakes Standards for roadway design and drainage facilities. Surface runoff during construction and operation is considered to be adequately addressed by existing regulations and design guidelines. No environmental impacts, not adequately addressed by existing regulations, are anticipated. As such, the Initial Study appropriately concluded that impacts would be adequately addressed by existing regulations and no additional evaluation in an EIR is warranted.

Regarding the evaluation of wetlands and storm drain facilities in the Draft EIR, the evaluation is included in the Draft EIR since it was determined in the Initial Study that the Project could result in potentially significant impacts relative to some of the questions. More specifically, the biological resources analysis is included in the Draft EIR in response to CEQA Guidelines Appendix G, Item IV, Biological Resources, sub-item c, pertinent to federally impacted wetlands. The evaluation of stormwater runoff and collection is included in the Draft EIR in order to evaluate CEQA Guidelines Appendix G, Item XVII, Utilities and Service Systems, sub-item c, pertinent to stormwater facilities. As described in the Draft EIR, impacts to wetlands would be reduced to less than significant levels with implementation of the Army Corps of Engineers (ACOE) and Water Board permitting requirements. As discussed in the Draft EIR Section 4.4, Biological Resources, a few parcels along Old Mammoth Road (which are part of the Town's existing commercial district) appear to

support a blue line stream. With implementation of Draft EIR Mitigation Measure (MM) BIO-6, impacts to this resource would be reduced to less than significant levels. The evaluation of storm drain systems in Section 4.12, Utilities and Service Systems, of the Draft EIR describes potential storm drain deficiencies identified in the Town's Stormwater Master Plan. As discussed therein, deficient drains are not located within the same system or downstream from the system serving the Town's commercial center. Neither of these analyses indicates deficiencies in the hydrological conclusions provided in the Initial Study. Therefore, there is no need to include a hydrology and water quality section in the Draft EIR.

### **RESPONSE NO. 3-5**

As indicated in Section 4.12, Utilities and Service Systems, in the Draft EIR, the Town's Storm Drain Master Plan (SDMP) recommends replacement of corrugated metal pipelines that fail to transmit the required 20-year flows with pipes of the same size made of concrete, PVC, HDPE, or other materials that do not have a rough texture. The comment raises concern with the performance of smooth-sided pipes during 20-year storms. However, based on the Town's Erosion, Drainage, and Flooding Project – Existing Conditions Report (2007), one of the issues that the Town needs to address is sedimentation that occurs in the pipes. The use of smooth-sided pipes would allow scouring of the pipes, which is important to ensure that the water can continuously flow through the pipes thereby not resulting in a backup of the pipes and subsequent flooding.

In addition, Section 4.12 of the Draft EIR provides an analysis regarding the effects of the Project on the storm drain system. As indicated in the Draft EIR, the Town has policies that regulate runoff during a 20-year storm, including for instance, Municipal Code Section 12.09.0783D3, which requires 4,000-square-foot impervious areas to install drywells sized to infiltrate to the 20-year, one-hour storm. The latter would apply to the Project and would serve to mitigate stormwater effects.

Please note that the Town of Mammoth Lakes Stormwater Master Plan (2015) outlines the Town's existing regulations (pages 4 through 7) pertinent to the protection of natural drainage paths (Municipal Code Section 17.32.050) and stream/wetlands setbacks (Section 17.36.100.C). The types of suitable replacement materials for new storm drain systems, as cited in the Town's policies documents, are not pertinent to the Project, which would not adversely affect these systems during 20-year or greater events. Therefore, no further analysis of this issue in the EIR is warranted.

### **RESPONSE NO. 3-6**

The Project's Land Use Element/Zoning Code Amendments component would encourage development within the Town's existing, developed commercial districts along Main Street and Old Mammoth Road. Undeveloped parcels within the commercial district are mostly characterized by disturbed areas; however, a few parcels along Old Mammoth Road appear to support a blue line stream. Under existing conditions, surface water runoff in this district of the Town is adequately controlled and any increase in impermeable areas would be addressed through existing municipal regulations, as outlined in the Town's Stormwater Management Plan. In addition, Draft EIR Mitigation Measure (MM) BIO-6 requires that, prior to approval of construction, repair, maintenance, and/or improvements within any waters of the U.S. or federally protected wetlands, the Town shall notify and consult with the ACOE and RWQCB. Please refer to MM BIO-6 for the full text of the measure. With implementation of MM BIO-6, direct and indirect impacts to wetlands are not anticipated from the Land Use Element/Zoning Code Amendments.

With regard to infrastructure improvements associated with the Mobility Element Update, potential impacts to wetlands described in the EIR and the Trails System Master Plan (TSMP) EIR (which was incorporated by reference) are associated with MUPs and future roadway extensions. The Mitigation Monitoring and Reporting Program (MMRP) for the TSMP, which is a component of the Mobility Plan Update, is applicable and enforceable for any future trail development. In addition to the adopted TSMP MMRP, the recommended MM BIO-6 in the Draft EIR requires that prior to any project approval for construction, repair, maintenance and/or improvements within waters of the U.S. and federally protected wetlands, the Town shall notify and consult with the ACOE regarding the need for a Section 404 Permit and the RWQCB regarding the need for its 401 certification. Under MM BIO-6, all work shall be performed in compliance with the conditions set forth in the Permit, as determined by the ACOE. As indicated in the Section 2 of the Introduction, the Draft EIR is a Program-level EIR since proposed actions that can be characterized as one large project that are part of the Town's General Plan. Project-level environmental review would occur as necessary as individual projects move forward. Future roadway projects under the Mobility Element Update would be required to comply with existing ACOE, RWQCB, and Town regulations, and further mitigation imposed by those agencies when future development sites and scale of construction are known.

### **RESPONSE NO. 3-7**

Stormwater management, including point source containment, is a major component of Town policies as discussed in the 2015 Stormwater Master Plan. Stormwater management is also addressed in General Plan Water Resources Goal R.4 and Erosion and Sedimentation Goal R.5. The Municipal Plan specifically sets forth hydrology and water quality regulations related to construction in streets and public places, drainage facilities, and floodplain management (Title 12); storm drain facilities (Title 13); building regulations and codes and design requirements (Title 15); water efficiency and landscaping (including on-site infiltration) and design review (Title 17). Municipal Code Section 12.08 requires protection of drainage paths and installation of devices capturing runoff; Section 12.08 establishes requirements for floor hazard areas in the Town and construction methods and practices within the floodplain specific to minimize erosion and flood damage, Section 14.04 regulations reduce runoff velocities by preventing erosion and sedimentation; Section 17.36.100.C requires permanent lake or stream setbacks; Section 17.36.020 requires the Town to consider drainage and erosion control as a factor in use and density as a mechanism to identify where a project would cause or contribute to erosion, drainage, or flooding, etc. As concluded in the Initial Study, existing regulations would address the hydrological and water quality effects of the Project and no further need for analysis in the Program-level EIR is required. Because a hydrology and water quality analysis was not required in the EIR, the EIR does not provide a comprehensive list of the Town's stormwater management policies. With enforcement of the Town's existing stormwater control regulations, the Town does not anticipate uncontrolled runoff from new development, and the Project would not adversely affect Murphy Gulch or other detention areas in the Basin.

### **RESPONSE NO. 3-8**

The Town has a number of policies and regulations to address stormwater and water quality management, as well as long-range enforcement of hydrological and water quality regulations. The Town's regulatory framework is based on the future buildout of the Town under the 2007 General Plan, which provided an evaluation of hydrological and stormwater impacts. As determined in that analysis, existing regulations and standards are adequate to reduce potential cumulative impacts to less than significant levels.

As described in the Project's Initial Study, the Project would not result in hydrological or water quality effects that would not be addressed by the Town's existing stormwater management policies and regulations. The Land Use Element/Zoning Code Amendments would remove the density/intensity cap within the commercial districts but would not modify other development standards, such as allowable lot coverage. Thus, this component of the Project would not change the overall buildout that would affect runoff and water quality. New roads and trails under the Mobility Element Update would increase impervious surfaces, and individual projects may be required to incorporate SUSMP's or meet other RWQCB regulations, including detention and other stormwater attenuation.

The Project comprises a small component of the Town's General Plan buildout and roadway system and the Land Use Element/Zoning Code Amendment component consists of development or redevelopment only within in the Town's existing commercial district along Main Street and Old Mammoth Road. Although some lots are still permeable, much of the new development would occur in Main Street's vacated frontage road, which is currently paved. Redevelopment under the Land Use Element/Zoning Code Amendment would occur on properties that are already developed. New construction under the Land Use Element/Zoning Code Amendment would be subject to the Town's water management regulations and controls. With implementation of current regulations, such as point source stormwater controls and landscaping requirements that improve infiltration, the Project would not result in cumulative hydrological or water quality impacts.

Future roadway extensions that would occur during implementation of the Mobility Element Update would be subject to RWQCB regulations applicable to construction and operation, as well as roadway design standards for water management set forth in the Town Standards. As indicated in Response to Comment No. 3-2, the Mobility Element Update is a policy document that provides the framework for the Town's existing and future multimodal transportation system. While the Mobility Element Update identifies future roadway and trail extensions, the figures are conceptual and detailed plans would be prepared prior to implementation. Upon design of the infrastructure, further evaluation of stormwater and water quality would be required under existing regulations.

### **RESPONSE NO. 3-9**

The Town acknowledges that permits for individual projects may be required as outlined in the comment. As indicated in the Section 2 of the Introduction, the Draft EIR is a Program-level EIR since the Project constitutes a series of actions that can be characterized as one large project since they are part of the Town's General Plan. Project-level environmental review would occur as necessary as individual projects move forward. The Town and applicants will comply with requirements of the Lahontan Regional Water Quality Control Board.

### **RESPONSE NO. 3-10**

The comment is conclusionary in nature and does not provide a comment on the Draft EIR. As requested the Town will send any future correspondence to the email provided and will include the Project's State Clearinghouse number.

This page intentionally blank.



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

August 8, 2016

Ms. Sandra Moberly, Manager  
Town of Mammoth Lakes  
Community and Economic Development Dept.  
P.O. Box 1609  
Mammoth Lakes, CA 93546

Dear Ms. Moberly,

Subject: MCWD comments on the DEIR Land Use Element/Zoning Code Amendments and Mobility Element Update

The Mammoth Community Water District (MCWD) appreciates the opportunity to provide comments on the Draft DIR for the Land Use Element/Zoning Code Amendments and Mobility Element Update. As a programmatic DEIR, the report covers potential impacts with a large degree of uncertainty on how development will proceed under the proposed project. To ensure reliable water and sewer service to the Town as it reaches buildout, MCWD believes stronger mitigation measure and policy language is necessary for evaluating impacts to water and sewer service as specific development project details become available for review.

4-1

MCWD's comments are provided as recommended clarifications to the DEIR descriptions of water and sewer service and suggestions for strengthening the mitigation measure GPMM 4.1-1 and policy regarding regular review of buildout status described for this proposed project. Both of these items are critical elements of the cumulative impact evaluation as the Town reaches buildout.

**GPMM 4.1-1, New Policy for Regular Buildout Review, and Cumulative Impacts**

The DEIR includes a new policy requiring the Town to "review and adjust, as needed, the General Plan's buildout calculations every five years" claiming "This will further facilitate coordination between the Town and the MCWD to achieve a balance between population growth and supplies." However, the focus of the policy appears to be whether development is proceeding as expected. The policy reads:

4-2

The Town shall review and adjust, as needed, the General Plan's buildout calculations every five years. If construction of significant commercial/lodging/residential products has not occurred within the five year period, a summary of construction shall be prepared and included in the General Plan files but a detailed buildout analysis shall not be required.

MCWD appreciates the Town’s recognition of the importance of reviewing buildout projections on a regular schedule. However, to continue providing the Town with reliable water and sewer service, the project policy and the Project Impact Evaluation Criteria should require the inclusion of information regarding a review of *future* water supply estimates and water and sewer service infrastructure. The Town should determine whether water and sewer service limitations are being allocated to existing projects at a faster rate than anticipated. Quality utility service will be affected by the trends of future development; the proportion of resident to transient population, total population; and the seasonal distribution and annual occupancy rates of transient accommodations. For example, in summer when average occupancy rates are low, average water demand is the highest and surface water supplies may be restricted or unavailable. This high demand is driven by irrigation but is partially offset by a reduction of the transient population and the ability to replace potable water with recycled water. If summer occupancy rates or the permanent population increases significantly, estimates of future water demand will increase.

4-2

The DEIR references a mitigation measure, GPMM 4.1-1, as an applicable Mitigation Monitoring and Reporting Program relevant to potential impacts from the proposed project and General Plan Policy R.4.A. to address cumulative impacts from the Town’s adopted General Plan Update.

GPMM 4.1-1: The Town shall not approve new development applications that would result in a water demand in excess of available supplies as determined by the MCWD. The Town shall work with MCWD to ensure that land use approvals are phased so that the development of necessary water supply sources is established prior to development approvals.

4-3

R.4.A GP Policy: The Town shall work with MCWD to ensure that land use approvals are phased so that the development of necessary water supply sources is established prior to development approvals.

MCWD’s involvement has only been to assess whether water is available for a project when the applicant requests a “will-serve” letter or a water service permit. MCWD does not limit service based on broad projections on how buildout will occur and it is not within MCWD’s jurisdiction to enact zoning code changes to ensure buildout water demands can be met.

General Comments on the water supply and demand information contained in the DEIR

The MCWD cautions that the DEIR’s presentation that substituting increased density for decreased landscaped area results in lower water demand is speculative. New State required landscape restrictions are reducing landscape water demand; therefore, increased densities will not necessarily decrease demand through reduced landscaped area.

4-4

Because the purpose of applying a FAR approach to development is to allow greater flexibility in development, estimates of buildout under FAR are difficult to determine. However, a projection of increased water demand is presented in Table 4.12-7 Projected Water Demand at 2030 Buildout Land

4-5

Use Element/Zoning Code Amendments. The 4,318 acre-feet of demand did not include any increase in the “Additional Water Uses and Losses” although increased water production and delivery will result in additional losses. MCWD estimates that approximately 10 percent of produced water is lost to treatment processes, pipeline leaks, operational uses, and meter inaccuracies. As described in the DEIR, MCWD is currently reassessing water supply reliability using data from the recent four-year drought.

4-5

To ensure a reliable water supply for the community, MCWD is currently developing a test well to evaluate its potential as a new well to increase production reliability. In addition, MCWD will continue to implement infrastructure improvements to reduce losses and work with customers to reduce demand. The location of the Mammoth Lakes community reduces potential replacement sources from outside the watershed boundary.

#### Clarifications

*The section describing the CA Water Conservation Act and MCWD’s compliance should be clarified as follows:*

MCWD is meeting the requirements to reduce average daily per capita water use by 20 percent as required in SBx 7-7. However, the statement “The MCWD achieves an approximately 30 percent reduction rate, meeting the requirements of SBx7-7” does not clearly describe the measured water consumption reductions. MCWD’s average water use between 2011 and 2015 is 25 percent less than the baseline average between 2001 and 2010. The 10-year baseline average is used to determine compliance with SBx7-7. Because population increases in the service area over time, this water savings translates to a significant average daily per capita reduction. It should also be noted MCWD customers have been under water shortage restrictions since 2012.

4-6

*The reason MCWD did not prepare a Water Supply Assessment (WSA) for the project should be more clearly presented.*

MCWD did not prepare a WSA because the “Project” is presented in a program DEIR used to review environmental impacts of a broad policy, in this case, a zoning change that will specify guidelines for future development projects. The project description emphasizes the proposed project “Create[s] flexibility in the development standards.” WSAs are tailored for specific projects that contain detailed information about a specific development project to be constructed, e.g. room counts, square footage of commercial space, etc., not programmatic EIRs.

4-7

*The description of the Settlement Agreement between LADWP and MCWD should include additional summary information as follows:*

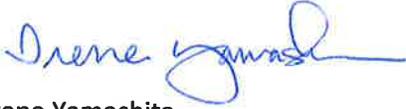
LADWP will not challenge future proposed changes to MCWD’s water right permit and licenses provided the change “would not cause a substantial increase in the overall percentage of water consumptively used by MCWD and resulting from MCWD’s Diversions, Extractions and Deliveries.” MCWD will not challenge “LADWP’s existing surface water and groundwater rights, or LADWP’s existing or future diversions, extractions and use of water under those rights; provided that LADWP’s diversions,

4-8

extractions and use of water will not have an adverse effect on MCWD's ability to exercise its total Diversions, Extractions and Deliveries" as described in the Agreement.

4-8

Sincerely,



Irene Yamashita  
Environmental Specialist/Public Affairs

**LETTER NO. 4: MAMMOTH COMMUNITY WATER DISTRICT**

Mammoth Community Water District  
Irene Yamashita, Environmental Specialist/Public Affairs  
Post Office Box 597  
1315 Meridian Blvd.  
Mammoth Lakes, CA 93546

**RESPONSE NO. 4-1**

As indicated in Chapter 1, Introduction, of the Draft EIR and acknowledged in the comment, the Project is subject to a Program EIR because it constitutes a series of actions that can be characterized as one large project that is related: "...a) geographically; b) as logical parts in a chain of contemplated actions; and c) in connection with the issuance of...plans...to govern the conduct of a continuing program..." (CEQA Guidelines Section 15168[a]). As indicated in the EIR, program-level analysis differs from project-level analysis. A program-level analysis is at a general level while a project-specific analysis benefits from detailed, specific plans of a project (i.e., grading, footprint) and usually applies more directly to actual construction. The Program EIR serves as a foundation for subsequent environmental documentation and/or clearance. CEQA Guidelines Section 15146 indicates that "the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR...." As such the Draft EIR does not provide specific information regarding individual development projects; however, information regarding the incremental increases in residential units, commercial floor area, and potential population under the Land Use Element/Zoning Code Amendments is provided throughout the EIR.

The comment suggests that a change in the language of Mitigation Measure GPMM 4.1-1 and the Town's General Plan policy is necessary for the MCWD to evaluate water and sewer impacts when future specific projects are available for review. The comment introduces the MCWD's further comments on the Draft EIR and Town policy, as discussed below. Note that the comments do not show deficiencies in the Draft EIR regarding cumulative growth (which is the 2007 General Plan Buildout with the addition of the incremental growth that could occur under the proposed Land Use/Zoning Code Amendments) or other analysis components.

