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MEMORANDUM

TO: Mayor John Wentworth and Town Councilmembers

CC: Nolan Bobroff, Assistant Planner
Andrew Morris, Town Attorney

FROM: Chris Butcher, Thomas Law Group

DATE: July 18, 2017

RE: Grocery Outlet Project Appeal

Our law firm assists public agencies and developers throughout the state on issues associated with CEQA compliance. Best Development Group retained our firm to review the administrative appeal filed Grundman Law on behalf of "Sustainable Mammoth Lakes." As discussed further below, we agree fully with Town staff's analysis supporting the conclusion that the Grocery Outlet Project (Project) is exempt from further California Environmental Quality Act (CEQA) review pursuant to the In-Fill Development Categorical Exemption (CEQA Guidelines section 15332).

The Town Council Staff Report for the Appeal provides a detailed discussion of the Town's basis for relying on the In-Fill Development Categorical Exemption. We submit this memorandum to provide additional substantial evidence supporting Town staff's and the Planning and Economic Development Commission's (Commission) finding that the In-Fill Development Categorical Exemption applies to the Project.

(1) In-Fill Development Exemption:

CEQA and the CEQA Guidelines issued by the State Resources Agency have established a three-tiered process for evaluating projects. In the first step, an agency conducts a preliminary review to determine whether CEQA applies to a proposed activity. If the project is exempt from CEQA, either because it is not a "project" as defined in section 15378 of the CEQA Guidelines or because it falls within one of several exemptions to CEQA, "no further environmental review is necessary…. [and] [t]he agency may prepare and file a notice of exemption, citing the relevant section of the [CEQA] Guidelines and including a brief 'statement of reasons to support the finding.'" (*California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2016) 2 Cal.App.5th 1067, 1080.)

Here, as discussed in the Commission staff report and further in the Town Council staff report concerning the administrative appeal, Town staff determined that the Project is exempt from further CEQA review pursuant to the In-Fill Development Categorical Exemption (CEQA Guidelines section 15332). The Town Council staff report for the July 19, 2017 appeal hearing discusses each of the criteria required to utilize the In-Fill Development Exemption. (See Town Council Staff Report, pp. 4-6.) Among other conclusions, the Staff Report finds that (1) the project site has no value as habitat for endangered, rare or threatened species, (2) the Project will not result in any significant effects relating to traffic, and (3) the Project will not result in any significant effects relating to noise. Town staff's conclusions were based on a detailed evaluation of the Project and is further supported by the analysis and conclusions reached in the Town's recently certified (State Clearinghouse #2015052072) 2016 Mobility Element Update Environmental Impact Report (2016 EIR).

In preparing this memorandum, we requested that Dudek, an environmental consulting, review various conclusions reached by Town staff relevant to the administrative appeal. As summarized below, and discussed further in the attached memoranda, Dudek's analysis presents additional substantial evidence supporting and confirming conclusions reached by Town staff. Specifically:

(1) With respect to potential habitat, senior biologist Keith Babcock from Dudek determined based on "the small size of the 1.37-acre project site, the fact that it is entirely surrounded by development, is heavily disturbed due to prior development and the historic use of the site for snow storage and other temporary uses," the trees located "on and adjacent to the site are not considered suitable nesting habitat for rare or state- and/or federally-listed Threatened or Endangered bird species known to occur in the region." (Attachment A, Keith Babcock, Grocery Outlet Project Biological Resource Memorandum (July 14, 2017).)

(2) With respect to potential traffic impacts, Transportation Planner Sabita Tewani from Dudek prepared Project-specific traffic calculations. Consistent with Town staff's conclusions, the analysis confirms that traffic generated by the Project would be substantially less than the traffic anticipated under the 2016 EIR. Moreover, in consideration of the Project-specific traffic calculations and the location of existing and proposed driveway entrances along Old Mammoth Road, the analysis confirms that the median turn lane on Old Mammoth Road provides sufficient room for left turn movements into the project site during peak traffic conditions. Therefore, the Project does not have the potential to result in traffic queuing that could interfere with north- or south- bound traffic along Old Mammoth Road. (Attachment B, Sabita Tewani, Old Mammoth Road Grocery Outlet Project-Specific Trip Generation and Queuing Analysis (July 17, 2017).)

(3) With respect to potential noise impacts, environmental acoustician Christopher Barnobi from Dudek reviewed the Project in consideration of the 2016 EIR noise analysis, the project site layout, and anticipated operational parameters of an approximately 18,000 square foot grocery store, and determined that potential noise generated by the Project

> would be minimal. In consideration of background (ambient) noise conditions in the project area, the incremental increase in noise associated with the Project would not result in an exceedance of the Town of Mammoth Lakes Municipal Code (Municipal Code) noise regulations (Chapter 8.16). With adherence to the Municipal Code, construction noise would be considered less than significant. (Attachment C, Christopher Barnobi, Grocery Outlet Project Noise Memorandum (July 17, 2017).)

Furthermore, by developing an underutilized infill site within a substantially built-out commercial corridor, the Project will result in numerous improvements over existing conditions. For example, the Mammoth Lakes Fire Protection District (MLFPD) desires an additional fire hydrant along this segment of Old Mammoth Road to serve existing commercial development as well as the Project. The Project includes an additional fire hydrant on the east side of Old Mammoth Road adjacent to the project site, which constitutes a "positive effort between developers and a municipality to improve the project for the benefit of the community" that helps address existing community need for fire suppression resources. (*Wollmer v. City of Berkeley* (2011) 193 Cal.App.4th 1329, 1353.)

(2) Exceptions to the In-Fill Development Categorical Exemption:

The Town Council staff report for the July 19, 2017 appeal hearing discusses each of the exceptions to the categorical exemptions set forth in CEQA Guidelines section 15300.2. (See Town Council Staff Report, pp. 6-8.) Among other conclusions, Town staff determined that no unusual circumstances are applicable to the Project or the project site. We agree with Town staff's conclusions.

With respect to the unusual circumstances exception, as explained in *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086 (*Berkeley Hillside*), a two-part test applies to determine whether an unusual circumstance is present that excludes use of a categorical exemption. (*Id*. at p. 1115.) This two-part test requires the lead agency to first consider "whether there are 'unusual circumstances'…" (*Id*. at p. 1114.) "Whether a particular project presents circumstances that are unusual for projects in an exempt class is an essentially factual inquiry, founded on the application of the fact-finding tribunal's experience with the mainsprings of human conduct." (*Ibid*. (internal citations omitted).) This inquiry is subject to the substantial evidence standard of review, which means that all evidentiary conflicts must be resolved "in the agency's favor and … all legitimate and reasonable inferences [must be made] to uphold the agency's finding." (*Ibid*.) Second, if a lead agency finds an unusual circumstance exists, the lead agency next asks if "there is a reasonable possibility [of] a significant effect on the environment due to unusual circumstances." (*Id*. at p. 1115, quoting CEQA Guidelines, § 15300.2, subd. (c).)

