



Draft  
CEQA CONFORMANCE REVIEW

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**Vista Pointe**

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## 1.0 INTRODUCTION

The Community Development Department of the Town of Mammoth Lakes (Town) has prepared this environmental documentation to address the environmental impacts of a use permit for a specific development project described as Vista Pointe: Use Permit (UPA) 09-001 and Vesting Tentative Tract Map (TTM) 09-001. The application request is for a 28-unit, 101-room resort lodge facility with associated owner/guest related amenities including common area, underground parking facilities, owner's lounge, a rooftop pool and terrace, locker rooms, and a pedestrian plaza. The project will be accessed from Forest Trail and will be 100% valet parked; pedestrian access will be encouraged and a pedestrian connection to the Village and gondola will be emphasized. Following preliminary review of the proposed Vista Pointe project, the Town of Mammoth Lakes has determined that it is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). This study analyzes the potential environmental impacts of the proposed Vista Pointe project and its consistency with the existing 1999 North Village Specific Plan EIR, a program EIR covering future development within the North Village Specific Plan area, including the Vista Pointe site.

### 1.1 PRIOR ENVIRONMENTAL DOCUMENTATION

The proposed project is located within the area covered by the North Village Specific Plan (NVSP). The NVSP was originally adopted in 1991 and amended in 1994. The NVSP was further amended by the 1999 North Village Specific Plan Amendment and again in 2008 and 2009.

Prior to approval of the 1999 North Village Specific Plan Amendment, the Town prepared and the Town Council reviewed and certified, pursuant to CEQA, the Subsequent Program Environmental Impact Report for the North Village Specific Plan Amendment (Program EIR), identified as State Clearinghouse No. 99-092082. The Program EIR reviews and updates the EIR certified for the original Specific Plan in 1991 (1991 EIR) and an addendum to the 1991 EIR (1994 EIR Addendum) certified in connection with the 1994 amendment to the NVSP. The 2008 Specific Plan Amendments were determined to be within the scope of prior environmental documents, and no further CEQA analysis was necessary. The 2009 Specific Plan amendment, which related to three parcels within the NVSP, was addressed in a separate environmental document, the Mammoth Crossing EIR.

The NVSP and the Program EIR cover an area (Specific Plan area) consisting of approximately 64.1 acres, located in the northwestern portion of the Town in the vicinity of the intersection of Main Street/Lake Mary Road and Minaret Road.

### 1.2 USE OF PROGRAM EIR

Section 15168(c) of the CEQA Guidelines describes the use of a Program EIR for specific subsequent activities included in the program, as follows:

*“Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.”*



- (1) *If a later activity would have effects that were not examined in the program EIR, a new initial study would need to be prepared leading to either an EIR or a negative declaration.*
- (2) *If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.*
- (3) *An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.*
- (4) *Where the subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.*
- (5) *A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, many subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required."*

The Program EIR assessed the overall impacts of the development permitted under the North Village Specific Plan, as amended in 1999. The Program EIR, together with the 1991 EIR and the 1994 EIR Addendum, are incorporated herein by this reference, as permitted under the CEQA Guidelines. This document has been prepared to show that no new impacts could occur or no new mitigation measures would be required as a result of the proposed Vista Pointe development, and to incorporate appropriate mitigation measures from the Program EIR.

### **1.3 INCORPORATION BY REFERENCE**

The references outlined below were utilized during preparation of this document. The documents are available for review at the Town of Mammoth Lakes Community Development Department, located at 437 Old Mammoth Road, Mammoth Lakes, California 93546.

- *Town of Mammoth Lakes Municipal Code (Municipal Code)*. The *Municipal Code* consists of regulatory, penal, and administrative ordinances of the Town of Mammoth Lakes. It is the method the Town uses to implement control of land uses, in accordance with *General Plan* goals and policies. The Town of Mammoth Lakes Zoning Ordinance, Title 17, of the *Municipal Code*, identifies land uses permitted and prohibited according to the zoning category of particular parcels. The Buildings and Construction Ordinance, Title 15, specifies rules and regulations for construction, alteration, and building for uses of human habitation. Subdivisions are regulated under separate ordinances not contained within the *Municipal Code*.



- 1991 North Village Specific Plan (June 1991). The 64-acre North Village Specific Plan Area is located in the northwest portion of the Town. The objectives of the 1991 North Village Specific Plan were to provide a more refined description of land uses and development policies, which, while conforming to the overall development goals, establish North Village as a center of year-round resort activity. The 1991 North Village Specific Plan included improvements to infrastructure, particularly roads that would not only be helpful in accommodating new development, but would also improve existing conditions. The development was intended to create an active resort core, which would add to the economic vitality and social richness of the community. It also aimed to add a shopping, recreational, and accommodations experience not present in Mammoth Lakes while reducing the pressures for sprawl onto adjoining National Forest lands. Although primarily oriented toward visitors, the 1991 North Village Specific Plan included provisions for the development of permanent resident and employee housing as well as significant new employment opportunities.
- 1991 North Village Specific Plan Final Environmental Impact Report, Comments and Responses, Appendices (February 1991). This EIR addresses the 1991 Specific Plan in the North Village. Under ultimate build-out, the Specific Plan would allow for 2,000 new hotel units, 400 resort condominium units, 60,000 square feet of commercial/retail space, a skating rink, and ski lift. Approximately 34-acres (53 percent) of the Specific Plan had already been substantially developed. Planned land uses within the project area varied and include hotels, restaurants, visitor-oriented and general commercial operations, professional medical offices, condominiums, single-family homes and community facilities. The final EIR includes responses to 19 comments received on the Draft EIR. The Town of Mammoth Lakes certified the Final EIR on April 17, 1991. The EIR concluded unavoidable adverse impacts for land use (as it relates to visual impacts), schools and fiscal impacts related to public services and utilities. Potentially significant impacts were identified for traffic while significant impacts (after mitigation) were concluded for aesthetics associated with the proposed gondola.
- 1994 North Village Specific Plan Amendment (May 1994). The 1994 Amendment further refined the design of the North Village Pedestrian Core area and to realign Canyon Boulevard to meet with Millers Siding/Lake Mary Road as a Collector Street. The design refinement did not alter the concept of the North Village Specific Plan approved in 1991.
- North Village Specific Plan Final Environmental Impact Report Addendum (May 1994). The Addendum EIR focuses upon limited design modifications, which required additional review to confirm the validity of the original study. The Addendum contains a detailed and comprehensive review of the changes and resulting impacts. It was concluded that the proposed changes do not cause any new significant impacts that would require major revisions to the 1991 EIR.
- 1999 North Village Specific Plan Amendment (Adopted December 2000). The 1999 Amendment further refined circulation modifications, parking allocation, height limitations, setback requirements, the design review process, and provisions for housing.



- Subsequent Program Environmental Impact Report for the North Village 1999 Specific Plan Amendment (October 2000). Prior to approval of the 1999 North Village Specific Plan (NVSP) Amendment, the Town prepared and the Town Council reviewed and certified, pursuant to CEQA, the *Subsequent Program Environmental Impact Report for the North Village Specific Plan Amendment* (1999 NVSP EIR), identified as State Clearinghouse No. 99-092082. The 1999 NVSP EIR reviewed and updated the Environmental Impact Report certified for the original Specific Plan in 1991 ("1991 EIR") and an Addendum to the 1991 EIR ("1994 EIR Addendum") certified in connection with the 1994 NVSP Amendment.

Based upon the 1994 NVSP, North Village buildout would result in approximately 3,020 accommodation rooms, in addition to affordable housing, and 135,000 square feet of commercial uses. Three land use districts were established with the highest intensity district permitting a maximum of 48 rooms per acre, with an overall project density of approximately 54 rooms per acre. The design emphasized the creation of diverse shopping, accommodation, recreational, residential and cultural opportunities which appeal to all ages and family interests. The 1999 NVSP EIR concluded that although in 1999, the NVSP was amended, it remained consistent with the 1994 NVSP. Key changes associated with the 1999 NVSP Amendment include circulation modifications, parking allocation, height limitations, setback requirements, the design review process, and housing.

