RESOLUTION NO. 2017-38

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, CERTIFYING THE MAMMOTH CREEK PARK WEST NEW COMMUNITY MULTI-USE FACILITIES FINAL ENVIRONMENTAL IMPACT REPORT (SCH #2016062009), MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING THE PROJECT

WHEREAS, the Town of Mammoth Lakes ("Town") seeks to provide and encourage additional opportunities and varieties of outdoor and indoor recreation activities to its residents and visitors; and

WHEREAS, in order to achieve these goals, the Town has decided to consider the proposed Mammoth Creek Park West New Community Multi-Use Facilities Project ("Project"), which would be located at Mammoth Creek Park West (686 Old Mammoth Road), and comprised of Assessor's Parcel Numbers (APNs) 040-140-001-000 and 040-140-002-000; and

WHEREAS, in February 1999, the Town prepared the Mammoth Creek Park Facilities Project EIR for a similar Project. The former project proposed year-round recreational facilities, including a dual-use ice/in-line skating outdoor (concrete) area, a 10,000 square foot Community Center, and several other recreational amenities to provide a recreational and public gathering place for both residents and visitors to the Town; and

WHEREAS, since that time, the Town has been engaged in finding a permanent location for the Multi-Use Facility with a focus on the operation of an ice rink. From 1999-2004 the Town operated a seasonal ice rink at the Mammoth RV Park that was well attended; however, escalating operating costs required the Town to find another location. In 2007, the Town entered into a long-term agreement with the Mammoth Unified School District (MUSD) and the Mono County Office of Education (MCOE) to utilize two acres of land adjacent to the MUSD offices to construct and operate an ice rink. The ice rink operated from 2007 to 2010 on a temporary basis and averaged over 6,000 skaters per winter. In 2011, Measure R funds contributed to the installation of a permanent ice rink slab, and the Town has been operating the facility year-round since 2012 as an ice rink in winter and the Mammoth RecZone, an outdoor venue with a small amount of shade, lights, and concessions offering activities (inline/roller skating, skate ramps, volleyball, badminton, basketball, etc.) during the summer. Visitation at the ice rink peaked at 11,209 visitors from 2011 to 2012 and has averaged approximately 7,000 per year during the four year period since. The Town has

determined the lease for this existing facility would not be extended past the end of 2017; and

WHEREAS, the Town operates a year-round community center of approximately 2,500 square feet, located at 1000 Forest Trail just east of Minaret Boulevard. The facility has several deficiencies, including extensive building deterioration, on-going maintenance issues, and functional inefficiencies. Currently, this facility does not meet the current or future desire or needs of the community and would require substantial investment to upgrade the structure. While operations at the existing facility are anticipated to continue for the foreseeable future, rather than invest considerable funds to upgrade the existing facility, the Town intends to design and construct a new facility at the Project site; and

WHEREAS, on April 1, 2015, Town Council directed staff to provide recommendations regarding the relocation of the existing Multi-Use Facility to Mammoth Creek Park West; and

WHEREAS, the Town based this decision on a review of the options to continue with the Multi-Use Facility at the current location with additional investment, the pros and cons of the site for each of the parties, and considering long-term interests for the community, it was determined that the best strategy was to look at an alternative location for an improved facility; and

WHEREAS, the Town encouraged broad public input regarding the initial planning and design effort for finding an alternative location. The proposed Project has been subject of numerous meetings including a previous site walk and open design charrette conducted on April 30, 2015 by the Town. It has also been on the agendas of the Recreation Commission, Mammoth Lakes Recreation (MLR), and Town Council; and

WHEREAS, on October 21, 2015, Town Council accepted the recommendations from the Recreation Commission, MLR, and members of the Ad Hoc Facility Task Force to commence preliminary design and environmental review for the location of community recreation facilities within Mammoth Creek Park West. This action followed extensive due diligence conducted by Town staff along with representatives from MLR and the Recreation Commission on a proposed relocation of the Community Multi-Use Recreation Facility and the consideration of location options and environmental analysis; and

WHEREAS, Town Staff, working in conjunction with representatives from MLR and the Recreation Commission, were tasked to identify, evaluate, and recommend to Town Council appropriate sites for a Multi-Use Facility that would include a new community center and ice rink, and complementary uses; and

WHEREAS, after a lengthy review process, the Town's ad hoc committee recommended that the Multi-Use Facility be located at Mammoth Creek Park West with a complementary Community Center. After extensive research and analysis, the group consensus was to recommend the Multi-Use Facility be located at Mammoth Creek Park West with the plan to include a Community Center as a complementary use, and not recommend the installation of a temporary shade structure at the existing facility, especially considering those funds could be used for the Project.

WHEREAS, on January 6, 2016, the Town Council authorized consultant services agreements related to the preliminary design and environmental documentation for the Project at Mammoth Creek Park West. Preliminary tasks focused on providing the desired community benefit while considering how best to mitigate potential impacts to the environment and neighboring land uses; and

WHEREAS, before moving forward to select and refine a preferred site plan, additional information was gathered from public comments, discussions with stakeholders and the first sessions of the programming efforts. A preferred alternative was prepared that considered all input received. A follow up public site planning workshop was held on March 18, 2016. In advance of that meeting, an updated list of questions and responses was posted along with a preferred alternative.

WHEREAS, in parallel with the site planning/preliminary design workshops discussed above, a series of public programming workshops have also been conducted. These six formal and facilitated workshops took place from February 22 through April 12, 2016. There was also a specific hockey workshop held in March 2016 as well as a workshop with the Town/County Youth Advisory Committee (YAC). The public was also invited to participate via an online survey tool available in both English and Spanish. The collated and summarized programming information (i.e., the "Playbooks") serve to inform the final site planning and preliminary design efforts, as well as final design; and

WHEREAS, pursuant to section 21067 of the Public Resources Code, and section 15367 of the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the Town is the lead agency for the proposed Project; and

WHEREAS, in accordance with State CEQA Guidelines section 15060(d), the Town determined that an Environmental Impact Report ("EIR") would be "clearly required" for the proposed Project, such that an Initial Study was deemed unnecessary; and

WHEREAS, in accordance with State CEQA Guidelines section 15082, on June 2, 2016, the Town publicly posted and sent to the Office of Planning and

Research and each responsible and trustee agency a Notice of Preparation ("NOP") stating that an Environmental Impact Report (State Clearinghouse Number #2016022009) would be prepared; and

WHEREAS, during the 30-day public review period, the Town received several comment letters in response to the NOP; and

WHEREAS, one (1) comment letter was received prior to issuance of the NOP; and

WHEREAS, pursuant to Public Resources Code section 21083.9 and State CEQA Guidelines sections 15082(c) and 15083, the Town held a duly noticed Scoping Meeting on June 8, 2016, to solicit comments on the scope of the environmental review of the proposed Project and no comments were received; and

WHEREAS, a Draft Environmental Impact Report ("Draft EIR") was prepared, incorporating comments received in response to the NOP; and

WHEREAS, the Draft EIR demonstrates why there would be no significant and unavoidable impacts resulting from the Project with mitigation measures incorporated; and

WHEREAS, the Draft EIR further demonstrates why the proposed mitigation measures will mitigate impacts to a less than significant level for the following resource areas: Air Quality, Aesthetics/Light and Glare, Biological Resources, Cultural Resources, Hydrology and Water Quality, Noise, and Transportation/Traffic; and

WHEREAS, in accordance with State CEQA Guidelines section 15085, a Notice of Completion was prepared and filed with the Office of Planning and Research on December 29, 2016; and

WHEREAS, as required by State CEQA Guidelines section 15087(a), on December 29, 2016, the Town provided and publicly posted a Notice of Availability of the Draft EIR, and, at the same time, sent a Notice of Completion to the Office of Planning and Research, on December 29, 2016; and

WHEREAS, during the public comment period, copies of the Draft EIR and technical appendices were available for review and inspection at the Town of Mammoth Lakes Community and Economic Development Department, on the Town's website, and at the Mono County Library; and

WHEREAS, pursuant to State CEQA Guidelines section 15087(e), the Draft EIR was circulated for a 45-day review period from December 29, 2016 to February 13, 2017; and

WHEREAS, during the 45-day public comment period, the Town consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies, and others pursuant to State CEQA Guidelines section 15086; and

WHEREAS, the Town received 46 written comment letters on the Draft EIR, including an acknowledgement from the State Clearinghouse that the Town has complied with CEQA environmental review requirements; and

WHEREAS, pursuant to Public Resources Code section 21092.5, the Town provided copies of its responses to commenting public agencies at least ten (10) days prior to the Town's consideration of the Final EIR on May 17, 2017; and

WHEREAS, on February 8, 2017, the Planning and Economic Development Commission conducted a public hearing to consider the Draft EIR for the Project and solicited comments on the document. After hearing all relevant testimony from staff, the public and the Town's consultant team, the Planning and Economic Development Commission voted to recommend that the Town Council certify the EIR for the Project; and

WHEREAS, on April 25, 2017, the Town released the Final EIR ("Final EIR"), which consists of the Draft EIR, all technical appendices prepared in support of the Draft EIR, all written comment letters received on the Draft EIR, written responses to all written comment letters received on the Draft EIR, and errata to the Draft EIR and technical appendices; and

WHEREAS, the "EIR" consists of the Final EIR and its attachments and appendices, as well as the Draft EIR and its attachments and appendices (as modified by the Final EIR); and

WHEREAS, all potentially significant adverse environmental impacts were sufficiently analyzed in the EIR; and

WHEREAS, as contained herein, the Town has endeavored in good faith to set forth the basis for its decision on the Project; and

WHEREAS, all of the requirements of the Public Resources Code and the State CEQA Guidelines have been satisfied by the Town in connection with the preparation of the EIR, which is sufficiently detailed so that all of the potentially

significant environmental effects of the Project have been adequately evaluated; and

WHEREAS, the EIR prepared in connection with the Project sufficiently analyzes the Project's potentially significant environmental impacts and, although no significant and unavoidable impacts were identified, the EIR analyzes a range of feasible alternatives capable of reducing these effects to an even lesser level of significance; and

WHEREAS, all of the findings and conclusions made by the Town pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and the entirety of the administrative record for the Project, which are incorporated herein by this reference, and not based solely on the information provided in this Resolution; and

WHEREAS, the Town finds that environmental impacts that are identified in the EIR as less than significant and do not require mitigation are described in Section 2 hereof; and

WHEREAS, the Town finds that environmental impacts that are identified in the EIR that are less than significant with incorporation of mitigation measures are described in Section 3 hereof; and

WHEREAS, the cumulative impacts of the Project identified in the EIR and set forth herein, are described in Section 4 hereof; and

WHEREAS, the potential significant and irreversible environmental changes that would result from the proposed Project identified in the EIR and set forth herein, are described in Section 5 hereof; and

WHEREAS, the existence of any growth-inducing impacts resulting from the proposed Project identified in the EIR and set forth herein, are described in Section 6 hereof; and

WHEREAS, alternatives to the proposed Project that might further reduce the already less than significant environmental impacts are described in Section 7 hereof; and

WHEREAS, prior to taking action, the Town has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including but not limited to the EIR, and all oral and written evidence presented to it during all meetings and hearings; and

WHEREAS, the EIR reflects the independent judgment of the Town and is deemed adequate for purposes of making decisions on the merits of the Project; and

WHEREAS, no comments made in the public hearings conducted by the Town and no additional information submitted to the Town have produced substantial new information requiring recirculation of the EIR or additional environmental review of the Project under Public Resources Code section 21092.1 and State CEQA Guidelines section 15088.5; and

WHEREAS, on May 17, 2017, the Town conducted a duly noticed public hearing on this Resolution, at which time all persons wishing to testify were heard and the Project was fully considered; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES:

SECTION I
FINDINGS

A. Project Description

1) Project Location

The proposed Project is located within the Town of Mammoth Lakes (Town), in the southwest portion of Mono County, on the eastern side of the Sierra Nevada mountain range; refer to Exhibit 3-1 of the Draft EIR, Regional Vicinity. The Project site is located at Mammoth Creek Park West (686 Old Mammoth Road) and is comprised of Assessor's Parcel Numbers (APNs) 040-140-001-000 and 040-140-002-000. The Project site is approximately 4.9 acres and is bounded by multi-family residential uses and commercial uses to the north, Old Mammoth Road to the east, recreational open space to the south, and multi-family residential uses to the west; refer to Exhibit 3-2 of the Draft EIR, Site Vicinity. Vehicular access to the site is provided via Old Mammoth Road, and pedestrians/trail users can access the site via the Town Loop trail to the east and south of the Project site. The primary local roadway providing access to the Project site is Old Mammoth Road.

The Town's existing community center (1000 Forest Trail) and Mammoth Ice Rink (416 Sierra Park Road) are located approximately 1.38 miles to the northwest, and 0.30-mile to the northeast of the Project site, respectively. The operations of the existing community center would continue. However, the winter and summer

operations of the Multi-Use Facility (Mammoth Ice Rink/Mammoth RecZone) would be relocated to the Project site, as described below in Section 3.3, below.

2) Project Characteristics

The Project consists of the construction of a new community multi-use facilities at the Project site, encompassing a maximum 100-foot by 200-foot ice rink (winter)/ recreation/event area (RecZone) covered by an approximately 30,000 square-foot roof structure and additional storage and support space. In addition, the proposed Project includes a 13,000 square-foot complementary community center, reconfiguration and improvements to an existing playground, restroom improvements, and 107 additional surface parking spaces. The Project would also include an active outdoor recreation area to the west of the new community multi-use facilities. Upon Project completion, the existing Mammoth Ice Rink/RecZone (located at 416 Sierra Park Road) would be made inactive, and the existing community center (located at 1000 Forest Trail) would remain under Town operation. (DEIR, 3-10.)

a) Community Center

The proposed 13,000 square-foot complementary community center would include:

- A maximum of two large rooms (1,500 to 3,000 square feet) adjacent to the multi-use facility;
- An approximately 200 to 400 square-foot warming kitchen with concession space;
- Approximately 400 square feet of office space;
- An approximately 500 to 600 square-foot arts/crafts/play room;
- An approximately 300 to 400 square-foot meeting room;
- An approximately 600 to 800 square-foot multi-purpose room;
- Two to four locker rooms (approximately 400 square feet each);
- Americans with Disabilities Act (ADA) accessible restrooms;
- An approximately 400 to 600 square-foot storage room;
- A mechanical room (including storage, cleaning supplies, phone, electrical, internet, etc.); and

- Twenty to 40 wall lockers. (DEIR, 3-12.)

The community center would host a number of daily, weekly, monthly, and occasional community-based activities. The community center is an open facility for daily social interaction, frequently programmed community events with complementary space/amenities to support operations of the ice rink and Mammoth RecZone. Weekly scheduled programs include educational programs; adult and youth introductory fitness classes (e.g., dance, Zumba, gymnastics/tumbling, yoga); games (e.g., table tennis, foosball, air hockey); arts and crafts programs/camps; training/certification courses (e.g., first-aid training); family support groups; and seasonal theatre productions and rehearsal space. (*Id.*) Monthly programs or special events include drop-in art programs; Technology, Entertainment, Design (TED) Talks; community and social holiday celebrations; fairs/festivals; rotating art gallery; and community variety/talent shows. The community center also schedules occasional activities and events such as facility rentals for small events/conferences, movie nights, and an after-dance teen hangout space. Community center operations would generally run between 6:00 a.m. and 10:00 p.m., Monday through Sunday, with occasional use from 10:00 p.m. to 12:00 a.m. (*Id.*)

b) Ice Rink

The proposed ice rink would be open on two sides (to the south and east), oriented in an east-west direction, and would be up to 100-feet long by 200-feet wide. Viewing areas and bleachers would be included under the proposed roof structure. Areas for the ice preparation machine, chillers and storage of ice rink and RecZone equipment would be provided along the west boundary of the ice rink/RecZone. Space for skate rental, concessions and/or vending machines, Americans with Disabilities Act (ADA) accessible restrooms, and lockers for personal items would be included in the adjacent community center building. The ice rink would operate during the winter months (November to April), and would provide a number of daily, weekly, and monthly recreational activities. Daily or frequently programmed activities include recreational skating, youth and adult hockey, as well as programs for ice skating and figure skating. The ice rink would also host or schedule weekly programs including curling and skate programs, ice rentals for hockey, and birthday parties. Monthly programs or special events include community events, hockey tournaments, special programs/events, private facility rentals, and professional/club/college/school rentals and events. Ice rink operations would generally run between 9:00 a.m. and 10:00 p.m., Monday through Sunday, with occasional use from 6:00 a.m. to 9:00 a.m. or 10:00 p.m. to 12:00 a.m. (DEIR, 3-12-13.)

c) Mammoth Recreation Zone

In the summer months (mid-May to mid-October) the multi-use facility would operate as the summer Mammoth RecZone. The Mammoth RecZone would be the home of Parks and Recreation Department summer camps and programs. The facility would offer daily and weekly programs, host monthly programs, and provide a venue for special events. Frequent youth and adult programmed court sports would be held at the facility including:

- Drop-in and league play for basketball, badminton, pickleball, small-sided soccer (futsal), volleyball, street hockey, dodgeball, and kickball;
- Adaptive sports (wheelchair basketball, pickleball, etc.);
- Summer sports camps (basketball, volleyball, soccer);
- Roller/inline skating; and
- Tennis.

Weekly programs scheduled at the facility include community area for sports teams and events, professional/club/college/school rentals, birthday parties, climbing wall, indoor cricket, and handball. Community events such as farmers market, art and music festivals, movie nights, holiday events, and special events. Special events may include, but are not limited to weddings, trade shows, birthday parties, small carnivals, and other private events. (DEIR, 3-13.)

Auxiliary equipment (i.e., sport court flooring, wind screens, scoreboards, athletic equipment, tables, chairs, etc.) would be required to operate the Mammoth RecZone. Mammoth RecZone operations would generally run between 6:00 a.m. and 10:00 p.m., Monday through Sunday, with occasional use from 10:00 p.m. to 12:00 a.m. The open area south of the Mammoth RecZone may also be used occasionally for access and seating for events. (*Id.*)

d) Park Playground

The square footage of the existing playground on the Project site would remain the same. However, some elements of the existing playground may be moved or new integrated and interactive features may be added. These playground elements include freestanding play, horizontal ladders/upper body peddlers, rubberized surfacing, adaptive swings, communication skills, sensory walls, and story circles. In addition, the existing bathroom at the Mammoth Creek Park West would be updated for year round use and to comply with ADA standards. The existing rock garden in the southeast portion of the Project site would remain unchanged. (*Id.*)

e) Active Outdoor Recreation Area

The area to the west of the proposed structures would be used as an active outdoor recreation area. Possible activities for this portion of the Project site include a dog park, a BMX bicycle dirt track (during summer months), sledding hill (during winter months), and/or a community garden. (*Id.*)

f) Special Events

On occasion, special events may be hosted at the Project site. Alcohol would be permitted to be served at special events with an Administrative Special Event Permit. Under this permit, additional security or other necessary measures (such as parking management plan) would be imposed on the event as part of the permit. No other sales of alcohol would occur and no additional infrastructure (i.e., outdoor lighting, etc.) would be installed for such special events.

g) Parking

The existing surface parking lot in the northeast portion of the Project site would be expanded westward across the northern portion of the Project site, and would provide 107 additional parking spaces (for a total of 151 parking spaces to be provided on-site).

h) Landscaping

The existing park grass within the southeastern portion of the Project site would remain. In addition, the Project proposes drought-tolerant landscaping to reduce water consumption on-site.

i) Utility Connections

The proposed Project would connect to existing utility (water and sewer) connections along Old Mammoth Road and within the Project site. Sewer is available in Old Mammoth Road. Water is available on site by way of a water main that currently extends along the north and west boundaries. The Mammoth Lakes Fire Department would also utilize a proposed fire access road at Meadow Lane. This access point would be secured and limited to emergency access and periodic maintenance activities.

B. Legal Requirements

Public Resources Code section 21002 states that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" Section 21002 further states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects."

Pursuant to section 21081 of the Public Resources Code, the Town may only approve or carry out a project for which an EIR has been completed that identifies any significant environmental effects if the Town makes one or more of the following written finding(s) for each of those significant effects accompanied by a brief explanation of the rationale for each finding:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

As indicated above, section 21002 requires an agency to "avoid or substantially lessen" significant adverse environmental impacts. Thus, mitigation measures that "substantially lessen" significant environmental impacts, even if not completely avoided, satisfy section 21002's mandate. *Laurel Hills Homeowners Assn. v. Town Council* (1978) 83 Cal.App.3d 515, 521 ["CEQA does not mandate the choice of the environmentally best feasible project if through the imposition of feasible mitigation measures alone the appropriate public agency has reduced environmental damage from a project to an acceptable level"]; *Las Virgenes Homeowners Fed., Inc. v. County of Los Angeles* (1986) 177 Cal. App. 3d 300, 309 ["[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance . . . if such would render the project unfeasible"].)

While CEQA requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts, an agency need not adopt infeasible mitigation measures or alternatives. (Pub. Res. Code § 21002.1(c) [if "economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment of a project, the project may nonetheless be carried out or approved at the discretion of a public agency"]; see also State CEQA Guidelines § 15126.6(a) [an "EIR is not required to consider alternatives which are infeasible"].) CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." (Pub. Res. Code § 21061.1.) The State CEQA Guidelines add "legal" considerations as another indicia of feasibility. (State CEQA Guidelines § 15364.) Project objectives also inform the determination of "feasibility." (*Jones v. U.C. Regents* (2010) 183 Cal. App. 4th 818, 828-829.) "'[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*Town of Del Mar v. Town of San Diego* (1982) 133 Cal.App.3d 401, 417; see also *Sequoyah Hills Homeowners Assn. v. Town of Oakland* (1993) 23 Cal.App.4th 704, 715.) "Broader considerations of policy thus come into play when the decision making body is considering actual feasibility[.]" (*Cal. Native Plant Soc'y v. Town of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000 ("*Native Plant*"); see also Pub. Res. Code § 21081(a)(3) ["economic, legal, social, technological, or other considerations" may justify rejecting mitigation and alternatives as infeasible] (emphasis added).)

Environmental impacts that are less than significant do not require the imposition of mitigation measures. (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1347.)

The California Supreme Court has stated, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 576.) In addition, perfection in a project or a project's environmental alternatives is not required; rather, the requirement is that sufficient information be produced "to permit a reasonable choice of alternatives so far as environmental aspects are concerned." Outside agencies (including courts) are not to "impose unreasonable extremes or to interject [themselves] within the area of discretion as to the choice of the action to be taken." (*Residents Ad Hoc Stadium Com. v. Board of Trustees* (1979) 89 Cal.App.3d 274, 287.)

C. Summary of Environmental Findings

At a regular meeting assembled on April 12, 2017, the Town Council determined that, based on all of the evidence presented, including but not limited to the EIR, written and oral testimony given at meetings and hearings, the submission of testimony from the public, organizations and regulatory agencies, and the whole of the administrative record, which is incorporated by reference herein, that the environmental impacts associated with the Project are either less than significant and do not require mitigation, or are less than significant with mitigation incorporated. The Project would not result in significant and unavoidable impacts.

No comments made in the public hearings conducted by the Planning and Economic Development Commission or Town Council or any additional information submitted to the Town has produced any substantial new information requiring recirculation or additional environmental review of the Final EIR under CEQA because no new significant environmental impacts were identified, no substantial increase in the severity of any environmental impacts would occur, and no feasible Project mitigation measures or Project alternatives as defined in State CEQA Guidelines section 15088.5 were rejected.

SECTION 2
FINDINGS REGARDING ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Town Council hereby finds that the following potential environmental impacts of the Project are less than significant and therefore do not require the imposition of Mitigation Measures.

Impacts Found not to be Significant in the EIR

Aesthetics

1. Aesthetics Threshold (b): Would the proposed Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

a. Finding: The proposed Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. (DEIR 8-1.)

b. Supporting Explanation: No designated State scenic highways are located adjacent to the Project site. However, State Route 203 (SR-203) (Main Street), located approximately 0.73-mile north of the Project site (trending in an

east/west direction), is eligible to become a State Scenic Highway, but has not yet been officially designated. The nearest Officially Designated State Scenic Highway is U.S. Route 395 (Highway 395), located approximately 2.8 miles to the east of the Project site. Views of the Project site are not afforded from SR-203 or Highway 395 due to intervening structures, topography, and vegetation. Thus, the proposed Project would not damage any scenic resources within the viewshed of a state scenic highway. No impacts would occur in this regard. (DEIR 8-1.)

Agriculture and Forestry Resources

2. Agriculture and Forest Resources Threshold (a): Would the proposed Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

a. Finding: The proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. (DEIR 8-1.)

b. Supporting Explanation: The Project site currently consists of Mammoth Creek Park West, and does not support agricultural use and is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Thus, Project implementation would not result in the conversion of farmland to non-agricultural uses. No impact would occur. (DEIR 8-1.)

3. Agriculture and Forest Resources Threshold (b): Would the proposed Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

a. Finding: The proposed Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. (DEIR 8-2.)

b. Supporting Explanation: The existing zoning and proposed zoning does not include any agricultural-related zoning designations, nor is the site part of a Williamson Act contract. As illustrated on the General Plan Land Use Diagram, the Project site is designated as Open Space (OS), and zoned as Public and Quasi Public (P-QP) on the Zoning Map. The land uses surrounding the Project site are not zoned for agricultural uses or in a Williamson Act contract. Thus, no impact would occur. (DEIR 8-2.)

4. Agriculture and Forest Resources Threshold (c): Would the proposed Project conflict with existing zoning for, or cause rezoning of, forest land (as

defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

a. Finding: The proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). (DEIR 8-2.)

b. Supporting Explanation: The Project site is located within an area known for its forestland, and the adjoining parcel to the south is owned by the United States Forestry Service (USFS). However, the Project site is not zoned or used for forestland resource production. The Project vicinity is comprised of residential, commercial, office, institutional, and recreational/open space uses. Forestry operations do not occur at the Project site or in the Project vicinity. Project implementation would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production. No impact would occur in this regard. (DEIR 8-2.)

5. Agriculture and Forest Resources Threshold (d): Would the proposed Project result in the loss of forest land or conversion of forest land to non-forest use?

a. Finding: The proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. (DEIR 8-2.)

b. Supporting Explanation: For the same reasons as explained under Agricultural Resources Threshold (c) above, no impact would occur in this regard. (DEIR 8-2.)

6. Agriculture and Forest Resources Threshold (e): Would the proposed Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

a. Finding: The proposed Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. (DEIR 8-2.)

b. Supporting Explanation: Refer to Agricultural Resources Thresholds (a) through (c) above. The Project site consists of Mammoth Creek Park West and is located in the vicinity of developed mixed land uses (including residential,

commercial, office, and institutional uses). Implementation of the proposed Project would not result in the conversion of designated farmland or forest land to non-agricultural/non-forest land use. No impacts would occur in this regard. (DEIR 8-2.)

Air Quality

7. Air Quality Threshold (e): Would the proposed Project create objectionable odors affecting a substantial number of people?

a. Finding: The proposed Project would not create objectionable odors affecting a substantial number of people. (DEIR 8-2.)

b. Supporting Explanation: Construction activities associated with the Project may generate detectable odors from heavy-duty equipment exhaust. Construction-related odors would be short-term in nature and cease upon Project completion. Additionally, construction-related odors dissipate rapidly as the nature of construction necessitates the need to move equipment around the construction site throughout a work day. Therefore, odors associated with the Project would be less than significant. (DEIR 8-2.)

Biological Resources

8. Biological Resources Threshold (c): Would the proposed Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

a. Finding: The proposed Project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. (DEIR 8-3.)

b. Supporting Explanation: The *Habitat Assessment for the Mammoth Creek Park West New Community Multi-Use Facilities Project* (Habitat Assessment), prepared by Michael Baker International, Inc., did not identify any drainage or wetland features within the Project footprint that would be considered jurisdictional by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), or California Department of Fish and Wildlife (CDFW). Thus, no regulatory approvals from the USACE, RWQCB, or CDFW would be required. The proposed Project would not result in any impacts to USACE, RWQCB, or CDFW jurisdictional waters or wetlands. No impacts would occur in this regard. (DEIR 8-3.)

9. Biological Resources Threshold (f): Would the proposed Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

a. Finding: The proposed Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. (DEIR 8-3.)

b. Supporting Explanation: The Project site and surrounding vicinity are not located within an area covered by a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved conservation plan. No impact would occur in this regard. (DEIR 8-3.)

Cultural Resources

10. Cultural Resources Threshold (c): Would the proposed Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

a. Finding: The proposed Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. (DEIR 8-3.)

b. Supporting Explanation: Based on the General Plan Program Environmental Impact Report (PEIR), there are no known unique paleontological resources or sites, and no known unique geologic features in the developable portions of the Town of Mammoth Lakes. The soils in the Project area are glacial till and relatively recent volcanic materials, and therefore no paleontological resources would be expected to occur in the area. Given the lack of potential for paleontological resources within or near the Project site, the proposed grading and construction activities for the Project would not have the potential to result in significant adverse impacts to such resources. As such, no impact would occur in this regard. (DEIR 8-3.)

