Doc # 2022002847

Page 1 of 187

Date: 7/14/2022 02:19P

Filed by: MAMMOTH LAKES; TOWN OF
Filed & Recorded in Official Records
of MONO COUNTY
SCHEEREEN DEDMAN
CLERK-RECORDER
Fee: $0.00

Recording Requested by and
When Recorded Mail To:

Town of Mammoth Lakes
Town Clerk
P.O. Box 1609
Mammoth Lakes, CA 93546

Recordation fee exempt per Government Code §27383
Space Above for Recorder's Use

RESOLUTION NO. PEDC 2022-03

A RESOLUTION OF THE MAMMOTH LAKES PLANNING AND ECONOMIC DEVELOPMENT COMMISSION ADOPTING AN ADDENDUM TO THE 1991 LODESTAR AT MAMMOTH ENVIRONMENTAL IMPACT REPORT AND APPROVING TENTATIVE TRACT MAP 21-001, USE PERMIT 21-001, DESIGN REVIEW 21-001, AND ADJUSTMENT 21-006 TO ALLOW THE VILLAS III PLANNED UNIT DEVELOPMENT LOCATED AT 100 CALLAHAN WAY (APN: 033-330-087-000)

WHEREAS, a request for consideration of a Tentative Tract Map, Use Permit, Design Review, and Adjustment were filed by Mark Rafeh on behalf of the property owner, Mammoth Springs Resorts, LLC, to allow a residential planned unit development (PUD) consisting of 33 residential lots (Villas III Subdivision), in accordance with the Lodestar at Mammoth Master Plan, Chapters 17.68 (Use Permits), 17.76 (Adjustments), and 17.88 (Design Review) of the Town of Mammoth Lakes Municipal Code, and the State Subdivision Map Act, for property located within Development Area 2 of the Lodestar at Mammoth Master Plan at 100 Callahan Way; and

WHEREAS, the subject site is identified in the Housing Element Land Inventory as a potential site to satisfy the Town's Regional Housing Needs Allocation (RHNA) and pursuant to the State No Net Loss Law described in Government Code §65863, the Town is required to make additional findings separate from those required for the project approval if a proposed site identified in the Housing Element Land Inventory is to be developed at a lower density or at a different income level than was assumed in the Housing Element and the findings are required to (1) address the consistency of such action with the general plan and housing element, and (2) determinate that the development capacity of the remaining sites identified in the Housing Element Land Inventory are adequate to meet the Town's RHNA for the planning period; and

WHEREAS, the Planning and Economic Development Commission conducted a duly noticed public hearing on the application request on February 9, 2022 during which the Commission reached a 2-2 split vote thereby neither approving or denying the project, and continued the public hearing to a future date; and

WHEREAS, the Planning and Economic Development Commission conducted a second duly noticed public hearing on the application request on March 2, 2022, at which time all those desiring to be heard were heard; and

WHEREAS, the Planning and Economic Development Commission conducted a third duly noticed public hearing on the application request on April 13, 2022, at which time all those desiring to be heard were heard; and

WHEREAS, the Planning and Economic Development Commission continued the public hearing to May 11, 2022, a date certain; and

WHEREAS, the Planning and Economic Development Commission conducted a second duly noticed public hearing on the application request on May 11, 2022, at which time all those desiring to be heard were heard; and

WHEREAS, the Planning and Economic Development Commission considered, without limitation:

1. The staff report to the Planning and Economic Development Commission with attachments;
2. The General Plan, State Subdivision Map Act, Government Code §65863 (No Net Loss Law), Lodestar at Mammoth Master Plan, Municipal Code, Design Review Guidelines, and associated Land Use Maps;
3. Oral evidence submitted at the hearings listed above;
4. Written evidence submitted at the hearings listed above;
5. Project plans consisting of:
    a. Tentative Tract Map 21-001 Sheets TTM 1 – TTM 6, dated January 17, 2022;
    b. Single-family residence Project Plan Sheets A-000 - A.-700, dated April 21, 2022, Duplex Project Plan Sheets A 0.0 – A 4.1b2 dated April 26, 2022, and Waste Enclosure Plan dated January 19, 2022;
    c. Preliminary Landscape Plan, dated April 22, 2022;
6. The 1991 Lodestar at Mammoth Draft Environmental Impact Report (EIR) and Final EIR (State Clearinghouse No. 1991105212), dated February 1991, incorporated herein by reference and collectively referred to hereafter as the "1991 Lodestar EIR"; and
7. The Addendum to the 1991 Lodestar EIR, dated April 2022, attached hereto as Exhibit "B" and referred to hereafter as the "Addendum".

NOW THEREFORE, THE PLANNING AND ECONOMIC DEVELOPMENT COMMISSION OF THE TOWN OF MAMMOTH LAKES DOES RESOLVE, DETERMINE, FIND AND ORDER AS FOLLOWS:

SECTION 1. FINDINGS.

I. **CEQA.**

PUBLIC RESOURCES CODE SECTION 21166;
CEQA GUIDELINES SECTION 15164

a. The Planning and Economic Development Commission considered the Addendum (SCH No. 1991105212) together with the 1991 Lodestar EIR, any comments received, including the Mitigation Monitoring and Reporting Program, pursuant to the CEQA Guidelines, and finds that on the basis of the whole record, there is no substantial evidence that the proposed project consisting of Tentative Tract Map (TTM) 21-001, Use Permit (UPA) 21-001, Design Review (DR) 21-001, and Adjustment (ADJ) 21-006) ("Project") will result in any new or increased significant effects on the environment.

b. The Planning and Economic Development Commission finds that the Addendum has been completed in compliance with CEQA and reflects the lead agency's independent judgment and analysis.

c. An addendum is adequate because the Addendum demonstrates that the environmental analysis and impacts identified in the 1991 Lodestar EIR remain substantively unchanged by the Project and supports the finding that the proposed modifications to the original project do not trigger the need for preparation of a subsequent EIR under the criteria listed in CEQA Guidelines Sections 15162.

d. The custodian and location of the documents and other material which constitute the record of proceedings upon which this decision is based is the Town Clerk at the Town of Mammoth Lakes Offices, 437 Old Mammoth Road, Suite 230, Mammoth Lakes, California 93546.

e. The Planning and Economic Development Commission finds that there are no new or different mitigation measures or alternatives that would substantially reduce one or more significant impacts identified in the 1991 Lodestar EIR that are not adopted. The proposed modifications do not identify or require adoption of any further mitigation measures or alternatives beyond those provided in the 1991 Lodestar EIR.

f. All mitigation measures shall be incorporated by reference into the conditions of approval.

II. MUNICIPAL CODE FINDINGS.

A. FINDINGS FOR USE PERMIT (Municipal Code Section 17.68.050)

1. The proposed use is consistent with all applicable sections of the General Plan and Title 17 and is consistent with the Lodestar at Mammoth Master Plan;

The proposed transient occupancy use is consistent with the 2007 General Plan Resort (R) land use designation for the site because transient occupancy uses are permitted within Development Area 2 of the Lodestar Master Plan with approval of a Use Permit. Transient occupancy uses are consistent with General Plan Policy L.5.B, which directs staff to ensure visitor lodging is located in appropriate areas and General Plan Policy L.5.C which states the Town should ensure there are an adequate number of units available for nightly rental.

The proposed project is in a location that is appropriate for nightly rental use because it is a resort-oriented development that features a clubhouse and other on-site amenities that are not available in traditional multi-family developments. The project borders an 18-hole golf course which is a recreational attraction for visitors.

2. The proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health and safety nor materially injurious to properties or improvements in the vicinity; and

The proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health and safety nor materially injurious to properties or improvements in the vicinity because transient use of townhome units is consistent with permitted uses in the Resort (R) zoning district and the Resort (R) land use designation.

3. **The Commission shall make such other findings as deemed necessary to support approval or denial of the proposed use.**

   The site is within the Lodestar Master Plan area which includes an assortment of single-family and multi-family developments located in the Resort zoning district intended for transient rental uses and the project is considered to be an extension of the existing Obsidian development to the south, which includes a variety of amenities oriented towards transient use of the units (e.g., shuttle service, clubhouse). Therefore, the proposed transient use of the site is consistent with other development in the vicinity. Additionally, each unit features two enclosed parking spaces and one exterior guest parking space within the driveway area, which satisfies the required amount of parking and ensures that the property will accommodate visitor parking demand on-site.

B. FINDINGS FOR DESIGN REVIEW PERMIT (Municipal Code Section 17.88.060)

1. **The project is consistent with the applicable standards and requirements of the Municipal Code.**

   The project is consistent with the applicable standards and requirements of the Mammoth Lakes Zoning Code because the project is located within the Resort (R) Zoning District and is included within the Lodestar at Mammoth Master Plan, which allows residential uses including planned unit developments. The project complies with the development standards applicable to Development Area 2 of the Lodestar at Mammoth Master Plan including standards for density, lot coverage, setbacks, building height (with approval of Adjustment 21-006), parking, snow storage and solid waste collection.

2. **The project is consistent with the General Plan and any applicable specific plan or master plan.**

   The proposed project is consistent with the 2007 General Plan land use designation for the site, which is designated Resort (R), because the proposed 33-unit residential planned development is consistent with the allowable land uses within the Lodestar at Mammoth Master Plan and the proposed residential density is below the maximum density permitted for Development Area 2 of the Lodestar at Mammoth Master Plan.

   The project is consistent with General Plan goals, policies, and actions, including, but not limited to:

   - Policy C.2.L: Create a visually interesting and aesthetically pleasing built environment by requiring all development to incorporate the highest quality of architecture and thoughtful site design and planning.
   - Policy C.2.T: Use natural, high quality building materials to reflect Mammoth Lakes' character and mountain setting.
   - Policy C.2.V: Building height, massing and scale shall complement neighboring land uses and preserve views to the surrounding mountains.
   - Policy L.5.B: Locate visitor lodging in appropriate areas.
   - Policy L.5.F: Require all multi-family, resort, and specific plan development to include activities, amenities and services to support long-term visitation.

3. **The project is consistent with the Town of Mammoth Lakes Design Guidelines.**

   The proposed project is consistent with the Town of Mammoth Lakes Design Guidelines because the site layout and design retain native pine trees to the extent possible; the site coverage for the proposed project will be 49%, which is below the 60% maximum permitted site coverage for Development Area 2; the project layout preserves a large amount of open space throughout the project site; and the proposed

landscape plan for the project provides a variety of plants appropriate to Mammoth Lakes, which were selected for their low fire hazard and low water use.

The proposed building design features façade variation and visual interest with a distinct building base provided for the structures. The proposed colors and materials are appropriate in the context of the surrounding neighborhood and consist of varying wood tones and earth tones, which provide appropriate contrast between trim, fascia, stonework and the primary siding materials while maintaining a neutral color palate to blend with the natural environment and match existing structures in the Obsidian subdivision.

4. **The project is consistent with the following additional Design Criteria (Zoning Code §17.88.050):**

a. **The site design and building design elements including the architectural style, size, design quality, use of building materials, and similar elements, combine together in an attractive and visually cohesive manner that is compatible with and complements the desired architectural and/or aesthetic character of the area and a mountain resort community, encourages increased pedestrian activity, and promotes compatibility among neighboring land uses.**

The proposed buildings and site improvements combine together in an attractive and visually cohesive manner because the proposed project designs complement the Obsidian development to the south, which this project is a continuation of. The proposed single-family and duplex building designs features similar architecture, building materials, and colors as the existing Obsidian development. The site also features a grade change of approximately eight feet from the property to the north. The Villas III duplexes are 35 feet tall, and the neighboring structures are approximately 27 feet tall. When the grade change is considered, the buildings have a similar top of roof elevation, and the Villas III duplexes do not overpower the San Joaquin Villas to the north. The design of the units directly adjacent to San Joaquin Villas have been altered to remove the planned 2nd and 3rd floor balconies in order to provide additional privacy to residents of San Joaquin Villas. Additionally, the proposed density of the project is 8.11 units/acre which is lower than the maximum density of 12 units/acre applicable to the adjacent RMF-1 zoning district.

b. **The design of streetscapes of streetscapes, including street trees, lighting, and pedestrian furniture, is consistent with the character of commercial districts and nearby residential neighborhoods**

The design of the Villas 3 development streetscape is consistent with the character of the adjacent Resort zoned Obsidian development and places residential single-family and duplex structures along a 40-foot meandering road easement. Access to the individual structures is consistent with the Town residential driveway standards and a single driveway cut into the private road easement is proposed for each structure. Realignment of the Town's multi-use path to the east side of the property is also proposed as a part of the project.

c. **Parking areas are located, designed and developed to foster and implement the planned mobility system for the area; buffer surrounding land uses; minimize visibility; prevent conflicts between vehicles and pedestrians and cyclists; minimize stormwater run-off and the heat-island effect; and achieve a safe, efficient, and harmonious development.**

The parking areas are located, designed and developed to foster and implement the planned mobility system for the area; buffer surrounding land uses; minimize visibility;

prevent conflicts between vehicles and pedestrians and cyclists; minimize stormwater run-off and the heat-island effect; and achieve a safe, efficient, and harmonious development because the parking requirements of the LMP will be met through the provision of a two-car garage for each unit and additional parking in the driveways. Each single-family residence includes an enclosed two-car garage and two exterior parking spaces in the driveway and each duplex unit features an enclosed two-car garage (tandem configuration) and one guest parking space in the driveway.

d. **Down-directed and shielded lighting and lighting fixtures are designed to complement buildings, be of appropriate scale, provide adequate light over walkways and parking areas to create a sense of pedestrian safety, minimize light pollution and trespass, and avoid creating glare.**

Conformance with Municipal Code lighting standards is included as a condition of approval for this project. Exterior light pollution and trespass will be minimized through the use of exterior downward-directed and shielded lighting.

e. **Landscaping is designed to conserve water resources, promotes a natural aesthetic, and be compatible with and enhance the architectural character and features of the buildings on site, and help relate the building to the surrounding landscape.**

The preliminary landscape plan for the project indicates that approximately 220 native pine trees of varying size located throughout the development area will be preserved. Additional landscaping includes the planting of 97 new trees (desert olive, maple, aspen) and an assortment of native and low water use shrubs and grasses. The plants were selected based on their low water use and low fire hazard. Overall, the proposed landscaping promotes a natural aesthetic by utilizing species that are appropriate to the Mammoth Lakes region. The landscaping is required to comply with the Town's water efficient landscape ordinance.

f. **The project is consistent with any approved tentative map, use permit, variance, or other planning or zoning approval that the project required.**

The proposed project is consistent with the associated tentative tract map, use permit and adjustment, as described in this Resolution and the associated staff report.

C. FINDINGS FOR ADJUSTMENT (Municipal Code Section 17.76.040)

Building Height Adjustment:

1. **Increased safety of occupants or the public would result;**

The Adjustment application requests an increase of two and a half-feet to the maximum building height for the three single-family residential buildings located on lots 1-3 of the Villas III Subdivision (TTM 21-001), thereby resulting in a maximum building height of 37½ feet (~7% increase). This request is an allowed Adjustment pursuant to Municipal Code §17.76.020 since the increase is less than 10%.

Given the constrains of the site and building code requirements, a 3:12 roof slope was necessary as it allow a reduction in structural load values. As a result, smaller sized framing can be used to accommodate the floor to ceiling heights, which are as low at 7 feet. The Adjustment will result in the increased safety of the occupants by allowing for a 3:12 roof pitch which provides a safer building design in that the increased roof pitch reduces potential snow loading on the roof. Additionally, the increase in height will accommodate the installation of HVAC ducting, plumbing, and electrical

infrastructure. The Adjustment request is the minimum departure from the Lodestar Master Plan to achieve a minimum 3:12 roof pitch

III. **SUBDIVISION MAP ACT FINDINGS.** (State Map Act §66474)

a. The proposed map is consistent with applicable general and specific plans.

The proposed map is consistent with the applicable General Plan and Lodestar at Mammoth Master Plan because the project is located within Development Area 2 of the master plan, which allows residential uses including planned developments. The proposed project is a 33-unit residential development is below the maximum allowable density specified for Development Area 2 in the Lodestar at Mammoth Master Plan.

The project complies with the General Plan Vision, Goals, and Policies, including that the project provides a high-quality townhome product available for nightly rental in an appropriate location, the design respects the natural environment by maintaining as many native trees and natural features as possible, the architecture and building exteriors are appropriate to the region and match the existing structures in the "Villas at Obsidian" development.

b. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

The design and improvements of the subdivision are consistent with applicable general and specific plans because the residential subdivision complies with the Lodestar at Mammoth Master Plan and Municipal Code development standards which implement the goals and policies of the General Plan. Additionally, the project is conditioned to comply with all Public Works standards for all improvements on the site. The property is not located within a Specific Plan area.

c. The site is physically suitable for the type of development.

The site is physically suitable for this type of development because the property is located in Development Area 2 of the Lodestar at Mammoth Master Plan, which allow residential uses including planned developments. The project complies with the applicable development standards of the Lodestar at Mammoth Master Plan and the Municipal Code.

d. The site is physically suitable for the proposed density of development.

The site is located within the Resort (R) Zoning District and the Lodestar at Mammoth Master Plan area, both of which allow multi-family planned unit developments as a permitted use. Pursuant to the master plan, a maximum of 210 residential units are allowed in Development Area 2. There are currently 79 units built or entitled. This leaves Development Area 2 with 131 units of density remaining, which is great than the proposed 33 units for this project.

e. The design of the subdivision or the proposed improvements are not likely to cause substantial environment damage or substantially and avoidably injure fish or wildlife or their habitat.

The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage nor substantially injure fish or wildlife or their habitat because the mitigation measures included with the Addendum to the Lodestar at Mammoth Environmental Impact Report apply to this project. The Mitigation Monitoring and Reporting Program (MMRP) includes mitigation measures for biotic resources, vegetation removal, and hydrology and water quality. The mitigation measures are incorporated by reference into the conditions of approval for the project.

f. The design of the subdivision and types of improvements is not likely to cause serious health problems.

The design of the residential subdivision and type of improvements proposed are not likely to cause serious public health problems because no evidence has been submitted during the planning review process to indicate that the development would cause any serious public health problems. All necessary public services are currently provided or can be extended to the site to assure health and safety for those individuals occupying and using the site facilities. Grading and building permits will be obtained to ensure all applicable health and safety requirements are adhered to for the duration of the project construction.

g. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision since all existing public easements shown on the tentative tract map are either maintained or planned to be relocated, and the property has access to a public street with approved street alignments and widths.

IV. **California State Not Net Loss Law Findings.** (Government Code §65863)

The subject site is identified in the Housing Element Land Inventory as a potential site to satisfy the Town's Regional Housing Needs Allocation (RHNA) and pursuant to the State No Net Loss Law described in Government Code §65863, the Town is required to make additional findings separate from those required for the project approval if a proposed site identified in the Housing Element Land Inventory is to be developed at a lower density or at a different income level than was assumed in the Housing Element. The subject site was included in the Land Inventory because one of the sites previous owners from pre-2008 had identified the site as a potential housing mitigation site for future development. However, that future development never materialized, and the site has since been sold to multiple different entities. Additionally, there are currently no affordability restrictions burdening the site that require the developer to provide those units identified in the Housing Element, and therefore approval of a project at a different income level than what was assumed in the Housing Element is permitted, provided that the findings specified in Government Code §65863(b) can be made.

a. The reduction is consistent with the Town's adopted general plan, including the Housing Element.

The State defines a "reduction" as being a development with the number of residential units being less than what was assumed for the site in the Housing Element or affordable to a different income category than the site was assumed to accommodate in the Housing Element. This project proposal represents the latter in that that the proposed income category of the units (i.e., market-rate) is different than the assumed very low- to moderate-income affordability levels assumed in the Housing Element. This reduction remains consistent with the Town's adopted general plan since the reduction does not change the land use and zoning designation (remains Resort zoned) and the proposed use (i.e., housing) remains the same.

b. The remaining sites identified in the Housing Element are adequate to meet the requirements of Government Code §65583.2 and to accommodate the Town's remaining share of the RHNA for the planning period.

The subject site was identified in the Housing Element Land Inventory as a potential housing site that would provide 28 affordable units (Very Low- to Moderate-Income) of the 155 units identified as being needed by the State in the Town's RHNA. The other remaining sites identified in the Housing Element Land Inventory have the capacity to provide 1,335 units ranging in affordability levels from Extremely Low- to Above-Moderate Income levels and as shown in the table below, those sites will substantially accommodate the remaining share of the RHNA for all income levels during the planning period.

	Extremely Low	Very Low	Low	Moderate	Above Moderate	**TOTALS**
RHNA 2019-2027	**26**		**30**	**34**	**65**	**155**
Lodestar Site (Subject Site)	0	8	10	10	0	**28**
Other Identified Sites	3	57	60	63	102	**285**
Vacant Residential Land	0	0	0	0	1050	**1050**
Projected Totals	**3**	**65**	**70**	**73**	**1152**	**1363**
Projected Balance	(42)		(40)	(39)	(1,087)	(1,208)
Projected Balance w/ Removal of the Lodestar Site	**(34)**		**(30)**	**(29)**	**(1,087)**	**(1,180)**

SECTION 2. PLANNING AND ECONOMIC DEVELOPMENT COMMISSION ACTIONS.

The Planning and Economic Development Commission hereby takes the following actions:

1. Adopts the Addendum to the 1991 Lodestar at Mammoth Environmental Impact Report (State Clearinghouse #1991105212) pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines;
2. Makes the findings consistent with the California State No Net Loss Zoning Law;
3. Approves Tentative Tract Map 21-001, Use Permit 21-001, Design Review 21-001, and Adjustment 21-006 subject to the following conditions:

   (SEE EXHIBIT "A")

   The Commission approval of the conditions of approval specified in Exhibit "A" includes the following additional conditions added at the public hearing for the project:

   a. Exhibit "A" – Condition of Approval 114

      Prior to issuance of a building permit, applicant shall submit a snow removal/storage management plan for the Callahan Way access parcel in accordance with Municipal Code Section 17.36.110.B(3)(a) to the Community and Economic Development Department and Public Works Department for approval. The plan shall be in the form of a recorded document mutually agreed to between the property owner and the Town and shall describe features such as, but not limited to, location of snow storage areas, the method of snow hauling, frequency of pick-ups, pick-up areas, haul routes, hours of hauling operations, and snow deposit areas. This plan shall be included in the CC&Rs prior to final map approval by Town staff.

   b. Exhibit "A" – Condition of Approval 115

      Prior to issuance of grading permit, Applicant shall coordinate final gate design, including location, configuration and any appropriate signage, to the satisfaction of the Public Works Department, in order to meet the Municipal Code operational requirements, including provision of adequate turn-around space.