- Town of Mammoth Lakes General Plan 2007. The Town of Mammoth Lakes General Plan was adopted in August 2007. The Plan establishes standards, guidelines, and priorities that define the community now and for the future. The Plan identifies numerous goals, policies, and actions to be followed in order to achieve the character desired for Mammoth Lakes. The *2007 General Plan* is divided into the following elements:
  - Economy;
  - Arts, Culture, Heritage & Natural History;
  - Community Design;
  - Neighborhood and District Character;
  - Land Use;
  - Mobility;
  - Parks, Open Space, and Recreation;
  - Resource Management and Conservation; and
  - Public Health and Safety.

The goals and policies of the *2007 General Plan* set the overall tone for development and land use in Mammoth Lakes.

- Town of Mammoth Lakes Final Program Environmental Impact Report on the General Plan (2007). The 2007 General Plan Final Program EIR analyzes the land use, circulation, and policy impacts with buildout of the 2007 General Plan. Potentially significant impacts were identified in a number of areas, including significant and unavoidable cumulative impacts to aesthetics, air quality, biological resources, wildland fire hazards, noise, and recreation.



- 2008 North Village Specific Plan Amendment (Amended January 2008). This amendment made changes to the development standards for three parcels located to the northeast of the intersection of Minaret Road and Main Street.
- 2009 North Village Specific Plan Amendment (Amended October 2009). This amendment made changes to the development standards for three parcels located to the northwest, southwest, and southeast corners of the intersection of Minaret Road and Main Street.
- Mammoth Crossing Environmental Impact Report (September 2009). The Mammoth Crossing EIR focuses on the site-specific and cumulative impacts of revised development standards on the three Mammoth Crossing sites, including increased height and density beyond that identified in the 1999 NVSP and subsequent amendments. The EIR concluded that the amendments would result in unavoidable site-specific visual impacts based on views and short-term construction, construction noise, and construction air quality. Other impacts were identified but were found to be able to be mitigated to a less than significant impact.



## **2.0 PROJECT DESCRIPTION**

### **2.1 PROJECT LOCATION AND EXISTING CONDITIONS**

The subject property is located at the southeast corner of Berner Street and Forest Trail; refer to Exhibit 1, Site Context Map. It is located within the North Village Specific Plan (NVSP) area and is zoned Specialty Lodging (SL). The property is bounded by Forest Trail to the north, Berner Street to the west and south, and two SL-zoned parcels within the NVSP area that house the existing Innsbruck Lodge and the currently vacant Kitzbuhel Apartments. To the north of the site across Forest Trail is the Town-owned Community Center property, which includes the former Town library, the Community Center, and a small park and tennis courts. The former library building is currently vacant but a preschool is due to open in the building in fall 2009. The currently entitled South Hotel parcels lie to the west of the site across Berner Street. To the south of the site across Berner Street are several SL-zoned parcels that are either vacant or contain small single-family homes.

The property itself is approximately 2.1 acres in size. There are four industrial style buildings on the southern side of the site, whose major tenants include the Mammoth Brewing Company and a Taekwondo studio. The site also contains a 4-bedroom single family home that is accessed off of Forest Trail. The developed portions of the site are generally to the west and south of the site in somewhat of an "L" shape. These areas constitute about 38% of the site, and are generally flat. The north and east parts of the site are undeveloped and include a significant number of existing trees. In addition to being forested, the northern portion of the site is sloped; there is a 40-foot drop in elevation from Forest Trail to Berner Street along the eastern edge of the property.

### **2.2 PROJECT CHARACTERISTICS**

The application request is for a use permit and vesting tentative tract map for a 28-unit resort lodge facility that would contain 101 rooms with associated owner/guest related amenities including common area, underground parking facilities, owner's lounge, a rooftop pool and terrace, locker rooms, and a pedestrian plaza; refer to Exhibit 2, Conceptual Site Layout. The project would be accessed from Forest Trail and would be 100% valet parked; pedestrian access would be encouraged and a pedestrian connection to the Village and gondola would be provided. The building would be LEED certified and is designed to take advantage of solar access and the existing trees on-site.

### **2.3 BACKGROUND**

The project site is within the North Village Specific Plan, which was originally approved by the Town of Mammoth Lakes in 1991. The primary purpose of the NVSP is to provide land use guidelines and development standards for the North Village area, which enables the development of a pedestrian-oriented resort activity node, with supporting facilities. The NVSP is located in the northwest portion of the Town of Mammoth Lakes and consists of approximately 64 acres. More specifically, the NVSP is located adjacent to Main Street, Lake Mary Road and Minaret Road.





The NVSP identifies the subject property as having a Specialty Lodging zoning designation. The SL zone is intended to accommodate uses such as lodges, bed and breakfast establishments, resort condominiums, European-style inns, and other similar uses. The proposed project is consistent for the vision within the SL zone; it is also consistent with the zoning standards for density, height, setbacks, and other relevant requirements outlined in the NVSP.

Prior to approval of the 1999 NVSP Amendment, the Town prepared and the Town Council reviewed and certified, pursuant to CEQA, the *Subsequent Program Environmental Impact Report for the North Village Specific Plan Amendment* (1999 NVSP EIR), identified as State Clearinghouse No. 99-092082. The 1999 NVSP EIR reviewed and updated the CEQA clearance for the original Specific Plan in 1991 ("1991 EIR") and an Addendum to the 1991 EIR ("1994 EIR Addendum") for the 1999 NVSP Amendment. The project would be consistent with the land use and density assumptions for the property as analyzed in these prior environmental documents, and in the recent Mammoth Crossing EIR.

## **2.4 AGREEMENTS, PERMITS, AND APPROVALS**

The Town of Mammoth Lakes approvals required for development of the Vista Pointe project would include, but would not be limited to:

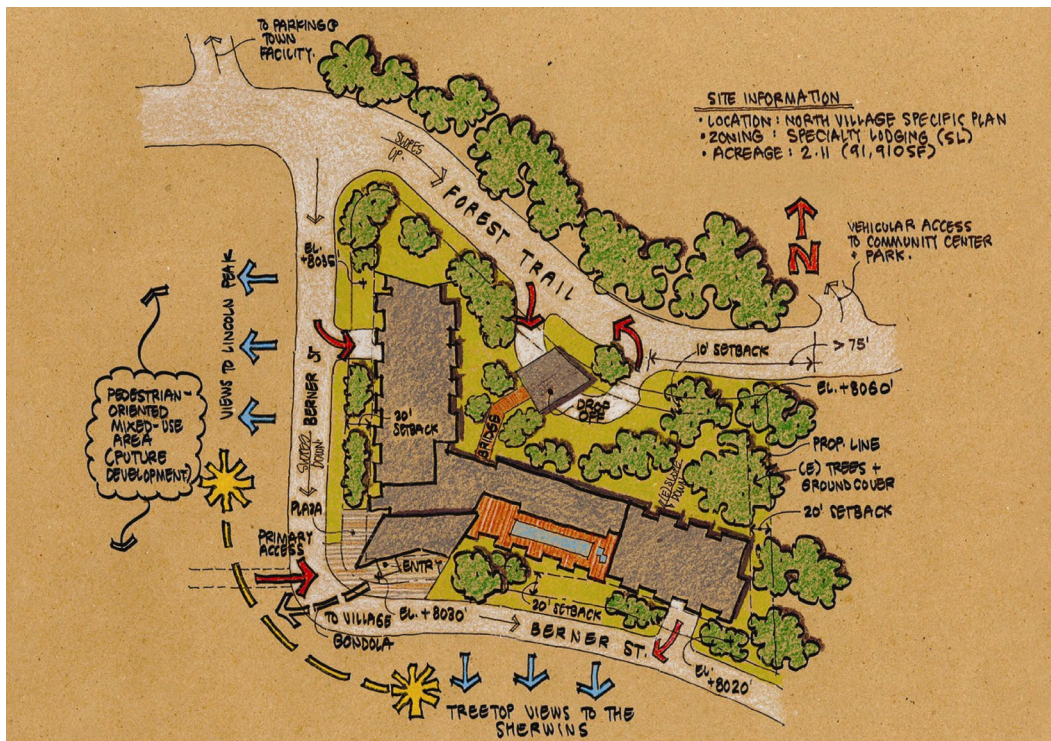
- CEQA clearance;
- Use permit;
- Design review;
- Tentative tract map;
- Grading permit; and
- Building permit.