Geology and Soils

11. Geology and Soils Threshold (a): Would the proposed Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: (i) rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; (ii) strong seismic ground shaking; (iii) seismic-related ground failure, including liquefaction; (iv) landslides?

a. Finding: The proposed Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. (DEIR 8-4.)

b. Supporting Explanation: The Project site is located within the Sierra Nevada Mountain range, a tilted fault-block that is bordered on the east by the Sierra Nevada frontal-fault system. The region is considered to be an active seismic region. For the purposes of the Alquist-Priolo Earthquake Fault Zoning Map Act, the State of California defines active faults as those that have historically produced earthquakes or shown evidence of movement within the past 11,000 years (during the Holocene Epoch). Active faults may be designated as Earthquake Fault Zones under the Alquist-Priolo Earthquake Fault Zoning Act, which includes standards regulating development adjacent to active faults. The Project site is not located within an Earthquake Fault Zone or Alquist-Priolo Hazard Zone. The nearest known active regional fault is the Hartley Springs fault, which is located approximately 45 miles to the northwest. The closest mapped earthquake fault zone is located approximately two miles to the northwest of the Project site. As such, no impact would occur in this regard. (DEIR 8-4.)

B) Strong seismic ground shaking. (DEIR 8-4.)

a. Finding: The proposed Project would not result in strong seismic ground shaking.

b. Supporting Explanation: Due to existing site conditions, including the relatively flat nature of the site and its immediate surroundings, the Project is not anticipated to result in substantial adverse effects to people or structures resulting from strong seismic ground shaking. In addition, according to the General Plan PEIR, the Town has primarily very low to moderate ground instability. Further, all building construction associated with the Project would be subject to the Town's existing construction ordinances and the California Building Code (CBC) in order to minimize hazards during a seismic event. The CBC includes standards related to soils and foundations, structural design, building materials, and structural testing and inspections. As such, the potential for ground shaking is considered low. As such, no impact would occur in this regard. (DEIR 8-4.)

C) Seismic-related ground failure, including liquefaction. (DEIR 8-5.)

a. Finding: The proposed Project would not expose people or structures to potential substantial adverse effects caused by seismic-related failure, including liquefaction.

b. Supporting Explanation: Liquefaction occurs when loose, water-saturated sediments lose strength and fail during strong ground shaking. Liquefaction is defined as the transformation of granular material from a solid state into a liquefied state as a consequence of increased pore-water pressure. According to the General Plan PEIR, liquefaction occurs in areas with shallow groundwater and where finer grained sands make up a significant part of the near surface (less than 30 feet above mean sea level) soil section. Within the Town, areas of alluvium and moraine material with shallow groundwater have the potential for liquefaction. Areas subject to liquefaction of fine-grained alluvium are in the low areas including Sherwin Meadows, areas to the north and south of the Old Mammoth District, and an area of shallow groundwater near the Meridian Boulevard and Minaret Road. The Project would be required to comply with the State of California's minimum standards for structural design and construction provided in the CBC. Given that the potential for liquefaction is considered very low and the Project would comply with applicable requirements, the potential for seismic-related ground failure at the Project site, including liquefaction, is low. As such, no impact would occur in this regard. (DEIR 8-5.)

D) Landslides. (DEIR 8-5.)

a. Finding: The proposed Project would not expose people or structures to potential substantial adverse effects caused by landslides.

b. Supporting Explanation: Landslides are earthquake-induced ground failure that occurs primarily in areas with steep slopes, which have loose, granular soils that lose their cohesive characteristics when water-saturated. Landslides are primarily limited to areas with a combination of poorly consolidated material and slopes that exceed 30 percent. Based on the General Plan PEIR, there are slopes with slopes that exceed 30 percent in portions of Mammoth Knolls, Mammoth Slopes, and areas of Old Mammoth. However, there has been no landslide activity in the Town, where the Project is located. Additionally, there have been no documented landslides that have occurred on-site. Therefore, no impact would occur in this regard. (DEIR 8-5.)

12. Geology and Soils Threshold (b): Would the proposed Project result in substantial soil erosion or the loss of topsoil?

a. Finding: The proposed Project would not result in substantial soil erosion or the loss of topsoil. (DEIR 8-5.)

b. Supporting Explanation: The highest erosion potential occurs in loose and/or shallow soils on steep slopes. Currently, the Project site is generally level and consists of Mammoth Creek Park West. Construction of the Project would produce loose soils, which are subject to erosion if the surface area were to be

disturbed or vegetation were to be removed. Grading and trenching for construction may expose soils to short-term wind and water erosion. The proposed Project would be subject to the Town Municipal Code requirements pertaining to the minimization of soil erosion during earthwork activities. Upon compliance with the Town Municipal Code, Project implementation would reduce potential impacts pertaining to soil erosion and/or the loss of topsoil to less than significant levels. (DEIR 8-5.)

13. Geology and Soils Threshold (c): Would the proposed Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

a. Finding: The proposed Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. (DEIR 8-5.)

b. Supporting Explanation: As explained in Geology and Soils Threshold (a) above, in order for the potential effects of liquefaction to be manifested at the ground surface, the soils generally have to be granular, loose to medium-dense and saturated relatively near the ground surface, as well as be subjected to ground shaking of a sufficient magnitude and duration. Within the Town, areas of alluvium and moraine material with shallow groundwater have the potential for liquefaction according to the General Plan PEIR. Areas subject to liquefaction of fine-grained alluvium are in the low areas including Sherwin Meadows, areas to the north and south of the Old Mammoth District, and an area of shallow groundwater near the Meridian Boulevard and Minaret Road. The Project would be required to comply with the State of California's minimum standards for structural design and construction provided in the CBC. Given that the potential for liquefaction is considered very low and the Project would comply with applicable requirements, potential impacts with regard to seismic-related ground failure would be less than significant. (DEIR 8-5.)

14. Geology and Soils Threshold (d): Would the proposed Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

a. Finding: The proposed Project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property. (DEIR 8-6.)

b. Supporting Explanation: Based on the General Plan PEIR, no expansive soils have been mapped or encountered in the Town. Thus, no impacts are anticipated in this regard. (DEIR 8-6.)

15. Geology and Soils Threshold (e): Would the proposed Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

a. Finding: The proposed Project would not have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. (DEIR 8-6.)

b. Supporting Explanation: No septic tanks or alternative wastewater systems are currently located within the Project site and none would be constructed as part of the proposed Project. Thus, no impacts would occur in this regard. (DEIR 8-6.)

Hazards and Hazardous Materials

16. Hazards and Hazardous Materials Threshold (a): Would the proposed Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

a. Finding: The proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. (DEIR 8-6.)

b. Supporting Explanation: The Project involves the construction of a community multi-use facility and no significant hazards to the public or environment are anticipated during the development of the Project or the occupancy of the improvements due to requirements to comply with Building, Fire and other Uniform Code statutes related to the protection of the public's health and safety. No impacts would occur in this regard.

17. Hazards and Hazardous Materials Threshold (b): Would the proposed Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

a. Finding: The proposed Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the

environment. (DEIR 8-6.)

b. Supporting Explanation: The Project site consists of Mammoth Creek Park West and is surrounded by residential uses, office uses, and vacant land. The Project is not anticipated to result in accidental releases of hazardous materials. Project operations would not involve the routine transport, use, or disposal of substantial quantities of hazardous materials. During operations, it is anticipated that strict standards implemented by the Mono County Health Department would be implemented, if necessary. No impacts would occur in this regard. (DEIR 8-6.)

18. Hazards and Hazardous Materials Threshold (c): Would the proposed Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

a. Finding: The proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (DEIR 8-6.)

b. Supporting Explanation: The nearest school to the Project site is Mammoth High School, located at 365 Sierra Park Road, Mammoth Lakes, approximately 0.34 mile northeast of the Project site. Therefore, the property is located more than one-quarter mile from the nearest school and no impacts would occur in this regard. (DEIR 8-6.)

19. Hazards and Hazardous Materials Threshold (d): Would the proposed Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

a. Finding: The proposed Project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment. (DEIR 8-7.)

b. Supporting Explanation: Government Code Section 65962.5 requires the Department of Toxic Substances Control (DTSC) and State Water Resources Board (SWRCB) to compile and update a regulatory sites listing (per the criteria of the Section.) The California Department of Health Services is also required to compile and update, as appropriate, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Section 116395 of the Health and Safety Code. Section 65962.5 requires the local enforcement agency, as designated pursuant to Section

18051 of Title 14 of the California Code of Regulations (CCR), to compile, as appropriate, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste.

The Project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, therefore, would not create a significant hazard to the public or the environment. Thus, no impacts would occur in this regard. (DEIR 8-7.)

20. Hazards and Hazardous Materials Threshold (e): Would the proposed Project be located within an airport land use plan or within two miles of a public airport or public use airport, and not result in a safety hazard for people residing or working in the Project area?

a. Finding: The proposed Project would not be located within an airport land use plan or within two miles of a public airport or public use airport, and not result in a safety hazard for people residing or working in the Project area. (DEIR 8-7.)

b. Supporting Explanation: The Project site is not located within an airport land use plan or within two miles of an airport or private airstrip. As a result, no impacts would occur in this regard.

The Project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, therefore, would not create a significant hazard to the public or the environment. Thus, no impacts would occur in this regard. (DEIR 8-7.)

21. Hazards and Hazardous Materials Threshold (f): For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

a. Finding: The proposed Project would not be located within the vicinity of a private airstrip, and would not result in a safety hazard for people residing or working in the Project area. (DEIR 8-7.)

b. Supporting Explanation: As explained in Hazards and Hazardous Materials Threshold (f), no impacts would occur in this regard. (DEIR 8-7.)

22. Hazards and Hazardous Materials Threshold (g): Would the proposed Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

a. Finding: The proposed Project would not impair implementation of or

physically interfere with an adopted emergency response plan or emergency evacuation plan. (DEIR 8-7.)

b. Supporting Explanation: Project construction activities could result in short-term temporary impacts to street traffic along Old Mammoth Road. While temporary lane closures may be required, travel along surrounding roadways would remain open and would not interfere with emergency vehicle access in the site vicinity. The Project does not conflict with the adopted Town of Mammoth Lakes Emergency Operations Plan. No impacts would occur in this regard. (DEIR 8-7.)

23. Hazards and Hazardous Materials Threshold (h): Would the proposed Project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

a. Finding: The proposed Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. (DEIR 8-7.)

b. Supporting Explanation: The Town and surrounding area have been rated as having a very high fire potential. Thus, implementation of the proposed Project could expose people or the new structure to risk involving wildland fires, as would be true for any development within the Town. The proposed Project is subject to compliance with the Uniform Fire Code, which was amended by the Mammoth Lakes Fire Protection District (MLFPD) to ensure that Fire Code regulations are met. Project implementation would result in a less than significant impact in this regard. (DEIR 8-7 and 8-8.)

Hydrology and Water Quality

24. Hydrology and Water Quality Threshold (b): Would the proposed Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

a. Finding: The proposed Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses

for which permits have been granted). (DEIR 8-8.)

b. Supporting Explanation: The proposed Project would not result in any groundwater extraction or the depletion of groundwater supplies. Based on the *Preliminary Drainage Study* (Drainage Study), prepared by Triad/Holmes Associates, dated August 12, 2016 (enclosed in DEIR Appendix 11.7, *Drainage Study*), the proposed impervious condition of the Project site would be approximately 62.5 percent, leaving the remaining 37.8 percent of the Project site pervious. Implementation of the proposed Project would still allow infiltration at the Project site. Thus, impacts in this regard would be less than significant. (DEIR 8-8.)

25. Hydrology and Water Quality Threshold (g): Would the proposed Project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

a. Finding: The proposed Project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. (DEIR 8-8.)

b. Supporting Explanation: The Project does not propose the construction of new housing. Thus, no impacts would occur in this regard. (DEIR 8-8.)

26. Hydrology and Water Quality Threshold (j): Would the proposed Project result in inundation by seiche, tsunami, or mudflow?

a. Finding: The proposed Project would not result in inundation by seiche, tsunami, or mudflow. (DEIR 8-8.)

b. Supporting Explanation: According to the General Plan PEIR, the Town is not located in an area that would be impacted by a tsunami. The impacts from mudflows are considered to be negligible given the varying topography and heavily vegetated nature of the Town. Further, the Project site is not located within the vicinity of a water body that would cause inundation of the Project site by a seiche. Thus, no impacts would result in this regard. (DEIR 8-8.)

Land Use and Planning

27. Land Use and Planning Threshold (a): Would the proposed Project physically divide an established community?

a. Finding: The proposed Project would not physically divide an

established community. (DEIR 8-8.)

b. Supporting Explanation: The Project site is comprised of Mammoth Creek Park West near the edge of the developed portion of the Town; therefore, the proposed Project would not physically divide an established community. Additionally, the proposed development (recreation uses) is consistent with the existing Public and Quasi Public (P-QP) zoning designation. No impacts would occur in this regard. (DEIR 8-8.)

28. Land Use and Planning Threshold (c): Would the proposed Project conflict with any applicable habitat conservation plan or natural community conservation plan?

a. Finding: The proposed Project would not conflict with any applicable habitat conservation plan or natural community conservation plan. (DEIR 8-9.)

b. Supporting Explanation: As discussed in Biological Resources Threshold (f), the Project site and surrounding vicinity are not located within an area covered by a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved conservation plan. No impact would occur in this regard. (DEIR 8-9.)

Mineral Resources

29. Mineral Resources Threshold (a): Would the proposed Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

a. Finding: The proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. (DEIR 8-9.)

b. Supporting Explanation: Based on Figure 4.4-1, *Mineral Resource Map,* of the General Plan PEIR, the Project site is not known to contain mines, mineral deposits, or other mineral resources. Thus, no impacts are anticipated in this regard. (DEIR 8-9.)

30. Mineral Resources Threshold (b): Would the proposed Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

a. Finding: The proposed Project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. (DEIR 8-9.)

b. Supporting Explanation: As explained under Mineral Resources Threshold (a), no impacts are anticipated in this regard. (DEIR 8-9.)

Noise

31. Noise Threshold (e): Would the proposed Project expose people residing or working in the Project area to excessive noise levels (for a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport)?

a. Finding: The proposed Project would not expose people residing or working in the Project area to excessive noise levels (for a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport). (DEIR 8-9.)

b. Supporting Explanation: The Project site is not located within an airport land use plan area or within two miles of a public airport or public-use airport. The Mammoth Yosemite Airport is located approximately six miles southeast from the Project site. No impact would occur in this regard. (DEIR 8-9.)

32. Noise Threshold (f): Would the proposed Project expose people residing or working in the Project area to excessive noise levels (for a Project within the vicinity of a private airstrip)?

a. Finding: The proposed Project would not expose people residing or working in the Project area to excessive noise levels (for a Project within the vicinity of a private airstrip). (DEIR 8-9.)

b. Supporting Explanation: The Project is not located in the vicinity of a private airstrip. Therefore, the proposed Project would not expose people to excessive noise levels associated with the operation of a private airstrip. No impact would occur in this regard. (DEIR 8-9.)

Population and Housing

33. Population and Housing Threshold (a): Would the proposed Project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

a. Finding: The proposed Project would not induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other

infrastructure). (DEIR 8-9.)

b. Supporting Explanation: The Project would serve the existing Mammoth Lakes community, and does not include any growth-inducing land uses. In addition, employees serving the existing facilities would serve the proposed Project, resulting in only nominal increases in employees, if any. Thus, no impact would result in this regard. (DEIR 8-9.)

34. Population and Housing Threshold (b): Would the proposed Project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

a. Finding: The proposed Project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. (DEIR 8-10.)

b. Supporting Explanation: No existing housing is present on-site. Thus, implementation of the proposed Project would not result in the displacement of existing housing. No impact would result in this regard. (DEIR 8-10.)

35. Population and Housing Threshold (c): Would the proposed Project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

a. Finding: The proposed Project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. (DEIR 8-10.)

b. Supporting Explanation: Refer to Population and Housing Threshold (b). A less than significant impact would result in this regard. (DEIR 8-10.)

Public Services

36. Population and Housing Threshold (a): Would the proposed Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public following services:

a. Finding: The proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order

to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

1) Fire protection. (DEIR 8-10.)

a) Supporting Explanation: The Mammoth Lakes Fire Department (MLFPD) provides fire protection and emergency response to the Project site. The MLFPD service area includes approximately 3,000 acres of mountain resort area in and around the Town and over 2,500 acres within the Town. The MLFPD currently responds to calls for service from two fire stations. Fire Station No. 1, the primary station, is located at the northeast corner of the Main Street and Forest Trail intersection, and is located approximately 0.77-mile north of the Project site. Fire Station No. 2 is located at 1574 Old Mammoth Road, located approximately 0.63-mile southwest of the Project site. According to the General Plan PEIR, fire ratings range from one to ten, with one representing the best rating. As of 2005, the Town has a fire rating of three, as a result of the recent Insurance Service evaluation conducted within the Town. The Project could result in an increase in the quantity of emergency calls received by the MLFPD due to the increase in activity and use in the area. The Project would comply with the applicable provisions as set forth in the Town Municipal Code. While the Project could result in an increase in calls, the Project would not result in development that is unique in the area. The Project would be subject to review by the MLFPD to ensure that the Project complies with fire requirements. Therefore, with compliance with the MLFPD's requirements, impacts would be less than significant in this regard. (DEIR 8-10.)

2) Police Protection. (DEIR 8-10.)

b) Supporting Explanation: Police protection and law enforcement in the Town of Mammoth Lakes are provided by the Mammoth Lakes Police Department (MLPD), the Mono County Sheriff's Department (MCSD), and the California Highway Patrol (CHP). The MLPD provides all police services for the Project area. Criminal investigation calls, the primary job function of the MLPD, increase during the peak visitor months. MLPD is responsible for all traffic-related offences within the Town, except for along SR-203 where CHP also provides traffic-related services. The MLPD staff is currently comprised of 10 sworn officers and 3 civilian employees, all of whom operate out of the MLPD facility located at 568 Old Mammoth Road. Typically, two to four sworn officers are on duty at any one time. Dispatches for both the MLPD and MCSD are routed by Mono County.

The increase in visitors resulting from implementation of the Project could result in a greater volume of emergency calls for police services and could potentially impact police protection and law enforcement services and facilities.

Development of the Project would increase transient occupancy tax revenues to provide a source of funding to offset increases in the anticipated demands for public services generated by this Project. Moreover, the increase would be minimal. This is because the difference between the existing site and the proposed Project site is slight, as the Project essentially involves relocating the existing community facility and ice rink onto the Project site. A less than significant impact would occur in this regard. (DEIR 8-10 and 8-11.)

3) Schools. (DEIR 8-11.)

c) Supporting Explanation: The Town is located within the jurisdiction of the Mammoth Unified School District (MUSD). The MUSD provides education to students in grades kindergarten (K) through grade 12 with facilities that include Mammoth High School, Mammoth Middle School, Mammoth Elementary School, and Sierra High School. The average per pupil spending throughout the District is approximately $7,425 per student per year, including approximately $1,400 per student in federal and state aid for categorical, special education, and support programs. As the proposed community multi-use facilities would utilize existing Town staff for operations, an increase in employees would not occur. Therefore, the Project would not generate additional population or students that would enroll at MUSD schools and a less than significant impact would occur in this regard. (DEIR 8-11.)

4) Parks. (DEIR 8-11.)

d) Supporting Explanation: The Project would include active recreational opportunities, including an ice rink/RecZone, and an active outdoor recreation area to the west of the new community multi-use facilities. In addition, the existing park playground at Mammoth Creek Park West would be reconfigured and improved, and would remain on-site. As such, the Project would provide Town residents access to recreational opportunities at the Project site. Therefore, impacts would be less than significant in this regard. (DEIR 8-11.)

4) Other public facilities. (DEIR 8-11.)

e) Supporting Explanation: Other public services potentially impacted include public libraries, hospitals/healthcare, and public roadway maintenance. Library services in the Town are provided by the Mono County Library System. The Mammoth Lakes Library Branch, which is located at 400 Sierra Park Road, is approximately 17,000 square feet in size. The Mammoth Lakes Library was constructed in 2007 and was a substantial expansion from the previous library facility, which was approximately 7,000 square feet. The old library was located at 960 Forest Trail. In 2014 the Mammoth Lakes Library Branch served a population of approximately 85,000 persons. This includes residents of the Town, residents

of Mono County, as well as visitors to the area. The Mammoth Lakes Library Branch includes five full time equivalency staff, including the custodian.

As development associated with the Project would serve the existing Mammoth Lakes community and does not include any growth-inducing land uses, there would be no increase in demand for library services. Therefore, impacts would be less than significant in this regard. (DEIR 8-11 and 8-12.)

Recreation

37. Recreation Threshold (a): Would the proposed Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

a. Finding: The proposed Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. (DEIR 8-12.)

b. Supporting Explanation: The proposed Project does not include any residential land uses. The Project's proposed community multi-use facilities would increase the available recreational services and amenities and support existing park and recreational activities in the area. The proposed Project also includes public open spaces consisting of pedestrian plazas, landscape areas, and other amenities to be located to the north, east, and south of the proposed structure, as well as an active recreation area to the west. The proposed recreational facilities would provide increased recreational services to benefit the existing Mammoth Lakes community. Therefore, potential impacts to park and recreational facilities would be less than significant. (DEIR 8-12.)

38. Recreation Threshold (b): Would the proposed Project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

a. Finding: The proposed Project would not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. (DEIR 8-12.)

b. Supporting Explanation: Refer to Recreation Threshold (a). A less than significant impact would occur in this regard. (DEIR 8-12.)

Transportation/Traffic

39. Transportation/Traffic Threshold (b): Would the proposed Project

conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

a. Finding: The proposed Project would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. (DEIR 8-12.)

b. Supporting Explanation: Currently, the Project site is not subject to a Congestion Management Program (CMP). Thus, potential impacts associated with traffic on CMP facilities would not occur. (DEIR 8-12.)

40. Traffic/TrafficThreshold (c): Would the proposed Project result in change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

a. Finding: The proposed Project would not result in change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. (DEIR 8-12.)

b. Supporting Explanation: The Mammoth Yosemite Airport is located approximately six miles east of the Project site. As the proposed Project consists of new community multi-use facilities, a change in air traffic patterns at this airport facility would not result. Impacts in this regard are less than significant. (DEIR 8-12.)

41. Traffic/TrafficThreshold (e): Would the proposed Project result in inadequate emergency access?

a. Finding: The proposed Project would not result in inadequate emergency access. (DEIR 8-12.)

b. Supporting Explanation: Development of the proposed Project would maintain existing emergency access to persons at the Project site via access along Old Mammoth Road. Refer to Hazards and Hazardous Materials Threshold (g).

The Project would be required to comply with applicable MLFPD codes for emergency vehicle access. All appropriate fire and emergency access conditions would be incorporated into the design of the Project. In addition, the Project may not impede emergency access for adjacent or surrounding properties during construction or operation. Thus, with compliance with the Town's regulations, site

access would be sufficient for emergency vehicles and impacts in this regard would be less than significant. (DEIR 8-12.)

42. Traffic/TransportationThreshold (f): Would the proposed Project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

a. Finding: The proposed Project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. (DEIR 8-13.)

b. Supporting Explanation: The Project would not conflict with adopted policies, plans, or programs supporting alternative transportation. The proposed Project would result in beneficial impacts related to travelers within the Project vicinity, since the Project proposes multi-use community and recreational facilities situated along multi-use pathways and in close proximity to major transit stops. (*Id.*)

Pedestrian access is currently provided via sidewalks on the eastern and western portions of Old Mammoth Road. There are no designated bike lanes along Old Mammoth Road in the vicinity of the Project site. However, there are existing Class I Paved Multi-Use Paths along Old Mammoth Road and Mammoth Creek Road, adjacent to the Project site. The multi-use paths provide for bicycle and pedestrian travel on a paved right-of-way completely separated from any street or highway. In addition, pedestrians/trail users can access the site via the Town Loop trail to the east and south of the Project site, increasing access to public recreational amenities and allowing for pedestrian integration and improved circulation within the area. Eastern Sierra Transit and town trolley stops are currently located immediately adjacent to the Project site along Old Mammoth Road and Mammoth Creek Road and in close proximity to the Project area along Old Mammoth Road and Chateau Road. Access to the transit stops would be maintained, further encouraging reduction in automobile trips by providing access to transit. Existing access to the site via walking, bicycling, and public transit would be improved compared to existing conditions, and would not be interrupted or obstructed. Access to the Project site would be required to comply with all Town design standards. With compliance with Town design standards, impacts would be less than significant in this regard. (*Id.*)

Utilities and Service Systems

43. Utilities and Service Systems (a): Would the proposed Project exceed wastewater treatment requirements of the applicable Regional Water Quality

Control Board?

a. Finding: The proposed Project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. (DEIR 8-13.)

b. Supporting Explanation: Wastewater treatment services are provided by the Mammoth Community Water District (MCWD). The wastewater treatment facility for the Town provides advanced secondary treatment, which includes biological treatment, filtration, and disinfection through utilization of chlorine. Treated water is stored in 10 distribution system storage reservoirs. According to the MCWD *2010 Urban Water Management Plan*, the existing wastewater treatment facility is designed to collect and treat wastewater of approximately 1,666 acre-feet per year in 2015 to approximately 2,330 acre-feet per year in 2030. The wastewater Projections to be collected resulted from the average ratio of collected wastewater to total water demand for 2005 and 2010 and was applied to projected water demand for 2015-2030. Treated wastewater is discharged to Laurel Pond, located approximately 5.5 miles southeast of Mammoth Lakes. Laurel Pond provides secondary treatment of approximately 1,145 acre-feet per year to approximately 1,677 acre-feet per year in 2030. The proposed Project would result in the construction of new community multi-use facilities at the Project site. As the Project does not include any growth-inducing land uses, it is not expected that the proposed Project would exceed the MCWD wastewater treatment requirements. Therefore, impacts would be less than significant. (DEIR 8-13 and 8-14.)

44. Utilities and Service Systems (b): Would the proposed Project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

a. Finding: The proposed Project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. (DEIR 8-14.)

b. Supporting Explanation: Per a settlement agreement between Los Angeles Department of Water and Power (DWP) and the Mammoth Community Water District (MCWD) resolving two recent court cases, future water demands in the MCWD's service area should not exceed 4,387 acre-feet annually. Following a dry winter and a warm summer as well as a decline in groundwater aquifers, the MCWD Board enacted the "2013 MCWD Level I Water Restrictions" to place restrictions on water use. As such, Project implementation could require additional

water supplies to meet the increased demands of the proposed Project. The existing on-site restroom and ice rink facilities water demands are approximately 2,300 gallons per day (gpd). The proposed restrooms, ice rink/RecZone, and community space would demand approximately 8,500 gpd. Project implementation would result in a net increase of 6,200 gpd in water demand (or 6.94 acre-feet per year).

The MCWD's 2005 Urban Water Management Plan (UWMP) considered the *Town of Mammoth Lakes Parks and Recreation Master Plan* (Parks and Recreation Master Plan) in demands for water for public sector uses from approximately 374 acre feet annually in 2010 to approximately 660 acre feet annually in 2025. The proposed Project is within the Parks and Recreation Master Plan, which would comprise a small portion of the demand for treated water at General Plan build-out and demand is anticipated to occur within the anticipated growth parameters (660 acre feet by 2025). In addition, the MCWD's 2010 UWMP indicates that available water sources particularly groundwater would be sufficient to serve the Town through 2030. Based on the 2010 UWMP, Projected water demand by 2020 is anticipated to be 3,387 acre feet per year (and an available supply of 4,436 acre feet per year) and by 2030 is anticipated to be 4,180 acre feet per year (and an available supply of 4,436 acre feet per year). Thus, the MCWD anticipates having a surplus of 1,049 acre fee per year in 2020 and 256 acre feet per year by 2030. The proposed Project would result in a net increase of 6.94 acre feet per year, which would only be 0.07 percent of the surplus water supply anticipated in 2020 and 2.7 percent of the surplus water supply anticipated in 2030 for an average year.

Further, it is acknowledged that the MCWD has published the *Draft 2015 Urban Water Management Plan* (Draft 2015 UWMP), which accounts for the Town's Parks and Recreation Master Plan, the Town's allocated 4,387 acre-feet per year, as well as updated cumulative Projects (including recent changes to the Town's Floor Area Ratio [FAR] regulations). It is acknowledged that the Draft 2015 UWMP considers the Town's General Plan buildout horizon of 2035. Based on the Draft 2015 UWMP, Projected water demand by 2020 is anticipated to be 2,264 acre feet per year (and an available supply of 2,299 acre feet per year) and by 2035 is anticipated to be a demand of 3,719 acre feet per year (and an available supply of 3,762 acre feet per year). Thus, the MCWD anticipates having a surplus of 35 acre feet per year in 2020 and 43 acre feet per year by 2035. The proposed Project would result in a net increase of 6.94 acre feet per year, which would only be 19.8 percent of the surplus water supply anticipated in 2020 and 16.1 percent of the surplus water supply anticipated in 2035 for an average year.

Therefore, the Project's water demand would be met. The proposed Project does not include any growth-inducing land uses. Therefore, the Town would have

the necessary infrastructure and water supply to accommodate the proposed Project. Impacts to water demand, water supplies, and infrastructure would be less than significant in this regard. Also, refer to Utilities and Service Systems Threshold (a) above. (DEIR 8-14 and 8-15.)

45. Utilities and Service Systems (c): Would the proposed Project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

a. Finding: The proposed Project would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. (DEIR 8-15.)

b. Supporting Explanation: Refer to the DEIR Hydrology and Water Quality Impact Statements HWQ-2 and HWQ-3. Impacts would be less than significant in this regard. (DEIR 8-15.)