**RESPONSE NO. 4-2**

The Draft EIR evaluates the incremental growth anticipated under the Land Use Element/Zoning Code Amendments, in addition to the 2030 Buildout described in MCWD's 2010 Urban Water Management Plan (UWMP). The Draft EIR further indicates that the MCWD is experiencing uncertainty about the amount and timing of future aquifer recharge and that the incremental increase in population under the Land Use Element/Zoning Code Amendments, in addition to the 2007 General Plan Buildout, has the potential to exceed available water supplies. This was similar to the conclusion of the 2007 General Plan EIR, which required Mitigation Measure GPMM 4.11-1. GPMM 4.11-1 requires that the Town not approve new development applications that would result in a water demand in excess of available supplies as determined by the MCWD. GPMM 4.11-1 also provides that the Town would work with the MCWD to ensure that land use approvals are phased so that the development of water sources is established prior to approvals. This

means that the Town would not approve new development if the MCWD determines that water supplies are not adequate to serve the proposed development.

As discussed in Chapter 2, Project Description, of the Draft EIR, the Town shall review and adjust, as needed, the General Plan's buildout calculations every five years. Trends of future development in the Town, including rates at which development could occur, are not known until a developer approaches the Town with an application showing intent to build or other indicator. Communication between the Town and the MCWD regarding observed growth trends would facilitate coordination between population growth and water supplies. Under GPMM 4.11-1, one manner of working with the MCWD could be providing information to the MCWD regarding the Town's understanding of growth trends. However, the assessment of the availability of future water and wastewater services, such as those based on growth trends communicated to the MCWD by the Town and other factors such as seasonal demand patterns, per capita rates, climate effects, and any new storage technology or supply sources, are better understood by the service provider. Although the Town is the agency that grants approval or denial of a project, limitations on growth are also based on the MCWD's determination of available water supply. The Town is only able to review future water supply estimates and water and sewer infrastructure through a review of the UWMP. Water and sewer service limitations are assessed by the MCWD and implemented through the administration and enforcement of the Water and Sanitary Sewer Codes. No revisions to the Draft EIR were made on the basis of the explanation provided in the comment.

#### **RESPONSE NO. 4-3**

The Mitigation Monitoring and Reporting Program (MMRP) for the 2007 General Plan, which contains MM 4.11-1, is an enforceable CEQA document and, as explained in the Draft EIR, mitigation measures from the adopted MMRP are applicable to the Project. Under MM 4.11-1, the Town shall not approve development if MCWD were to determine that the demand from the proposed development would exceed the available water supply. Implementation of MM 4.11-1 is an ongoing, long-range process occurring throughout the course of buildout, and becoming increasingly important as demand nears the supply limit. However, it is the purpose of the UWMP, with its required update every five years, to project the available water supply in light of projected growth, seasonal demand patterns, per capita rates, and climate effects. The MCWD's UWMP is a long term planning document with the purpose of identifying the provision of water to the Town and several out-of-service area locations and the Town relies on the UWMP to assess existing and future water demand. As with population growth rates, ultimate water supplies are projections; depending, for instance, on the success of a new well, weather trends, or still unknown water storage technology. The discussion between the Town and the MCWD is to apprise the MCWD of growth to allow the MCWD to gauge demand based on population and other factors implemented by the MCWD. The Town is not suggesting that the MCWD make land use decisions. The MCWD's approval role is to approve or deny a water or wastewater service permit. If a development project does not obtain a "will serve" letter or water service permit from the MCWD, the development application would be denied by the Town, and thus, development would not proceed.

#### **RESPONSE NO. 4-4**

The MCWD asserts that the EIR relies on a decrease in landscaped area to offset the increase in water demand that would occur as a result of the proposed Land Use Element/Zoning Code Amendments. However, the Town's assessment of the Project's water demand is based on usage factors contained in the

2010 UWMP's 2030 water demand projections and does not rely primarily on the discussion of reduced landscaping. Although Section 4.12, Utilities and Services, of the Draft EIR notes that water demand associated with landscaping is a focus of state legislation, the EIR's discussion of demand describes several factors that can promote water conservation. As discussed in the Draft EIR, "state-mandated and MCWD Water Code-required conservation regulations currently in effect have resulted in a declining average per capita water demand. In addition, landscaping is discussed in State legislation, such as the California Water Efficiency in Landscaping Act, as a high-water demand land use. Land uses that result in over-all reduction in landscaping are considered more water efficient" (Draft EIR, page 4.12-18).

In the discussion under Impact Statement WATER-1, the Draft EIR concludes that continued incorporation of rigorous conservation measures required under the Water Code, reduced landscaping, and incorporation of GPM 4.11-1, which provides that new development applications may not be approved unless available supplies exist as determined by the MCWD, would reduce requirements for any currently unplanned water treatment systems. In the Discussion under Impact Statement WATER-2, the Draft EIR concludes that the implementation of conservation measures currently in effect in the Town of Mammoth Lakes could result in an even lower annual per capita water use and reduce future per capita demand. The Draft EIR also states that, with potential drought conditions and other unknown events that could affect water supply, the incremental increase in population under the Land Use Element/Zoning Code Amendments has the potential to exceed available water supplies. Higher density development, which reduces land area available for landscaping reduces per capita water demand, and is one component of the Draft EIR discussion of water demand. The discussion is also based on rigorous water conservation measures required by the Water Code and the fact that new development would not go forward without a determination of water availability by the MCWD under MM 4.11-1.

#### **RESPONSE NO. 4-5**

The Draft EIR provides a specific estimate of incremental growth over the 2007 General Plan Buildout. Section 4.9, Population and Housing, of the Draft EIR estimates incremental population, housing, and commercial floor area increases that could occur as a result of the proposed Land Use Element/Zoning Code Amendments. Projected incremental increases in housing and commercial floor area, which are the basis for the MCWD's 2010 Urban Water Management Plan (UWMP)'s water demand projections, are also shown in Table 4.12-6, *Projected Water Demand at 2030 Buildout*. The evaluation of the Project's incremental increase in water demand in the Draft EIR is based on the 2030 projections in the 2010 UWMP.

The additional water use and losses presented in the Draft EIR Table 4.14-7 is derived as a result of consultation with the MCWD. As shown in Draft EIR Table 4.12-7, *Projected Water Demand at 2030 Buildout - Land Use Element/Zoning Code Amendments*, the line item of Additional Uses and Losses would be approximately 445 AFY. This is an increase in forecasted 2030 "additional water use and losses" of 429 AFY provided in Table ES-5 of the 2010 UWMP. The MCWD further indicated that future demand at buildout may be less than estimated in the 2010 UWMP because of significant demand reductions realized in 2015 under Level 3 restrictions.

The comment provides additional information regarding MCWD's current efforts to increase water supply, including actions in developing a test well to evaluate its potential to increase production reliability. This

information does not change the conclusions of the Draft EIR regarding estimated water demand, but is provided in this response as inclusion in the Final EIR.

#### **RESPONSE NO. 4-6**

The Draft EIR discussion of the California Water Conservation Act states: “SBx7-7 requires each urban retail water supplier to develop urban water use targets to help meet the 20 percent goal by 2020 and an interim 10 percent goal by 2015. The MCWD achieves an approximately 30 percent reduction rate, meeting the requirements of SBx7-7.” The underlined text was added by MCWD during the agency’s review of the administrative draft section. The text in the EIR has been revised to clarify that the 10-year baseline average is used to determine compliance with SBx7-7 and that MCWD’s average water use between 2011 and 2015 is 25 percent less than the baseline average. Please see Chapter 3, Corrections and Additions, for the revisions to the text.

The Draft EIR describes that the MCWD’s average per capita water demand between 2001 and 2010 was 176 gpd, with mandated per capita reduction by 2020 of 141 gpd. As discussed in the EIR, permanent water conservation efforts in the Town of Mammoth Lakes reduced actual per capita gpd, which are shown as less than 119 gpd in 2010 (Draft EIR, page 4.12-13). It is noted that the MCWD’s average water use between 2011 and 2015 is 25 percent less than the baseline average between 2001 and 2010 and that, with incremental increases in population, this translates to a substantial reduction in per capita demand. The Draft EIR also states the MCWD has met and is expected to meet both the interim and compliance daily per capita water use targets required under the Water Conservation Act.

#### **RESPONSE NO. 4-7**

The methodology discussion for the preparation of the Water analysis (Draft EIR page 4.12-17) quotes the MCWD’s statement in a letter dated September 25, 2015 to the Town “...the District’s understanding of the requirements for a water supply assessment are not met unless something is proposed by a proponent that specifically meets the criteria.” The Draft EIR further states that “absent a WSA, the evaluation has been prepared based on available documents and information and input from the MCWD.” As discussed in Draft EIR Chapter 1, Executive Summary, the Draft EIR is a Program EIR because it provides an overview of future changes that could occur under the policy change, but does not have specific project proponents. As such, it is understood that the proposed Land Use/Zoning Code Amendments would not meet MCWD’s requirements for the preparation of a WSA. The Town does not concur that revisions to the Draft EIR are necessary to further present the reasons for which MCWD did not prepare a WSA.

#### **RESPONSE NO. 4-8**

The additional information provided by the MCWD regarding the LADWP and MCWD Settlement Agreement has been added to the Final EIR. Please see Chapter 3, Corrections and Addition. This revised text is for clarification and does not change the conclusions of the Draft EIR.



## Mammoth Lakes Fire Protection District

Post Office Box 5, 3150 Main Street  
Mammoth Lakes, CA 93546  
760-934-2300 Fax- 760-934-9210  
thom@mlfd.ca.gov

August 4, 2016

Town of Mammoth Lakes  
Ms. Sandra Moberly, Planning Manager  
PO Box 1609  
Mammoth Lakes, CA 93546

Re: Comments to the EIR for Land Use Element/Zoning Code Amendments and  
Mobility Element Changes

Thank you for the opportunity to comment on the document. The Fire District has  
the following comments:

### **Intensity of Development within the Commercially Designated and Zoned Areas:**

The Fire District is concerned about the shift in development intensity from the  
previous evaluated density to the 2.0 Floor Area Ratio. In particular, traffic  
volumes on both of these major streets seem taxed currently during most summer  
and winter weekends and holidays, left hand turns from side streets result in traffic  
backups, stop lights and pedestrian crossings result in traffic backups, and the  
general aggressiveness of drivers seems to have increased. More traffic  
(presumably locals) seem to be using residential streets to avoid the two main  
roads as they have become more congested.

The document does not address how the town plans to create a new road system in  
the process of removing the frontage roads. This is a significant issue and is not  
something that can be left to individual project environmental documents. A new  
road cannot be constructed one project at a time. The town needs to be the lead  
and this modification of the Mobility Plan seems to be the appropriate document  
and the appropriate time.

5-1

5-2

There is a significant infrastructure in the right-of-ways for both frontage roadways that will need to be addressed, relocated, and possible upgraded and there is very little mention as to how and when this will occur or the impacts of this work. Much of this work crosses numerous property lines.

5-2

The mention of nine intersection improvements takes care of some of the significant impacts that will occur, but the overall road network in town is well below the needs for a community of the projected buildout that is being proposed. There are several additional roadways/extensions/improved connectivity that will need to be included in any evaluations based upon the extent of increased development that are being proposed for Main Street and Old Mammoth Roads.

5-3

**Floor Area Ratio:**

“The purpose of using FAR is to allow greater flexibility within a development”. If the flexibility within a development was the only metric that was being considered, the issues would not be significant, but the increase in occupants (80 rooms per acre) in a relatively concentrated area, will stress the infrastructure, stress the services, and result in significant costs well beyond what is being evaluated.

5-4

**Public Services, Fire Protection:**

Since 2010, all single family residences and all building types that contain any type of sleeping area have been required to provide an automatic fire suppression system as part of its design regardless of size.

5-5

The document repeats numerous times that the thresholds for significance is whether the Fire Department will need new or physically altered fire protection facilities. While this may be one factor in determining significance, there are others that the evaluation does not take into consideration. As a department with 8 full-time members and 45 part-time members, travel time to the stations is a

Town of Mammoth Lakes  
Ms. Sandra Moberly, Planning Manager  
August 4, 2016  
Page 3

significant element as to how long it takes for the second out piece of equipment to leave a station. An initial engine can only deal with a limited number of tasks and as identified in the national standards of the National Fire Protection Association (NFPA) it takes 17 firefighters to safely and adequately deal with a 2,000 square foot residential single family structure fire. Maintaining a work force that can afford to live in town, the response time of driving to the station, the congestion of the roadways getting to the incident, along with other factors all need to play a role in the level of significance.

5-5

The development of the impacts-based evaluation approach needs to be better presented as it relates to emergency services. If there is only one fire engine, one ambulance, two police officers immediately available to respond to an incident, what happens when there are two incidents that occur simultaneously? The evaluation does not seem to adequately address this situation and multiple incidents will become more frequent with the increased development.

5-6

The Fire District realizes that the development of the community will occur. We are concerned that there needs to be a rightsizing of the infrastructure and that much of the construction and installation needs to occur prior to the residential and commercial development.

Thank you again for the opportunity to comment. If there are any questions, please feel free to contact us at your convenience.

Sincerely,



THOM HELLER  
Fire Marshal



**LETTER NO. 5: MAMMOTH LAKES FIRE PROTECTION DISTRICT**

Mammoth Lakes Fire Protection District  
Thom Heller, Fire Marshal  
3150 Main Street  
Mammoth Lakes, CA 93546

**RESPONSE NO. 5-1**

The Town acknowledges the comment. Section 4.11, Transportation and Traffic, of the Draft EIR contains an analysis of existing and projected traffic conditions. The Traffic Impact Analysis is provided in Appendix F of the EIR and summarized in Section 4.11 of the EIR. As discussed therein, the traffic analysis is based on the Town of Mammoth Lakes Travel Model (Traffic Model), dated February 15, 2011. As shown in Table 4.11-2 of the Draft EIR, the stop-controlled intersections of Minaret Road/Forest Trail and Main Street/Post Office currently operate as LOS F and the stop-controlled intersections of Mountain Boulevard/ Main Street, Forest Trail/Main Street, and Laurel Mountain Road/Main Street, and Old Mammoth Road/Sierra Nevada Road operate at LOS E. Stop-controlled roads are only considered to be failing when delay exceeds a certain period of time at LOS F. All other stop-controlled and signalized study intersections operate at acceptable levels of D and better.

In addition to an analysis of existing conditions the Traffic Impact Analysis evaluated five (5) other scenarios. Scenario 5 evaluates the Future Land Use Element/Zoning Code Amendments (FAR change) with Existing Roadway Network and Scenario 6 evaluates Future Land Use Element/Zoning Code Amendments (FAR change) with Mobility Element Update. Both Scenarios 5 and 6 would result in significant impacts at several intersections. However, because Scenario 5 does not incorporate improvements identified in the Mobility Element Update, Scenario 5 would result in a greater number of intersection impacts than under Scenario 6. Although the FAR change would contribute to an increase in vehicle and pedestrian travel, primarily in the commercial zones along Main Street and Old Mammoth Road, implementation of improvements identified in the Mobility Element Update would also improve transit services and conditions for pedestrians and bicyclists, resulting in less traffic than under Scenario 5. Mitigation measures are recommended to address the significant impacts identified in the Traffic Impact Analysis. With the incorporation of the mitigation measures, potentially significant intersection impacts would be reduced to a less than significant level. However, any improvements along Main Street, which is a state route, are under Caltrans' jurisdiction. The EIR thus concludes conservatively that if traffic demands do not meet signal warrants and other improvements on Main Street are not approved by Caltrans, then the significant impacts would be considered significant and unavoidable. However, all development projects are reviewed by the Mammoth Lakes Fire Protection District (MLFPD) during the application process and must comply with applicable requirements. Therefore, access and measures to address fire concerns would be implemented into a project prior to or as part of the future development.

**RESPONSE NO. 5-2**

The Town concurs that the Main Street Reconfiguration must be addressed comprehensively and that utilities would need to be relocated. As indicated in the Draft EIR, the Mobility Element Update is the policy document that would provide for the Main Street Reconfiguration, which is illustrated in the Main Street Plan that was accepted by Town Council on February 19, 2014. As indicated in the Mobility Element Update

the reconfiguration of Main Street would likely be phased and would occur with new development on Main Street.

The Town is aware of the need to ensure that access for emergency vehicles as well as for businesses is maintained during reconfiguration of Main Street. As indicated in Section 4.11, Transportation and Traffic, of the Draft EIR, General Plan Goal S.4 is to maintain adequate emergency response capabilities in the Town. Policy S.4.A is to aid emergency vehicle access, Mobility Element Update Policy M.1.4 emphasizes public safety in the planning and design of the transportation system, and Mobility Element Update Action M.1.4.1 is to encourage coordination with Mammoth Lakes FPD and Mammoth Lakes Police Department to plan for and ensure appropriate emergency access and response times. Under these policies, street and utilities construction projects, including those associated with the Main Street reconfiguration would be coordinated with the MLFPD and the Police Department to ensure adequate emergency access or alternative routing. In addition, the Town is beginning to evaluate policies to provide for and guide the implementation of the Main Street Plan. The Town would coordinate with the MLFPD and Mammoth Lakes Police Department as is common practice with other sizeable public works projects and development projects, to ensure that sufficient circulation and emergency access is provided and maintained throughout implementation of the Main Street Plan.

In terms of infrastructure, the Town is in the process of preparing maps showing the locations of infrastructure along Main Street. The Town is exploring options for the relocation of the utilities that would occur as part of the implementation of the Main Street Plan.

### **RESPONSE NO. 5-3**

The Mobility Element Update provides a comprehensive set of improvements aimed at accommodating buildout of the Town. The Mobility Element Update was the result of broad-based public outreach and community engagement, including coordination with public agencies. As indicated in Response to Comment No. 5-1, the Traffic Impact Analysis considered the potential impacts that could occur as a result of the adopted General Plan Buildout with the Mobility Element Update (Scenario 4) as well as the Land Use Element/Zoning Code Amendments (FAR change) with the Mobility Element Update (Scenario 6). As indicated in Section 4.11, Transportation and Traffic, of the Draft EIR in both scenarios with the incorporation of the mitigation measures, potentially significant intersection impacts would be reduced to a less than significant level. However, since improvements along Main Street are under Caltrans jurisdiction, the EIR concludes conservatively that significant impacts at intersections along Main Street would be considered significant and unavoidable. However, development projects are reviewed by the MLFPD during the application process and must comply with applicable requirements. Therefore, access and measures to address fire concerns would be implemented into a project prior to or as part of the future development.

### **RESPONSE NO. 5-4**

Table 2-3 in Chapter 2, Project Description, of the Draft EIR provides the comparison of buildout under the existing regulations and with the proposed project. Section 4.9, Population and Housing provides projections associated with the potential development that could occur with the proposed Land Use Element/Zoning Code Amendments. As shown in Table 4.9-6 of the Draft EIR, the potential population increase resulting from the 2.0 FAR using the proposed buildout methodology would be an increase of 1,978

people in the commercial districts. The analysis is conservative as the projections assume 100 percent occupancy and recorded vacancy rates in the Town are approximately 66 percent which is relatively high. However, the analyses contained in the Draft EIR relative to services and infrastructure are based on these conservative projections.