Exhibit 1: Site Context Map



Exhibit 2: Conceptual Site Layout





## 3.0 ENVIRONMENTAL ANALYSIS

The following is a discussion of potential project impacts for each relevant topic area addressed in the Program EIR.

### 3.1 AESTHETICS

Section 5.3 of the Program EIR evaluates the potential impacts to visual character, scenic vistas and resources, and light and glare impacts. The Program EIR finds that with mitigation the potential impacts to scenic vistas, scenic resources, visual character, and light and glare have been reduced to a less than significant level. The proposed Vista Pointe project is within the building envelope considered for this site by the Program EIR, and therefore the impacts of the project, as conditioned by UPA 09-001, on aesthetics and light and glare were covered in the Program EIR analysis and do not exceed the effects evaluated in the Program EIR. A number of mitigation measures from the Program EIR will be required for this project, and are discussed below in more detail.

The proposed building is not located within the vicinity of a state scenic highway. The Program EIR does not identify any designated scenic vistas within the Specific Plan area, but notes that motorists and pedestrians traveling within the North Village Specific Plan area south along Minaret Road have significant views of the Sherwin Range to the south. Since this project is located over 300 feet east of Minaret Road it would not block or adversely impact any existing views to the Sherwin Range. Furthermore, there are no existing views from Forest Trail to the Sherwin Range that would be blocked but a future building on this site.

The proposed building will change, and could potentially degrade, the existing visual character or quality of the site. A portion of the site is currently disturbed and contains several one-story, industrial-style buildings. While the new building is proposed to utilize the already disturbed portion of the site for the majority of its footprint, some trees will need to be removed, and the character of the site will change with a large, single building in place of the smaller existing buildings. The architecture and other design features proposed as part of the project have been reviewed by the Town's Advisory Design Panel (ADP) to ensure that they provide an attractive and harmonious visual appearance with other properties in the North Village and the Town. The new building will include new light sources, both light emanating from building interiors that pass through windows and light from exterior sources. This will likely create a new source of light and glare that could potentially impact day or nighttime views in the area. The following mitigation measures from the Program EIR will mitigate any potential impacts to visual character and light and glare to a less than significant level.

#### ***Mitigation Measures:***

- AES-1: To the maximum extent practical, the proposed project shall retain forested areas, and the development shall remain subordinate to the natural character of the site and surrounding landscape.
- AES-2: Prior to final approval of project development plans, the applicant shall submit a tree preservation and replacement plan pursuant to the Municipal Code,



Zoning, requirements related to grading and clearing. The Preservation and Replacement Plan, including the type, size, number and location of replacement trees shall be subject to the approval of the Town of Mammoth Lakes Community Development Director.

- AES-3: Contour grading shall be used to blend manufactured slopes into the natural terrain. Grading shall be minimized to preserve existing landform and vegetation to the greatest extent possible.
- AES-4: The landscape design for the site shall maximize the use of existing vegetation, and where new plants are introduced, they shall include, and/or blend with, plants native to the Mammoth Lakes environment. Landscape plans for the site shall be completed by a certified landscape architect.
- AES-5: To the maximum extent feasible practical, native trees and landscaping shall be concentrated around all structures located on the project site.
- AES-6: Grading techniques shall be used which minimize the area of disturbance and shall incorporate such methods as decorative retaining walls rather than slopes to minimize the area of disturbance.
- AES-7: Staging locations shall be indicated on project Building Permit and Grading Plans and shall be subject to review by the Town of Mammoth Lakes Community Development Director in accordance with Municipal Code requirements.
- AES-8: Low-intensity street lighting and low-intensity exterior lighting shall be used throughout the development to the degree feasible. Lighting fixtures shall use shielding, if necessary, to prevent spill lighting on adjacent off-site uses.
- AES-9: Lighting used for various components of the development plan be reviewed under North Village Specific Plan design guidelines which shall include review of light intensity levels, fixture height, fixture location, and design.
- AES-10: The project shall use minimally reflective glass and all other materials used on exterior buildings and structures shall be selected with attention to minimizing reflective glare.
- AES-11: Vegetative buffers shall be used to reduce light intrusion on residential development and on forested areas located adjacent to the project site.

### **3.2 AGRICULTURAL RESOURCES**

The Program EIR does not identify any significant impacts to agricultural resources since there is no evidence that the site has been used for agricultural production nor are there any agricultural operations within the vicinity. Therefore, project implementation would have no impact to agricultural resources. No mitigation measures are required.

### **3.3 AIR QUALITY**



Section 5.5 of the Program EIR evaluates the impacts of implementation of the Specific Plan on air quality. The Program EIR determined that, on a cumulative level, the North Village project would contribute to a current violation of the state and federal PM<sub>10</sub> standards and that this contribution would be significant and unavoidable. Since the Vista Pointe project is within the scope of development that was intended for this site, the impacts of the project were covered in the Program EIR and project implementation would not increase the impacts beyond those anticipated. Implementation of the project would contribute to the cumulative air quality impacts on some level.

Construction has the potential to create short-term air quality impacts with the use of construction equipment and through vehicle trips generated from construction workers traveling to and from the project site especially since the project proposes to excavate soil in order to develop a subterranean parking structure. Construction and operation of the project would result in an increase in air emissions, such as those associated with construction equipment and vehicle trips, as compared to existing conditions. These impacts would be less than significant with mitigation incorporated. Construction activity 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. With compliance to the Mitigation Measure AQ-1 for construction activities, the proposed project is not anticipated to result in significant short-term construction impacts.

Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. There is a new preschool located across the street from the project site; however, the risk of exposure of objectionable odors or pollutants to sensitive receptors or a substantial number of people is less than significant with mitigation.

***Mitigation Measures:***

- AQ-1: In order to reduce fugitive dust emissions, each development project shall obtain permits, as needed, from the Town and the State Air Pollution Control District (APCD) and shall implement measures during grading and/or construction of the individual development sites to ensure compliance with permit conditions and applicable Town and APCD requirements.
- a. The individual development projects shall comply with State, APCD, Town, and Uniform Building Code dust control regulations, so as to prevent the soil from being eroded by wind, creating dust, or blowing onto a public road or roads or other public or private property.
  - b. Adequate watering techniques shall be employed on a daily basis to partially mitigate the impact of construction-generated dust particulates.
  - c. Clean-up on construction-related dirt on approach routes to individual development sites/improvements shall be ensured by the application of water and/or chemical dust retardants that solidify loose soils. These measures shall be implemented for construction vehicle access, as directed by the Town Engineer. Measures shall also include covering,



watering or otherwise stabilizing all inactive soil piles (left more than 10 days) and inactive graded areas (left more than 10 days).

- d. Any vegetative ground cover to be utilized on the individual development sites/improvements shall be planted as soon as possible to reduce the amount of open space subject to wind erosion. Irrigation shall be installed as soon as possible to maintain the ground cover.
- e. All trucks hauling dirt, soil or other loose dirt material shall be covered.

AQ-2: To reduce the potential of spot violations of the CO standards and odors from construction equipment exhaust, unnecessary idling of construction equipment shall be avoided.

AQ-3: In order to reduce emissions associated with both mobile and stationary sources (i.e., wood burning stoves and fireplaces), the project shall adhere to the regulations contained in the *Air Quality Management Plan for the Town of Mammoth Lakes* and Chapter 8.30, *Particulate Emission Regulations*, of the Town's Municipal Code.

AQ-4: The project shall contribute on a fair share basis to the Town's street sweeping operations in order to reduce emissions and achieve the required Federal standard.

AQ-5: The project shall not be permitted to utilize wood burning appliances unless the Federal standard is documented to not be exceeded.

### **3.4 BIOLOGICAL RESOURCES**

Section 5.9 of the Program EIR evaluates the impacts of implementation of the Specific Plan on Biological Resources. The Program EIR concludes that no unavoidable significant impacts beyond those previously identified in the 1991 EIR and the 1994 EIR Addendum and the Town's General Plan EIR will occur. The proposed project is consistent with all of the standards of the North Village Specific Plan, and therefore, the impacts of the project on biological resources were covered in the Program EIR analysis and do not exceed the effects evaluated in the Program EIR. Applicable mitigation measures from the Program EIR will also be applied to the Vista Pointe project.