In establishing this bifurcated test, the Court emphasized that "circumstances do not become unusual merely because a fair argument can be made that they might have a significant effect." (*Berkeley Hillside, supra*, 60 Cal.4th at p. 1115 (italics added).) For environmental impacts to constitute an unusual circumstance, the lead agency must determine based on substantial

evidence that "the project will have a significant environmental effect." (*Id*. at p. 1105 (italics added).)

Unusual circumstances may exist where a "project has some characteristic or feature that distinguishes it from others in the exempt class, such as its size or location." (*Walters v. City of Redondo Beach* (2016) 1 Cal.App.5th 809, 821 (*Walters*).) In determining whether unusual circumstances exist, an "apples-to-apples comparison" should be used to consider whether the project is distinguishable from other similar projects subject to the exemption. (See *Citizens for Environmental Responsibility v. State ex rel. 14th Dist. Ag. Assn.* (2015) 242 Cal.App.4th 555, 577 [holding that a fair rodeo must be compared to other similar activities on a fair ground and not to other unrelated public facilities]; see also *Wollmer*, *supra*, 193 Cal.App.4th at p. 1351 [rejecting petitioner's argument that locating an infill project on the intersection of two major streets constituted an "unusual circumstance" because that is "well within the range of characteristics one would expect for class 32 projects and precisely what the law encourages"].)

Here, Town staff considered whether the Project or project site presented any unusual circumstances. In undertaking this inquiry, staff considered the existing conditions of the infill site, surrounding commercial uses, the reasonably anticipated operational parameters of the Grocery Outlet project, and the proposed intensity of the Project in comparison to other retail uses that may be developed on the project site.

In considering the range of characteristics anticipated for a retail project that may be developed on the project site, Town staff reviewed the analysis and conclusions in the 2016 EIR for the Land Use Element/Zoning Code Amendments. The 2016 EIR analyzed buildout of vacant parcels in the Town assuming an overall buildout of 80% of a 2.0 floor area ratio (FAR) for vacant commercial parcels such as the project site (i.e. a FAR of 1.6). The Project constitutes a substantially less intense use than contemplated as part of the 2016 EIR. Specifically, the Project has a 0.33 FAR, approximately one-sixth of the development intensity previously estimated and evaluated in the 2016 EIR.

Finally, the project site is surrounded by commercial uses and the site itself has been historically used as a restaurant. The restaurant was demolished in 2000. For all of these reasons, as in *Wollmer*, nothing is unusual about the Project or project site as compared to other retail projects or commercial sites within the Town. Therefore, no unusual circumstances exist. As no unusual circumstances exist, no further analysis is required pursuant to the unusual circumstances exception.

(3) Substantial evidence demonstrates the Project does not have the potential to result in significant traffic, tree removal, or urban decay impacts.

As discussed above and in the prior staff reports, the Project does not have the potential to result in significant traffic impacts nor do the trees proposed for removal have value as habitat for endangered, rare or threatened species. The criteria to utilize the In-Fill Development Categorical Exemption does not require an evaluation of urban decay impacts or tree removal impacts (other than potential habitat impacts). (CEQA Guidelines, § 15332.) Therefore, these

alleged impacts would only prohibit application of the In-Fill Development Categorical Exemption if substantial evidence demonstrated that "the project will have a significant environmental effect" with respect to one or both of these issues. (*Berkeley Hillside*, *supra*, 60 Cal.4th at p. 1105.)

With respect to potential tree impacts, the analysis undertaken by Dudek's senior biologist Keith Babcock supports Town staff's finding that the trees, which are surrounded by existing commercial development and historically were located within and surrounding a restaurant parking lot, are not of a sufficient size or quality to be considered significant trees. Therefore, substantial evidence supports the conclusion that removal of the trees located on the project site does not have the potential to result in a significant environmental impact.

Furthermore, the Project complies fully with the Town's Tree Removal and Protection Ordinance and related Town requirements. To provide parking lot shading, the Town's Municipal Code requires that the Project include at least 10 trees. As proposed, the Project will plant 45 trees including 15 to 20 trees along the eastern and southern sides of the property; the proposed tree species are consistent with the plant guides for Mammoth Lakes. Thus, as proposed, the Project substantially exceeds the Town's tree shading requirements and will result in a net increase in onsite trees as compared to existing conditions.

With respect to alleged urban decay impacts, it is first important to define "urban decay." "Urban decay" has been defined as extended long-term business or residential vacancies that directly or indirectly result in physical deterioration to properties or structures that is so prevalent, substantial, and/or lasting a significant period of time that it impairs the intended use of the properties and structures, and the health, safety, and welfare of the surrounding community. Physical deterioration could include: abandoned buildings, boarded doors and windows, parked trucks, and long-term unauthorized use of the properties and parking lots, extensive or offensive graffiti painted on buildings, dumping of refuse or overturned dumpsters on properties, dead trees and shrubbery, and uncontrolled weed growth. (See, e.g., *Joshua Tree Downtown Business Alliance v. County of San Bernardino* (2016) 1 Cal.App.5th 677, 685.)

"An indirect physical change [like urban decay] may be considered [under CEQA] only if it is reasonably likely to occur. A change which is speculative or unlikely to occur is not reasonably foreseeable." (*Friends of Davis v. City of Davis* (2000) 83 Cal.App.4th 1004, 1020.) Factors relevant in considering the potential for a project to result in physical environmental impacts associated with urban decay include "the size of the project, the type of retailers and their market areas and the proximity of other retail shopping opportunities." (*Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1207.) Here, the Project is an approximately 18,000 square foot retail (grocery store) project. The Town currently has no other similarly sized grocery stores and only one substantially larger grocery store located at 481 Old Mammoth Road, approximately a half mile from the project site.

The phenomenon of urban decay is typically attributed to big-box retail businesses and not a small-scale grocery store such as the Project. Even in the context of a big-box retailer, "the fact

that [a project] may drive smaller retailers out of business is not an effect covered by CEQA. Only if the loss of business affects the physical environment – for example, by causing or increasing urban decay – will CEQA be engaged." (*South Orange County Wastewater Authority v. City of Dana Point* (2011) 196 Cal.App.4th 1604, 1614.) Here, no evidence suggests that this small-scale grocery store project has the potential to result in closure of other existing stores through direct competition within the Town. Moreover, even if one or more closures did occur, no evidence suggests such closures would result in urban decay as the Town has a vibrant retail economy and new businesses would be anticipated to fill vacant spaces within a short period of time. For all of these reasons, substantial evidence supports the conclusion that the Project does not have the potential to result in significant environmental impacts associated with urban decay.

(4) Public notice was properly provided for the June 14, 2017 Planning and Economic Development Commission meeting.