4. Directs staff to file a Notice of Determination within five (5) working days of the adoption of this Resolution.

PASSED AND ADOPTED this 11th day of May 2022, by the following vote, to wit:

AYES: VANDERHURST, BURROWS, KENNEDY

NAYS: CHANG

ABSENT:

ABSTAIN:

RECUSED: ECKERT

ATTEST:

Sandra Moberly
Sandra Moberly (Jun 23, 2022 14:56 PDT)

Sandra Moberly,
Community and Economic Development Director

Michael C Vanderhurst
Michael C Vanderhurst (Jun 23, 2022 14:58 PDT)

Michael Vanderhurst
Chair of the Mammoth Lakes Planning and Economic Development Commission

NOTE: This action is subject to Chapter 17.104 of the Municipal Code, which specifies time limits for legal challenges.

OWNER/APPLICANT:

I, Mark Rafeh, am an authorized Representative for Mammoth Springs Resorts, LLC, the property owner, and I do hereby attest that I have read, and agree to, the conditions of approval stipulated within this Resolution.

Date: 5/19/2022

Mark Rafeh, Authorized Signatory
Mammoth Springs Resorts, LLC
(Notary Required)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Mono

On May 19, 2022 before me, M. Forbis, notary public
personally appeared mark Rafeh
who proved to me on the basis of satisfactory evidence to be the persons whose name(s) is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity (ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary

M. FORBIS
COMM. # 2282420
NOTARY PUBLIC - CALIFORNIA
MONO COUNTY
COMM. EXPIRES APRIL 19, 2023

EXHIBIT "A"

Resolution No. PEDC 2022-03

Case No. TTM 21-001, UPA 21-001, DR 21-001, ADJ 21-006

CONDITIONS OF APPROVAL

STANDARD PLANNING CONDITIONS

1. This approval authorizes the following: Subdivision of the 4.07-acre parcel identified as Assessor Parcel No. 033-330-087-000, for a 33-lot multi-family planned unit development (PUD) consisting of three single-family residential structures and 15 duplex residential structures, as shown on Sheets 1- 6 of TTM 21-001, dated January 17, 2022; Single-family residence Project Plan Sheets A-000 -A.-700, dated April 21, 2022; Duplex Project Plan Sheets A 0.0 – A 4.1b2 dated April 26, 2022; and Waste Enclosure Plan dated January 19, 2022; for property located within Development Area 2 of the Lodestar at Mammoth Master Plan. The proposed limited access gate on the north end of the project on the private Callahan Way road will require a subsequent use permit and is not part of this approval.

2. The approved site and building plans including Tentative Tract Map 21-001 Sheets 1- 6 of TTM 21-001, dated January 17, 2022; Single-family residence Project Plan Sheets A-000 - A.-700, dated April 21, 2022; Duplex Project Plan Sheets A 0.0 – A 4.1b dated April 25, 2022; Waste Enclosure Plan dated January 19, 2022; and Preliminary Landscape Plan, dated April 22, 2022; shall be adhered to and maintained for the duration of the permit.

3. This permit and all rights hereunder shall automatically terminate unless the site preparation or construction has been commenced within two years after the issuance of this permit and such work is diligently carried on until completion, or an extension of time has been granted in accordance with Municipal Code §17.60.060.B.

4. All new improvements constructed on the site shall be in compliance with all Town of Mammoth Lakes, County of Mono, Mammoth Community Water District, the Mammoth Lakes Fire Protection District, the CRWQCB Lahontan District, Great Basin Air Pollution Control District, OSHA, State of California and United States of America laws, statutes, ordinances, regulations, directives, orders, and the like applicable thereto and in force at the time thereof. Any violation of the above may constitute grounds for revocation under Chapter 17.128 of the Mammoth Lakes Municipal Code.

5. This resolution of approval, as conditioned herein, shall be recorded for the subject property by the Mono County Recorder's Office to commence the approved use on the property or the issuance of any building permits for new or remodeled structures.

6. The site shall be maintained in a neat, clean and orderly manner. All improvements shall be maintained in a condition of good repair and appearance. Outdoor storage of equipment and other materials, except for firewood, is prohibited. Non-operating vehicles, equipment and materials inappropriate to the site and its use shall not be stored within outdoor areas on the site.

7. Storage of construction materials and equipment off-site shall not be permitted without a permit issued by the Community and Economic Development Department of the Town. Any public or private property altered, damaged or destroyed by site preparation, grading, construction or use shall be restored to its pre-existing condition by the permittee.

8. All conditions of this permit shall be met or secured prior to final occupancy approval of any new structures.

9. All uses are subject to review by the Building Official of the Town of Mammoth Lakes and must conform to occupancy ratings of the structures to obtain occupancy.

10. Town staff shall have the right to enter the subject property to verify compliance with these conditions. The holder of any permit associated with this project shall make the premises available to Town staff during regular business hours and shall, upon request make records and documents available to Town staff as necessary to evidence compliance with the terms and conditions of the permit.

11. Prior to the issuance of a building permit, the applicant shall pay all applicable fees as prescribed by ordinance and/or resolution and pay any fees due on the project processing account.

12. Where compliance with the conditions of approval or applicant initiated changes to the plans require additional staff review, that review time shall be billed at the Town's established billing rates. Prior to the issuance of a building or grading permit, the applicant shall pay all outstanding costs for the processing of this application.

13. This action may be appealed to the Town Council within fifteen (15) calendar days from the date of Planning and Economic Development Commission approval in accordance with Municipal Code Chapter 17.104.

14. The applicant shall defend, indemnify, and hold harmless the Town and its agents, officers, and employees from any claim, action, or proceeding against the Town and its agents, officers, or employees to attack, set aside, void, or annul, an approval of the Town, advisory agency, appeal board, or legislative body concerning this approval. The Town shall promptly notify the applicant of any claim, action, or proceeding and shall cooperate fully in the defense.

15. Pursuant to Government Code Section 66474.9 the subdivider shall defend, indemnify, and hold harmless the Town and its agents, officers, and employees from any claim, action, or proceeding against the Town and its agents, officers, or employees to attack, set aside, void, or annul, an approval of the Town, advisory agency, appeal board, or legislative body concerning this approval, which action is brought within the time period provided for in Government Code Section 66499.37. The Town shall promptly notify the subdivider of any claim, action, or proceeding and shall cooperate fully in the defense.

16. All exterior lighting shall comply with Chapter 17.36.030 of the Town of Mammoth Lakes Municipal Code, Exterior Lighting. Exterior light fixtures having a total of over 400 lumens of output shall be equipped with shields that extend below the horizontal plane of the light source to direct the light downward onto the structure or surrounding grounds. Accent lighting is permitted as described in Municipal Code Section 17.36.030.F.6. This shall be verified prior to issuance of a certificate

of occupancy.

17. A final landscape plan shall be submitted to the Planning Division for approval prior to issuance of a Building Permit and shall substantially conform to the preliminary landscape plan dated November 11, 2021, approved by the Planning and Economic Development Commission. The final landscape plan shall meet the requirements of Municipal Code Chapter 17.40 (Water Efficient Landscape Regulations) including the Landscape Documentation Package. A final landscape and irrigation plan shall be submitted to, and approved by, the Community and Economic Development Department for inclusion in the project grading permit. Where no grading permit is required, the final landscape plan must be submitted to and approved by the Town prior to issuance of a building permit. Completion of all landscape improvements and revegetation of disturbed areas shall occur prior to issuance of the first Certificate of Occupancy.

18. The Final Landscape Plan shall comply with California Public Resources Code 4291 and local defensible space clearance codes. Plants, flowers, and shrubs should be a min. of 5 feet from the structure.

19. Prior to the removal of any trees, a final analysis of the value of the trees removed shall be prepared by a licensed forester or arborist. The applicant shall install tree landscaping based upon the value-for-value determination by the forester/arborist. Said tree replacement shall be within the project area or off-site, as may be approved by the Community and Economic Development Director.

20. A valid building permit and a permit from the Mammoth Lakes Fire Protection District are required before any building can begin on-site.

21. New or changed improvements, exterior illumination, elevations, designs, materials, or colors shall conform to the adopted Design Guidelines of the Town of Mammoth Lakes and will require review and approval from the Town of Mammoth Lakes Community and Economic Development Department or Planning and Economic Development Commission pursuant to Municipal Code Chapter 17.88.

22. A certificate of occupancy is required for all future tenant improvements within the subject structures. Tenant improvements shall identify occupancy separation requirements, disabled access requirements and compliance with all applicable building, electrical, plumbing, and fire code requirements.

23. All conditions of approval shall be printed verbatim on all of the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the index.

24. Developers of residential properties shall include a disclosure statement indicating that Mammoth Lakes is an area of habitat for Mountain Lions, which indicates potential risk, particularly to small children and pets. (General Plan Mitigation Measure 4.3-1)

SPECIAL PLANNING CONDITIONS

25. The Mitigation Monitoring and Reporting Program (MMRP) established by the 1991 Lodestar at Mammoth Environmental Impact Report (SCH# 1991105212) shall be adhered to in the implementation of the proposed development and is incorporated herein by reference.

26. The affordable housing requirements for this project shall be mitigated in accordance with the Town's Housing Ordinance in effect at the time of building permit submittal.

27. The shared Homeowners Association shall maintain an on-site shuttle service for all owners to provide transportation to shopping, restaurants, the ski area, and the airport to the satisfaction of the Community and Economic Development Director.

28. The required trash enclosure shall be improved with a concrete slab and enclosure constructed of materials compatible with that of the buildings. Adequate space for recyclable materials shall be provided within the enclosure. All trash enclosures, and receptacles shall be animal resistant. The enclosure is not required to be gated. The final alignment of the trash enclosure shall be reviewed by Mammoth Disposal, the Public Works Department and the Community and Economic Development Department and shall comply with Municipal Code section 17.36.130. The trash enclosure shall be installed prior to issuance of the final Certificate of Occupancy.

29. Solid fencing that could be a barrier to wildlife movement is prohibited along property frontages onto common area and the golf course, with the exception of solid fencing required for noise mitigation pursuant to the Lodestar Master Plan. Windfalls and other coarse woody debris removed from building sites shall be redistributed throughout undeveloped portions of the project areas to create structural diversity and promote continued wildlife use of forested habitats. Stumps from tree cutting shall be boraxed or appropriately treated within four hours of cutting to prevent root fungus from entering the root systems of retained trees.

30. Roof vents, exhaust, pipes, and flues shall be combined and/or collected together on slopes of roof out of public view to the greatest extent possible.

31. All gates/ barricades shall be functional in all weather conditions, including heavy snow. For electric operating gates, a radio-controlled opening device shall be the primary means of operation with an approved key operated switch or touchpad keyboard used as a backup system. In the event of power failure, all remote-controlled gates shall automatically open and stay open until power is restored. The Fire Chief shall approve the placement of an electric operating gate. For non -powered gates, a key box approved by the fire code official shall be provided in an approved location. All barricades/bollards shall be removable or allow for passage of fire vehicles if the fire department has a need to pass through the barricaded area. Only approved traffic bollards shall be used within the district.

32. Fire Sprinkler systems shall be installed in accordance with NFPA 13D and the MLFPD Local Ordinance. A deferred submittal for sprinkler plans and calculations will NOT be acceptable and shall be submitted with construction plans.

33. All exterior wood products shall comply with the Wildland Urban Interface (WUI) construction materials requirements certified by the State Fire Marshal's Office and be in compliance with Chapter 7A of the 2016 California Building Code. Plywood or OSB sheeting shall be a minimum of one-half inch thickness with approved siding material placed over top.

34. All eave and crawl space ventilation shall resist the intrusion of flame and burning embers and comply with Chapter 7A of the California Building Code and local modifications.

35. The structure shall comply with NFPA 13R automatic fire sprinkler requirements as required by Section 903.2.8 and 903.3 of the California Fire Code. A deferred submittal for sprinkler plans and calculations will be acceptable.

36. A six-foot high solid fence shall be installed along either the eastern property line or the eastern edge of the interior circulation street at any location where the edge of pavement of the proposed interior circulation street is within 50 feet of properties in the RMF-1 zone.

37. In areas of the project where the roadway is greater than 50 feet from the residential zoned area to the east, no solid fencing shall be installed. The use of split rail fencing is acceptable in these areas.

38. In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peak, clearing, driving posts, auguring, backfilling, blasting, stripping topsoil or similar activity), all such activities shall temporarily cease on the Project Site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth in the Addendum.

39. Prior to the final certificate of occupancy, the applicant shall setup an escrow account with no less than $30,000 to be used for additional landscaping between Villas III units 22-25 and San Juaquin Villas.

ENGINEERING DIVISION CONDITIONS

STANDARD CONDITIONS / GENERAL REQUIREMENTS:

40. A final map, consistent with the tentative map and the conditions herein, shall be recorded with the County Recorder of Mono County prior to the expiration of the approved tentative map. The final map shall conform to the Subdivision Map Act and the Subdivision Ordinance for the Town of Mammoth Lakes. The tentative map shall expire 24 months after the approval date. Failure to record the final map prior to the expiration will nullify all approvals, except as such time limitation may be extended by law or by the Planning and Economic Development Commission in accordance with the Subdivision Map Act.

41. The maintenance of graded slopes and landscaped areas shall be the responsibility of the developer until the transfer to individual ownership or until the maintenance is officially assumed by an appropriate district or property owners' association.

42. Slope rights adjacent to public rights of way shall be dedicated on the final map where necessary.

43. All new utility lines within, adjacent to, or serving the site shall be placed underground.

44. The site grading design and all building construction shall conform to State and federal disabled access regulations.

45. Paved access is required to a maintained street. Street and traffic signs shall meet the California Manual of Uniform Traffic Control Devices (MUTCD).

46. Landscaping and irrigation systems within the public right of way, adjacent to the project area and within the project shall be maintained by property owner, with the exception of benefit assessment district areas.

47. Nothing in the approval of this tentative tract map shall be construed to allow for the deviation, adjustment, variance or non-conformance of any Municipal Code or ordinance, or of any local, State or federal standard, policy, regulation or law, unless specifically provided for herein.

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO APPROVAL BY STAFF OF THE FINAL MAP:

48. The final map shall conform to the requirements of Town of Mammoth Lakes Ordinance 84-10 and all amendments thereto.

49. All easements and dedications shall be in a form and content acceptable to the Public Works Director.

50. The applicant shall submit to the Town an electronic file of the final map in AutoCAD, or other format as may be approved by the Public Works Director, within 30 days of approval of the final map.

51. Copies of all exceptions, easements, restrictions and encumbrances listed in the preliminary title report together with a copy of the current grant deed and a current title report, a copy of each record map for the subject property shown within the tentative map boundary, and a copy of each and every adjacent map, deed or other document as necessary that establish, or were used for the survey of, and for the retracement of the subdivision boundary shall be submitted with the initial submittal of the final map.

52. A subdivision guarantee shall be issued and dated within 30 days prior to final map approval by the Planning and Economic Development Commission.

53. A preliminary soils report shall be filed with and reviewed by the Public Works Director. The report shall address and make recommendations as to the compacted and un-compacted fills on-site. A note shall be placed on the final map indicating which lots require grading remediation. An "as-graded" soils report shall be provided to the Town upon completion of the grading.

54. A form of security listed in Government Code Section 66499(a) and acceptable to the Town shall be posted to secure completion of all required grading, street and drainage improvements in accordance with the Municipal Code and the applicant shall enter into a subdivision improvement agreement for all required public

improvements in accordance with the Subdivision Map Act. The agreement shall include provisions for the posting of warranty sureties for the accepted public improvements two weeks prior to Planning and Economic Development Commission approval of the final map. Construction cost estimates for all required sureties shall be prepared and signed by a registered civil engineer. The estimates shall be at prevailing wage rates and shall include 20% for construction contingencies and 20% for administrative costs. All sureties shall be posted prior to the issuance of a grading permit and prior to approval by staff of the final map.

55. Monumentation of the subdivision shall be installed in accordance with the Subdivision Ordinance of the Town, Ordinance 84-10.

56. A form of security listed in Government Code Section 66499(a) shall be posted with the Town in a form acceptable to the Town Surveyor for any deferred final monumentation for the final map. The estimated amount of the surety shall be prepared by the licensed land surveyor preparing the final map and shall be approved by the Town Surveyor. The estimates shall be at prevailing wage rates and shall include 20% for construction contingencies and 20% for administrative costs.

57. Rights of way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing shall be required as necessary.

58. All easements as shown on the tentative map shall be granted on the final map or recorded by separate document prior to or concurrent with recordation of the final map in a form and in content acceptable to the Town. Easements to be recorded by separate document shall be submitted to the Town for review and approval. The fully executed documents shall be submitted to the Public Works Director prior to approval of the final map. Easements shown on the tentative map to be granted or dedicated shall indicate the beneficiary of the easement(s).

59. Easements shown on the tentative map to the benefit of an agency other than the Town or to other parties shall be shown on the final map as "Easements Reserved". The owner's statement on the final map shall reserve said easements unto themselves, their heirs and assigns.

60. All documents that are required to record prior to or concurrent with the recordation of the final map shall be reviewed and approved by the Town and shall be fully executed, notarized and ready for recordation prior to approval of the final map by Town staff. The originals of the executed documents shall be delivered to the Public Works Director together with the final map prior to approval of the final map.

61. The CC&Rs shall contain provisions granting rights of access and parking, as necessary, to the owners, tenants, and their guests, of the PUD units.

62. Existing CC&Rs, if any, encumbering the property shall be amended as necessary for the proposed development of this project.

63. The applicant shall submit a request for unit, building and street addressing to the Town. Approval of the addressing shall be completed prior to approval of the final map by staff.

64. For planned development projects the following statement shall appear on the signature sheet of the final map: "THIS SUBDIVISION IS A PLANNED

DEVELOPMENT AS DEFINED IN SECTION 4175 OF THE CIVIL CODE OF THE STATE OF CALIFORNIA, CONTAINING A MAXIMUM OF 102 ROOMS WITHIN 33 RESIDENTIAL UNITS AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT."

65. Prior to approval of the final map by staff, the applicant shall provide evidence to the Town that the property taxes have been pre-paid to Mono County Tax Collector or their payment has been secured by the filing of a surety bond or other cash-equivalent security acceptable to the County.

66. As required by the Town's Subdivision Ordinance Section 17.20.160 and Council Resolution 21-53, the applicant shall pay a fee for each unit, parcel or lot, including lettered lots and parcels and common area lots or parcels, created to the Community and Economic Development Department for long range planning reimbursement prior to approval by staff of the final map.

67. If the subdivider elects to file multiple final maps, then prior to submittal of the first final map for the project, the applicant shall submit a development schedule of phasing and improvements for review and approval by the engineering and planning divisions of the town. The Town may impose additional conditions relative to phasing and the filing of multiple maps in accordance with Section 66456.1 of the Subdivision Map Act. Phasing may only be permitted if discontinuous rights-of-way and substandard lots are not created by the phasing.

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO ISSUANCE OF AN ENCROACHMENT, GRADING, OR IMPROVEMENT PERMIT:

68. Applicant shall be responsible for adhering to the Federal Migratory Bird Treaty Act and California Fish and Game Code Sections 3503 and 3503.5. It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird or bird-of-prey, except as otherwise provided by FGC or any regulation made pursuant thereto. Completion of, and submission to the California Department of Fish and Wildlife of, a nesting bird survey by a biologist with relevant qualifications within three days of initiation of site disturbance is recommended for projects that have the potential to disturb suitable nesting habitat, which may include riparian vegetation, mature trees, snags, and structures.

69. Proposed water and sewer connections require a Connection Permit from Mammoth Community Water District. Prior to the Town authorizing any construction, the applicant shall obtain water and sewer permits from Mammoth Community Water district and pay applicable fees to the District.

70. The project shall comply with the project SWPPP and the Guidelines for Erosion Control in the Mammoth area. This shall include submittal of a Report of Waste Discharge, if applicable.

71. Applicant shall be responsible for obtaining a secondary source permit or letter of exemption from the Great Basin Unified Air Pollution Control District.

72. All grading and public improvements, including driveways and parking areas, shall be consistent with the Town of Mammoth Lakes Standard Plans for Public Works.

73. The applicant shall obtain an easement or letter of permission to grade all areas requiring off-site grading prior to issuance of a grading permit or a building permit. These areas shall be contour graded.

74. Construction of water and sewer improvements shall require water and sewer permits from the Mammoth Community Water District. Grading plans shall be submitted to the Town for review and approval and a grading permit in accordance with the municipal code shall be obtained from the Town and all mitigating measures and best management practices to prevent erosion and to protect existing trees shall be constructed prior to work commencing for any and all water and sewer improvements.

75. If the project would disturb more than one acre, Applicant is responsible for obtaining a National Pollutant Discharge Elimination System (NPDES) permit. The NPDES permit shall be approved by the State Water Resources Control Board and Waste Discharger Identification (WDID) number issued prior to the issuance of a grading permit or building permit.

76. An application for an engineered grading permit shall be submitted to the Engineering Services Division of the Public Works Department in accordance with Chapter 12.08 of the Municipal Code. No change to the existing conditions of the site, including site grading, drainage interruption, land clearing, etc. shall be commenced until grading and drainage plans have been approved by the Public Works Director.

77. An engineered grading permit for the project shall not be issued unless one of the following has occurred:

a. Submission of a complete application for a building permit to the building division of the Community and Economic Development Department. The building official shall make the determination as to whether or not the application is complete; or

b. A form of security listed in Government Code Section 66499(a) and acceptable to the Town shall be posted to secure restoration of the site. Construction cost estimates for all required sureties shall be prepared and signed by a registered civil engineer. The estimates shall be at prevailing wage rates and shall include 20% for construction contingencies and 20% for administrative costs and shall be reviewed and approved by the Public Works Director or designee prior to execution.

78. An encroachment permit or a letter of exemption shall be obtained from the Engineering Services Division of the Town prior to construction within the public right-of-way in accordance with Chapter 12.04 of the Municipal Code. Encroachment permit applicant shall include a traffic control plan as applicable.

79. Street and public improvement plans for streets, sidewalks, drainage, and other public/private infrastructure shall be prepared by a registered civil engineer and submitted to the Town for review and approval. Existing topography and proposed grading with sufficient contours intervals (not to exceed two feet) shall be prepared by a registered civil engineer or a licensed land surveyor.