The site does not contain any wetlands or riparian habitat, so there are no potential impacts in those areas. Additionally, there are no local or other conservation plans in place for this area. A portion of the project site is currently disturbed with existing paving and several industrial-style buildings. However, the upper portion of the site contains some significant stands of trees. The Program EIR does not identify any plant or animal species of concern as occurring on this site, nor does it identify this site as part of a migration route for deer or any other animals. Therefore, the potential impacts to habitat and migration routes for any plant or animal species is less than significant and does not require mitigation.

As previously mentioned, this site contains several stands of existing trees; approximately 72 trees are proposed to be removed while at least 130 trees will remain. The forested character of the site is small and fragmented, compared to nearby large



forested areas. This site is not high quality habitat and was not identified in the Program EIR as an important habitat area; however, the forested portion of the site could potentially be used by nesting birds and other small animals so there is a potential impact to those species. The North Village Specific Plan requires unique natural features, such as rock outcroppings or large trees to be protected to the greatest extent possible. It further requires that all trees greater than 12 inches diameter breast height (dbh) that are required to be removed be replaced on a on-to-one basis. These measures should reduce any potential impacts, however, to ensure that all potential impacts have been reduced to a less than significant level, the following mitigation measures have been carried over from the Program EIR.

**Mitigation Measures:**

- BIO-1: The project shall preserve existing native vegetation to the maximum extent feasible. Landscaping shall emphasize the use of native plants indigenous to the Jeffrey Pine-Fir Forest plant community. Whenever possible, native plants used on-site shall be selected for their replacement habitat value. Site designs shall be subject to the Design Review procedure of the Town.
- BIO-2: Landscape materials shall be used that allow for the protection and preservation of existing trees. Native plant species, preferably from seed or cuttings from local plants, shall be used where possible. The Landscape Plan shall be approved by the Planning Director prior to issuance of any construction permits.
- BIO-3: Irrigation, fertilization and other landscape management practices shall be designed to minimize effects on existing trees and other vegetation.
- BIO-4: To the extent possible, native vegetation shall be retained and protected during construction. A Revegetation Plan, prepared by a qualified Landscape Architect and approved by the Town of Mammoth Lakes, shall be completed prior to the commencement of the project, which will describe in detail the species of trees and shrubs that will be used, where they will be planted and in what numbers, and the methods of planting and maintenance, which will ensure successful growth. It shall include a monitoring program to follow the progress of new plantings and ensure replacement of unsuccessful plants. Landscaping with native species of trees and shrubs shall be undertaken to enhance wildlife use of cleared areas.
- BIO-5: Under AB3180, once mitigation plans designed to off-set habitat losses are approved and the specific areas where they will be located are identified, the proponent must provide a program to monitor their progress for a period of time (usually three to five years) deemed sufficient by the Planning Director to assure their successful development. Adequate security shall be deposited with the Town to ensure successful implementation of this measure.
- BIO-6: All construction activities, including movement and storage of vehicles and the storage of building and other materials, shall be confined to areas slated for development. Care shall be taken during construction to avoid damage to vegetation and habitats not directly involved in project construction. Any vegetation inadvertently damaged outside of the area slated for development



shall be replaced on a one-to-one basis on- or off-site. Off-site replacement shall require the approval of the Town Planning Director.

- BIO-7: To prevent erosion and siltation into intermittent creeks, areas cleared of vegetation, fill or other materials shall be stabilized after clearing and grading. Hay bales, silt screens or similar devices shall be used to prevent siltation. To further protect the drainage system and prevent erosion, all grading and construction shall be completed during the summer months, or after October 15 of each year be in a condition to be stabilized within 48 hours should inclement weather threaten.
- BIO-8: A Forest Condition Survey shall be conducted by a professional forester and approved by the Town of Mammoth Lakes, prior to the commencement of each individual development project. All trees greater than 12-inches dbh and significant stands of each project site shall be mapped prior to issuance of grading permits or clearing. A registered forester or arborist shall then determine the age and condition of these trees and whether they should be retained or removed based upon health and visual significance of the trees, except for removal required by approved improvements. Once this determination is made, those trees shall be retained and integrated into the design of each project. A program of specific protection measures shall be prepared by the developer and approved by the Town prior to issuance of any construction permits (e.g., construction fencing, grading controls, grading design, etc.). Any trees removed unavoidable by each final project approval shall be in accordance with Town policies. Off-site replacement shall require approval by the Town's Planning Director.
- BIO-9: Slash generated from construction or thinning operations shall be hauled from the site concurrent with the operation to prevent a breeding site for IPS. Logs shall be removed from the site as soon as possible.
- BIO-10: Construction and site development, such as grading and trenching, shall be prohibited within the dripline of retained trees. Equipment shall not be stored or driven under trees. Grading shall not cover the ground surface within the dripline of existing trees. Grading limits shall be clearly defined and protected.

### **3.5 CULTURAL RESOURCES**

Section 5.11 of the Program EIR evaluates the impacts of implementation of the Specific Plan on Cultural Resources. According to the Program EIR, the site survey of archaeological resources located and recorded four isolates and two sites (Village Site #1 and Village Site #2) within the North Village Specific Plan area. Of the four isolates, only six obsidian flakes and an obsidian core fragment were found. At the two sites, 1,100 obsidian flakes and flake fragments were found. Village Site #1 has the potential to be considered a historical resource, pursuant to CEQA criteria. The proposed project site involves a partially developed lot located at the southeast corner of Forest Trail and Berner Street. The site, which is located across Forest Trail adjacent to Village Site #1 and Isolate #2, has not been identified as having any known artifacts. Therefore, project implementation would not cause a substantial adverse change in the significance of a historical or archaeological resource.





Nonetheless, ground disturbing activities, such as grading or excavation, could disturb previously unidentified subsurface archaeological or paleontological resources. Compliance with the recommended mitigation, which provides instructions in the event a material of potential cultural significance is uncovered, would reduce any potential impacts to less than significant levels.

***Mitigation Measures:***

CUL-1: In the event that a material of potential cultural significance is uncovered during grading activities on the project site, all grading in the area of the uncovered material shall cease and the project applicant shall retain a professional archaeologist to evaluate the quality and significance of the material. Grading shall not continue in the area where a material of potential cultural significance is uncovered until resources have been completely removed by the archaeologist and recorded as appropriate.

### **3.6 GEOLOGY AND SOILS**

Section 5.7 of the Program EIR evaluates impacts of implementation of the Specific Plan on Geology, Soils, and Seismicity. The Program EIR concludes that no unavoidable significant impacts beyond those previously identified in the 1991 EIR, and the 1994 EIR Addendum will occur. Since the proposed project is within the scope of development that was anticipated for this site by the Program EIR, the impacts of the Vista Pointe project have been covered by the Program EIR and development of this project will not increase the impacts beyond those already anticipated.

As explained in the Program EIR, individual projects will be subject to review and approval by the Town Engineer on a project-by-project basis and conditions may be imposed as a result of site-specific studies in compliance with applicable Town, state, and federal codes. A preliminary Geotechnical Investigation was prepared for the proposed project by Sierra Geotechnical Services, Inc. on February 16, 2006. The report concludes that construction of the proposed project is feasible from a geotechnical standpoint provided that a number of recommendations are incorporated into the design and construction. All of the recommendations have been included as conditions of approval for the project. In addition to those recommendations, the following mitigation measures have been carried over from the Program EIR and will help to reduce any potential impacts to a less than significant level.

***Mitigation Measures:***

GEO-1: Prior to issuance of grading or building permits, geotechnical studies shall be completed and their recommendations shall be incorporated in the project design.

GEO-2: Soils and foundation analyses shall be approved by Town staff prior to final project design approval. All measures required by the Town shall be incorporated into final grading and building plans.

GEO-3: The project applicant shall provide grading plans and receive approval from the Town Engineer. Said plans shall also show that new slopes within the



project area are designed pursuant to slope requirements set forth within the Specific Plan and the standard's of the Town's Municipal Code.