The appellant suggests that the Commission's administrative review of the Project was not properly noticed prior to the June 14, 2017 meeting. Town staff responded to this claim in the Town Council staff report. (Town Council Staff Report, p. 10.) Furthermore, we note that the Project was included on the Commission's agenda for the June 14, 2017 meeting. The Commission's June 14, 2017 agenda was posted in conformance with the Brown Act (Government Code section 54950 et seq.). Therefore, public notice was provided prior to the Commission's meeting. No additional noticing requirement was applicable to the Commission's administrative consideration of the Project.

Conclusion

As discussed in the June 14, 2017 Commission staff report and July 19, 2017 Town Council staff report, Town staff determined that the Project is categorically exempt from CEQA pursuant to Section 15332 of CEQA Guidelines (the "In-Fill Development Categorical Exemption") and the Commission unanimously agreed with this conclusion (4-0). Substantial evidence supports the determination made by Town Staff and the Commission. Based on the reasons set forth by Town staff in the Town Council staff report and the supporting substantial evidence included in this memorandum, we fully support Town staff's conclusion that the Project is exempt from further CEQA review pursuant to the In-Fill Development Categorical Exemption. Therefore, we respectfully request that the Town Council affirm the Commission's determination that the Project is categorically exempt from CEQA and its decision to approve the Project.

ATTACHMENT A

DUDEK

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SACRAMENTO, CALIFORNIA 95811
T 916.443.8335 F 916.443.5113

MEMORANDUM

To: Christopher Butcher, Thomas Law Group
From: Keith Babcock, Principal/Senior Biologist
Subject: Grocery Outlet project – Town of Mammoth Lakes, CA
Date: July 14, 2017

Per your request, I assessed the potential for rare or state- and/or federally-listed Threatened or Endangered bird species to utilize the trees within and along the Grocery Outlet project site as nest habitat. For the assessment, I also reviewed relevant Grocery Outlet project materials available on the Town's website (http://www.townofmammothlakes.ca.gov/index.aspx?NID=763).

The vacant lots making up the project site are located within the downtown district of the Town of Mammoth Lakes are entirely surrounded by existing commercial development (buildings, parking lots, roads). The lots themselves appear heavily disturbed from past development and surrounding land uses. Several mature trees (appear to be unknown species of conifer) occur within and along the periphery of the vacant lots.

In my professional biological opinion, due to the location of the site in a highly developed area within the Town of Mammoth Lakes, the trees on and adjacent to the site are not considered suitable nesting habitat for rare or state- and/or federally-listed Threatened or Endangered bird species known to occur in the region. The high level of human activity, nighttime lighting, and noise is expected to inhibit such bird species from attempting to nest in these trees.

My conclusion is consistent with the analysis included in the Environmental Impact Report prepared for the Town's Land Use Element / Zoning Code Amendments and Mobility Element Update certified in December of 2016 (2016 EIR). The 2016 EIR concluded, due to the highly developed nature of the area in which vacant parcels such as this project site are located, potential nesting and foraging habitat for rare, Threatened, or Endangered species is limited to areas that are "dominated by conifer forest habitat." (2016 EIR, p. 4.4-42.) As such, because of the small size of the 1.37-acre project site, the fact that it is entirely surrounded by development, is heavily disturbed due to prior development and the historic use of the site for snow storage and other temporary uses, the 43 trees on the project site are not considered "conifer forest habitat" suitable as nesting or foraging habitat for rare, Threatened, and/or Endangered bird species. Therefore, consistent with the 2016 EIR analysis, because the project site is an infill site that is

not "dominated by conifer forest habitat," the project site does not have value as habitat for any such bird species.

Please feel free to contact me with any questions, my email address is kbabcock@dudek.com.

ATTACHMENT B

DUDEK

MAIN OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T 760.942.5147 T 800.450.1818 F 760.632.0164

MEMORANDUM

To: Christopher Butcher, Thomas Law Group
From: Sabita Tewani, Transportation Planner, Dudek
Subject: Old Mammoth Road Grocery Outlet Project-specific Trip Generation and Queuing Analysis, Mammoth Lakes, CA
Date: July 17, 2017

The Old Mammoth Road Grocery Outlet (proposed project) is a supermarket proposed within the Town of Mammoth Lakes, California. This memo includes a project specific trip generation and queuing analysis for the proposed project to address the concerns regarding its impact on Old Mammoth Road and the intersection of Main Street and Old Mammoth Road.

PROJECT BACKGROUND

The proposed project is located at 37 and 77 Old Mammoth Road within the Town of Mammoth Lakes, California. The project proposes to construct an approximately 18,000 square foot supermarket on 1.37 acres of vacant land. The land use is Commercial 2 (C-2) designated by the General Plan and the site is zoned Downtown (D).

The Town of Mammoth Lakes General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update adopted in 2016 includes in part Land Use Element Amendments focused on revisions to the development standards for the commercial areas, which would provide for increased flexibility and intensity of future development along commercially designated areas within the Town. However, the Project would be developed at a lower development intensity than was analyzed for the subject property in the Mobility Element Update, and is not anticipated to generate additional traffic compared to what has previously been analyzed in the General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update (Update EIR).

TRIP GENERATION

The Town of Mammoth has utilized TransCAD 5.0, a computer based transportation model for comparing the impacts of various growth assumptions and for evaluating alternative transportation improvement programs.

Dudek has reviewed the information provided in the Mammoth Mobility Element, Transportation Impact Analysis, 2016 and the Town of Mammoth Lake Traffic Model, 2011 to determine the project specific trip generation for the Project. The Town of Mammoth Lake Traffic Model provides a comparison to the Institute of Transportation Engineers (ITE) trip rate, to validate that a similar number of trips were produced by the land use inputs provided in their model.

Table 1 provides a summary of the estimated trip generation for the Project based on a comparable trip rate for retail land use that was used in the Town of Mammoth Lake Traffic Model, 2011 to validate the trip generation provided by the TransCAD model. As shown, the proposed project would generate a total of 773 average daily trips, 23 AM peak hour trips and 70 PM peak hour trips.

Table 1
Trip Generation Summary for Grocery Outlet Project

Trip Generation Rates								
			AM Peak Hour[2]			PM Peak Hour[2]		
Land Use	*Daily Trip Rate*	*Unit*	*Total*	*% In*	*% Out*	*Total*	*% In*	*% Out*
Retail/Commercial	43	ksf	3%	62%	38%	9%	51%	49%

Trip Generation									
				AM Peak Hour			PM Peak Hour		
Land Use	*Total No. of Units*	*Unit*	*Daily*	*Total*	*In*	*Out*	*Total*	*In*	*Out*
Retail/Commercial	18	ksf	773	23	14	9	70	36	34

[1] Daily Trip Generation Rate for a Retail/Commercial has been utilized from the Town of Mammoth Lakes 2010 Traffic Model, Town of Mammoth Lakes General Plan

[2]Peak Hour Trip Generation Rate Generation Rate for a Supermarket has been utilized from the ITE Trip Generation Manual, 9th Edition
ksf – '000 square feet

EXISTING ROADWAY OPERATIONAL CHARACTERISTICS

Per the General Plan Mobility Element, Old Mammoth Road between Main Street and Tavern Road is classified as an arterial collector street. Near the project site, Old Mammoth Road, between Main Street and Tavern Road, is a three-lane collector with one lane in each direction and a two-way-center-left-turn lane. The existing average daily traffic volume along Old Mammoth Road between Main Road and Meridian Street is approximately 10,590 vehicles. The peak hour traffic on Old Mammoth Road between Main Road and Tavern Road is 446 vehicles

and 727 vehicles in the northbound and southbound directions, respectively. As shown in Table 2, the Project generated peak hour and daily project traffic would be less than 10% of the total traffic along Old Mammoth Road.