46. Utilities and Service Systems (d): Would the proposed Project have sufficient water supplies available to serve the Project from existing entitlements and resources, and are new or expanded entitlements needed?

a. Finding: The proposed Project would have sufficient water supplies available to serve the Project from existing entitlements and resources, and new or expanded entitlements are not needed. (DEIR 8-15.)

b. Supporting Explanation: Refer to Hydrology and Water Quality Threshold (b). Impacts would be less than significant in this regard. (DEIR 8-15.)

47. Utilities and Service Systems (e): Would the proposed Project result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?

a. Finding: The proposed Project would result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments. (DEIR 8-15.)

b. Supporting Explanation: As explained in Hydrology and Water Quality Threshold (b) above, impacts would be less than significant in this regard. (DEIR 8-15.)

48. Utilities and Service Systems (f): Would the proposed Project be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?

a. Finding: The proposed Project would be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs. (DEIR 8-15.)

b. Supporting Explanation: Solid waste collection service for the Town is currently provided by Mammoth Disposal, Incorporated. All solid waste generated by the Town is transferred to the Benton Crossing Landfill for disposal. The landfill is approximately 145 acres in size with a landfill footprint of approximately 72 acres. The maximum daily permitted throughput is 500 tons per day. The landfill has a remaining capacity of 695,047 cubic yards of compacted waste and is projected to close in December 2023. The Town is working on a long term solution to address solid waste over the next 30 years. Project implementation could increase solid waste generation, placing greater demands on collection and disposal services, and diminishing landfill capacity. With the existing capacity in the Benton Crossing Landfill, there is adequate landfill capacity that can accommodate the waste generation and disposal needs for the proposed Project. Further, all future development would be subject to compliance with the Town's Source Reduction and Recycling Element (SRRE) for solid waste reduction. Therefore, with compliance with the Town's regulations, impacts would be less than significant. (DEIR 8-15 and 8-16.)

49. Utilities and Service Systems (g): Would the proposed Project comply with federal, state, and local statutes and regulations related to solid waste?

a. Finding: The proposed Project would comply with federal, state, and local statutes and regulations related to solid waste. (DEIR 8-16.)

b. Supporting Explanation: The proposed Project would comply with all applicable Federal, State, and local statutes and regulations related to solid waste. As the Project would generate solid waste, it would be subject to compliance with the Town's SRRE and Integrated Solid Waste Management Plan (ISWMP) provisions, and the Municipal Code Chapter 8.12, *Solid Waste Management*, for solid waste reduction. The proposed Project would also be required to comply with Assembly Bills 939 and 341, which require measures to enhance recycling and source reduction efforts, and expand opportunities for additional recycling services and recycling manufacturing facilities. Therefore, the Project would not conflict with Federal, State, or local statutes and regulations related to solid waste, and no impact would occur in this regard. (DEIR 8-16.)

Impacts Found to be Less than Significant in the EIR

Aesthetics

1. Threshold: Would the proposed Project have a substantial adverse effect on a scenic vista?

a. Finding: The proposed Project would not have a substantial adverse effect on a scenic vista, and no mitigation is required. (DEIR 5.2-9.) Project implementation could have a substantial adverse effect on a scenic view or vista. However, existing scenic views would not be obstructed by the proposed Project. Therefore, impacts to scenic vistas would be less than significant. (DEIR 5.2-13.)

b. Supporting Explanation: Due to the proposed setbacks, massing, and scale of the new multi-use facilities structure, existing scenic views of the Sherwin Range, Mammoth Crest, and Mammoth Mountain would not be obstructed. In addition, the Project site would be expanded to allow for increased public opportunity to utilize the Project site. Due to the open nature of the proposed ice rink, the Project would result in an increase in available southern public views toward the Sherwin Range and Mammoth Crest. Project-related quality impacts to scenic vistas would be less than significant, and no mitigation measures are required. (DEIR 5.2-13.)

Air Quality

2. Threshold: Would the proposed Project conflict with or obstruct implementation of an applicable air quality plan?

a. Finding: The proposed Project would not conflict with or obstruct implementation of the applicable air quality plan. (DEIR 5.6-10.) While The Project is consistent with the *Mammoth Lakes Air Quality Maintenance Plan and PM_{10} Redesignation Request for the Town of Mammoth Lakes* (2014 AQMP), and General Plan. Therefore, impacts would be less than significant. (DEIR 5.6-19.)

b. Supporting Explanation: The 2014 AQMP models emissions associated with the estimated 179,708 Vehicle Miles Traveled (VMT) at General Plan buildout. The VMT estimate is based on a revised traffic model for the community that incorporates additional roadway segments and revises VMT Projections based on updated traffic counts and current modeling technologies. The air quality modeling shows that this overall level of traffic would not cause an exceedance of the NAAQS and is suggested as the VMT limit for the 2014 AQMP. Future development within the Town has been anticipated within the General Plan. In order to address the anticipated increase at future buildout, the General Plan has included several goals and policies to further regulate the anticipated PM_{10} emissions resulting from the increased VMT. Such goals and policies would build upon the regulations set forth within the current Municipal Code, Chapter 8.30, and

Great Basin Unified Air Pollution Control District (GBUAPCD) Rule 431. As an example of the new goals and policies, the General Plan has included the use of higher density residential and mixed-use development adjacent to commercial centers, mountain portals, and transit corridors, which would reduce the number of vehicle trips, VMT, and encourage alternative modes of transportation. Development associated with the proposed Project would be consistent with what is anticipated in the General Plan, and zoning code. As the proposed Project is anticipated in the General Plan and 2014 AQMP, implementation of the proposed Project would not conflict with the 2014 AQMP. Additionally, the Project would be required to comply with the applicable General Plan policies, which would further reduce impacts associated with plan consistency to a less than significant level. Project-related air quality impacts with regard to conflicting with an applicable air quality plan would be less than significant. (DEIR 5.6-19.)

3. Threshold: Would the proposed Project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

a. Finding: The proposed Project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. (DEIR 5.6-10.) The Project's long-term operational emissions would not exceed the applicable screening thresholds. Therefore, long-term operational air quality impacts would be less than significant. (DEIR 5.6-15.)

b. Supporting Explanation: The Project's long-term operational emissions were calculated using the California Emissions Estimator Model (CalEEMod). For the purposes of the EIR's analysis, operational emissions would be generated via three sources: area, energy, and mobile sources. The Project's mobile emissions were based on a trip generation of 210 net new daily trips on a busy winter Saturday. Area and energy source emissions would result from daily operations of the proposed Project.

As discussed on page 5.6-9 of the DEIR, the GBUAPCD does not have separate daily thresholds for criteria pollutants other than State and Federal standards. However, CEQA allows Lead Agencies to rely on standards or thresholds promulgated by other agencies. The GBUAPCD was consulted during the course of the analysis to determine the proper methodology to use for analyzing criteria pollutants. Based on guidance from the GBUAPCD, Project-related emissions were quantified and compared to the Mojave Desert Air Quality Management District (MDAQMD) numerical thresholds. Projects in the Basin have recently used the numerical standards of the MDAQMD in prior CEQA reviews (e.g., the Town of Mammoth Lakes Trail System Master Plan EIR, dated July 2011). Because the air quality and pollutant attainment status in portions of the Mojave Desert Air Basin (MDAB) are similar to those of the Basin, the numerical

thresholds set for MDAB by the MDAQMD are considered adequate to serve as significance thresholds for the proposed Project.

As shown in Table 5.6-6 of the Draft EIR (DEIR 5.6-15), the net increase of all criteria pollutants that would result from the proposed Project would be less than the daily emission thresholds. Therefore, the proposed Project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation, and mitigation would not be required. (DEIR 4.1-10.) Project-related long-term air quality impacts would be less than significant. (DEIR 5.6-16 and 5.6-17.)

4. Threshold: Would the proposed Project expose sensitive receptors to substantial pollutant concentrations violate any air quality standard or contribute substantially to an existing or projected air quality violation?

a. Finding: The proposed Project would not expose sensitive receptors to substantial pollutant concentrations violate any air quality standard or contribute substantially to an existing or projected air quality violation. (DEIR 5.6-10.) This is because the Project's localized emissions would not exceed the applicable screening thresholds. Therefore, localized emissions impacts would be less than significant. (DEIR 5.6-18.)

b. Supporting Explanation: Project traffic, during the operational phase of the Project, would have the potential to create local area impacts. Carbon monoxide (CO) is a primary pollutant and, unlike ozone, is directly emitted from a variety of sources. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of its impacts upon the local air quality. Comparisons of levels with State and Federal CO standards indicate the severity of the existing concentrations for receptors in the Project area.

An impact is potentially significant if a Project produces emissions levels that exceed the State or Federal AAQS. Because CO is produced in greatest quantities from vehicle combustion and does not readily disperse into the atmosphere; adherence to AAQS is typically demonstrated through an analysis of localized CO concentrations. Areas of vehicle congestion have the potential to create "pockets" of CO, referred to as "hot spots." These pockets have the potential to exceed the State 1-hour standard of 20.0 ppm and/or the 8-hour standard of 9.0 ppm. Note that Federal levels are based on 1- and 8-hour standards of 35.0 and 9.0 ppm, respectively.

In order to identify CO hotspots, the South Coast Air Quality Management District (SCAQMD) criterion was utilized in the analysis since the GBUAPCD does not currently have a preferred methodology for CO hotspot methodology. The

SCAQMD recommends performing a CO hotspot analysis when a Project increases the volume-to-capacity (V/C) ratio (also called the intersection capacity utilization) by 0.02 (2 percent) for any intersection with an existing level of service (LOS) D or worse. A CO hotspot analysis is also required if an existing intersection has a LOS C and worsens to an LOS D with implementation of a proposed Project. Because traffic congestion is highest at intersections where vehicles queue and are subject to reduced speeds, these hot spots are typically produced at intersection locations. Typically, LOS at an intersection producing a hot spot is at LOS D or worse during the peak hour.

Based upon the Traffic Impact Analysis, there are no intersections that meet the criteria for a CO hotspot analysis. As such, CO hot spot modeling was not conducted for the proposed Project. It is also noted that a detailed CO analysis was conducted in the *Federal Attainment Plan for Carbon Monoxide* (1992 CO Plan) for the SCAQMD's *2003 Air Quality Management Plan*. The CO hot spot analysis conducted for the 1992 CO Plan was conducted for four busy intersections in Los Angeles County during the peak morning and afternoon time periods. The intersections evaluated included Long Beach Boulevard and Imperial Highway (Lynwood), Wilshire Boulevard and Veteran Avenue (Westwood), Sunset Boulevard and Highland Avenue (Hollywood), and La Cienega Boulevard and Century Boulevard (Inglewood). The busiest intersection evaluated was that at Wilshire Boulevard and Veteran Avenue, which has a traffic volume of approximately 100,000 vehicles per day. The Los Angeles County Metropolitan Transportation Authority evaluated the level of service in the vicinity of the Wilshire Boulevard/Veteran Avenue intersection and found it to be level of service (LOS) E at peak morning traffic and LOS F at peak afternoon traffic. Nonetheless, the analysis concluded that there was no violation of CO standards.

According to the Traffic Impact Analysis, the proposed Project would result in approximately 210 net new daily trips on a busy winter Saturday. Therefore, the proposed Project would not increase traffic volumes at any intersection to more than 100,000 vehicles per day, the value studied in the 1992 CO Plan. As a result, this impact would be less than significant. (DEIR 5.6-18.)

Biological Resources

5. Threshold: Would the proposed Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Services?

a. Finding: The proposed Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Services? (DEIR 5.3-19.) Project implementation would not have an adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status. While development at the Project site could result in minimal impacts to candidate, sensitive, or special status species, impacts would be less than significant. (DEIR 5.3-20.)

b. Supporting Explanation: Based on the *Habitat Assessment for the Mammoth Creek Park West New Community Multi-Use Facilities Project* (Habitat Assessment), prepared by Michael Baker International, Inc., dated August 2, 2016, the Project site does not provide suitable habitat for special status plant species, and has a low potential to provide suitable habitat for special-status wildlife species. One special-status plant community has been recorded near Old Mammoth, Mammoth Mountain, Bloody Mountain, and Crystal Crag quadrangles. However, based the Habitat Assessment, this special-status plant community is absent from the Project site. As a result, this impact would be considered less than significant. (DEIR 5.3-21.)

6. Threshold: Would the proposed Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Services?

a. Finding: The proposed Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Services. (DEIR 5.3-19.) Therefore, impacts would be less than significant. (DEIR 5.3-21.)

b. Supporting Explanation: Based on the Habitat Assessment, there is no riparian habitat on-site. The closest riparian habitat is located along the Mammoth Creek, approximately 240 feet south of the Project site. Based on the current design plan, no impacts to Mammoth Creek would occur as a result of development of the proposed Project. As a result, this impact would be considered less than significant. (DEIR 5.3-21.)

Cultural Resources

7. Threshold: Would the proposed Project disturb any human remains including those interred outside of dedicated cemeteries?

a. Finding: The proposed Project would not disturb any human remains, including those interred outside of dedicated cemeteries. (DEIR 5.4-17.) In the event any human remains are found, remains would be required to conduct proper treatment, in accordance with applicable laws. Therefore, impacts would be less than significant. (DEIR 5.4-22.)

b. Supporting Explanation: Although no conditions exist that suggest human remains are likely to be found on the Project site, development of the Project site could result in the discovery of human remains and potential impacts to these resources. If human remains are found, those remains would be subject to proper treatment, in accordance with applicable laws. State of California Public Resources Health and Safety Code Sections 7050.5 to 7055 describe the general provisions for human remains. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. As required by State law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would be implemented, including notification of the County Coroner, notification of the NAHC and consultation with the individual identified by the NAHC to be the "most likely descendant (MLD)." Following compliance with existing State regulations, which detail the appropriate actions necessary in the event human remains are encountered, impacts in this regard would be reduced to less than significant levels. As a result, this impact would be considered less than significant. (DEIR 5.4-22.)

Greenhouse Gas Emissions

8. Threshold: Would the proposed Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

a. Finding: The proposed Project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. (DEIR 5.7-12.) While Greenhouse gas (GHG) emissions generated by the Project could have a significant impact on global climate change, Project-related emissions would be below the applicable screening thresholds. Therefore, impacts would be less than significant. (DEIR 5.7-14.)

b. Supporting Explanation: As shown in Table 5.7-1 of the DEIR (DEIR 5.7-13), the Project's direct (construction and mobile) and indirect (energy, solid waste, and water demand) GHG emissions would be below the most conservative (lowest) numerical threshold of 900 metric tons (MT) CO_2eq/yr, as suggested by the California Air Pollution Control Officers Association (CAPCOA). In addition, the Project may include photovoltaic/solar panels on-site. The use of

photovoltaic/solar panels would provide the Project a renewable source of energy, and reduce electricity consumption from the local grid. GHG emissions from energy consumption would also be reduced as a result of solar installation. As such, the energy consumption GHG emissions shown in Table 5.7-1 of the DEIR (DEIR 5.7-13) would be further reduced if the Project includes the installation of photovoltaic/solar panels. As a result, this impact would be considered less than significant. (DEIR 5.7-14.)

9. Threshold: Would the proposed Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

a. Finding: The proposed Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. (DEIR 5.7-12.) The Town does not currently have an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and Project-related emissions would be below the applicable screening thresholds. Therefore, impacts would be less than significant. (DEIR 5.7-14.)

b. Supporting Explanation: The Town does not currently have an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. However, the Mobility Element of the General Plan establishes goals, policies, actions, and infrastructure to achieve a progressive and comprehensive multimodal transportation system through implementation of "feet-first" sustainability, and smart-growth oriented principles. In addition, the Town is involved in the Eastern Sierra Energy Initiative (ESEI), created in partnership with SCE and the Eastern Sierra Council of Governments (ESCOG), represented by additional jurisdictions including Bishop, Inyo County, and Mono County. ESEI's scope and objective is to reduce energy use and demand by focusing on establishing a "culture" of energy efficiency, working closely with SCE to more effectively implement existing programs, and seeking innovative approaches to energy efficiency in our alpine environment. The Town implemented the High Sierra Energy Initiative (HSEI), in partnership with SCE to support a commitment to sustainable practices through energy efficiency, and will provide leadership and guidance in promoting, facilitating, and instituting such practices in the community.

As shown in Table 5.7-1 of the DEIR (DEIR 5.7-13), the Project's direct (construction and mobile) and indirect (energy, solid waste, and water demand) GHG emissions would be below the most conservative (lowest) numerical threshold of 900 MT CO_2eq/yr, as suggested by CAPCOA. In addition, the Project may include photovoltaic/solar panels on-site. The use of photovoltaic/solar panels would provide the Project a renewable source of energy, and reduce

electricity consumption from the local grid. GHG emissions from energy consumption would also be reduced as a result of solar installation. As such, the Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. As a result, this impact would be considered less than significant. (DEIR 5.7-15.)

Hydrology and Water Quality

10 Threshold: Would the proposed Project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

a. Finding: The proposed Project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. (DEIR 5.9-20.) While the Project site is subject to flooding within the 100-year flood zone and could expose people or structures to flooding, the Project would not result in the construction of any habitable structures within the 100-year flood zone. Therefore, impacts would be less than significant. (DEIR 5.9-27.)

b. Supporting Explanation: A portion of the Project site is located in an area that is classified by FEMA as a 100-year flood zone, as depicted on Exhibit 5.9-2 of the DEIR (DEIR 5.9-5.) However, as shown on Exhibit 5.9-2 and Exhibit 3-4 of the DEIR (DEIR 5.9-5, and 3-11, respectively) those areas currently inundated by the 100-year flood zone (the existing rock garden, access driveway, and vacant land in the northeast corner of the site), would remain upon completion of the proposed Project. The Project would not result in the construction of any habitable structures within the 100-year flood zone. Additionally, runoff in excess of existing flows would be retained on-site in the proposed retention facilities and these facilities would be designed to withstand the 100-year storm flows. Thus, the proposed Project would not place structures within a 100-year flood hazard area or impede or redirect flood flows such that people or property would be exposed to flooding. As such, impacts associated with flooding would be less than significant. (DEIR 5.9-27.)

Land Use and Planning

11. Threshold: Would the proposed Project conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the Project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

a. Finding LU-1: The proposed Project would not conflict with any

applicable land use plan, policy or regulation of an agency with jurisdiction over the Project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. (DEIR 5.1-9.) This is because the proposed Project would not conflict with general plan policies or regulations. Therefore, impacts would be less than significant. (DEIR 5.1-9.)

b. Supporting Explanation: The Project site, which currently includes playground equipment, grass/open space, picnic areas, trail connections, and a surface parking lot for 44 vehicles is designated Open Space in the Town's General Plan Land Use Map. The Parks, Open Space, and Recreation Element, amended in 2012, identifies parks, open space, and recreational opportunities as critical to residents and to the success of Mammoth Lake's tourism-based economy. It emphasizes a wide variety of outdoor winter and summer activities, as well as the integration of surrounding public lands through points of public access. Consistent with these goals and the permitted uses within the OS designation, development of the Project site with community multi-use facilities would be consistent with the land use anticipated for the site by the General Plan. (See Table 5.1-1 of the DEIR, 5.1-10 through 5.10-23.) The proposed Project is consistent with the relevant General Plan goals and policies. Therefore, impacts would be less than significant in this regard, and no mitigation is required. (DEIR 5.1-23.)

a. Finding LU-2: The proposed Project would not conflict with the Town's Municipal Code standards or regulations. Therefore, impacts would be less than significant, and no mitigation is required. (DEIR 5.1-23.)

b. Supporting Explanation: The Project does not include a request to amend any Municipal Code provisions. Based on the Town's Zoning Map, the Project site is zoned Public and Quasi Public (P-QP). Municipal Code Section 17.32.100, *Public and Quasi-Public Zone (P-QP),* describes the permitted uses within the P-QP zone. Public parks and playgrounds are a permitted use within the P-QP zone. In addition, Municipal Code Chapter 17.88, *Design Review,* implements the design review procedural requirements of the Town's Design Guidelines. The development review process is intended to ensure that the performance standards identified in the Town's Zoning Code are maintained and implemented. Thus, with approval of the Major Design Review, the Project would not conflict with the Zoning Code. As evidenced by the discussion above, the Project would not conflict with the Town of Mammoth Lakes Municipal Code, and a less than significant impact would occur in this regard. (DEIR 5.1-24.)

a. Finding LU-3: The proposed Project would not conflict with the Town's Parks and Recreation Master Plan policies and standards. Therefore, impacts would be less than significant. (DEIR 5.1-24.)

b. Supporting Explanation: The Project proposes new community multi-use facilities at the Project site, encompassing an ice rink (winter)/recreation/event area (RecZone) and additional storage and support space. In addition, the proposed Project includes a complementary community center, reconfiguration and improvements to an existing playground to add accessible interactive components, restroom improvements, and additional surface parking spaces. The Project would also include an active outdoor recreation area to the west of the new community multi-use facilities. The Parks and Recreation Master Plan goals and policies are used to help guide decision-making for the Town's park and recreation facilities and programs, in a way that promotes collective values and aspirations. The Parks and Recreation Master Plan first five goals have been developed and presented in the General Plan, for the Parks, Open Space, and Recreation Element. The Master Plan also includes an additional (sixth) goal, which was developed as a result of public input during the Park Master Plan process and proposed policies specific to this Master Plan. The following is an analysis of the Project's consistency with relevant Parks and Recreation Master Plan's policies and standards; refer to Table 5.1-2 of the Draft EIR, Parks and Recreation Master Plan Consistency Analysis. The Project's consistency analysis in Table 5.1-2 also relies on and refers to responses stated in Table 5.1-1 of the Draft EIR. As such, a less than significant impact would occur in this regard. (DEIR 5.1-26.)

Noise

12. Threshold: Would the proposed Project expose persons to or generate excessive ground borne vibration or ground borne noise levels?

a. Finding N-2: Project implementation would not result in significant vibration impacts to nearby sensitive receptors. Therefore, impacts would be less than significant. (DEIR 5.8-20.)

b. Supporting Explanation: Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located in the vicinity of the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds

and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibrations from construction activities rarely reach levels that damage structures. (DEIR, 5.8-20.)

The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 inch/second) appears to be conservative even for sustained pile driving. Pile driving levels often exceed 0.2 inch/second at distances of 50 feet, and 0.5 inch/second at 25 feet without any apparent damage to buildings. Construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. The typical vibration produced by construction equipment is illustrated in Table 5.8-12 of the Draft EIR, Typical Vibration Levels for Construction Equipment. (DEIR, 5.8-20.)

As indicated in Table 5.8-12 of the Draft EIR, based on the FTA data, vibration velocities from typical heavy construction equipment that would be used during Project construction range from 0.006 to 0.452 inch-per-second peak particle velocity (PPV) at 15 feet from the source of activity. It should be noted that the vibratory compactor/roller is the only piece of equipment that would exceed the 0.2 inch per-second PPV threshold at this conservative distance. With regard to the proposed Project, groundborne vibration would be generated primarily during site clearing and grading activities on-site and by off-site haul-truck travel. These activities would occur at distances of 50 feet or more from the closest sensitive receptors to the north and west (i.e., the La Vista Blanc Condominiums and the Chateau Blanc Condominiums). Additionally, the use of any vibratory compactor/rollers would not occur within 50 feet of the closest sensitive receptors because the proposed parking and community facilities are buffered from the sensitive receptors. Therefore, as demonstrated in Table 5.8-12 of the Draft EIR, the anticipated vibration levels at 50 feet or more would not exceed the 0.2 inch-per-second PPV significance threshold during construction. It should be noted that 0.2 inch-per-second PPV is a conservative threshold, as that is the construction vibration damage criteria for non-engineered timber and masonry buildings. Buildings within the Project area would be better represented by the 0.5 inch per-second PPV significance threshold (construction vibration damage criteria for a reinforced concrete, steel or timber buildings). Section 8.16.090(B)(7) of the Town's Municipal Code also includes a threshold for the perception of groundborne

vibration (0.01 inch-per-second PPV). Although the Project site is approximately 50 feet away from the closest receptors, the primary construction areas would be 100 feet away or more. As depicted in Table 5.8-12 of the Draft EIR, vibration levels would be barely perceptible at this distance. In addition, per the Town's requirements, construction activities would occur between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday. These activities would not occur during recognized sleep hours for residents. Therefore, proposed construction activities associated with the Project would not expose sensitive receptors to excessive groundborne vibration levels. Vibration impacts associated with construction would be less than significant and no mitigation measures are required. (DEIR, 5.8-22.)

14. Threshold: Would the proposed Project result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?

a. Finding: The proposed Project would not result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project (DEIR 5.8-16.) Traffic generated by the proposed Project would not significantly contribute to existing traffic noise in the area or exceed the town's established standards. (DEIR 5.8-22.)

b. Supporting Explanation: The "Future Without Project" and "Future With Project" scenarios were compared for long-term conditions. In Table 5.8-13 of the Draft EIR, Future Traffic Noise Levels, the noise levels (dBA at 100 feet from centerline) depict what would typically be heard 100 feet perpendicular to the roadway centerline. As indicated in Table 5.8-13 under the "Future Without Project" scenario, noise levels at a distance of 100 feet from the centerline would range from approximately 52.3 dBA to 65.4 dBA. The highest noise levels under "Future Without Project" conditions would occur along Meridian Boulevard, west of Old Mammoth Road. Under the "Future With Project" scenario, noise levels at a distance of 100 feet from the centerline would range from approximately 52.4 dBA to 65.4 dBA. The highest noise levels occurring under these conditions would also occur along Meridian Boulevard, west of Old Mammoth Road. Table 5.8-13 also compares the "Future Without Project" scenario to the "Future With Project" scenario. The proposed Project would increase noise levels on the surrounding roadways by a maximum of 0.1 dBA along Chateau Road, west of Old Mammoth Road. Therefore, noise levels resulting from the proposed Project would be less than significant, and no mitigation is required. (DEIR, 5.8-22-5.8-23.)

SECTION 3
IMPACTS THAT ARE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

The Town Council hereby finds that Mitigation Measures have been identified in the DEIR and this Resolution that will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level. The potentially significant impacts, and the Mitigation Measures that will reduce them to a less than significant level, are as follows:

A. Aesthetics/Light and Glare

1. Visual Character/Quality: Direct Impacts

Threshold: Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?

Finding: The proposed Project would have a less than significant impact with regard to degrading the existing visual character or quality with mitigation incorporated. (DEIR 5.2-9 through 5.2-11; and DEIR 5.2-13 and 5.2-14.) Changes or alterations have been required in, or incorporated into, the proposed Project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (State CEQA Guidelines, section 15091(a)(1).)

Supporting Explanation: *Construction-Related Impacts*

Construction of the proposed Project would temporarily disturb the visual character of the site, affecting the quality of the landscape during this time. Construction would remove some of the existing on-site vegetation to allow for construction of the proposed Project. Following site preparation activities, the construction of the proposed multi-use facilities structures and landscape improvements would occur. (DEIR 5.2-10.)

Construction staging and parking areas would occur within the boundaries of the Project site. Views of the construction activities and staging area on the Project site would be visible from the residential uses to the north, west, and southwest. However, with implementation of the recommended Mitigation Measure AES-1, equipment staging areas would provide appropriate screening (i.e., temporary fencing with opaque material) and would reduce views toward construction staging areas, to the extent feasible. (*Id.*)

Dump trucks and other trucks hauling grading materials would also be visible during construction activities. The visual aspect of trucks loaded with debris and/or soils would be interesting to some viewers and unsightly to others. However, in accordance with Mitigation Measure AES-2, a Hauling Plan would be subject to approval by the Town's Community and Economic Development Department. Pursuant to Measure AES-2, the Town's Public Works Director would be required to prepare and approve the plan prior to the issuance of any grading permit. The

plan will be required to ensure that construction haul routes minimize visual impacts to sensitive uses in the Town, which would in turn mitigate potential impacts. (*Id.*)

During Project construction, dump trucks and other trucks hauling grading materials would be visible. Delivery and removal of excavation equipment, cranes, other machinery, and for the delivery of materials would be seen. As with on-site activities, the visual aspect of trucks loaded with debris and/or soils would be interesting to some viewers and unsightly to others. Proposed access to the site for dump trucks, semi-trailers, and truck and trailers in the removal of excavated soils and delivery of heavy equipment would primarily occur via Old Mammoth Road in the eastern portion of the Project site as well as Meadow Lane to the west of the Project site. With the implementation of standard conditions of approval, grading plans would be required for submittal concurrently with the development plans and would be subject to approval through the design review process set forth by the PEDC. All grading and earthwork activities would be conducted in accordance with an approved construction grading plan and grading permit issued by the Mammoth Lakes Public Works Department. Additionally, in accordance with Mitigation Measure AES-2, a Hauling Plan would be subject to approval by the Town's Community and Economic Development Department.