Section 4.10, Public Services of the Draft EIR evaluates potential impacts to service providers, including fire, police, recreation schools, and libraries. Section 4.11, Utilities and Service Systems provides an analysis with regard to water, wastewater, stormwater, and solid waste. With the incorporation of General Plan policies, in concert with development fees, and mitigation measures, the Project would not result in significant environmental impacts relative to public services or utilities and service systems.

As indicated in Section 4.10 of the Draft EIR, the Town adopted an updated Development Impact Fee (DIF) schedule in 2015 in compliance with Municipal Code Section 15.16, Article II and Resolution 15-32. The Town collects development fees on behalf of the MLFPD for fire facilities, vehicles and equipment. The Town also collects fees for other services and infrastructure including police services, transportation system, storm drain system, parks and recreation. Any new development that would occur would be required to pay fees as required through the DIF program.

Furthermore, while the Town is removing the density cap regulating overall development, an evaluation of proposed future development would still be conducted to identify any potential impacts of the new development. Such analysis would occur prior to approval of the proposed development using Project Impact Evaluation Criteria (PIEC) criteria. The criteria include issues that might affect the provision of fire protection and emergency services such as transportation, water supply and capacity impacts. An impacts-based approach is intended to help ensure that growth in the Town would not exceed the carrying capacity of infrastructure or public services and that the potential for significant environmental impacts would be less than significant.

Regarding roadways, as discussed above in Response No. 5-3, the Traffic Impact Analysis that is summarized in Section 4.11, Transportation and Traffic, of the Draft EIR concludes that with the incorporation of the mitigation measures, potentially significant intersection impacts would be reduced to a less than significant level. However, any improvements along Main Street, which is a state route, are under Caltrans' jurisdiction. The EIR thus concludes conservatively that if traffic demands do not meet signal warrants and other improvements on Main Street are not approved by Caltrans, then the significant impacts would be considered significant and unavoidable. All development projects are reviewed by the Mammoth Lakes Fire Protection District during the application process and must comply with applicable requirements to address fire concerns. Such measures would be implemented into future development in the Town.

#### **RESPONSE NO. 5-5**

The Town concurs that there are a number of factors that are considered in the evaluation of fire protection for a development project, such as uses proposed, size of the project, fire flow, distance from the station, and response times. However, as indicated in Section 4.10.1, Fire Protection, for purposes of the EIR, the Town appropriately utilized the CEQA Guidelines Appendix G checklist question as the threshold of significance to determine whether the Project would have a significant environmental impact regarding fire protection and

emergency services. Section 15382 of the CEQA guidelines defines “significant effect on the environment” as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.” Therefore, as reflected in CEQA Guidelines Appendix G, the focus of the analysis is whether the Project would result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection and emergency services.

The protection of public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services.<sup>2</sup> The analysis contained in the EIR indicates that the increase in population could result in increased demands for fire protection and emergency services including vehicles, personnel, and equipment. However, as indicated in the comment, all building types in the Town that contain any type of sleeping area are required to provide an automatic fire suppression system. In addition, development fees are collected for facilities, vehicles and equipment, as discussed in Section 4.10.1 of the Draft EIR, the proposed amendments would not alter adopted development standards and building code requirements, including requirements for automatic sprinkler systems, alarms, smoke and carbon monoxide detectors and other fire suppression requirements. Other development standards such as setbacks, egress and ingress requirements for emergency access would also be applicable. As indicated in Response No. 5-1, development projects are reviewed by the MLFPD during the application process and must comply with applicable requirements. In addition, goals and policies within the Public Health and Safety Element of the Town’s General Plan support the involvement of the fire department in the development review process. Therefore, access and measures to address fire concerns would be implemented into a project prior to or as part of the future development. The comment does not provide specific information regarding the need for a new fire station.

With regard to housing for firefighters, the provision of workforce and affordable housing, while indirectly related to the provision of fire services, is addressed in the Town’s General Plan Housing Element and State and local regulations. As discussed in Section 4.9, Population and Housing, of the Draft EIR, any new development that would occur within the Town would be subject to the Town’s adopted affordable housing regulations. These regulations encourage the provision of affordable and workforce housing and mitigation of the impacts of market rate residential and non-residential development on the need for workforce housing. The regulations require that developers support the provision of affordable housing by one or more of five means: payment of mitigation fees, on-site provision of affordable housing units, off-site provision of affordable housing units, conveyance of land and/or provision of an Alternate Housing Mitigation Plan.

As discussed in Section 4.10.1 of the Draft EIR, the MLFPD’s goal is to meet the national standard of a four minute response time for fire and emergency services. According to the MLFPD, this is typically achievable

<sup>2</sup> *Court of Appeal of the State of California, First Appellate District, Division Three, Filed 11/30/15; City of Hayward v. Board of Trustees (Alameda County Superior Court No. RG09480852); Hayward Planning Association et al., v. Board of Trustees of the California State University, <http://www.allcourtdata.com/law/case/city-of-hayward-v-board-etc-cal-state-univ/cx2w5tbC>*

within the Town under normal road conditions. However, calls during inclement weather and to outlying areas such as Mammoth Ski area, Red Meadow, and the Lakes Basin can extend the response time beyond four minutes. Implementation of Land Use Element/Zoning Code Amendments would occur in the downtown area of the Town, in a developed, urban area that is in close proximity to the main Mammoth Lakes Station #1 located at 3150 Main Street which was substantially expanded and improved in 2007. Therefore, the intensity that could result from the implementation of a Floor Area Ratio standard would be clustered in a geographical area that would be accessible from Station #1. In addition, as discussed above, the Town collects development fees on behalf of the MLFPD for fire facilities, vehicles and equipment. The Town also collects fees for other services and infrastructure including police services, transportation system, storm drain system, parks and recreation. Any new development that would occur as a result of the Project would be required to pay fees as required through the DIF program.

Section 4.11, Transportation and Traffic, of the Draft EIR provides an analysis of Project impacts on the transportation system and emergency access. With regard to emergency access, as indicated in the analysis provided in Impact Statement TRAF-3, the General Plan and Mobility Element Update include policies and actions to coordinate with emergency providers. In addition, site plans would be reviewed by the MLFPD to ensure the provision of adequate emergency access as well as compliance with other applicable requirements. The roadway extensions and connections proposed in the Mobility Element Update would increase connectivity throughout the Town's transportation grid and would potentially facilitate emergency access. The new roadways would not cause obstructions or increase trip length or cause other effects that would impede emergency access.

In addition, as discussed in Section 4.11 the Land Use Element/Zoning Code Amendments would contribute to an increase in vehicle and pedestrian travel primarily in the commercial zones along Main Street and Old Mammoth Road. Implementation of improvements identified in the Mobility Element Update would also improve transit services and conditions for pedestrians and bicyclists. With the recommended mitigation measures in the Draft EIR impacts to the circulation network would be reduced to a less than significant level. However, since approval of the mitigation measures for improvements along Main Street are under the jurisdiction of another agency, the approval of which are uncertain, the potentially significant impacts at Main Street intersections would be considered significant and unavoidable. However, as indicated previously, all development projects are reviewed by the MLFPD during the application process and must comply with applicable requirements. Therefore, access and measures to address fire concerns would be implemented into a project prior to or as part of the future development. As such, impacts to fire protection and emergency services resulting from the Project would be less than significant and were adequately evaluated in the Draft EIR.

#### **RESPONSE NO. 5-6**

Please see Response to Comment No. 5-5 above regarding the adequacy of the evaluation of impacts to fire and emergency response services provided in the Draft EIR. Regarding the concern about adequate infrastructure, while the Town is removing the unit and room-specific limitations on density and updating the approach to regulating overall development and intensity, analysis would still be conducted to evaluate the potential impacts of new development. Under the PIEC, the evaluation of project impacts would occur on a project-by-project basis through use of the PIEC criteria. The criteria would include evaluations of issues that might affect the provision of fire protection and emergency services such as minimized impacts to

Vehicle Miles Traveled (VMT) and Level of Service (LOS), increased mobility, water supply and capacity impacts. An impacts-based approach is intended to help ensure that growth in the Town would not exceed the carrying capacity of infrastructure or public services and that the potential for significant environmental impacts would be identified and mitigated, if necessary. In addition, as is currently the process any new development projects will be reviewed by the Fire Department during the application process. A proposed development would be required to comply with applicable fire requirements. Therefore, measures to address fire concerns would be implemented into a project prior to or as part of the future development.

**PEDC Meeting Notes 7-13-16 (revised 8-11-16)**

Meeting video: [http://mammothlakes.granicus.com/MediaPlayer.php?view\\_id=4&clip\\_id=566&meta\\_id=54724](http://mammothlakes.granicus.com/MediaPlayer.php?view_id=4&clip_id=566&meta_id=54724) (video time of comment or question indicated next to name of person).

Name	Comment / Question	Response
Michael Vanderhurst (1:00)	Where can the public find a copy of the DEIR?	Copies are available on the Town’s website, the Library, and at Town Hall.
Mickey Brown (1:07)	In regards to the significant impacts identified in the Air Quality section, are the impacts limited to the construction activities only for the part of the project associated with FAR?	The project complies with the AQMP and the allowed VMT is not exceeded. Significant impacts occur because of nonattainment with state PM 10 regulations (federal PM 10 is in attainment). The thresholds for federal and state PM 10 attainment are different, but the Town is required to comply with both. In regards to the FAR / Land Use component of the project, there are significant impacts under both construction and operation (vehicles on the road) activities.
Mickey Brown (1:08)	Are the mitigations for the construction activities already addressed through typical project conditions?	Yes, there are conditions addressing dust mitigation, etc. in standard project conditions. However, the analysis shows that there will be impacts from the project beyond those that can be mitigated (i.e. significant unavoidable impact). A statement of overriding consideration will be required to be adopted.
Mickey Brown (1:16)	Discuss existing service levels with regards to Parks and Recreation. Where do service levels originate? Has there been additional discussion about modifying those service levels?	Standards for Parks and Recreation service levels were adopted as a part of the 2007 General Plan. Individual jurisdictions may determine appropriate service levels. The national average of acres of parkland per 1000 residents is approximately 4.5 acres. The Town has approximately 5.13 acres of parkland per 1000 residents. The Town has approximately 3.12 acres of developed parkland per 1000 residents. Mammoth Lakes is in a unique setting and surrounded by national forest. Additional facilities (e.g. Mammoth Creek Park West) that are currently being planned for will add to the acreage for developed parkland. There has not yet been additional discussion with the Recreation Commission in regards to modifying the service levels.
Tom Hodges (1:20)	Did the Parks and Recreation analysis	(A nod was given. Please see Response No. 6-2.)

	contemplate the build out projected in the Parks and Recreation Master Plan and that there was still a shortfall? Commented that surrounded by national forest including a ski area, all with recreation opportunities and that should be taken into account.	
Grady Dutton (1:21)	The Development Impact Fee analysis completed last year includes a more detailed and objective analysis about the Town's population and parkland / recreation needs, but still doesn't account for the national forest. The study noted that based on population of about approximately 23,000 during the peak season, that there were sufficient park facilities.	The significant impact was a surprise during the analysis and may be considered more of a technicality. Because the threshold exists in the Master Plan, it has to be used, even if it's no longer relevant. It is acknowledged that there are many recreation opportunities that exist in the immediate area.
Mickey Brown (1:24)	Has the Town received any preliminary feedback from Caltrans? In regards to the mitigation measures, how much space is required between traffic lights? Do the mitigation measures work?	No feedback from Caltrans had been received as of the meeting date. Even with mitigations impacts for traffic are significant and unavoidable because jurisdiction for the mitigations is under a separate agency, Caltrans, which will establish the thresholds for modifications to intersections. There is the possibility that some mitigations may not be completed because those mitigations might not meet Caltrans thresholds.
Tom Hodges (1:27)	Does the analysis for Alternative 3 include additional traffic study to evaluate the Frontage Road remaining?	Qualitative traffic analysis in coordination with LSC was used to evaluate the traffic in the alternative scenarios, consistent with CEQA requirements. The analysis included a comparison of the project's traffic impacts relative to possible impacts from the alternatives.
Tom Hodges (1:32)	The 2.0 FAR was based on analysis from peer resorts. However, was it analyzed that 2.0 FAR can't be achieved on all properties, because of other required development standards? Was the	CEQA requires that the analysis be for the maximum build out potential so the minimum FAR was not analyzed (i.e. worst case scenario). A lower FAR could result in some adverse impacts, mainly visual effects, but there are other development standards like the build to requirement that achieve the Town's desired

6-2

6-3

6-4

	minimum FAR analyzed?	visual character.
Tom Hodges (1:35)	The Town Council should acknowledge that the analysis is a worst case scenario and that it is likely that build out at the level analyzed won't be achieved. The objectives that will be achieved as a result of the project, however, are to aggregate density, provide better access to public transportation, and to increase the number of people who may park and ride. Were these factors that will likely result in reduced vehicle use addressed in the traffic analysis?	Yes, reductions in vehicle use were considered due to projected increased use in transit, bicycle and pedestrian facilities. The Mobility Element includes plans for additional sidewalks and multi-use paths to support this analysis.
Mickey Brown (1:37)	Is there a draft of the statement of overriding considerations available?	The statement has not been drafted as of the meeting date. The statement may be drafted by legal counsel, staff, or the consultant.
Mickey Brown (1:37)	How do you use findings? Is it the same as how the PEDC uses findings?	They are used in essentially the same way as the PEDC uses them for projects, though a different set of findings is used. The findings summarize the document, describe what was evaluated, reference feasible and enforceable mitigations, and how the mitigations reduce impacts to a less than significant level.
Mickey Brown (1:40)	Have any written comments on the DEIR been received yet?	No written comments have been received as of the date of this meeting.
Mickey Brown (1:40)	Are there any issues anticipated with certification of the EIR?	No, there should not be any issues with certification as the document has been completed in compliance with CEQA and all applicable legal requirements.



---

**PUBLIC MEETING: PLANNING AND ECONOMIC DEVELOPMENT COMMISSION**

Planning and Economic Development Commission

July 13, 2016

A summary of the comments received during the July 13, 2016 Planning and Economic Development Commission was prepared by Town Staff. Most of the comments were addressed during the public meeting and therefore no further response is necessary. The meeting notes have been bracketed and responses are provided below.

**RESPONSE NO. 6-1**

The first four comments during the public meeting were addressed by Town staff and the consultant. No further response is necessary.

**RESPONSE NO. 6-2**

Section 4.10.4, Parks and Recreation, contains an analysis of potential impacts that would occur with the Project. The analysis considers new and planned park and recreational facilities. As indicated in Section 4.10.4 the Town currently is below the PRMP goals for LOS for developed parkland, but is above the LOS standard for undeveloped parkland.

Section 4.10.4 of the Draft EIR indicates that with full implementation of the PRMP and the development of the identified parks with the parkland funding, the LOS for parkland would be met for the projected service population in the PRMP. The PRMP estimates that an additional 27.67 acres of developed local parks would be needed to achieve the recommended LOS for parks and recreation facilities at full buildout in 2025, which includes the PRMP's projected increase in the permanent population and impacts of second owners. The PRMP includes a long-term schedule for implementation and a phasing plan for upgrades and new projects to allow the Town to gradually increase its inventory of parks and recreation facilities, thereby keeping pace with LOS recommendations as the population increases. As indicated in the EIR, the Land Use Element/Zoning Code Amendments could result in an increase in population. Thus, due to the projected increase in demand associated with the potential increase in population resulting from the Project, the Draft EIR concludes that the Project related and cumulative impacts to parks and recreation would be significant and unavoidable. However, the EIR acknowledges that the Town is surrounded by a broad range of open space, parkland and recreation areas that are not included in the estimate of local and regional parkland, including the Mammoth Mountain Ski Area, Mammoth Lakes Basin, Devils Postpile National Monument, Red's Meadow, Inyo National Forest, and the John Muir and Ansel Adams Wilderness Areas.

**RESPONSE NO. 6-3**

These two comments were addressed by Town staff and the consultant. No further response is necessary.

**RESPONSE NO. 6-4**

For clarification, as indicated in the response at the public meeting the EIR evaluates a worst case scenario. The future buildout is based on projections using the 2.0 FAR. The assumption is that all vacant lands would develop at the 2.0 FAR and additional lands in the C-1 and C-2 districts would redevelop or intensify. However, the projections do not take into account property constraints or constraints that may occur as a result of development standards.

**RESPONSE NO. 6-5**

The remainder of the comments was addressed by Town staff and the consultant at the public meeting. No further response is necessary.

## **3.0 CORRECTIONS AND ADDITIONS**



## 3.0 CORRECTIONS AND ADDITIONS

---

### A. INTRODUCTION

In accordance with the CEQA Guidelines § 15132 (a), this Chapter of the Final EIR provides changes to the Draft EIR that have been made to clarify, correct, or supplement the information provided in that document. These changes and additions are due to recognition of inadvertent errors or omissions, and to respond to comments received on the Draft EIR during the public review period. Changes to the Draft EIR are indicated below under the respective EIR section heading, page number, and paragraph. Paragraph reference is to the first full paragraph on the page. Deletions are shown with ~~striketrough~~ and additions are shown with underline.

The changes described in this Chapter do not add significant new information to the Draft EIR that would require recirculation of the Draft EIR. More specifically, CEQA requires recirculation of a Draft EIR only when “significant new information” is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred (refer to California Public Resources Code Section 21092.1 and CEQA Guidelines Section 15088.5), but before the EIR is certified. Section 15088.5 of the CEQA Guidelines specifically states: “New information added to an EIR is not ‘significant’ unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. Significant new information requiring recirculation includes, for example, a disclosure showing that:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.
- The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.”

CEQA Guidelines Section 15088.5 also provides that “[r]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR... A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.”

As demonstrated in this Final EIR, the changes presented in this Chapter do not constitute new significant information warranting recirculation of the Draft EIR as set forth in CEQA Guidelines Section 15088.5. Rather, the Draft EIR is comprehensive and has been prepared in accordance with CEQA.

## B. CORRECTIONS AND ADDITIONS

### Executive Summary

Page ES-27, Impact Statement TRAF-1, revise the last sentence as follows:

If traffic demands do not meet signal warrants ~~are not approved by Caltrans~~, impacts at Main Street intersections occurring under future scenarios would be significant and unavoidable.

Page ES-27 and ES-28, the following mitigation measures are revised:

**MM TRAF-1: Main Street/Mountain Boulevard.** A traffic signal shall be installed to achieve LOS D or better. Further analysis of a potential new signal, such as signal warrant analysis per the California Manual on Uniform Traffic Control Devices (CA MUTCD), ~~is expected to~~ would be provided as a part of private project proposals-specific analysis (not needed for LOS mitigation).