Table 2
Peak Hour and Daily Roadway Capacity for Mammoth Road

Street Name	From	To	Direction	Capacity	Existing		Existing plus Project		
					Volume	v/c	Project Traffic (% of total traffic)	Volume	v/c
Old Mammoth Rd.	Tavern	Main	Northbound	1,600	446	0.28	35 (7.8%)	481	0.30
	Main	Tavern	Southbound	1,600	727	0.45	35 (4.8%)	762	0.48
Old Mammoth Rd.	Main Street	Meridian	Daily	16,000	10,590	0.66	773 (7.3%)	11,363	0.71

As shown in Table 3, the intersection of Old Mammoth Road/ Main Street operates at an acceptable level of service under existing and existing plus project conditions.

Table 3
Intersection Level of Service for Main Street/ Mammoth Road

Intersection	Traffic Control	Existing		Existing plus Project	
		Delay (sec)	LOS	AM	PM
Old Mammoth Road / Main Street	Signalized	12.2	B	12.9	B

PROJECT ACCESS AND QUEUING ANALYSIS

The proposed project would provide access from two driveways along Old Mammoth Road. The project proposes two-way drive aisles around the Grocery Outlet building to provide space for adequate on-site queuing and to reduce circulation conflicts for vehicles. Old Mammoth Road between Main Street and Tavern Road has a two-way- left-turn lane (twltl) for vehicles to decelerate and stop before making a left turn into the commercial property driveways along the road. As a recommended practice, minimum storage length for two vehicles in a dedicated left-turn lane configuration such as this equals 50 feet.

To address the concerns regarding Project's potential to result in queuing that could interfere with north or sound bound traffic along Old Mammoth Road, SimTraffic, a traffic micro-simulation software, was used. The buildout land use PM peak hour traffic with project PM peak hour trips was assigned to the Main Street/Old Mammoth Road intersection and at the two project driveways, to assess the worst case scenario. Other driveways located along Old Mammoth Road were also analyzed and worksheets for the queuing analysis are provided as an attachment with this memo.

A summary of the queuing analysis for the critical left turn movements at the project driveways and the Main Street/ Old Mammoth Road intersection is provided in Table 4.

Table 4
Queuing Analysis for Old Mammoth Road and Project Driveways

Intersection	Critical Movement	Storage Length	Queue Length	
			Average (ft)	95th Percentile (ft)
Main Street/ Old Mammoth Rd.	Northbound left	150 ft approx.	87	109
Project Driveway 1/Old Mammoth Rd.	Southbound left	50 ft approx.	13	48
Project Driveway 2/Old Mammoth Rd.	Southbound left	250 ft approx.	17	35

As shown in the queuing analysis, the average and 95th percentile queue at the Main Street/Old Mammoth Road intersection is approximately, 87 feet and 109 feet, respectively. The left turn lane at Main Street/Old Mammoth Road intersection provides adequate storage length during the PM peak hour. Since the peak hour traffic generated by the proposed project is relatively low, the average and 95th percentile queues for the southbound left-turning traffic at the project driveways, would be accommodated in the two-way-left-turn-lane along Old Mammoth Road. Therefore, it is not anticipated that the proposed project would result in queuing that would interfere with north or south bound traffic along Old Mammoth Road.

SUMMARY

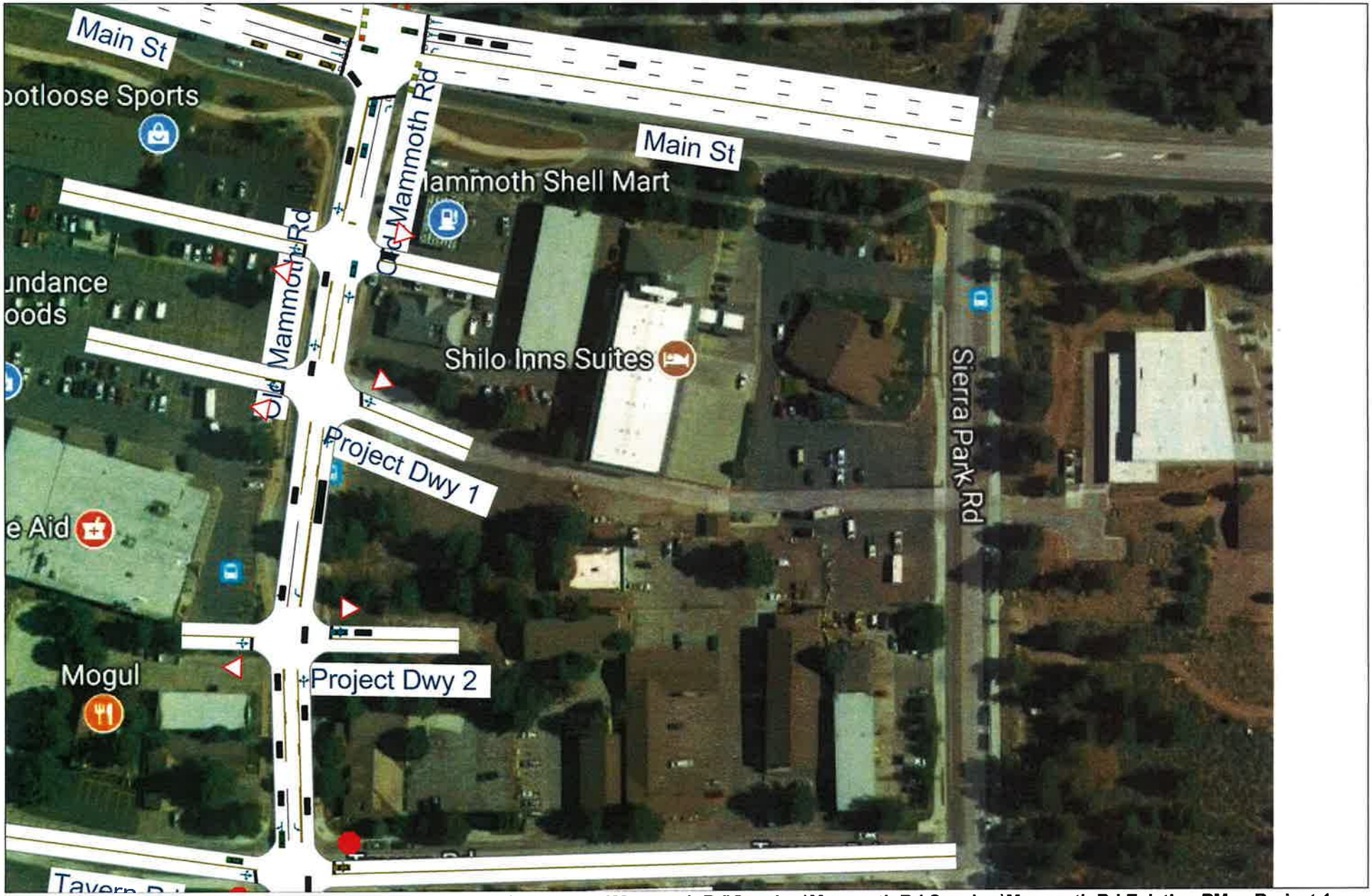
The proposed project would generate a total of 773 average daily trips, 23 AM peak hour trips and 70 PM peak hour trips. Based on the trip generation and queuing analysis provided, it is not anticipated that the proposed project would result in queuing that would interfere with north or southbound traffic along Old Mammoth Road. Further, the proposed project would not have an adverse impact along the Old Mammoth Road and the intersection of Main Street and Old Mammoth Road.