During grading and excavation activities (which would take place at the initial stage of construction), there would be temporary construction fencing to screen most activities (i.e., construction equipment, soil piles, etc.) from surrounding uses. However, it is likely that construction vehicles and activities would still be visible. Implementation of Mitigation Measures AES-1 and AES-2 would reduce impacts resulting from construction activities via screening of staging areas, and a construction hauling plan. Thus, construction-related visual impacts are considered to be temporary impacts. The short-term impacts to the site's visual character/quality would be reduced to less than significant levels upon implementation of Mitigation Measures AES-1 and AES-2.*Long-Term Impacts*

The Project site is currently developed with Mammoth Creek Park West. This existing recreational facility provides active recreational (park and picnic) opportunities at the Project site. The majority of the western portion of the Project site is open space/scrub habitat that is only nominally accessible to the public. As Mammoth Creek Park West is situated along the urban fringe of the Town, the existing visual character at the site includes both active and passive recreational land uses with a partially forested character partial distant views to the Sherwin Range and Mammoth Crest to the south, and Mammoth Mountain to the west. (DEIR 5.2-13.)

Development of the proposed Project would alter the existing visual character of the site and surrounding area, as a new 35-foot structure serving additional recreational opportunities, new hardscape and landscaping, and increased surface parking lot would be constructed at the Project site. Existing access/circulation would remain similar to existing conditions. The new structure, including building architecture and color scheme would be required to be consistent with the policies and goals of the Town's Design Guidelines. Per Municipal Code Chapter 17.88, the overall color scheme would be subject to the Town Design Guidelines Color Handbook, subject to approval by the Town PEDC. The Project would construct a perimeter wall along the periphery of the rink, between the structures for the first phase of the Project. This new wall feature would be constructed of similar color, material, and architectural style as the proposed structures. This wall would also be subject to the Town's Design Guidelines and Architectural Review process as well. (*Id.*)

Per Municipal Code Section 17.32.100(c), landscape design would be required to meet Town standards. Large pine trees are present on-site and may be required to be removed as part of the proposed Project. However, all tree removal activities would be required to comply with Municipal Code Section 17.36.140, which requires a tree removal and protection plan. For those trees removed, the Town would be required to mitigate with tree replacement at a ratio determined by the Community and Economic Development Manager (refer to Mitigation Measure BIO-1). If replacement plantings of the removed trees is required, the minimum replacement tree size would be required to be seven gallons. Further, replacement would 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. Overall, the Design Review process would ensure that landscaping would enhance the character of the on-site development and would be required to be compatible with, and complementary to, the natural environment in Mammoth Lakes and the surrounding region. (DEIR 5.2-14.)

Although the proposed Project would increase the active recreational uses at the Project site (including construction of a new 35-foot structure), the existing views toward visual resources at Mammoth Creek Park West would be expanded. Proposed landscaping would be required to meet Municipal Code requirements, including tree replacement. Further, the proposed 35-foot structure would be similar in visible massing to the existing buildings in the surrounding area (which range in height from 15 to 40 feet). Last, the proposed Project would be consistent with the recreational intent of the site, and would comply with the existing OS land use designation and P-QP zoning for the site. With implementation of the recommended Mitigation Measure BIO-1 and the Town's Municipal Code,

including compliance with the Town's Design Review process, longterm impacts pertaining to the degradation of character/quality would be reduced to less than significant levels. (*Id.*)

2. Light and Glare: Direct Impacts

Threshold: Would the Project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

Finding: The proposed Amendment would have a less than significant impact with regard to creating a new source of substantial light or glare, which would adversely affect day or nighttime views in the area with mitigation incorporated. (DEIR 5.2-14 through 5.2-16.) Changes or alterations have been required in, or incorporated into, the proposed Project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (State CEQA Guidelines, section 15091(a)(1).)

Supporting Explanation: *Short-Term Construction Lighting*

Short-term light and glare impacts associated with construction activities would likely be limited to nighttime lighting (for security purposes) in the evening hours. In accordance with Chapter 15.08.020 (hours of working) in the Town's Municipal Code, operations allowed under a building permit would be limited to the hours between 7:00 a.m. and 8:00 p.m., Monday through Saturday. Work hours on Sundays and Town recognized holidays would be limited to the hours between 9:00 a.m. and 5:00 p.m. and permitted only with the approval of the building official or designee. Thus, construction activities would be required to cease no later than 8:00 p.m. (DEIR 5.2-15.)

To avoid nighttime lighting conflicts with nearby residences and other sensitive receptors during construction activities, the Project would be required to comply with Mitigation Measure AES-3. Mitigation Measure AES-3 requires all construction-related nighttime security lighting, if necessary, to be oriented downward and away from adjacent residential areas, and consist of the minimal wattage necessary to provide safety at the construction site. Implementation of Mitigation Measure AES-3 would reduce impacts related to nighttime lighting to a less than significant level. (*Id.*)

Long-Term Operational Lighting

Currently, light and glare sources are nominal at the Project site (one exterior security light on the Mammoth Creek Park West bathroom facility). Street lighting and pedestrian lighting along Old Mammoth Road to the north and south of the Project site are also present. Lighting in the surrounding area occurs as a

result of commercial and residential exterior security lighting, and interior lighting sources at the condominiums to the north, southwest, and west of the Project site. No traffic signal lighting currently exists adjoining the Project site; however, as noted above, pedestrian safety lighting is present along Old Mammoth Road. (DEIR 5.2-15.)

Implementation of the proposed Project would result in increased lighting at the Project site compared to existing conditions. The proposed structures would include increased exterior security/pedestrian lighting, and interior lighting from the proposed structure. The proposed Project would be required to comply with the Municipal Code Section 17.36.030, Exterior Lighting. An outdoor lighting plan would be required to be submitted in conjunction with the application for design review approval. The plan would be required to show that all outdoor lighting fixtures are designed, located, installed, aimed downward or toward structures, retrofitted if necessary, and maintained in order to prevent glare, light trespass, and light pollution. Outdoor lighting installations must be designed to avoid harsh contrasts in lighting levels between the Project site and the adjacent properties. With compliance with the Town's Municipal Code, impacts in this regard would be reduced to less than significant levels.

Development of the Project would construct a large roof structure to cover the proposed ice rink, which could cause increased daytime glare. The Project would be required to comply with Mitigation Measure AES-4 (described below), which would require a non-reflective finish to be applied to building materials, including the roof structure. Compliance with Mitigation Measure AES-4 would ensure that nearby viewers are not exposed to substantial daytime glare and impacts in this regard would be reduced to less than significant levels. (DEIR.5.2-15-5.2-16.)

The Project may also include photovoltaic and/or solar panels along the south-facing pitch of the roof that could cause glare. However, glare from photovoltaic panels would be minimal, as these systems absorb light rather than reflect it. Therefore, potential increased glare impacts resulting from the photovoltaic panels would not result in significant glare impacts onto surrounding sensitive uses. (DEIR 5.2-16.)

However, the Project would be required to comply with Mitigation Measure AES-4, which requires a non-reflective finish to be applied to building materials, including the roof structure. Implementation of Mitigation Measure AES-4 would ensure that impacts related to glare would be less than significant. (*Id.*)

> ***Mitigation Measure 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.

Mitigation Measure AES-2 *The construction hauling plan shall be prepared and approved by the Public Works Director prior to issuance of grading permit. 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 that construction haul routes minimize impacts to sensitive uses in the Town.*

Mitigation Measure 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.*

Mitigation Measure 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.*

Mitigation Measure BIO-1 *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:*

- *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.*

- *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.

- *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 avoid or minimize adverse impacts of excessive water to native trees.*

The Town finds that Mitigation Measures AES-1 through AES-4, and BIO-1 are feasible, are adopted, and will reduce the potentially significant impacts of the proposed Project to aesthetics/light and glare to less than significant levels. Accordingly, the Town finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project to aesthetics/light and glare, as identified in the DEIR. Therefore, impacts are considered less than significant with new mitigation required. (DEIR 5.2-9 through 5.2-11; and DEIR 5.2-13 through 5.2-16.)

B. Biological Resources

1. Wildlife Corridors: Direct Impacts

Threshold: Would the proposed Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Finding: With the incorporation of mitigation, the proposed Project would have a less than significant impact with regard to interfering substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites with mitigation incorporated. (DEIR 5.3-22 through 5.3-24.) (State CEQA Guidelines, section 15091(a)(1).)

Explanation: Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages, but provide specific opportunities for animals to disperse or migrate between areas and allows for breeding, and foraging. (DEIR 5.3-22.)

The Project site is not located within any local or regional designated migratory corridors or linkages. However, Mammoth Creek has the potential to provide west to east wildlife movement opportunities along the riparian corridor associated with the creek from the mountains to the valley floor. One mammal, the lodgepole chipmunk, and multiple bird species including the stellar jay, brewer's blackbird, common raven, northern flicker, northern mockingbird, Bewick's wren, mountain chickadee, red-breasted nuthatch, mourning dove, American robin, brown-headed blackbird, lesser goldfinch, song sparrow, cliff swallow, and western wood-pewee were observed on-site during the habitat site investigation. The Project site provides marginal habitat for a limited number of reptilian species acclimated to human presence and disturbance. However, no reptilian species were detected during the Habitat Assessment. Further, no water features occur on the Project site that would support fish or amphibians. As a result, no amphibians are expected to occur and are presumed absent from the Project site. (DEIR 5.3-23.)

According to the Habitat Assessment, Project implementation would not impact Mammoth Creek and is not expected to disrupt or have any adverse effects to potential wildlife movement along Mammoth Creek due to the distance from the Project site (approximately 240 feet south of the Project site) and lack of disturbance to the Creek. Therefore, impacts involving wildlife movement would be less than significant. However, the plant community found on the western half of the Project site provides foraging habitat, nesting/denning sites, and shelter for wildlife including migrant and nesting bird species. (*Id.*)

Although nests were not observed during the Habitat Assessment, the proposed construction activities could potentially impact nesting birds within the Project site and within the immediate vicinity. The nesting season generally extends from February 1 through August 31, but can vary slightly from year to year based upon seasonal weather conditions. Some raptor species can nest as early as December. Nesting birds are protected pursuant to the MBTA, Bald/Golden Eagle Protection Act, and Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513). Implementation of Mitigation Measure BIO-2 would require a pre-construction clearance survey if construction cannot occur outside of the nesting season. The survey would ensure that no birds are nesting on or within 500 feet of the Project site. A negative survey would be required by a biologist prior to construction to indicate no impacts to active bird nests. If active nests are found during the pre-construction clearance survey, construction activities would be required to stay outside a buffer determined by the biologist in consultation with CDFW, or construction would need to be delayed until the nest is inactive. During site disturbance activities, a biological monitor would be required to delineate the boundaries of the buffer area and monitor the active nest. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural

conditions, a monitoring report and written authorization by the CDFW Contractor would be required prior to initiation of construction activities within the buffer area. Therefore, adherence to Mitigation Measure BIO-2 would reduce impacts to a less than significant level.

2. Tree Preservation: Direct Impacts

Threshold: Would the proposed Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Finding: With mitigation incorporated, the proposed Project would have a less than significant impact with regard to conflicting with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance with mitigation incorporated. (DEIR 5.3-21 and 5.3-22.)

Explanation: The majority of the Project site and immediate surrounding areas have converted natural habitats into commercial, residential, transportation, and recreational land uses. The eastern half of the Project site consists of the existing Mammoth Creek Park West that is developed and no longer supports native plant communities. However, the undeveloped western half of the Project is dominated by a big sagebrush scrub plant community along with scattered pine trees. Based on the Habitat Assessment, there is no riparian habitat on-site. The closest riparian habitat is located along the Mammoth Creek, approximately 240 feet south of the Project site. Based on the current design plan, no impacts to Mammoth Creek would occur as a result of development of the proposed Project. A less than significant impact would occur in this regard. (DEIR 5.3-21.)

Pine trees, primarily Jeffery pine, and lodgepole pine, were noted on-site. The Town's Municipal Code (Section 17.36.140) provides provisions to protect and to regulate the removal of certain trees, based on the important environmental, aesthetic, and health benefits that trees provide to Mammoth Lakes' residents and visitors, and the contribution of such benefits to public health, safety, and welfare. These benefits include, but are not limited to, enhancement of the character and beauty of the community as a "Village in the Trees," protection of property values, provision of wildlife habitat, reduction of soil erosion, noise buffering, wind protection, and visual screening for development. Project implementation could include the removal of trees. If tree removal is proposed, the Project would be required to prepare a tree removal and protection plan that is consistent with Section 17.36.140 of the Municipal Code; refer to Mitigation Measure BIO-1. The tree removal and protection plan would be required to depict all trees to be preserved and/or removed on the site. If trees are removed, the ratio of tree removal to replacement planting would be negotiated with the Community and

Economic Development Manager. Replacement trees would be required to be consistent with the species identified in the Town of Mammoth Lakes' Recommended Plan List and be a minimum size of seven gallons. A Registered Professional Forester or arborist may also determine the value of the tree and include additional replacement requirements. It will be the Applicants responsibility to maintain the plantings. Adherence to the Town's Municipal Code (Section 17.36.140) and implementation of Mitigation Measure BIO-1 would reduce impacts in this regard to a less than significant level.

Mitigation Measure BIO-1 *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:*

- *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.*
- *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.*
- *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 avoid or minimize adverse impacts of excessive water to native trees.*

Mitigation Measure BIO-2 *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 survey 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, including those on the ground, would occur during site disturbance activities.

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 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.

The Town finds that Mitigation Measures BIO-1 and BIO-2 are feasible, are adopted, and will reduce the potentially significant impacts of the proposed Project to biological resources to less than significant levels. Accordingly, the Town finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project to biological resources, as identified in the DEIR. Therefore, impacts are considered less than significant with new mitigation required. (DEIR 5.3-21 through 5.3-24.)

C. Cultural Resources

1. Historical and Archaeological Resources: Direct Impacts

Threshold: Would the Project cause a substantial adverse change in the significance of a historical and/or an archaeological resource as defined in *CEQA Guidelines* Section 15064.5?

Finding: With mitigation incorporated, the proposed Project would have a less than significant impact with regard to causing a substantial adverse change in the significance of a historical and/or an archaeological resource as defined in *CEQA Guidelines* Section 15064.5. (DEIR 5.4-17 through 5.4-20.)

Explanation: Mammoth Lakes has had a long cultural history and has been home to Native American groups, since before Euro-American settlement. The most widely accepted chronology for the eastern Sierras focuses on human occupation of the area for the last 7,500 years and is divided into five units: Early Holocene (pre-7,500 years BP), the Mid-Holocene (7,500 to 3,150 BP), the Newberry Period (3,150 to 1,350 BP), the Haiwee Phase (1,350 to 650 BP), and the Marana Phase (650 to 100 BP). Post-European contact history for the State of California is generally divided into three periods: the Spanish Period (1769–1822), the Mexican Period (1822–1848), and the American Period (1848–present). Permanent settlement of the area of Mammoth Lakes began in the late 1870s after the establishment of a mining claim on Red Mountain and other claims that followed. Transportation uses were present in the 1920s, which led to the growth in development and seasonal recreational activities. In the 1940s, skiing became a popular attraction for Mammoth, leading to additional development and use that has continued into the present. (DEIR 5.4-17-18.)

Historical Resources

A historical resources is a resource listed in, or determined to be eligible for listing, in the CRHR, a resource included in a local register of historical resources, or any object building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (State CEQA Guidelines, Section 15064.5[a][1-3]). Section 15064.5(a)(3) also states that a resource must be considered by the lead agency to be "historically significant" if the resource:

1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

2) Is associated with the lives of persons important in our past;

3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

4) Has yielded, or may be likely to yield, information important in prehistory or history.

One previously recorded prehistoric archaeological site (CA-MNO-561) was identified within the Project site as a result of the cultural resources records search and pedestrian survey. The portion of CA-MNO-561 to the south of the parking lot within the Project site has been previously excavated and the site has been recommended eligible for listing in the CRHR. The western half of the Project site has seen very limited previous excavation. The extensive subsurface deposit identified by previous excavations and the surface artifacts identified during the current survey leads to the conclusion that subsurface deposits are likely present within the Project site. Thus, Rincon recommended a Phase II excavation of the portions of CA-MNO-561 that have not been previously excavated to identify its boundaries within the Project site and determine if that portion provides contributing elements to the CRHR eligibility of CA-MNO-561 as a whole. The documentation, controlled excavation, and results of the special studies provided data that can be used to answer research questions regarding the prehistory of the region. The following research questions were established in the Phase II Work Plan prepared prior to excavation and were considered to aid this eligibility determination:

- Does CA-MNO-561 retain additional intact subsurface deposits? Can discrete features or temporal episodes be identified in the vertical and/or horizontal layout of the site?
- Do intact subsurface deposits at CA-MNO-561 extend into the western portion of the site, thereby enlarging the site area?
- Is CA-MNO-561 eligible for listing on the CRHR? And under what criteria(on)?
- Does CA-MNO-561 contribute to the overall regional knowledge of prehistoric occupation in the area?
- Has the data potential of CA-MNO-561 been exhausted by site recording and testing?
- Does CA-MNO-561 have the potential to yield additional data important to our understanding of prehistory?

Fieldwork conducted as part of the Phase II Cultural Study recovered a total of 657 artifacts, including 655 obsidian artifacts, one chert flake, and one charcoal fragment. Of the artifacts recovered, 99.6 percent of those artifacts consist of obsidian lithic artifacts. Based on the artifacts identified from CA-MNO-561, the site represents an obsidian lithic processing site, ubiquitous throughout the Eastern Sierras. (DEIR 5.4-19.)

Based on the results of the current Phase II Cultural Study, the portion of the site CA-MNO-561 within the Project site appears to have been previously disturbed, but retains some intact deposits. These deposits have provided some pertinent information pertaining to eligibility. Although intact deposits of site CA-MNO-561 remain within the Project site, the deposits are unlikely to provide any additional pertinent data to the research beyond what has been collected as part of the Phase II Cultural Study. (*Id.*)

The portion of CA-MNO-561 under investigation for the Project represents a single activity site. No features (i.e., burials or cultural middens) were identified as part of the current excavation of CA-MNO-561 and the recovered materials from the Phase II Cultural Study primarily consist of smaller, non-diagnostic lithic artifacts (e.g., debitage). Rincon's Phase II Cultural Study for CA-MNO-561 included an extensive program of shovel test pits and a test unit, which have defined the limits of the deposit within the Project site. (*Id.*)

Based on the findings of the Phase II Cultural Study, Rincon concluded that the data potential of the portion of CA-MNO-561 within the Project site has been exhausted. Any future work (i.e., data recovery) would only serve to produce redundant data. Additional constituents (i.e., artifacts) may remain within the Project site, but the collected data thus far provide sufficient data to answer whether or not CA-MNO-561 is considered a historic resource. Any deposits that remain within the Project site are unlikely to contribute additional pertinent data. Additionally, those portions of CA-MNO561 located outside of the Project site, these areas would not be impacted by the proposed Project. The portion of CA-MNO-561 within the boundaries of the Project site does not contribute to the CRHR eligibility of the resource as a whole. Therefore, impacts to CA-MNO-561 as a result of the proposed Project are less than significant, as any such impacts would not affect the CRHR eligibility of the resource as a whole. (*Id.*)

Although the data potential for the site has been exhausted by the Phase II investigation, the possibility for intact features (e.g., hearths, burials) within the Project site remains. Intact features may contribute to the CRHR eligibility of site CA-MNO-561 and provide new data. Archaeological and Native American monitoring would be required to be conducted for all Project-related ground disturbing activities (Mitigation Measure CUL-1). Archaeological monitoring would

be performed under the direction of an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for prehistoric archaeology. If intact features are encountered during ground-disturbing activities, work in the immediate area would halt and the find would be evaluated for significance under CEQA and the NHPA. Work would not be halted for resources that have already been extensively recorded within the site boundary. The qualified archaeologist may reduce or stop monitoring dependent upon observed conditions. Work would not be halted or redirected for known site constituents (i.e., flakes or stone tools) that were evaluated as part of the Phase II Cultural Study. With implementation of the recommended Mitigation Measure CUL-1, potential impacts to historical and archeological resources would be reduced to less than significant levels. (DEIR 5.4-19-5.4-20.)

2. Tribal Cultural Resources: Direct Impacts

Threshold: The August 8, 2016 amendments also added a new CEQA topic area, Tribal Cultural Resources. Accordingly, these amendments state that a Project may cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? In addition, is the Project a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe; or

- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

Impact: The proposed Project would have a less than significant impact with regard to tribal cultural resources (DEIR 5.4-20 through 5.4-22.)

Finding: Less than significant impact with mitigation incorporated. (DEIR 5.4-20 through 5.4-22.) Changes or alterations have been required in, or incorporated into, the proposed Project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR. (State CEQA Guidelines, section 15091(a)(1).)

Explanation: As discussed in Impact Statement CUL-1 (and Cultural Section 1 above), Resource CA-MNO-561 is a cultural resource of Native American origin. However, the Project site is not included or determined to be eligible for inclusion in the California Register of Historical Resources, nor is the Project included in a local register of historical resources as defined in subdivision (k) of Section 5020.1. No evidence to support the presence of known Tribal Cultural Resources was determined to be located on-site. However, there is the potential for unknown resources to be discovered on-site during site disturbance activities. Thus, Native

American monitoring would be required to be conducted for all Project-related ground disturbing activities (Mitigation Measure CUL-1). With implementation of the recommended Mitigation Measure CUL-1, potential impacts to unknown Tribal Cultural Resources would be reduced to less than significant levels.

> ***Mitigation Measure 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 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 Phase II Cultural Resources Report, prepared by Rincon Consultants, Inc., dated September 28, 2016.*

The Town finds that Mitigation Measure CUL-1 is feasible, is adopted, and will reduce the potentially significant impacts of the proposed Project to cultural resources to less than significant levels. Accordingly, the Town finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project to cultural resources, as identified in the DEIR. Therefore, impacts are considered less than significant with new mitigation required. (DEIR 5.4-17 through 5.4-22.)

D. Hydrology and Water Quality

1. Water Quality and Waste Discharge: Direct Impacts

Threshold: Would the proposed Project violate any water quality standards or waste discharge requirements, or otherwise substantially degrade water quality?

Finding: The proposed Project would have a less than significant impact with regard to violating any water quality standards or waste discharge requirements, or otherwise substantially degrade water quality with mitigation incorporated. (DEIR 5.9-20 through 5.9-26.)

Explanation:

Short-Term Impacts

There are three sources of short-term construction-related storm water pollution associated with the proposed Project, which include the following:

- Handling, storage, and disposal of construction materials containing pollutants;
- Maintenance and operation of construction equipment; and
- Earthmoving activities.

These sources, if not controlled, can generate soil erosion as well as on- and off-site transport via storm run-off or mechanical equipment. Poorly maintained vehicles and heavy equipment leaking fuel, oil, antifreeze, or other vehicle-related fluids on the Project site are also common sources of storm water pollution and soil contamination. Generally, standard safety precautions for handling and storing construction materials can adequately reduce the potential pollution of storm water by these materials. These types of standard procedures can be extended to non-hazardous storm water pollutants such as sawdust, concrete washout, and other wastes. (DEIR, 5.9-20-5.9-21.)

In addition, grading activities can greatly increase erosion processes, leading to impacts on storm drains and sediment loading to storm run-off flows. Two general strategies are recommended to prevent soil materials from entering local storm drains. First, erosion control procedures should be implemented for those areas that must be exposed, and secondly, the Project site should be secured to control off-site transport of pollutants. (DEIR, 5.9-21.)

Surface Water Quality Conditions

The proposed Project would be required to comply with the Town's Municipal Code Chapter 12.04, 12.08, 15.08, and 17.08.020. The construction site must be stabilized in order to reduce runoff velocities, preventing erosion and sedimentation from exiting the Project site during construction. During grading activities, all drainage paths must be protected and devices to capture stormwater runoff during construction would be required, as necessary. The Contractor would be required to control erosion from areas cleared of vegetation during construction. The Project would also be subject to a grading permit which would require compliance with the Lahontan RWQCB requirements during construction. (DEIR, 5.9-21.)

The Project would be required to conform to the requirements of the SWPPP (Mitigation Measure HWQ-2), the NPDES Construction General Permit No. CAS000002 (2009-0009-DWQ [as amended by 2010-0014-DWQ and 2012-006-DWQ]) (Mitigation Measure HWQ-3), and utilize the Town of Mammoth Lakes MOU, which would require the implementation of construction period BMPs to minimize the potential for water quality impacts. Coverage under the General Permit must be obtained from the SWRCB prior to start of construction. The General Permit requires that nonstormwater discharges from construction sites be eliminated or reduced to the maximum extent practicable, that a SWPPP be developed governing construction activities for the proposed Project, and that routine inspections be performed of all stormwater pollution prevention measures and control practices being used at the site, including inspections before and after storm events. (DEIR, 5.9-21.)

The SWPPP prepared for construction of the proposed Project must also address hazardous materials storage and use, erosion and sedimentation control, and spill prevention and response in addition to identifying measures for preventing non-stormwater discharges to surface water drainages and the Town's storm drain system. In addition, provisions for implementing the land development policy and guidelines pertaining to the Mammoth Lakes area in the Basin Plan must be included in the SWPPP. The required implementation of the BMPs in the proposed Project's SWPPP would ensure that Project construction activities at the Project site would not cause the violation of any water quality standards within Mammoth Creek. Thus, construction activities associated with the proposed Project would have a less than significant impact on surface water quality with implementation of applicable mitigation measures. (DEIR, 5.9-21.)

Water Quality Standards

The significance criteria for the construction phase of the proposed Project is implementation of BMPs consistent with Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology (BAT/BCT), as required by the Construction General Permit. (DEIR, 5.9-21.)

The proposed Project would reduce or prevent erosion and sediment transport and transport of other potential pollutants from the Project site during the construction phase through implementation of BMPs meeting BAT/BCT. This would prevent or minimize environmental impacts and to ensure that discharges during the construction phase would not cause or contribute to any exceedance of water quality standards in the receiving waters. These BMPs would assure effective control of not only sediment discharge, but also of pollutants associated with sediments, such as and not limited to nutrients, heavy metals, and certain legacy pesticides. (DEIR, 5.9-21-5.9-22.)

Discharges of turbid runoff are primarily of concern during the construction phase of development. The SWPPP must contain sediment and erosion control BMPs pursuant to the General Construction Permit, and those BMPs must effectively control erosion and discharge of sediment, along with other pollutants, per the BAT/BCT standards. Additionally, fertilizer control and nonvisible pollutant monitoring and trash control BMPs in the SWPPP would combine to help control turbidity during the construction phase. (DEIR, 5.9-22.)

Construction Runoff

During the construction phase, hydrocarbons in site runoff could result from construction equipment/vehicle fueling or spills. However, pursuant to the General Construction Permit, the Construction SWPPP would include BMPs that address proper handling of petroleum products on the construction site, such as proper petroleum product storage and spill response practices, and those BMPs must effectively prevent the release of hydrocarbons to runoff per the BAT/BCT standards. Trash and debris would be controlled through the SWPPP process, as BMPs for trash control (trash racks on outlets, catch basin inserts, good housekeeping practices, etc.) would be required. Compliance with the Permit Requirements and inclusion of these BMPs, meeting BAT/BCT, included in the SWPPP would mitigate impacts from trash and debris to a level less than significant. (DEIR, 5.9-22.)

Long-Term Impacts

Proposed Land Use

The Project proposes new community multi-use facilities at the Project site, encompassing an ice rink (winter)/recreation/event area (RecZone) and additional storage and support space. In addition, the proposed Project includes a complementary community center, reconfiguration and improvements to an existing playground to add accessible interactive components, restroom improvements, and additional surface parking spaces. The Project would also include an active outdoor recreation area to the west of the new community multi-use facilities.

Proposed On-Site Drainage Facilities

The proposed development would result in approximately 101,695 square feet of new impervious surface, consisting of 48,244 square feet of roof area and 35,977 square feet of asphalt concrete (AC) pavement areas. Approximately 17,474 square feet of pavers or concrete hardscaping would also be installed to create plaza and walkways. The remaining area of the site is to be landscaped or left in a natural state (approximately 162,577 square feet). Thus, the proposed Project would result in 62.5 percent of impervious surface (an increase of 56.1 percent compared to the existing 6.4 percent impervious surface at the site). The proposed grading for the Project would maintain the existing drainage patterns on-site; refer to Exhibit 5.9-3 of the Draft EIR, Conceptual Drainage.

Proposed Storm Water Drainage

Table 5.9-2 of the Draft EIR, Comparison of Existing and Proposed Flowrates, provides a comparison of existing and proposed Project conditions for the peak flow rates for the 25-year and 100-year storm event runoff for the Project site. As indicated in Table 5.9-2, the proposed Project would increase peak flow rates in the 20-year storm event by 2.6 cfs and the 100-year storm event by 3.8 cfs above existing conditions, potentially resulting in a significant impact to off-site tributary areas.

The proposed Project would attenuate increased runoff on-site prior to discharge. On-site drainage improvements proposed include inlets at low points, storm drain pipes, and swales as necessary. The stormwater that flows through the surface parking lot would be directed to an oil/water separator in the northeast corner prior to flowing into the proposed retention system (as illustrated on Exhibit 5.9-3 of the Draft EIR). Stormwater runoff collected from building's roof would be directed to the retention system just southeast of the improvements. The proposed retention basin system has been preliminary designed to contain a 20-year

intensity storm for 1 hour. Two retention basins (Basin 1 and Basin 2 depicted on Exhibit 5.9-3 of the Draft EIR) are proposed.

