

## 4.0 MITIGATION MONITORING AND REPORTING PROGRAM

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

In compliance with Public Resources Code Section 21081.6, Table 4-1, *Mitigation Monitoring and Reporting Checklist*, has been prepared for the Mammoth Creek Park West New Community Multi-Use Facilities (the proposed project). This Mitigation Monitoring and Reporting Checklist is intended to provide verification that all applicable mitigation measures relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the Town of Mammoth Lakes Mammoth Creek Park West New Community Multi-Use Facilities Project file.

This Mitigation Monitoring and Reporting Program (MMRP) delineates responsibilities for monitoring the project, but also allows the Town flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the Mitigation Monitoring and Reporting Checklist (Table 4-1). If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

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

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

compliance may be documented through existing review and approval programs such as field inspection reports and plan review.

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

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

The following subsections of the Draft EIR contain a detailed environmental analysis of the existing conditions, project impacts (including direct and indirect, short-term, long-term, and cumulative impacts), recommended mitigation measures, and unavoidable significant impacts, if any.

Based on the Draft EIR, no significant impacts would occur in regard to the following environmental issue areas, which are addressed in Section 8.0, *Effects Found Not To Be Significant*:

- Agricultural Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Mineral Resources;
- Population and Housing;
- Public Services;
- Recreation; and
- Utilities and Service Systems.

In accordance with Appendix G of the *CEQA Guidelines*, the following environmental issue areas were determined in the Draft EIR to have a potentially significant impact, and have been included within this EIR for further analysis:

- Aesthetics/Light and Glare;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Greenhouse Gas Emissions;
- Hydrology and Water Quality;
- Land Use and Planning;
- Noise;
- Traffic and Circulation; and
- Tribal Cultural Resources.

For the purposes of the environmental analysis in the Draft EIR, impacts were analyzed in each environmental issue area for the proposed project. If necessary, mitigation measures were recommended in order to reduce any significant impacts.

**Table 4-1  
Mitigation Monitoring and Reporting Checklist**

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
<b>Aesthetics/Light and Glare</b>								
AES-1	Construction equipment staging areas shall be screened (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material, when feasible. Staging locations shall be indicated on Final Development Plans and Grading Plans.	Public Works Director/ Construction Contractor	Prior to Issuance of a Grading Permit or any Construction Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Grading Permit/ Review of Grading Plans			
AES-2	The construction hauling plan shall be prepared and approved by the Public Works Director prior to issuance of grading permit. <u>The plan shall, at a minimum, indicate the equipment and vehicle staging areas, stockpiling of materials, and haul route(s). Identified haul route(s) must avoid residential areas to the maximum extent practical, thus, ensuring the plan shall ensure</u> that construction haul routes minimize impacts to sensitive uses in the Town.	Public Works Director/ Construction Contractor	Prior to Issuance of a Grading Permit or any Construction Permit	Public Works Director	Prior to Issuance of a Grading Permit/ Review of Hauling Plan			
AES-3	All construction-related lighting fixtures (including portable fixtures) shall be oriented downward and away from adjacent residential areas. Lighting shall consist of the minimal wattage necessary to provide safety at the construction site. A construction safety lighting plan shall be submitted to the Community and Economic Development Manager for review concurrent with Grading Permit application.	Public Works Director/ Construction Contractor	Prior to Issuance of a Grading Permit or any Construction Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Grading Permit/ Review of Grading Plans			
AES-4	Prior to issuance the Building Permit, the Town shall identify on the building plans that potential reflective building materials (e.g., the roof and windows) shall use a non-reflective finish.	Public Works Director/ Design Contractor	Prior to Issuance of a Building Permit	Community and Economic Development Department Planning Manager	Prior to Issuance of a Building Permit/ Review of Project Plans			



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<b>Biological Resources</b>								
BIO-1	<p>A detailed tree removal and protection plan shall be submitted to Community and Economic Development Manager by the project Contractor, depicting all trees to be preserved and/or removed on the site. The Contractor shall develop the tree removal and protection plan to avoid impacts to on-site Jeffrey pine and lodgepole pine trees. The project Contractor shall follow the recommended guidelines in the General Plan and Municipal Code, which include the following:</p> <ul style="list-style-type: none"> <li>• All site development shall be designed to avoid and preserve significant groups of trees and large trees as determined by the project Biologist and approved by the Community and Economic Development Manager.</li> <li>• Removal of native trees shall be mitigated at a ratio determined by the Community and Economic Development Manager. If replacement plantings of the removed trees is required, the minimum replacement tree size shall be seven gallons. Further, replacement shall be limited to plantings in areas suitable for tree replacement with species identified in the 'Town of Mammoth Lakes' Recommended Plant List. Replacement requirements may also be determined based on the valuation of the tree as determined by a Registered Professional Forester or arborist.</li> <li>• A tree removal and protection plan shall be developed by the project Biologist and submitted to the Community and Economic Development Manager. The landscape plan shall also limit the use of turf over root zones of native trees to</li> </ul>	Public Works Director/ Construction Contractor/ Design Contractor/ Professional Biologist	Prior to Issuance of a Grading and Building Permits	Community and Economic Development Department Planning Manager	Prior to Issuance of a Grading and Building Permits/ Review of Project Plans			