**MM TRAF-4: Main Street/Post Office:** A traffic signal shall be installed at the Main Street/Post Office intersection to achieve LOS D or better. Further analysis of potential new signals, such as signal warrant analysis per the CA MUTCD, ~~is expected to~~ would be provided as a part of private project proposals-specific analysis (not needed for LOS mitigation).

**MM TRAF-5: Main Street/Center Street:** A northbound right-turn on Center Street shall be provided to achieve LOS D or better. Further analysis of a potential new signal, such as signal warrant analysis per the CA MUTCD, ~~is expected to~~ would be provided as a part of private project proposals-specific analysis (not needed for LOS mitigation).

### Chapter 2.0, Project Description

Page 2-27, replace **Figure 2-5, Complete Streets**, with the corrected Figure 2-5.

### Section 4.4, Biological Resources

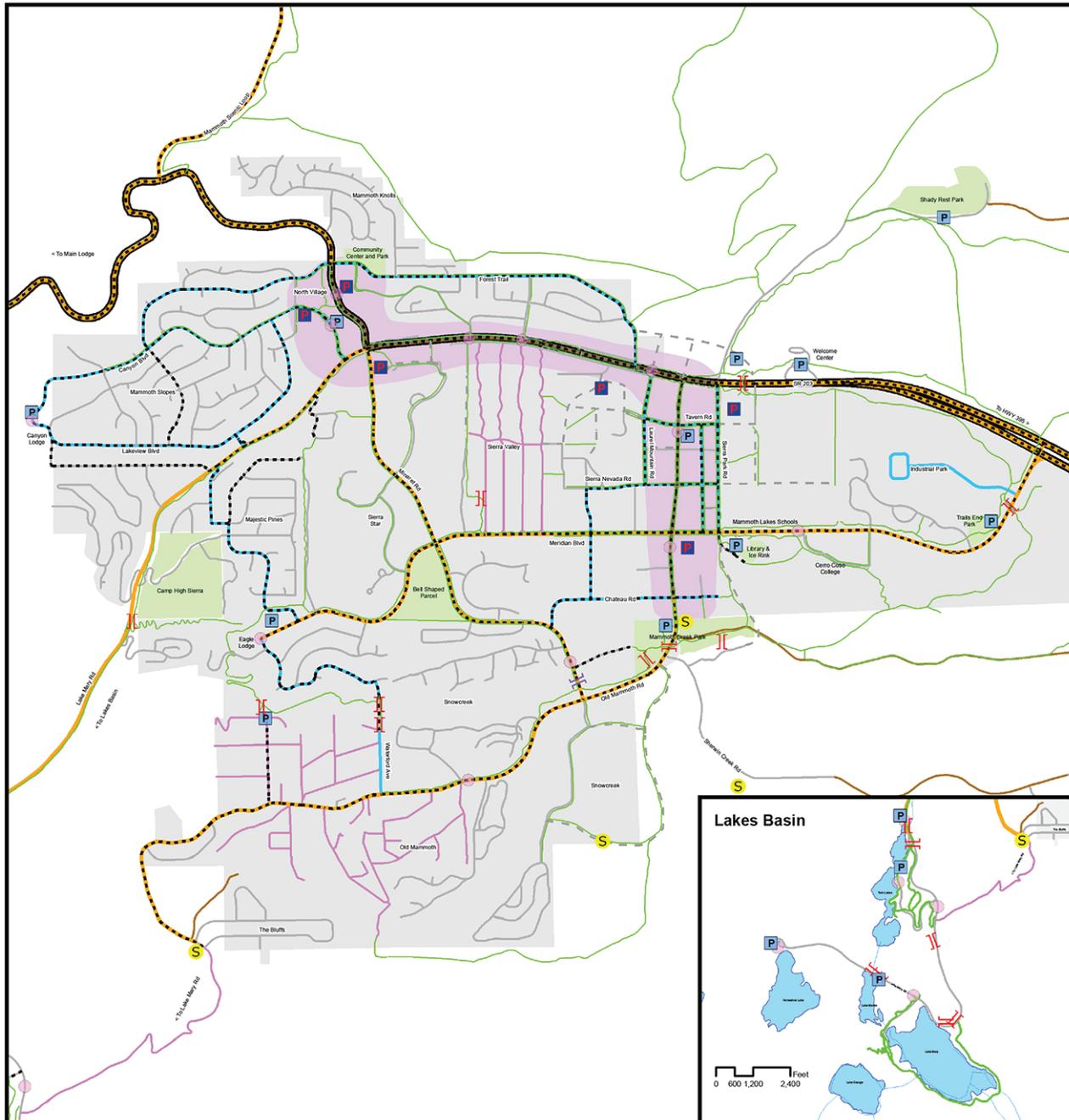
Page 4.4-11, add **Figure 4.4-1, Vegetation Map**, which was erroneously omitted in the Draft EIR.

### Section 4.11, Transportation and Traffic

Page 4.11-16, Impact Statement TRAF-1, revise the last sentence as follows:

If traffic demands do not meet signal warrants ~~are not approved by Caltrans~~, impacts at Main Street intersections occurring under future scenarios would be significant and unavoidable.

**Figure 3-1**  
**Complete Streets**  
 Town of Mammoth Lakes  
 General Plan Mobility Element



**BIKEWAYS**  
 - - - - Existing and future Class II and Class III on street bike lanes and routes.

**PEDESTRIAN ROUTES**  
 Existing and future sidewalks and MUP's.

**STATE HIGHWAY**  
 State Route 203

**ARTERIAL**  
 Arterial street connect the Towns neighborhoods to the commercial districts and recreation portals.

**ARTERIAL COMMERCIAL**  
 Arterial commercial street provide access for all forms of transportation, but should emphasize pedestrian and transit oriented design to encourage use of alternative modes.

**COLLECTOR**  
 Collector streets distribute vehicle and multimodal trips from local to arterial streets.

**LOCAL - CONSTRAINED STREETS**  
 These streets typically have "constrained" right-of-way and pavement width which generally does not meet Town Standards. All users share the street.

**LOCAL - SHARED STREETS**  
 Shared streets are typically not wide enough to accommodate separate zones for people walking, bicycling, parking or driving. Therefore, all uses must share the street.

**UNIMPROVED STREETS**  
 Unimproved streets are unpaved and do not meet Town Standards. Unimproved streets generally provide access to some recreation and campground areas and to some single-family residential parcels.

**PROPOSED STREETS**

**PARKS AND COMMUNITY FACILITIES**  
 Locations that should be easily accessed by pedestrians and investment focused.

**GENERAL PEDESTRIAN ZONE**  
 Destination for pedestrians. Designed for pedestrian connections.

**URBAN GROWTH BOUNDARY**

**P** EXISTING PUBLIC PARKING  
**P** PLANNED PUBLIC PARKING AREA  
 Parking area will accommodate 50+ parking spaces.

**S** PLANNED STAGING AREA  
 Staging area will accommodate 5-50 parking spaces.

**]]** EXISTING BRIDGE / TUNNEL  
**]]** FUTURE BRIDGE / TUNNEL

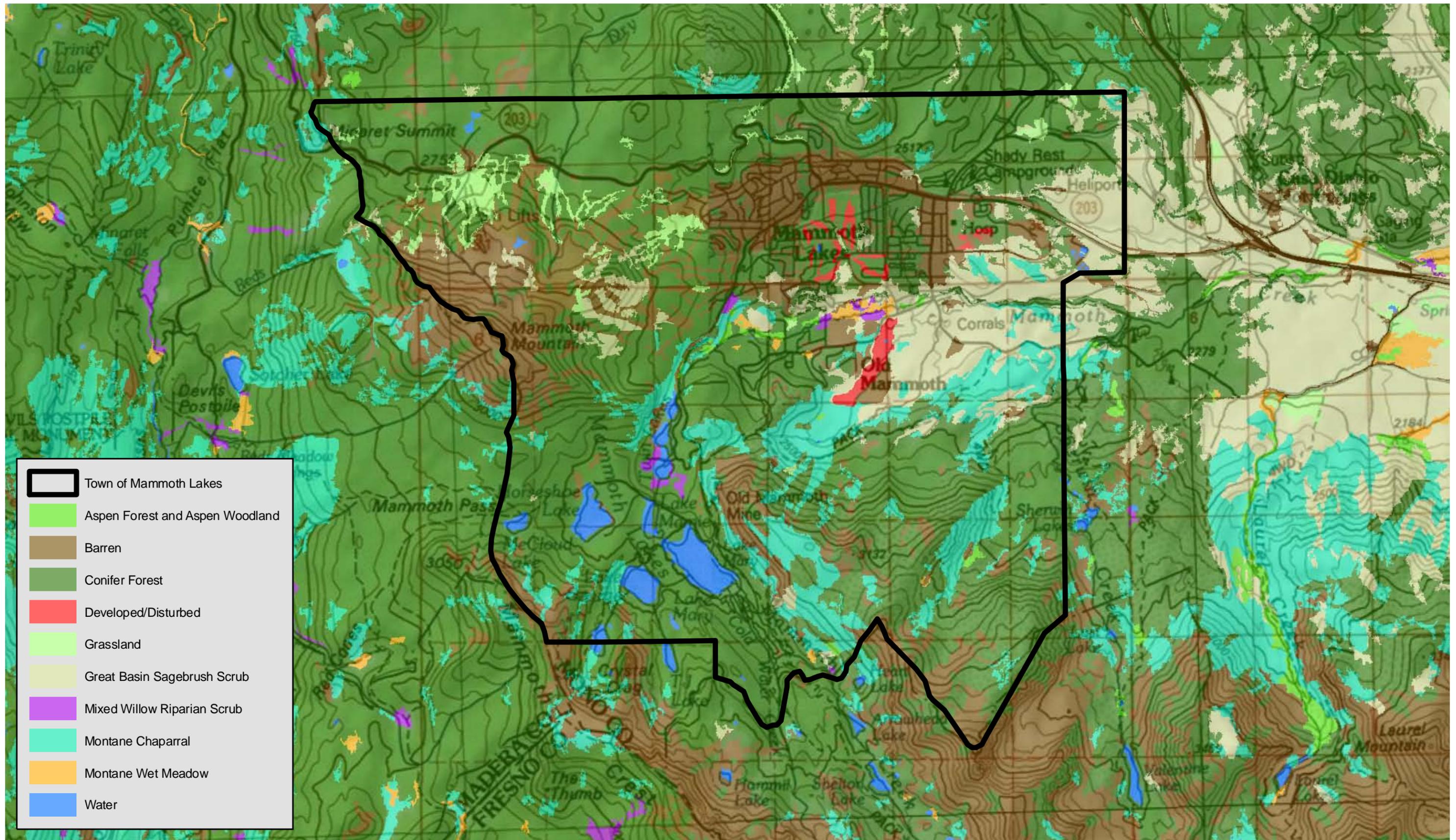
**●** MAJOR TRANSIT STOP

Updated 12-2-2015

0 0.175 0.35 0.7 Miles



This page intentionally blank.



This page intentionally blank.

Page 4.11-24, Table 4.11-6, Summary of New Mitigation Measures, the following mitigation measures are revised:

**MM TRAF-1: Main Street/Mountain Boulevard.** A traffic signal shall be installed to achieve LOS D or better. Further analysis of a potential new signal, such as signal warrant analysis per the California Manual on Uniform Traffic Control Devices (CA MUTCD), ~~is expected to~~ would be provided as a part of ~~private project proposals-specific analysis~~ (not needed for LOS mitigation).

**MM TRAF-4: Main Street/Post Office:** A traffic signal shall be installed at the Main Street/Post Office intersection to achieve LOS D or better. Further analysis of potential new signals, such as signal warrant analysis per the CA MUTCD, ~~is expected to~~ would be provided as a part of ~~private project proposals-specific analysis~~ (not needed for LOS mitigation).

**MM TRAF-5: Main Street/Center Street:** A northbound right-turn on Center Street shall be provided to achieve LOS D or better. Further analysis of a potential new signal, such as signal warrant analysis per the CA MUTCD, ~~is expected to~~ would be provided as a part of ~~private project proposals-specific analysis~~ (not needed for LOS mitigation).

Page 4.11-24, Table 4.11-6, Summary of New Mitigation Measures, correct the applicability of MM TRAF-3 as shown below:

**Table 4.11-6**

**Summary of New Mitigation Measures**

Mitigation Measure	3	4	5	6
	General Plan Buildout With Existing Roadway Network	General Plan Buildout With Mobility Element Update	Land Use Element/Zoning Code Amendments With Existing Roadway Network	Land Use Element/Zoning Code Amendments With Mobility Element Update
<b>MM TRAF-3: Old Mammoth Road/Minaret Road/Fairway Drive.</b> Improvements, such as the installation of a roundabout, restriping, or widening of the roadway, shall be implemented to ensure that the intersection operates at LOS D or better.	X	<u>X</u>	X	<u>X</u>

Page 4.11-32, 4. Cumulative Impacts, revise the last two sentences as follows:

However, signal warrant analyses for proposed signalized intersections at impacted Main Street intersections would be required and must be coordinated with ~~and approved by~~ Caltrans. ~~If traffic demands do not meet signal warrants and Caltrans is not in agreement with the need for a traffic signal at the respective intersections, or~~ other proposed improvements, cumulative impacts related to LOS under Scenarios 3 through 6 would be potentially significant.

Page 4.11-32, 5. Level of Significance After Mitigation, revise the last two sentences as follows:

If traffic demands do not meet signal warrants and mitigation measures related to signals and other improvements on Main Street are not approved by Caltrans, such improvements would not be implemented. Because approval implementation of the mitigation measures are under the jurisdiction of another agency, the approval of which are uncertain, the potentially significant impacts at Main Street intersections under Scenarios 3 through 6 would be considered significant and unavoidable.

### Section 4.12.1, Utilities and Service Systems -Water Supply

Page 4.12-2, California Water Conservation Act, the end of the paragraph is revised as follows:

SBx7-7 requires each urban retail water supplier to develop urban water use targets to help meet the 20 percent goal by 2020 and an interim 10 percent goal by 2015. The 10-year baseline average is used to determine compliance with SBx7-7. The MCWD's average water use between 2011 and 2015 is 25 achieves an approximately 30 percent less than the baseline average between 2001 and 2010 reduction rate, meeting the requirements of SBx7-7.

Page 4.12-6, subsection (b)(1), Settlement Agreement between the Los Angeles Department of Water and Power and the Mammoth Community Water District, the end of the paragraph is revised as follows:

According to the Settlement Agreement, MCWD's diversions, extractions, and deliveries are less than 4,387 AFY and the estimated total consumptive use is currently less than 1,779 AFY. Provided that MCWD complies with minimum in-stream fishery bypass flows in Mammoth Creek described in MCWD's Amended Permit 17332 and Amended Licenses 5715 and 12593, theThe LADWP would will not challenge future proposed changes to MCWD's water right permit and licenses provided the change would not cause a substantial increase in the overall percentage of water consumptively used by MCWD and resulting from MCWD's Diversions, Extractions and Deliveries. ~~performing its Mammoth Creek in-stream monitoring. The LADWP and the MCWD have common interests in supporting sustainable water resources management within the Mammoth Creek watershed to maximize water use efficiency and consumptive beneficial uses. The MCWD would will~~ not object to the challenge LADWP's existing or future diversions, ~~or~~ extractions, and use of water under those rights provided that LADWP's diversions, extractions and use of water will these would not have an adverse effect on interfere with the MCWD's ability to exercise its total diversions, extractions, and deliveries Diversions, Extractions and Deliveries.

## **4.0 MITIGATION MONITORING AND REPORTING PROGRAM**



## 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

---

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Town of Mammoth Land Use Element/Zoning Code Amendments and Mobility Element Update (the Project) in compliance with Section 21081.6 of the Public Resources Code and Section 15097 of the CEQA Guidelines, which is required for all projects where an Environmental Impact Report (EIR) or Mitigated Negative Declaration has been prepared. Section 21081.6 of the Public Resources Code states: “...the [lead] agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment...[and the program] shall be designed to ensure compliance during project implementation.” The Town of Mammoth Lakes is the Lead Agency for the Project. This MMRP identifies the mitigation measures prescribed in the Draft EIR to reduce the Project’s potentially significant environmental impacts to a less than significant level.

As discussed in Section 1.2, *Approach of the EIR*, in the Draft EIR, the EIR environmental analysis was prepared at a program-level. As a programmatic analysis, the EIR generally establishes a foundation for “tiered” or project-level environmental documents that may be subsequently prepared in accordance with the overall program. This MMRP consolidates mitigation measures from previously adopted MMRPs for the General Plan Update and the Trails System Master Plan along with mitigation measures for the Project. By creating a comprehensive MMRP, the Town will have all of the relevant mitigation measures in one place for projects associated with future development in the Town as well as improvements to the transportation network.

The first column of the MMRP lists the mitigation measures. The measures are presented by issue area evaluated in the three associated EIRs. Under each issue area the relevant mitigation measures are provided from each of the documents if there are applicable measures. The mitigation measures are coded for clarity. For example, mitigation measures from the current Project, which is the Land Use Element/Zoning Code Amendments and Mobility Element Update, are presented first and are coded with MM before the number. The next set of mitigation measures are those from the Trails System Master Plan, which are indicated with TSMM. The final set of mitigation measures are from the General Plan Update and are indicated with GPMM. Two mitigation measures from the Trails System Master Plan were modified in the process of the preparation of the Draft EIR for the Land Use Element/Zoning Code Amendments and Mobility Element Update. TSMM 4.D-3 was modified to broaden the applicability of the measures to address all components in the Mobility Element Update. TSMM 4.D-8 was modified to include industry standard methodologies. Therefore, the word modified is included parenthetically after the mitigation measure number in the table (i.e., TSMM4.D-3 [Modified]).

With regard to Traffic mitigation measures, the numbering is not sequential as a result of the various scenarios evaluated in the EIR and the applicability of the measures. The Project is Scenario 6 and only some of the mitigation measures apply to Scenario 6. Please see the Draft EIR for detailed information regarding the scenarios and mitigation measures.

The MMRP defines the timing during which the mitigation measure is to be implemented and monitored; the enforcement agency; and the verification/approval party.