REFERENCES

Town of Mammoth Lakes June 2016. Land Use Element / Zoning Code Amendments and Mobility Element Update (SCH 2015052072). Available at http://www.townofmammothlakes.ca.gov/DocumentCenter/View/6087. Accessed on July 17, 2017.

Attachment

SimTraffic and Synchro Worksheets


Main St
ootloose Sports
Main St
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lammoth Shell Mart
Mammoth Rd
undance
oods
Shilo Inns Suites
Sierra Park Rd
Old
Project Dwy 1
e Aid
Mogul
Project Dwy 2

Summary of All Intervals

Run Number	1	Avg
Start Time	6:57	6:57
End Time	7:10	7:10
Total Time (min)	13	13
Time Recorded (min)	10	10
# of Intervals	2	2
# of Recorded Intervals	1	1
Vehs Entered	408	408
Vehs Exited	411	411
Starting Vehs	26	26
Ending Vehs	23	23
Travel Distance (mi)	84	84
Travel Time (hr)	5.0	5.0
Total Delay (hr)	1.8	1.8
Total Stops	238	238
Fuel Used (gal)	3.9	3.9

Interval #0 Information Seeding

Start Time	6:57
End Time	7:00
Total Time (min)	3

Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time	7:00
End Time	7:10
Total Time (min)	10

Volumes adjusted by Growth Factors.

Run Number	1	Avg
Vehs Entered	408	408
Vehs Exited	411	411
Starting Vehs	26	26
Ending Vehs	23	23
Travel Distance (mi)	84	84
Travel Time (hr)	5.0	5.0
Total Delay (hr)	1.8	1.8
Total Stops	238	238
Fuel Used (gal)	3.9	3.9

Intersection: 1: Old Mammoth Rd & Main St

Movement	EB	EB	EB	WB	WB	WB	NB	NB
Directions Served	T	T	R	L	T	T	L	R
Maximum Queue (ft)	139	53	139	77	157	94	110	150
Average Queue (ft)	108	39	78	54	97	31	102	107
95th Queue (ft)	150	56	135	84	154	88	125	181
Link Distance (ft)	407	407	407	513	513	513		111
Upstream Blk Time (%)							4	6
Queuing Penalty (veh)							0	24
Storage Bay Dist (ft)							100	
Storage Blk Time (%)							5	6
Queuing Penalty (veh)							4	20

Intersection: 2: Tavern Rd

Movement	EB	WB	NB	NB	SB
Directions Served	LTR	LTR	L	TR	L
Maximum Queue (ft)	90	31	68	91	28
Average Queue (ft)	60	30	36	18	6
95th Queue (ft)	95	33	74	78	24
Link Distance (ft)	244	573		191	
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (ft)			55		45
Storage Blk Time (%)			7	1	0
Queuing Penalty (veh)			30	0	1

Intersection: 8: Project Dwy 2

Movement	WB
Directions Served	LTR
Maximum Queue (ft)	53
Average Queue (ft)	24
95th Queue (ft)	59
Link Distance (ft)	119
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Summary of All Intervals

Run Number	2	Avg
Start Time	6:57	6:57
End Time	7:10	7:10
Total Time (min)	13	13
Time Recorded (min)	10	10
# of Intervals	2	2
# of Recorded Intervals	1	1
Vehs Entered	414	414
Vehs Exited	399	399
Starting Vehs	28	28
Ending Vehs	43	43
Travel Distance (mi)	84	84
Travel Time (hr)	4.9	4.9
Total Delay (hr)	1.7	1.7
Total Stops	228	228
Fuel Used (gal)	3.9	3.9

Interval #0 Information Seeding

Start Time	6:57
End Time	7:00
Total Time (min)	3

Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time	7:00
End Time	7:10
Total Time (min)	10

Volumes adjusted by Growth Factors.

Run Number	2	Avg
Vehs Entered	414	414
Vehs Exited	399	399
Starting Vehs	28	28
Ending Vehs	43	43
Travel Distance (mi)	84	84
Travel Time (hr)	4.9	4.9
Total Delay (hr)	1.7	1.7
Total Stops	228	228
Fuel Used (gal)	3.9	3.9

Intersection: 1: Old Mammoth Rd & Main St

Movement	EB	EB	EB	WB	WB	WB	NB	NB
Directions Served	T	T	R	L	T	T	L	R
Maximum Queue (ft)	155	121	78	141	109	31	102	111
Average Queue (ft)	103	42	64	58	76	25	88	45
95th Queue (ft)	158	110	94	129	114	45	104	106
Link Distance (ft)	407	407	407	513	513	513		111
Upstream Blk Time (%)							4	0
Queuing Penalty (veh)							0	1
Storage Bay Dist (ft)							100	
Storage Blk Time (%)							5	0
Queuing Penalty (veh)							3	1

Intersection: 2: Tavern Rd

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	L	TR
Maximum Queue (ft)	50	28	49	101
Average Queue (ft)	30	11	34	20
95th Queue (ft)	61	34	46	87
Link Distance (ft)	244	573		153
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)			55	
Storage Blk Time (%)			1	0
Queuing Penalty (veh)			3	0

Intersection: 8: Project Dwy 2

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	L
Maximum Queue (ft)	30	30	31	28
Average Queue (ft)	15	9	6	6
95th Queue (ft)	37	29	27	24
Link Distance (ft)	66	119	153	
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				75
Storage Blk Time (%)				
Queuing Penalty (veh)				

Summary of All Intervals

Run Number	3	Avg
Start Time	6:57	6:57
End Time	7:10	7:10
Total Time (min)	13	13
Time Recorded (min)	10	10
# of Intervals	2	2
# of Recorded Intervals	1	1
Vehs Entered	383	383
Vehs Exited	386	386
Starting Vehs	22	22
Ending Vehs	19	19
Travel Distance (mi)	80	80
Travel Time (hr)	4.6	4.6
Total Delay (hr)	1.5	1.5
Total Stops	214	214
Fuel Used (gal)	3.7	3.7

Interval #0 Information Seeding

Start Time	6:57
End Time	7:00
Total Time (min)	3

Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time	7:00
End Time	7:10
Total Time (min)	10

Volumes adjusted by Growth Factors.