- GEO-4: All work shall be overseen by a licensed Civil Engineer (CE), Certified Engineering Geologist (CEG), or similar appropriately qualified professional, who shall report to the Town Engineer in order to ensure the standards of the applicable codes are met.
- GEO-5: A comprehensive Erosion and Sediment Transport Control Plan shall be prepared by the project applicant and approved by the Town Engineer prior to the issuance of any grading or building permits. The Plan shall be included in the project design. The Plan shall also meet the requirements of the Regional Water Quality Control Board and the Town Municipal Code.
- GEO-6: The project operator shall cooperate with the Town in designing and disseminating information to assist citizens and visitors in responding to emergency situations that are likely to arise. All structures shall be designed and built to at least the standards of UBC Seismic Zone 4.

### **3.7 HAZARDS AND HAZARDOUS MATERIALS**

The Program EIR does not identify any significant impacts related to hazards or hazardous materials. Since the proposed Vista Pointe project is consistent with the use and building envelope considered for this site by the Program EIR, no new impacts would result from implementation of this project. The proposed use, a fractional condominium project, would not be engaged in the production or disposal of hazardous materials nor is it anticipated that the use would result in the creation of health hazards to the public or residents of the project. The site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, nor is it located within one-quarter mile of a school or within two miles of a public or private airport or airstrip.

The project is required to comply with applicable Mammoth Lakes Fire Protection District codes for emergency vehicle access. In addition, the project would not impede emergency access for adjacent or surrounding properties during construction or operation, since construction activities would be contained on site. Therefore, project implementation would not interfere with the adopted emergency response plan or result in inadequate emergency access and a less than significant impact would occur in this regard.

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 a 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 and adopted as the Town Fire Code. Further, the project design and construction would be reviewed by the Mammoth Lakes Fire Protection District, in conjunction with the application for a use permit, in order to ensure that Fire Code regulations are met. Project implementation would result in a less than significant impact regarding the exposure of people or structures to a significant risk involving wildland fires, following compliance with Fire Code and Fire Protection District requirements.



### 3.8 HYDROLOGY AND WATER QUALITY

Section 5.8 of the Program EIR evaluates impacts of implementation of the Specific Plan on Hydrology and Drainage. The Program EIR concludes that no unavoidable significant impacts beyond those previously identified in the 1991 EIR and the 1994 EIR Addendum will occur. Since the proposed project is within the scope of development that was anticipated for this site by the Program EIR, the impacts of the Vista Pointe project have been covered by the Program EIR and development of this project will not increase the impacts beyond those already anticipated.

A Preliminary Drainage Study was prepared for the proposed project by Triad/Holmes Associates in April 2009. The report concludes that drainage facilities as preliminarily proposed would be adequate to handle the required flows and that since the use is consistent with that envisioned by the Town of Mammoth Lakes 2005 Storm Drain Master Plan Update (SDMP), downstream facilities should be adequate. Although no significant impacts have been identified, the following mitigation measures have been carried over from the Program EIR and to help further reduce any potential impacts.

#### ***Mitigation Measures:***

- HYD-1: All drainage collection, retention, and infiltration facilities on the site shall be constructed and maintained in accordance with the *Mammoth Lakes SDMP* and shall be designed in accordance with the *Master Plan Design Manual*, to the satisfaction of the Town of Mammoth Lakes Town Engineer, prior to the issuance of grading permits.
- HYD-2: A more complete hydrology analysis for design purposes shall be required to be completed to estimate the amounts of runoff, which will be required to be retained on-site for each development. The analysis shall be approved prior to issuance of a grading permit.
- HYD-3: The following water conservation procedures shall be incorporated into project elements where feasible: landscape with low water-using plants; install efficient irrigation systems that minimize runoff and evaporation and maximize the water that will reach the plant roots, such as drip irrigation, soil moisture sensors, and automatic irrigation systems; and use pervious paving material whenever feasible.
- HYD-4: An Erosion and Sediment Control Plan shall be prepared by the project proponents prior to issuance of grading permits. The Plan shall be reviewed and approved by the Town of Mammoth Lakes and the Lahontan Regional Water Quality Control Board and be in accordance with the erosion control guidelines as contained in the Mammoth Lakes SDMP and be in compliance with the Water Quality Control Plan (for the Lahontan Region [Basin Plan]). General grading activities, including those related to demolition and construction, would be regulated by the Uniform Building Code and Town of Mammoth Lakes Grading Ordinance. The required Erosion and Sediment Control Plan shall outline methods that will be implemented to control erosion and sediment transport from graded or cleared portions of the individual redevelopment/ improvement sites.



- HYD-5: A Waste Discharge Report (related to soil disturbance) shall be prepared by the project applicant and submitted to the Lahontan Regional Water Quality Control Board not less than 90 days before the intended start of construction activities of a new development to obtain a Waste Discharge Permit or waiver to ensure that proper control measures for the protection of water quality are taken and adhered to during all phases of the development project. A copy of the Waste Discharge Report shall be submitted to the Town of Mammoth Lakes engineering division prior to issuance of a grading permit for the project.
- HYD-6: Best Management Practices (BMPs) shall be implemented to the satisfaction of the Lahontan Regional Water Quality Control Board and NPDES Program requirements in order to protect the receiving waters from degradation and correct existing problems. BMPs include structural controls such as retention/detention basins, oil-water separators, which could be implemented in the overall design of the proposed drainage facilities for individual development sites.

### **3.9 LAND USE AND PLANNING**

Section 5.1 of the Program EIR evaluates the impacts of implementation of the Specific Plan relating to Land Use and Relevant Planning. The Program EIR concludes that no unavoidable significant impacts beyond those previously identified in the 1991 EIR, and the 1994 EIR Addendum will occur. Since the proposed project is within the scope of development that was anticipated for this site by the Program EIR and is consistent with the uses envisioned for this site, the impacts of the Vista Pointe project have been covered by the Program EIR and development of this project will not increase the impacts beyond those already anticipated.

The project involves development of a fractional-use lodging product, consistent with the use, density, and building envelope specified for the site in the NVSP. The proposed project would redevelop an existing partially developed site, and would include roadway improvements and a new pedestrian connector that would help to integrate the site with the surrounding area. Therefore, the project would not physically divide an established community. Furthermore, the proposed project would be consistent with all of the zoning standards of the NVSP for this site, as well as being consistent with both the 1987 and 2007 General Plan and the Municipal Code.

### **3.10 MINERAL RESOURCES**

The Program EIR does not identify any significant impacts to mineral resources, specifically to mineral resources that would be of value to the region and the residents of the state or to locally important mineral resource recovery sites. Therefore, project implementation would have no impact to mineral resources. No mitigation measures are required.

### **3.11 NOISE**



Section 5.6 of the Program EIR evaluates the noise impacts resulting from implementation of the Specific Plan. The Program EIR determined that no unavoidable significant impacts beyond those previously identified in the 1991 EIR and the 1994 EIR Addendum would occur as a result of implementation of the Specific Plan. Since the proposed project is consistent with the use and density envisioned for this site by the NVSP, there are no new impacts that would result from project implementation.

Grading and construction may result in temporary noise impacts, including groundborne noise or vibrations, to nearby noise sensitive receptors. Long-term operations associated with the project, such as loading and unloading, operation of mechanical equipment such as air conditioning units, and guests arriving to and leaving the project, may result in the generation of on-site noise. Compliance with the following mitigation measures, which have been carried over from the Program EIR, will reduce any potential impacts to a less than significant level.

***Mitigation Measures:***

- N-1 Pursuant to Chapter 8.16.090 of the Town's Noise Ordinance, construction activities shall be limited to the hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday and prohibited on Sunday or holidays, or as otherwise permitted by Chapter 8.16.090.
- N-2 Construction equipment shall be muffled or controlled, if required, to meet Chapter 8.16 requirements for maximum noise generated by construction equipment. Contracts shall specify that engine-driven equipment be fitted with appropriate noise mufflers.
- N-3 The construction contractor shall provide temporary sound barriers around pile driving sites to the satisfaction of the Town Engineer should such activities take place in areas within 400 feet of existing residential units, if required to meet Chapter 8.16 requirements.
- N-4: The proposed project shall be located or architecturally designed to reduce the project noise impacts upon properties adjacent to each master planned area or project property line, such that the exterior noise levels will not exceed Town Noise Ordinance requirements for an urban and multiple family setting. Design features could include setbacks, berms, landscaping, and architectural features, adjacent to both arterial and interior streets.
- N-5: Multi-family buildings shall be located or architecturally designed so the interior noise level will not exceed 45 Ldn. As a minimum, multi-family housing shall comply with Title 24 of the California Code of Regulations.