At minimum, these basins would store 3,000 cubic feet (cf) (Basin 1) and 4,100 cf (Basin 2), as required by the Lahontan RWQCB. Thus, the proposed storm drain facilities would be of proper size to retain the additional surface water flows created by the Project. However, these storm drain facilities are preliminary and would be subject to change during final design. Thus, the Project would be subject to Mitigation Measure HWQ-4, which would identify and implement storm drainage routing and conveyance infrastructure components prior to submittal of grading plans. The design, sizing, and location of these drainage components would be subject to review and approval by the Public Works Director and Town Engineer prior to the issuance of Grading or

Building Permits.

In order to ensure that these storm drain facilities are properly maintained, the Town would also be required to implement a Storm Drain Facilities Maintenance Plan (Maintenance Plan) (Mitigation Measure HWQ-5) in order to ensure continued efficiency of proposed storm drain facilities. Particular items requiring maintenance would include, but not be limited to, cleaning of the grates, removal of foreign materials from storm drainage pipes, maintenance to outlet facilities, and repairs to damaged facilities. Any storm drain pipe with a slope of less than 0.5 percent would be identified and more frequent maintenance would be required in order to ensure efficiency of these low-incline facilities. Further, the Maintenance Plan would ensure that snow removal activities conducted near proposed storm drain facilities do not restrict drainage collection in gutters, inlets, and flow paths.

In conclusion, with implementation of the proposed storm drain facilities and compliance with Mitigation Measures HWQ-4 and HWQ-5, potential impacts associated with the increase in runoff, including potential increased erosion, would be reduced to less than significant levels.

Storm Water Quality

Activities associated with operation of the Project would generate substances that could degrade the quality of water runoff, particularly vehicle-related pollutants. The deposition of certain chemicals by cars in the parking areas could have the potential to contribute metals, oil and grease, solvents, phosphates, hydrocarbons, and suspended solids to surface water flows. However, impacts to water quality generated from Project operation can be reduced through the implementation of proposed BMPs designed to protect water quality in receiving water bodies. The Project currently proposes BMPs that would be employed for

the Project, which include an oil/water separator and retention basins designed to filter runoff on the Project site. The additional BMPs, if necessary, would be included upon finalizing grading/improvement plans (refer to Mitigation Measure HWQ-6).

Additionally, increased runoff can contribute to increased soil erosion. Soil erosion contributes to decreased water quality. However, as the Project proposes storm drain facilities that would filter runoff, soil erosion would be minimized through infiltration. The facilities would be finalized in the grading/improvement plans (refer to Mitigation Measure HWQ-4). Mitigation Measure HWQ-5 would also ensure that the storm drain facilities are properly maintained during operation. Compliance with the Mitigation Measures HWQ-4 through HWQ-6 would reduce potentially significant impacts on receiving water quality in Mammoth Creek resulting from Project operation to acceptable levels. As such, impacts related to operational water quality would be less than significant with mitigation incorporated.

2. Drainage, Erosion, and Siltation: Direct Impacts

Threshold: Would the proposed Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?

Finding: The proposed Project would have a less than significant impact with regard to substantially altering the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off with mitigation incorporated. (DEIR 5.9-23 through 5.9-26.)

Supporting Explanation: As discussed fully immediately above, the proposed Project would result in 62.5 percent of impervious surface (an increase of 56.1 percent compared to the existing 6.4 percent impervious surface at the site). The proposed Project would increase peak flow rates in the 20-year storm event by 2.6 cubic feet per second (cfs), and the 100-year storm event by 3.8 cfs above existing conditions, potentially resulting in a significant impact to off-site tributary areas. On-site drainage improvements proposed include inlets at low points, storm drain pipes, and swales as necessary. As further discussed above, the proposed storm drain facilities would be of proper size to retain the additional surface water flows created by the Project. However, these storm drain facilities are preliminary and would be subject to change during final design. Thus, the Project would be subject to Mitigation Measure HWQ-4, which would identify and implement storm drainage routing and conveyance infrastructure components

prior to submittal of grading plans. In order to ensure that these storm drain facilities are properly maintained, the Town would also be required to implement a Storm Drain Facilities Maintenance Plan (Maintenance Plan) (Mitigation Measure HWQ-5) in order to ensure continued efficiency of proposed storm drain facilities.

Additionally, increased runoff can contribute to increased soil erosion. Soil erosion contributes to decreased water quality. However, as the Project proposes storm drain facilities that would filter runoff, soil erosion would be minimized through infiltration. The facilities would be finalized in the grading/improvement plans (refer to Mitigation Measure HWQ-4).

With implementation of the proposed storm drain facilities and compliance with Mitigation Measures HWQ-4 and HWQ-5, potential impacts associated with the increase in runoff, including potential increased erosion, would be reduced to less than significant levels.

> ***Mitigation Measure 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.*
>
> ***Mitigation Measure 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.*
>
> ***Mitigation Measure 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.*
>
> ***Mitigation Measure 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.

Mitigation Measure 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 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.*

Mitigation Measure 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.*

The Town finds that Mitigation Measures HWQ-1 through HWQ-6 are feasible, are adopted, and will reduce the potentially significant impacts of the proposed Project to hydrology and water quality to less than significant levels. Accordingly, the Town finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project to hydrology and water quality, as identified in the DEIR. Therefore, impacts are considered less than significant with new mitigation required. (DEIR 5.9-20 through 5.9-26.)

E. Noise

1. Excessive, Temporary, or Periodic Noise: Direct Impacts

Threshold: Would the proposed Project expose persons to, or generate, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? In addition, would the Project result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?

Finding: The proposed Project would have a less than significant impact with regard to exposing persons to, or generate, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies with mitigation incorporated. In addition, the proposed Project would have a less than significant impact with regard to resulting in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project with mitigation incorporated. (DEIR 5.8-18 through 5.8-20.)

Explanation: Construction activities associated with the Project would generate perceptible noise levels during the demolition, grading, paving, and building construction phases. Construction noise impacts generally occur when construction activities occur in areas immediately adjoining noise sensitive land uses, during noise sensitive times of the day, or when construction durations last over extended periods of time. The closest existing sensitive receptor to the construction area is the La Vista Blanc Condominiums (residences) located adjacent to the Project site boundary on the west. Additionally, the Chateau Blanc Condominiums are located adjacent to the Project site boundary on the north. The majority of the construction would occur at distances of 100 to 300 feet or more from the nearest sensitive receptors and would not be expected to interfere with normal residential activities. Construction levels could reach 79 dBA, which could be perceptible at these nearby sensitive receptors. However, implementation of Mitigation Measure NOI-1 would ensure compliance with the City's allowable construction hours set forth in Municipal Code Section 8.16.090, and would require noise attenuation measures and noise disturbance coordinator to reduce noise from construction activities at the Project site. Compliance with Mitigation Measure NOI-1 would result in a less than significant impact regarding excessive, temporary, or periodic Noise. (DEIR, 5.8-31.)

2. Substantial Permanent Noise: Direct Impacts

Threshold: Would the proposed Project result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?

Impact: The proposed Project would have a less than significant impact with regard to resulting in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project with mitigation incorporated. (DEIR 5.8-23 through 5.8-30.)

Supporting Explanation:

Mechanical Equipment.

The proposed Project would require the use of heating, ventilation, and air conditioning units (HVAC) for the indoor community center facilities as well as chillers and pumps for the ice rink. The HVAC systems would be located at the proposed building (either inside or roof mounted) and typically result in noise levels that average between 40 and 50 dBA Leq at 50 feet from the equipment. As the buildings would be located approximately 100 feet and 150 feet from the closest sensitive receptors to the west (La Vista Blanc Condominiums) and north (Chateau Blanc Condominiums), respectively, HVAC noise levels would be 44 dBA or less and would not exceed the Town's noise standard (55 dBA in the daytime and 50 dBA at night).

Based on noise measurements of the chillers and mechanical equipment at the existing ice rink, noise levels for this equipment are approximately 75 dBA at 10 feet. The equipment would be located within a mechanical room located approximately 125 feet from the property line of the closest sensitive receptor (La Vista Blanc Condominiums to the west). At this distance noise from the mechanical equipment would be 55 dBA due to distance attenuation alone. However, the proposed mechanical room enclosure has concrete masonry unit (CMU) walls that would further attenuate noise levels. The CMU enclosure would be approximately eight feet high and would block the line of sight between the chiller and the receptors. A CMU barrier would attenuate chiller noise by a minimum of 8 dBA, which would reduce the noise levels to 45 dBA at the La Vista Blanc Condominiums property line (the closest receptors, which are located approximately 125 feet away from the proposed mechanical room). This noise level would not exceed the Town's standards and is similar to the ambient levels (40 and 45 dBA; refer to Table 5.8-3) and would not be noticeable at the sensitive receptors. Impacts would be less than significant in this regard.

Community Center

The community center would include various rooms that would host various community activities and would also support the ice rink and RecZone. The community activities are anticipated to include educational programs, fitness classes, games, arts and crafts programs, camps, and training courses, among others. Noise associated with these activities primarily consists of conversations from groups of people. Normal conversation typically generates noise levels of 60 to 65 dBA at a distance of 3 feet. The activities associated with the community center would be located indoors, which would reduce transmission of noise to exterior areas by 24 dBA. Additionally, Community center activities would also be oriented away from the sensitive receptors and would be located 150 feet away from the closest sensitive receptors (Chateau Blanc Condominiums). At this distance, and considering the indoor-to-outdoor attenuation of the building, the community center noise levels would not be audible at the closest receptors and impacts would be less than significant.

Ice Rink

The proposed ice rink would be located in the central portion of the site. The closest sensitive receptors would be the La Vista Blanc Condominiums approximately 150 feet to the west and the Chateau Blanc Condominiums located 220 feet to the north. The proposed community facilities building would be located between the ice rink and the closest sensitive receptors and would act as a noise barrier. It should be noted that the northwest portion of the community facilities building would not be constructed until phase 2. However, a solid wall barrier would be constructed in the interim and would also provide sound attenuation. Based on the measured noise levels in Table 5.8-3 of the Draft EIR, recreational skating would be 55.3 dBA and hockey would be 69.6 dBA at the edge of the ice rink. The measured noise levels include sounds from individuals skating as well as noise from contact with the dasher boards surrounding the existing ice rink. At the propose Project, these noise levels would be reduced by the intervening community center building and distance attenuation (i.e., reduced intensity as sound energy travels away from the source). As such, noise levels associated with recreational skating and ice hockey would be reduced at the property line of the La Vista Blanc Condominiums (the closest sensitive receptors, located approximately 150 feet west) to 32.3 dBA and 46.6 dBA, respectively.

Additionally, the ice rink would be covered with a roof, which would further reduce noise levels. The resultant noise levels would be below the Town's exterior standard during the 7:00 a.m. to 10:00 p.m. period. However, ice hockey activities have the potential to exceed the 10:00 p.m. to 7:00 a.m. nighttime standard of 50 dBA. Therefore, Mitigation Measure NOI-2 would be required to ensure that ice

hockey activities end at 10:00 p.m. With implementation of Mitigation Measure NOI-2, impacts would be less than significant in this regard.

The outdoor ice rink could generate crowd noise from the viewing area. Noise generated by groups of people (i.e., crowds) is dependent on several factors including vocal effort, impulsiveness, and the random orientation of the crowd members. Crowd noise is estimated at 60 dBA at one meter (3.28 feet) away for raised normal speaking. This noise level would have a +5 dBA adjustment for the impulsiveness of the noise source, and a -3 dBA adjustment for the random orientation of the crowd members. Therefore, crowd noise would be approximately 62 dBA at one meter from the source. Noise has a decay rate due to distance attenuation, which is calculated based on the Inverse Square Law for sound propagation. Based upon the Inverse Square Law, sound levels decrease by 6 dBA for each doubling of distance from the source. The proposed community center building (and interim phase 1 sound wall) and ice rink roof would also shield the receptors from crowd noise. As a result, crowd noise at the property line of the nearest receptor (La Vista Blanc Condominiums), located 150 feet away from the Project site, would be 28.8 dBA, which would not exceed the Town's noise standards. As such, the viewing area on the Project site would not introduce an intrusive noise source over existing conditions or exceed the Town's noise standards. Thus, a less than significant impact would occur in this regard.

In addition, use of an ice resurfacer/zamboni would also produce noise during operation of the ice rink. Noise from this equipment typically ranges from 64 to 71 dBA at 50 feet from the source. The nearest existing sensitive receptors (La Vista Blanc Condominiums) are located approximately 200 feet to the west from the center of the ice rink. However, the ice rink would be surrounded on the west and north by the proposed community facilities and support/mechanical buildings (and interim phase 1 sound wall), which would attenuate noise levels from the zamboni. Therefore, due to the attenuation from distance and intervening structures, noise levels from ice resurfacing equipment would be reduced to 44 dBA or lower at the La Vista Blanc Condominiums, which is below the Town's noise standards. Impacts would be less than significant in this regard.

The ice resurfacer would be stored on the west side of the proposed building, next to the mechanical room and electrical room. Ice resurfacing is anticipated to occur on an average of two to three times per day and a maximum of seven times per day during a hockey or holiday event. After resurfacing, a roll-up door would be raised on the west side of the building and the ice shavings would be deposited approximately 10 to 15 feet away from the building. The ice resurfacer would not be actively grooming anything on the outside of the facility. After dropping the ice shavings, the resurfacer would re-enter the garage. Deposition of the ice shavings would be infrequent and have a short duration (five to 15 minutes at a time). The

garage would be located approximately 110 feet from the western property line and 140 feet from the closest receptor (balconies at the La Vista Blanc Condominiums). Noise levels from the resurfacer would be 55 dBA at the La Vista Blanc Condominiums. Noise levels from these operations occur over short durations are representative of the Lmax values and would be even lower when measured on the time-averaged scale that the Town's standards are based on. It should be noted that these operations are lower intensity than resurfacing, and would generate lower noise levels than the reference noise levels identified above. Additionally, as noted above, the ice resurfacer activities on the west side of the garage would be infrequent and have a short duration and noise levels would be even lower on a time-averaged scale. The La Vista Blanc balconies facing the Project are approximately six to eight feet deep and would generally not be occupied or frequently used during the Project's winter peak recreational period. Based on the levels of noise produced and the distance to the La Vista Blanc Condominiums, noise levels would not exceed the Town's standards.

Mammoth Recreation Zone.

The RecZone would operate on the ice rink area during the summer months. Potential recreational activities could include roller skating, basketball, volleyball, dodgeball, soccer, badminton, and tennis, among others. Average recreational noise levels generated during organized sports games are approximately 58.4 dBA at a distance of 50 feet from the focal point or effective noise center of the playing surface. The closest sensitive receptors to the recreation zone (La Vista Blanc Condominiums) would be approximately 140 feet away. Additionally, the community center building (and interim phase 1 sound wall) would be located between the recreation zone and sensitive receptors and act as a noise barrier. As such, noise levels from the recreation zone would be reduced to 34.5 dBA at the closest sensitive receptors. Additionally, as noted in the ice rink discussion above, crowd noise in this area would also not exceed the Town's standards. Impacts would be less than significant in this regard.

The various activities at the community center could also involve events with amplified live or recorded music. Amplified music is typically 88 dBA at 20 feet and would be 55.5 dBA at the closest receptors (La Vista Blanc Condominiums), conservatively assuming the worst-case scenario that the noise source would be at the western edge of the ice rink/recreation zone (approximately 100 feet from the western property line). As such, noise levels would have the potential to exceed the Town's daytime standard. Therefore, Mitigation Measure NOI-3 is required to ensure that amplified noise sources (speakers, bandstands, etc.) are located at a sufficient distance (i.e., 160 feet) from the property line and sound levels are limited to 82 dBA at 20 feet during the day to comply with the Town's standards. Additionally, Mitigation Measure NOI-3 prohibits amplified music after

10:00 p.m., unless the volume of the amplification system is adjusted to not exceed 78 dBA at 20 feet from the source. This adjustment would ensure that noise levels do not exceed the Town's nighttime standard at the property line. Impacts would be less than significant with implementation of Mitigation Measure NOI-3.

Park Playground.

The park playground is currently approximately 200 feet away from the Chateau Blanc Condominiums (the closest sensitive receptors). The proposed Project would not relocate the park and the size of the playground would remain the same. Playground noise is typically 60 dBA at approximately 40 feet away. Playground noise would be approximately 46 dBA at the Chateau Blanc Condominium property line (the closest sensitive receptors, located 180 feet to the north), which is within the Town's standards. Additionally, the park playground is an existing use, and noise levels would not increase substantially over existing conditions with implementation of the proposed Project. Impacts would be less than significant in this regard.

Active Outdoor Recreation Area.

The active outdoor recreation area would be located west of the proposed structures and would potentially include a dog park, a BMX bicycle dirt track (during summer months), sledding hill (during winter months), and/or a community garden. The potential activities would be located as close as 60 feet east of the La Vista Blanc Condominiums, but most activities would be 100 feet away or more. Noise generated from activities within the active outdoor recreation area would primarily consist of people congregating, conversations, children playing, and dogs barking. Noise levels typically associated with dog parks (barking, conversations) is 52 dBA at 50 feet. Noise associated with children playing (e.g., sledding, biking, etc.) is typically 56 dBA at 50 feet. Activities at the active outdoor recreation area would occur throughout an approximately 600 square foot area and would not be focused in one location. On average, noise from active outdoor recreation areas would be approximately 100 feet from the closest La Vista Blanc receptors to the west. At this distance, recreational noise would be approximately 50.0 dBA. Noise from the active outdoor recreation area may be audible at the building interiors along the property line. The outdoor-indoor attenuation rate for typical construction is 24 dBA with windows closed and 12 dBA with windows open. Therefore, active outdoor recreation area noise would be reduced to 26 dBA with windows closed and 38 dBA with windows open and would not exceed the Town's daytime exterior standards. An exceedance of the Town's nighttime standard could occur. Therefore, Mitigation Measure NOI-2 would be required to prohibit use of the active outdoor recreation area after 10:00 p.m. Impact in this regard would be less than significant with implementation of Mitigation Measure NOI-2.

Parking.

Noise associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the CNEL scale. Also, noise would primarily remain on-site and would be intermittent (during peak-events). However, the instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys may be an annoyance to adjacent noise-sensitive receptors. Parking lot noise can also be considered a "stationary" noise source. Estimates of the maximum noise levels associated with some parking lot activities are presented in Table 5.8-14 of the Draft EIR, Maximum Noise Levels Generated by Parking Lots.

The noise generated in the parking lot would be at a distance of approximately 50 feet from the nearest sensitive receptors. Additionally, parking lot noise currently exists at the Project site from current park use. Although the parking lot is proposed to expand to the west, noise associated with parking activities would not expose sensitive receptors to noise levels in excess of the Town's Noise Standards as the noise would be partially masked by landscaping and intervening topography that would be within the building setbacks. Additionally, the noise levels in Table 5.8-14 of the Draft EIR are event noise levels and would not occur for long enough periods of time to result in an exceedance of the Town's time-averaged standards. Therefore, the sensitive receptors would not be exposed to excessive noise from parking areas. A less than significant impact would occur in this regard.

Combined Noise Levels

Noise levels associated with the worst-case simultaneous activities during the winter (i.e., ice hockey, crowd noise, active outdoor recreation, and the mechanical equipment) and during the summer (i.e., recreation zone and crowd noise) were modeled with the SoundPLAN three-dimensional noise model. SoundPLAN allows computer simulations of noise situations, and creates noise contour maps using reference noise levels, topography, point and area noise sources, mobile noise sources, and intervening structures. Noise contours associated with the worst-case recreational activities are depicted in Exhibit 5.8-3 of the Draft EIR, Recreational Noise Contours, and represent the collective noise level from simultaneous activities (described in the analysis above) at the Project site with implementation of Mitigation Measures NOI2 and NOI-3. As indicated in Exhibit 5.8-3 of the Draft EIR, the combined noise levels during the worst-case scenario would not exceed the Town's noise standards.

As noted above, the Town's noise standards of 55 dBA in the daytime and 50 dBA at night for multifamily uses are per the Noise Ordinance (Municipal Code

Chapter 8.16). The Town currently utilizes the standards in the Noise Ordinance, which have superseded the 1997 Noise Element standards (the noise element was not updated in the 2007 General Plan Update. However, Exhibit 5.8-3 of the Draft EIR and the analysis above demonstrate that the proposed Project would not exceed the Town's Noise Ordinance Standards or the General Plan 1997 Noise Element standards (50 dBA hourly Leq in the daytime and 45 dBA hourly Leq at night, as well as the 70 dBA maximum daytime and the 65 dBA maximum nighttime levels. It should be noted that occasional special events (occasional outdoor gatherings, public dances, shows, and sporting and entertainment events) would be required to apply for an Administrative Permit (Special Event Permit). As noted in the Noise Ordinance (Municipal Code Chapter 8.16.100 – Exemptions), such events are exempted from the specific limits set by the Noise Ordinance. The implementation of Mitigation Measures NOI-2 and NOI-3 would be required to ensure compliance with the Town's noise standards. Impacts would be less than significant with implementation of Mitigation Measures NOI-2 and NOI-3.

Mitigation Measure NOI-1 *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:*

- *All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State required noise attenuation devices.*

- *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 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.*

- *When feasible, construction haul routes shall be designed to avoid noise sensitive uses (e.g., residences, schools, hospitals, etc.).*

- *During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.*

- *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).*

Mitigation Measure NOI-2 *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.*

Mitigation Measure NOI-3 *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:*

- *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.*

- *Amplification systems that would be used during the daytime (7:00 a.m. to 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. Activities permitted pursuant to Municipal Code Chapter 8.16.100 – Exemptions, shall not be subject to this limit. All other non-permitted activities shall be subject to the limits set forth in this mitigation measure.*

- *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 78 dBA at 20 feet from the source. Activities permitted pursuant to Municipal Code Chapter 8.16.100 – Exemptions, shall not be subject to this limit. All other non-permitted activities shall be subject to the limits set forth in this mitigation measure.*

- *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.

The Town finds that Mitigation Measures NOI-1 through NOI-3 are feasible, are adopted, and will reduce the potentially significant impacts of the proposed Project to noise to less than significant levels. Accordingly, the Town finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project to noise, as identified in the DEIR. Therefore, impacts are considered less than significant with new mitigation required. (DEIR 5.8-18 through 5.8-20 and 5.8-23 through 5.8-30.)

Transportation/Traffic

1. Circulation: Direct Impacts

Threshold: Would the proposed Project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Finding: The proposed Project would have a less than significant impact with regard to conflicting with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit with mitigation incorporated. (DEIR 5.5-13 through 5.5-22.)

Supporting Explanation:

Construction Traffic

Construction-related trips associated with trucks and employees traveling to and from the Project site may result in minor traffic delays within the Project area. However, the potential traffic interference caused by construction vehicles would only be a temporary, impact to vehicles using Old Mammoth Road and Meadow Lane in the morning and afternoon hours.

Hauling of the material would be restricted to occur during the off-peak hours (9:00 a.m. to 3:00 p.m.) and appropriate traffic control personnel ("flaggers") would be used to ensure construction vehicles operate safely along Old Mammoth Road and Meadow Lane in a manner that minimizes disruption of traffic along these roadways. A small access road would be extended off Meadow Lane and would be used periodically during construction.

It is anticipated that a maximum of 30 workers and an average of 24 workers per day would be on site at any given time during construction of the Project. Many of these workers would stagger their work schedules and would not arrive or depart at the same time. However, as a conservative estimate, if all 30 workers drove individually and arrived and departed during the peak periods, the interim traffic generated by construction workers traveling to and from the Project site would be less than what the Project would generate when fully constructed and occupied. The actual construction worker trip volumes would be dispersed throughout the peak period (consisting of multiple hours) and the entire day. The temporary nature of the construction trips and the nominal increase in temporary traffic volumes would not result in a significant impact. Thus, construction worker traffic impacts would be less than significant in this regard.

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

Project Traffic Generation

"Trip generation analysis" is the process by which transportation analysts identify the number of vehicle-trips that a specific proposed land use plan would add to local roadways. The trip generation of the proposed Project is estimated. A credit for trips to be eliminated from the site of the existing ice rink was estimated. The "Project net impact" on total trip generation through the study area was determined.

The Institute of Transportation Engineers (ITE) Trip Generation Manual does contain trip rates for an ice skating rink; however, the rates are not utilized in this analysis since there is an insufficient amount of data points available. Additionally,

for the proposed multi-use facilities, the ITE Manual standard trip generation rates would not accurately reflect the trip generation due to the unique activities to be offered at the site. The ITE trip Generation Manual only has one data point for ice skating rinks, meaning the rate is based on data collected at only one ice rink location. Users of the manual are cautioned to use this data with care because of the small sample size. A more accurate estimation of trip generation is provided based on a 'person-trip analysis', which evaluates the number of persons that are estimated to arrive and depart the site over the course of the day, factored by their expected travel modes, vehicle occupancy rates, and drop-off/pick-up activity. Multiplying the number of person trips entering and exiting the site driveway by the percent of trips made by automobile, and dividing by the average vehicle occupancy rate yields the number of vehicle trips. Next, additional vehicle trips are included to reflect the drop-off and pick-up trips (given that one drop-off trip generates two trips at the site driveway, one entering and one exiting).

Consistent with Town standards, the design day is a busy winter Saturday, but not a peak time (such as Christmas week). A list of all activities that would take place at the new Multi-Use/Community Center is shown in Table 5.5-3 of the Draft EIR, Proposed Multi-Use Community Center – Determination of Design Day. Programs/activities included in the design day are indicated with a 'yes' in the far right column. Design day activities are listed in Table 5.5-4 of the Draft EIR, Proposed Project Daily Trip Generation. As shown in Table 5.5-4, it is estimated that the Multi-Use/Community Center would generate 590 daily trips. The existing ice skating rink provides the same uses as the proposed ice skating rink, including Recreational Skating, Ice Skating/Figure Skating Program (Get up and Go), and Youth and Adult Hockey. Therefore the number of persons using the existing ice skating rink is estimated at 450 persons per day, which is the same as the proposed ice skating rink. Not all the trips generated by the Project are new trips as all the ice skating rink-related trips are already on the area roadways (380 daily trips). These trips would be shifted to the Project site; therefore, the net impact of the Project on area roadways is 210 daily trips.

The number of these trips occurring in the peak hour is summarized in Table 5.5-5, Proposed Project P.M. Peak Hour Trip Generation, for a total of 116 p.m. peak hour (62 entering; 54 exiting). The ice skating rink-related trips occurring in the peak hour is 80 p.m. peak hour (46 entering; 34 exiting). As these trips would be shifted to the Project site, the net trips occurring in the peak hour is 36 p.m. peak hour (16 entering; 20 exiting).

The distribution of traffic arriving and departing the Project site is estimated based on existing traffic patterns, the location of the site relative to residential and commercial uses in the region, and regional access patterns. Existing traffic patterns were based on recent count data in the area and from the Town of

Mammoth Lake Travel Model). P.M. peak-hour traffic volumes are shown in Table 5.5-6 of the Draft EIR, P.M. Peak Hour Intersection Turning Movement Volumes.

Based on a review of these factors, the estimated distribution pattern for trips made in and out of the Project site is summarized in Table 5.5-7, Project Trip Distribution. The site-generated trips are assigned through the study intersections by applying the trip distribution pattern to the trip generation from Table 5.5-4.

Existing With Project Conditions

Traffic operations at the study intersections were assessed in terms of LOS and delay. LOS analyses were performed at all of the study intersections under existing without and existing with Project conditions.

Intersection Levels of Service

As indicated in Table 5.5-8, all study intersections are anticipated to operate at an acceptable LOS (LOS D or better) based on the Town's performance criteria under existing with Project conditions.

Turn Lanes

As there are no LOS deficiencies, intersection improvements are not needed. However, turn lanes may be warranted to enhance safety by separating vehicles turning into the site from those passing by the site. Using the National Cooperative Highway Research Program (NCHRP) 457 Guidelines, a northbound left-turn lane and a southbound right-turn lane along Old Mammoth Road into the site were evaluated. Based on the proposed volumes with the Project, no turn lanes are warranted under any Project scenarios.

Vehicle Miles Traveled

Existing vehicle miles traveled (VMT) data was developed as part of the recent Mammoth Lakes Mobility Element EIR. The existing without Project VMT townwide is 152,844, shown in Table 5.5-9, Mammoth Creek Park West Vehicle Miles Traveled. The VMT impact of the Project was then assessed by calculating the average trip length for each zone, and then multiplying it by the number of trips. An additional 386 vehicle miles traveled is expected to be generated in the Town of Mammoth Lakes by the proposed Project. This VMT was then added to the existing without Project VMT to create the existing with Project values of 153,231; refer to Table 5.5-9. It is noted that the increase in VMT due to the Project is minimal at approximately 0.3 percent of existing VMT.

Line of Sight

Implementation of the proposed Project could impact line of sight. Adequate traffic conditions are expected to be provided with the proposed Project, as long as the final landscaping plans provide adequate drive sight distance at the site driveway. Mitigation Measure TRA-2 would reduce line of sight impacts by providing adequate drive sight distance at the site driveway on final landscaping plans. Upon implementation of Mitigation Measure TRA-2, impacts in this regard would be less than significant.

Conclusion

All intersections would operate at an acceptable LOS under their existing configurations and control. No new turn lanes are expected to be necessary along Old Mammoth Road at the site access intersection. Mitigation Measure TRA-2 states that the final landscape plans would provide adequate drive sight distance at the site driveway. With implementation of Mitigation Measure TRA-2, impacts would be less than significant in this regard.