Run Number	3	Avg
Vehs Entered	383	383
Vehs Exited	386	386
Starting Vehs	22	22
Ending Vehs	19	19
Travel Distance (mi)	80	80
Travel Time (hr)	4.6	4.6
Total Delay (hr)	1.5	1.5
Total Stops	214	214
Fuel Used (gal)	3.7	3.7

Intersection: 1: Old Mammoth Rd & Main St

Movement	EB	EB	EB	WB	WB	WB	NB	NB
Directions Served	T	T	R	L	T	T	L	R
Maximum Queue (ft)	112	118	93	98	96	31	110	125
Average Queue (ft)	98	46	62	51	73	12	88	48
95th Queue (ft)	120	112	97	102	105	37	116	127
Link Distance (ft)	407	407	407	513	513	513		111
Upstream Blk Time (%)							5	2
Queuing Penalty (veh)							0	6
Storage Bay Dist (ft)							100	
Storage Blk Time (%)							6	1
Queuing Penalty (veh)							5	5

Intersection: 2: Tavern Rd

Movement	EB	WB	NB	SB	SB
Directions Served	LTR	LTR	L	L	TR
Maximum Queue (ft)	27	31	68	27	21
Average Queue (ft)	26	24	41	5	4
95th Queue (ft)	27	43	65	23	18
Link Distance (ft)	244	573			153
Upstream Blk Time (%)					
Queuing Penalty (veh)					
Storage Bay Dist (ft)			55	45	
Storage Blk Time (%)			1	0	
Queuing Penalty (veh)			6	0	

Intersection: 8: Project Dwy 2

Movement	EB	WB	NB
Directions Served	LTR	LTR	LTR
Maximum Queue (ft)	52	52	31
Average Queue (ft)	26	16	6
95th Queue (ft)	54	50	27
Link Distance (ft)	66	119	153
Upstream Blk Time (%)	0		
Queuing Penalty (veh)	0		
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Summary of All Intervals

Run Number	4	Avg
Start Time	6:57	6:57
End Time	7:10	7:10
Total Time (min)	13	13
Time Recorded (min)	10	10
# of Intervals	2	2
# of Recorded Intervals	1	1
Vehs Entered	377	377
Vehs Exited	378	378
Starting Vehs	23	23
Ending Vehs	22	22
Travel Distance (mi)	81	81
Travel Time (hr)	4.6	4.6
Total Delay (hr)	1.5	1.5
Total Stops	214	214
Fuel Used (gal)	3.7	3.7

Interval #0 Information Seeding

Start Time	6:57
End Time	7:00
Total Time (min)	3

Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time	7:00
End Time	7:10
Total Time (min)	10

Volumes adjusted by Growth Factors.

Run Number	4	Avg
Vehs Entered	377	377
Vehs Exited	378	378
Starting Vehs	23	23
Ending Vehs	22	22
Travel Distance (mi)	81	81
Travel Time (hr)	4.6	4.6
Total Delay (hr)	1.5	1.5
Total Stops	214	214
Fuel Used (gal)	3.7	3.7

Intersection: 1: Old Mammoth Rd & Main St

Movement	EB	EB	EB	WB	WB	WB	NB	NB
Directions Served	T	T	R	L	T	T	L	R
Maximum Queue (ft)	128	31	71	74	97	96	106	141
Average Queue (ft)	91	18	52	56	73	38	92	98
95th Queue (ft)	130	42	73	84	103	90	114	164
Link Distance (ft)	407	407	407	513	513	513		111
Upstream Blk Time (%)							8	8
Queuing Penalty (veh)							0	33
Storage Bay Dist (ft)							100	
Storage Blk Time (%)							9	10
Queuing Penalty (veh)							6	35

Intersection: 2: Tavern Rd

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	L	L
Maximum Queue (ft)	48	31	30	45
Average Queue (ft)	31	30	24	15
95th Queue (ft)	45	31	43	46
Link Distance (ft)	244	573		
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)			55	45
Storage Blk Time (%)				0
Queuing Penalty (veh)				2

Intersection: 8: Project Dwy 2

Movement	WB	SB
Directions Served	LTR	L
Maximum Queue (ft)	30	29
Average Queue (ft)	18	23
95th Queue (ft)	42	41
Link Distance (ft)	119	
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		75
Storage Blk Time (%)		
Queuing Penalty (veh)		

Summary of All Intervals

Run Number	5	Avg
Start Time	6:57	6:57
End Time	7:10	7:10
Total Time (min)	13	13
Time Recorded (min)	10	10
# of Intervals	2	2
# of Recorded Intervals	1	1
Vehs Entered	358	358
Vehs Exited	357	357
Starting Vehs	20	20
Ending Vehs	21	21
Travel Distance (mi)	75	75
Travel Time (hr)	4.1	4.1
Total Delay (hr)	1.2	1.2
Total Stops	175	175
Fuel Used (gal)	3.4	3.4

Interval #0 Information Seeding

Start Time	6:57
End Time	7:00
Total Time (min)	3

Volumes adjusted by Growth Factors.
No data recorded this interval.

Interval #1 Information Recording

Start Time	7:00
End Time	7:10
Total Time (min)	10

Volumes adjusted by Growth Factors.

Run Number	5	Avg
Vehs Entered	358	358
Vehs Exited	357	357
Starting Vehs	20	20
Ending Vehs	21	21
Travel Distance (mi)	75	75
Travel Time (hr)	4.1	4.1
Total Delay (hr)	1.2	1.2
Total Stops	175	175
Fuel Used (gal)	3.4	3.4

Intersection: 1: Old Mammoth Rd & Main St

Movement	EB	EB	EB	WB	WB	WB	NB	NB
Directions Served	T	T	R	L	T	T	L	R
Maximum Queue (ft)	134	74	97	72	138	124	83	55
Average Queue (ft)	81	38	61	38	73	31	66	28
95th Queue (ft)	137	78	115	81	137	111	87	51
Link Distance (ft)	407	407	407	513	513	513		111
Upstream Blk Time (%)								
Queuing Penalty (veh)								
Storage Bay Dist (ft)							100	
Storage Blk Time (%)							0	
Queuing Penalty (veh)							0	

Intersection: 2: Tavern Rd

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	L	L
Maximum Queue (ft)	27	48	48	27
Average Queue (ft)	21	27	10	5
95th Queue (ft)	38	53	41	23
Link Distance (ft)	244	573		
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)			55	45
Storage Blk Time (%)			2	0
Queuing Penalty (veh)			8	0