**Table 4-1**

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<i>Aesthetics</i>						
<b>Land Use Element/Zoning Code Amendments and Mobility Element Update</b>						
<p><b>MM AES-1:</b> Construction equipment staging areas shall use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material from public and sensitive viewers (e.g., residents and motorists/bicyclists/pedestrians), when feasible. Staging locations shall be indicated on the project Building Permit and Grading Plans and shall be subject to review by the Town of Mammoth Lakes Community and Economic Development Director in accordance with the Municipal Code requirements.</p>	At construction plan check and during construction	Construction plan review and construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			
<p><b>MM AES-2:</b> Development projects, which include new buildings or a substantial addition to an existing structure, within the C-1 and C-2 designations shall prepare a shade/shadow analysis. If the analysis indicates that the project would result in shading on Main Street or Old Mammoth Road for more than three hours per day for longer than a week, the applicant of the proposed project shall provide approved and appropriate measures to mitigate potential vehicle and pedestrian safety hazards related to ice and snow. Such measures shall be reviewed and approved by the Town and/or Caltrans as appropriate and can include the following:</p> <ul style="list-style-type: none"> <li>▪ Install a snowmelt system, such as heat traced pavement, along the pedestrian and bicycle pathways.</li> </ul>	At design plan review, prior to Certificate of Occupancy, and during operation	Design plan review and monitoring of road conditions after development	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<ul style="list-style-type: none"> <li>▪ Enter into a maintenance agreement with the Town and/or Caltrans to perform enhanced snow removal operations to ensure that ice related to shading impacts are sufficiently mitigated. Enhanced snow removal could include additional cindering, additional snow removal operations, or other effective ice removal techniques.</li> <li>▪ Participate in an assessment district to provide enhanced snow removal operations.</li> <li>▪ Specifically to mitigate hazards associated with vehicles traveling at an unsafe speed during winter conditions, measures may include but are not limited to funding for enhanced enforcement and driver awareness programs such as driver feedback signs (i.e. radar control speed signs or equivalent) to be placed on Main Street in areas adjacent to where the shading occurs.</li> </ul>						
<b>Trails System Master Plan</b>						
<p><b>TSMM 4.A-3.A:</b> Trail development on slopes greater than 20 percent shall be avoided where feasible alternative alignments exist. If a feasible trail alignment does not exist, design features shall be employed to minimize erosion to the maximum extent feasible. Also refer to mitigation measures provided in Section 4.E, <i>Geology/Soils</i>, and Section 4.H, <i>Hydrology and Water Quality</i>, of this EIR, that also address soil erosion impacts.</p>	<p>During design and construction plan check; during construction</p>	<p>Design and construction plan review, construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

**Table 4-1 (Continued)**

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<b>TSMM 4.A-3.B:</b> Mature, healthy, native trees shall be circumvented or avoided through the design of trail alignments to the extent feasible. The need for replacement of trees shall be evaluated and implemented based on Healthy Forest and Fire Safe Council principles.	During design plan check; during construction	Design plan review, construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<b>TSMM 4.A-3.C:</b> All disturbed areas, cuts, graded areas, and cleared areas should be stabilized and hydroseeded with an approved seed mix upon completion of the individual construction project, or as seasonally appropriate. Visually prominent cut areas that are too steep for re-vegetation shall be supported or covered with natural materials or materials that have a natural appearance.	During construction plan check; during construction	Construction plan review, construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<b>TSMM 4.A-3.D:</b> Retaining walls that are visually prominent shall be composed, to the extent feasible, of natural or natural-appearing materials, or finished or treated to give the appearance of natural materials. Generally, large, above-grade, plain concrete walls shall not be permitted.	During construction and design plan check; during construction	Construction and design plan review, construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ USFS</li> </ul>			

**Table 4-1 (Continued)**

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<b>TSM 4.A-3.E:</b> Adverse effects on natural features that stand out or are distinctive in a particular setting shall be avoided through the location and design of trail alignments. Where alignments cannot be avoided, additional screening vegetation shall be planted to obscure the trail relative to the adjacent feature.	During construction and design plan check; during construction	Construction and design plan review, construction inspection	<ul style="list-style-type: none"> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<b>TSM 4.A-3.F:</b> Fill or debris piles and large construction equipment visible from public viewpoints shall be removed from construction sites as soon as practicable or located, covered and/or screened so as to minimize their visual appearance.	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ USFS</li> </ul>			
<b>General Plan Update (2007)</b>						
<b>GPM 4.1-1:</b> The Town shall enforce the existing setback requirements along Mammoth Creek as they apply to the remaining undeveloped parcels to protect this important biological and scenic corridor. As necessary to protect the resource, the Town shall secure easements as the remaining parcels develop to ensure that the corridor is permanently protected.	During design plan check; during construction	Construction and design plan review, construction inspection	<ul style="list-style-type: none"> <li>▪ Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<b>GPMM 4.1-2:</b> The Town shall amend the Design Review Guidelines to include standards to assure that public and private facilities in the vicinity of the Main Street (SR203) and the Old Mammoth Road intersection shall be designed to present an attractive face to the road. The standards shall address such issues as building height and massing, tree preservation, and lighting to ensure that public and private development in proximity to SR203, which is eligible for designation as a scenic highway, do not detract from scenic resources	Part of future Design Review Guidelines Update	Review of language in Revised Design Guidelines	<ul style="list-style-type: none"> <li>Town Community and Economic Development Department</li> </ul>			
<b>GPMM 4.1-3:</b> The Town through its environmental and design review process shall ensure that development at the Mammoth Yosemite Airport that is visible from Highway 395 is consistent with State scenic highway regulations for Highway 395.	During design plan review	Design plan review	<ul style="list-style-type: none"> <li>Town Public Works Department</li> <li>Town Community and Economic Development Department</li> </ul>			
<b>GPMM 4.1-4:</b> The Town shall review the existing Lighting Ordinance and revise the ordinance, where feasible, to protect views of the night sky and to ensure that the intent of the Lighting Ordinance is met. The Lighting Ordinance shall be amended to consider the feasibility of restrictions on lighting that include, but are not limited to: unshielded bulbs wattage restrictions, complete shielding on fixtures, shielding of all lights on buildings over approximately 35 feet tall, cumulative wattage limits, and holiday lighting timing limits.	Included in Zoning Code Update	Review of language in Zoning Code Update	<ul style="list-style-type: none"> <li>Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<i>Air Quality</i>						
<b>Land Use Element/Zoning Code Amendments and Mobility Element Update</b>						
<p><b>MM AIR-1:</b> Prior to the issuance of a grading or building permit, individual proposed projects shall comply with the following land preparation, excavation, and/or demolition mitigation measures during construction activities:</p> <ul style="list-style-type: none"> <li>▪ All soil excavated or graded should be sufficiently watered to prevent excessive dust. Watering should occur as needed with complete coverage of disturbed soil areas. Watering should be a minimum of twice daily on unpaved/untreated roads and on disturbed soil areas with active operations.</li> <li>▪ All clearing, grading, earth moving and excavation activities should cease: (a) during periods of winds greater than 20 mph (averaged over one hour), if disturbed material is easily windblown, or (b) when dust plumes of 20 percent or greater opacity impact public roads, occupied structures or neighboring property.</li> <li>▪ Vehicles traveling over unpaved roadways shall be limited to 15 miles per hour or less. Signs shall be posted at construction sites enforcing the speed limit.</li> <li>▪ All trucks hauling dirt, sand, soil, or other loose material shall be covered or maintain at least two feet or freeboards in accordance with the</li> </ul>	<p>During construction plan review, prior to issuance of grading or building permit</p>	<p>Construction plan review, during construction</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>requirements of California Vehicle Code (CVC) Section 23114.</p> <ul style="list-style-type: none"> <li>▪ If more than 5,000 cubic yards of fill material will be imported or exported from the site, then all haul trucks shall be required to exit the site via an access point where a gravel pad, rumble pad, or similar control has been installed.</li> <li>▪ Streets adjacent to project construction areas shall be kept clean. Adjacent streets with visible dust, dirt, sand, or soil material accumulation shall be cleaned and the accumulated material removed using Town-approved street sweepers.</li> <li>▪ Stockpiles of soil or other fine loose material shall be stabilized by watering or other appropriate method to prevent wind-blown fugitive dust.</li> <li>▪ Where acceptable to the local fire department, weed control should be accomplished by mowing instead of disking, thereby, leaving the ground undisturbed and with a mulch covering.</li> </ul>						
<p><b>MM AIR-2:</b> Prior to the issuance of a grading or building permit, individual proposed projects shall comply with the following construction equipment mitigation measures:</p> <ul style="list-style-type: none"> <li>▪ Construction equipment, on-road trucks, and emission control devices shall be properly maintained and tuned in accordance with manufacturer specifications.</li> <li>▪ Construction contractors shall be required to comply with California’s on-road and off-road</li> </ul>	<p>During construction plan review, prior to issuance of grading or building permit</p>	<p>Construction plan review; during construction</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
vehicle emissions regulations, including the CARB idling restrictions and the USEPA/CARB on-road and off-road diesel vehicle emissions standards.						
<p><b>MM AIR-3:</b> Prior to the issuance of a building permit, individual proposed projects shall comply with the following mitigation measures:</p> <ul style="list-style-type: none"> <li>▪ Provide direct pedestrian and bicycle access to off-site adjacent neighborhood amenities, parks, schools, shopping areas, existing bike paths, and transit stops in any residential development with a density of four or more residences per acre and in any mixed-use or commercial development. Low, medium, and high density developments should have curbs and sidewalks on both sides of the street.</li> <li>▪ For medium to high density residential, mixed-use, or commercial developments where transit services exist but no transit stop is located within 1/2 mile of the site, projects shall provide plans indicating locations of bus turnouts and loading areas with shelters that are acceptable to the local transit provider. This area will provide for future easement for bus turnouts and shelters. If transit service does not exist, but the project is within a transit district’s sphere of influence, provide a site at a location and size acceptable to the transit provider.</li> </ul>	During development plan review, prior to issuance of building permit	Development plan review	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			
<p><b>MM AIR-4:</b> Prior to the issuance of a grading or building permit, individual proposed projects shall comply with the following mitigation measures to reduce TAC impacts:</p>	During construction plan review, prior to issuance	Construction plan review, during construction	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<ul style="list-style-type: none"> <li>▪ Projects locating sources of TAC emissions near sensitive receptors within the advisory guideline recommendations in the CARB Air Quality and Land Use Handbook (or future adopted subsequent document) shall conduct a screening or refined health risk assessment to sufficiently demonstrate that impacts would not exceed the adopted significance thresholds inclusive of project-level design features, as appropriate and feasible.</li> <li>▪ Projects requiring the use of substantial numbers of diesel-fueled heavy-duty construction equipment within 500 feet of sensitive receptors shall conduct a screening or refined health risk assessment to sufficiently demonstrate that impacts would not exceed the adopted significance thresholds inclusive of project-level design features, as appropriate and feasible</li> </ul>	of grading or building permit		Community and Economic Development Department			
<b>Trails System Master Plan</b>						
<b>TSM 4.B-2.A:</b> All active portions of the construction site shall be watered to prevent excessive amounts of dust.	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

**Table 4-1 (Continued)**

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<b>TSM 4.B-2.B:</b> On-site vehicles speed shall be limited to 15 miles per hour (mph).	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> </ul>			
<b>TSM 4.B-2.C:</b> All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized.	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> </ul>			
<b>TSM 4.B-2.D:</b> All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust; watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day.	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ USFS</li> </ul>			
<b>TSM 4.B-2.E:</b> If dust is visibly generated that travels beyond the site boundaries, clearing, grading, earth moving or excavation activities that are generating dust shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 episodes.	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ USFS</li> </ul>			
<b>TSM 4.B-2.F:</b> All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ USFS</li> </ul>			
<b>TSM 4.B-2.G:</b> The Town shall limit the extent of mass grading for all simultaneous TSMP construction and maintenance activities to no more than 5 acres of active disturbance daily.	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p><b>TSMM 4.B-2.H:</b> The Town shall limit TSMP construction activities in the following manner so as to ensure exhaust emissions shall not exceed the established daily thresholds for gaseous pollutants: No more than 20 pieces of construction equipment operating simultaneously per 8-hour day, or 16 pieces operating 10 hours per day, averaging 200 hp rated engine capacity. Each on-road delivery or haul truck traveling approximately 200 miles per day equals one piece of non-road equipment, and shall be included in the daily limit.</p>	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ USFS</li> </ul>			
<b>General Plan Mitigation Measures – Air Quality</b>						
<p><b>GPM 4.2-1:</b> The Town shall limit the total Town VMT to the level specified in Municipal Code Section 8.30.100. The Town shall require a VMT analysis for specific projects in those cases where the project would result in 500 daily vehicle trips for incorporation into the AQMP model. VMT analyses shall be conducted early in the environmental review process so that mitigation may be included in the project design.</p>	During development plan review; ongoing evaluation	Ongoing VMT analysis	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			
<p><b>GPM 4.2-2:</b> The Town shall evaluate PM10 levels on an annual basis using the AQMP model. The Town shall conduct surveys, as needed, to establish an accurate inventory of wood burning and pellet burning appliances, to validate assumptions regarding annual and daily wood and pellet usage patterns, to determine compliance rates with “No Burn” days, and to monitor effectiveness of VMT-reducing implementation measures. The Town shall condition</p>	Annually	Review of annual monitoring	<ul style="list-style-type: none"> <li>▪ Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
or restrict future development as necessary to manage Town wide VMT at levels that ensure compliance with federal PM10 NAAQS. The Town shall limit the total Town VMT to a level that, when modeled, shows PM10 levels are less than the federal standard of 150 µg/m3.						
<b>Forestry Resources</b>						
<b>Land Use Element/Zoning Code Amendments and Mobility Element Update</b>						
<b>MM FOR-1:</b> Mature, healthy, native trees shall be circumvented or avoided through the design of roadway alignments to the extent feasible. The need for replacement of trees shall be evaluated and implemented based on Healthy Forest and Fire Safe Council principles.	During construction plan review	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ USFS</li> </ul>			
<b>Biological Resources</b>						
<b>Land Use Element/Zoning Code Amendments and Mobility Element Update</b>						
<b>MM BIO-1 Willow Flycatcher:</b> Prior to approval of road improvement projects and MUPs proposed under the Mobility Element Update that have the potential to significantly disturb riparian vegetation associated with Mammoth Creek and its tributaries, the Town shall require a habitat evaluation by a biologist well versed in the requirements of willow flycatcher to be completed. If no suitable habitat for the species is identified within 300 feet of construction or maintenance activities, no further measures would be required in association with the project. If suitable habitat for the species is identified within 300 feet of such activities, the Town shall require that a survey be	Construction plan review, construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>completed prior to construction by a qualified biologist for the species according to CDFW survey guidelines (Bombay et. al., May 29, 2003). This survey protocol requires a minimum of two surveys, one between June 15-25 and one during either June 1-14 or June 26-July 15. Surveys during these periods must be at least five days apart and the second survey shall be conducted no more than one week prior to clearing of vegetation and/or the operation of motorized heavy equipment. If the surveys determine the species is not present within 300 feet of the area to be affected by an individual project, no further action shall be required. If, however, willow flycatcher is determined to be present and is using habitat within 300 feet of Project-related activities, inclusive of nesting and foraging, the Town shall consult with CDFW prior to initiating any construction activities in the area. Consultation may entail the processing of a 2081 Incidental Take Permit that includes certain conditions to avoid and/or mitigate for potential impacts to the species. Such conditions could include, but not be limited to, restrictions on the time of year for construction, noise monitoring, restrictions on equipment use, and others.</p>						
<p><b>MM BIO-2 Migratory Birds:</b> To the extent practicable, brush and tree removal related to projects proposed under the Land Use Element and Zoning Code Amendments and Mobility Element Update shall be initiated outside of the nesting bird season, which is generally held to be from April 1 to August 31 in the Mammoth Lakes area, and shall be carried out with no more than a two week lapse in the work. If the Town deems this to not be practicable, the Town shall</p>	<p>Construction plan review, construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>require a nesting bird survey by a monitoring biologist to be conducted within 300 feet (for songbirds) and 500 feet (for raptorial birds) of construction sites no more than one week prior to initiating construction to ensure no birds protected under the MBTA and/or State Fish and Game Code Section 3503 et seq. are harmed or harassed.</p> <p>If no active nests of songbirds and raptors are found within 300 feet and 500 feet, respectively, of the construction site, the work may begin. If active nests are found within the survey areas the Town shall delineate a buffer zone of 300 feet and 500 feet for songbirds and raptors, respectively, around the nest. Based on the nature of the work to be performed and the equipment to be used, the monitoring biologist may reduce the buffer zone based on intervening vegetation and topography. Such buffer zones shall remain in place until the young in the nest have fledged or the nest has failed, as determined by the monitoring biologist.</p> <p>All projects involving removal of trees or vegetation capable of supporting nesting birds shall be subject to the requirements of this Mitigation Measure.</p>			<ul style="list-style-type: none"> <li>▪ USFS</li> </ul>			
<p><b>MM BIO-3 Other Special-Status Wildlife:</b> As discussed earlier, there are a number of wildlife species of special concern to Federal and State resource agencies that are known or are expected to occur within the planned road improvement and MUP areas under the Mobility Element Update.</p>	<p>Construction plan review, construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<ul style="list-style-type: none"> <li>▪ For such avian species, including northern goshawk, greater sage-grouse, yellow warbler, and great gray owl, implementation of MM BIO-2 for nesting birds will suffice in reducing impacts to these species to less than significant.</li> <li>▪ For such amphibian species, including the Mount Lyell salamander and Yosemite toad, where suitable habitat exists for these species, a thorough search of areas to be disturbed shall be made by construction personnel trained in the methods of searching for these species. If any amphibians are found, regardless of species, they will be captured and relocated in like habitat no less than 100 feet away from construction sites.</li> <li>▪ For such special-status mammal species with the potential to occur in conjunction with particular project components, including the Sierra Nevada red fox, Pacific marten, Sierra Nevada mountain beaver, Townsend’s western big-eared bat, and Mount Lyell shrew, and where suitable habitat for these species exists in the Project Area, pre-construction surveys shall be conducted by a biologist familiar with the sign of each species to identify signs of their presence or determine their absence no more than two weeks prior to initiating construction activities. Such surveys shall encompass the area to be disturbed and the habitat within 300 feet of construction activities. Due the secretive and/or nocturnal activity patterns of these species, the following signs shall be used:</li> </ul>			Department <ul style="list-style-type: none"> <li>▪ USFS</li> </ul>			

**Table 4-1 (Continued)**

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<ul style="list-style-type: none"> <li>○ Mount Lyell shrew – evidence of nests of dry leaves or grasses in stumps or under logs or piles of brush.</li> <li>○ Townsend’s western big-eared bat – evidence of occupation by colonies in caves, mine tunnels, and buildings.</li> <li>○ Sierra Nevada mountain beaver – evidence of extensive tunnels, runways and burrows beneath dense streamside vegetation.</li> <li>○ Pacific marten – evidence of den, normally in hollow trees or downed logs.</li> <li>○ Sierra Nevada red fox – evidence of den, normally on slopes with porous soils.</li> </ul> <p>If no evidence of the presence of any of these species is found, no further mitigation activities shall be required. However, if evidence of the presence of any of these species is observed, impacts will be avoided or minimized in one or more of the following ways and in consultation with CDFW and/or USFS: realigning roads and/or trails so as to retain a 100-foot buffer between the occupied site and construction activities and human use; suspending construction activities within 300 feet of the den, nest, or bat roosts during the breeding period, (generally held to be March 1 to July 31 for these species); verifying the actual occupation of dens, nests, or roosts by means such as placing tracking medium around the den or nest entrance or conducting a bat survey at the roost entrance at sunset; temporarily blocking the entrance</p>						