80. Street profile grades shall not be less than 0.5% unless the engineer of work at the time of submittal of the improvement plans provides justification to the satisfaction

of the Public Works Director confirming the adequacy of the grade and provided that drainage can be adequately maintained.

81. Final grading and improvement plans and profiles shall indicate the location of any existing utility facility that would affect construction. All existing utilities shall be shown on the improvement plans and relocated as necessary without cost to the Town. Existing overhead utilities requiring relocation shall be converted to underground.

82. Prior to approval of the improvement plans, the applicant shall contract with a soils testing engineer. Any proposed grading within the street right-of-way shall be done under the direction of the soils testing engineer. Compaction tests of embankment construction, trench backfill, and all sub-grades shall be performed at no cost to the Town. Prior to placement of any base materials, and/or paving, a written report shall be submitted by the soils testing engineer to the Public Works Director for review and approval.

83. Prior to issuance of a grading permit or building permit, Applicant shall submit to the Town a geotechnical report that confirms that the proposed stormwater retention infiltrator locations will not be subject to groundwater entering the drywell or cause leaching. A sediment and oil water separator shall be installed in conjunction with the infiltrator, substantially in conformance with NPDES water quality Phase 2 requirements.

84. Slope stability tests are required for all cuts greater than 2:1 or fills greater than 3:1 (H:V).

85. A thorough evaluation of the structural street section, to include parkway improvements, from a qualified civil and/or geotechnical engineer, shall be submitted to the engineering services division.

86. Drainage across the property shall be maintained. The design of the grading and drainage facilities shall not create concentrated discharges to adjacent properties and/or public rights of way in excess of historical flows. A registered civil engineer shall investigate existing facilities and design adequate drainage facilities to intercept and conduct the drainage flows around or through the site in a manner that will not adversely affect adjacent or downstream properties. The Engineer shall verify that downstream facilities, and drainage channels accepting site flows are not adversely affected by an increase in runoff from this development. If the project does create concentrated or sheet flows off-site that are greater than historical, the applicant shall demonstrate that the downstream facilities can accommodate the increased flows; otherwise, the applicant shall provide on-site detention for excess flows.

87. A final hydrology and hydraulics study is required and shall be submitted with the grading and improvement plans for the project. The study shall be prepared in accordance with the grading chapter of the municipal code and the adopted Storm Drain Master Plan of the Town and shall be prepared by a registered civil engineer. The study shall include runoff from the entire site and shall also include runoff that enters the property from all upstream sources, and shall include all storm drains, drywells, infiltrators and surface flows. The study shall indicate the method of conveying surface and underground runoff and shall address drainage conveyances downstream to the extent they exit to an existing facility or natural drainage course.

All existing drainage facilities on-site and tributary to the site shall be identified and shown on the grading plans. The hydraulic calculations shall include all pipe flows, velocities and head loss calculations sufficient to show the adequacy of all conveyance systems. Q100 and V100 and the hydraulic grade line for all public storm drains and all facilities with an equivalent diameter of 18 inches or greater shall be shown on the approved grading and improvement plans. The drainage study for the project and the final design of the storm drain system shall be approved prior to approval by staff of the grading and improvement plans and the final map. Infiltrators and storm water pollution prevention facilities are to be designed to accept the "first flush" levels of runoff. The capacity of these facilities shall not be assumed to reduce storm water flows of other drainage facilities that may be required for the project.

88. Temporary and permanent erosion control plans shall be included with the grading, improvement, and building plans. Continuous water spraying or other approved methods shall be used during grading operations to control fugitive dust. Drop inlet filters and other temporary Best Management Practices shall be employed to filter nuisance water from storm drain inlets affected by construction, on-site and off-site. Groundwater pollution from urban run-off water generated by the project shall be mitigated using best management practices (BMPs), per the requirements of the California Regional Water Quality Control Board, Lahontan District, and as indicated in the "New Development and Redevelopment Guidelines". The applicant shall apply for and obtain all required permits, written clearances or exemptions from the Lahontan District prior to any grading. All BMPs shall be shown on the erosion control plans. If the Town inspector determines that the BMPs in place are not adequate, then additional BMPs shall be installed at the discretion of the Town inspector or a revised erosion control plan shall be prepared for approval by the engineering services division. Gravel bags shall be used in lieu of sand bags. All permanent erosion control measures shall be irrigated for at least one season. Permanent BMPs shall include sediment traps upstream of infiltrators and oil water separators for parking areas consistent with the General Plan.

89. Grading plans shall include a Construction Staging and Management Plan which includes provisions related to the parking of construction worker vehicles, construction equipment, construction materials, haul routes for export or import of material to/from a permitted site and specific limitations restricting access into non-developed portions of the site and the storage of materials within these areas. Identified haul routes shall avoid residential areas to the maximum extent practical. The staging plan and the final access roadway improvements shall all be approved by the Mammoth Lakes Fire Protection District prior to grading permit issuance. An approved copy of the plan shall be maintained on-site at all times and available to all contractors, subcontractors, their employees and the Town. The staging plan shall address hours of work, and special approval for work outside hours allowed. The plan shall also contain provisions for interrupting utility services to neighboring properties and sufficient noticing to affected residents and property owners. Storage of construction materials and equipment and parking of construction worker vehicles shall not be permitted within Town right-of-way without a permit issued by the Public Works Department.

90. On the cover sheet of the grading plans and in a very conspicuous location place the following note: "The conditions of approval for the approved tentative tract map, TTM 21-001, UPA 21-001, DR 21-001, and ADJ 21-006, contained in the resolution recorded at the County Recorder's Office of Mono County as Document No. 2022xxxxx, shall be made a part of these plans and the grading permit and all conditions and requirements therein shall be adhered to by the contractor, his sub-contractors and any person performing any work on the project." This note shall also be included within the construction staging and management plan.

91. Prior to combustible materials being placed on-site, an all-weather access road shall be constructed serving all exterior portions of the structure to the satisfaction of MLFPD.

92. Existing Town streets and recreational trails/multi-use paths that require construction or reconstruction, shall remain open for traffic at all times, with adequate detours and traffic control, during actual construction. A form of security listed in Government Code Section 66499(a) and acceptable to the Town shall be posted to cover the cost of grading and paving prior to approval by staff of the map.

93. The grading plan and building permit plans shall indicate all snow storage areas and drainage facilities.

94. All easements shall be shown on the grading and building permit plans.

95. A tree removal plan shall be approved prior to any land disturbance and the issuance of a grading or building permit. A pre-construction meeting shall be held on-site prior to any land disturbance to inspect clearing limit fencing. The applicant shall obtain the necessary Timber Harvest Permit prior to any tree removal.

96. The grading plan shall include tree protection measures to address how construction can occur without disturbing the drip-line of retained trees. The drip-line areas shall be "fenced" off with barriers to prevent disturbance during site grading. Additionally, finish grading shall not disturb existing understory vegetation or retained trees. Grading operations shall not commence until all erosion control measures and tree protection measures are in place as shown on the approved plans, and as required by the Town.

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO ISSUANCE OF BUILDING PERMITS:

97. Recordation of the final map. The applicant shall provide evidence to the Town that the map has recorded prior to issuance of the first building permit for the project. Evidence shall consist of the recording information of the final map.

98. For all fences, retaining and screening walls greater than 48" in height above grade, the applicant shall submit plans to and obtain a building permit from the building division.

PRIOR TO ISSUANCE OF A TEMPORARY, CONDITIONAL, OR FINAL CERTIFICATE OCCUPANCY, THE FOLLOWING CONDITIONS SHALL BE COMPLETED:

99. All required landscaping and irrigation improvements shall be constructed prior to issuance of a temporary, conditional or final certificate of occupancy for the project. A form of security listed in Government Code Section 66499(a) and acceptable to the Town shall be posted with the Town to the satisfaction of the Community and Economic Development Department for any required landscaping and irrigation improvements to be deferred and a schedule shall be submitted to the town for the construction of the deferred improvements. Deferral of the construction of any landscaping and irrigation improvements shall be at the sole discretion of the director of the Community and Economic Development Department.

100. Address numbers shall be placed on all new and existing structures in such a manner as to be plainly visible and legible from the access roadway or street, consistent with Municipal Code Chapter 16.32.

101. The final Planned Unit Development (PUD) plans for the project shall be submitted to the Town for review for conformance with the approved development plan, tentative map, and CC&Rs. The PUD plans shall conform to the conditions of approval with respect to ownership of required appurtenant use areas. Issuance of a certificate of occupancy and recordation of the PUD plans shall not occur prior to Town approval of the PUD plans. The PUD plans shall be recorded prior to issuance of a temporary, conditional, or final certificate of occupancy for the project.

102. Construction of private streets and private facilities and related drainage improvements shall be inspected and certified by the Public Works Director and/or designee.

103. All required grading, public and private street and drainage improvements shall be completed, all "punchlist" items completed to the satisfaction of the Public Works Director, the as-built plans submitted, reviewed and approved and the required warranty security posted prior the issuance of a certificate of occupancy for the project.

104. Projects subject to a building permit shall have all required on and off-site improvements completed and approved prior to final inspection of any buildings or structures. The installation of any on or off-site improvements shall be sufficiently completed so as to assure protection from storm or drainage run off, a safe and drivable access for fire and safety, and the ordinary and intended use of buildings or structures. The Building Official, with the concurrence of the Public Works Director, may approve any plan or approve a change to an approved plan, which complies with the intent of this policy.

SPECIAL ENGINEERING CONDITIONS

105. All subdivision improvements shall be completed prior to issuance of the first Certificate of Occupancy for the Villas III Subdivision.

106. Applicant shall construct public storm drain infrastructure to intercept the two (2) existing off-site drainage channels and convey the runoff south to the existing 42" storm drain at Dorrance Drive. In accordance with the project Drainage Analysis dated February 2021, the storm drain infrastructure shall accommodate 20-year storm flows. Overflow beyond a 20-year event shall be directed to continue off-site within historic drainage channels.

107. Prior to final map approval by Town staff, applicant shall execute a drainage easement agreement with the Town, in a form and content acceptable to the Public Works Director, for a minimum width of 15-feet over the required public storm drain facilities. Where determined necessary by the Town Engineer, additional easement width shall be provided.

108. Prior to final map approval by town staff, applicant shall execute an easement agreement with the Town, in a form and content acceptable to the Public Works Director, vacating the existing recreational trail easement and establishing a new easement for recreational trail and snow storage purposes, over the easterly 11.5ft or 12ft of the property, as indicated on the approved plans.

109. Applicant shall construct a minimum 8ft-wide recreational trail/multi-use path within the new easement in accordance with Town Standards to replace the existing trail and easement being relocated and vacated. Existing public recreational trails/multi-use paths shall be maintained accessible to the public and in a safe and usable condition during construction. Trails that are to be relocated must be relocated prior to removal of the existing facility.

110. Snow rails shall be installed along the entire roof edges of:

a. the east sides of Lots 26 and 33, where the buildings are adjacent to the recreational trail.

b. the north side of Lot 19 and the south side of lot 20, where the buildings are adjacent to the north public storm drain easement.

c. the north side of Lot 1 and the south side of Lot 2, where the buildings are adjacent to the south public storm drain easement.

111. Pursuant to Mammoth Lakes Fire Protection District requirements, a minimum access width of 26ft shall be maintained along the entire length of the proposed interior circulation road and/or Obsidian Place fire access road. Snow shall be removed in a timely manner and the entire fire access road area shall be kept clear of all obstructions at all times.

112. Applicant shall submit a petition to be annexed into the Town's Transit and Transportation Fee Community Facility District (CFD 2013-03), in consideration of: the Town's Vision Statement requiring a de-emphasis of the use of the automobile; occupancy and mode of travel expectations; and to mitigate the impacts of the project on air quality as required by CEQA. Annexation process shall be completed, and all fees associated with the annexation process paid by applicant, prior to final map approval by staff. CFD 2013-03 shall be referenced in the project CC&Rs, as well as in any disclosure documents required by the California Department of Real Estate for the project.

113. Due to the proposed through-street connection of Callahan Way to Obsidian Place, one of the streets will likely need to be renamed and existing parcels re-addressed in accordance with Municipal Code Section 16.32.

114. Prior to issuance of a building permit, applicant shall submit a snow removal/storage management plan for the Callahan Way access parcel in accordance with Municipal Code Section 17.36.110.B(3)(a) to the Community and Economic Development Department and Public Works Department for approval. The plan shall be in the form of a recorded document mutually agreed to between

the property owner and the Town and shall describe features such as, but not limited to, location of snow storage areas, the method of snow hauling, frequency of pick-ups, pick-up areas, haul routes, hours of hauling operations, and snow deposit areas. This plan shall be included in the CC&Rs prior to final map approval by Town staff.

115. Prior to issuance of grading permit, Applicant shall coordinate final gate design, including location, configuration and any appropriate signage, to the satisfaction of the Public Works Department, in order to meet the Municipal Code operational requirements, including provision of adequate turn-around space.

EXHIBIT "B"

Addendum to the 1991 Lodestar at Mammoth Environmental Impact Report

Addendum begins on the following page

ADDENDUM TO THE EIR

Villas at Obsidian – Phase 3 (Villas 3 Project) Addendum to the Lodestar at Mammoth EIR

100 Callahan Way, Mammoth Lakes, CA 93546

Prepared for:

Town of Mammoth Lakes
437 Old Mammoth Road, Suite 230, Mammoth Lakes, CA 93546

Prepared by:

CAJA Environmental Services, LLC

9410 Topanga Canyon Boulevard, Suite 101, Chatsworth, CA 91311

April 2022

Table of Contents

Section **Page**

1 Executive Summary 1
2 Project Description 10
3 Revisions to Appendix G of the CEQA Guidelines 17
4 Environmental Impact Analysis 18

Tables **Page**

4.8-1 Consistency with Applicable Greenhouse Gas Reduction Strategies 69
4.11-1 General Plan 90
4.11-2 Master Plan 91
4.15-1 Fire Stations 114
4.15-2 Schools 117
4.15-3 Project Estimated Student Generation 117
4.15-4 Parks 119
4.17-1 Trip Generation 130
4.17-2 Screening Criteria 131
4.19-1 Project Estimated Water Demand 144
4.19-2 Project Estimated Wastewater Generation 146
4.19-3 Waste Disposal and Capacity 148
4.19-4 Project Demolition and Construction Waste Generation 148
4.19-5 Project Estimated Solid Waste Generation 149

Appendices

A-1 Plans (Single Family), MAKE Architecture, April 21, 2022
A-2 Plans (Duplex), Ch X TLD, April 25 2022
A-3 Landscape Plans, Pakshong Landscape and Architectural Collaborative, April 22, 2022
A-4 Tentative Tract Map, Triad/Holmes Associates, January 17, 2022
B-1 Tree Survey Report, High Mountain Arborist, January 18, 2021
B-2 Tree Replacement Plan Recommendations, High Mountain Arborist, June 17, 2021
C Preliminary Geotechnical Investigation, SGS, February 4, 2021
D Drainage Analysis and Storm Water Quality Management Plan, Triad/Holmes Associates, February 2, 2021

*Appendices are available on the project's webpage at https://www.townofmammothlakes.ca.gov/1073/Villas-III

ADDENDUM TO THE EIR

1 Executive Summary

Project Title: Villas at Obsidian – Phase 3 (Villas 3 Project)
Addendum to the Lodestar at Mammoth EIR

Project Location: 100 Callahan Way, Mammoth Lakes, CA 93546 (Project Site)

Project Type: The Tentative Tract Map (TTM 21-001) for the Property and its subdivision into residential units); Conditional Use Permit (UPA 21-001) to allow for transient rentals; Design Review (DR 21-001) for compliance with the Master Plan; and Adjustment (ADJ 21-006) to allow for a 2-foot 6-inch height increase for a new Planned Unit Development consisting of 33 whole ownership residential townhome lots with 18 structures, each with 2-car garages in Development Area 2 of the Lodestar Master Plan.

State Clearinghouse: 1991105212 (Certified EIR)

Lead Agency: Town of Mammoth Lakes
437 Old Mammoth Road, Suite 230, Mammoth Lakes, CA 93546

Contact: Michael Peterka, Assistant Planner
mpeterka@townofmammothlakes.ca.gov

Applicant: Promark Investments
Mark Rafeh
223 E. Thousand Oaks Boulevard, Suite 412
Thousand Oaks, CA 91360

Prepared By: CAJA Environmental Services, LLC
9410 Topanga Canyon Boulevard, Suite 101, Chatsworth, CA 91311
Seth Wulkan, Project Manager
310-469-6700 and Seth@ceqa-nepa.com

Pursuant to the California Environmental Quality Act (CEQA), a Final Environmental Impact Report (Final EIR) was prepared and certified for the Lodestar at Mammoth Master Plan (Master Plan). The Final EIR document is hereinafter referred to as the "Certified EIR." The Certified EIR consists of the Draft EIR (released November 14, 1990) and the Final EIR (released February 1991). It is a Program EIR,[1] as defined by CEQA Guideline 15168(a).

> *A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either: (1) Geographically, (2) A logical parts in the chain of*

[1] Final EIR, Volume I, page 2-1.

contemplated actions, (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

1.1 Introduction

In February 2021, the Town of Mammoth Lakes (Town) received an application for a Tentative Tract Map (TTM 21-001) for the Property and its subdivision into residential units; Conditional Use Permit (UPA 21-001) to allow for transient rentals; Design Review (DR 21-001) for compliance with the Master Plan; and Adjustment (ADJ 21-006) to allow for a 2-foot 6-inch height increase for a Planned Unit Development (PUD)[2] with 33 whole ownership townhomes within Development Area 2 (DA-2) of the Master Plan (Project). The proposed subdivision, named The Villas 3, is a permitted use in the Master Plan and is below the allowable density in Development Area 2.

This Addendum to the EIR has been prepared by the Town to assess the potential environmental impacts for the Project and to assure that all potential impacts have been addressed through the existing environmental documentation and project approvals.

1.2 Background

In April 1991, the Town Council approved the Master Plan and published a Notice of Determination for the Master Plan's Certified EIR. The Certified EIR evaluated the impacts of the Master Plan, a resort development proposal that included a hotel, low- and medium-density residential units, resort commercial, and an 18-hole golf course located near the intersection of Minaret Road and Meridian Boulevard in Mammoth Lakes.

Since the original approval of the Master Plan, some phases of the plan have been developed. To date, 163 units of multi-family housing, 93 units of single-family housing, 64 units of multi-family workforce housing, and the 18-hole golf course have been constructed. Some individual project approvals included separate CEQA review. All previous approvals are incorporated in this proposal and analysis.

The proposed Project is a PUD with 33 whole ownership residential townhomes within Development Area 2 of the Master Plan. Multiple family structures with four or fewer dwellings per structure, including PUD whole ownership townhome style developments, are a permitted use in Development Area 2 of the Master Plan and the Project is below the allowable density for Development Area 2. With the approval of the Administrative Adjustment request (ADJ 21-006) for a 10% increase in building height, the Project complies with all applicable Master Plan requirements.

This Addendum to the EIR has been prepared by the Town to assess the potential environmental impacts for the Project and to assure that all potential impacts have been addressed through the existing environmental documentation and project approvals.

[2] A Planned Unit Development (PUD) is a community of homes that could look like single family residences, townhomes or condos. A PUD includes ownership of a "lot," with common areas either owned by a homeowner's association (HOA) or collectively by all invested parties.

Following preliminary review of the Project, the Town determined that the Project is subject to the guidelines and regulations of the CEQA. This Addendum addresses the proposed Project, pursuant to CEQA Guidelines.

1.3 Statutory Authority And Requirements

Under CEQA, an Addendum to a certified EIR may be prepared if only minor technical changes or additions are necessary or if none of the conditions requiring a subsequent EIR or Negative Declaration exist. The specific CEQA Guidelines requirements for an Addendum are as follows:

> ***15164. ADDENDUM TO AN EIR OR NEGATIVE DECLARATION***
>
> *(a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162calling for preparation of a subsequent EIR have occurred.*
>
> *(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*
>
> *(c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.*
>
> *(d) The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.*
>
> *(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*
>
> ***15162. SUBSEQUENT EIRS AND NEGATIVE DECLARATIONS***
>
> *(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*
>
> > *(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*
> >
> > *(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severityof previously identified significant effects; or*

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This Addendum demonstrates that the environmental analysis, impacts, and mitigation measures identified in the Certified EIR for the Master Plan, as amended by the subsequent addenda, remain unchanged by the Project, and supports the finding that the Project would not result in any new or increased significant environmental effects beyond those already identified in the Certified EIR.

The Town has prepared this analysis to confirm that the use of an Addendum to the Certified EIR is in accordance with CEQA and the California CEQA Guidelines.

The analysis of this Addendum establishes that there is no substantial evidence to support an argument that any of the criteria set forth in Public Resources Code, Section 21166 or Section 15162 of the CEQA Guidelines apply to the Project. Accordingly, the Town has determined that an Addendum to the Certified EIR is the appropriate CEQA documentation to address the Project.

The environmental impacts associated with the Master Plan were addressed in the Certified EIR, and no significant revisions to the prior analyses are required. The Project implements a portion of the Master Plan and as discussed below, would not result in any new or increased significant impacts beyond those identified in the Certified EIR. Additionally, the "circumstances under which the project" would be undertaken are no different than described in the Certified EIR (refer to CEQA Guidelines Section 15162(a)(2)).

Finally, there is no "new information of substantial importance" that would result in new or increased significant impacts not already identified in the Certified EIR (refer to CEQA Guidelines Section 15162(a)(3)). For these reasons, a subsequent EIR to address this new information is not required.

1.4 Evaluation of Project

The Certified EIR and subsequent environmental reviews collectively analyzed the Master Plan, a resort development consisting of 500 hotel units, 763 low- and medium-density residential units, an 18-hole golf course, and 80,000 square feet of commercial development on 223 acres. The Master Plan is divided into five development areas and the golf course.

The Project proposes a new subdivision within Development Area 2, to the south of where Callahan Way currently terminates and to the east of Sierra Star golf course. The proposal is to subdivide the approximately 4.1-acre site into a PUD with 33 whole ownership townhomes. A maximum of 210 residential units are allowed in Development Area 2 under the Master Plan and there are currently 79 units built or entitled. This leaves Development Area 2 with 131 units of density remaining out of the 210. Approved developments in Development Area 2 include the: 1) Tallus/Obsidian project, which consists of 34 units; 2) Gray Bear I, which consists of 12 units; 3) Gray Bear II, which consists of 25 units; and 4) Gray Bear III, which consists of 8 units. The overall density in Development Area 2, including the Project, would be well below the allowable density specified in the Master Plan. Transient use of the Project would be allowed with an approved Use Permit.