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	avoid or minimize adverse impacts of excessive water to native trees.							
BIO-2	<p>Pursuant to the Migratory Bird Treaty Act (MBTA), Bald/Golden Eagle Protection Act, and California Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513), if the Town of Mammoth Lakes conducts all site disturbance/vegetation removal activities (such as removal of any trees, shrubs, or any other potential nesting habitat) outside the avian nesting season, December 1 through August 31, no further <del>survey</del> <u>action</u> is necessary. However, if ground disturbance/vegetation removal cannot occur outside of the nesting season, a pre-construction clearance survey for nesting birds shall be conducted within three days of the start of any ground disturbing activities to ensure that no birds are nesting on or within 500 feet of the project site. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active bird nests, <u>including those on the ground</u>, would occur during site disturbance activities.</p> <p>If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall stay outside a buffer determined by the biologist in consultation with California Department of Fish and Wildlife (CDFW), or construction shall be delayed until the nest is inactive. The buffer shall also be and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. These buffers are typically 300 feet from the nests of non-listed, non-raptors and 500 feet from the nests of listed species or raptors. A biological monitor shall be retained and be present during site disturbance activities in order to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by</p>	Public Works Director/ Construction Contractor/ Professional Biologist	Prior to and During Construction	Community and Economic Development Department Planning Manager	Prior to and During Construction			



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	the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, a monitoring report shall be prepared and submitted to the Applicant for review and approval prior to initiation construction activities within the buffer area. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the designated buffer area shall not proceed until written authorization is received by the Contractor from CDFW.							
<b>Cultural Resources</b>								
CUL-1	Archaeological and Native American monitoring shall be conducted for all project-related ground disturbing activities by a qualified archaeologist and Native American monitor appointed by the Public Works Director. Archaeological monitoring shall be performed under the direction of an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for prehistoric archaeology. If intact features (e.g., hearths, other intact features, burials) are encountered during ground-disturbing activities, work in the immediate area shall halt, the monitors shall immediately notify the Public Works Director, and the find shall be evaluated for significance under the California Environmental Quality Act and National Historic Preservation Act (NHPA). Consultation with the Native American Monitor, the Native American Heritage Commission, and data/artifact recovery, if deemed appropriate, shall be conducted. Under the discretion of the monitors, work shall not be halted for resources that have already been extensively recorded within the site boundary. The monitors may reduce or	Public Works Director/ Construction Contractor/ Professional Archaeologist/ Native American Monitor	During Construction	Public Works Director	During Construction			



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	stop monitoring dependent upon observed conditions. Work shall not be halted or redirected for known site constituents (i.e., flakes or stone tools) that were evaluated as part of the <i>Phase II Cultural Resources Report</i> , prepared by Rincon Consultants, Inc., dated September 28, 2016.							
<b>Traffic and Circulation</b>								
TRA-1	<p>Prior to Issuance of any grading and/or demolition permits, whichever occurs first, a Construction Management Plan shall be submitted for review and approval by the Public Works Director. The Construction Management Plan shall, at a minimum, address the following:</p> <ul style="list-style-type: none"> <li>• Traffic control for any street closure, detour, or other disruption to traffic circulation.</li> <li>• Identify construction vehicles haul routes for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.) to the site; necessary traffic controls and detours; and a construction phasing plan for the project.</li> <li>• Identify any off-site construction staging or material storage sites.</li> <li>• Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.</li> <li>• Require the Contractor to keep all haul routes clean and free of debris, including but not limited, to gravel and dirt as a result of its operations. The Contractor shall clean adjacent streets, as directed by the Town Engineer (or representative of the Town Engineer), of any material</li> </ul>	Public Works Director/ Construction Contractor	Prior to Issuance of a Grading Permit	Public Works Director/ Town Engineer	Prior to Issuance of a Grading Permit			