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
of a den or nest verified to be unoccupied until after construction is completed.						
<p><b>MM BIO-4 Special-Status Plants:</b> Prior to approval of individual projects proposed under the Land Use Element and Zoning Code Amendments and Mobility Element Update that are determined to have habitat suitable to support special-status plants, the Town shall require a survey be completed by a qualified botanist for special-status plant species within 100 feet on either side of a trail alignment or within the disturbance area of other proposed projects. These surveys shall be conducted during the blooming period for the potential occurring species, which is when they are most easily identifiable. For those species with at least a low potential to occur in the Project Area, this period is usually from late June to mid-August. If no special-status plant species are located within the area of disturbance, no further action shall be required. If special-status plant species are located within such areas and are likely to be impacted by and individual project, conservation actions shall be implemented. Such actions shall include, but not necessarily limited to, re-routing the trail alignment so as to avoid or minimize impacts to special-status plants while preserving an off-site population that is substantially larger than the population to be impacted, developing a transplantation program, and collecting seeds to move populations elsewhere out of harm’s way. These measures shall be developed in consultation with the CDFW and USFS.</p>	Construction plan review, construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p><b>MM BIO-5 Special-Status Habitats:</b> Three vegetation types within the Project Area that are considered special-status: aspen forest and woodland, mixed willow riparian scrub, and montane wet meadow. To the extent practicable Project components shall avoid these vegetation types. In the event this is not practicable, impacts shall be minimized by restricting the Project footprint, including temporary and permanent impacts, to the minimum required to implement the project.</p> <p>In the event the Town elects to repair, maintain and/or improve trail crossings along stream courses and other drainage features (that often support the special-status vegetation types mentioned above) in association with individual projects proposed under the Project, prior to approval the Town shall notify and consult with the CDFW regarding the need for a Streambed Alteration Agreement (SAA). All work shall be performed in compliance with the conditions set forth in the SAA, as determined by the CDFW. Such conditions may include the in-kind replacement or restoration of riparian habitat at a 1:1 ratio for temporary impacts and a 2:1 ratio for permanent impacts within the Project Area, or as otherwise directed by the CDFW. Alternatively, if the impacts are very minor, the CDFW may, at its discretion, allow the work to proceed under a letter of law without mitigation other than notification and consultation.</p> <p>As part of the SAA agreement process and prior to beginning construction within CDFW regulated drainages, a Habitat Mitigation and Monitoring Plan</p>	<p>Construction plan review, construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>(HMMP) should be developed in coordination with the CDFW and USFS if necessary that ensures no net loss of riparian habitat value or acreage. The HMMP shall include, but not necessarily be limited to, the following:</p> <ul style="list-style-type: none"> <li>▪ The establishment of a reference site near regulated resources to be impacted that have similar hydrology, soil regimes, and exposure as the resources to be impacted.</li> <li>▪ The establishment of baseline conditions at the reference site regarding absolute native shrub and tree cover, woody shrub and tree stalk density, percentage cover by non-native plant species, and plant species diversity the vegetation using the Sorensen method within a 400 square foot prescribed reference plot.</li> <li>▪ The establishment of a restoration site to encompass the mitigation needs of one or more Project elements either on the Project element site or off site within the Mammoth Creek watershed.</li> <li>▪ A minimum 3-year establishment, monitoring, and maintenance (trash collection, weeding, etc.) period.</li> </ul> <p>The establishment of the following success criteria within a 400 square foot prescribed plot within the restoration site – 70 % of baseline absolute cover by native shrubs and trees; 70 % of baseline woody shrub and tree stalk density; no more than 5% cover by non-native plant species; and a Sorensen value of 0.6.</p>						

**Table 4-1 (Continued)**

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p><b>MM BIO-6 Federally Protected Wetlands:</b> Prior to any project approval for construction, repair, maintenance and/or improvements in association with individual projects proposed under the Land Use Element and Zoning Code Updates and Mobility Element Update within waters of the U.S. and federally protected wetlands, the Town shall notify and consult with the ACOE regarding the need for a Section 404 Permit and the RWQCB regarding the need for its 401 certification. All work shall be performed in compliance with the conditions set forth in the Permit, as determined by the ACOE. Such conditions may include the in-kind replacement or restoration of waters and/or wetlands at a ratio of 1:1 for temporary impacts and a ratio of 2:1 for permanent impacts within the Project Area, or as otherwise directed by the ACOE. Alternatively, if the impacts are less than 0.1 acre, the ACOE may, at its discretion, allow the work to proceed without mitigation other than notification and consultation.</p> <p>The mitigation shall use the same approach as is outlined above for the mitigation of impacts to CDFW regulated special-status habitats. As is usually the case, CDFW jurisdiction extends beyond that of ACOE and mitigation for impacts to CDFW regulated resources is inclusive of ACOE mitigation needs.</p>	Construction plan review, construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<b>Trails System Master Plan</b>						
<p><b>TSMM 4.C-1: Willow Flycatcher:</b> Prior to approval of individual projects proposed under the TSMP or PRMP that have the potential to substantially disturb riparian vegetation associated with Mammoth Creek and its tributaries, the Town shall require a habitat evaluation by a biologist well versed in the requirements of willow flycatcher to be completed. If no suitable habitat for the species is identified within 300 feet of construction or maintenance activities, no further measures would be required in association with the project. If suitable habitat for the species is identified within 300 feet of such activities, prior to construction the Town shall require that a survey be completed by a qualified biologist for the species according to CDFG survey guidelines (Bombay et. al., May 29, 2003). This survey protocol requires a minimum of two surveys, one between June 15-25 and one during either June 1-14 or June 26-July 15. Surveys during these periods must be at least five days apart and the second survey shall be conducted no more than one week prior to clearing of vegetation and/or the operation of motorized heavy equipment. If the surveys determine the species is not present within 300 feet of the area to be affected by an individual project, no further action shall be required. If, however, willow flycatcher is determined to be present and is using habitat within 300 feet of Project-related activities, inclusive of nesting and foraging, the Town shall consult with CDFG prior to initiating any construction activities in the area. Consultation may</p>	<p>Construction plan review, construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
entail the processing of a 2081 Incidental Take Permit that includes certain conditions to avoid and/or mitigate for potential impacts to the species. Such conditions could include, but not be limited to, restrictions on the time of year for construction, noise monitoring, restrictions on equipment use, and others.						
<p><b>TSM 4.C-2:</b> To the extent practicable, brush and tree removal activities for trail and facilities and major construction activity shall be initiated outside of the nesting bird season, which is generally held to be from April 1 to August 31 in the Mammoth Lakes area, and shall be carried out with no more than a two week lapse in the work. If the Town deems this to not be practicable the Town shall require a nesting bird survey by a monitoring biologist to be conducted within 300 feet (for songbirds) and 500 feet (for raptorial birds) of construction sites no more than one week prior to initiating construction to ensure no birds protected under the MBTA and/or State Fish and Game Code Section 3503 et seq. are harmed or harassed.</p> <p>If no active nests of songbirds and raptors are found within 300 feet and 500 feet, respectively, of the construction site, the work may begin. If active nests are found within the survey areas the Town shall delineate a buffer zone of 300 feet and 500 feet for songbirds and raptors, respectively, around the nest. Based on the nature of the work to be performed and the equipment to be used, the monitoring biologist may reduce the buffer zone based on intervening vegetation and topography. Such buffer zones shall</p>	Construction plan review, construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>remain in place until the young in the nest have fledged or the nest has failed, as determined by the monitoring biologist.</p> <p>All projects involving removal of trees or vegetation capable of supporting nesting birds shall be subject to the requirements of this Mitigation Measure.</p>						
<p><b>TSM 4.C-3:</b> Other Sensitive Wildlife: As discussed earlier, there are a number of wildlife species of concern to federal and State resource agencies that are known or are expected to occur in the Project area.</p> <ul style="list-style-type: none"> <li>• For such avian species, implementation of the mitigation measure for nesting birds below will suffice in reducing impacts to these species to less than significant.</li> <li>• For such amphibian species, including the Mount Lyell salamander and Yosemite toad, where suitable habitat exists for these species in the project area, a thorough search of areas to be disturbed shall be made by construction personnel trained in the methods of searching for these species. If any amphibians are found, regardless of species, they will be captured and relocated in like habitat no less than 100 feet away from construction sites.</li> <li>• For such sensitive mammal species with the potential to occur in conjunction with particular project components, including the Sierra Nevada red fox, American marten, Sierra Nevada mountain beaver, Townsend’s western big-eared bat, and Mount Lyell shrew, and where suitable habitat for</li> </ul>	Construction plan review, construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

**Table 4-1 (Continued)**

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>these species exists in the project area, pre-construction surveys shall be conducted by a biologist familiar with the sign of each species to identify signs of their presence or determine their absence no more than two weeks prior to initiating construction activities. Such surveys shall encompass the area to be disturbed and the habitat within 300 feet of construction activities. Due the secretive and/or nocturnal activity patterns of these species, the following signs shall be used:</p> <ul style="list-style-type: none"> <li>○ Sierra Nevada red fox – evidence of den, normally on slopes with porous soils.</li> <li>○ American marten – evidence of den, normally in hollow trees or downed logs.</li> <li>○ Sierra Nevada mountain beaver – evidence of extensive tunnels, runways and burrows beneath dense streamside vegetation.</li> <li>○ Townsend’s western big-eared bat – evidence of occupation by colonies in caves, mine tunnels, and buildings</li> <li>○ Mount Lyell shrew – evidence of nests of dry leaves or grasses in stumps or under logs or piles of brush.</li> </ul> <p>If no evidence of the presence of any of these species is found, no further mitigation activities shall be required. However, if evidence of the presence of any of these species is observed, impacts will be avoided or minimized in one or more of the following ways and in consultation with CDFG and/or USFS:</p>						

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>realigning trails and relocating new facilities so as to retain a 100-foot buffer between the occupied site and construction activities and human use; suspending construction activities within 300 feet of the den, nest, or bat roosts during the breeding period, generally held to be March 1 to July 31 for these species; verifying the actual occupation of dens, nests, or roosts by means such as placing tracking medium around the den or nest entrance or conducting a bat survey at the roost entrance at sunset; temporarily blocking the entrance of a den or nest verified to be unoccupied until after construction is completed; excluding winter recreational use (both motorized and non-motorized) within one-quarter mile of any known or discovered nests, dens, or roosts.</p> <p>It should be noted that the Noise assessment for the Project incorporates mitigation measures that limit engine idling from construction and avoids several pieces of equipment from operating at the same time, so as to minimize the intrusion of excessive noise into habitat areas where it could disturb sensitive wildlife.</p>						
<p><b>TSMM 4.C-4: Sensitive Plants:</b> Prior to approval of individual projects proposed under the TSMP that are located in areas not previously surveyed for sensitive plant species, and that are determined to have habitat suitable to support such plants, the Town shall require that a survey be completed by a qualified botanist for sensitive plant species within 100 feet on either side of a trail alignment or within the disturbance area of other proposed facilities. These surveys shall be conducted during the flowering period for the target</p>	Construction plan review, construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
species when they are most readily detectable. For those species with at least a low potential to occur in the Project area, this period is usually from late June to mid-August. For reference, the flowering period for individual species is provided in Table 5, Sensitive Plant Species, of the Biological Resources Assessment Trails System Master Plan – Recreational Resources Master Plan (July 2011. If no sensitive plant species are located within the area of disturbance, no further action shall be required. If sensitive plant species are located within such areas and are likely to be impacted by and individual project, conservation actions shall be implemented. Such actions shall include, but not necessarily be limited to re-routing the trail alignment so as to avoid or minimize impacts to sensitive plants while preserving an off-site population that is substantially larger than the population to be impacted, developing a transplantation program, and collecting seeds to move populations elsewhere out of harm’s way. These measures shall be developed in consultation with the CDFG and USFS.						
<b>TSM 4.C-5: Sensitive Habitats:</b> As previously noted, there are three vegetation types within the Project area that are considered sensitive. These are aspen forest and woodland, mixed willow riparian, and montane wet meadow. To the extent practicable new trails and other recreational facilities shall avoid these vegetation types. In the event this is not practicable impacts will be minimized by restricting the Project footprint, including temporary and permanent impacts, to the minimum required to implement the project. Mitigation for trees that are	Construction plan review, construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>necessary to remove has also been incorporated in the Project’s Aesthetics and Visual Resources assessment.</p> <p>In the event the Town elects to repair, maintain and/or improve trail crossings along stream courses and other drainage features (that often support the sensitive vegetation types mentioned above) in association with individual projects proposed under the TSMP, prior to project approval the Town shall notify and consult with the CDFG regarding the need for a Streambed Alteration Agreement (SAA). All work shall be performed in compliance with the conditions set forth in the SAA, as determined by the CDFG. Such conditions may include the in-kind replacement or restoration of riparian habitat at a 1:1 ratio for temporary impacts and a 2:1 ratio for permanent impacts within the Project Area, or as otherwise directed by the CDFG. Alternatively, if the impacts are very minor, the CDFG may, at its discretion, allow the work to proceed under a letter of law without mitigation other than notification and consultation.</p> <p>As part of the SAA agreement process and prior to beginning construction within CDFG regulated drainages, a Habitat Mitigation and Monitoring Plan (HMMP) should be developed in coordination with the CDFG and USFS if necessary that ensures no net loss of riparian habitat value or acreage. The HMMP shall include, but not necessarily be limited to, the following:</p> <ul style="list-style-type: none"> <li>▪ The establishment of a reference site near regulated resources to be impacted that have similar hydrology, soil regimes, and exposure as the</li> </ul>			<ul style="list-style-type: none"> <li>▪ USFS</li> </ul>			

**Table 4-1 (Continued)**

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>resources to be impacted.</p> <ul style="list-style-type: none"> <li>▪ The establishment of baseline conditions at the reference site regarding absolute native shrub and tree cover, woody shrub and tree stalk density, percentage cover by non-native plant species, and plant species diversity the vegetation using the Sorensen method (Stiling, 1999) within a 400 square foot prescribed reference plot.</li> <li>▪ The establishment of a restoration site to encompass the mitigation needs of one or more Project elements either on the Project element site or off site within the Mammoth Creek watershed.</li> <li>▪ A minimum 3-year establishment, monitoring, and maintenance (trash collection, weeding, etc.) period.</li> <li>▪ The establishment of the following success criteria within a 400 square foot prescribed plot within the restoration site – 70 % of baseline absolute cover by native shrubs and trees; 70 % of baseline woody shrub and tree stalk density; no more than 5% cover by non-native plant species; and a Sorensen value of 0.6.</li> </ul> <p>The HMMP shall be subject to CDFG approval and may require additional measures in addition to the mitigation discussed above. Because the implementation of individual projects proposed under the TSMP is expected to occur over several years, the Town should also explore the processing of a Programmatic SAA with CDFG.</p>						