In assessing the potential for new or increased significant impacts beyond those already identified in the Certified EIR, the Town conducted a staff-level review and consulted with affected entities, including the Mammoth Community Water District and the Mammoth Lakes Fire Protection District. The conclusions of that process are incorporated into the conclusions of this Addendum.

All impact areas, including cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use planning, mineral resources, noise, and recreation, have been analyzed. It has been determined that the Project would not result in any new or increased significant impacts beyond those identified in the Certified EIR, because the Project is within the scope of the allowed uses in the Master Plan. In and of itself, the Project would not create new or more intensive uses than previously analyzed.

1.5 Evaluation of Environmental Effects

The effects of the Project on each of the environmental categories found potentially significant for the Master Plan in the Certified EIR and listed in the Mitigation Monitoring and Reporting Plan (MMRP) are summarized below.

Geology, Soils, and Seismicity

The significant effects identified relate to increasing population within an area subject to geological hazards and apply to any development within the Town. As the Project would not increase population beyond that anticipated in the Certified EIR, there is no change to the severity of the impact.

Hydrology and Water Quality

Potentially significant impacts to hydrology and water quality are related to modification of drainage, increase in runoff, use of fertilizers on the golf course, erosion during construction, and maintenance of

the man-made lakes. Drainage facilities, including detention and percolation facilities, will continue to conform to Town and Lahontan Regional Water Quality Control Board (LRWQCB) requirements. The fertilizer management plan for the golf course is in place. as are all major drainage facilities, and new construction must conform to erosion control requirements. As all existing mitigation measures remain applicable, and the Project does not include intensification of development, no change in the impacts to Hydrology and Water Quality would occur as a result of the Project.

Biotic Resources

Potentially significant impacts to biotic resources identified in the Certified EIR include change in vegetation type, loss of large specimen trees, loss of a substantial number of trees, reduction in wildlife habitat, disturbance of wildlife during construction, and siltation affecting aquatic and riparian habitats. The majority of the habitat modification has already occurred as a result of the golf course development, and the intensity of the remaining development would not increase beyond that anticipated in the Certified EIR. All mitigation measures are still applicable. Therefore, no substantial change in the impacts to biotic resources would occur as a result of the Project.

Jobs/Housing

The Certified EIR identified the increased demand for housing as a result of the development as a potentially significant impact. The Project would not change anticipated uses or intensity of uses beyond what is allowed under the Master Plan. Therefore, the Project would not increase the demand for workers beyond the levels anticipated in the Certified EIR. Mitigation is tied to policies of the Town and would not be altered by the Project.

Utilities

The potentially significant impact identified in the Certified EIR was the increase in solid waste. The mitigation measures contained in the Certified EIR are still applicable and because the Project would not intensify uses, no additional impact would occur. No other impact to utilities, including water consumption, would occur, as the Project would not increase the intensity of development beyond what is allowed under the Master Plan.

Traffic

The Certified EIR identified the growth in traffic volumes and the effect on intersection and roadway capacities as a potentially significant impact. As the Project would not increase the intensity of use or shift Project access points, no change in impacts would occur as a result of the Project.

Air Quality

The Certified EIR identified increases in particulate matter 10 (PM_{10}) from construction emissions, roadway dust, and wood smoke along with potential short-term increases in carbon monoxide (CO) emissions during construction and CO "hotspots" from increased traffic as potentially significant impacts. Because the Project would not increase traffic, wood burning, or construction beyond that anticipated in the Certified EIR, no change in the air quality effects would occur as a result of the Project.

Noise

The Certified EIR identifies construction and operation noise as potentially significant impacts. Since the Project would not intensify any uses leading to additional noise impacts beyond what was identified in the Certified EIR, no change to this impact or the recommended mitigation measures would occur as a result of the Project.

Archaeological Resources

The Certified EIR identifies construction disturbance of cultural resource sites and indirect disturbance of regional cultural resources from an increased number of people as a potentially significant impact. Since the Project would not increase the intensity of development or the number of visitors and residents beyond what was identified in the Certified EIR, no change to this impact or the recommended mitigation measures would occur as a result of the Project.

Aesthetics/Visual Resources

The Certified EIR identified the change in character of a large undeveloped forested site in the middle of town to a developed use, including a golf course, as being a significant effect. The Project would not intensify this effect, and all applicable mitigation measures remain applicable.

Public Services/Fiscal

The Certified EIR identified an increase in student population and an increase in the need for police services as potentially significant impacts. The Project would not increase the intensity of development beyond what was identified in the Certified EIR. Therefore, the Project's student generation and demand for police services would not exceed the levels evaluated in the Certified EIR.

Mitigation measures are proposed for the following environmental impacts in the Certified EIR:

- Aesthetics: **Mitigation Measures 4.10-1(a)** through **4.10-1(j)**
- Biological Resources: **Mitigation Measures 4.3-1** through **4.3-8(b)**
- Cultural Resources: **Mitigation Measures 4.9-1(a)** through **4.9-1(c)**
- Geology and Soils: **Mitigation Measures 4.1-1(a)** through **4.1-5**
- Hydrology and Water Quality: **Mitigation Measures 4.2-1(a)** through **4.2-8(c)**
- Noise: **Mitigation Measures 4.8-1(a)** through **4.8-2(c)**
- Population and Housing: **Mitigation Measures 4.4-1(a)** through **4.4-1(c)**
- Public Services: **Mitigation Measures 4.11-1(a)** through **4.11-8**
- Transportation: **Mitigation Measures 4.6-1(a)** through **4.6-3(e)**

- Utilities: **Mitigation Measures 4.5-1(a)** through **4.5-4(e)**

The following significant and unavoidable impacts were identified for the Master Plan in the Certified EIR:

- Biological Resources
    - Loss of vegetation cover and change in type
- Aesthetics
    - Change of visual character
- Public Services
    - Schools

1.6 Findings

In preparing this Addendum, all of the potential impacts identified on the CEQA "Environmental Checklist Form" were considered. For all impact areas, a detailed review determined that the Project is within the scope of the Certified EIR analysis and Master Plan development, and no changes to impacts or mitigation measures are required. The specific findings required under the CEQA Guidelines (Section 15162) are as follows:

- There are no substantial changes that would lead to new or more severe impacts.
- There are no substantial changes to the circumstances under which the project will be undertakenthat result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- There is no new information of substantial importance, which was not known and could not havebeen known with the exercise of reasonable diligence at the time the previous EIR was certified as complete shows any of the following:

  (A) The project will have one or more significant effects not discussed in the previous EIR;

  (B) Significant effects previously examined will be substantially more severe than shown inthe previous EIR

  (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but theproject proponents decline to adopt the mitigation measure or alternative; or

  (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

1.7 Conclusion

In summary, the analysis concludes that none of the conditions described in Section 15162 of the CEQA Guidelines and Public Resources Code section 21166 calling for preparation of a subsequent EIR or Negative Declaration have occurred,and thus an Addendum to the Certified EIR is appropriate to satisfy CEQA requirements for the Project.

2 Project Description

This section is based on the following documents, which are included as **Appendix A** to this Addendum:

A-1 Plans (Single Family), MAKE Architecture, April 21, 2022.

A-2 Plans (Duplex), Ch X TLD, April 25, 2022.

A-3 Landscape Plans, Pakshong Landscape and Architectural Collaborative, April 22, 2022.

A-4 Tentative Tract Map, Triad/Holmes Associates, January 17, 2022.

2.1 Project Setting

2.1.1 Regional Setting

The Project site is located in the Town of Mammoth Lakes (Town), Mono County, California. The Town is located on the eastern slopes of the Sierra Nevada at an elevation of approximately 7,900 feet above sea level, within Section 34, Township 3 South, Range 27 East.[3] The Town is located approximately 168 miles south of Reno, Nevada, and approximately 310 miles north of Los Angeles.

2.1.2 Local Setting

The Project Site is located at 100 Callahan Way in Mammoth Lakes, California. The Assessor's Parcel Number (APN) is 033-330-087-000.[4] The Site is located in the center of Town, south of Main Street and east of Minaret Road. The Project Site is located within the boundaries of the Master Plan that was designated by the Town in 1991. The Master Plan sets development standards for an approximately 226-acre site situated around the Sierra Star Golf Course.

2.1.3 Regional and Local Access

Regional access is provided by the following:

- U.S. Highway 395, 3.25 miles east of the Site
- California State Highway 203, 575 feet north of the Site

Major arterials which provide access to the Site include the following:

- Minaret Road, 1,500 feet west of the Site
- Main Street, 575 feet to the north
- Joaquin Road, 200 feet to the east

[3] https://www.arcgis.com/apps/View/index.html?appid=019dd6f39fda4d3b811abfab0878b63b
[4] Mono County Assessor: https://monocounty.ca.gov/assessor/page/assessor-data-inquiry

- Meridian Boulevard, 1,500 feet to the south

Access directly to the Site is provided by the following:

- Obsidian Place to the south
- Callahan Way to the north
- Dorrance Avenue to the southeast (emergency access only)

2.1.4 Public Transit

Eastern Sierra Transit Authority (ESTA) provides the following year-round services:

- Purple Line bus stops at Callahan Way and Main Street
- Town Trolley stops at Callahan Way and Main Street

2.2 Surrounding Uses

The Project Site's vicinity is rural/urban with a mixture of housing, commercial, and recreational uses nearby. The Project Site's surrounding uses are as follows:

- West: Sierra Star Golf Course (2001 Sierra Star Parkway), an 18-hole, 114-acre golf course
- North: San Joaquin Villas residences (61 Callahan Way), a 40-unit workforce condominium development
- East: Sierra Valley residences (Joaquin Road)
- South: Obsidian residences (2610 Meridian Boulevard)

The areas to the north, west, and south of the Site are zoned Resort (R). The area to the east of the Site along Joaquin Road is zoned Residential Multi-Family 1 (RMF-1).[5]

2.3 Master Plan

The Master Plan was adopted in May 1991 (Ordinance 1991-06) and has been amended several times since then, the latest being in April 2016 (Ordinance 2016-03 – DZA-15-001). Development Area 2 allows for 210 dwelling units.[6] Development Area 2 has 131 units remaining to be approved out of 210, with 79 units built or entitled.[7] The Program EIR for the Master Plan was certified in 1991. The Certified EIR analyzed Area 2 as follows: 23 acres with 210 dwelling units as a combination of townhomes and condominiums.[8]

---

[5] Mammoth Lakes Zoning Map, June 2018: https://www.townofmammothlakes.ca.gov/DocumentCenter/View/1524/Zoning-Map---June-2018?bidId=

[6] Master Plan, Lodestar at Mammoth, page 2.

[7] Lodestar Master Plan, Amendment April 2016, Density Table. https://www.townofmammothlakes.ca.gov/DocumentCenter/View/3960/Lodestar-Master-Plan-April-2016?bidId=

[8] Final EIR, Lodestar at Mammoth, page 2-2.

The majority of the Master Plan area has been developed with various resort and residential uses. Pursuant to the Certified EIR, all of the other developments within the Master Plan area have undergone project-level environmental review that tiered off of the Certified EIR.

2.4 Existing Conditions

The 4.1-acre (178,596 square feet) Site is undeveloped, and the topography is relatively flat to slightly sloping. Site slopes vary from 7 to 11%. Vegetation includes scattered pine trees and some small scrub and sage brush. There are intermittent drainage channels across and around the Site.

The golf course has a setback along the western boundary of the Project Site.

The Site's eastern boundary includes a multi-use path bikeway.

There are approximately 813 trees onsite.[9]

2.5 Proposed Project

The Project involves the construction of 33 multi-level units (18 buildings) with attached garages, paved driveways, a 24-footwide paved road, and typical utility infrastructure. Foundations will likely consist of concrete perimeters and interior piers. Grading is expected to be minor with buildings set at or near existing grade.

The development will include approximately 115,600 square feet of floor area. Of the 18 buildings, 15 would contain 2 units each (duplexes, total of 30 units), and 3 buildings would contain 1 unit each (single family units). Outdoor lighting will include decorative can lights on front porch and rear decks.

The Single family units will be 3,169.9 square feet of floor area (not including the garage and outdoor deck spaces) each for Lots 1 and 2, and 4,338.4 square feet for Lot 3.[10]

The duplexes will be either 2,752 square feet of floor area or 2,209 square feet (not including the garage or mechanical spaces).[11]

The buildings will be approximately 37 feet and 6 inches in height. Master Plan Section 3.A.1 allows 35 feet in Development Area 2. An adjustment for a 2-foot 6-inch increase is requested.

It is recommended to plant replacement trees for the existing trees that will be removed for the construction of the buildings and roadway, and for the removal of the dead trees. A range of 4-6 new trees per building is an adequate planting plan. With 18 buildings, this includes 72-110 trees.[12]

The Project will plant 97 new trees, for a ratio of 5.4 new trees per building.[13]

---

9 Tree Survey Report, High Mountain Arborist, January 18, 2021.
10 Plans (Single Family), MAKE Architecture, April 21, 2022.
11 Plans (Duplex), Ch X TLD, April 25, 2022.
12 Tree Replacement Plan Recommendation, High Mountain Arborist, June 17, 2021.
13 Landscape Plans, Pakshong Landscape and Architectural Collaborative, April 22, 2022.

See **Appendix A** of this Addendum for floor plans, elevations, sections, and renderings. The Project's units are oriented around the proposed new roadway providing natural light and views of the surrounding golf course and trees. Overall variation in building appearance is created with the use of various materials, setbacks, balconies, a variety of window sizes, roof overhangs, and contrasting finished colors.

In addition to the residential component of the Project, a storm-drain and associated infrastructure improvements are planned for the Site to address seasonal run-off that crosses the Site and to minimize flooding that occurs in the residential areas to the east of the Site. The Project is not proposing any amendments to the development standards of the Master Plan and the proposed use and density are consistent with what was analyzed for the Site in the Certified EIR.

2.5.1 Circulation and Parking

Circulation will include a new roadway with 2 operational access points, each of which would feature a vehicle gate to restrict cut through traffic, one on Callahan Way and one on Meridian Boulevard (using the Obsidian development). A third emergency and bicycle/pedestrian access point will be provided on Dorrance Avenue.

Three parking spaces are required per 4-bedroom unit (3 units) and 2 parking spaces per 3-bedroom unit (30 units). This is a total of 69 parking spaces. The Project will provide 102 parking spaces, with each unit having a 2-car garage and 1 or 2 parking spaces in each driveway.

Walkways to and from residential areas, as well as trail connections, will tie into the larger Town-wide recreational trail network which includes pedestrian trails, bike lanes and sidewalks that are adjacent to major roadways such as Main Street.

2.5.2 Emergency Access

Emergency vehicles will circulate through the Project area using the internal roadway system (Callahan Way extension). In addition, supplemental fire lanes will be developed in conjunction with the roadway system to provide looped secondary emergency vehicle access and egress. An emergency access point will also be provided on Dorrance Avenue. Fire lanes, turning radii, and back up space around buildings will be designed in cooperation with local officials so as to be adequate for emergency and fire equipment vehicles. Pavements will be designed to support loads created by emergency vehicle traffic. Standpipe and fire suppression systems connections will be incorporated into architectural and landscaping design elements where practical and in location accessible to fire equipment.

2.5.3 Snow Management

Snow management will be addressed to ensure that residents and visitors are provided safe and convenient access to and from lodging and within the public use areas throughout the winter season. The adequacy of snow storage areas adjacent to driveways and parking areas will be evaluated based upon zoning code requirements for similar uses. Ground and roof level snow storage areas will be identified. Landscape snow shed areas will be designated and located adjacent to the base of buildings and will be sized to accommodate the anticipated volumes of snow. Roof forms will be designed in coordination with pedestrian areas at the base of buildings. Snow falling from roofs will be directed to

landscaped areas at the base for the buildings or to lower level flat roofs. In limited areas, snow rails or fencing, heated gutters, and heated roof edges may be required to prevent snow shed and ice buildup. Snow will not be permitted to shed freely into active pedestrian areas. However, minor snow depths may remain on pedestrian paved areas during cold periods. When snow begins to melt and creates conditions for icing of surfaces, it will be removed or treated with anti-icing agents. Snow will be removed from heavily used pedestrian paved areas, ramps and stairs by snow melt systems. For other circulation routes and pedestrian areas, snow will be removed as soon as practical following snowfall to ensure access by emergency vehicles and easy pedestrian movement.

The snow storage area is required to cover 75% of the pavement area. The pavement area is 42,445 square feet, which results in a snow storage area of 31,834 square feet. The Project would provide 31,998 square feet of snow storage, which exceeds the required amount.[14]

2.5.4 Planning and Zoning

The Site is zoned Resort (R). Per the Town Municipal Code Section 17.32.110.A.3, the Resort zone is intended to "Provide for a zone classification encompassing various types of land uses such as: single-family residential developments, multiple housing projects…through the adoption of a master plan and text materials which set forth land use relationships and development standards."

The maximum permissible residential density for the Resort zone is 8 units per acre (Municipal Code Section 17.32.110.C.6). The overall density for the Master Plan area was calculated based on the entire 222-acre Master Plan area and has an overall density of 5.68 units per acre. The Master Plan then divided the Master Plan area into five development areas and clustered the overall allowable density into those five areas thereby establishing the maximum number of allowable units per development area. The densities for each development area vary and are not held to the 8 units per acre maximum, provided that the overall density of the 222-acre Master Plan area remains under 8 units per acre. According to the 2016 Master Plan Update, Area 2 is 26.4 acres, which allows for 210 units, of which 112 units have been approved or assigned to specific properties. The Project site was assigned 32 units of density from the Obsidian PUD development to the south via an Assignment Agreement between the two property owners, and the remaining density units approved for Area 2 (i.e., 98 units) are available for use by any development within Area 2 and are not assigned to any specific property.[15]

2.5.5 Development Agreement

A Development Agreement (DA) is a contract between a local government unit (LGU) and a developer. A DA provides security to both parties. The DA provides the LGU with a legally binding document that the developer will provide infrastructure and/or pay fees required by a new project. The DA provides the developer with a legally binding document that they can build the project even if the LGU passes a growth control initiative. A DA was prepared that covers the Master Plan area, among others. This DA is effective through April 4, 2022.

---

[14] Tentative Tract Map, Triad/Holmes Associates, January 17, 2022.

[15] Assignment Agreement between Mammoth Springs Resort, LLC and Obsidian Private Residence Club Association, dated January 27, 2020 (Mono County Recorders Document #2020000391)

The Intrawest Development Agreement (DA) was approved by Town Council and became effective on February 15, 2002. The DA provides a 20-year vesting for the DA properties, which includes properties in the Lodestar Master Plan, the North Village Specific Plan, and others. The DA achieves mutual benefits for both the Town and the Developer. Pursuant to Section 10.3 of the DA, the DA will expire at the end of the 20-year vesting period, and (a) no party shall have any further rights or obligation, except for matters which accrued prior to such expiration of termination and matters which specifically survive expiration under the terms of the DA, and (b) the underlying project approvals will remain in full force and effect.[16]

2.5.6 Sustainability Features

The Project will comply with the Town Municipal Code and with the 2019 California Green Building Standards Code (CALGreen, effective January 1, 2020).[17]

All building systems will meet current Title 24 Energy Standards, and the proposed building would be designed to promote better day lighting and air ventilation. These standards reduce energy and water usage and waste and, thereby, reduce associated greenhouse gas emissions and help minimize the impact on natural resources and infrastructure. The sustainability features to be incorporated into the Project will include, but not be limited to, WaterSense-labeled plumbing fixtures (or their equivalents) and Energy Star-labeled appliances, reduction of indoor and outdoor water use, weather-based controller and drip irrigation systems, and water-efficient landscape design.

2.5.7 Construction Schedule

Construction could last approximately 18 months.

2.5.8 Discretionary Actions and Approvals for the Project

The Project is consistent with the Master Plan and the zoning designation for the Project Site.

Discretionary entitlements, reviews, permits and approvals required to implement the Project include, but are not necessarily limited to, the following:

- Tentative Tract Map (TTM 21-001) for the Property and its subdivision into residential units.
- Conditional Use Permit (UPA 21-001) to allow for transient rentals
- Conditional Use Permit (UPA-22-002) to allow a gate on a private street (Callahan Way).
- Design Review (DR 21-001) for compliance with the Master Plan
- Adjustment (ADJ 21-006) to allow for a 2-foot 6-inch height increase

Other discretionary and ministerial permits and approvals that may be deemed necessary, including, but not limited to, temporary street closure permits, grading permits, excavation permits, haul route permit,

[16] Mammoth Lakes Town Council, File No. DA-03-600-45, Agenda Item 4, April 20, 2016.

[17] California Building Codes: https://www.dgs.ca.gov/BSC/Resources/Page-Content/Building-Standards-Commission-Resources-List-Folder/CALGreen#@ViewBag.JumpTo, accessed on September 3, 2021.

foundation permits, building permits, including any other discretionary and ministerial permits and approvals that may be deemed necessary.

All applicable mitigation measures, regulatory measures, and conditions of approval required by the certified Final EIR will be applied to the Project.

3 Revisions to Appendix G of the CEQA Guidelines

3.1 Introduction

The California Natural Resources Agency adopted revisions to the CEQA Guidelines that became effective on December 28, 2018, which occurred after preparation of the Certified EIR. The revisions to the CEQA Guidelines were adopted largely to create efficiencies and to align the CEQA Guidelines with California appellate court and Supreme Court decisions. The revisions that are most applicable to the Certified EIR are those associated with changes to Appendix G.

Appendix G of the CEQA Guidelines contains a sample initial study format. The purpose of an initial study is to assist lead agencies in determining whether a project may cause a significant impact on the environment. To help guide that determination, Appendix G asks a series of questions in the form of a checklist regarding a range of environmental resources and potential impacts. The Town uses Appendix G in their EIRs to demonstrate that a project would not result in significant impacts on the environment that cannot be mitigated.

When the Appendix G checklist was originally developed, it contained only a handful of questions. Over time, the list of questions has grown in response to increasing awareness of the effects of development on the environment. Currently, the sample checklist contains 89 questions divided into 20 categories of potential impacts.

The revisions to Appendix G were adopted largely to reduce redundancy, provide additional clarity, and to align Appendix G with California appellate court and Supreme Court decisions and changes to the Public Resources Code. While Appendix G was modified after the approval of the Certified EIR, the modified Appendix G questions that would apply to the Project have been adequately addressed within the Certified EIR or General Plan EIR.