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	<p>which may have been spilled, tracked, or blown onto adjacent streets or areas.</p> <ul style="list-style-type: none"> <li>The scheduling of hauling or transport of oversize loads shall avoid peak hour traffic periods to the maximum extent feasible, unless approved otherwise by the Town Engineer. No hauling or transport shall be allowed during nighttime hours or Federal holidays. All hauling and transport activities shall comply with Municipal Code Chapter 8.16, <i>Noise Regulation</i>.</li> <li>Haul trucks entering or exiting public streets shall at all times yield to public traffic.</li> <li>If hauling operations cause any damage to existing pavement, streets, curbs, and/or gutters along the haul route, the contractor shall be fully responsible for repairs. The repairs shall be completed to the satisfaction of the Town Engineer.</li> <li>All constructed-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur on-site.</li> <li>This Construction Management Plan shall meet standards established in the current California Manual on Uniform Traffic Control Device (MUTCD) as well as Town of Mammoth Lakes requirements.</li> </ul>							
TRA-2	Prior to Issuance of any grading and/or demolition permits, whichever occurs first, final landscaping plans shall be submitted for review and approval by the Town Engineer to provide adequate drive sight distance at the site driveway.	Public Works Director/ Design Contractor	Prior to Issuance of a Grading Permit	Public Works Director/ Town Engineer	Prior to Issuance of a Grading Permit			





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<b>Air Quality</b>								
AQ-1	<p>Prior to approval of the project plans and specifications, the Public Works Director, or designee, shall confirm that the plans and specifications stipulate that, in compliance with GBUAPCD Rule 401, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures, as specified in the GBUAPCD Rules and Regulations. In addition, GBUAPCD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:</p> <ul style="list-style-type: none"> <li>• All active portions of the construction site shall be watered to prevent excessive amounts of dust;</li> <li>• On-site vehicles' speed shall be limited to 15 miles per hour (mph);</li> <li>• All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized;</li> <li>• 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;</li> <li>• 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; and</li> </ul>	Public Works Director (or designee)/ Construction Contractor	Prior to Issuance of Grading, Building, or Construction Permits/ During Construction	Public Works Director (or Designee)/ GBUAPCD	Prior to Issuance of Grading, Building, or Construction Permits/ Review of Project Plans/ During Construction			



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	<ul style="list-style-type: none"> <li>All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.</li> </ul>							
AQ-2	Under GBUAPCD Rule 200-A and 200B, the Contractor shall apply for a Permit To Construct prior to construction, which provides an orderly procedure for the review of new and modified sources of air pollution.	Public Works Director/ Construction Contractor	Prior to Issuance of a Grading Permit or any Construction Permit	Public Works Director/ Community and Economic Development Department Planning Manager/ GBUAPCD	Prior to Issuance of a Grading Permit			
AQ-3	Under GBUAPCD Rule 216-A (New Source Review Requirement for Determining Impact on Air Quality Secondary Sources), the Contractor shall complete the necessary permitting approvals prior to commencement of construction activities.	Public Works Director/ Construction Contractor	Prior to Issuance of a Grading Permit or any Construction Permit	Public Works Director/ Community and Economic Development Department Planning Manager/ GBUAPCD	Prior to Issuance of a Grading Permit			
<b>Noise</b>								
NOI-1	<p>Prior to issuance of any Grading Permit or Building Permit for new construction, the Public Works Director, or designee, shall confirm that the Grading Plan, Building Plans, and specifications stipulate that:</p> <ul style="list-style-type: none"> <li>All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State required noise attenuation devices.</li> <li>The Contractor shall provide a qualified "Noise Disturbance Coordinator." The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall notify the</li> </ul>	Public Works Director/ Construction Contractor	Prior to Issuance of Grading or Building Permit /During Construction	Public Works Director	Prior to Issuance of Grading or Building Permit/ Review of Project Plans/ During Construction			

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	<p>Town within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Public Works Director, or designee. The contact name and the telephone number for the Disturbance Coordinator shall be clearly posted on-site.</p> <ul style="list-style-type: none"> <li>• When feasible, construction haul routes shall be designed to avoid noise sensitive uses (e.g., residences, schools, hospitals, etc.).</li> <li>• During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.</li> <li>• Construction activities that produce noise shall not take place outside of the allowable hours specified by the Town's Municipal Code Section 8.16.090 (7:00 a.m. and 8:00 p.m. Monday through Saturday; construction is prohibited on Sundays and/or federal holidays).</li> </ul>							
NOI-2	<p>Prior to issuance of the certificate of occupancy for the new Community Multi-Use Facilities, the Town's Community Development and Economic Manager shall ensure that operational hours of ice hockey and hockey tournaments at the ice rink and the active outdoor recreational area do not occur past 10:00 p.m. This limitation shall be enforced by the Parks and Recreation Director.</p>	Public Works Director	Prior to Issuance of a Certificate of Occupancy	Community and Economic Development Department Planning Manager	Prior to Issuance of a Certificate of Occupancy			