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
Also of note, the Project’s Hydrology and Water Quality assessment identified several mitigation measures which are consistent with the protection of sensitive riparian and wet meadow vegetation. These include: measures that control erosion; avoidance of wet areas, springs, wetlands, and the lower portions of slopes; crossing structures at stream crossings; and, the establishment of 5 foot wide vegetation buffers between trails, streams, and wetlands. Implementation of these mitigation measures would further reduce the potential impacts to sensitive habitats.						
<b>TSM 4.C-6:</b> Federally Protected Wetlands: In the event the Town elects to construct, repair, maintain and/or improve trail crossings in association with individual projects proposed under the TSMP within waters of the U.S. and federally protected wetlands, prior to project approval the Town shall notify and consult with the ACOE regarding the need for a Section 404 Permit and the RWQCD regarding the need for its 401 certification. All work shall be performed in compliance with the conditions set forth in the Permit, as determined by the ACOE. Such conditions may include the in-kind replacement or restoration of waters and/or wetlands at a ratio of 1:1 for temporary impacts and a ratio of 2:1 for permanent impacts within the Project Area, or as otherwise directed by the ACOE. Alternatively, if the impacts are less than 0.1 acre, the ACOE may, at its discretion, allow the work to proceed without mitigation other than notification and consultation.	Construction plan review, construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
The mitigation shall use the same approach as for the mitigation of impacts to CDFG regulated resources (see 4.C-5, above). As is usually the case, CDFG jurisdiction extends beyond that of ACOE and mitigation for impacts to CDFG regulated resources is inclusive of ACOE mitigation needs.						
<b>TSM 4.C-7: Local Policies or Ordinances:</b> In order to educate trail and facility users about the potential for human/wildlife conflicts, the Town shall install signage at all new trailheads to the trail system that include warning signs. The signs shall explain the risks and potential dangers that could be encountered by trail use and include instructions for what to do in case of a potential human/wildlife conflict. The signage shall include, but not necessarily be limited to the following: refer to the Police Department/Wildlife Management Officer, USFS personnel and/or CDFG personnel as appropriate when dealing with bears; prohibitions on feeding wildlife; warnings against approaching wildlife; and user responsibilities for removing trash.	Construction plan review, construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<b>General Plan Update (2007)</b>						
<b>GPM 4.3-1:</b> The Town shall require developers of residential properties to include a disclosure statement that Mammoth Lakes is an area of habitat for mountain lions which indicates a potential risk, particularly to children and small pets.	Prior to Certificate of Occupancy	Review of disclosure statement	<ul style="list-style-type: none"> <li>▪ Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<b>Cultural Resources</b>						
<b>Trails System Master Plan</b>						
<p><b>TSM 4.D-1:</b> The Old Mammoth City neighborhood is a previously identified California Point of Historical Interest, and therefore, improvements on or adjacent to the point of interest that have the potential to directly impact this resource or its setting, must be designed to comply with the Secretary of the Interior’s Standards. Additionally, the Old Mammoth Town Site (CA-MNO-3H) was previously identified as containing both prehistoric and historic subsurface remains as well as existing potential historic structures. Construction of MUP 2-1, Bridge MUP 3-4, Tunnel X2-18, and MUP 4-5 have the potential to significantly impact both archaeological resources and historic structures associated with the Old Mammoth Town Site (CA-MNO-3H). Likewise, the Ranger Station and/or CCC Camp administration buildings/campground in the vicinity of the Shady Rest Sawmill Cutoff Road, on USFS lands, are previously surveyed resources that require reevaluation by qualified surveyors, if determined necessary. Prior to designing or implementing projects in this area, the Town shall engage a qualified historic preservation consultant to review the proposed projects. A qualified architectural historian, historic architect, or historic preservation professional is someone who satisfies the Secretary of the Interior’s Professional Qualification Standards for History, Architectural History, or Architecture, pursuant to 36 CFR 61, and has at least 10 years</p>	<p>Construction plan review, construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>experience in reviewing architectural plans for conformance to the Secretary’s Standards and Guidelines. The Town shall undertake and complete construction in a manner consistent with the preservation consultant’s recommendations to ensure that the Project meets the Secretary of the Interior’s Standards for Rehabilitation. The preservation consultant shall review the final construction drawings for conformance to the Secretary of the Interior’s Standards and prepare a memo commenting on the final Project. A Project that conforms to the Secretary of the Interior’s Standards is considered fully mitigated under CEQA. For projects on federal lands, upon completion of any report on findings, the State Historic Preservation Officer shall be consulted to allow for Section 106 review and concurrence with the study findings. In the event eligible or designated historic resources or key contributing features are demolished for construction park facilities, mitigation shall include completion of a Historic American Building Survey report per State and Federal guidelines.</p>						
<p><b>TSM 4.D-2:</b> The Hayden Cabin is listed on the California Register and new adjacent construction, additions, or rehabilitation to the Hayden Cabin or its contributing property setting visible from the Hayden Cabin, other than surface trail or minor paving improvements, must comply with the Secretary of the Interior’s Standards. Prior to designing or implementing such improvements in this area the Town shall engage a qualified historic preservation consultant to review the proposed Project. A qualified</p>	<p>Construction plan review, construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>architectural historian, historic architect, or historic preservation professional is someone who satisfies the Secretary of the Interior’s Professional Qualification Standards for History, Architectural History, or Architecture, pursuant to 36 CFR 61, and has at least 10 years experience in reviewing architectural plans for conformance to the Secretary’s Standards and Guidelines. The Town shall undertake and complete construction in a manner consistent with the preservation consultant’s recommendations to ensure that the Project meets the Secretary of the Interior’s Standards for Rehabilitation. The preservation consultant shall review the final construction drawings for conformance to the Secretary of the Interior’s Standards and prepare a memo commenting on the final Project. A Project that conforms to the Secretary of the Interior’s Standards is considered fully mitigated under CEQA. In the event eligible or designated historic resources or key contributing features are demolished for construction park facilities, mitigation shall include completion of a Historic American Building Survey report per State and Federal guidelines.</p>			<ul style="list-style-type: none"> <li>▪ USFS</li> </ul>			
<p><b>TSMM 4.D-3 [Modified]:</b> The Town shall conduct a Phase I Cultural Resources Assessment of individual project areas to identify any archaeological resources within the area of a proposed project component. The Area of Potential Effect (APE) will be the focus of the analyses for projects located on federal lands per Section 106. The Phase I assessment shall include cultural resources records searches through the Eastern Information Center (as needed) and the Inyo</p>	<p>Construction plan review, construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>National Forest Field Office, a Sacred Lands File search through the Native American Heritage Commission and follow-up Native American consultation, and a pedestrian survey of the Project area For projects on federal lands, upon completion of any report on findings, the State Historic Preservation Officer shall be consulted to allow for review and concurrence with the study findings.</p> <ul style="list-style-type: none"> <li>▪ If resources are identified during the Phase I assessment, then a Phase II assessment shall be required, as described in Mitigation Measure 4.D.-4</li> <li>▪ If no resources are identified as part of the assessment, no further analyses or mitigation shall be warranted, unless it can be determined that the project has a high potential to encounter buried archaeological or historical resources;</li> <li>▪ If it determined that there is a moderate or high potential to encounter buried archaeological resources, appropriate mitigation shall be developed and implemented. Appropriate Mitigation may include redesign of the project to avoid the sensitive area, in which case no additional mitigation would be required. If avoidance is not possible, appropriate mitigation may include but not be limited to the following:</li> </ul> <p><u>Archaeological Monitoring During Construction:</u> A qualified archaeologist shall be retained by the Town and approved by the reviewing agencies prior to the commencement of the Project. The archaeologist shall monitor all ground-disturbing activities and</p>			<ul style="list-style-type: none"> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
excavations within the Project area. If archaeological resources are encountered during implementation of the Project, ground-disturbing activities shall temporarily be redirected from the vicinity of the find. The archaeologist shall be allowed to temporarily divert or redirect grading or excavation activities in the vicinity in order to make an evaluation of the find and determine appropriate treatment that may include the development and implementation of a testing/data recovery investigation or preservation in place. The archaeologist shall prepare a final report about the find to be filed with the Town and the CHRIS-EIC, as required by the California Office of Historic Preservation. The report shall include documentation and interpretation of resources recovered. Interpretation will include full evaluation of the eligibility with respect to the California and National Registers. The Town, in consultation with the archaeologist, shall designate repositories to curate any material in the event that resources are recovered on Town property. If the resources are encountered on private land, the landowner shall determine appropriate curation in consultation with the archaeologist and Lead Agency. If archaeological resources are encountered on federal lands, ground-disturbing activities shall cease in the immediate vicinity of the find and the Inyo National Forest shall be contacted immediately. The Inyo National Forest shall provide direction as to the appropriate evaluation, treatment, and curation of the find.						

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p><b>TSM 4.D-4:</b> If resources are identified during the Phase I assessment, a Phase II Cultural Resources Assessment may be warranted if improvements or new public access is proposed in the vicinity of such resources, or if an alternate alignment is not selected. The Phase II assessment shall evaluate the resource(s) for listing in the California Register of Historical Resources (per CEQA) and the National Register of Historic Places (per Section 106). If enough data is obtained from the Phase I assessment to conduct a proper evaluation, a Phase II assessment may not be necessary. Methodologies for evaluating a resource can include, but are not limited to: subsurface archaeological excavations, additional background research, and coordination with interested individuals in the community.</p>	Construction plan review, construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<p><b>TSM 4.D-5:</b> If, as a result of the Phase II assessment, resources are determined eligible for listing, potential impacts to the resources shall be analyzed and if impacts are significant and cannot be avoided, mitigation measures shall be developed and implemented to reduce impacts to the resources. If avoidance is not feasible, then Phase III Cultural Resources Assessments shall be implemented. Phase III assessments can include, but are not limited to: additional subsurface archaeological excavations (i.e., data recovery) and/or archaeological monitoring during ground-disturbing activities. For projects on National Forest lands, coordination and concurrence with the Inyo National Forest and State Historic Preservation Officer regarding treatment or mitigation shall be required. The performance standard for this</p>	Construction plan review, construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
mitigation measure is to reduce potential impacts to archaeological resources to a less than significant level.						
<p><b>TSM 4.D-6:</b> If archaeological resources are encountered during implementation of the Project, ground-disturbing activities should temporarily be redirected from the vicinity of the find. The Town shall immediately notify a qualified archaeologist of the find. The archaeologist should coordinate with the Town as to the immediate treatment of the find until a proper site visit and evaluation is made by the archaeologist. Treatment may include the implementation of an archaeological testing or salvage program. All archaeological resources recovered will be documented on California Department of Parks and Recreation Site Forms to be filed with the CHRIS-EIC. The archaeologist shall prepare a final report about the find to be filed with the Town and the CHRIS-EIC, as required by the California Office of Historic Preservation. The report shall include documentation and interpretation of resources recovered. Interpretation will include full evaluation of the eligibility with respect to the California and National Registers. The Town, in consultation with the archaeologist, shall designate repositories to curate any material in the event that resources are recovered on Town property. If the resources are encountered on private land, the landowner shall determine appropriate curation in consultation with the archaeologist and Lead Agency. The archaeologist shall also determine the need for archaeological monitoring for any ground-disturbing activities in the</p>	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
area of the find thereafter. If archaeological resources are encountered on federal lands, ground-disturbing activities shall cease in the immediate vicinity of the find and the Inyo National Forest shall be contacted immediately. In such cases, the Inyo National Forest shall provide direction as to the appropriate evaluation, treatment, and curation of the find.						
<b>TSM 4.D-7:</b> If human remains are encountered unexpectedly during construction excavation and grading activities, pursuant to California Health and Safety Code Section 7050.5, the Applicant shall halt ground-disturbing activities within the area of the human remains and notify the County Coroner. If the remains are determined to be of Native American descent, the coroner shall have 24 hours to notify the California Native American Heritage Commission (NAHC). The NAHC shall identify the person(s) thought to be the Most Likely Descendant of the deceased Native American, who shall have 48 hours from notification by the NAHC to inspect the site of the discovery of Native American remains and to recommend to the Applicant or landowner means for treating and disposition, with appropriate dignity, the human remains and any associated grave goods. The Applicant or landowner shall reinter the remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance. If the remains are determined to be of Native American descent and are located on federal lands, the coroner has 24 hours to notify the NAHC and the Inyo National Forest of the discovery. The Inyo National Forest shall take the appropriate steps	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
to comply with the federal Native American Graves Protection and Repatriation Act (NAGPRA). NAGPRA stipulates that Native American remains and associated funerary objects belong to lineal descendants. If the descendants cannot be identified, then those remains and objects, along with unassociated funerary or sacred object and objects of cultural patrimony belong to the tribe on whose lands the remains were found or the tribe having the closest relationship to them.						
<b>TSM 4.D-8 [Modified]:</b> If paleontological resources are encountered during implementation of the Project, ground-disturbing activities shall temporarily be redirected from the vicinity of the find. The Town shall immediately notify a qualified paleontologist of the find. The paleontologist shall coordinate with the Town as to the immediate treatment of the find until a proper site visit and evaluation is made by the paleontologist. Treatment may include the implementation of salvage excavations or preservation in place. If preservation in place is not feasible, the paleontologist shall implement a paleontological salvage program to remove the resources from the project site. Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are submitted to their final repository. Any fossils collected shall be curated at a public, non-profit institution with a research interest in the materials, such as the University of California Museum of Paleontology or the Natural History Museum of Los Angeles County, if such an institution agrees to accept	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>the fossils. If no institution accepts the fossil collection, they shall be donated to a local school in the area for educational purposes. Accompanying notes, maps, and photographs shall also be filed at the repository and/or school. The paleontologist shall prepare a final report on the find that shall include appropriate description of the fossils, treatment, and curation. A copy of the report shall be filed with the Town and an appropriate paleontological institution, and shall accompany any curated fossils. The paleontologist shall also determine the need for paleontological monitoring for any ground-disturbing activities in the area of the find thereafter. If paleontological resources are encountered on federal lands, ground-disturbing activities shall cease in the immediate vicinity of the find and the Inyo National Forest shall be contacted immediately. In such cases, the Inyo National Forest shall provide direction as to the appropriate evaluation, treatment, and curation of the find.</p>						
<p><b>General Plan Update (2007)</b></p>						
<p><b>GMPP 4.14-1:</b> A qualified historic archaeologist approved by the Town shall perform the following tasks prior to development approvals on any part of the Town:</p> <ul style="list-style-type: none"> <li>▪ Subsequent to a preliminary Town review, if evidence suggests the potential for historic resources, a field survey conducted using methodology that meets or exceeds state and federal guidelines for historical resources within portions of the project area not previously</li> </ul>	<p>During development plan review, prior to building permits; during construction</p>	<p>Review of survey and/or development plans; construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>surveyed for cultural resources shall be conducted.</p> <ul style="list-style-type: none"> <li>▪ Subsequent to a preliminary Town review, if evidence suggests the potential for historic resources, the Town Archives shall be contacted for information on historical property records. A qualified cultural resources professional shall be contracted to review the records search data collected by PCR Services Corporation on behalf of the Town of Mammoth Lakes as part of the Draft General Plan Update process.</li> <li>▪ Subsequent to a preliminary Town review, if evidence suggests the potential for sacred land resources, the Native American Heritage Commission shall be contacted for information regarding sacred lands.</li> <li>▪ Inventory all historical resources within the project area, including archaeological and historic resources older than 50 years, using appropriate State record forms and following guidelines in the California Office of Historic Preservation’s handbook “Instructions for Recording Historical Resources”. The archaeologist will then submit two (2) copies of the completed forms to the Town for the assignment of trinomials.</li> <li>▪ Evaluate the significance and integrity of all historical resources within the project area, using criteria established in the CEQA Guidelines for important archaeological resources and/or 36 CFR 60.4 for eligibility for listing on the National</li> </ul>						

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>Register of Historic Places.</p> <ul style="list-style-type: none"> <li>Propose mitigation measures and recommend conditions of approval to eliminate adverse project effects on significant, important, and unique historical resources, following appropriate CEQA and/or National Historic Preservation Act's Section 106 guidelines.</li> <li>Prepare a technical resources management report, documenting the inventory, evaluation, and proposed mitigation of resources within the project area, following guidelines for Archaeological Resource Management Reports prepared by the California Office of Historic Preservation, Preservation Planning Bulletin 4(a), December 1989. Submit one copy of the completed report, with original illustrations, to the Town for permanent archiving.</li> </ul>						
<p><b>GMPP 4.14-2:</b> If cultural materials or archaeological remains are encountered during the course of grading or construction, the developer shall cease any ground disturbing activities near the find. A qualified archeologist will be retained to evaluate significance of the resources and recommend appropriate treatment measures. Treatment measures may include avoidance, preservation, removal, data recovery, protection, or other measures developed in consultation with the Town and the developer. In addition, the Town shall:</p> <ul style="list-style-type: none"> <li>Enact interim measures to protect undesignated sites from demolition or significant modification</li> </ul>	During construction	Construction inspection	<ul style="list-style-type: none"> <li>Town Public Works Department</li> <li>Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>without an opportunity for the Town to establish its historic value.</p> <ul style="list-style-type: none"> <li>▪ Require, where appropriate, the incorporation of historic sites and buildings within new developments, using their special qualities as a theme or focal point.</li> <li>▪ Encourage the use of the State Historic Building Code on buildings of historic significance that can allow modification without imposing some of the potentially detrimental provisions of the current building codes.</li> <li>▪ Educate the public about the area’s archaeological heritage</li> </ul>						
<p><b>GMPP 4.14-3:</b> Prior to the approval of any projects that propose to demolish or significantly alter a potentially significant historic resource as defined pursuant to applicable state and federal laws, the applicant shall complete an historic survey report using methodology that meets or exceeds state and federal guidelines to determine potential historic significance. The determination of resource significance shall be made in accordance with CEQA Guidelines Section 15064.5. Where appropriate for a standing historic structure that will not be preserved in place, conservation can include documentation to Historic American Building Survey (HABS) standards and/or relocation</p>	<p>During development plan review, prior to building permits; during construction</p>	<p>Review of survey and/or development plans; construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p><b>GMPP 4.14-4:</b> A qualified archaeologist shall perform the following tasks prior to development activities on any part of the Town:</p> <ul style="list-style-type: none"> <li>▪ Subsequent to a preliminary Town review, if evidence suggests the potential for prehistoric resources, a field survey for prehistoric resources within portions of the project area not previously surveyed for cultural resources shall be conducted.</li> <li>▪ Subsequent to a preliminary Town review, if evidence suggests the potential for sacred land resources, the Native American Heritage Commission for information regarding sacred lands shall be consulted.</li> <li>▪ Inventory all prehistoric resources using appropriate State record forms and submit two (2) copies of the completed forms to the Town.</li> <li>▪ Evaluate the significance and integrity of all prehistoric resources within the project area, using criteria established in the CEQA Guidelines for important archaeological resources.</li> <li>▪ If human remains are encountered on the project site, the Mono County Coroner’s Office shall be contacted within 24 hours of the find, and all work should be halted until a clearance is given by that office and any other involved agencies. If the Coroner determines that the remains may be Native American, contact the Native American Heritage Commission for notification to the most likely descendants of the descendent and follow</li> </ul>	<p>During development plan review, prior to building permits</p>	<p>Review of survey and/or development plans</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>the required protocols specified in Public Resources Code Section 5097.98.</p> <ul style="list-style-type: none"> <li>All resources and data collected within the project area should be permanently curated at an appropriate repository within the Town or County.</li> </ul>						
<p><b>GMPP 4.14-5:</b> If cultural materials or archaeological remains are encountered during the course of grading or construction, the developer shall cease any ground disturbing activities near the find. A qualified archeologist approved by the Town will be retained to evaluate significance of the resources and recommend appropriate treatment measures. Treatment measures may include avoidance, preservation, removal, data recovery, protection, or other measures developed in consultation with the Town and the developer. With the assistance of the archaeologist, the Town shall:</p> <ul style="list-style-type: none"> <li>Consider establishing provisions to require incorporation of archaeological sites within new developments, using their special qualities as a theme or focal point.</li> <li>Educate the public about the area’s archaeological heritage.</li> <li>Propose mitigation measures and recommend conditional of approval to eliminate adverse project effects on significant, important, and unique prehistoric resources, following appropriate CEQA guidelines.</li> </ul>	During construction	Construction inspection	<ul style="list-style-type: none"> <li>Town Public Works Department</li> <li>Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<ul style="list-style-type: none"> <li>Prepare a technical resources management report, documenting the inventory, evaluation, and proposed mitigation of resources within the project area. Submit one copy of the completed report, with original illustrations, to the Town for permanent archiving.</li> </ul>						
<p><b>GMPP 4.14-6:</b> If during grading and excavation an archaeological resource is found, construction shall be temporarily diverted, redirected or halted as appropriate. Any discovery of such resources shall be treated in accordance with federal, state, and local regulations, including those outlined in the CEQA Guidelines Section 15064.5 (e) and as appropriate, the Native American Historical, Cultural and Sacred Sites Act. For archaeological remains, conservation of a resource for which preservation in place is not feasible, relocation and if that is not feasible, documentation shall be required.</p>	During construction	Construction inspection	<ul style="list-style-type: none"> <li>Town Public Works Department</li> <li>Town Community and Economic Development Department</li> </ul>			
<p><b>GMPP 4.14-7:</b> Should the existence of, or the probable likelihood, of Native American or other human remains be found during development of a site, the landowner shall contact the County Coroner and no further excavation or disturbance of the site or nearby area shall be permitted until the County Coroner determines that no investigation of the cause of death is required. If the remains are determined to be Native American, the Coroner shall, as required by Public Resources Code Section 5097.98, notify the Native American Heritage Commission, which shall contact the most likely descendants and those descendants shall have 24 hours to inspect and make</p>	During construction	Construction inspection	<ul style="list-style-type: none"> <li>Town Public Works Department</li> <li>Town Community and Economic Development Department</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
a recommendation to the landowner as to the appropriate means for removal and non-destruction of the remains and artifacts found with the remains. If an agreement cannot be reached between the landowner and the descendants, the Native American Heritage Commission shall mediate the disagreement, and if resolution is not reached, the landowner shall reinter the remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance. The applicant may develop a prospective agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission.						
<b>Geology and Soils</b>						
<b>Trails System Master Plan</b>						
<b>TSMM 4.E-1.A:</b> Trail development on slopes greater than 20 percent shall be avoided where feasible alternative alignments exist.	During construction plan review, during construction	Review construction plans; construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