### **3.12 POPULATION AND HOUSING**

Section 5.2 of the Program EIR evaluates the impacts of implementation of the Specific Plan relating to Population and Housing. The Program EIR found that with implementation of housing policies and programs described in the Specific Plan, there would be no significant impacts related to employment, population, and housing. The proposed Vista Pointe project is consistent with the density permitted for this site by the North Village Specific Plan. The proposed project will result in 101 new "rooms" within

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28 units, with a room defined in the North Village Specific Plan as equating to one hotel room or one bedroom, loft or sleeping area in residential uses.

The project would increase visitor population, which is a component of “People at One Time (PAOT),” however, the increase is consistent with the density, and therefore with the housing population growth envisioned in the NVSP and General Plan. The proposed project would generate a maximum of between 153 and 179 new PAOT. There are no new impacts beyond those already analyzed in the Program EIR. Pursuant to the Town’s Municipal Code, the project will mitigate the workforce housing requirement by the purchase, improvement, deed restriction, and sale and/or rental of existing market rate units; and/or the payment of in-lieu fees.

The site contains several industrial-commercial buildings as well as one single-family home. Since substantial numbers of housing units do not currently exist, substantial numbers of people and/or existing housing will not be displaced. No mitigation measures were required by the Program EIR for the North Village Specific Plan. Since no new impacts to population and housing have been identified, no mitigation measures are required.

### **3.13 PUBLIC SERVICES**

Section 5.10 of the Program EIR evaluates the impacts to public services including fire and police protection, schools, parks, and other public facilities. The Program EIR finds that with mitigation, the impacts will be reduced to a less than significant level. The proposed Vista Pointe project is consistent with the use and density permitted for this site by the North Village Specific Plan and would therefore not cause any new impacts to public services beyond those already identified by the Program EIR.

Since the project is within the density envisioned by the North Village Specific Plan, any potential impacts to fire and police protection services will be reduced to a less than significant level through the implementation of mitigation measures identified in the Program EIR. While the project could result in a slight increase in emergency calls, the project would not result in development that is unique in the area. Existing service ratios and response times would not be affected by the proposed project and new fire and/or police facilities would not be required. With payment of the development impact fees as permitted by Town code, project implementation would not significantly impact fire or police protection services.

Since the project would not generate new full-time residents, project implementation would not create a demand for new school facilities. Visitors to the project could potentially increase the use of and need for park facilities. As specified in the Program EIR, and permitted by Town Code, the project will be required to pay developer impact fees which would mitigate any potential impacts in this area.

Part of the project site is currently within the boundaries of the North Village Community Facilities District (NVCFD) and the North Village Benefit Assessment District (NVBAD). The boundaries of these special districts will be adjusted to include the entire project site when the parcels merge. The applicant will pay into these districts, which will cover snow removal and road maintenance as well as other items including landscaping, street lighting, and pedestrian amenities within the public right-of-way.



***Mitigation Measures:***

- PS-1: Access roads to all structures, and areas of use, shall comply with Mammoth Lakes Fire Protection District Ordinance 98-01 (or any updated version of that ordinance).
- PS-2: An approved water supply system capable of supplying required fire flow for fire protection purposes, as determined by the Fire District, shall be approved.
- PS-3: In accordance with A.B. 2926, the developer shall pay Developer Fees for commercial uses and for residential uses (condominiums).
- PS-4: The project proponent shall contribute a fair share financial contribution in accordance with the Town's DIF Mitigation Program established under Resolution 98-06 (or any updated version of that ordinance).

### **3.14 RECREATION**

Section 5-10 of the Program EIR evaluates impacts to recreation facilities under the "Public Services and Utilities" category. The proposed project is consistent with the use and density permitted for this site by the North Village Specific Plan. Although the project is located near the Community Center tennis courts and may slightly increase the usage of those facilities, the increase in use is not anticipated to be such that it would cause or accelerate physical deterioration of the courts. The following mitigation measure has been carried over from the Program EIR and would reduce potential impacts to recreation facilities to be less than significant.

***Mitigation Measures:***

- REC-1: See PS-4 above.

### **3.15 TRANSPORTATION/TRAFFIC**

Section 5.4 of the Program EIR discusses traffic and circulation, including impacts resulting from development of the entire North Village Specific Plan area and cumulative impacts assuming build out of the rest of the town. The Program EIR finds that project traffic, project plus cumulative traffic, parking, and transit impacts identified in conjunction with development and buildout of the North Village Specific Plan project, can be mitigated to less than significant level.

As reported in the May 26, 2009 Traffic Memorandum, "Mammoth Specialty Lodging Traffic Circulation and Access Analysis" prepared by LSA Associates, Inc., the proposed project will result in an increase of 306 trips on a daily basis (average daily traffic [ADT]) and 26 trips during the typical winter Saturday peak-hour, based on trip generation rates found in the Institute of Transportation Engineers (ITE), *Trip Generation*, 8<sup>th</sup> Edition. This increase in trips is not considered to be substantial in relation to the existing traffic load and capacity on adjacent streets and does not cause level of service standards to be exceeded.



The proposed Vista Point project is consistent with permitted density under the North Village Specific Plan. Therefore, project generated traffic will not exceed that which was previously evaluated in the Program EIR. The project will be responsible for payment of Development Impact Fees to address fair-share contributions to mitigations identified in the Program EIR and/or General Plan EIR.

The LSA report also provided an analysis of access and egress to the project site, including sight distance analysis at the project exit driveways on Forest Trail. Since the main project access is located within a curve, the stopping sight distance based on the radius of the curve and design speed of 35 mph along Forest Trail was analyzed. Based on these parameters, a sight distance of approximately 250 feet is required from both the east and west on Forest Trail. A field review conducted by LSA determined that adequate sight distance is available along Forest Trail at the exit driveways of the proposed project.

The project will provide emergency access consistent with all of the current standards of the Mammoth Lakes Fire Protection District (see also 3.13 above). Proposed parking is also consistent with the parking standards in the North Village Specific Plan. Therefore, the impacts to parking and emergency access will be less than significant.

The 2007 Town of Mammoth Lakes General Plan includes a number of goals and policies that relate to “feet first” and focusing on pedestrian connectivity and alternative transportation, such as public transit and bicycles. This project supports these policies by providing a convenient pedestrian connection to the Village plaza.

***Mitigation Measures:***

- TRA-1: The developer shall prepare and provide to the Town Engineer for review and approval, a Traffic Control Officer Monitoring Plan. The Plan shall outline at a minimum, scheduled days of monitoring together with a program to determine additional days of monitoring as may be determined by projected occupancy rates, performance criteria, duration of monitoring, and responsible parties.
- TRA-2: New development shall participate on a fair share basis in the development and operation of a community-wide winter transit system to achieve the ridership levels assumed in the **MTM**.

### **3.16 UTILITIES AND SERVICE SYSTEMS**

Section 5.10 of the Program EIR evaluates the impacts of implementation of the Specific Plan on Public Services and Utilities. The Program EIR concludes that no unavoidable significant impacts beyond those previously identified in the 1991 EIR and that impacts would be mitigated to a less than significant level. Project implementation would increase the demand for water and increase the generation of wastewater and solid waste. However, since the proposed project is consistent with the use and density permitted for this site by the North Village Specific Plan, these impacts are within the scope of those analyzed in the Program EIR and no new impacts will result from implementation of the project.

Implementation of the project will not result in the need to construct new water or wastewater treatment facilities. New storm water drainage facilities will not be required

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other than those directly serving the project site. The following mitigation measures have been carried over from the Program EIR and would mitigate any potential impacts.