Courts have determined that where a threshold or guideline was added after an EIR was certified, then an Addendum does not need to include additional environmental analysis relating to that threshold or guideline where the potential environmental impact at issue in the new threshold or guideline was known or could have been known at the time the EIR was certified. (See *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, 806; *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301, 1319-1320.)

Checklist questions that were not included in the Certified EIR are noted below as "not previously determined".

4. Environmental Impact Analysis

The information below addresses each of the environmental issues that were previously analyzed within the scope of the Certified EIR and the recently revised Appendix G of the CEQA Guidelines. The conclusions of the Certified EIR are provided as a reference for each environmental issue area for purpose of establishing that the expected changes to the Master Plan from the Project will not result in any new significant impacts and would not increase the severity of the significant impacts identified in the Certified EIR.

A Modified Environmental Checklist Form was used to compare the anticipated environmental effects of the Project with those disclosed in the Certified EIR and to review whether any of the conditions set forth in Public Resources Code, Section 21166 or CEQA Guidelines, Section 15162, requiring preparation of a subsequent or supplemental EIR, have been triggered. This analysis provides the following information as to each of the impact thresholds analyzed in each of the impact categories:

Impact Determination in the Certified EIR. This column sets forth the impact determination made in the Certified EIR for each impact threshold.

Does the Project Involve New Significant Impacts or Substantially More Severe Impacts? Pursuant to Section 15162(a)(1) of the CEQA Guidelines and Public Resources Code section 21166, this column indicates whether the changes represented by the Project will result in new significant impacts that have not already been considered and mitigated by the prior environmental review or a substantial increase in the severity of a previously identified impact.

Any New Circumstances Involving New Impacts or Substantially More Severe Impacts? Pursuant to Section 15162(a)(2) of the CEQA Guidelines and Public Resources Code section 21166, this column indicates whether there have been changes to the Project Site or the vicinity (circumstances under which the Project is undertaken) which have occurred subsequent to the prior environmental documents, which would result in the current Project having new significant environmental impacts that were not considered in the prior environmental documents or that substantially increase the severity of a previously identified impact.

Any New Information Requiring New Analysis? Pursuant to Section 15162(a)(3)(A-D) of the CEQA Guidelines and Public Resources Code section 21166, this column indicates whether new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental documents were certified as complete shows that: (A) the Project will have one or more significant effects not discussed in the prior environmental documents; (B) that significant effects previously examined will be substantially more severe than shown in the prior environmental documents; (C) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the Project proponents decline to adopt the mitigation measure or alternative; or (D) that mitigation measures or alternatives which are considerably different from those analyzed in the prior environmental documents would substantially reduce one or more significant effects on the environment, but the Project proponents decline to adopt the mitigation measure or alternative. New studies completed

as part of this environmental review are attached to this Addendum, or are on file with the Planning Division.

Mitigation Measures Addressing Impacts. Pursuant to Section 15162(a)(3) of the CEQA Guidelines and Public Resources Code section 21166, this column indicates whether the prior environmental document provides mitigation measures to address effects in the related impact category. In some cases, the mitigations have already been implemented. A "yes" response will be provided in either instance. If "No" is indicated, this environmental review concludes that the impact does not occur with the Project and therefore no mitigations are needed.

DISCUSSION AND MITIGATION SECTIONS. A discussion of the elements of the checklist is provided under each environmental category in order to clarify the answers. The discussion provides information about the particular environmental issue, how the Project relates to the issue and the status of any mitigation that may be required or that has already been implemented. Applicable mitigation measures from the prior environmental review that apply to the Project are listed under each environmental category.

Conclusions. A discussion of the conclusion relating to the analysis contained in each section.

4.1 Aesthetics

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
AESTHETICS: Except as provided in Public Resources Code Section 21099, would the Project:					
(a) Have a substantial adverse effect on a scenic vista?	Significant and Unavoidable	No	No	No	Yes
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Significant and Unavoidable	No	No	No	Yes
(c) In non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Significant and Unavoidable	No	No	No	Yes
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Not determined	No	No	No	No

4.1.1 Impact Determination in the Certified EIR

Scenic Vistas, Scenic Resources, Visual Character

As discussed in the Certified EIR, the overall development would convert forested land into built uses. Although more than half of the land would be retained for open space use, most of this would be altered with grading into a golf course. The golf course represents a change in the visual character of the site. Therefore, the Certified EIR determined that implementation of the Master Plan will result in a significant and unavoidable impact.

The Certified EIR determined that implementation of **Mitigation Measures 4.10-1(a)** through **4.1-10(j)** are intended to minimize the impacts of the proposed Project. However, the removal of substantial numbers of existing trees with the development of the Master Plan will result in significant and unavoidable impacts.

Light and Glare

The Certified EIR did not discuss light and glare as it relates to current CEQA thresholds. The design standards regulate visual aspects, including lighting and visual nuisance.

Mitigation Measures

The following mitigation measures were included in the Certified EIR to reduce impacts related to aesthetics:

Aesthetics Mitigation Measures	
4.10-1(a)	To the maximum extent feasible, the proposed Project shall retain forested areas of the site, and shall remain subordinate to the natural character of the site and the surrounding landscape.
4.10-1(b)	Prior to final approval of project development plans the applicant shall submit a tree *management* ~~preservation and replacement~~ plan prepared by a professional forester or arborist. ~~Trees shall be replaced on a one-to-one basis with as many trees retained on-site as possible. Where trees have to be relocated off-site, the locations shall be determined through consultation with the Planning Director.~~ The ~~preservation and replacement~~ *management plan*, including the type, size, number, and location of replacement trees shall be subject to the approval of the Town of Mammoth Lakes *Community and Economic* Development ~~Planning~~ Director.
4.10-1(c)	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.
4.10-1(d)	In order to reduce visual impacts, a forested buffer averaging no less than 100 feet shall be retained along Meridian Boulevard, Minaret Road, and along the western and eastern edges of the project site as required in project approval or by the Planning Director.
4.10-1(e)	Designs for open areas of the site, most specifically the golf course, shall integrate existing trees to give the appearance of continual forest coverage from off-site vantage points.
4.10-1(f)	To the maximum extent feasible, native trees and landscaping shall be concentrated around all structures, streets, and parking lots located on the project site.
4.10-1(g)	The architectural style for all development shall blend with the site's natural setting. Rooflines shall reflect the slope of the site, and natural "earth tone" colors and materials such as stone and wood shall be emphasized. Project development plans (Use Permits & Building Permits) shall be subject to design review by the Town of Mammoth Lakes Planning Commission.
4.10-1(h)	Buildings fronting Main Street shall respond to the scale, massing, and visual context established by existing development along Main Street.
4.10-1(i)	All multi-family housing structures shall be physically separated and buffered from non- residential structures, except resort condominium units which are a part of the Hotel complex. Setbacks between residential and non-residential structures shall be subject to the approval of the Town of Mammoth Lakes Planning Commission.
4.10-1(j)	Employee housing shall have the same architectural, site design, and landscaping quality as all other development in the master plan.
Lodestar at Mammoth Final EIR, MMRP. Mitigation Measure 4.10-1(b) has been revised to reflect the Town's current policies for tree management, as noted in Ordinance No. 13-06 (Section 2.H). This minor modification does not change the prior approval of the Lodestar at Mammoth project in a way that would result in a new significant impact, increase the severity of a significant impact, or reduce the effectiveness of the mitigation measure. Thus, a subsequent EIR is not required. (Pub. Resources Code, §21166; State CEQA Guidelines §15162; *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, 1167-1168.)	

4.1.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

Scenic Vistas

The Mammoth Lakes Municipal Code sets forth rules and regulations governing the design, use, and display of lighting and signs within the Town. It is acknowledged in the Mammoth Lakes Municipal Code that the economy of the Town is dependent upon aesthetics, as it is a tourist-based economy. Lighting and signs have the potential to substantially impact the environment and, as such, affect the local economy.

Viewsheds refer to the visual qualities of a geographical area that are defined by the horizon, topography, and other natural features that give an area its visual boundary and context, or by development that has become a prominent visual component of the area. In the area surrounding the Project Site, the existing viewsheds are defined primarily by major view corridors and vistas along nearby roadways (e.g., Main Street).

Public views are those which can be seen from vantage points that are publicly accessible, such as streets, freeways, parks, and vista points. These views are generally available to a greater number of persons than are private views. Private views are those which can be seen from vantage points located on private property. Private views are not considered to be impacted when interrupted by land uses on adjacent parcels, specifically if the Project complies with the zoning and design guidelines applicable to the site.

Minimal scenic or natural setting views are visible due to the urban uses. In addition, CEQA is only concerned with public views with broad access by persons in general, not private views that will affect particular persons.[18] Urban features that may contribute to a valued aesthetic character or image include: structures of architectural or historic significance or visual prominence; public plazas, art or gardens; heritage oaks or other trees or plants protected by the Town; consistent design elements (such as setbacks, massing, height, and signage) along a street or district; pedestrian amenities; landscaped medians or park areas; etc. There are no tall features on the Project Site from which scenic vistas may be obtained or which make up part of the scenic landscape of the surrounding community.

At the ground level, views in all directions are largely constrained by structures and trees on adjacent parcels. No designated scenic vistas in the local area would be impeded, and the Project will not block any scenic vistas.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

---

[18] Obstruction of a few private views in a project's immediate vicinity is not generally regarded as a significant environmental impact. (See Ocean View Estates Homeowners Assn., Inc. v. Montecito Water Dist., supra, 116 Cal.App.4th at p. 402 [that a project affects "only a few private views" suggests that its impact is insignificant]; Mira Mar Mobile Community v. City of Oceanside, supra, 119 Cal.App.4th at pp. 492-493 [distinguishing public and private views; "[u]nder CEQA, the question is whether a project will affect the environment of persons in general, not whether a project will affect particular persons"].

Scenic Resources

In the vicinity of the Town, State Highway 203 is an eligible State Scenic Highway (not officially designated) and U.S. Highway 395 is an officially designated State Scenic Highway.[19] Through the Town, State Highway 203 is known as Main Street. Visual impacts on State Highway 203 are not visible from the Site due to distance and intervening buildings and trees. Overall, the proposed buildings would be barely visible or not visible along State Highway 203 (Main Street). With respect to U.S. Highway 395, the Project would not be visible from any vantage point along its route due to intervening topography and no impact would occur.

Therefore, no impact will occur, and the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Visual Character

The Certified EIR contemplated a residential development within Area 2. The zoning code allows for 35 feet in height. The Project would request an Adjustment to allow for a 2-foot 6-inch height increase. This minor increase on a proposed 35-foot building does not represent a significant impact for the following reasons. Projects that detract from the existing aesthetic quality of an area may include, but are not limited to, major contrasts in building height and bulk (e.g., buildings "too big" for a street). The proposed buildings would not be in major contrast to the existing buildings in the area that have since been developed since the Certified EIR, such as the 2-story San Joaquin Villas to the north or the 3-story Obsidian development to the south. This height increase is requested in order to accommodate building infrastructure and maintain visual continuity with the existing Obsidian development to the south.

In addition, the setback space between the proposed northern units and the San Joaquin Villas includes several existing pine trees to remain, which would further buffer and shield views of buildings. The proposed structure height is below the tree line and will not limit views of the surrounding mountains. The structures are also designed to reduce their mass and bulk with sloped roofs to also aid in snow removal. The Adjustment will result in the increased safety of the occupants by allowing for a 3:12 roof pitch which provides a safer building design in that the increased roof pitch reduces potential snow loading on the roof. Additionally, the increase in height will accommodate the installation of HVAC Ducting, plumbing, and electrical infrastructure. This is not a substantial change or constitute significant new information that was not previously analyzed in the Certified EIR.

The form and mass of buildings developed on the Project Site would retain a relationship to the scale of neighboring buildings and to the size and use of adjacent open space. Doors and windows would be of appropriate size, design, orientation and spacing and would be trimmed with materials and details appropriate to the climate and natural setting of the Eastern Sierra such as wood, wood-like materials, and natural stone. The ground floor of buildings would be scaled to human dimensions by the addition of gables, porches, awnings, and other elements. The Project would be designed to complement the existing alpine architectural character of nearby development and throughout the Town. Therefore, the

[19] Caltrans State Scenic Highways: https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways, accessed September 3, 2021.

Project would not degrade the existing character or quality of the Project Site and its surroundings, and the impact would be less than significant.

The golf course development was considered a change in the visual character of the Site. Therefore, the Certified EIR determined that implementation of the Master Plan will result in a significant and unavoidable impact. The golf course is now in operation and is not part of the currently proposed residential development.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Light and Glare

The Project will construct 18 3-story buildings and interior lighting through windows will increase as compared to the existing setting, which is vacant. Also the residential nature of the Project will create additional lighting into the night hours. The Project will provide illumination at street level for security.

Fixtures would be of cutoff design to eliminate spill and glare into adjacent areas. Where possible, particularly in parking areas, fixtures would be within landscaped areas. Light fixtures would be decorative as well as functional with detail and ornamentation that complements architectural styles and elements. Prior to occupancy, all lighting on the Project Site shall comply with the applicable requirements of the Town's Outdoor Lighting Ordinance, in accordance with Mammoth Lakes Municipal Code Chapter 17.36.030 (Outdoor Lighting).

Therefore, the Project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area, and the associated impact would be less than significant.

Urban glare is largely a daytime phenomenon occurring when sunlight is reflected off the surfaces of buildings or objects. Excessive glare not only restricts visibility, but also increases the ambient heat reflectivity in a given area. Potential reflective surfaces in the project vicinity include automobiles traveling and parked on streets in the vicinity of the Project Site, exterior building windows, and surfaces of brightly painted buildings in the project vicinity. Glare from building facades include those that are largely or entirely comprised of highly reflective glass or mirror-like material from which the sun reflects at a low angle in the periods following sunrise and prior to sunset.

The Project includes an increase in window and building surfaces in comparison to the existing uses. This increase in surfaces will have the potential to reflect light onto adjacent roadways and land uses. However, the Project will limit reflective surface areas and the reflectivity of architectural materials used. The Project will not be an all-glass façade but instead will have facades that are broken up by various articulation. Glass that will be incorporated into the facades of the building will either be of low-reflectivity or accompanied by a non-glare coating as required by the Building Code. This will ensure that the building will not create substantial glare.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Mitigation Measures

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to aesthetics, the Project will nevertheless implement, or at least not conflict with, the following mitigation measures from the Certified EIR:

4.10-1(a) is applicable to the Project. The Project will retain the forested areas to the extent feasible and will plant 4-6 trees per building to replace the removed trees.

4.10-1(b) is applicable to the Project. The Project will submit a tree management plan subject to the approval of the Town of Mammoth Lakes Community and Economic Development Director.

4.10-1(c) is applicable to the Project. The Project grade as minimally as possible to preserve the existing landform.

4.10-1(f) is applicable to the Project. The Project will retain the forested areas to the extent feasible and will plant 4-6 trees per building to replace the removed trees. These trees can be native trees and the Site will include landscaping around the structures.

4.10-1(g) is applicable to the Project. The Project's architectural style will blend with the site's natural setting.

4.10-1(i) is applicable to the Project. The Project's housing structures are all physically separated and buffered from any non-residential structure, which is not proposed as part of the Project.

The following mitigation measures are not applicable to the Project:

4.10-1(d) is not applicable to the Project because the Town determined that the 100 foot buffer only applied to the golf course and that mitigation measure was satisfied when the golf course was built.

The proposed landscape plan would include additional trees and vegetation as a buffer between the Site and Joaquin Villas. However, as noted in the Master Plan, within Development Area 2, a minimum building separation is 20 feet. Thus, new buildings can be built within such space as long as they adhere to the setback/separation. The TTM shows compliance with this standard.

4.10-1(e) is not applicable to the Project because it focuses on the golf course, which has already been constructed.

4.10-1(h) is not applicable to the Project because the Site does not front Main Street.

4.10-1(j) is not applicable to the Project because it does not include employee housing.

These mitigation measures are not applicable to the Project due to the inapplicable Site (Development Area 2 and not the golf course), inapplicable program (residential, and not the hotel or golf course), changes to the setting (growth of vegetation, completed golf course or road, or urban development), or are already required by the Town's Municipal Code or other applicable regional or state regulatory measure. Thus, these mitigation measures are not necessary to this Project to mitigate a significant impact, and removal of these mitigation measures will not allow a new significant impact to occur or

increase the severity of a significant impact. (*Mani Bros. Real Estate Group .v City of Los Angeles* (2007) 153 CA 4th 1385, 1388.)

4.1.3 Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?

The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR. Instead, the Project impacts with respect to aesthetic or visual environment were determined to be less than significant, which is less than the significant and unavoidable impacts identified in the Certified EIR. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what were analyzed in the Certified EIR.

4.1.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance that has become available relative to visual or aesthetic resources. No substantial changes in the aesthetic or visual environment have occurred since certification of the EIR, and no substantial new scenic resources have been identified within the vicinity of Project Site that result in new or more severe significant environmental impacts.

4.1.5 EIR's Mitigation Measures Addressing Impact

As stated above, the Certified EIR provided **Mitigation Measures 4.10-1(a)** through **4.10-1(j)** to address impacts with respect to aesthetics of the Master Plan.

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to aesthetics, the Project will nevertheless implement **Mitigation Measures 4.10-1(a)** through **4.10-1(c), 4.10-1(f), 4.10-1(g), 4.10-1(i)** from the Certified EIR.

4.1.6 Conclusion

Based on the above, no new significant aesthetic impacts or a substantial increase in previously identified aesthetic impacts will occur as a result of the Project. Therefore, the Project does not meet any of the conditions that trigger a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 or CEQA Guidelines, Section 15162.

4.2 Agriculture and Forestry Resources

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
AGRICULTURE AND FORESTRY RESOURCES: Would the project:					
(a) 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?	No Impact	No	No	No	No
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact	No	No	No	No
(c) 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 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	Significant and Unavoidable	No	No	No	Yes
(d) Result in the loss of forest land or conversion of forest land to non-forest use?	Significant and Unavoidable	No	No	No	Yes
(e) 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?	No Impact	No	No	No	No

4.2.1 Impact Determination in the Certified EIR

As discussed in the Certified EIR, the overall development would convert forested land into built uses. Although more than half of the land would be retained for open space use, most of this would be altered with grading into a golf course. The golf course represents a change in the visual character of the site. Therefore, the Certified EIR determined that implementation of the Master Plan will result in a significant and unavoidable impact.

Mitigation Measures

The following mitigation measures were included in the Certified EIR to reduce impacts related to aesthetics (related to forestland):

Aesthetics (Forestry) Mitigation Measures	
4.10-1(a)	To the maximum extent feasible, the proposed Project shall retain forested areas of the site, and shall remain subordinate to the natural character of the site and the surrounding landscape.
4.10-1(b)	Prior to final approval of project development plans the applicant shall submit a tree management preservation and replacement plan prepared by a professional forester or arborist. Trees shall be replaced on a one-to-one basis with as many trees retained on-site as possible. Where trees have to be relocated off-site, the locations shall be determined through consultation with the Planning Director. The preservation and replacement management plan, including the type, size, number, and location of replacement trees shall be subject to the approval of the Town of Mammoth Lakes Community and Economic Development Planning Director.
4.10-1(d)	In order to reduce visual impacts, a forested buffer averaging no less than 100 feet shall be retained along Meridian Boulevard, Minaret Road, and along the western and eastern edges of the project site as required in project approval or by the Planning Director.
4.10-1(e)	Designs for open areas of the site, most specifically the golf course, shall integrate existing trees to give the appearance of continual forest coverage from off-site vantage points.
Lodestar at Mammoth Final EIR, MMRP.	

4.2.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

The Project is not proposed on agricultural land nor is the land recognized as having the soil characteristics of important, prime or significant agricultural land. The Project Site is zoned Resort.

The California Department of Conservation, Division of Land Protection, lists Prime Farmland, Unique Farmland, and Farmland of Statewide Importance under the general category of "Important Farmland" in California. The Project Site is designated Urban and Built-up Land and is not included in the Prime Farmland, Unique Farmland, or Farmland of Statewide Importance category.[20] Therefore, no impact will occur.

The Williamson Act of 1965 allows local governments to enter into agreements with local landowners with the purpose of trying to limit the development of specific agricultural parcels and other related open space uses.[21] The Project Site will not result in the conversion of land zoned for agricultural use to non-agricultural use. Further, the Project will not result in the conversion of land under a Williamson Act Contract from agricultural use to non-agricultural use because the Site is not subject to a Williamson Act contract. Therefore, no impact will occur.

Neither the Project Site nor surrounding parcels are zoned for forest land or timberland.

[20] State of California Department of Conservation, Farmland Mapping and Monitoring Program, https://maps.conservation.ca.gov/DLRP/CIFF/, accessed September 26, 2021.

[21] State of California Department of Conservation, Williamson Act Program, website: http://www.conservation.ca.gov/dlrp/lca/Pages/index.aspx, accessed September 26, 2021.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Mitigation Measures

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to forestry resources, the Project will nevertheless implement, or at least not conflict with, the following mitigation measures from the Certified EIR:

> **4.10-1(a)** is applicable to the Project. The Project will retain the forested areas to the extent feasible and will plant 4-6 trees per building to replace the removed trees.
>
> **4.10-1(b)** is applicable to the Project. The Project will submit a tree management plan subject to the approval of the Town of Mammoth Lakes Community and Economic Development Director.

The following mitigation measures are not applicable to the Project:

> **4.10-1(d)** is not applicable as mitigation to the Project because the Town determined that the 100 foot buffer only applied to the golf course and that mitigation measure was satisfied when the golf course was built.
>
> **4.10-1(e)** is not applicable as mitigation to the Project because it focuses on the golf course, which has already been constructed.

These mitigation measures are not applicable to the Project due to changes to the setting (buffer of trees and completed golf course which satisfied the buffer requirement when it was built). Thus, these mitigation measures are not necessary to this Project to mitigate a significant impact, and removal of these mitigation measures will not allow a new significant impact to occur or increase the severity of a significant impact. (*Mani Bros. Real Estate Group .v City of Los Angeles* (2007) 153 CA4th 1385, 1388.)

4.2.3 Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?

The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR. Instead, the Project impacts with respect to agricultural or forestry resources were determined to be less than significant, which is less than the significant and unavoidable impacts identified in the Certified EIR. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what were analyzed in the Certified EIR.