Mitigation Measure TRA-1 *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:*

- *Traffic control for any street closure, detour, or other disruption to traffic circulation.*
- *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.*
- *Identify any off-site construction staging or material storage sites.*
- *Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.*
- *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 which may have been spilled, tracked, or blown onto adjacent streets or areas.

- *The scheduling of hauling or transport of oversize loads shall avoid peak hour traffic periods to the maximum extent feasible, unless approved otherwise by the Town Engineer. No hauling or transport shall be allowed during nighttime hours or Federal holidays. All hauling and transport activities shall comply with Municipal Code Chapter 8.16, Noise Regulation.*

- *Haul trucks entering or exiting public streets shall at all times yield to public traffic.*

- *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.*

- *All constructed-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur on-site.*

- *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.*

Mitigation Measure 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.*

The Town finds that Mitigation Measures TRA-1 and TRA-2 are feasible, are adopted, and will reduce the potentially significant impacts of the proposed Project to traffic and circulation to less than significant levels. Accordingly, the Town finds that, pursuant to Public Resources Code Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project to traffic and circulation, as identified in the DEIR. Therefore, impacts are considered less than significant with new mitigation required. (DEIR 5.5-13 through 5.5-22.)

SECTION 4

CUMULATIVE ENVIRONMENTAL IMPACTS

CEQA defines "cumulative impacts" as two or more individual events that, when considered together, are considerable or will compound other environmental impacts. (State CEQA Guidelines, § 15355.) Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed Project and other nearby projects. Cumulative impact analysis allows the EIR to provide a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

With these principles in mind, the Town hereby finds as follows:

Aesthetics/Light and Glare

- *Cumulative Aesthetics/Light and Glare Impacts* (DEIR 5.2-16 through 5.2-19.)

a. Finding: The proposed Project would not have a cumulatively considerable impact on aesthetics/light and glare.

b. Supporting Explanation:

Long Term Visual Character/Quality

Mammoth Creek Inn Expansion project has already undergone the Town's Design Review process to ensure compatibility with the surrounding character/quality. However, the specific design details for the Snowcreek VIII project is unknown at this time. This cumulative Project's impacts to visual character would be dependent upon Project- and site-specific variables, including proximity to visually sensitive receptors, the visual sensitivity of the respective development sites, and the compatibility of a project's architectural style, scale, and setbacks with the surrounding land uses. The potential impacts of this cumulative project on the visual character of the development site and its surroundings would be subject to the Town's Design Guidelines and would be enforced through the Town's Design Review process set forth by the PEDC. This process would ensure compliance with the Town's desired architectural styles, color schemes, materials, etc. for that specific area. The Mammoth Creek Gap Closure Project would not result in significant cumulative impacts pertaining to the degradation of character/quality during operations, as this is a trail improvement project.

As discussed in Impact Statement AES-3, implementation of proposed Project would result in less than significant impacts pertaining to the degradation of character/quality upon compliance with the Municipal Code and the recommended Mitigation Measure BIO-1. Thus, cumulative impacts to long-term

character/quality would be less than significant, and the proposed Project would not significantly contribute to cumulative long-term visual impacts

Light and Glare

Development of cumulative projects could result in increased lighting in the Town. The impacts related to light and glare from the nearest cumulative project would be dependent upon project- and site-specific variables, including proximity to visually sensitive receptors and the visual sensitivity of the respective development sites. The potential impacts of the Mammoth Creek Inn Expansion project, Snowcreek VIII project, Mammoth Creek Gap Closure Project, and other projects related to light and glare would be evaluated on a project-by-project basis. Potential increased lighting impacts would be minimized through compliance with Municipal Code Section 17.36.030, on a project-by-project basis, which would ensure proper lighting fixtures, placement, and minimal spillover.

As discussed in Impact Statement AES-4, the Project's short-term construction lighting impacts would be less than significant with implementation of the recommended Mitigation Measure AES-3. Thus, the Project would not result in a substantial cumulative contribution to light and glare during construction. Further, compliance with the Town's Municipal Code, Section 17.36.030, would minimize the Project's lighting impacts to less than significant levels. Last, compliance with Mitigation Measure AES-4 would reduce the Project's potential for increased daytime glare to less than significant levels as well. With implementation of the Municipal Code and Mitigation Measures AES-3 AES-4, the Project would not cumulatively contribute to the creation of substantial new lighting or glare and impacts in this regard would be less than significant.

Air Quality

- *Cumulative Air Quality Impacts* (DEIR 5.6-19 through 5.6-21.)

a. Finding: The proposed Project would not have a cumulatively considerable impact on air quality emissions.

b. Supporting Explanation:

Short-Term Construction Emissions

Of the projects that have been identified within the proposed Project study area, there are a number of related projects that have not been built or are currently under construction. Since applicants have no control over the timing or sequencing of the related projects, any quantitative analysis to ascertain the daily

construction emissions that assumes multiple, concurrent construction would be speculative.

The GBUAPCD has developed a permitting process prior to the construction of any development within the Basin to ensure that construction activities would not result in exceedances of NAAQS. The GBUAPCD emphasizes the use of control measures during construction activities. As stated in Impact Statement AQ-1, mitigation measures would reduce impacts associated with construction through the application of proper permits and by demonstrating that the appropriate control measures would be utilized during construction activities. With implementation of Mitigation Measures AQ-1 through AQ-3, the Project would comply with all applicable GBUAPCD Rules and the Project's cumulative contribution would be less than significant in this regard.

Long-Term (Operational) Air Emissions

The GBUAPCD's approach for assessing cumulative impacts related to operations is based on the attainment of ambient air quality standards in accordance with the requirements of the Federal and State Clean Air Acts. A significant impact may occur if a project would add a cumulatively considerable contribution of a Federal or State non-attainment pollutant. Because the Basin is currently in nonattainment for O3 and PM10 (maintenance under Federal standards), related projects could exceed an air quality standard or contribute to an existing or projected air quality exceedance. Nonattainment of O3 in Mammoth Lakes is primarily the result of pollution generated in the San Joaquin Valley, transported by air currents and winds over the Sierra Nevada and is not a condition substantially generated by activities and sources in the Town.

As indicated in Table 5.6-6, Project-related operational emissions would be relatively low (i.e., no more than two percent of the threshold) and the Project would only generate 210 net new daily vehicle trips. The Project-related VMT increase is minimal at approximately 0.3 percent of existing VMT. Project related emissions would not substantially contribute to an exceedance of the ambient air quality standards. The Project would not include wood burning devices and PM10 emissions would be nominal. Development associated with the proposed Project would be consistent with what is anticipated in the General Plan, and zoning code, which anticipates future development within the Town. Emissions associated with the Project are included in the General Plan buildout estimate that is included in the modeling for the 2014 AQMP. The 2014 AQMP modeled future planned development in the Town and determined that an exceedance of the NAAQS would not occur. As the Project in conjunction with related projects would not impede the attainment of NAAQS, a significant cumulative air quality impact would not occur.

Adherence to AQMP control measures would ensure that the proposed Project and related development projects in the Town would alleviate potential impacts related to cumulative conditions on a project-by-project basis. The Town of Mammoth Lakes has incorporated emissions reductions regulations into their Municipal Code (Chapter 8.30). Therefore, the proposed Project and related projects would be required to comply with the regulations in the Municipal Code, which would also reduce cumulative impacts. As a result, the proposed Project would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant.

As discussed above, the proposed Project would not result in long-term air quality impacts, as emissions would not exceed applicable operational thresholds. The proposed Project would be consistent with what is anticipated in the General Plan, and Zoning Code. Emission reduction technology, strategies, and plans are constantly being developed. As a result, the proposed Project would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant. Therefore, cumulative operational impacts associated with implementation of the proposed Project would be less than significant.

Biological Resources

- *Cumulative Biological Resources Impacts* (DEIR 5.3-24 through 5.3-26.)

a. Finding: The proposed Project would not have a cumulatively considerable impact on biological resources.

b. Supporting Explanation:

Special Status Species

Development of cumulative projects could result in direct take of special-status species, construction and post-construction disturbances, and/or special-status habitat conversion. However, as with the proposed Project, all future cumulative development would undergo environmental review on a project-by-project basis, in order to evaluate potential impacts to biological resources and ensure compliance with the established regulatory framework. Cumulative impacts to biological resources within the Town of Mammoth Lakes would be mitigated on a project-by-project basis.

As concluded in DEIR Impact Statement BIO-1, no special-status plant or wildlife species were observed on the Project site and none were determined to have a potential to occur. Further, no special-status habitat are present on-site. Therefore, Project implementation would not result in cumulatively considerable impacts to special-status species or habitat.

Riparian Habitat or Other Sensitive Natural Community

Riparian habitat or other sensitive natural communities could occur on cumulative project sites. Future development could result in impacts to these habitat or natural communities. However, all future cumulative development would undergo environmental review and appropriate mitigation, as necessary, on a project-by-project basis.

As discussed in DEIR Impact Statement BIO-2, Project implementation would have no impact upon riparian habitat as riparian habitat does not occur on-site. However, the Project would involve tree removal. The Project and other future Projects would be required to comply with the Town's Municipal Code. With adherence to the Municipal Code, Section 17.36.140, and the submittal of a grading/development plan outlining tree Projection (Mitigation Measure BIO-1), impacts would be reduced to a less than significant level. Therefore, with compliance with Mitigation Measure BIO-1, Project implementation would not result in cumulatively considerable impacts to riparian habitats or other sensitive natural communities.

Movement of Native Resident or Migratory Species

The cumulative projects sites could be located within a local or regional designated migratory corridors or linkages. Therefore, cumulative projects could disrupt or have an adverse effects to potential wildlife movement. Further, plant communities found on the cumulative project sites could provide foraging habitat, nesting/denning sites, and shelter for wildlife including migrant and nesting bird species. Although the cumulative projects could potentially impact the movement of a native resident, migratory species, or nesting birds, all future cumulative development would undergo environmental review and appropriate mitigation, as necessary, on a project-by-project basis. Nesting birds are protected pursuant to the MBTA, Bald/Golden Eagle Protection Act, and Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513). Implementation of Mitigation Measure BIO-2 would provide pre-construction clearance for nesting birds or other measures if active nests are found, reducing impacts to a less than significant level.

As concluded in Impact Statement BIO-3, the Project would result in less than significant impacts to the migratory corridor along Mammoth Creek. Further, with compliance with MBTA and Mitigation Measure BIO-2, impacts to migratory birds would be reduced to a less than significant level. Thus, Project implementation would not result in cumulatively considerable impacts to the movement of native resident, migratory species, or nesting birds.

Cultural Resources

- *Cumulative Cultural Resources Impacts* (DEIR 5.4-22 and 5.4-23.)

a. Finding: The proposed Project would not have a cumulatively considerable impact on cultural resources.

b. Supporting Explanation: Table 4-1 of the Draft EIR, Cumulative Projects List, identifies the related projects and other possible development in the area determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur. Due to the location of the cumulative projects and the high sensitivity for cultural resources to occur within the Town, there is the potential that historical, archeological, and tribal cultural resources, including burial sites, could occur at one or more of the cumulative project sites. The potential destruction of these cultural resources associated with ground disturbance activities at the project site and cumulative project sites could be cumulatively considerable, due to the collective loss of historical artifacts and knowledge regarding the culture of the people who lived at the respective sites. However, individual projects would be evaluated on a project-by-project basis to determine the extent of potential impacts to historical, archeological, and/or tribal cultural resources. Adherence to State and Federal statutes, as well as project-

specific mitigation measures, cumulative impacts to historical/archaeological would be reduced to less than significant levels. Further, compliance with Section 5097.98 of the California Public Resources Code would ensure cumulative impacts to burial sites are reduced to less than significant levels.

As discussed in DEIR Impact Statement CUL-1, the portion of CA-MNO-561 within the boundaries of the Project site does not contribute to the CRHR eligibility of the resource as a whole. Further, the Town determined that there are no known Tribal Cultural Resources present on-site. With compliance with the recommended Mitigation Measure CUL-1, the Project would result in less than significant impacts to historical, archeological, and tribal cultural resources. Thus, with compliance with Mitigation Measure CUL-1 and Section 5097.98 of the California Public Resources Code, the Project would not result in substantial cumulatively considerable impacts pertaining to cultural or tribal resources or burial sites.

Greenhouse Gas Emissions

- *Cumulative GHG Impacts* (DEIR 5.7-15 and 5.7-16.)

a. Finding: The proposed Project would not have a cumulatively considerable impact on greenhouse gas emissions.

b. Supporting Explanation: It is generally the case that an individual Project of this size and nature is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. The additive effect of Project-related GHGs would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. In addition, the proposed Project as well as other cumulative related Projects would also be subject to all applicable regulatory requirements, which would further reduce GHG emissions. As shown in DEIR Table 5.7-1 (DEIR 5.7-13), the Project would not exceed applicable GHG emissions thresholds. As such, the Project would not impede progress toward the reduction targets of AB 32 in 2020 and the Project's cumulative contribution of GHG emissions in 2020 and post-2020 would be less than significant.

Hydrology and Water Quality

- *Cumulative Hydrology and Water Quality Impacts* (DEIR 5.9-27 and 5.9-28.)

a. Impact: The proposed Project would not have a cumulatively considerable impact to hydrology and water quality.

b. Supporting Explanation: Development of the proposed Project, in conjunction with related cumulative projects, would result in the further expansion of urban uses within the Town and an increase in overall imperviousness and potential for stormwater pollution. As discussed above, the Project site and the surrounding area primarily consist of a patchwork of undeveloped areas and developed impervious urbanized surfaces, and are served by existing storm drains that would be expanded in order to serve new development. It is likely that most of the cumulative projects would also contribute stormwater flows to the Town's storm drain system. Each individual related Project would be required to submit a drainage analysis to the Town for review and approval prior to issuance of grading or building permits. Each drainage analysis must illustrate how peak flows generated from each related Project site would be accommodated by the Town's existing and/or proposed storm drainage facilities. Where necessary, each related Project would be required to include retention or infiltration features designed to reduce the total rate and/or volume of runoff generated at its site. Therefore, cumulatively considerable impacts to the Town's existing or planned stormwater drainage system capacity would be less than significant. In addition, per the Basin Plan, development on each site larger than 0.25 acre above the 7,000 foot elevation level would be subject to uniform policy guidelines designed to minimize the water quality impacts associated with proposed Project construction to the maximum extent practicable. All related projects that disturb one acre or more must also obtain coverage under the General Construction Permit, including the preparation and submittal of a SWPPP to govern all construction activities associated with each project. As a result, with approval and implementation of site-specific SWPPPs and associated BMPs to address water quality, cumulative water quality and erosion/siltation impacts would be considered less than significant.

As discussed in DEIR Impact Statements HWQ-1 and HWQ-2, with implementation of the recommended Mitigation Measures HWQ-1 through HWQ-3, the proposed Project would result in less than significant impacts during construction. Further, with compliance with Mitigation Measures HWQ-4 through HWQ-6, impacts related to increased surface water runoff and water quality would be reduced to less than significant levels. Thus, the proposed Project would not significantly cumulatively contribute to impacts pertaining to hydrology or water quality.

Cumulative development could occur within a 100-year flood zone. However, all future development in a 100-year flood zone would be subject to Municipal Code Chapter 12.10, which would require applicants to provide plans depicting the nature, location, dimensions, and elevation of the area in question, as well as the existing or proposed structures, fill, storage of materials, and drainage facilities on a Project-by-Project basis. Further, as discussed in Impact

Statement HWQ-3, development of the proposed Project would not result in significant impacts pertaining to exposing people or structures to flooding nor would the Project substantially change flood flows. Thus, the Project would not significantly cumulatively contribute to impacts pertaining to flooding.

Land Use and Planning

- *Cumulative Land Use and Planning Impacts* (DEIR 5.1-26 and 5.1-27.)

a. Finding: The proposed Project would not have a cumulatively considerable impact to land use and planning.

b. Supporting Explanation: Development Projects within the Town undergo a similar plan review process, in order to determine potential land use planning policy and regulation conflicts. Each cumulative Project would be analyzed independent of other Projects, within the context of their respective land use and regulatory setting. As part of the review process, each Project would be required to demonstrate compliance with the provisions of the applicable land use designation(s) and zoning district(s). Each Project would be analyzed in order to ensure that the goals, objectives, and policies of the General Plan and Municipal Code. Thus, the proposed Project would not result in significant cumulatively considerable impacts in this regard.

The Project's goals and objectives are based on applicable Parks and Recreation Master Plan and the Parks, Open Space, and Recreation Element goals, policies, and tasks. As discussed, the proposed Project would not result in significant impacts. The cumulative Projects illustrated on DEIR Exhibit 4-1 (DEIR 4-6) would be required to demonstrate consistency with the Parks and Recreation Master Plan. Other cumulative development that would result in additional recreational resources would benefit the Town and further the goals and policies of the Parks and Recreation Master Plan. Because the Project would not result in adverse land use impacts, implementation of the proposed Project, in combination with other cumulative development, including recreational Projects, would result in less than significant cumulative land use impacts. Thus, the proposed Project would not result in cumulatively considerable impacts in this regard.

Noise

- *Cumulative Noise Impacts* (DEIR 5.8-30 through 5.8-34.)

a. Impact: The proposed Project would not result in a cumulatively considerable noise impact.

b. Supporting Explanation:

Short-Term Construction Noise

Construction activities associated with the proposed Project and cumulative Projects may overlap, resulting in construction noise in the area. However, construction noise impacts primarily affect the areas immediately adjacent to the construction site. The closest cumulative Project is the Mammoth Creek Inn expansion Project, located approximately 200 feet to the northeast across Old Mammoth Road. This Project would add 12 units to the existing inn and would not require extensive earthwork or heavy equipment that generates the loudest construction noise levels. The next closest cumulative Project is Snowcreek VIII Project, located as close as 350 feet to the south. It should be noted that the Snowcreek VIII site is over 200 acres in size and majority of the site is 1,000 feet away or more. The two Projects (proposed Project and Snowcreek VIII) are also separated by Old Mammoth Road. As such, cumulative noise impacts would not occur due to site distance. The proposed Project and Snowcreek VIII would be required to comply with the Town's Municipal Code limitations on allowable hours of construction. The Mammoth Creek Gap Closure Project is located approximately 450 feet to the south of the proposed Project and would not result in significant cumulative construction noise impacts, as this is a trail improvement Project and would not involve substantial disturbance activities. The proposed Project would also implement Mitigation Measure NOI-1 to reduce construction noise impacts to less than significant levels. Therefore, the Project's contribution to cumulative noise impacts would be less than significant.

Vibration Impacts

As stated above, construction activities associated with the proposed Project and cumulative Projects may overlap. Despite the potential for overlap, groundborne vibration generated at the Project site during construction would not be in exceedance of the Federal Transit Administration 0.2 inch/second threshold. In addition, there would be no vibration impacts associated with operations at the Project site. The nearest cumulative Projects are Mammoth Creek Inn, located 200 feet northeast; Snowcreek VIII, located approximately 350 feet south; and the Mammoth Creek Gap Closure Project, located approximately 450 feet to the south of the proposed Project site. No cumulative vibration impacts would occur at this distances. Therefore, vibration impacts of the proposed Project would not be cumulatively considerable. Further, the cumulative development Projects would be required to implement any required mitigation measures that may be prescribed pursuant to CEQA provisions. Therefore, the Project's contribution to cumulative vibration impacts would be less than significant.

Long-Term (Mobile) Noise Impacts

The cumulative mobile noise analysis is conducted in a two-step process. First, the combined effects from both the proposed Project and other projects are compared. Second, for combined effects that are determined to be cumulatively significant, the Project's incremental effects then are analyzed. The Project's contribution to a cumulative traffic noise increase would be considered significant when the combined effect exceeds perception level (i.e., auditory level increase) threshold. The combined effect compares the "cumulative with project" condition to "existing" conditions. This comparison accounts for the traffic noise increase from the Project generated in combination with traffic generated by projects in the cumulative projects list. The following criteria have been utilized to evaluate the combined effect of the cumulative noise increase.

Combined Effects.

The cumulative with Project noise level ("Future With Project") would cause a significant cumulative impact if a 3.0 dB increase over existing conditions occurs and the resulting noise level exceeds the applicable exterior standard at a sensitive use. Although there may be a significant noise increase due to the proposed Project in combination with other related projects (combined effects), it must also be demonstrated that the Project has an incremental effect. In other words, a significant portion of the noise increase must be due to the proposed Project. The following criteria have been utilized to evaluate the incremental effect of the cumulative noise increase.

Incremental Effects.

The "Future With Project" causes a 1.0 dBA increase in noise over the "Future Without Project" noise level. A significant impact would result only if both the combined and incremental effects criteria have been exceeded. Noise by definition is a localized phenomenon, and drastically reduces as distance from the source increases. Consequently, only proposed projects and growth due to occur in the general vicinity of the Project site would contribute to cumulative noise impacts. Table 5.8-15, Cumulative Noise Scenario, lists the traffic noise effects along roadway segments in the Project vicinity for "Existing", "Future Without Project", and "Future With Project", including incremental and net cumulative impacts.

First, it must be determined whether the "Future With Project" increase above existing conditions (Combined Effects) is exceeded. Per Table 5.8-15, this criteria is not exceeded along any of the segments. Next, under the Incremental Effects criteria, cumulative noise impacts are defined by determining if the forecast ambient ("Future Without Project") noise level is increased by 1.0 dB or more. Based on the results of Table 5.8-15, there would not be any roadway segments

that would result in significant impacts, as they would not exceed either the combined or the incremental effects criteria. The proposed Project would not result in long-term mobile noise impacts based on Project generated traffic as well as cumulative and incremental noise levels. Therefore, the proposed Project, in combination with cumulative background traffic noise levels, would result in a less than significant cumulative impact in this regard.

Long-Term (Stationary) Noise Impacts

Although the related cumulative Projects have been identified within the Project study area, the noise generated by stationary equipment on-site cannot be quantified due to the speculative nature of conceptual nature of each development. However, each cumulative Project would require separate discretionary approval and CEQA assessment, which would address potential noise impacts and identify necessary attenuation measures, where appropriate. Additionally, as noise dissipates as it travels away from its source, noise impacts from stationary sources would be limited to each of the respective sites and their vicinities. The nearest related Project to the Project site would be Mammoth Creek Inn, which is a 12 unit expansion on the existing structure. Future operations of the expanded Mammoth Creek Inn would be similar to existing conditions and would not contribute to a cumulative long-term noise impact. The next closest cumulative Project is Snowcreek VIII (located approximately 350 feet to the south). It should be noted that the Snowcreek VIII site is over 200 acres in size and majority of the site is 1,000 feet away or more. The two Projects (proposed Project and Snowcreek VIII) are also separated by Old Mammoth Road. As such, cumulative stationary noise impacts would not occur due to site distance. As noted above, the proposed Project would not result in significant stationary noise impacts. The proposed Project would not result in stationary long-term equipment that would significantly affect surrounding sensitive receptors with the implementation of Mitigation Measures NOI-2 and NOI-3. Thus, the proposed Project and identified cumulative Projects are not anticipated to result in a significant cumulative impact.

Transportation/Traffic

- *Cumulative Traffic and Circulation Impacts* (DEIR 5.5-22 through 5.5-25.)

a. Impact: The proposed Project would not result in cumulatively considerable impacts to traffic or circulation.

b. Supporting Explanation: Construction activities associated with the proposed Project and cumulative Projects may overlap, resulting in traffic impacts to local roadways. However, as stated, construction of the proposed Project would not result in significant traffic impacts to study intersections. Further, the Project would be required to prepare a Construction Management Plan in order to reduce

the impact of construction-related traffic upon the local circulation system within the Project area. The cumulative development Projects would also be required to reduce construction traffic impacts on the local circulation system and implement any required mitigation measures that may be prescribed pursuant to CEQA provisions. Therefore, the Project's contribution to cumulative construction traffic impacts would be less than significant.

Level of Service Impacts

As indicated in Table 5.5-11 of the Draft EIR, under future cumulative conditions the LOS may degrade by one level at the eastbound approach of Old Mammoth Road/Chateau Road intersection. However, the Old Mammoth Road/Chateau Road intersection maintains an acceptable LOS with less than four cumulative hours of delay. All other study intersections are anticipated to operate at an acceptable LOS (LOS D or better) based on the Town's performance criteria under future cumulative conditions. Therefore, impacts would be less than significant in this regard.

Vehicle Miles Traveled

Existing VMT data was developed as part of the recent Mammoth Lakes Mobility Element EIR. The future without Project VMT townwide is 178,638, shown in Table 5.5-9. The VMT impact of the Project was then assessed by calculating the average trip length for each zone, and then multiplying it by the number of trips. An additional 386 vehicle miles traveled is expected to be generated in the Town by the proposed Project. This VMT was then added to the future VMT to result in the future with Project values of 179,025; refer to Table 5.5-9. It is noted that the increase in VMT due to the Project is minimal at approximately 0.3 percent of future VMT.

Line of Sight

Implementation of the proposed Project could impact line of sight. Adequate traffic conditions are expected to be provided with the proposed Project with implementation of Mitigation Measure TRA-2 as final landscaping plans would provide adequate drive sight distance at the site driveway. Thus, with implementation of Mitigation Measure TRA-2, impacts in this regard would be less than significant.

Cumulative projects would be evaluated on a project-by-project basis, as they are implemented within the Town. Each cumulative project would undergo a similar plan review process as the proposed Project, to determine potential line of sight impacts. Individual projects would be required to implement required mitigation measures (Mitigation Measure TRA-2) that may be prescribed pursuant

to CEQA provisions. Project impacts would not be cumulatively considerable and impacts in this regard would be less than significant.

The proposed Project would not result in a cumulatively considerable traffic impacts in regards to local intersections. Impacts would be less than significant in this regard.

SECTION 5
FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES AND ENERGY USE

Significant Irreversible Environmental Changes

The State CEQA Guidelines require that EIRs reveal the significant environmental changes that would occur as a result of a proposed Project. CEQA also requires decisionmakers to balance the benefits of a Project against its unavoidable environmental risks in determining whether to approve a Project. This section addresses non-renewable resources, the commitment of future generations to the proposed uses, and irreversible impacts associated with the Project. (DEIR 6-6 through 6-14.)

Energy Use

As shown in DEIR Table 6-5 (DEIR 6-11), the increase in electricity usage as a result of the Project would constitute an approximate 0.004 percent increase in the typical annual electricity consumption in Mono County. The Project would not consume natural gas as all of the Town of Mammoth Lakes uses propane to fuel furnaces, water heaters, and stoves, etc. The increase in off-road automotive fuel consumption in Mono County would be nominal, while the on-road automotive fuel consumption from the Project would be 0.003 percent.

In addition, as indicated in DEIR Table 6-5 (DEIR 6-11), the overall fuel consumption during construction would be 2,217 gallons for the proposed Project, which would result in a nominal increase (0.00 percent) in fuel use in Mono County. As such, Project construction would have a minimal effect on the local and regional energy supplies. It is noted that construction fuel use is temporary and would cease upon completion of construction activities. There are no unusual Project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or State. Therefore, construction fuel consumption would not be any more inefficient, wasteful, or unnecessary than other similar development Projects of this nature. A less than significant impact would occur in this regard.

Transportation energy demand for the Project would be nominal, as Project operations are estimated to consume approximately 47,987 gallons of fuel per year, which would increase Countywide automotive fuel consumption by 0.003 percent (refer to DEIR Table 6-5). As depicted in Table 6-5, the Project-related building energy would represent a 0.004 percent increase in electricity consumption and a nominal increase in propane consumption over the current Countywide usage. The Project would adhere to all Federal, State, and local requirements for energy efficiency, including the Title 24 standards, as well as the Project's design features. Additionally, the proposed Project would not result in a substantial increase in demand or transmission service, resulting in the need for new or expanded sources of energy supply or new or expanded energy delivery systems or infrastructure.

As shown in DEIR Table 6-5 (DEIR 6-11), the increase in electricity and automotive fuel consumption over existing conditions is minimal (less than one percent). For the reasons described above, the proposed Project would not place a substantial demand on regional energy supply or require significant additional capacity, or significantly increase peak and base period electricity demand, or cause wasteful, inefficient, and unnecessary consumption of energy during Project construction, operation, and/or maintenance, or preempt future energy development or future energy conservation.

SECTION 6
GROWTH-INDUCING IMPACTS

Section 15126(d) of the State CEQA Guidelines requires a discussion of a proposed Project's potential to foster economic or population growth, including ways in which a Project could remove an obstacle to growth. Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects if it requires new development or infrastructure to support it. The proposed Project's growth effects would be considered significant if they could result in significant physical effects in one or more environmental issue areas. The most commonly cited example of how an economic effect might create a physical change is where economic growth in one area could create blight conditions elsewhere by causing existing competitors to go out of business and the buildings to be left vacant. (DEIR 6-1 through 6-6.)

A Project could induce population growth in an area either directly or indirectly. More specifically, the development of new residences or businesses could induce population growth directly, whereas the extension of roads or other infrastructure could induce population growth indirectly. The Project site is located in a developing area within the Town. Project implementation would result in the

development of new community multi-use facilities. Based on the factors discussed below, Project implementation would not result in significant growth-inducing impacts.

Removal of an Impediment to Growth.