***Mitigation Measures:***

- USS-1: The project applicant shall pay the appropriate fees to the Mammoth Community Water District (MCWD). All new water and wastewater conveyance facilities shall be located and installed within public rights-of-way or utility easements.
- USS-2: Prior to issuance of a building permit, the applicant shall provide an Integrated Solid Waste Management Plan (ISWMP) consistent with the Town's SRRE. The plan shall address, at a minimum, the following measures: construction demolition; recycling; composting; source reduction programs; storage areas for collected recyclable materials, and disposal of hazardous waste materials used on-site.



## 4.0 INVENTORY OF MITIGATION MEASURES

### AESTHETICS

- AES-1: To the maximum extent practical, the proposed project shall retain forested areas, and the development shall remain subordinate to the natural character of the site and surrounding landscape.
- AES-2: Prior to final approval of project development plans, the applicant shall submit a tree preservation and replacement plan pursuant to the Municipal Code, Zoning, requirements related to grading and clearing. The Preservation and Replacement Plan, including the type, size, number and location of replacement trees shall be subject to the approval of the Town of Mammoth Lakes Community Development Director.
- AES-3: Contour grading shall be used to blend manufactured slopes into the natural terrain. Grading shall be minimized to preserve existing landform and vegetation to the greatest extent possible.
- AES-4: The landscape design for the site shall maximize the use of existing vegetation, and where new plants are introduced, they shall include, and/or blend with, plants native to the Mammoth Lakes environment. Landscape plans for the site shall be completed by a certified landscape architect.
- AES-5: To the maximum extent feasible practical, native trees and landscaping shall be concentrated around all structures located on the project site.
- AES-6: Grading techniques shall be used which minimize the area of disturbance and shall incorporate such methods as decorative retaining walls rather than slopes to minimize the area of disturbance.
- AES-7: Staging locations shall be indicated on project Building Permit and Grading Plans and shall be subject to review by the Town of Mammoth Lakes Community Development Director in accordance with Municipal Code requirements.
- AES-8: Low-intensity street lighting and low-intensity exterior lighting shall be used throughout the development to the degree feasible. Lighting fixtures shall use shielding, if necessary, to prevent spill lighting on adjacent off-site uses.
- AES-9: Lighting used for various components of the development plan be reviewed under North Village Specific Plan design guidelines which shall include review of light intensity levels, fixture height, fixture location, and design.
- AES-10: The project shall use minimally reflective glass and all other materials used on exterior buildings and structures shall be selected with attention to minimizing reflective glare.
- AES-11: Vegetative buffers shall be used to reduce light intrusion on residential development and on forested areas located adjacent to the project site.



## **AIR QUALITY**

- AQ-1: In order to reduce fugitive dust emissions, each development project shall obtain permits, as needed, from the Town and the State Air Pollution Control District (APCD) and shall implement measures during grading and/or construction of the individual development sites to ensure compliance with permit conditions and applicable Town and APCD requirements.
- a. The individual development projects shall comply with State, APCD, Town, and Uniform Building Code dust control regulations, so as to prevent the soil from being eroded by wind, creating dust, or blowing onto a public road or roads or other public or private property.
  - b. Adequate watering techniques shall be employed on a daily basis to partially mitigate the impact of construction-generated dust particulates.
  - c. Clean-up on construction-related dirt on approach routes to individual development sites/improvements shall be ensured by the application of water and/or chemical dust retardants that solidify loose soils. These measures shall be implemented for construction vehicle access, as directed by the Town Engineer. Measures shall also include covering, watering or otherwise stabilizing all inactive soil piles (left more than 10 days) and inactive graded areas (left more than 10 days).
  - d. Any vegetative ground cover to be utilized on the individual development sites/improvements shall be planted as soon as possible to reduce the amount of open space subject to wind erosion. Irrigation shall be installed as soon as possible to maintain the ground cover.
  - e. All trucks hauling dirt, soil or other loose dirt material shall be covered.
- AQ-2: To reduce the potential of spot violations of the CO standards and odors from construction equipment exhaust, unnecessary idling of construction equipment shall be avoided.
- AQ-3: In order to reduce emissions associated with both mobile and stationary sources (i.e., wood burning stoves and fireplaces), the project shall adhere to the regulations contained in the *Air Quality Management Plan for the Town of Mammoth Lakes* and Chapter 8.30, *Particulate Emission Regulations*, of the Town's Municipal Code.
- AQ-4: The project shall contribute on a fair share basis to the Town's street sweeping operations in order to reduce emissions and achieve the required Federal standard.
- AQ-5: The project shall not be permitted to utilize wood burning appliances unless the Federal standard is documented to not be exceeded.

## **BIOLOGICAL RESOURCES**

- BIO-1: The project shall preserve existing native vegetation to the maximum extent feasible. Landscaping shall emphasize the use of native plants indigenous to the Jeffrey Pine-Fir Forest plant community. Whenever possible, native plants used on-site shall be
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selected for their replacement habitat value. Site designs shall be subject to the Design Review procedure of the Town.

- BIO-2: Landscape materials shall be used that allow for the protection and preservation of existing trees. Native plant species, preferably from seed or cuttings from local plants, shall be used where possible. The Landscape Plan shall be approved by the Planning Director prior to issuance of any construction permits.
- BIO-3: Irrigation, fertilization and other landscape management practices shall be designed to minimize effects on existing trees and other vegetation.
- BIO-4: To the extent possible, native vegetation shall be retained and protected during construction. A Revegetation Plan, prepared by a qualified Landscape Architect and approved by the Town of Mammoth Lakes, shall be completed prior to the commencement of the project, which will describe in detail the species of trees and shrubs that will be used, where they will be planted and in what numbers, and the methods of planting and maintenance, which will ensure successful growth. It shall include a monitoring program to follow the progress of new plantings and ensure replacement of unsuccessful plants. Landscaping with native species of trees and shrubs shall be undertaken to enhance wildlife use of cleared areas.
- BIO-5: Under AB3180, once mitigation plans designed to off-set habitat losses are approved and the specific areas where they will be located are identified, the proponent must provide a program to monitor their progress for a period of time (usually three to five years) deemed sufficient by the Planning Director to assure their successful development. Adequate security shall be deposited with the Town to ensure successful implementation of this measure.
- BIO-6: All construction activities, including movement and storage of vehicles and the storage of building and other materials, shall be confined to areas slated for development. Care shall be taken during construction to avoid damage to vegetation and habitats not directly involved in project construction. Any vegetation inadvertently damaged outside of the area slated for development shall be replaced on a one-to-one basis on- or off-site. Off-site replacement shall require the approval of the Town Planning Director.
- BIO-7: To prevent erosion and siltation into intermittent creeks, areas cleared of vegetation, fill or other materials shall be stabilized after clearing and grading. Hay bales, silt screens or similar devices shall be used to prevent siltation. To further protect the drainage system and prevent erosion, all grading and construction shall be completed during the summer months, or after October 15 of each year be in a condition to be stabilized within 48 hours should inclement weather threaten.
- BIO-8: A Forest Condition Survey shall be conducted by a professional forester and approved by the Town of Mammoth Lakes, prior to the commencement of each individual development project. All trees greater than 12-inches dbh and significant stands of each project site shall be mapped prior to issuance of grading permits or clearing. A registered forester or arborist shall then determine the age and condition of these trees and whether they should be retained or removed based upon health and visual significance of the trees, except for removal required by approved improvements. Once this determination is made, those trees shall be retained and



integrated into the design of each project. A program of specific protection measures shall be prepared by the developer and approved by the Town prior to issuance of any construction permits (e.g., construction fencing, grading controls, grading design, etc.). Any trees removed unavoidable by each final project approval shall be in accordance with Town policies. Off-site replacement shall require approval by the Town's Planning Director.

- BIO-9: Slash generated from construction or thinning operations shall be hauled from the site concurrent with the operation to prevent a breeding site for IPS. Logs shall be removed from the site as soon as possible.
- BIO-10: Construction and site development, such as grading and trenching, shall be prohibited within the dripline of retained trees. Equipment shall not be stored or driven under trees. Grading shall not cover the ground surface within the dripline of existing trees. Grading limits shall be clearly defined and protected.

### **CULTURAL RESOURCES**

- CUL-1: In the event that a material of potential cultural significance is uncovered during grading activities on the project site, all grading in the area of the uncovered material shall cease and the project applicant shall retain a professional archaeologist to evaluate the quality and significance of the material. Grading shall not continue in the area where a material of potential cultural significance is uncovered until resources have been completely removed by the archaeologist and recorded as appropriate.