4.2.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance that has become available relative to agricultural or forestry resources. No substantial changes have occurred since certification of the Certified EIR, and no new agricultural or forestry resources have been identified within the vicinity of the Project Site that will result in new or more severe significant environmental impacts.

4.2.5 EIR's Mitigation Measures Addressing Impact

As stated above, the Certified EIR provided **Mitigation Measures 4.10-1(a), 4.10-1(b), 4.10-1(d),** and **4.10-1(e)** to address impacts with respect to forestry resources of the Master Plan.

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to forestry resources, the Project will nevertheless implement **Mitigation Measures 4.10-1(a)** and **4.10-1(b)** from the Certified EIR.

4.2.6 Conclusion

Based on the above, no new significant impacts or a substantial increase in previously identified impacts to agricultural or forestry resources will occur as a result of the Project. Therefore, the Project does not meet the conditions for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 and CEQA Guidelines, Section 15162.

4.3 Air Quality

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
AIR QUALITY: Would the project:					
(a) Conflict with or obstruct implementation of the applicable air quality plan?	Less Than Significant w/ Mitigation	No	No	No	Yes
(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Less Than Significant w/ Mitigation	No	No	No	Yes
(c) Expose sensitive receptors to substantial pollutant concentrations?	Less Than Significant w/ Mitigation	No	No	No	Yes
(d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	Less Than Significant w/ Mitigation	No	No	No	Yes

4.3.1 Impact Determination in the Certified EIR

Air Quality Plan

The region's Air Quality Management Plan (AQMP) focuses on long-term sources of emissions. The only control strategy for construction activity is related to modernizing the regional equipment fleet to reduce exhaust emissions. The AQMP states that equipment exhaust reduction will occur through compliance with USEPA exhaust standards and California Air Resources Board (CARB) emission reduction strategies. The implementation of the Master Plan does not interfere with implementation of these standards and strategies.

A Draft Air Quality Management Plan (AQMP) for the Town of Mammoth Lakes was released on January 19, 1990 to identify PM_{10} (particulate matter, 10 microns) sources and mitigation measures which may be instituted to attain National Ambient Air Quality Standards (NAAQS). The AQMP, prepared by the Great Basin Unified Air Pollution Control District (GBUAPCD), is required under the federal Clean Air Act and will become pan of the State Implementation Plan to attain federal standards.

The Project would increase annual vehicular PM_{10} emissions by 58%. In the year 2005 the Project would contribute approximately 26% of the daily vehicular emissions of PM_{10}. Because the Project is in a non-attainment area for PM_{10} any increase in emissions of this pollutant would be a significant impact on air

quality. Therefore, the Project would have a significant impact on air quality with respect to PM_{10} emissions from vehicular sources.

Therefore, without mitigation, implementation of the Master Plan was determined to result in a significant impact related to AQMP.

The Certified EIR determined that implementation of **Mitigation Measure 4.7-4** will reduce the impacts related to AQMP.

The AQMP aims to limit vehicular traffic in the Town of Mammoth Lakes to 106,600 vehicle miles traveled (VMT), which is 40,320 VMT more than the present peak traffic estimates. The Project without any transportation plans would increase the VMT by approximately 38,000. To attain the goals of this mitigation measure, the Plan will call on future development projects, such as the Project, to implement transportation plans. All vehicle trip reduction measures described in the traffic section, as well as those described in the Plan, shall be implemented.

Therefore, the Certified EIR determined that implementation of the Master Plan will result in less-than-significant impacts related to consistency with the AQMP.

Construction Emissions

Clearing, excavation and grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed earth surfaces generate dust It is not possible to estimate accurately the PM10 concentrations that would occur at or adjacent to the construction sites because such concentrations are very sensitive to local meteorology and topography, to variations in soil silt and moisture content, and to the level of equipment use. However, one-half of the dust would be comprised of large particles (i.e., diameter greater than 10 microns) which settle out rapidly on nearby horizontal surfaces and are easily filtered by human breathing passages. This dust is of concern as a soiling nuisance rather than a health hazard. The remaining half (PM_{10}) could be sufficient to violate the federal and state PM_{10} standards in the site vicinity.

Therefore, without mitigation, implementation of the Master Plan was determined to result in a significant impact related to construction emissions.

The Certified EIR determined that implementation of **Mitigation Measures 4.7-1(a)** and **4.7-1(b)** will reduce the impacts related to construction emissions.

Dust emissions related to construction can be reduced approximately 50% by watering exposed earth surfaces during excavation, grading and construction activities. Conditions of approval shall also require daily cleanup of mud and dust carried onto street surfaces by construction vehicles. Throughout construction activities, haul trucks should use tarpaulins or other effective covers. Construction of dust control measures should include physical barriers as well as watering. These measures include drift fencing and covering of stockpiled soil with tarpaulins. Upon completion of construction, contractors should take measures to reduce wind erosion. Replanting and repaving should be completed as soon as possible. Construction activities should be scheduled so that they do not contribute to peak periods of wood burning and vehicular traffic, previously discussed as major contributors to PM_{10} exceedances.

Operation Emissions

The potential for existing and future violations of the State's 9 ppm 8-hour carbon monoxide (CO) standard exists only at the intersection of Old Mammoth and Main. The Old Mammoth and Main intersection currently has the potential to exceed the 8-hour CO standard. Combined traffic impacts from cumulative development plus the Project at buildout could also exceed the 8-hour CO standards for receptors at the roadside. A sensitivity analysis showed that CO levels at this intersection dropped rapidly as receptors were moved away from the intersection. At a receptor distance of 50 feet from the roadside, CO concentrations were determined to be well below the standards. Cumulative development without the Project did not show the potential for exceedances of the CO standards at any of the intersections analyzed. No exceedances of the 1-hour CO standard are projected as a result of the proposed Project or cumulative development.

The Certified EIR determined that implementation of **Mitigation Measure 4.7-3** will reduce the impacts related to operation emissions.

In the year 2005 the Project would contribute approximately 8% of the daily emissions of PM_{10} from fireplaces and wood stoves/inserts. Because the Project is in a non-attainment area for PM_{10} any increase in emissions of this pollutant would be a significant impact on air quality. Therefore, the proposed Project would have a significant impact on air quality with respect to PM_{10} emissions from wood burning emissions related to the Project.

The Certified EIR determined that implementation of **Mitigation Measure 4.7-5(a)** through **4.7-5(c)** will reduce the impacts related to wood burning emissions.

Odors

Potential sources that may emit odors during construction activities include equipment exhaust and architectural coatings. Odors from these sources would be localized and generally confined to the immediate area surrounding the Project Site.

Large numbers of such vehicles and equipment operating or idling in a small area may cause spot violations of the federal and State CO standards. Construction equipment exhaust odors would probably be noticeable in the vicinity of the Project Site for the duration of construction.

The Certified EIR determined that implementation of **Mitigation Measure 4.7-2** will reduce the impacts related to odors.

Land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies and fiberglass molding. The Project is not anticipated to be developed with land uses that are typically associated with odor complaints. The development will be typical residential uses. On-site trash receptacles will have the potential to create adverse odors. Trash receptacles will be located and maintained in a manner that promotes odor control and no adverse odor impacts are anticipated from these types of land uses.

Therefore, implementation of the Master Plan was determined to result in a less-than-significant impact related to operational odors.

Mitigation Measures

The following mitigation measures were included in the Certified EIR to reduce impacts related to air quality:

Air Quality Mitigation Measures	
4.7-1(a)	To reduce the potential for nuisance due to dust and odors, all construction contracts shall require watering twice daily with complete site coverage; the frequency of watering shall increase as necessary to minimize dust if wind speeds exceed 15 mph.
4.7-1(b)	Drift fencing tackifiers and covering of stockpiles shall be used in areas not under active construction.
4.7-2	To reduce the potential of spot violations of the CO standards and odors from construction equipment exhaust, unnecessary idling of construction equipment shall be added.
4.7-3	Development will not be allowed within 50 feet of the Old Mammoth and Main intersection.
4.7-4	Adopt and enforce Control Measures 1 through 7 of the Town of Mammoth Lakes Draft Air Quality Management Plan (see page 4.7-6).
4.7-5(a)	Residential units shall be limited to one wood burning appliance per dwelling. The appliance must be an EPA Phase II-certified wood burning stove or pellet stove. Wood burning shall comply with standards in the Town's wood burning ordinance (Chapter 8-30, Particulate Emissions Regulations).
4.7-5(b)	Each hotel may have only one fireplace in the lobby or other common area. No other solid fuel appliances shall be allowed.
4.7-5(c)	All structures shall have high-efficiency central heat.
Lodestar at Mammoth Final EIR, MMRP.	

4.3.2 Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?

The Project does not propose any changes to the zoning or land use designation for the Project Site, and therefore, the Project's air quality impacts were accounted for within the analysis contained in the Certified EIR.

Air Quality Plan

The Project will not increase the frequency or severity of an existing violation or cause or contribute to new violations for these pollutants. As the Project will not exceed any of the state and federal standards, the Project will also not delay timely attainment of air quality standards or interim emission reductions specified in the AQMP.

According to the 2014 Update Air Quality Maintenance Plan and Redesignation Request for the Town of Mammoth Lakes, the Town was previously designated as non-attainment for the federal PM_{10} standards. However, ambient levels have not exceeded the national PM_{10} standards since 1993 and the GBUAPCD

submitted a redesignation request to CARB and the USEPA. CARB approved the redesignation request in September 2014 and the USEPA approved the redesignation request in October 2015.[22]

The GBUAPCD's 2014 update to the AQMP contains a comprehensive list of maintenance measures to ensure that the region continues to meet the NAAQS. Projects that are consistent with the assumptions used in the AQMP do not interfere with attainment because the growth is included in the projections utilized in the formulation of the AQMP. Thus, projects, uses, and activities that are consistent with the applicable growth projections and control strategies used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed project-specific emissions thresholds.

The Project is assessed based on its consistency with applicable AQMP measures. With regard to PM_{10}, the AQMP contains pollution control strategies directed at reducing emissions and maintaining attainment of the NAAQS ensure PM_{10} emissions from vehicle exhaust and re-suspended road dust and cinders would not cause an exceedance of the federal 24 hour PM_{10} standard. Therefore, a consistency analysis is performed for the Project to assess compliance with the federal 24-hour PM_{10} standard.

Emissions

The Project is within the development envelope of the approved Master Plan. Therefore, the approved buildout for construction and operation purposes is assumed to be included in the Town's projected planning processes, including in the AQMP.

Construction emissions associated with the Project would not be expected to occur on peak emissions inventory days. As stated in the AQMP, construction emissions are "seasonal and are absent during the winter when high PM_{10} concentrations occur." Further, "unpaved roads are either snow covered or muddy during the winter season and outdoor building and roadway construction activities generally do not take place until around May when the weather warms." When Project construction activities would occur during the warmer months, construction fleet equipment would be required to comply with the CARB promulgated emission standards for off-road diesel construction equipment, which would minimize exhaust emissions of PM_{10} and $PM_{2.5}$ as well as NO_X. As a result, construction activities under the Project would not conflict with or obstruct implementation of the AQMP and construction impacts would be less than significant.

Both the GBUAPCD and South Coast Air Quality Management District (SCAQMD), uses the same California Emissions Estimator Model (CalEEMod) modeling software to determine emissions. The SCAQMD established air quality screening criteria to determine of a project requires an air quality assessment. The selected screening criteria is based on a survey of published air quality studies for which the criteria pollutants did not exceed the established SCAQMD construction or operational thresholds. If the proposed project has less than 80 residential units or less than 75,000 square feet of nonresidential use, and involves less than 20,000 cubic yards of soil export, it will not likely exceed the SCAQMD construction or operational thresholds.

[22] https://www.townofmammothlakes.ca.gov/DocumentCenter/View/4508/3c-Enc-1a-TOML-AQMP-Final?bidId=

The Project is fewer than 80 units. It is 33 units. The Project includes less than 20,000 cubic yards of soil export.

Operation of the Project would result in emissions associated with mobile sources traveling within the town of Mammoth Lakes, from area and stationary sources associated with building energy usage, landscaping equipment, and from evaporative sources such as architectural coatings, solvents, cleaners, and other household products. The major contributors to ambient PM10 concentrations are particulate matter from residential wood combustion and re-suspended road dust from mobile sources. The Town adopted control measures for residential wood combustion and re-suspended road dust in the AQMP. As the Project would comply with applicable AQMP requirements and the VMT would not exceed the AQMP cap, the Project would not conflict with implementation of the AQMP and operational impacts would be less than significant.

The Project would generate long-term emissions on-site from area and energy sources that would generate negligible pollutant concentrations of CO, NO_2, $PM_{2.5}$, or PM_{10} at nearby sensitive receptors. While long-term operations of the Project would generate traffic that produces off-site emissions, these would not result in exceedances of CO air quality standards at roadways in the area. Auto-related emissions of CO continue to decline because of advances in fuel combustion technology in the vehicle fleet. Vehicles are projected to improve in efficiency in the future and reduce CO emissions. Traffic conditions may also improve in the future at some intersections because of traffic improvement measures, thus reducing concentrated CO emissions.

Fireplace use constitutes a secondary source of particulate emissions. The Project would contribute to annual PM_{10} emissions from residential fireplace use. The Master Plan EIR estimates that emissions of PM_{10} from fireplaces and wood burning stoves would increase by approximately 18% above the 1991 annual emissions from residential wood combustion.[23] However, emissions from wood burning stoves or fireplaces would be expected to decrease from 1991 levels with implementation of the Project because of the prohibition of non-EPA Phase II rated wood burning appliances in multifamily dwellings (per Section 8.30.030 of the Municipal Code), the mandatory curtailment of solid fuel combustion on poor air quality days being implemented by the GBUAPCD (Section 8.30.080 of the Municipal Code), and the ongoing non-EPA II rated wood burning stove replacement program upon sale of the property (Section 8.30.050 of the Municipal Code). According to the AQMP, residential units must also be limited to one wood burning appliance per unit of an EPA Phase II-certified level and all structures shall have high-efficiency central heat. The AQMP has also imposed a solid fuel burn ban on poor air quality days. As a result of all of the above, particulate emissions generated by wood combustion from the Project would not substantially contribute to Federal and State PM_{10} violations.

Therefore, the Project's operational impacts on local sensitive receptors will be less than significant, and the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

[23] Lodestar Master Plan FEIR, Section 4.7, Air Quality, February 1991, p. 4.7-14

Odors

The Project will introduce residential uses to the area but these will not result in activities that create objectionable odors. Similarly, the Project Site is not currently nor has it been associated with unpleasant odors and local nuisances (e.g., rendering facilities, dry cleaners). Municipal Code regulations that govern nuisances will regulate any occasional odors associated with on-site uses.

As a result, any odor impacts from the Project will be less than significant. Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Mitigation Measures

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to air quality, the Project will nevertheless implement, or at least not conflict with, the following mitigation measures from the Certified EIR:

> **4.7-1(b)** is applicable to the Project. The Project will use drift fencing tackifiers and covering of stockpiles in areas not under active construction.
>
> **4.7-5(c)** is applicable to the Project. The Project structured will have high-efficiency central heat.

The following mitigation measures are not applicable to the Project:

> **4.7-1(a)** is not applicable as mitigation to the Project because the Project must comply with GBUAPCD Rule 401 (Fugitive Dust) and Rule 402 (Nuisance). As a matter of law, regulatory compliance is not mitigation.
>
> **4.7-1(c)** is not applicable as mitigation to the Project because the Project must comply with CARB's Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicles from idling. As a matter of law, regulatory compliance is not mitigation.
>
> **4.7-3** is not applicable as mitigation to the Project because the Project is not within 50 feet of the old Mammoth and Main intersection.
>
> **4.7-4** is not applicable as mitigation to the Project because the Project must comply with the Town's AQMP, and the control measures are incorporated in the Town's Municipal Code. As a matter of law, regulatory compliance is not mitigation.
>
> **4.7-5(a)** is not applicable as mitigation to the Project because the Project must comply with Municipal Code section 8.30.040 (limitations on number of appliances). As a matter of law, regulatory compliance is not mitigation.
>
> **4.7-5(b)** is not applicable as mitigation to the Project because the Project does not include a hotel use.

These mitigation measures are not applicable to the Project because they either pertain to parts of the Master Plan that do not involve the Project, or these mitigation measures are already required by the

Town's Municipal Code or other applicable regional or state regulatory measures. Thus, these mitigation measures are not necessary to this Project to mitigate a significant impact, and removal of these mitigation measures will not allow a new significant impact to occur or increase the severity of a significant impact. (*Mani Bros. Real Estate Group .v City of Los Angeles* (2007) 153 CA4th 1385, 1388.)

4.3.3 Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?

The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what were analyzed in the Certified EIR.

4.3.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance that has become available relative to air quality.

4.3.5 EIR's Mitigation Measures Addressing Impacts

As stated above, the Certified EIR provided **Mitigation Measures 4.7-1(a)** through **4.7-5(c)** to address impacts with respect to air quality of the Master Plan.

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to air quality, the Project will nevertheless implement **Mitigation Measures 4.7-1(b)** and **4.7-5(c)** from the Certified EIR.

4.3.6 Conclusion

Based on the above, no new significant impacts or a substantial increase in previously identified impacts to air quality will occur as a result of the Project. Therefore, the impacts to air quality as a result do not meet the standards for a subsequent or supplemental EIR pursuant Public Resources Code, Section 21166 and to CEQA Guidelines, Section 15162.

4.4 Biological Resources

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
BIOLOGICAL RESOURCES: Would the project:					
(a) 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 Service?	Significant and Unavoidable	No	No	No	Yes
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Less Than Significant w/ Mitigation	No	No	No	Yes
(c) Have a substantial adverse effect on state or federally-protected wetlands, (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less Than Significant w/ Mitigation	No	No	No	Yes
(d) 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?	Less Than Significant w/ Mitigation	No	No	No	Yes
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Significant and Unavoidable	No	No	No	Yes
(f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Not determined	No	No	No	No

This section is based in part on the following documents included as **Appendix B** to this Addendum:

B-1 Tree Survey Report, High Mountain Arborist, January 18, 2021.

B-2 Tree Replacement Plan Recommendations, High Mountain Arborist, June 17, 2021.

4.4.1 Impact Determination in the Certified EIR

Vegetation Cover

Development of the Project will result in a loss of vegetation cover due to site clearing for parking lots and buildings. It is unlikely that the Project will result in a loss of significant biological cover. In fact, cover may be increased in some areas as a result of landscape planting or the golf course. Any increase in cover, however, may not increase habitat values since the resulting vegetation represents a loss of plant species diversity. Therefore, the Certified EIR determined that implementation of the Master Plan will result in a significant and unavoidable impact.

The Certified EIR determined that implementation of **Mitigation Measures 4.3-1** and **4.3-2** intended to minimize the impacts of the Project. However, the removal of vegetation cover and change in type with the development of the Master Plan will result in significant and unavoidable impacts.

Special Status Species

Development of the Project will not result in the loss of a member of a plant species of special concern. There will be no impact.

Trees

Several large, specimen trees (mostly Jeffrey pine, but also including at least one white fir) were spared during early logging of the site and should, where possible, be retained. Because the overall loss of trees is considered an unavoidable significant impact of the Project, it is important that the remaining trees be protected from further loss, either directly or through disease or insect damage.

The Certified EIR determined that implementation of **Mitigation Measures 4.3-4(a)** through **4.3-4(e)** would reduce Project impacts to trees to a less than significant level.

Wildlife Habitat

Development of the Project will result in the loss of native wildlife habitat. Disturbances and disruptions during Project construction scatter/disperse and fragment existing wildlife communities on site, forcing survivors into already occupied habitats to cause cumulative negative impacts on all wildlife in the area.

The Certified EIR determined that implementation of **Mitigation Measures 4.3-5(a)** through **4.3-6** would reduce Project impacts to loss of wildlife habitat to a less than significant level.

Riparian Habitat

Siltation or other pollution into the creek waters during construction can impact aquatic organisms and stream bank vegetation for considerable distances downstream. Interruptions in normal stream flows, especially during critical. low-water summer months can also cause weakening of vegetation and wildlife at considerable distances downstream from the Project Site. Pollutants from the fertilizers used on the golf courses and urban runoff from the housing developments will drain into these channels which produce a major portion of the food supply used by wildlife populations throughout the area and also act as breeding sites and overwintering areas.

The proposed golf course and roadways will channelize and remove the existing sheet flow on the site.

The Certified EIR determined that implementation of **Mitigation Measures 4.3-7(a)** through **4.3-8(b)** would reduce Project impacts to altered stream courses and drainage to a less than significant level.

Mitigation Measures

The following mitigation measures were included in the Certified EIR to reduce impacts related to biological resources:

Biological Resources Mitigation Measures	
4.3-1	To the maximum extent feasible, the Project shall preserve existing native vegetation. Landscaping shall emphasize the use of native plants indigenous to the Jeffrey Pine-Fir Forest, Sagebrush Scrub, and Riparian plant communities. Whenever possible, native plants used onsite shall be selected for their replacement habitat value.
4.3-2	Implement Mitigation Measure 4.3-1.
4.3-4(a)	All trees greater than 12 inches in diameter at breast height (dbh) and significant stands on the 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 should be retained and integrated into the design of the 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 unavoidably by the final Project approval shall be replaced in accordance with Town Policies. Off-site replacement will need the approval of the Town Planning Director.
4.3-4(b)	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.
4.3-4(c)	Landscape materials shall be incorporated into a landscape plan which allows 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.
4.3-4(d)	Irrigation, fertilization, and other landscape management practices shall be designed to minimize effects on existing tress and other vegetation.
4.3-4(e)	Proper disposal methods for all coniferous slash shall be used in order to prevent the spread of bark beetles.
4.3-5(a)	In order to maintain plant and animal diversity, the design of the Project shall take both of these elements into account. Ideally, the preservation of all of the high-value wildlife habitat areas would preserve an important corridor for the movement of larger species through the area and provide a

Biological Resources Mitigation Measures	
	genetic linkage for smaller less mobile species such as the lodgepole chipmunk. As it now exists, the Project would eliminate a significant portion of these high-value wildlife habitat areas. The project will largely avoid riparian areas. If disturbance is necessary, the applicant shall meet all applicable California Department of Fish and Game (CDFG) and U.S. Corps of Engineers policies.
4.3-5(b)	To retain wildlife values, as much native vegetation as possible should be retained and protected during construction. A Revegetation Plan, prepared by a qualified botanist 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 which will be uses, 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 wherever possible to enhance wildlife use of cleared areas.
4.3-5(c)	Under mitigation monitoring, once mitigation plans designed to offset 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.
4.3-6	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 damaged vegetation shall be replaced on a one-to-one basis on- or off-site. Off-site replacement will need the approval of the Town Planning Director.
4.3-7(a)	To prevent erosion and siltation into intermittent creeks, areas cleared of vegetation, fill or other materials shall be stabilized as quickly as possible after clearing and grading. To further protect the drainage system and prevent erosion, all grading and construction shall be completed during the dry summer months.
4.3-7(b)	To prevent disruptions of normal stream flows and ensure maintenance of water quality for down-stream habitats during the critical low- water summer period, all creek waters should be collected above and continuously piped through any construction zone on or near drainages.
4.3-8(a)	Final construction plans shall include provisions for construction of retention basins for on-site retention of runoff from roadways, home sites and golf facilities or equivalent alternative measures approved by the Public Works Director (refer to Impact 4.2-1, Hydrology). Such retention basins shall be cleaned on a regular basis and accumulated pollutants and debris properly disposed of in areas which will assure that no aquatic habitats onsite or downstream from the Project site are damaged.
4.3-8(b)	Development of on-site water bodies shall include the creation of native riparian habitat. All such design and construction shall be subject to California Department of Fish and Game review.
Lodestar at Mammoth Final EIR, MMRP.	