**Table 4-1 (Continued)**

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<b>TSMM 4.E-1.B:</b> Prior to trail development on slopes 20 percent or greater, a soils and geotechnical study shall be conducted to determine the potential for landsliding and soil instability and to ensure that design measures are incorporated to avoid landslide and soils instability hazards.	Development and construction plan review	Review reports and construction plans	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<b>TSMM 4.E-1.C:</b> Trails development on slopes greater than 20 percent shall be regularly monitored and evaluated at least annually by the Town and/or USFS to ensure that unstable soil conditions do not develop. Should unstable soil conditions develop, the trail shall be temporarily closed until conditions are improved.	On-going during trail operation	Annual site reviews	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ USFS</li> </ul>			
<b>General Plan Update (2007)</b>						
<b>GPMM 4.4-1:</b> The Town shall continue to work with the Mammoth Pacific, L.P. (MPLP) to ensure that geothermal exploration in the Planning Area does not conflict with land uses in the Town and at the same time to ensure continued exploration and development of geothermal resources in the planning area in a manner that is compatible with Town land uses.	On-going	On-going review of potential development plans and geothermal resources	<ul style="list-style-type: none"> <li>▪ Town Community and Economic Development Department</li> </ul>			

**Table 4-1 (Continued)**

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<b>GPM 4.4-2:</b> The Town shall continue to investigate the feasibility and opportunities for direct use of geothermal energy to meet Town heating requirements and other project objectives.	On-going	On-going review of potential development plans and geothermal resources	<ul style="list-style-type: none"> <li>Town Community and Economic Development Department</li> </ul>			
<b>Wildland Fires</b>						
<b>Trails System Master Plan</b>						
<b>TSM 4.G-1.A:</b> As individual projects are implemented under the TSMP, the Town shall undertake actions when applicable to reduce the risk of wildfires. On National Forest lands, these actions shall be coordinated with the USFS to ensure consistency with that agency’s standards and guidelines. Specific actions may include but are not limited to: 1) maintain and incorporate design features to facilitate use of MUPs and other facilities, where feasible and appropriate to accommodate emergency vehicles; 2) provide signage at trail heads and along trails relating to fire prevention (i.e., No Smoking signs, fire danger level signs); 3) provide fuel modification and other fuel treatment applications within Project Areas where appropriate; 4) ensure the maintenance and patrol of trails in the Project Area; and, 5) enforce curfews or other rules to limit unwanted activity in Project Areas during daylight hours and after-hours.	Development and construction plan review, plan check, operations	Review development and construction plans, construction inspection, post-construction inspection	<ul style="list-style-type: none"> <li>Town Public Works Department</li> <li>USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<b>Hydrology and Water Quality</b>						
<b>Trails System Master Plan</b>						
<b>TSMM 4.H-1:</b> Development and siting of individual projects shall avoid to the extent feasible modification of hydrologic conditions, including alteration of flow regimes and disruption of watershed levels.	Development and construction plan review; plan check	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<b>TSMM 4.H-2:</b> No structures, such as foundation berms, shall be designed or constructed in FEMA designated 100-year flood zones in such a way as to retain, divert or, otherwise exacerbate flooding conditions for adjacent properties. All bridges shall maintain a clear span of one foot, vertically and horizontally, from the high water mark of a 100-year storm or flood, whichever is greater.	Development and construction plan review; plan check	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p><b>TSMM 4.H-3:</b> Placement of trails and trails-related facilities in areas subject to flooding depths in excess of one foot shall be avoided to the extent feasible. Where designated areas of flooding in excess of one foot cannot be avoided, signage shall be provided to warn of potential flood hazard.</p>	Development and construction plan review; plan check	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<p><b>TSMM 4.H-4:</b> Measures to reduce erosion shall be implemented in the design of all trails. Measures shall include but not be limited to any of the following, as appropriate:</p> <ul style="list-style-type: none"> <li>a. Diversion and dissipation of standing water to adjacent landscape</li> <li>b. Directing of concentrated flows to velocity dissipaters to control erosion or limit flows to overland sheet flow</li> <li>c. Aligning paths to avoid concentration of runoff</li> <li>d. Maintaining natural depressions to allow natural storm attenuation</li> </ul>	Development and construction plan review; plan check	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<p><b>TSMM 4.H-5:</b> Where projects are not required to file a SWPPP on the Storm Water Multiple Application and Report Tracking System (SMARTS), each project shall install and maintain appropriate BMP's in conformance to the methods identified in the</p>	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
California Stormwater Quality Association (CASQA) handbook of Best Management Practices. The BMP's used shall relate to the type of work required for each project. All BMP's shall be considered for each project following the BMP checklist. A note shall be made as to the reason for not incorporating any specific BMP.			Community and Economic Development Department <ul style="list-style-type: none"> <li>▪ USFS</li> </ul>			
<b>TSMM 4.H-6:</b> Trail alignments shall be designed to the extent feasible to avoid wet areas, springs, wetlands, and the lower portions of slopes, especially those that are north facing. Where such features cannot be avoided, improvements such as boardwalks, turnpikes, puncheons, or other effective means of elevating the trail tread above sensitive resources, as determined appropriate by the Town and/or USFS, shall be implemented. Replacement, restoration or other suitable measures as required by CDFG, ACOE and the Basin Plan may also be required if avoidance of wetland areas is not feasible.	Development and construction plan review; plan check	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<b>TSMM 4.H-7:</b> Crossing structures shall be provided at year-round stream crossings to protect wetland areas. Necessary streams and wetlands crossings shall minimize channel crossing dimension by selecting narrow areas where root support is adequate for bridge footings, and spans are outside of flood waters or subject to floodplain dynamics, whenever possible.	Development and construction plan review; during construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p><b>TSMM 4.H-8:</b> Prior to construction of trails facilities, engineering analysis shall be completed to determine the presence of water resources, including wetlands, streams, and riparian areas (i.e., areas along the banks of a stream or river). Any such resources located within 200 feet of any proposed trail or facility, shall be identified as “receiving resources” and mapped. Such mapping shall be consulted regarding potential for sediments deposits, placement of trail drainage structures, maneuvering of maintenance equipment, season of work, interception and infiltration of trail drainage, and disposal of earth materials generated during construction or maintenance activities. Design considerations such as placement of trail alignments away and down-gradient from sensitive resources, as well as erosion-minimizing features such as retaining walls, vegetation buffers, grade reversals, knicks, puddle drains, rolling grade dips, water bars, and pavers shall also be implemented, as appropriate, to protect water quality in such “receiving resources.”</p>	<p>Development and construction plan review; during construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<p><b>TSMM 4.H-9:</b> Throughout trail construction and maintenance activities, operation of heavy equipment on soft surface trails and unpaved areas shall be avoided when they are wet. During periods that trails are wet, alternative routes for heavy equipment shall be selected.</p>	<p>During construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

**Table 4-1 (Continued)**

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p><b>TSMM 4.H-10:</b> Establish minimum 5 foot vegetation buffers between trails, streams and wetlands prior to trail construction activities, and provide ongoing maintenance of these buffer areas throughout the operational life of the trails. Create these buffers between trails and water resources by establishing riparian and streamside management zones, within which trail influences such as drainage, disturbance and trail width are minimized.</p>	<p>Development and construction plan review; during construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<p><b>TSMM 4.H-11:</b> In accordance with the trail design guidelines presented in Chapter 6 of the TSMP, avoid steep trail grades in excess of 10 percent where less steep alternative alignments are available and feasible. Where steep trail grades cannot be avoided, trail design features such as climbing turns, stairs/steps, and switchbacks shall be employed to minimize stormwater runoff velocities to appropriate levels of non-erosive flow for the soil type.</p>	<p>Development and construction plan review; during construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<p><b>TSMM 4.H-12:</b> Runoff control measures shall be implemented in the design of trails as follows:</p> <p>a. Maintain minimum trail gradients. Maintain positive surface drainage by means of out-sloped, in-sloped, or crowned sections having cross slopes of 3 percent to 5 percent for soft surfaced trails and 2 percent for hard surfaced trails. The trail surface should be</p>	<p>Development and construction plan review; during construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>graded to shed water before it can run very far down the trail. MUPs with significant cut-slopes shall be designed to eliminate drainage down or across fill slopes to prevent erosion.</p> <p>b. Maintain the minimum trail width suitable for uses specified. Maintain only the width of trail necessary to support the designated uses.</p> <p>c. Avoid long sustained grades that concentrate flows by providing drainage at frequencies appropriate for soils and gradients. Roll grades or undulate the trail profile frequently to disperse water from the trail. Features such as rolling dips and water bars to provide essential drainage relief shall be incorporated into soft surface trail design.</p> <p>d. Prevent erosion at outlets of rolling dips and culverts through incorporation of measures that include but are not limited to: armoring of drainage outlets with rock to prevent erosion; spreading of brush or native organic debris in lead-off ditches to slow the velocity of the runoff and facilitate the deposition of sediments.</p> <p>e. Install pipes and ditches, including road and trail under-drains (culverts) and associated ditches, when other measures would not be effective, and only when maintenance funds are available to maintain them.</p> <p>f. Avoid discharging trail runoff onto fill slopes</p>			<p>Department</p> <ul style="list-style-type: none"> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>and unprotected slopes. Fill slopes should be armored where runoff is discharged onto them or the runoff should be conveyed in a down drain to a location where sediments can be deposited and flow infiltrated.</p> <p>g. Avoid concentrated runoff from flowing on to trails and paths.</p>						
<p><b>TSMM 4.H-13:</b> Prior to construction of trails and trails related facilities, complete more detailed engineering study to determine the appropriate design and sizing of storm drain facilities, based on hydrologic data. All culvert sizes shall be prescribed by a qualified engineer based on the size of the contributing watershed and best hydrologic data available.</p>	<p>Development and construction plan review; during construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<p><b>TSMM 4.H-14:</b> A Maintenance Plan for proposed trails shall be developed in conjunction with design that specifies the type and frequency of maintenance activities to be employed for the soil types and terrain of the trail or MUP. Trails and MUPS shall be designed to minimize the need for grading. The following provisions shall also apply to trail maintenance activities per the Maintenance Plan:</p> <ul style="list-style-type: none"> <li>• Season of work. Maintenance work that results in disturbed earth should be conducted outside the wet season (typically October 15 to May 1). If necessary, blading shall be done when the trail surface materials</li> </ul>	<p>Development and construction plan review; during maintenance</p>	<p>Maintenance monitoring</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>are moist, but not dry, to the extent possible.</p> <ul style="list-style-type: none"> <li>Disposal/storage of excess earth materials. Areas for disposal of excess earth materials generated during maintenance activities shall be designated in the Maintenance Plan. Excess earth materials that must be stored shall be covered with plastic or a thick layer of wood chips.</li> </ul>						
<p><b>TSMM 4.H-15:</b> Areas of disturbed earth shall be seeded with native plant materials and mulched as soon as possible after disturbance. Also refer to Mitigation Measure 4.A-3, in Section 4.A, <i>Aesthetics and Visual Resources</i>, of this EIR. Wood chips shall not be used where improved drainage facilities are located, that could become clogged.</p>	<p>Development and construction plan review; during construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>Town Public Works Department</li> <li>Town Community and Economic Development Department</li> <li>USFS</li> </ul>			
<p><b>TSMM 4.H-16:</b> In parking areas, avoid grades in excess of 5 percent where possible. Design of all parking areas shall adhere to the following:</p> <ol style="list-style-type: none"> <li>Design Parking areas to minimize concentration of runoff.</li> <li>Maintain the smallest paved area feasible to meet parking requirements.</li> <li>Install sand/oil separators to collect and contain pollutants from runoff from parking</li> </ol>	<p>Development and construction plan review; during construction</p>	<p>Construction inspection</p>	<ul style="list-style-type: none"> <li>Town Public Works Department</li> <li>Town Community and Economic Development Department</li> <li>USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<p>areas.</p> <p>d. Install infiltrators and oil/water separators to collect initial runoff from parking lots.</p> <p>e. Connect parking areas to existing storm drainage systems or install level spreaders. If necessary drainage outlets shall be armored with rock to prevent erosion. Brush or native organic debris can be spread in lead-off ditches to slow the velocity of the runoff and facilitate the deposition of sediments.</p> <p>f. Avoid discharging runoff onto fill slopes and unprotected slopes. Fill slopes receiving discharge shall be armored, or runoff shall be conveyed in a down drain to a location where sediments can be deposited and flow infiltrated.</p> <p>g. Parking areas shall be designed in accordance with the Town's drainage design manual, and sited so as to avoid water courses and adverse effects wetlands or water quality.</p>						
<p><b>TSM 4.H-17:</b> At bathroom/restroom sites, areas that collect roof drainage shall be designed to be erosion resistant. Avoid conditions that allow runoff from roof to cause initiation of erosion. Runoff from roofs shall be directed to non erodible surfaces. Avoid discharging runoff onto fill slopes and unprotected slopes.</p>	<p>Development and construction plan review; during construction and operation</p>	<p>Construction and site monitoring</p>	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ USFS</li> </ul>			

**Table 4-1 (Continued)**

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<b>Noise</b>						
<b>Land Use Element/Zoning Code Amendments and Mobility Element Update</b>						
<b>MM NOISE-1:</b> Heavy construction equipment such as large dozers shall not operate within 43 feet from sensitive receptor locations. If heavy construction equipment would be required for construction, alternative methods shall be used such as small dozers.	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> </ul>			
<b>Trails System Master Plan</b>						
<b>TSMM 4.J-1.A:</b> Engine idling from construction equipment such as bulldozers and haul trucks shall be limited, to the extent feasible.	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ USFS</li> </ul>			
<b>TSMM 4.J-1.B:</b> The construction staging areas shall be located as far as feasible from sensitive receptors.	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ USFS</li> </ul>			

Table 4-1 (Continued)

Mitigation Monitoring and Reporting Program

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<b>TSMM 4.J.1.C:</b> All construction activities shall comply with the Town’s noise Ordinance.	During construction	Construction inspection	<ul style="list-style-type: none"> <li>▪ Town Public Works Department</li> <li>▪ Town Community and Economic Development Department</li> <li>▪ USFS</li> </ul>			
<b>Traffic</b>						
<b>Land Use Element/Zoning Code Amendments and Mobility Element Update</b> [Note: Based on the Traffic Study, the following mitigation measures are applicable to the Project (Scenario 6)]						
<b>MM TRAF-2: Main Street/Mountain Boulevard.</b> A southbound right-turn lane on Mountain Boulevard shall be provided to achieve LOS D or better.	During development plan review	Evaluation of project-specific LOS	▪ Town Public Works Department			
<b>MM TRAF-3:</b> Old Mammoth Road/Minaret Road/Fairway Drive. Improvements, such as the installation of a roundabout, restriping, or widening of the roadway, shall be implemented to ensure that the intersection operates at LOS D or better.	During development plan review	Evaluation of project-specific LOS	▪ Town Public Works Department			
<b>MM TRAF- 7: Main Street/Forest Trail:</b> Southbound left-turn movements from Forest Trail onto Main Street shall be prohibited to achieve LOS D or better	During development plan review	Evaluation of project-specific LOS	▪ Town Public Works Department			
<b>MM TRAF 8: Main Street/Laurel Mountain Road:</b> A northbound right-turn lane shall be provided on Laurel Mountain Road to Main Street to achieve LOS D or better.	During development plan review	Evaluation of project-specific LOS	▪ Town Public Works Department			

**Table 4-1 (Continued)**

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
<b>MM TRAF-9: Old Mammoth Road/Sierra Nevada Road:</b> Eastbound and westbound right-turn lanes shall be provided at the Sierra Nevada Road approaches to achieve LOS D or better.	During development plan review	Evaluation of project-specific LOS	▪ Town Public Works Department			
<b>Trails System Master Plan</b>						
<b>TSMM 4.L-1:</b> Modifications shall be made to provide at least 150 feet of stopping sight distance for northbound drivers approaching the MUP crossing on Majestic Pines Drive between Meridian Boulevard and Monterey Pine Road. This could be accomplished by modifying the MUP trail alignment and/or modifying the existing landscaping and embankment.	During review of development plans, plan check	Construction and operations review	▪ Town Public Works Department			
<b>General Plan Update (2007)</b>						
<b>GPMM 4.13-1:</b> The Town shall amend the Master Facility Plan to include the mitigation measures necessary to reduce impacts to the level of service on the street system. The Town shall review the Development Impact Fees to ensure that sufficient funds will be available to make the necessary improvements.			▪			
<b>Utilities and Service Systems</b>						
<b>Land Use Element/Zoning Code Amendments and Mobility Element Update</b>						
<b>MM WW-1:</b> During the review of an application by the MCWD for a wastewater permit, if deficiencies in local sewer lines resulting from the application would cause the denial of the sewer permit, the applicant shall install improvements that would comply with Division VII of the Sewer Code (as reviewed by the MCWD).	Review of development application	Capacity finding by Mammoth Community Water District	Mammoth Community Water District			

**Table 4-1 (Continued)**

**Mitigation Monitoring and Reporting Program**

Mitigation Measure	Timing of Implementation	Method of Verification	Enforcement Agency	Verification		
				Staff Compliance Verification	Date of Verification	Remarks
Where general deficiencies are identified, the Sanitary Sewer Code already provides for the collection of fees for sewer main lines, new laterals and other infrastructure.						
<b>MM STRM-1:</b> Potential peak surface runoff shall be determined for all private projects. Suitable infiltration or other containment systems, such as dry wells, galleries, or basins, shall be designed to reduce net runoff increase to existing conditions. All infiltration devices shall be consistent with the Town Standards and shall be reviewed and approved by the Department of Public Works. The property owner shall perform inspection twice a year (Spring and Fall) and after major storm events and shall provide any needed maintenance or cleanout.	Review of development application, building plans	Capacity finding by Department of Public Works	Town Public Works Department			
<b>General Plan Update (2007)</b>						
<b>GPMM 4.11-1:</b> The Town shall not approve new development applications that would result in a water demand in excess of available supplies as determined by the MCWD. The Town shall work with MCWD to ensure that land use approvals are phased so that the development of necessary water supply sources is established prior to development approvals. This shall be made a policy of the Updated General Plan	Review of development application	Capacity finding by Mammoth Community Water District	Mammoth Community Water District			