The Project site currently consists of a passive recreational park use, and is located within a developing area within the Town. Transportation and infrastructure exist to serve the range of recreational, commercial, and residential uses in the Project vicinity. Given the developed nature of the Project area and developed infrastructure, the proposed Project would not establish an essential public service or provide new access to an area. Therefore, the proposed Project would not be considered growth inducing with respect to removing an impediment to growth.

Economic Growth.

As stated above, the Project involves the development of new community multi-use facilities. During Project construction, construction-related jobs would be created. However, these jobs would be temporary and would not be growth-inducing. During Project operation, economic growth associated with the community multi-use facilities would be consistent with the General Plan with respect to the planned land use for the Project site. The proposed community multi-use facilities would serve the existing Town residents and would not result in significant jobs or economic growth in the Town.

Population Growth.

A Project could induce population growth in an area either directly or indirectly. The development of new residences or businesses could induce population growth directly, whereas the extension of roads or other infrastructure could induce population growth indirectly. As concluded above, transportation and infrastructure exist to serve the range of recreational, commercial, and residential uses in the Project vicinity. The Project does not involve the extension of roads or other infrastructure into undeveloped areas. Therefore, the Project would not foster population growth through the extension of roads or other infrastructure. The population growth associated with the proposed Project is considered a less than significant impact.

Precedent-Setting Action.

As demonstrated in DEIR Section 5.1, Land Use and Relevant Planning, the proposed Project does not require any General Plan or Municipal Code amendments. The Project components include a Major Design Review, among

others. As such, the proposed Project would not be considered growth inducing with respect to a precedent-setting action.

Development or Encroachment of Open Space.

The Project is considered an infill development, because the site is surrounded by existing residential uses to the south and west. Therefore, the Project would not be growth-inducing with respect to development or encroachment into an isolated or adjacent area of open space.

Overall, Project implementation would not be considered growth inducing, inasmuch as it would not foster significant unanticipated economic expansion and growth opportunities. The Project would not remove an existing impediment to growth and would not develop or encroach into an isolated or adjacent area of open space. The proposed Project would not foster significant unanticipated population growth in the Project area, as described above.

In addition to inducing growth, a Project may create a significant environmental impact if it would displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere and/or displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. The Project would serve the existing community and would not displace any existing housing.

SECTION 7
ALTERNATIVES

A. Background

The evaluation of environmental impacts in the DEIR concluded that the proposed Project would not result in temporary or permanent significant and unavoidable effects for any of the environmental issue areas identified in Appendix G of the State CEQA Guidelines. However, a range of feasible alternatives to the proposed Project was developed to provide additional information and flexibility to the decision-makers when considering the proposed Project. (DEIR 7-1.)

Where significant impacts are identified, section 15126.6 of the State CEQA Guidelines requires EIRs to consider and discuss alternatives to the proposed actions. Subsection (a) states:

> (a) An EIR shall describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project,

> and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a Project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of Project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Subsection 15126.6(b) states the purpose of the alternatives analysis:

> (b) Because an EIR must identify ways to mitigate or avoid the significant effects that a Project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the Project or its location which are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objectives, or would be more costly.

In subsection 15126.6(c), the State CEQA Guidelines describe the selection process for a range of reasonable alternatives:

> (c) The range of potential alternatives to the proposed Project shall include those that could feasibly accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic Project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

The range of alternatives required is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned

choice. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project. Alternatives are limited to ones that would avoid or substantially lessen any of the significant effects of the Project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the Project.

However, when a Project would not result in any significant and unavoidable impacts, the lead agency has no obligation to consider the feasibility of alternatives to lessen or avoid environmental impacts, even if the alternative would reduce the impact to a greater degree than the proposed Project. (Pub. Res. Code § 21002; *Laurel Hills Homeowners Association v. Town Council* (1978) 83 Cal.App.3d 515, 521; *Kings County Farm Bureau v. Town of Hanford* (1990) 221 Cal.App.3d 692, 730-731; *Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 400-403.)

Again, the analysis of alternatives set forth in this section are intended to provide additional information and flexibility to the decision-makers when considering the proposed Project. (DEIR 7-1 through 7-28.)

B. The Project Objectives

The goals and objectives for the Project are based on applicable Parks and Recreational Master Plan and the Parks, Open Space, and Recreation Element goals, policies, and tasks, as outline below (DEIR 1-4 and 1-5, 3-14 through 3-16, and 7-2 and 7-3.)

- *Goal 1:* Maintain parks and open space within and adjacent to Town for outdoor recreation and contemplation.

- *Goal 2:* Provide additional parks in Town.

- *Goal 4:* Provide and encourage a wide variety of outdoor and indoor recreation readily accessible to residents and visitors of all ages.

- *Goal 5:* Link parks and open space with a well-designed, year-round network of public corridors and trails within and surrounding Mammoth Lakes.

- *Goal 6:* Provide parks and recreational facilities and programs that foster a sense of community and nurture the emotional connection people have with each other and Mammoth Lakes.

- *Tasks:* To meet the recreation needs of residents and visitors into the future, the Town of Mammoth Lakes will need to increase the maintenance level of existing parks and recreation facilities, upgrade existing parks, add more usable park acreage, and develop additional facilities to address unmet recreation needs. More specifically, the Town should:

  - Design additional park improvements and recreation facilities to meet recreation needs in all seasons. These facilities include (in alphabetical order):

    - Aquatic center;
    - Dog park;
    - Event and performance venues;
    - Picnic areas;
    - Multi-use recreational/cultural facility;
    - Snow and winter play areas; and
    - Sports fields and courts.

- **P.4. Goal:** Provide and encourage a wide variety of outdoor and indoor recreation readily accessible to residents and visitors of all ages.

  P.4.B. Policy: Provide an affordable and wide range of year-round recreational opportunities to foster a healthy community for residents and visitors. Activities include but are not limited to:[1]

  - Ice skating;
  - Snow play;
  - Walking;
  - Fall-color viewing;
  - Birding;
  - Health & fitness; and
  - BMX.

- **P.5. Goal:** Link parks and open space with a well-designed year-round network of public corridors and trails within and surrounding Mammoth Lakes.

  P.5.E. Policy: Design parks and open space to be accessible and usable except when set aside for preservation of natural resources, health and safety.

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[1] P.4.B. Policy lists 29 activities. Those listed are contemplated for this project.

P.5.G. Policy: Identify, zone and procure land for new and expanded parklands including:[2]

- Community gardens;
- Streamside parks;
- Active parks;
- Open space;
- Snow play;
- Festival and special events areas; and
- Passive parks.

The following alternatives were considered but rejected as part of the environmental analysis for the Project.

1. *Community Center Parcel:* The Community Center Parcel incorporates 5.18 acres and includes a pocket-park with a new playground, six tennis courts, play and picnic areas, a pay phone and an inside meeting room, including kitchen, tables, chairs and restrooms, as well as the 2,550-square feet Community Center located at 1000 Forest Trail ; refer to DEIR Exhibit 3-3 (DEIR 3-7.) The opportunities at the Community Center Parcel include the existing amenities comprised of the tennis courts, playground, community center, restrooms, and parking.

   The Town determined that with the existing tennis courts on-site, this facility would not be able to accommodate the proposed facilities and necessary parking to serve the Project. Further, the existing building is on lease with the Mono County Office of Education (MCOE) for educational programs and would require major modifications due to the facilities conditions. Last, this alternative site location is located in North Village, which currently has impacted parking conditions. Implementation of the Project at this alternative location would further exacerbate this existing condition. Thus, due to the size of this facility as well as the parking concerns, this alternative has been rejected from further analysis.

2. *Whitmore Recreational Area:* The Whitmore Recreation Area is located six miles south of Mammoth Lakes, off Highway 395 along Benton Crossing Road and includes the Whitmore Park, Track & Sports Field, Whitmore Pool and three ball fields; refer to Exhibit 3-3

[2] P.5.G. Policy lists 11 activities. Those listed are contemplated for this project.

(DEIR 3-7.) The Town has developed 10 acres of the total leased area (32.64 acres) for public and programmed use. The facility is leased from the Los Angeles Department of Water and Power (LADWP) and is operated by the Town of Mammoth Lakes. A shared facility maintenance agreement is also in effect with the County of Mono. Existing facilities at the Whitmore Recreation Area include a track and field, pool, and lighted ball fields.

The Town determined that although there is space for some additional facilities and parking, this site would not be able to accommodate the Project upon development of approved future facilities at this site. Other constraints on this site include wind (which is a concern for a roof structure over the future ice rink), increased travel time and maintenance requirements for the Town, and overall accessibility for the community without vehicles or public transportation. Further, the Town's ad hoc committee considered the Whitmore Park/Track, Field(s) and Pool an inappropriate option due to a recent renewal of a long-term lease that requires the LADWP and Los Angeles City Council to approve contracts and building infrastructure on this leased land.

3. *Trails End Park:* The Trails End Park is located on Meridian Boulevard approximately one-quarter mile south of the SR-203 and Meridian Boulevard intersection, and adjacent to the Mammoth Industrial Park; refer to Exhibit 3-3 (DEIR 3-7.) The Trails End Park features a recently completed 40,000-square-foot skateboard park and more recreational features are planned to be added in the future. However, this site is limited size and available parking, is heavily used, and is close to completion for buildout of facility. Thus, due to the limited availability of space at this site to construct the Project, this alternative has been rejected from further analysis.

The alternatives selected for review pursuant to the EIR focus on alternatives that could reduce environmental impacts to an even lesser level of insignificance, consistent with the Project objectives (i.e., the alternatives could impede to some degree the attainment of Project objectives). Those alternatives include (DEIR 7-4):

- Alternative 1 – "No Project" Alternative;
- Alternative 2 – "Civic Center Parcel Alternative Site" Alternative;
- Alternative 3 – "Bell Shaped Parcel Alternative Site" Alternative; and
- Alternative 4 – "Reconfigured" Alternative.

C. Evaluation of Alternatives Selected for Analysis

1. Alternative 1: No Project

Description: The No Project Alternative would retain the Project site in its current condition. With this Alternative, the operations of the existing community center and Mammoth Ice Rink would continue similar to existing conditions, and would not be relocated to the Project site. Under the No Project Alternative, a new covered ice rink, support facilities, and community multi-use facilities would not be constructed at Mammoth Creek Park West. No landscape or hardscape improvements would be provided at Mammoth Creek Park West.

The Town would be required to extend the existing lease with the Mammoth Unified School District (MUSD) and the Mono County Office of Education (MCOE). The existing Mammoth Ice Rink would continue to operate as an ice rink in winter and the Mammoth RecZone, an outdoor venue with a small amount of shade, lights, and concessions offering activities (inline/roller skating, skate ramps, volleyball, badminton, basketball, etc.) during the summer. The existing operations at the year-round community center would also continue. The 2,500 square-foot facility's deficiencies, including extensive building deterioration, on-going maintenance issues, and functional inefficiencies, would remain. (DEIR 7-6.)

Finding: Although findings rejecting alternatives in favor of the Project are not required because the Project as proposed would not result in any significant and unavoidable impacts (Pub. Res. Code § 21002), for the reasons set forth below in the Environmental Analysis and Supporting Explanation, and as discussed further in the DEIR, the Town Council hereby rejects the No Project Alternative because it would not attain any of the Project's basic objectives (DEIR 7-10.) (State CEQA Guidelines § 15126.6(c)(i).)

Environmental Analysis: The No Project Alternative would have reduced impacts to the already less than significant impacts of the Project with respect to aesthetics/light and glare, biological resources, cultural resources, traffic and circulation, air quality, greenhouse gas emissions, and noise. Impacts would be greater for land use and planning, and would be similar to the Project for hydrology and water quality. (Table 7-1, DEIR 7-28.) The No Project Alternative would not attain any of the Project's basic objectives (DEIR 7-10.) However, because the Project would not result in any significant and unavoidable impacts, the Town is under no obligation to consider or adopt any alternative to the Project, even if that alternative would reduce the already less than significant impacts further and/or would achieve all of the Project objectives, and the information contained herein is for informational purposes only. (Pub. Res. Code § 21002.)

Supporting Explanation

Avoid or Substantially Lessen Project Impacts. As stated in the Environmental Analysis of the No Project Alternative above and in the DEIR (DEIR 6-1), the alternative would reduce most of the already less than significant impacts of the Project, but would create a greater impact for land use and planning, and impacts related to hydrology and water quality would be similar. (Table 7-1, DEIR 7-28.)

Attainment of Project Objectives. The No Project Alternative would not achieve any of the Project objectives, as the existing ice rink and community facilities would not be relocated closer to public corridors/trails. New active outdoor recreational opportunities for all seasons would not be created. Lastly, this Alternative would not provide a covered roof structure over the Town's ice rink facility. This Alternative would not fulfill the Town's goal to provide a roof over the Town-operated ice rink/RecZone. This Alternative would not extend the winter seasonal use or enhance the summer seasonal use at the Town-operated ice rink/RecZone. (DEIR 7-10.)

Comparative Merits. Compared to the proposed Project, the No Project Alternative would not avoid certain impacts, although already less than significant, because it would not would not meet the goals and objectives of the Town of Mammoth Lakes Parks and Recreation Master Plan, and would not construct a new covered ice rink, support facilities, and community multi-use facilities, resulting in greater impacts than the Project with regard to land use and planning. Impacts regarding hydrology and water quality would similar to the Project, as short-term construction and long-term operations impacts would not occur, but the Project's BMPs would not be implemented under this Alternative. The No Project Alternative would, however, avoid all other impacts resulting from the proposed Project; but these impacts for the Project are less than significant. Further, this alternative would not achieve any of the Project objectives.

Therefore, the Town Council hereby rejects this No Project Alternative.

2. Alternative 2: Civic Center Parcel Alternative Site Alternative

Description: The Civic Center Parcel is on the east side of Sierra Park Road at the eastern extension of Tavern Road; refer to Exhibit 7-1 of the Draft EIR, Civic Center Parcel Alternative Site Location (DEIR 7-11.) This Town-owned parcel is approximately four acres. Currently, the Civic Center Parcel is planned for government facilities and may include future shared government facilities with Mono County. The Town's new Police Station is currently under construction in the northeast portion of the site off Thompson Way.

Under the Civic Center Parcel Alternative Site Alternative, the proposed new ice rink/ recreation/event area (RecZone) would be developed at the Civic Center Parcel. This Alternative would encompass an ice rink (winter)/RecZone covered by a roof structure and additional storage and support space, similar to the proposed Project. However, based on available space upon completion of the proposed Police Station at this site, a complementary community center or active outdoor recreational area would not be constructed. Appropriate surface parking and utility connections would be required to be installed. Similar to the proposed Project, upon Project completion of construction, the existing Mammoth Ice Rink/RecZone (located at 416 Sierra Park Road) would be made inactive, and the existing community center (located at 1000 Forest Trail) would remain under Town operation.

Finding: The Civic Center Parcel Alternative Site Alternative would have reduced impacts to the already less than significant impacts of the Project with respect to aesthetics/light and glare, biological resources, cultural resources, noise, and hydrology and water quality. Impacts would be greater for land use and planning, and would be similar to the Project for air quality, traffic and circulation, and greenhouse gas emissions. (Table 7-1, DEIR 7-28.) The Civic Center Parcel Alternative Site Alternative would attain some of the Project's basic objectives (DEIR 7-16.) However, because the Project would not result in any significant and unavoidable impacts, the Town is under no obligation to consider or adopt any alternative to the Project, even if that alternative would reduce the already less than significant impacts further and/or would achieve all of the Project objectives, and the information contained herein is for informational purposes only. (Pub. Res. Code § 21002.)

Supporting Explanation:

Land Use and Relevant Planning. Under the Civic Center Parcel Alternative Site Alternative, the Project features would be constructed at the Civic Center Parcel. Similar to the proposed Project, this Alternative would not require amendments to the General Plan or Zoning Code and would also require new land

use approvals and permits. Implementation of this Alternative would meet the goals and objectives of the Town of Mammoth Lakes Parks and Recreation Master Plan, although not to the extent of the Project, as no complimentary facilities (i.e., a complementary community center or active outdoor recreational area) would be provided. Thus, the Civic Center Parcel Alternative Site Alternative would be environmentally inferior to the proposed Project regarding land use consistency.

Aesthetics/Light and Glare. Under the Civic Center Parcel Alternative Site Alternative, the short-term visual impacts associated with grading and construction activities that would occur with the proposed Project would not occur at the Mammoth Creek Park West facility. However, short-term visual impacts associated with grading and construction activities would occur at the Civic Center Parcel, although to a slightly lesser extent than the Project (as no complementary facilities would be constructed). Residential uses surrounding Mammoth Creek Park West would no longer be exposed to these short-term construction impacts. Therefore, the Project's less than significant construction-related impacts to the visual character/quality of the Project site and its surroundings would be avoided, but new less than significant construction-related impacts to the visual character/quality near the Civic Center Parcel would result, although to a less degree than the proposed Project since surrounding uses are not as sensitive to these visual changes and the proposed area of disturbance would be reduced.

With development of the Civic Center Parcel Alternative Site Alternative, no visual impacts to the designated scenic views near Mammoth Creek Park West would occur. However, new impacts to designated scenic views along SR-203 toward the Sherwin Range would result. Under this Alternative, the Project's less than significant long-term impacts to the visual character at the Mammoth Creek Park West facility would be avoided. However, new long-term impacts to the visual character at the Civic Center Parcel would result. Last, the Project's increased light and glare at Mammoth Creek Park West would not result; however, new sources of light and glare would be introduced at the Civic Center Parcel.

The Civic Center Parcel Alternative Site Alternative would be neither environmentally superior nor inferior to the proposed Project regarding aesthetics/light and glare. Although there would be fewer facilities located at this site, compared to the Project, the main structure (the ice rink/RecZone) would still be constructed, resulting in similar impacts as the Project (although at a new location in the Town).

Biological Resources. Project implementation would result in less than significant impacts as the Project does not contain special status species, sensitive natural communities, or jurisdictional waters and wetlands. Impacts to migratory

birds and compliance with the Town's tree preservation ordinance would also be reduced to a less than significant level with the implementation of mitigation. Under the Civic Center Parcel Alternative Site Alternative, construction of the Project at the Mammoth Creek Park West facility would not occur. However, construction of the community multi-use facilities would occur at the Civic Center Parcel, which currently consists of mostly vacant land. Development of this Alternative could result in new impacts to specials status plant or wildlife species or sensitive vegetation communities. Further, similar to the proposed Project, development at the Civic Center Parcel would require removal of existing pine trees and construction impacts could affect migratory birds.

The Civic Center Parcel Alternative Site Alternative would be neither environmentally superior nor inferior to the proposed Project regarding biological resources.

Cultural Resources. Cultural resources (CA-MNO-561) have been identified on the Project site. Implementation of the proposed Project was determined to not impact the CRHR eligibility of this resource as a whole. Although the data potential for the site has been exhausted by the Phase II investigation, the possibility for intact features within the Project site remains. Although no conditions exist that suggest human remains are likely to be found on the Project site, development of the Project site could result in the discovery of human remains and potential impacts to these resources. With implementation of the recommended Mitigation Measure CUL-1 and compliance with existing State regulations regarding human remains, Project impacts in this regard would be reduced to less than significant levels. Under the Civic Center Parcel Alternative Site Alternative, there would be no potential for impacts to cultural resources or human remains at the Mammoth Creek Park West facility, since development would not occur at this site.

Based on the cultural resources survey conducted for the Mammoth Community Facilities Acquisition, no significant cultural resources or heritage resources are anticipated to occur on the Civic Center Parcel.[3] However, the potential to encounter unknown cultural resources still exists, as the Civic Center Parcel encompasses mostly vacant land. Thus, impacts to cultural resources would be slightly reduced under the Civic Center Parcel Alternative Site Alternative, compared to the proposed Project in this regard. Similar to the proposed Project, impacts pertaining to encountering unknown human remains would be reduced to less than significant levels with compliance with existing State regulations.

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[3] Nicholas A. Faust, North Zone Archaeologist, Inyo Forest, United States Department of Agriculture Forest Service, *Mammoth Fire Station and Community Church Land Exchanges, Heritage Resources Section 106 and NEPA Documentation*, October 21, 2004.

The Civic Center Parcel Alternative Site Alternative would be environmentally superior to the proposed Project regarding potential impacts to cultural resources.

Traffic and Circulation. Under the Civic Center Parcel Alternative Site Alternative, the Project's construction truck trips and operational net 116 p.m. peak hour (62 entering; 54 existing) trips would occur at the Civic Center Parcel, rather than at Mammoth Creek Park West, although to a lesser extent than the Project (as no complimentary facilities would be constructed). Therefore, the Project's less than significant impacts on the study area intersections would not occur, but new traffic impacts on other Town intersections would result. As the Civic Center Parcel Alternative Site Alternative would result in reduced trip generation, compared to the proposed Project, this Alternative would be environmentally superior inferior to the proposed Project regarding traffic and circulation impacts.

Air Quality. Table 5.6-5 (DEIR 5.6-12) presents the Project's anticipated daily short-term construction emissions and indicates that less than significant impacts would occur in this regard. Short-term air quality impacts from grading, excavation, and construction activities would still occur in the Town, although at the Civic Center Parcel, rather than the Mammoth Creek Park West facility. Comparatively, the construction-related air quality impacts would be slightly reduced compared to the proposed Project, given slightly less ground-disturbing activities would occur (compared to the Project), although at a different site in the Town. Therefore, the short-term air quality impacts would be slightly reduced under this Alternative.

The proposed Project would not exceed the GBUAPCD's emissions thresholds, as indicated in Table 5.6-6 (DEIR 5.6-15.) Additionally, the Project would not result in CO hotspots at any of the study intersections. Although at a different site in Town, long-term air quality impacts from mobile and area source pollutant emissions would still occur as a result of the Civic Center Parcel Alternative Site Alternative, although to a lesser extent. This Alternative would result in reduced development and vehicle trips, as compared to the proposed Project. With this Alternative, long-term air quality impacts from mobile pollutant emissions would be reduced, as compared to the proposed Project.

The Civic Center Parcel Alternative Site Alternative would be environmentally superior inferior to the proposed Project regarding air quality impacts.

Greenhouse Gas Emissions. As indicated in Table 5.7-1 (DEIR 5.7-13), Project implementation would result in 801.28 $MTCO_2eq/yr$, which is below the 900

$MTCO_2eq/yr$ threshold. Thus, less than significant short-term and operational GHG emission impacts would occur with the proposed Project. Although at a different site in Town, the similar GHG emissions from construction and operational activities would also occur with the Civic Center Parcel Alternative Site Alternative, although to a slightly less degree compared to the proposed Project given no complimentary facilities would be constructed. As with the proposed Project, the combined construction and operational GHG emissions would also result in less than significant impacts from a cumulative perspective under this Alternative, although to a lesser extent than the Project.

The Civic Center Parcel Alternative Site Alternative would be environmentally superior to the proposed Project regarding GHG emissions.

Noise. Construction noise associated with the proposed Project would result in less than significant impacts. The Project's construction-related vibration impacts are also anticipated to be less than significant. Short-term noise impacts from grading, excavation, and construction activities would still occur with the Civic Center Parcel Alternative Site Alternative, although to a lesser degree than the Project and in a different location in Town. Comparatively, the Project's construction-related noise impacts would no longer impact those residents surrounding the Mammoth Creek Park West facility. However, those sensitive receptors near the Civic Center Parcel (i.e., Mammoth Hospital and Mammoth Mountain RV Park) would be exposed to the Project's construction sources. Construction sources from this Alternative would be slightly less than the proposed Project, since no complimentary facilities would be constructed. Further, Mammoth Hospital and the RV Park are considered less sensitive to noise than multi-family residential uses per the Town's Municipal Code and General Plan. Thus, the sensitivity of the surrounding uses at the Project site and considered more noise sensitive than the uses surrounding the Civic Center Parcel. Therefore, short-term construction-related impacts would be less than those considered for the proposed Project.

As shown in Table 5.8-4 (DEIR 5.8-8), existing noise within the area from mobile noise ranges from 51.2 dBA to 65.1 dBA at 100 feet from the roadway centerline. Long-term noise impacts from vehicular travel on the surrounding roadway network near Mammoth Creek Park West would no longer occur with the Civic Center Parcel Alternative. However, new mobile noise source impacts along the surrounding roadway network for the Civic Center Parcel would result under this Alternative. These mobile noise sources would be slightly less than the proposed Project, given that no complimentary facilities would be constructed. Comparatively, the Project's mobile noise impacts would no longer impact those residents surrounding the Mammoth Creek Park West facility. However, those

sensitive receptors near the Civic Center Parcel (i.e., Mammoth Hospital and Mammoth Mountain RV Park) would be exposed to the Alternative's mobile noise. As interior noise thresholds do not apply to Mammoth Hospital, and the RV Park would be considered a transient-use, these sensitive receptors would be considered slightly less sensitive than residential uses near Mammoth Creek Park West. Thus, mobile noise-related impacts would be less than those considered for the proposed Project.

Project implementation would result in less than significant impacts from stationary noise sources with implementation of recommended mitigation. The increased noise from stationary sources from the proposed Project (i.e., mechanical equipment, ice rink, recreation zone, etc.), would not occur in and near Mammoth Creek Park West with this Alternative. However, new stationary noise impacts from these activities would occur within and near the Civic Center Parcel. Comparatively, stationary noise sources from the community center and active outdoor area would not result with this Alternative. As discussed above, although sensitive residential uses would no longer be exposed to stationary noise from the Project, new sensitive receptors (Mammoth Hospital and Mammoth Mountain RV Park) would be exposed. These sensitive receptors would not be considered as sensitive as those surrounding Mammoth Creek Park West. Thus, implementation of the Civic Center Parcel Alternative Site Alternative would result in reduced stationary noise impacts.

The Civic Center Parcel Alternative Site Alternative would be environmentally superior to the proposed Project regarding noise.

Hydrology and Water Quality. The proposed Project would result in less than significant (with mitigation incorporated) short-term impacts to water quality associated with grading and construction activities. Implementation of the Civic Center Parcel Alternative Site Alternative would similarly result in short-term impacts to water quality at the Civic Center Parcel, rather than Mammoth Creek Park West. Comparatively, this Alternative's short-term impacts to water quality would be slightly less than the proposed Project and in a different location in Town, given this Alternative would involve a reduced area of site disturbance.

The Project's long-term operational impacts to water quality and quantity would no longer occur at Mammoth Creek Park West. However, new land uses would operate on the Civic Center Parcel and an increase in traffic volumes would occur (increasing water quality concerns at this location), although to a lesser degree than the Project given the smaller development footprint. Further, the Project's less than significant impacts involving a 100-year flood zone would be

avoided with this Alternative, as the Civic Center Parcel is not located within a 100-year flood zone.

The Civic Center Parcel Alternative Site Alternative would be environmentally superior to the proposed Project regarding hydrology and water quality.

Ability to Meet Project Objectives. The Civic Center Parcel Alternative Site Alternative would meet some of the Project's basic objectives. The existing ice rink would be relocated closer to public corridors/trails. A covered roof structure over the Town's ice rink facility would also be provided. However, a complimentary community center and new active outdoor recreational opportunities for all seasons would not be created. Further, implementation of this Alternative would preclude the Town from placing future government facilities at this property. The proposed Project would not meet the Town's goals and objectives for a government facilities at this location.

3. Alternative 3: Bell Shaped Parcel Alternative Site Alternative

Description: The Bell Shaped Parcel is approximately 16.7 acres located at the southwest corner of the intersection of Minaret Road and Meridian Boulevard; refer to Exhibit 7-2 of the Draft EIR, Bell Shaped Parcel Alternative Site Location (DEIR 7-17.) This Alternative site location currently consists of vacant land, with several trees, an open meadow, and drainage features present. Currently, there is a lack of existing public infrastructure (i.e., parking, water, electricity, sewer connections, etc.) supporting the site.

Under the Bell Shaped Parcel Alternative Site Alternative, the proposed community multi-use facilities would be developed at the Bell Shaped Parcel. This Alternative would encompass an ice rink (winter)/RecZone covered by a roof structure, complimentary community center, additional storage and support space, as well as an outdoor active area, similar to the proposed Project. Appropriate surface parking and utility connections would be required to be installed. Similar to the proposed Project, upon Project completion of construction, the existing Mammoth Ice Rink/RecZone (located at 416 Sierra Park Road) would be made inactive, and the existing community center (located at 1000 Forest Trail) would remain under Town operation.

Finding: The Bell Shaped Parcel Alternative Site Alternative would have similar impacts to the proposed Project, with the exception for biological resources (greater impact) and cultural resources (similar impact) (Table 7-1, DEIR 7-28.) The Bell Shaped Parcel Alternative Site Alternative would attain most of the Project's basic objectives (DEIR 7-22.) However, because the Project would not

result in any significant and unavoidable impacts, the Town is under no obligation to consider or adopt any alternative to the Project, even if that alternative would reduce the already less than significant impacts further and/or would achieve all of the Project objectives, and the information contained herein is for informational purposes only. (Pub. Res. Code § 21002.)

Supporting Explanation:

Land Use and Relevant Planning. Under the Bell Shaped Parcel Alternative Site Alternative, the Project features would be constructed at the Bell Shaped Parcel. Similar to the proposed Project, this Alternative would not require amendments to the General Plan or Zoning Code and would also require new land use approvals and permits. Implementation of this Alternative would meet the goals and objectives of the Town of Mammoth Lakes Parks and Recreation Master Plan, as complimentary facilities and a covered ice rink/RecZone would be provided along Town trails and public transit stops. Thus, the Bell Shaped Parcel Alternative Site Alternative would be neither environmentally superior nor inferior to the proposed Project regarding land use consistency.