4.4.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

Vegetation Cover

Development of the Project will result in a loss of vegetation cover due to site clearing for the 18 buildings and roadway. As confirmed by the Certified EIR, the removal of vegetation cover and change in type with the development of the Project will result in significant and unavoidable impacts. Mitigation measures from the Certified EIR would apply but a significant and unavoidable impact would remain.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Special Status Species

Sensitive habitats include habitats that fulfill special functions or have special values, such as wetlands, streams, and riparian habitat. These habitats are regulated under federal regulations (such as the Clean Water Act), state regulations (such as the Porter-Cologne Act, the CDFW Streambed Alteration Program, or CEQA), or local ordinances or policies (such as town or county Tree Ordinances, Special Habitat Management Areas or General Plan Special Land Use areas).

According to the CDFW Biogeographic Information and Observation System (BIOS) and California Natural Diversity Database (CNDDB), there are 30 records in the Old Mammoth 7.5 minute quadrangle. Of the 30, 1 is listed as federally threatened or endangered (*Rana sierra*, Sierra Nevada yellow-legged frog), and an additional 3 are listed as state threatened or endangered (*Vulpes vulpes necator*, Sierra Nevada red fox, *Buteo swainsoni*, Swainson's hawk, and *Strix nebulosa,* great gray owl).[24]

The Site has no seasonal or perennial aquatic features, and is located approximately 4,200 feet north from the nearest reliable aquatic habitat (Mammoth Creek riparian woodlands and meadows), thereby precluding any occurrence of the frog. Secretive animals of large habitat areas such as foxes are typically found far outside zones of intense human development. Owls and hawks may perch on tall pines but typically prefer dense forests. This is the same development potential proposed and analyzed in the Certified EIR. There will be no impact.

Trees

Several large, specimen trees (mostly Jeffrey pine, but also including at least one white fir) were spared during early logging of the site and should, where possible, be retained. Because the overall loss of trees is considered an unavoidable significant impact of the Project, it is important that the remaining trees be protected from further loss, either directly or through disease or insect damage.

Mitigation measures from the Certified EIR would apply and impact would be reduced to a less than significant level.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Wildlife Habitat

There are no Habitat Conservation Plans or Natural Community Conservation Plan in the Town. Development of the Project will result in the loss of native wildlife habitat. Disturbances and disruptions during Project construction scatter/disperse and fragment existing wildlife communities on site, forcing survivors into already occupied habitats to cause cumulative negative impacts on all wildlife in the area. This is the same development potential proposed and analyzed in the Certified EIR. Mitigation measures

[24] CDFW, BIOS: https://apps.wildlife.ca.gov/bios/?tool=cnddbQuick

from the Certified EIR would apply and impact would be reduced to a less than significant level.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Riparian Habitat

The alder willow riparian community occurs along the banks of Mammoth Creek, approximately 4,200 feet south of the Site. The proposed roadways will channelize and remove the existing sheet flow on the Site. This is the same development potential proposed and analyzed in the Certified EIR. Mitigation measures from the Certified EIR would apply and impact would be reduced to a less than significant level.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Trees

Jeffrey pine-fir forest is the dominant plant community within and surrounding the Project Site. It is not identified as sensitive in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife. There are no Heritage Trees, Habitat Trees or other trees identified on the property otherwise deserving of special status.[25] It is recommended to plant replacement trees for the existing trees that will be removed for the construction of the buildings and roadway, and for the removal of the dead trees. A range of 4-6 new trees per building is an adequate planting plan. With 18 buildings, this includes 72-110 trees.[26]

Migratory Birds

Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 CFR Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Wildlife (CDFW) Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). As required by the MBTA and CDFW Codes, construction activities from any projects (by-right or discretionary) will be subject to conditions of approval by applicable federal and State laws pertaining to the protection of nesting birds. Additionally, construction activities associated with potential projects in these areas could impact protected native tree species, which are protected by the MBTA and CDFW Code, by removal or destruction of an active nest (defined as a nest with eggs or young being attended by one or more adults) or direct mortality or injury of individual birds. The Project will comply with the regulations of the CDFW[27] and USFWS.[28]

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

---

[25] Tree Survey Report, High Mountain Arborist, January 18, 2021.
[26] Tree Replacement Plan Recommendation, High Mountain Arborist, June 17, 2021.
[27] http://www.leginfo.ca.gov/.html/fgctableofcontents.html
[28] https://www.fws.gov/birds/policies-and-regulations/laws-legislations/migratory-bird-treaty-act.php, accessed September 26, 2021.

Mitigation Measures

The Project will implement, or at least not conflict with, the following mitigation measures from the Certified EIR:

4.3-1 is applicable to the Project. The Project will retain the forested areas to the extent feasible use native plants whenever possible.

4.3-2 is the same as **4.3-1.**

4.3-4(a) is applicable to the Project. A tree survey was conducted in January 2021 and a tree replacement plan in June 2021. Both documents will be submitted to the Town for review and approval.

4.3-4(b) is applicable to the Project. The tree replacement plan also recommended a protection plan to ensure they retain their value and are protected during construction.

4.3-4(c) is applicable to the Project. The Project will provide landscaping around the Site and to allow for the protection and preservation of some existing trees.

4.3-4(d) is applicable to the Project. The Project will design the irrigation, fertilization, and landscape to minimize effects on existing trees and vegetation.

4.3-4(e) is applicable to the Project. The tree replacement plan recommends diseased trees (possibly from bark beetle outbreak) should be removed as soon as possible to prevent further damage to trees in the area.

4.3-6 is applicable to the Project. Construction activities will avoid damage to vegetation and habitats not directly involved in Project construction. Any damaged vegetation will be replaced.

4.3-7(a) is applicable to the Project. Cleared areas will be stabilized to prevent erosion and siltation into intermittent creeks.

4.3-7(b) is applicable to the Project. There are northern and southern drainage channels that bisect the site. The Project will ensure that any creek water that crosses the Site will be collected above and piped through any construction zone.

4.3-8(a) is applicable to the Project. Preliminary, two retention systems are proposed for the site Approximately half of the site will drain to the retention system at the northern end of Callahan Way and the other half of the site will be contained in the system at the southern end of Callahan Way.

The following mitigation measures are not applicable to the Project:

4.3-5(a) is not applicable to the Project because the area around the Project Site has been developed since the Certified EIR. Specifically, the golf course, and surrounding residential uses have been developed which have already removed wildlife habitat areas and corridors for wildlife movement.

4.3-5(b) is not applicable to the Project because the vegetation plan was completed with golf course development; landscape plans are required for future development phases.

4.3-5(c) is not applicable to the Project because the monitoring plan was completed because more than 5 years have passed since the golf course was developed.

4.3-8(b) is not applicable to the Project because there are no proposed on-site water bodies, which were completed with the golf course development.

These mitigation measures are not applicable to the Project due to the inapplicable Site (Development Area 2 and not the golf course), inapplicable program (residential, and not the hotel or golf course), changes to the setting (growth of vegetation, completed golf course or road, or urban development), or already required by the Town's Municipal Code or other applicable regional or state regulatory measure. Thus, these mitigation measures are not necessary to this Project to mitigate a significant impact, and removal of these mitigation measures will not allow a new significant impact to occur or increase the severity of a significant impact. (*Mani Bros. Real Estate Group .v City of Los Angeles* (2007) 153 CA4th 1385, 1388.)

4.4.3 Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?

The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what were analyzed in the Certified EIR.

4.4.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance that has become available relative to biological resources. No substantial changes in the environment related to biological resources have occurred since certification of the EIR, and no substantial new biological resources have been identified within the vicinity of the Project that will result in new or more severe significant environmental impacts.

4.4.5 Mitigation Measures Addressing Impact

As stated above, the Certified EIR provided **Mitigation Measures 4.3-1** through **4.3-8(b)** to address impacts with respect to biological resources of the Master Plan.

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to biological resources, the Project will nevertheless implement **Mitigation Measures 4.3-1**, **4.3-2, 4.3-4(a)** through **4.3-4(e)**, **4.3-6** through **4.3-8(a)** from the Certified EIR.

4.4.6 Conclusion

Based on the above, no new significant impacts to biological resources or a substantial increase in previously identified biological resource impacts will occur as a result of the Project. Therefore, the adoption of the Project does not meet the conditions for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 and to CEQA Guidelines, Section 15162.

4.5 Cultural Resources

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
CULTURAL RESOURCES: Would the project:					
(a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	Not determined	No	No	No	No
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	Less Than Significant w/ Mitigation	No	No	No	Yes
(c) Disturb any human remains, including those interred outside of formal cemeteries?	Not determined	No	No	No	No

4.5.1 Impact Determination in the Certified EIR

Historic Resources

The Certified EIR did not discuss historic resources as it was not required to do so at the time the EIR was certified.

There are no structures on the Site. Therefore, no impact would occur.

Archaeological Resources

As stated in the Certified EIR, an archaeological survey was conducted onsite. 6 archaeological sites and 13 isolates were located and recorded onsite. Cultural resources within the Site could be affected directly by construction activities and indirectly by the increased number and presence of humans in the area.

This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.9-1(a)** through **4.9-1(d)** would reduce Project impacts to archaeological resources to a less than significant level.

Human Remains

The Certified EIR did not discuss human remains as it was not required to do so at the time the EIR was certified.

There are no known formal cemeteries on the Site. However, it is possible that unknown human remains could be located on sites that would be developed under the Master Plan.

Mitigation Measures

The following mitigation measures were included in the Certified EIR to reduce impacts related to cultural resources:

Cultural Resources Mitigation Measures	
4.9-1(a)	A qualified archaeologist shall be present during initial site clearing and grading to monitor the removal of any potential cultural deposits. If applicable, all procedures in Appendix K of the CEQA guidelines shall be implemented as determined by the Planning Director.
4.9-1(b)	The project design shall be modified as feasible to avoid disturbances to archaeological sites identified as potentially significant. If avoidance is not feasible, see Mitigation Measure 4.9-1(c).
4.9-1(c)	Prior to the issuance of a grading permit for any earth disturbance in the vicinity of any site identified as potentially significant, that site shall be excavated or the impacts otherwise mitigated to the satisfaction of the State Historic Preservation Officer
Lodestar at Mammoth Final EIR, MMRP.	

4.5.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

Historic Resources

For the proposed Project, there are no structures on the Site. A review of the State Office of Historic Preservation's Built Environment Resource Directory (BERD) shows no non-archaeological resources on the Site.[29] Therefore, no impact would occur, and the Project would not constitute a substantial change or constitute significant new information that was not previously analyzed in the Certified EIR. The Site has always remained vacant of structures. There was no potential for historic resources. Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Archaeological Resources

The Project area is sensitive for buried prehistoric and historic archaeological resources, and ground-disturbing construction associated with the Project has the potential to result in significant impacts to such unknown cultural resources. Therefore, customary caution and a halt-work condition should be in place for all ground-disturbing activities. In the event that any evidence of cultural resources is discovered, all work within the vicinity of the find should stop until a qualified archaeological consultant can assess the find and make recommendations. Excavation of potential cultural resources should not be attempted by project personnel. Construction activity may continue unimpeded on other portions of the Project Site. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2.

Mitigation measures from the Certified EIR would apply and impact would be reduced to a less than significant level.

[29] CA Office of Historic Preservation, Built Environment resource Directory: https://ohp.parks.ca.gov/?page_id=30338

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Human Remains

Procedures of conduct following the discovery of human remains have been mandated by Health and Safety Code §7050.5, Public Resources Code §5097.98 and the California Code of Regulations §15064.5(e) (CEQA). According to the provisions in CEQA, if human remains are encountered at the site, all work in the immediate vicinity of the discovery shall cease and necessary steps to ensure the integrity of the immediate area shall be taken. The Mono County Coroner shall be notified immediately. The Coroner shall then determine whether the remains are Native American. Once the Coroner determines the remains are Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours, who will, in turn, notify the person the NAHC identifies as the most likely descendent (MLD) of any human remains. Further actions shall be determined, in part, by the desires of the MLD. The MLD has 24 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 24 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR. This is not a substantial change or constitute significant new information that was not previously analyzed in the Certified EIR. As shown, various regulatory compliance measures already in place would protect any potential discovery.

Mitigation Measures

The Project will implement, or at least not conflict with, the following mitigation measures from the Certified EIR:

> **4.9-1(a)** is applicable to the Project. A qualified archaeologist will be present during site clearing and grading.
>
> **4.9-1(b)** is applicable to the Project. The design will be modified as feasible to avoid disturbing any archaeological sites identified as potentially significant.
>
> **4.9-1(c)** is applicable to the Project. If avoidance of any archaeological sites are not feasible, then prior to issuance of grading permit, the Site will be excavated or otherwise mitigated to the satisfaction of the State Historic Preservation Officer.

4.5.3 Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?

The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what were analyzed in the Certified EIR.

4.5.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance that has become available relative to cultural resources. No substantial changes in the environment related to cultural resources have occurred since certification of the EIR, and no substantial new cultural resources have been identified within the vicinity of the Project that will result in new or more severe significant environmental impacts.

4.5.5 Mitigation Measures Addressing Impact

As stated above, the Certified EIR provided **Mitigation Measures 4.9-1(a)** through **4.9-1(c)** to address impacts with respect to cultural resources during the construction of the Master Plan.

The Project will implement **Mitigation Measures 4.9-1(a)** through **4.9-1(c)** from the Certified EIR.

4.5.6 Conclusion

Based on the above, no new significant impacts to cultural resources or a substantial increase in previously identified cultural resource impacts will occur as a result of the Project. Therefore, the adoption of the Project does not meet the conditions for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 and to CEQA Guidelines, Section 15162.

4.6 Energy

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
ENERGY: Would the project:					
(a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Not determined	No	No	No	No
(b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Not determined	No	No	No	No

4.6.1 Impact Determination in the Certified EIR

The Certified EIR did not discuss energy as it was not required to do so at the time the EIR was certified.

The California Code of Regulations (CCR) Title 24 contains the California Building Standards, including the California Plumbing Code (Part 5), which promotes water conservation. Title 20 addresses Public Utilities and Energy and includes appliance efficiency standards that promote water conservation.

General Plan goals (R.6 through R.8) and policies (R.6A through R.8.G) promote responsible use of natural resources, conservation, and energy efficiency. Development will be required to comply with Title 24 of the CCR requiring building energy efficiency standards.

4.6.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

Construction

During Project construction, energy will be consumed in the form of electricity associated with the conveyance of water used for dust control and, on a limited basis, powering lights, electronic equipment, or other construction activities necessitating electrical power. Construction of new buildings and facilities, typically do not involve the consumption of natural gas. Project construction will also consume energy in the form of petroleum-based fuels associated with the use of off-road construction vehicles and equipment on the Project Site, construction worker travel to and from the Project Site, and delivery and haul truck trips (e.g., hauling of demolition material to off-site reuse and disposal facilities).

During construction of the Project, electricity will be consumed to supply and convey water for dust control and, on a limited basis, may be used to power lighting, electronic equipment, and other construction activities necessitating electrical power. Electricity will be supplied to the Project Site by existing electrical

services within the area or efficient generators.

The Project will be designed and operated in accordance with the applicable Building Code and Title 24 regulations which impose energy conservation measures. The majority of the energy usage in the Project would consist of lighting, climate control, and appliance operation. Adherence to the aforementioned energy requirements will ensure conformance with the State's goal of promoting energy and lighting efficiency.

The Project will have short-term construction impacts, as construction activities consume relatively minor quantities of electricity (i.e., temporary use for lighting and small power tools). Electricity will be consumed during the conveyance of the water used during construction activities that require the use of water to control fugitive dust. Furthermore, electricity used to provide temporary power for lighting electronic equipment inside temporary construction trailers and within the proposed structures will be consumed during Project construction. Electricity consumed during Project construction will be temporary and will cease upon the completion of construction, as well as vary depending on site-specific operations and the amount of construction occurring at any given time. Overall, construction activities associated with the Project will require limited electricity generation that are not expected to have an adverse impact on available electricity supplies. Therefore, electricity impacts during construction will be less than significant.

Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Accordingly, natural gas will not be supplied to support Project construction activities; thus, there will be no increased demand generated by construction.

Transportation fuels, primarily gasoline and diesel, will be provided by local or regional suppliers and vendors. Project-related vehicles will require a negligible fraction of the total state's transportation fuel consumption. Further, while construction activities will consume petroleum-based fuels, consumption of such resources will be temporary and cease upon the completion of construction.

Trucks and equipment used during proposed construction activities will comply with CARB's anti-idling regulations, as well as the In-Use Off-Road Diesel-Fueled Fleets regulation.[30] In addition to reducing criteria pollutant emissions, compliance with the anti-idling and emissions regulations will also result in efficient use of construction-related energy and reduce fuel consumption. Anti-idling regulations limit the amount of fuel wasted in equipment and trucks that are not in operation. Emissions regulations to control diesel particulate matter (DPM) and NO_x emissions require that engines be more efficient, which results in reduced fuel consumption. In addition, on-road vehicles (i.e., haul trucks, worker vehicles) will be subject to federal fuel efficiency requirements.

Therefore, Project construction activities will comply with existing energy standards with regard to transportation fuel consumption. As such, the demand for petroleum-based fuel during construction will

[30] The Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (Title 13, California Code of Regulations, Division 3, Chapter 10, Section 2485) was primarily adopted to reduce diesel air toxic pollutant emissions from heavy-duty trucks but also indirectly encourages the use of petroleum-based fuel in a more efficient manner by not allowing diesel trucks to idle for greater than 5 minutes at any location. The Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and other Criteria Pollutants, from In-Use Heavy-Duty Diesel-Fueled Vehicles (Title 13, CCR, Division 3, Chapter 1, Section 2025) was primarily adopted to reduce pollutant emissions but also indirectly encourages the use of petroleum-based fuel in a more efficient manner by requiring retirement, replacement, or repower of older less efficient, dirtier engines.

not cause wasteful, inefficient, and unnecessary use of energy. Therefore, construction-related impacts to petroleum fuel consumption will be less than significant.

The Project will utilize construction contractors who demonstrate compliance with applicable California Air Resources Board (CARB) regulations governing the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment. CARB has adopted an Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other toxic air contaminants. This measure prohibits diesel-fueled commercial vehicles greater than 10,000 pounds from idling for more than five minutes at any given time.

CARB has also approved the Truck and Bus regulation (CARB Rules Division 3, Chapter 1, Section 2025, subsection (h))[31] to reduce NO_x, PM_{10}, and $PM_{2.5}$ emissions from existing diesel vehicles operating in California; this regulation will be phased in with full implementation by 2023. In addition to limiting exhaust from idling trucks, CARB recently promulgated emission standards for off-road diesel construction equipment of greater than 25 horsepower. The regulation aims to reduce emissions by requiring the installation of diesel soot filters and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission-controlled models. Implementation began January 1, 2014 and the compliance schedule requires that best available control technology turnovers or retrofits be fully implemented by 2023 for large and medium equipment fleets and by 2028 for small fleets. Compliance with the above anti-idling and emissions regulations will result in efficient use of construction-related energy and the minimization or elimination of wasteful and unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment will result in less fuel combustion and energy consumption, as will the use of haul trucks with larger capacities.

The energy analysis does not include a full life cycle analysis of energy usage that would occur over the production/transport of materials used during the construction of the Project or used during the operational life of the Project, or the end of life for the materials and processes that would occur as an indirect result of the Project. Estimating the energy usage associated with these processes would be too speculative for meaningful consideration, would require analysis beyond the current state-of-the-art technology in impact assessment, and may lead to a false or misleading level of precision in reporting. Manufacture and transport of materials related to Project construction and operation are expected to be regulated under regulatory energy efficiency requirements.

Therefore, it is assumed that energy usage related to construction materials will be consistent with current regulatory requirements regarding energy usage.

Operation

Operational energy consumption would occur from building energy needs and from transportation fuels (e.g., diesel and gasoline) used for vehicles traveling to and from the additional development in the commercial districts.

The Project must comply with the applicable portions of the Title 24 Building Standards Code and

[31] California Air Resources Board, Final Regulation Order, Amendments to the Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants from In-Use On-Road Diesel-Fueled Vehicles, http://www.arb.ca.gov/msprog/onrdiesel/documents/tbfinalreg.pdf

California Green Building (CALGreen) Code. The Project would incorporate applicable General Plan Goals/Policies in a manner to achieve the reductions in energy usage, as well as encourage installing renewable energy sources, recycling, and waste diversion, above and beyond State regulatory requirements. The daily operation of the Project would generate demand for electricity, natural gas, and water supply, as well as generating wastewater requiring conveyance, treatment, and disposal off-site, and solid waste requiring disposal off-site.

During operation of the Project, energy will be consumed for multiple purposes, including, but not limited to, heating/ventilating/air conditioning (HVAC); refrigeration; lighting; and the use of electronics, equipment, and machinery. Energy will also be consumed during Project operations related to water usage, solid waste disposal, and vehicle trips.

Southern California Edison (SCE) provides electrical power to Mammoth Lakes. SCE is required to an energy portfolio from renewable sources and currently provides 43% of carbon-free power.[32] This represents the available off-site renewable sources of energy that will meet the Project's energy demand. The use of renewable energy will indirectly reduce use of fossil fuels required for electricity generation (e.g., natural gas, coal, oil). While the electricity usage rate for a given land use will not be directly affected by the availability of renewable energy, the consumption of fossil fuels required for electricity generation will be reduced.