Intersection: 8: Project Dwy 2

Movement	EB	WB	SB
Directions Served	LTR	LTR	L
Maximum Queue (ft)	74	30	28
Average Queue (ft)	31	11	22
95th Queue (ft)	80	35	41
Link Distance (ft)	66	119	
Upstream Blk Time (%)	4		
Queuing Penalty (veh)	0		
Storage Bay Dist (ft)			75
Storage Blk Time (%)			
Queuing Penalty (veh)			

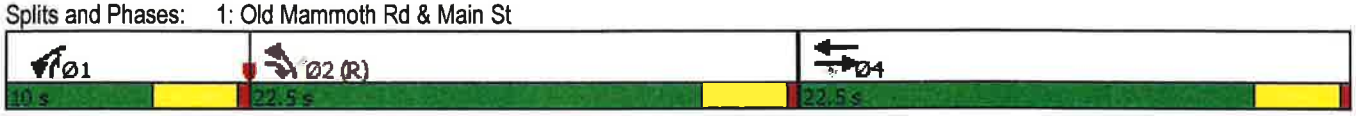
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	332	630	100	226	363	80
Future Volume (vph)	332	630	100	226	363	80
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0	0		100	0
Storage Lanes		1	1		1	1
Taper Length (ft)			25		25	
Lane Util. Factor	0.95	1.00	1.00	0.95	1.00	1.00
Frt		0.850				0.850
Flt Protected			0.950		0.950	
Satd. Flow (prot)	3539	1583	1770	3539	1770	1583
Flt Permitted			0.950		0.950	
Satd. Flow (perm)	3539	1583	1770	3539	1770	1583
Right Turn on Red		Yes				Yes
Satd. Flow (RTOR)		291				89
Link Speed (mph)	30			30	30	
Link Distance (ft)	438			546	197	
Travel Time (s)	10.0			12.4	4.5	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	369	700	111	251	403	89
Shared Lane Traffic (%)						
Lane Group Flow (vph)	369	700	111	251	403	89
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	12			12	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane					Yes	
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Turn Type	NA	pm+ov	Prot	NA	Prot	pm+ov
Protected Phases	4	2	1	4	2	1
Permitted Phases		4				2
Minimum Split (s)	22.5	22.5	9.5	22.5	22.5	9.5
Total Split (s)	22.5	22.5	10.0	22.5	22.5	10.0
Total Split (%)	40.9%	40.9%	18.2%	40.9%	40.9%	18.2%
Maximum Green (s)	18.5	18.5	6.0	18.5	18.5	6.0
Yellow Time (s)	3.5	3.5	3.5	3.5	3.5	3.5
All-Red Time (s)	0.5	0.5	0.5	0.5	0.5	0.5
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0
Lead/Lag		Lag	Lead		Lag	Lead
Lead-Lag Optimize?		Yes	Yes		Yes	Yes
Walk Time (s)	7.0	7.0		7.0	7.0	
Flash Dont Walk (s)	11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)	0	0		0	0	
Act Effct Green (s)	18.5	41.0	6.0	18.5	18.5	28.5
Actuated g/C Ratio	0.34	0.75	0.11	0.34	0.34	0.52
v/c Ratio	0.31	0.56	0.58	0.21	0.68	0.10

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Control Delay	14.4	3.6	37.5	13.6	22.8	2.3
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	14.4	3.6	37.5	13.6	22.8	2.3
LOS	B	A	D	B	C	A
Approach Delay	7.3			20.9	19.1	
Approach LOS	A			C	B	

Intersection Summary

Area Type: Other
Cycle Length: 55
Actuated Cycle Length: 55
Offset: 0 (0%), Referenced to phase 2:NBL and 6:, Start of Green
Natural Cycle: 55
Control Type: Pretimed
Maximum v/c Ratio: 0.68
Intersection Signal Delay: 12.9 Intersection LOS: B
Intersection Capacity Utilization 51.2% ICU Level of Service A
Analysis Period (min) 15

Splits and Phases: 1: Old Mammoth Rd & Main St



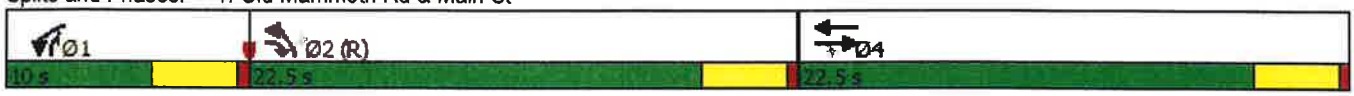
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑	↱	↰	↑↑	↰	↱
Traffic Volume (vph)	332	599	95	226	333	74
Future Volume (vph)	332	599	95	226	333	74
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0	0		100	0
Storage Lanes		1	1		1	1
Taper Length (ft)			25		25	
Lane Util. Factor	0.95	1.00	1.00	0.95	1.00	1.00
Frt		0.850				0.850
Flt Protected			0.950		0.950	
Satd. Flow (prot)	3539	1583	1770	3539	1770	1583
Flt Permitted			0.950		0.950	
Satd. Flow (perm)	3539	1583	1770	3539	1770	1583
Right Turn on Red		Yes				Yes
Satd. Flow (RTOR)		309				82
Link Speed (mph)	30			30	30	
Link Distance (ft)	438			546	197	
Travel Time (s)	10.0			12.4	4.5	
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Adj. Flow (vph)	369	666	106	251	370	82
Shared Lane Traffic (%)						
Lane Group Flow (vph)	369	666	106	251	370	82
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	12			12	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane					Yes	
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)		9	15		15	9
Turn Type	NA	pm+ov	Prot	NA	Prot	pm+ov
Protected Phases	4	2	1	4	2	1
Permitted Phases		4				2
Minimum Split (s)	22.5	22.5	9.5	22.5	22.5	9.5
Total Split (s)	22.5	22.5	10.0	22.5	22.5	10.0
Total Split (%)	40.9%	40.9%	18.2%	40.9%	40.9%	18.2%
Maximum Green (s)	18.5	18.5	6.0	18.5	18.5	6.0
Yellow Time (s)	3.5	3.5	3.5	3.5	3.5	3.5
All-Red Time (s)	0.5	0.5	0.5	0.5	0.5	0.5
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0
Lead/Lag		Lag	Lead		Lag	Lead
Lead-Lag Optimize?		Yes	Yes		Yes	Yes
Walk Time (s)	7.0	7.0		7.0	7.0	
Flash Dont Walk (s)	11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)	0	0		0	0	
Act Effct Green (s)	18.5	41.0	6.0	18.5	18.5	28.5
Actuated g/C Ratio	0.34	0.75	0.11	0.34	0.34	0.52
v/c Ratio	0.31	0.53	0.55	0.21	0.62	0.10

Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Control Delay	14.4	3.1	35.9	13.6	20.8	2.3
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	14.4	3.1	35.9	13.6	20.8	2.3
LOS	B	A	D	B	C	A
Approach Delay	7.2			20.3	17.5	
Approach LOS	A			C	B	