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NOI-3	<p>Prior to occupancy of the community center, the Town shall develop and implement a Noise Control Plan for event operations that have live or recorded amplified music. The Noise Control Plan shall contain the following elements:</p> <ul style="list-style-type: none"> <li>• Amplified noise sources (e.g., speakers, bandstands, etc.) shall be located more than 160 feet from the project's western and northern boundaries. Speaker systems shall also be directed away from the nearest sensitive receptors.</li> <li>• Amplification systems that would be used after 10:00 p.m. shall include and utilize a processor to control the maximum output that the speakers can reach. Noise levels during this period shall not exceed 82 dBA at 20 feet from the source.</li> <li>• The contact telephone number and email addresses of the appropriate Parks and Recreation Department representatives shall be posted at each facility entrance for neighbors to lodge noise complaints or other concerns. Complaints shall be addressed in a diligent and responsive manner.</li> </ul>	Public Works Director	Prior to Issuance of a Certificate of Occupancy	Public Works Director/ Community and Economic Development Department Planning Manager	Prior to Issuance of a Certificate of Occupancy			
<b>Hydrology and Water Quality</b>								
HWQ-1	Prior to Grading Permit issuance and as part of the project's compliance with the National Pollution Discharge Elimination System (NPDES) requirements, a Notice of Intent (NOI) shall be prepared and submitted to the State Water Resources Quality Control Board (SWRCB), providing notification and intent to comply with the State of California General Permit.	Public Works Director/ Construction Contractor	Prior to Issuance of a Grading Permit	Public Works Director	Prior to Issuance of a Grading Permit			

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HWQ-2	The proposed project shall conform to the requirements of an approved Storm Water Pollution Prevention Plan (SWPPP) (to be applied for during the Grading Plan process) and the National Pollution Discharge Elimination System (NPDES) Construction General Permit No. CAS000002 (2009-0009-DWQ [as amended by 2010-0014-DWQ and 2012-006-DWQ]), including implementation of all recommended Best Management Practices (BMPs), and utilize the Town of Mammoth Lakes Memorandum of Understanding (MOU) Resolution No. 6-91-926 issued by the State Water Resources Control Board.	Public Works Director/ Construction Contractor	Prior to Issuance of a Grading Permit	Public Works Director	Prior to Issuance of a Grading Permit			
HWQ-3	Upon completion of project construction, the Public Works Director shall submit a Notice of Termination (NOT) to the State Water Resources Quality Control Board to indicate that construction is completed.	Public Works Director/ Construction Contractor	Upon Completion of Construction	Public Works Director	Upon Completion of Construction			
HWQ-4	Prior to submittal of Grading Plans, the Town shall identify and implement a suite of storm drainage routing and conveyance infrastructure components designed to retain additional surface water flows prior to discharge. The design, sizing, and location of these drainage components shall be subject to review and approval by the Town. Implementation of this storm drainage infrastructure shall be approved by the Public Works Director and Town Engineer prior to the issuance of Grading or Building Permits.	Public Works Director/ Design Contractor	Prior to Issuance of a Grading or Building Permit	Public Works Director/ Town Engineer	Prior to Issuance of a Grading or Building Permit			
HWQ-5	A Storm Drain Facilities Maintenance Plan (Maintenance Plan) shall be prepared by the Town prior to issuance of a Certificate of Occupancy in order to ensure continued efficiency of proposed storm drain facilities. Implementation of the Maintenance Plan shall be overseen by the Public Works Director. Particular items requiring maintenance include, but are not limited to, cleaning of the grates, removal of foreign materials from storm drainage pipes, maintenance, as necessary, to	Public Works Director	Prior to Issuance of a Certificate of Occupancy	Public Works Director/ Town Engineer	Prior to Issuance of a Certificate of Occupancy			



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	outlet facilities, and repairs, as necessary, to damaged facilities. Any storm drain pipe with a slope of less than 0.5 percent shall be identified and more frequent maintenance shall be performed to ensure efficiency of these low-incline facilities. Further, the Maintenance Plan shall ensure that snow removal activities conducted near proposed storm drain facilities do not restrict drainage collection in gutters, inlets, and flow paths.							
HWQ-6	Prior to submittal of grading plans, the Public Works Director shall identify and implement a suite of stormwater quality Best Management Practices (BMP) and Low Impact Development (LID) features to address the most likely sources of stormwater pollutants resulting from operation of the proposed project. Pollutant sources and pathways to be addressed by these BMPs include, but are not necessarily limited to, parking lots, maintenance areas, trash storage locations, rooftops, interior public and private roadways, and storm drain inlets. The design and location of these BMPs shall generally adhere to the standards associated with the Phase II NPDES stormwater permit program. Implementation of these BMPs shall be assured by the Community & Economic Development Manager and Town Engineer prior to the issuance of Grading or Building Permits.	Public Works Director/ Design Contractor	Prior to Issuance of a Grading or Building Permit	Community and Economic Development Department Planning Manager/ Town Engineer	Prior to Issuance of a Grading or Building Permit			