### **GEOLOGY AND SOILS**

- GEO-1: Prior to issuance of grading or building permits, geotechnical studies shall be completed and their recommendations shall be incorporated in the project design.
- GEO-2: Soils and foundation analyses shall be approved by Town staff prior to final project design approval. All measures required by the Town shall be incorporated into final grading and building plans.
- GEO-3: The project applicant shall provide grading plans and receive approval from the Town Engineer. Said plans shall also show that new slopes within the project area are designed pursuant to slope requirements set forth within the Specific Plan and the standard's of the Town's Municipal Code.
- GEO-4: All work shall be overseen by a licensed Civil Engineer (CE), Certified Engineering Geologist (CEG), or similar appropriately qualified professional, who shall report to the Town Engineer in order to ensure the standards of the applicable codes are met.
- GEO-5: A comprehensive Erosion and Sediment Transport Control Plan shall be prepared by the project applicant and approved by the Town Engineer prior to the issuance of any grading or building permits. The Plan shall be included in the project design. The Plan shall also meet the requirements of the Regional Water Quality Control Board and the Town Municipal Code.



GEO-6: The project operator shall cooperate with the Town in designing and disseminating information to assist citizens and visitors in responding to emergency situations that are likely to arise. All structures shall be designed and built to at least the standards of UBC Seismic Zone 4.

## **HYDROLOGY AND WATER QUALITY**

HYD-1: All drainage collection, retention, and infiltration facilities on the site shall be constructed and maintained in accordance with the *Mammoth Lakes SDMP* and shall be designed in accordance with the *Master Plan Design Manual*, to the satisfaction of the Town of Mammoth Lakes Town Engineer, prior to the issuance of grading permits.

HYD-2: A more complete hydrology analysis for design purposes shall be required to be completed to estimate the amounts of runoff, which will be required to be retained on-site for each development. The analysis shall be approved prior to issuance of a grading permit.

HYD-3: The following water conservation procedures shall be incorporated into project elements where feasible: landscape with low water-using plants; install efficient irrigation systems that minimize runoff and evaporation and maximize the water that will reach the plant roots, such as drip irrigation, soil moisture sensors, and automatic irrigation systems; and use pervious paving material whenever feasible.

HYD-4: An Erosion and Sediment Control Plan shall be prepared by the project proponents prior to issuance of grading permits. The Plan shall be reviewed and approved by the Town of Mammoth Lakes and the Lahontan Regional Water Quality Control Board and be in accordance with the erosion control guidelines as contained in the Mammoth Lakes SDMP and be in compliance with the Water Quality Control Plan (for the Lahontan Region [Basin Plan]). General grading activities, including those related to demolition and construction, would be regulated by the Uniform Building Code and Town of Mammoth Lakes Grading Ordinance. The required Erosion and Sediment Control Plan shall outline methods that will be implemented to control erosion and sediment transport from graded or cleared portions of the individual redevelopment/ improvement sites.

HYD-5: A Waste Discharge Report (related to soil disturbance) shall be prepared by the project applicant and submitted to the Lahontan Regional Water Quality Control Board not less than 90 days before the intended start of construction activities of a new development to obtain a Waste Discharge Permit or waiver to ensure that proper control measures for the protection of water quality are taken and adhered to during all phases of the development project. A copy of the Waste Discharge Report shall be submitted to the Town of Mammoth Lakes engineering division prior to issuance of a grading permit for the project.

HYD-6: Best Management Practices (BMPs) shall be implemented to the satisfaction of the Lahontan Regional Water Quality Control Board and NPDES Program requirements in order to protect the receiving waters from degradation and correct existing problems. BMPs include structural controls such as retention/detention basins, oil-water separators, which could be implemented in the overall design of the proposed drainage facilities for individual development sites.



## **NOISE**

- N-1 Pursuant to Chapter 8.16.090 of the Town's Noise Ordinance, construction activities shall be limited to the hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday and prohibited on Sunday or holidays, or as otherwise permitted by Chapter 8.16.090.
- N-2 Construction equipment shall be muffled or controlled, if required, to meet Chapter 8.16 requirements for maximum noise generated by construction equipment. Contracts shall specify that engine-driven equipment be fitted with appropriate noise mufflers.
- N-3 The construction contractor shall provide temporary sound barriers around pile driving sites to the satisfaction of the Town Engineer should such activities take place in areas within 400 feet of existing residential units, if required to meet Chapter 8.16 requirements.
- N-4: The proposed project shall be located or architecturally designed to reduce the project noise impacts upon properties adjacent to each master planned area or project property line, such that the exterior noise levels will not exceed Town Noise Ordinance requirements for an urban and multiple family setting. Design features could include setbacks, berms, landscaping, and architectural features, adjacent to both arterial and interior streets.
- N-5: Multi-family buildings shall be located or architecturally designed so the interior noise level will not exceed 45 Ldn. As a minimum, multi-family housing shall comply with Title 24 of the California Code of Regulations.

## **PUBLIC SERVICES**

- PS-1: Access roads to all structures, and areas of use, shall comply with Mammoth Lakes Fire Protection District Ordinance 98-01 (or any updated version of that ordinance).
- PS-2: An approved water supply system capable of supplying required fire flow for fire protection purposes, as determined by the Fire District, shall be approved.
- PS-3: In accordance with A.B. 2926, the developer shall pay Developer Fees for commercial uses and for residential uses (condominiums).
- PS-4: The project proponent shall contribute a fair share financial contribution in accordance with the Town's DIF Mitigation Program established under Resolution 98-06 (or any updated version of that ordinance).

## **TRANSPORTATION/TRAFFIC**

- TRA-1: The developer shall prepare and provide to the Town Engineer for review and approval, a Traffic Control Officer Monitoring Plan. The Plan shall outline at a minimum, scheduled days of monitoring together with a program to determine additional days of monitoring as may be determined by projected occupancy rates, performance criteria, duration of monitoring, and responsible parties.



TRA-2: New development shall participate on a fair share basis in the development and operation of a community-wide winter transit system to achieve the ridership levels assumed in the MTM.

### **UTILITIES AND SERVICE SYSTEMS**

USS-1: The project applicant shall pay the appropriate fees to the Mammoth Community Water District (MCWD). All new water and wastewater conveyance facilities shall be located and installed within public rights-of-way or utility easements.

USS-2: Prior to issuance of a building permit, the applicant shall provide an Integrated Solid Waste Management Plan (ISWMP) consistent with the Town's SRRE. The plan shall address, at a minimum, the following measures: construction demolition; recycling; composting; source reduction programs; storage areas for collected recyclable materials, and disposal of hazardous waste materials used on-site.





## 5.0 REFERENCES

The following references were utilized during preparation of this Initial Study. These documents are available for review at the Town of Mammoth Lakes, 437 Old Mammoth Road, Suite R, Mammoth Lakes, California 93546.

1. EIP Associates, *North Village Specific Plan Draft Environmental Impact Report*, February 1991.
2. Great Basin Unified Air Quality Management District, *Air Quality Management Plan for the Town of Mammoth Lakes*, 1990.
3. LSA Associates, *Mammoth Specialty Lodging Traffic Circulation and Access Analysis*, May 26, 2009.
4. RBF Consulting, *Subsequent Program Environmental Impact Report for the North Village 1999 Specific Plan Amendment*, October 13, 2000.
5. RBF Consulting, *The Mammoth Lakes Redevelopment Plan Final Program Environmental Impact Report*, May 1997.
6. Sierra Geotechnical Services, Inc., *Preliminary Geotechnical Investigation of the Berner Street Property Redevelopment*, February 16, 2006.
7. Town of Mammoth Lakes, *The Town of Mammoth Lakes General Plan*, adopted August 2007.
8. Town of Mammoth Lakes, *Municipal Code*, Last updated April 2006.
9. Town of Mammoth Lakes, *North Village Specific Plan*, Adopted December 2000.
10. Trans-Sierran Archaeological Research, *An Archaeological Survey of The North Village Project Area*, February 1990.
11. Triad/Holmes Associates, *Berner Street Project Preliminary Drainage Study*, April 2009.