Intersection Summary

Area Type: Other
Cycle Length: 55
Actuated Cycle Length: 55
Offset: 0 (0%), Referenced to phase 2:NBL and 6:, Start of Green
Natural Cycle: 55
Control Type: Pretimed
Maximum v/c Ratio: 0.62
Intersection Signal Delay: 12.2 Intersection LOS: B
Intersection Capacity Utilization 49.0% ICU Level of Service A
Analysis Period (min) 15

Splits and Phases: 1: Old Mammoth Rd & Main St



ATTACHMENT C

DUDEK

1102 R STREET
SACRAMENTO, CALIFORNIA 95811
T 916.443.8335 F 916.443.5113

MEMORANDUM

To: Christopher Butcher, Thomas Law Group
From: Christopher Barnobi, Environmental Acoustician, Dudek
Connor Burke, Acoustician, Dudek
Subject: Grocery Outlet project – Town of Mammoth Lakes, CA
Date: July 17, 2017

The Old Mammoth Road Grocery Project (proposed project) is located within the Town of Mammoth Lakes, California. Therefore, the project falls under the Town of Mammoth Lakes General Plan Noise Element and Municipal Code. This memorandum includes a brief review of those noise regulations. In summary, the proposed project is not expected to result in significant noise or vibration impacts.

PROJECT BACKGROUND

The proposed project is located at 37 and 77 Old Mammoth Road within the Town of Mammoth Lakes, California. The project proposes to construct an approximately 18,000 square foot supermarket on 1.37 acres of vacant land. The land use is Commercial 2 (C-2) designated by the General Plan and the site is zoned Downtown (D). The proposed building would be located on the western boundary of the site directly adjacent to Old Mammoth Road with parking located to the sides and rear of the site. Multifamily residential receivers are located approximately 200 feet to the southeast of the project boundary, and a small motel, the Shilo Inn is located northeast of the project site.

MAMMOTH LAKES GENERAL PLAN NOISE REGULATIONS

The State Guidelines indicate that residential land uses and other noise sensitive receptors generally should be located in areas where outdoor ambient noise levels do not exceed 65 to 70 dBA (CNEL or L_{dn}). Noise levels below 75 dBA CNEL are typically acceptable for office and commercial buildings (such as the proposed project).

The Town has established maximum exterior noise levels based on land uses zones. Commercial areas have a maximum noise level of 60 dBA L_{50} during nighttime (between 10 p.m. and 7 a.m.). During daytime (between 7 a.m. and 10 p.m.) that maximum noise level is 65 dBA L_{50}.

The Town Noise Ordinance also identifies specific restrictions regarding construction noise. Chapter 15.08 of the Municipal Code sets limits on construction hours. Operations permitted under a building permit shall be limited to the daytime hours , Monday through Saturday. Type III Semi-Residential Commercial (project) areas have short-term maximum noise levels of 85 dBA during these hours. Long-term maximum noise levels during these hours are 70 dBA. From 8 p.m till 7 a.m, short-term construction noise has a maximum noise level of 70 dBA. The maximum long-term construction noise level during these hours is 60 dBA. (Town of Mammoth Lakes, Municipal Code, March 19, 2008)

Operational Noise

Grocery store operations that could cause noise impacts include increases to traffic on adjacent roads. The project is not expected to include any large rotating equipment. Thus operational vibration is not expected to produce any impacts.

Traffic

The proposed project is not expected to dramatically increase the existing traffic patterns in the area. This project would add less than 10% to the peak hour traffic on nearby roadways. In order to increase traffic noise levels by 3 dBA, a doubling in the Average Daily Traffic count on the affected road is necessary (Caltrans, 2013). The project is not expected to double the existing average daily traffic volumes on any of the nearby roadways. Therefore, traffic noise level increases along adjacent roadways would be anticipated to be below 3 dB due to the proposed project. Thus, the project is expected to have a less than significant noise impact associated with potential traffic generation.

Furthermore, the Land Use Element / Zoning Code Amendments and Mobility Element Update EIR (Update EIR - Mammoth Lakes 2016) offers a more detailed Off-site Traffic Noise Impacts summary. For the segment of Old Mammoth Road from Main Street to Tavern Road (the road segment with the highest impact due to project related project), the traffic noise level increase is less than 2 dB for all scenarios analyzed. This prior analysis provides additional confidence that the traffic noise increases would be less than significant.

Finally, the Update EIR provides, "[f]or purposes of the environmental analysis the maximum FAR [Floor Area Ratio] is generally used to ensure the evaluation of a worst case analysis. For example, the maximum FAR would result in greater development and therefore, the greatest number of trips as well as the greatest amount of noise" (p. 2-15). FAR is the relationship of the building square footage to the lot area. The Update EIR examined commercial developments with FARs ranging from 0.75 to 2.0. The proposed project would have a FAR of 0.33. Thus,

impacts analyzed in the Update EIR would likely over estimate noise impacts from the proposed project due to the higher FARs evaluated.

Construction Noise and Vibration

Construction of the proposed project would generate noise that could expose nearby receptors (residences) to elevated noise levels that may disrupt communication and routine activities. The magnitude of the impact would depend on the type of construction activity, equipment, duration of the construction phase, distance between the noise source and receiver, and intervening structures. The proposed construction work would be temporary, and would not include operations such as pile driving or blasting. In addition, all construction activities would comply with the Town's Municipal Code which establishes maximum exterior noise levels from the operation of equipment used in construction, drilling, repair, alteration or demolition work. All mobile and stationary internal-combustion-powered equipment and machinery is also required to be equipped with suitable exhaust and air-intake silencers in proper working order. Chapter 15.08 of the Municipal Code sets limits on construction hours. Operations permitted under a building permit shall be limited to the hours between 7 a.m. and 8 p.m., Monday through Saturday. Work hours on Sundays and Town recognized holidays shall be limited to the hours between 9 a.m. and 5 p.m. and permitted only with the approval of the building official or designee. Since construction operations are expected to occur consistent with the Noise Ordinance, it is anticipated construction noise impacts would be less than significant.

SUMMARY

Based on the documents reviewed, the proposed project would result in less-than-significant noise impacts.

REFERENCES

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DOT. 2006. *FHWA Roadway Construction Noise Model: User's Guide*. Final Report. FHWA-HEP-06-015. DOT-VNTSC-FHWA-06-02. Cambridge, Massachusetts: DOT, Research and Innovative Technology Administration. Final Report. August 2006.

PCR Services Corporation. TSMP Project: 4.J Noise. July 2011. http://www.ci.mammoth-lakes.ca.us/DocumentCenter/Home/View/1941. Accessed July 14, 2017.

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Town of Mammoth Lakes June 2016. Land Use Element / Zoning Code Amendements and Mobility Element Update (SCH 2015052072). 4.8 Noise and Vibration. Available at http://http://www.townofmammothlakes.ca.gov/DocumentCenter/View/6103. Accessed on July 14, 2017.