Aesthetics/Light and Glare. Under the Bell Shaped Parcel Alternative Site Alternative, the short-term visual impacts associated with grading and construction activities that would occur with the proposed Project would not occur at the Mammoth Creek Park West facility. However, similar short-term visual impacts associated with grading and construction activities would occur at the Bell Shaped Parcel. New sensitive viewers located in the vicinity of the Bell Shaped Parcel would include surrounding residential uses to the east and south, as well as recreational users (Sierra Star Golf Course) to the north and west. Therefore, the Project's less than significant construction-related impacts to the visual character/quality of the Project site and its surroundings would be similar with this Alternative.

With development of the Bell Shaped Parcel Alternative, no visual impacts to the designated scenic views near Mammoth Creek Park West would occur. Although SR-203 is an eligible for listing as a State scenic highway, the existing Bell Shaped Parcel is not visible from SR-203. Thus, under this Alternative, the proposed community multi-use facilities would not impact this State scenic highway.

The Project's less than significant long-term impacts to view blockage of visual resources and visual character at the Mammoth Creek Park West facility would be avoided with this Alternative. However, new impacts to view blockage of visual resources (as seen from Minaret Road) and visual character of this Alternative Site and surrounding community would occur. Lastly, the Project's

increased light and glare at Mammoth Creek Park West would not result; however, new sources of light and glare would be introduced at the Bell Shaped Parcel.

The Bell Shaped Parcel Alternative would be neither environmentally superior nor inferior to the proposed Project regarding aesthetics/light and glare.

Biological Resources. Project implementation would result in less than significant impacts as the Project does not contain special status species, sensitive natural communities, or jurisdictional waters and wetlands. Impacts to migratory birds and compliance with the Town's tree preservation ordinance would also be reduced to a less than significant level with the implementation of mitigation. Under the Bell Shaped Parcel Alternative, construction of the Project at the Mammoth Creek Park West facility would not occur. However, construction of the community multi-use facilities would occur at the Bell Shaped Parcel, which currently consists of vacant land. Based on the U.S. Army Corps of Engineers (ACOE), Los Angeles District, *Preliminary Jurisdictional Determination Regarding Geographic Jurisdiction*, dated September 22, 2016, the ACOE preliminarily determined that waters of the U.S. may be present on the Bell Shaped Parcel. Indications of the presence of waters of the U.S., including wetlands, were noted. Thus, development of this Alternative could result in impacts to jurisdictional wetlands, whereas the Project would not. Further, development of this Alternative could result in impacts to specials status plant or wildlife species or sensitive vegetation communities as well. Similar to the proposed Project, this Alternative would result in tree removal activities and construction impacts could affect migratory birds.

The Bell Shaped Parcel Alternative would be environmentally inferior to the proposed Project regarding biological resources, considering new potential impacts to wetlands at this location.

Cultural Resources. Cultural resources (CA-MNO-561) have been identified on the Project site. Implementation of the proposed Project was determined to not impact the CRHR eligibility of this resource as a whole. Although the data potential for the site has been exhausted by the Phase II investigation, the possibility for intact features (e.g., hearths, burials) within the Project site remains. Although no conditions exist that suggest human remains are likely to be found on the Project site, development of the Project site could result in the discovery of human remains and impacts to these resources. With implementation of the recommended Mitigation Measure CUL-1 and compliance with existing State regulations regarding human remains, impacts in this regard would be reduced to less than significant levels.

Under the Bell Shaped Parcel Alternative, there would be no potential for impacts to cultural resources or human remains at the Mammoth Creek Park West facility, since development would not occur at this site. However, construction of the proposed community multi-use facilities would occur at the Bell Shaped Parcel. As the cultural resources can be commonly found throughout the Eastern Sierras, the potential to encounter unknown cultural resources within the Bell Shaped Parcel exists. Similar to the proposed Project, impacts pertaining to encountering unknown human remains would be reduced to less than significant levels with compliance with existing State regulations.

The Bell Shaped Parcel Alternative would be environmentally superior to the proposed Project regarding potential impacts to cultural resources, as no impacts to CA-MNO-561 would occur.

Traffic and Circulation. Under the Bell Shaped Parcel Alternative Site Alternative, the Project's construction truck trips and operational net 116 p.m. peak hour (62 entering; 54 existing) trips would occur at the Bell Shaped Parcel, rather than at Mammoth Creek Park West. Therefore, the Project's less than significant impacts on the study area intersections would not occur, but new traffic impacts on other Town intersections would result. Thus, the Bell Shaped Parcel Alternative would be neither environmentally superior nor inferior to the proposed Project regarding traffic and circulation impacts.

Air Quality. Table 5.6-5 (DEIR 5.6-12) presents the Project's anticipated daily short-term construction emissions and indicates that less than significant impacts would occur in this regard. Short-term air quality impacts from grading, excavation, and construction activities would still occur in the GBUAPCD boundaries, although at the Bell Shaped Parcel, rather than the Mammoth Creek Park West facility. Comparatively, the construction-related air quality impacts would be similar as the proposed Project, given ground-disturbing activities would occur, although at a different site in the Town. Therefore, the short-term air quality impacts that would occur with the proposed Project would also result under this Alternative.

The proposed Project would not exceed the GBUAPCD's emissions thresholds, as indicated in Table 5.6-6 (DEIR 5.6-15.) Additionally, the Project would not result in CO hotspots at any of the study intersections. Although at a different site in Town, long-term air quality impacts from mobile and area source pollutant emissions would still occur as a result of Bell Shaped Parcel Alternative. This Alternative would result in similar development and vehicle trips, as compared to the proposed Project. With this Alternative, similar long-term air quality impacts

from mobile pollutant emissions would occur, as compared to the proposed Project.

The Bell Shaped Parcel Alternative would be neither environmentally superior nor inferior to the proposed Project regarding air quality impacts.

Greenhouse Gas Emissions. As indicated in Table 5.7-1 (DEIR 5.7-13), Project implementation would result in 801.28 $MTCO_2eq/yr$, which is below the 900 $MTCO_2eq/yr$ threshold. Thus, less than significant short-term and operational GHG emission impacts would occur with the proposed Project. Although at a different site in the GBUAPCD boundaries, the same GHG emissions from construction and operational activities would also occur with the Bell Shaped Parcel Alternative. As with the proposed Project, the combined construction and operational GHG emissions would also result in less than significant impacts from a cumulative perspective under this Alternative.

The Bell Shaped Parcel Alternative would be neither environmentally superior nor inferior to the proposed Project regarding GHG emissions.

Noise. Construction noise associated with the proposed Project would result in less than significant impacts. The Project's construction-related vibration impacts are also anticipated to be less than significant. Short-term noise impacts from grading, excavation, and construction activities would still occur with the Bell Shaped Parcel Alternative, although in a different location in the Town. Comparatively, the Project's construction-related noise impacts would no longer impact residents surrounding the Mammoth Creek Park West facility. However, new sensitive receptors near the Bell Shaped Parcel would include surrounding residential uses. Thus, short-term construction-related impacts would be similar to those considered for the proposed Project.

As shown in Table 5.8-4, existing noise within the area from mobile noise ranges from 51.2 dBA to 65.1 dBA at 100 feet from the roadway centerline. Long-term noise impacts from vehicular travel on the surrounding roadway network near Mammoth Creek Park West would no longer occur with the Bell Shaped Parcel Alternative. However, new mobile noise source impacts would occur along the surrounding roadway network for the Bell Shaped Parcel under this Alternative. Comparatively, the Project's mobile noise impacts would no longer impact those residents surrounding the Mammoth Creek Park West facility. However, those sensitive receptors near the Bell Shaped Parcel (i.e., residential uses) would be exposed to the Project's mobile noise. Thus, mobile noise-related impacts would similar to the proposed Project.

Project implementation would result in less than significant impacts from stationary noise sources with implementation of recommended mitigation. The increased noise from stationary sources from the proposed Project (i.e., mechanical equipment, community center, ice rink, recreation zone, etc.) would not occur in and near Mammoth Creek Park West with this Alternative. As discussed previously, residential uses would be exposed to these stationary noise sources with implementation of this Alternative. Thus, implementation of the Bell Shaped Parcel Alternative Site Alternative would result in similar stationary noise impacts.

Thus, the Bell Shaped Parcel Alternative Site Alternative would be neither environmentally superior nor inferior to the proposed Project regarding noise.

Hydrology and Water Quality. The proposed Project would result in less than significant (with mitigation incorporated) short-term impacts to water quality associated with grading, excavation, and construction activities. Implementation of the Bell Shaped Parcel Alternative would similarly result in short-term impacts to water quality at the Bell Shaped Parcel, rather than Mammoth Creek Park West. Comparatively, this Alternative's short-term impacts to water quality would be similar to the proposed Project (although in a different location in the Town), given this Alternative would involve a similar development on vacant land.

This Alternative would result in similar long-term operational impacts to water quality and quantity as the Project, given permeable surfaces would be replaced with impermeable surfaces, new land uses would operate on the Bell Shaped Parcel, and an increase in traffic volumes would occur. However, it should be noted that the Project's less than significant impacts involving a 100-year flood zone would be avoided with this Alternative, as the Bell Shaped Parcel is not located within a 100-year flood zone.

Although slightly reduced, the Bell Shaped Parcel Alternative would be neither environmentally superior nor inferior to the proposed Project regarding hydrology and water quality.

Ability to Meet Project Objectives. The Bell Shaped Parcel Alternative would meet most of the Project's basic objectives. A complimentary community center and active outdoor area that would provide recreational opportunities for all seasons would be created. A covered roof structure over the Town's ice rink facility would also be provided. However, the multi-use community facilities would not be relocated closer to public corridors/trails and public transit within the Town.

4. Alternative 4: Reconfiguration Alternative

Description: On Friday, January 29, 2016 the Town hosted a Plan Mammoth Creek Park meeting at Town Hall, Suite Z, to present three distinct site planning alternatives (Site Concept 1, Site Concept 2, and Site Concept 3) for Mammoth Creek Park West. Each of these included the same features (multi-use facility, community center, and enhanced playground). They also include access and parking areas, public plaza's, entrance areas, and other appurtenances. Based on comments received from the public, Site Concept 3 was the general public's preference for site planning purposes, as it would reduce noise impacts to off-site sensitive receptors, has preferred public views of the Sherwin Range, and has preferred orientation for solar and protection from the sun. Based on this public meeting, the Town used Site Concept 3 and developed the proposed Project's site plan, which responded to public concerns brought forth. However, for the purposes of this analysis, Site Concept 3 has been used for the Reconfiguration Alternative.

The Reconfiguration Alternative would reconfigure the proposed structures, resulting is less building square-footage for the proposed community facility; refer to Exhibit 7-3 of the Draft EIR, Reconfiguration Alternative Site Plan (DEIR 7-23.) Under the Reconfiguration Alternative, the proposed new community multi-use facilities would be developed at the Project site, but shifted slightly west (compared to the proposed Project). The new community multi-use facilities would encompass an ice rink (winter)/RecZone covered by a roof structure, similar to the proposed Project. However, additional support space and community center square-footage would be reduced by approximately 3,000 square feet. Surface parking and utility connections would be constructed, similar to the proposed Project. Under this Alternative, an active outdoor recreation area would also be constructed. Similar to the proposed Project, upon Project completion of construction, the existing Mammoth Ice Rink/RecZone (located at 416 Sierra Park Road) would be made inactive, and the existing community center (located at 1000 Forest Trail) would remain under Town operation.

Finding: The Reconfiguration Alternative would have similar impacts to the proposed Project for most impact categories, with the exception for air quality, greenhouse gas emissions, and traffic and circulation, which would have reduced impacts. (Table 7-1, DEIR 7-28.) The Reconfiguration Alternative would attain most of the Project's basic objectives (DEIR 7-27.) However, because the Project would not result in any significant and unavoidable impacts, the Town is under no obligation to consider or adopt any alternative to the Project, even if that alternative would reduce the already less than significant impacts further and/or would achieve all of the Project objectives, and the information contained herein is for informational purposes only. (Pub. Res. Code § 21002.)

Supporting Explanation:

Land Use and Relevant Planning. Under the Reconfiguration Alternative, the Project features would be constructed at the Project site, although with slightly less square footage for the support space/community facilities. Similar to the proposed Project, this Alternative would not require amendments to the General Plan or Zone Code and would also require new land use approvals and permits. Implementation of this Alternative would meet the goals and objectives of the Town of Mammoth Lakes Parks and Recreation Master Plan, although not to the extent of the Project, as fewer community facility space would be made available to the public. It also does not include reconfiguration of the existing playground facility. Thus, the Reconfiguration Alternative would be neither environmentally superior nor inferior to the proposed Project regarding land use consistency.

Aesthetics/Light and Glare. Under the Reconfiguration Alternative, the short-term visual impacts associated with grading and construction activities that would occur with the proposed Project would also occur with this Alternative, although to a slightly less affect as a result of fewer building square footage. Therefore, the Project's less than significant construction-related impacts to the visual character/quality of the Project site and its surroundings would be slightly reduced with this Alternative.

This Alternative would result in similar impacts to scenic views as the proposed Project. The Project's less than significant long-term impacts to the visual character at the Mammoth Creek Park West facility would remain under development of this Alternative.

The Reconfiguration Alternative would be neither environmentally superior nor inferior to the proposed Project regarding aesthetics/light and glare.

Biological Resources. Project implementation would result in less than significant impacts as the Project does not contain special status species, sensitive natural communities, or jurisdictional waters and wetlands. Impacts to migratory birds and compliance with the Town's tree preservation ordinance would also be reduced to a less than significant level with the implementation of mitigation. Under the Reconfiguration Alternative, construction of the Project at the Mammoth Creek Park West facility would also occur with this Alternative, resulting in a similar disturbance footprint as the proposed Project. Similar to the proposed Project, this Alternative would not result in impacts to specials status plant or wildlife species or sensitive vegetation communities. Further, similar to the proposed Project, construction impacts would affect migratory birds and would be required to comply with the Town's tree preservation ordinance.

The Reconfiguration Alternative would be neither environmentally superior nor inferior to the proposed Project regarding biological resources.

Cultural Resources. Cultural resources (CA-MNO-561) have been identified on the Project site. Implementation of the proposed Project was determined to not impact the CRHR eligibility of this resource as a whole. Although the data potential for the site has been exhausted by the Phase II investigation, the possibility for intact features (e.g., hearths, burials) within the Project site remains. Although no conditions exist that suggest human remains are likely to be found on the Project site, development of the Project site could result in the discovery of human remains and potential impacts to these resources. With implementation of the recommended Mitigation Measure CUL-1 and compliance with existing State regulations regarding human remains, impacts in this regard would be reduced to less than significant levels. Under the Reconfiguration Alternative, similar impacts to the existing cultural resource CA-MNO-561 exists. As with the proposed Project, under this Alternative, Mitigation Measure CUL-1 would be required to reduce impacts in this regard to less than significant levels. Similar less than significant impacts to human remains would also occur with compliance with existing State regulations.

The Reconfiguration Alternative would be neither environmentally superior nor inferior to the proposed Project regarding potential impacts to cultural resources, given it would involve similar ground-disturbing activities within the same development area.

Traffic and Circulation. Under the Reconfiguration Alternative, additional support space and community center square-footage at the Project site would be reduced by approximately 3,000 square feet. Therefore, this Alternative would have a proportionate reduction of ADT compared to the proposed Project. Comparatively, the traffic and circulation impacts under the Reconfiguration Alternative would be slightly less than the proposed Project, given this Alternative would decrease the ADT. Therefore, the traffic and circulation impacts that would occur with the proposed Project would be slightly reduced with this Alternative.

The Reconfiguration Alternative would be environmentally superior to the proposed Project regarding traffic and circulation impacts due to slightly reduced traffic volumes.

Air Quality. Table 5.6-5 (DEIR 5.6-12) presents the Project's anticipated daily short-term construction emissions and indicates that less than significant impacts would occur in this regard. Short-term air quality impacts from grading, excavation, and construction activities would also occur with the Reconfiguration

Alternative. Comparatively, the construction-related air quality impacts would be slightly reduced compared to the proposed Project, given construction would be approximately 3,000 fewer square feet than the proposed Project. Therefore, the short-term air quality impacts that would occur with the proposed Project would also occur under this Alternative, although slightly reduced.

The proposed Project would not exceed the GBUAPCD's emissions thresholds, as indicated in Table 5.6-6 (DEIR 5.6-15.) Additionally, the Project would not result in CO hotspots at any of the study intersections. Long-term air quality impacts from mobile and area source pollutant emissions would occur with the Reconfiguration Alternative, although to a lesser degree than the proposed Project. This Alternative would result in slightly fewer vehicle trips, as compared to the proposed Project. With this Alternative, mobile pollutant emissions would be proportionately reduced, as compared to the proposed Project.

The Reconfiguration Alternative would be environmentally superior to the proposed Project regarding air quality impacts due to slightly reduced mobile source emissions.

Greenhouse Gas Emissions. As indicated in Table 5.7-1 (DEIR 5.7-13), Project implementation would result in 801.28 $MTCO_2eq/yr$, which is below the 900 $MTCO_2eq/yr$ threshold. Thus, less than significant short-term and operational GHG emission impacts would occur with the proposed Project. GHG emissions from construction and operational activities would also occur with the Reconfiguration Alternative, although to a slightly lesser degree than the proposed Project as a result of fewer ADT. The Alternative's combined construction and operational GHG emissions would also result in less than significant impacts from a cumulative perspective, although to a lesser degree than the proposed Project.

The Reconfiguration Alternative would be environmentally superior to the proposed Project regarding GHG emissions, due to decreased mobile emissions.

Noise. Construction noise associated with the proposed Project would result in less than significant impacts. The Project's construction-related vibration impacts are also anticipated to be less than significant. Short-term noise impacts from grading, excavation, and construction activities would also occur with the Reconfiguration Alternative due to construction of the proposed buildings and improvements at the Project site. Comparatively, this Alternative's construction-related noise impacts would be slightly reduced compared to the proposed Project, given this Alternative would result in slightly less building square-footage than the proposed Project. Therefore, the less than significant (with mitigation

incorporated) short-term noise impacts that would occur with the proposed Project would occur also with this Alternative, although to a slightly lesser extent.

As shown in Table 5.8-4 (DEIR 5.8-8), existing noise within the area from mobile noise ranges from 51.2 dBA to 65.1 dBA at 100 feet from the roadway centerline. Long-term noise impacts from vehicular travel on the surrounding roadway network would occur with the Reconfiguration Alternative to a slightly lesser degree than the proposed Project. Comparatively, this Alternative's mobile source noise impacts would be slightly reduced compared to the proposed Project, given this Alternative would decrease the ADT. Therefore, the mobile source noise impacts that would occur with the proposed Project would be slightly reduced with this Alternative.

Project implementation would result in less than significant impacts from stationary noise sources with implementation of recommended mitigation. The increased noise from stationary sources from the proposed Project, including mechanical equipment, community center, ice rink, recreation zone, park playground, active outdoor recreation area, and parking, would also occur with this Alternative, but to a lesser degree. With the Reconfiguration Alternative, approximately 3,000 square feet fewer support/community center space would be developed, generating fewer stationary noises than the proposed Project. However, the Project's larger structure would potentially not provide the same amount of noise attenuation to residential uses to the north. Further, the proposed facility for this Alternative would be sited approximately 30-feet west of the Project's configuration (which would be closer to existing sensitive receptors). The surface parking lot would also be shifted approximately 20 feet north closer to the existing residential uses to the north. Thus, these potential stationary and intermittent noise sources would be relocated closer to existing sensitive receptors, creating increased noise impacts.

Thus, the Reconfiguration Alternative would be environmentally inferior to the proposed Project regarding noise.

Hydrology and Water Quality. The proposed Project would result in less than significant (with mitigation incorporated) short-term impacts to water quality associated with grading, excavation, and construction activities. Implementation of the Reconfiguration Alternative would similarly result in short-term impacts to water quality. Comparatively, this Alternative's short-term impacts to water quality would be similar to the proposed Project, given this Alternative would involve a similar grading footprint.

The proposed Project would result in long-term operational impacts to water quality and quantity, as permeable surfaces would be replaced with impermeable surfaces, new community multi-use facilities would operate on the Project site, and an increase in traffic volumes would occur. Implementation of the Reconfiguration Alternative would result in long-term operational impacts to water quality and quantity. Comparatively, the long-term impacts to water quality would be similar to the proposed Project, given this Alternative would involve a similar development (although slightly reduced).

The Reconfiguration Alternative would be neither environmentally superior nor inferior to the proposed Project regarding hydrology and water quality.

Ability to Meet Project Objectives. The Reconfiguration Alternative would meet most of the Project's basic objectives. The existing ice rink and community facilities would be relocated closer to public corridors/trails within the Town. A complimentary community center and active outdoor area that would provide recreational opportunities for all seasons would be created, although to a lesser extent than the Project. A covered roof structure over the Town's ice rink facility would also be provided.

5. Environmentally Superior Alternative

Description: The No Project Alternative would be environmentally superior to the proposed Project, as it would avoid or lessen the majority of impacts associated with development of the proposed Project, with the exception of land use and planning (greater impact), and hydrology and water quality (similar impact). (DEIR 7-27 and 7-28.)

Finding: The No Project Alternative is the environmentally superior alternatives as they would slightly reduce the already less than significant impacts to aesthetics/light and glare, biological resources, cultural resources, traffic and circulation, air quality, greenhouse gas emissions, and noise to an even lower level of significance. However, because the Project would not result in any significant and unavoidable impacts, the Town is under no obligation to consider or adopt any alternative to the Project, even if that alternative would reduce the already less than significant impacts further and/or would achieve all of the Project objectives, and the information contained herein is for informational purposes only. (Pub. Res. Code, § 21002.)

Supporting Explanation:

No significant impacts would result from implementation of the proposed Project or any of the alternatives considered. Based on the comparison provided

in Table 7-1 of the DEIR (DEIR 7-28), the No Project alternative (Alternative 1) is considered environmentally superior, since it would eliminate nearly all of the anticipated, though less than significant, environmental effects of the proposed Project. However, this alternative would not accomplish any of the objectives of the proposed Project, as the existing ice rink and community facilities would not be relocated closer to public corridors/trails. New active outdoor recreational opportunities for all seasons would not be created. Lastly, this Alternative would not provide a covered roof structure over the Town's ice rink facility. This Alternative would not fulfill the Town's goal to provide a roof over the Town-operated ice rink/RecZone. This Alternative would not extend the winter seasonal use or enhance the summer seasonal use at the Town-operated ice rink/RecZone. (DEIR 7-10.)

Of the remaining alternatives, the Civic Center Parcel Alternative Site Alternative would be environmentally superior to the proposed Project. This is due to a reduction in building area square footage (this alternative would not include a community center or active outdoor recreational area), resulting in a subsequent reduction in impacts pertaining to aesthetics/light and glare, biological resources, cultural resources, hydrology and water quality, and noise. All other impacts would be similar in magnitude to the proposed Project. (Table 7-1, DEIR 7-28.)

CEQA does not require the Town to choose the environmentally superior alternative. Instead CEQA requires the Town to consider environmentally superior alternatives, explain the considerations that led it to conclude that those alternatives were infeasible from a policy standpoint, weigh those considerations against the environmental impacts of the proposed Project, and make findings that the benefits of those considerations outweighed the harm. However, because the Project would not result in any significant and unavoidable impacts, the Town is under no obligation to consider or adopt any alternative to the Project, even if that alternative would reduce the already less than significant impacts further and/or would achieve all of the Project objectives, and the information contained herein is for informational purposes only. (Pub. Res. Code § 21002.)

SECTION 8
CERTIFICATION OF THE EIR

The Town Council hereby finds that it has been presented with the EIR, which it has reviewed and considered, and further finds that the EIR is an accurate and objective statement that has been completed in full compliance with CEQA,

the State CEQA Guidelines and the Town's Local CEQA Guidelines and that the EIR reflects the independent judgment and analysis of the Town.

The Town declares that no evidence of new significant impacts or any new information of "substantial importance", as defined by State CEQA Guidelines section 15088.5, has been received by the Town after circulation of the Draft EIR that would require recirculation.

Therefore, the Town hereby certifies the EIR based on the entirety of the record of proceedings, including but not limited to the following findings and conclusions:

A. Findings

As set forth in Sections 2 and 3, above, the EIR did not disclose any potentially significant or significant and unavoidable impacts.

B. Conclusions

The evaluation of environmental impacts in the DEIR concluded that the proposed Project would not result in temporary or permanent significant and unavoidable effects for any of the environmental issue areas identified in Appendix G of the State CEQA Guidelines. However, a range of feasible alternatives to the proposed Project was developed to provide additional information and flexibility to the decision-makers when considering the proposed Project.

Although no significant and unavoidable impacts were identified, Section 7, above, identifies the environmental, economic, social and other considerations and benefits derived from the development of the Project.

SECTION 9
ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to Public Resources Code section 21081.6, the Town Council hereby adopts the Mitigation Monitoring and Reporting Program attached to this Resolution as Exhibit "A". Implementation of the Mitigation Measures contained in the Mitigation Monitoring and Reporting Program is hereby made a condition of approval of the Project. In the event of any inconsistencies between the Mitigation Measures set forth herein and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

SECTION 10
PROJECT APPROVAL

Based upon the entire record before the Town Council, including the above findings and all written evidence presented, the Town Council hereby approves the Project.

SECTION 11
CUSTODIAN OF RECORDS

The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Town of Mammoth Lakes Community and Economic Development Department, P.O. Box 1609, 437 Old Mammoth Road, Suite R, Mammoth Lakes, CA, 93546. The custodian for these records is Ms. Sandra Moberly, Community and Economic Development Manager. This information is provided pursuant to Public Resources Code Section 21081.6.

SECTION 12
NOTICE OF DETERMINATION

Town staff shall cause a Notice of Determination to be filed and posted with the County of Mono Registrar-Recorder/County Clerk and the State Clearinghouse within five (5) working days of the Town's final Project approval.

PASSED, APPROVED AND ADOPTED this 17th day of May 2017.

SHIELDS RICHARDSON, MAYOR

ATTEST:

JAMIE GRAY, TOWN CLERK

APPROVED AS TO FORM:

ANDREW MORRIS, TOWN ATTORNEY

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

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

In compliance with Public Resources Code Section 21081.6, Table 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
Aesthetics/Light and Glare								
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. 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~~ 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			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
Biological Resources								
BIO-1	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: • 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. • 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. • 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	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			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	avoid or minimize adverse impacts of excessive water to native trees.							
BIO-2	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 survey~~action~~ 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, including those on the ground, would occur during site disturbance activities. 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	Public Works Director/ Construction Contractor/ Professional Biologist	Prior to and During Construction	Community and Economic Development Department Planning Manager	Prior to and During Construction			

Mitigation Number	Mitigation Measure	Implementation Responsibility	Timing	Monitoring Responsibility	Timing	VERIFICATION OF COMPLIANCE		
						Initials	Date	Remarks
	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.							
Cultural Resources								
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 *Phase II Cultural Resources Report*, prepared by Rincon Consultants, Inc., dated September 28, 2016.							
Traffic and Circulation								
TRA-1	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: • Traffic control for any street closure, detour, or other disruption to traffic circulation. • 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. • Identify any off-site construction staging or material storage sites. • Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets. • 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	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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	which may have been spilled, tracked, or blown onto adjacent streets or areas. • The scheduling of hauling or transport of oversize loads shall avoid peak hour traffic periods to the maximum extent feasible, unless approved otherwise by the Town Engineer. No hauling or transport shall be allowed during nighttime hours or Federal holidays. All hauling and transport activities shall comply with Municipal Code Chapter 8.16, *Noise Regulation*. • Haul trucks entering or exiting public streets shall at all times yield to public traffic. • 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. • All constructed-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur on-site. • 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.							
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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Air Quality								
AQ-1	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: • All active portions of the construction site shall be watered to prevent excessive amounts of dust; • On-site vehicles' speed shall be limited to 15 miles per hour (mph); • All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized; • 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; • 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	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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	• All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.							
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			
Noise								
NOI-1	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: • All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State required noise attenuation devices. • 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	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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	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. • When feasible, construction haul routes shall be designed to avoid noise sensitive uses (e.g., residences, schools, hospitals, etc.). • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers. • 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).							
NOI-2	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.	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	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: • 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. • 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. • 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.	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			
Hydrology and Water Quality								
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			

STATE OF CALIFORNIA)
COUNTY OF MONO) ss.
TOWN OF MAMMOTH LAKES)

I, JAMIE GRAY, Town Clerk of the Town of Mammoth Lakes, DO HEREBY CERTIFY under penalty of perjury that the foregoing is a true and correct copy of Resolution No. 17-38 adopted by the Town Council of the Town of Mammoth Lakes, California, at a meeting thereof held on the 17th day of May, 2017, by the following vote:

AYES:	Councilmembers Fernie, Sauser, and Mayor Pro Tem Wentworth
NOES:	Councilmember Hoff and Mayor Richardson
ABSENT:	None
ABSTAIN:	None
DISQUALIFICATION:	None

JAMIE GRAY, Town Clerk