The Town is not serviced by a natural gas pipeline; propane tanks are filled for individual properties to provide heating.

The Project-related traffic will result in the consumption of petroleum-based fuels related to vehicular travel to and from the Project Site. Project-related vehicles will require a negligible fraction of the total state's transportation fuel consumption. Further, while construction activities will consume petroleum-based fuels, consumption of such resources will be temporary and cease upon the completion of construction.

Wind energy and solar energy are more efficient on a large-scale basis. The Project would not conflict with the Town's ability to pursue geothermal or small hydro development in appropriate areas and it is likely that some renewable resources could be developed to offset energy consumption by the Project.

This is not a substantial change or constitute significant new information that was not previously analyzed in the Certified EIR. The Site has always been slated for development and would have been built with the Title 24 energy conservation measures in time of the building plan check. The energy conservation measures have gotten more efficient over time, with requirements for recycling, conservation of nonrenewable resources, such as natural gas.[33] Thus, the proposed development would be subject to the latest, most conservative, and most energy efficient building code to date. Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

---

[32] SCE, Sustainability Report, 2020: https://www.edison.com/content/dam/eix/documents/sustainability/eix-2020-sustainability-report-goals-summary.pdf

[33] https://www.dgs.ca.gov/BSC/About/History-of-the-California-Building-Standards-Code---Title-24 and https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards

Energy Conservation

The Project will be designed to comply with all applicable state and local codes, including the Town's Building Code and the California Green Building Standards Code. Design features that could be implemented include, but are not limited to, use of efficient lighting technology; energy efficient heating, ventilation and cooling equipment; and Energy Star rated products and appliances. In addition, the Project will incorporate a variety of water conservation features required that also promote energy conservation.

Compliance will ensure that the proposed development incorporates energy-efficient windows, doors, insulation, fixtures and appliances, and lighting, heating, air and ventilation systems. The Project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Mitigation Measures

None required.

4.6.3 Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?

The Certified EIR did not analyze energy. The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what were analyzed in the Certified EIR.

4.6.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance that has become available relative to energy. No substantial changes in the environment related to energy have occurred since certification of the EIR. Finally, as it has been determined the Project will not result in any significant energy impacts, a review of feasible mitigation measures is not required.

4.6.5 Mitigation Measures Addressing Impact

The Certified EIR did not analyze energy. No mitigation measures were required. Implementation of the Project does not change these impact determinations. Therefore, no additional mitigation measures are required.

4.6.6 Conclusion

Based on the above, no new significant impacts to energy or a substantial increase in previously identified energy impacts will occur as a result of the Project. Therefore, the adoption of the Project does not meet the conditions for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 and to CEQA Guidelines, Section 15162.

4.7 Geology and Soils

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
GEOLOGY AND SOILS: Would the project:					
(a) Directly or indirectly cause potential substantial adverse effects, including the risk or 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?	Less Than Significant w/ Mitigation	No	No	No	Yes
(ii) Strong seismic ground shaking?	Less Than Significant w/ Mitigation	No	No	No	Yes
(iii) Seismic-related ground failure, including liquefaction?	Less Than Significant	No	No	No	No
(iv) Landslides?	No Impact	No	No	No	No
(b) Result in substantial soil erosion or the loss of topsoil?	Less Than Significant w/ Mitigation	No	No	No	Yes
(c) 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 on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less Than Significant w/ Mitigation	No	No	No	Yes
(d) Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less Than Significant	No	No	No	No
(e) 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?	No Impact	No	No	No	No
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less Than Significant	No	No	No	No

This section is based in part on the following document included as **Appendix C** to this Addendum:

C Preliminary Geotechnical Investigation, SGS, February 4, 2021.

4.7.1 Impact Determination in the Certified EIR

Earthquake Faults and Seismic Groundshaking

The Master Plan is located in the seismically active region of California and will likely be subjected to strong grounding shaking during the life-time of the Master Plan. As with any new development in the State of California, building design and construction will be required to conform to the current seismic design provisions of the CBC. Further, construction of individual projects developed as under the Master Plan will also be required to adhere to the seismic design requirements of the Town, which ensure new buildings are be designed to resist ground shaking through modern construction techniques. Compliance with the CBC, the Town, and the existing General Plan policies will ensure that the Project minimizes ground shaking hazards.

Proposed changes associated with the Master Plan involve new construction, which will result in an increase in the number of people living in and visiting an area subject to seismic activity. This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.1-4(a)** through **4.1-4(c)** will reduce the impacts to less than significant.

Liquefaction

One response to sever ground shaking that can occur in loose soils is liquefaction. Liquefaction occurs in areas with shallow groundwater and where finer sands make up a significant part of the near surface soil (within approximately 30 feet above mean sea level. Within Mammoth Lakes, areas of alluvium and moraine material with shallow groundwater have the potential for liquefaction. Areas subject to liquefaction because of fine-grained alluvium are in the low areas including Sherwin Meadows, areas to the north and south of the Old Mammoth District, and to a lesser extent, an area of shallow groundwater near the Meridian Boulevard and Minaret Road. Any new development under the Master Plan will have to comply with the recommendations identified in a project-specific geotechnical evaluation, as well as the Town Building and Grading Codes and any specific requirements established by the Building Division. Therefore, the Master Plan was determined in the Certified EIR to result in less than-significant impacts related to liquefaction.

Landslide

Earthquake-induced landslides on steep slope can occur in either bedrock or unconsolidated deposits. Naturally occurring steep slopes do not exist on the Site. Therefore, no impacts related to landslides will occur.

Unstable Soils

New construction generated by the Master Plan could take place on soils that are unstable, and, therefore, could result in increased slope stability. This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.1-1(a)** through **4.1-1(e)** will reduce the impacts to less than significant.

Erosion

Proposed changes associated with the Master Plan involve new construction, which will result in an increase in grading and subsequent erosion and loss of topsoil. This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measure 4.1-2** will reduce the impacts to less than significant.

Topography

Proposed changes associated with the Master Plan involve new construction, which will result in changes to the topography of the Site. This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measure 4.1-3** will reduce the impacts to less than significant.

Volcanic Activity

Proposed changes associated with the Master Plan involve new construction, which will result in an increase in the number of people living in and visiting an area subject to volcanic activity. This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.1-34(a)** and **4.1-4(b)** will reduce the impacts to less than significant.

Expansive Soils

Expansive soils are typically associated with fine-grained clayey soils that have the potential to shrink and swell with repeated cycles of wetting and drying. According to the Town's General Plan EIR, no expansive soils have been mapped or encountered in the Town. Any development that would occur as a result of the Project would be built in accordance with the applicable requirements of the CBC and Town of Mammoth Lakes Municipal Code requirements. Therefore, no impacts related to expansive soils will occur.

Septic System

Sewer service is provided to this area of the Town and any new development would tie into the existing facilities. Therefore, no impacts related to septic tanks will occur.

Paleontological Resources

According to the Town's General Plan EIR, the paleontological resources records search from the UCMP (University of California Museum of Paleontology) revealed that there are no known vertebrate, invertebrate, plant, microfossil, or other fossil localities that have been previously identified within the Project Area or the surrounding vicinity. The closest known vertebrate fossil locality is located more than 30 miles north of the project. Initial consultation of collection records and geologic maps indicate that the Mammoth Lakes area has no history of fossil resources largely because the terrain is dominated by igneous and metamorphic rocks which are not conducive to retaining paleontological resources.

However, there is a low to moderate potential to encounter paleontological resources in glacial deposits within the Town. If paleontological resources are encountered during implementation of the Project, ground-disturbing activities shall temporarily be redirected from the vicinity of the find. The Town shall immediately notify a qualified paleontologist of the find. The paleontologist shall coordinate with the Town as to the immediate treatment of the find until a proper site visit and evaluation is made by the paleontologist. Treatment may include the implementation of salvage excavations or preservation in place Found deposits will be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Therefore, impacts related to paleontological resources would be less than significant.

Mitigation Measures

The following mitigation measures were included in the Certified EIR to reduce impacts related to geology and soils:

Geology and Soils Mitigation Measures	
4.1.1(a)	Soils and foundation analysis shall be approved bythe Public Works Director prior to final Project design approval, as stipulated in the Town's SafetyPolicy #18. All measures required by the Public Works Director shall be incorporated into grading plans and building plans.
4.1-1(b)	New slopes shall be constructed at an angle and degree of compaction that will ensure stability, as stipulated in the standards of the Town's Municipal Code.
4.1-1(c)	The ponds and man-made lakes shall be constructed and operated to prevent downslope saturation or stress that could lead to slope instability.
4.1-1(d)	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 in order to ensure the standards of the applicable Codes are met.
4.1-1(e)	Subsequent development phases will require additional environmental review and approval bythe Planning Commission.
4.1-2	A comprehensive Erosion and Sediment Transport Control Plan shall be prepared and approved by the Town prior to issuance of any grading or building permit. The Plan shall be included in the Project design, as stipulated in the Town's Safety Policy #18. The Plan shall also meet the requirements of the Lahontan Regional Water Quality Control Board (LRWQCB) and the Town Municipal Code.
4.1-3	Prior to issuance of grading or building permits, geotechnical studies shall be completed and their recommendations shall be incorporated in theProject design, as stipulated in the Town's Safety Policy #26. Any grading in the southwest portionof the site shall consider the potentially high groundwater in that area.
4.1-4(a)	Two measures specifically designed for thegeological environment would reduce the numberof lives that could be adversely impacted in the event of either an earthquake or volcanic eruption: (i) The USGS is actively monitoring both volcanic and seismic activities in the Long Valley area. (ii) The Project Sponsor is assisting the Town in completing the existing andemergency access roadway system (Safety Policy #29).
4.1-4(b)	The Town shall require the Project Sponsor'scooperation in designing and disseminating information to assist citizens and visitors in responding to emergency situations that are likely to arise (Safety Policy #31).
4.1-4(c)	All structures shall be designed and built to at least the standards of UBC Seismic Zone 4.
4.1-5	Implement Mitigation Measures 4.1-4(a) and (b)
Lodestar at Mammoth Final EIR, MMRP.	

4.7.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

Earthquake Faults

The Mono Lake Long Valley region is part of one of the most active seismic regions in the United States. Seismic activity in the vicinity of the Town is a result of continuing tectonic movement along the eastern front of the Sierra Nevada Mountain Range. Three historically active faults located in proximity to the Town have the greatest potential to create significant ground shaking in the Town. These faults include the Hilton Creek fault (1980 earthquake), the Owens Valley fault (1972 earthquake) and the Chalfant Valley fractures (1986 earthquake). These three faults, as well as six other potentially active faults, have the potential for ground shaking within the Town. While these faults are within proximity to the Town, there are no known Alquist-Priolo Earthquake Fault Zones within the Town.

The nearest splay of the Hartley Springs fault is located 1.25 miles west of the Site. Ground surface rupture results when the movement along a fault is sufficient to cause a gap or break along the upper edge of the fault zone on the surface. There are no known active, potentially active, or inactive faults that transect the Site.

According to the California Department of Conservation, the Site is not within an earthquake fault zone.[34] Therefore, the potential for surface rupture due to faulting occurring beneath the site during the design life of the proposed development is considered low.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Seismic Groundshaking

Damage due to surface rupturing is limited to the actual location of the fault line break, unlike damage from ground shaking, which can occur at great distances from the fault. According to the Town's General Plan EIR, the potential for surface rupture in the Town is considered to be low.[35] Any development within the Town, buildings or roadways, would be required to comply with the requirements of the California Building Code (CBC) (CCR Title 24). The CBC is based on the Uniform Building Code (UBC), which is used widely throughout United States (generally adopted on a state-by state or district-by-district basis), and has been modified for California conditions with numerous, more detailed and/or more stringent regulations.

Built structures and/or facilities would be constructed in accordance with the requirements of the CBSC and the Town's Municipal Code Sections 12.08.076 (Grading and Clearing) and 12.08.080, which requires that grading may be conducted under the following permits within the limits of each: 1) a letter of exemption, for minimal work; 2) a building permit, allowing grading within the footprint and as needed for the foundation excavations; and 3) a grading permit, for all other conditions. Municipal Code Section

[34] California Department of Conservation, Earthquake Zones of Required Investigation: https://maps.conservation.ca.gov/cgs/EQZApp/, accessed September 26, 2021.

[35] Town of Mammoth Lakes Final General Plan EIR, Chapter, 4.4 - Geology, Seismicity, Soils, and Mineral Resources, May 2007.

12.08.080 requires engineered plans and a soils report to be submitted with an application for a grading permit.

Therefore, buildings and facilities would be designed in accordance with the ground motion parameters that have been calculated for a particular site to withstand seismic ground shaking from the maximum credible earthquake anticipated to occur at a particular project site, as necessary per applicable regulatory requirements. Thus, despite the seismically active area in which the Town is located, impacts associated with seismic ground shaking would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Volcanic Activity

Based on geologic history, geotechnical hazards related to volcanic activity are possible in the project areas. Potential impacts to the Town include inundation by ash deposition, lava, or lahars, or complete destruction from a catastrophic eruption. A comprehensive daily monitoring program of activity along known faults helps scientists to assess the volcanic hazards in the Long Valley area and to recognize the early signs of possible eruptions. The USGS, in cooperation with the California Office of Emergency Services and local jurisdictions in eastern California, has established procedures to promptly alert the public to a possible eruption.

In addition, the Town adopted an Emergency Operations Plan (EOP) in 2001, and last updated in 2017.[36] The projected increase in intensity of development could result in a slight increase in the population in the Town. However, with the plans in place stated above, impacts regarding volcanic hazards would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Liquefaction

Based on the character of surface and subsurface soil and depth to groundwater, there appears to be little potential for liquefaction in the Town. Regardless, any development that would occur as a result of the Project would be built in accordance with the applicable seismic requirements of the CBC and Town of Mammoth Lakes Municipal Code requirements.

The Site is not located within any areas zoned for liquefaction hazards by local/state jurisdictions. The potential for liquefaction is not a design consideration given the lack of a static or perched water table and the relatively dense nature of bearing soils on-site. Further, the potential for ground failures associated with liquefaction (e.g., post-liquefaction reconsolidation, sand boils, etc.) is also not a consideration. Therefore, impacts associated with seismic-related ground failure, including liquefaction would be less than significant.

[36] Mammoth Lakes, Emergency Operations Plan, 2017: https://www.townofmammothlakes.ca.gov/DocumentCenter/View/11055/Adopted-EOP-08-16-17, accessed September 126, 2021.

The Project will comply with design criteria provided in the Geotechnical Investigation including the Uniform Building Code Section 1804.5 (Liquefaction Potential and Soil Strength Loss).

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Landslide

The Site is not located within any areas zoned for landslide hazards by local/state jurisdictions. Therefore, no impact will occur.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Erosion

During construction, the Project will be required to prevent the transport of sediments from the Site by stormwater runoff and winds through the use of appropriate Best Management Practices (BMPs). Excavation spoils should not be stockpiled adjacent to excavations as they can surcharge the soils and trigger failure. In addition, proper erosion protection, is recommended to reduce the possibility for erosion of slopes during grading and building construction. Ultimately, it is the contractor's responsibility to maintain safe working conditions for persons on-site. Appropriate erosion control and drainage devices will be provided to the satisfaction of the Town. Therefore, construction impacts will be less than significant.

Long-term operation of the Project will not result in substantial soil erosion or loss of topsoil. The entire Project Site will be covered by the proposed structures and roadway; thus, no exposed areas subject to erosion will be created or affected by the Project. Therefore, impacts associated with erosion would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Unstable Soils

Dynamic compaction of dry and loose sands may occur during a major earthquake. Temporary excavation shall be made no steeper than 1:1 (horizontal to vertical). The recommended slope for temporary excavations does not preclude local raveling and sloughing. Where wet soils are exposed, flatter excavation of slopes and dewatering may be necessary. In areas of insufficient space for slope cuts, or where soils with little or no binder are encountered, shoring shall be used. All large rocks exposed above temporary cuts shall be removed prior to foundation excavation. In addition any rocks exposed during development from raveling and sloughing should be removed immediately. All excavations should comply with the requirements of the California Construction and General Industry Safety Orders and the Occupational Safety and Health Act and other public agencies having jurisdiction.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Expansive Soils

Expansive soils are soils that swell when subjected to moisture. Shrink/swell potential is the relative change in volume to be expected with changes in moisture content; that is, the extent to which the soil shrinks as it dries or swells when it gets wet. The extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils causes damage to building foundations, roads, and other structures. Soils in the immediate vicinity of the building site consist of dense, sands with minor fines and gravels. Based on these findings, there is a very low shrink/swell potential at the Site. Therefore, impacts associated with expansive soils would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Geologic Features

With regard to unique geologic features, there are no distinct and prominent geologic or topographic features (i.e. hilltops, ridges, hillslopes, canyons, ravines, rock outcrops, water bodies, streambeds, or wetlands) on the Project Site.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Paleontological Resources

According to the Town's General Plan EIR, the paleontological resources records search from the UCMP (University of California Museum of Paleontology) revealed that there are no known vertebrate, invertebrate, plant, microfossil, or other fossil localities that have been previously identified within the Project Area or the surrounding vicinity. The closest known vertebrate fossil locality is located more than 30 miles north of the project. Initial consultation of collection records and geologic maps indicate that the Mammoth Lakes area has no history of fossil resources largely because the terrain is dominated by igneous and metamorphic rocks which are not conducive to retaining paleontological resources.

However, there is a low to moderate potential to encounter paleontological resources in glacial deposits within the Town. If paleontological resources are encountered during implementation of the Project, ground-disturbing activities shall temporarily be redirected from the vicinity of the find. The Town shall immediately notify a qualified paleontologist of the find. The paleontologist shall coordinate with the Town as to the immediate treatment of the find until a proper site visit and evaluation is made by the paleontologist. Treatment may include the implementation of salvage excavations or preservation in place Found deposits will be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Therefore, impacts related to paleontological resources would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Mitigation Measures

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to geology and soils, the Project will nevertheless implement, or at least not conflict with the following mitigation measures from the Certified EIR:

> **4.1-1(e)** is applicable to the Project. The Project is undergoing environmental review and clearance (this document) and subject to all required review and approval measures.
>
> **4.1-3** is applicable to the Project. The Project completed a geotechnical investigation (Preliminary Geotechnical Investigation, SGS, February 4, 2021), and its recommendations will be incorporated into the Project design.

The following mitigation measures are not applicable to the Project:

> **4.1-1(a)** is not applicable as mitigation to the Project because the Public Works Director is required to approve the soils and foundation analysis prior to final Project design approval. As a matter of law, regulatory compliance is not mitigation.
>
> **4.1-1(b)** is not applicable as mitigation to the Project because new slopes are required to comply with the standards of the Town's Municipal Code. As a matter of law, regulatory compliance is not mitigation.
>
> **4.1-1(c)** is not applicable to the Project because it does not propose any ponds or man-made lakes.
>
> **4.1-1(d)** is not applicable as mitigation to the Project because all work is required to be overseen by a (CE), Certified Engineering Geologist (CEG), or similar appropriately qualified professional, who shall report to the Town in order to ensure the standards of the applicable Codes are met. As a matter of law, regulatory compliance is not mitigation.
>
> **4.1-2** is not applicable as mitigation to the Project because it requires an Erosion and Sediment Transport Control Plan that meets the requirements of the Lahontan Regional Water Quality Control Board (LRWQCB) and the Town Municipal Code. As a matter of law, regulatory compliance is not mitigation.
>
> **4.1-4(a)** is not applicable to the Project because the USGS is already actively monitoring both volcanic and seismic activity and because emergency access roadway system is not part of the Project.
>
> **4.1-4(b)** is not applicable to the Project. As noted in the MMRP, this applies to the development of high-density projects, such as the resort hotel. The Project is not a high density project as it fits within the proposed density of the area and is not a resort hotel
>
> **4.1-4(c)** is not applicable as mitigation to the Project because all structures are required to comply with the standards of the UBC. As a matter of law, regulatory compliance is not mitigation.

These mitigation measures are not applicable to the Project due to the inapplicable Site (Development Area 2 and not the golf course), inapplicable program (residential, and not the hotel or golf course),

changes to the setting (growth of vegetation, completed golf course or road, or urban development), or are already required by the Town's Municipal Code or other applicable regional or state regulatory measure. Thus, these mitigation measures are not necessary to this Project to mitigate a significant impact, and removal of these mitigation measures will not allow a new significant impact to occur or increase the severity of a significant impact. (*Mani Bros. Real Estate Group .v City of Los Angeles* (2007) 153 CA4th 1385, 1388.)

4.7.3 Any New Circumstances Involving New Impacts or Substantially More Severe Impacts?

The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what were analyzed in the Certified EIR.

4.7.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance that has become available relative to geology and soils. No substantial changes in the environment related to geology and soils have occurred since certification of the EIR, and no areas that are susceptible to geology and soil impacts have been identified within the vicinity of the Project Site that will result in new or more severe significant environmental impacts.

4.7.5 Mitigation Measures Addressing Impacts

As stated above, the Certified EIR provided **Mitigation Measures 4.1-1(a)** through **4.1-5** to address impacts with respect to geology and soils of the Master Plan.

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to geology and soils, the Project will nevertheless implement **Mitigation Measures 4.1-1(e)** and **4.1-3**, from the Certified EIR.

4.7.6 Conclusion

Based on the above, no new significant geology and soils impacts or a substantial increase in previously identified geology and soils impacts will occur as a result of the Project. Therefore, the impacts to geology and soils as a result do not meet the standards for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 or CEQA Guidelines, Section 15162.

4.8 Greenhouse Gas Emissions

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
GREENHOUSE GAS EMISSIONS: Would the project:					
(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Not determined	No	No	No	No
(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Not determined	No	No	No	No

4.8.1 Impact Determination in the Certified EIR

The Certified EIR did not discuss GHG emissions as it was not required at the time the EIR was certified.

4.8.2 Does the Project Involve New Significant Impacts?

The Town of Mammoth Lakes General Plan includes goals and policies related to climate change and GHG emissions. Additionally, the Resource Management and Conservation Element of the General Plan includes goals and policies related to energy conservation and resources, green building practices, and air quality that would aid to reduce GHG emissions in the Town. The Town of Mammoth Lakes has adopted by reference the CALGreen Code in Chapter 15.04 of the Municipal Code. As discussed previously, the CALGreen Code establishes mandatory measures for new residential and non-residential buildings. Such mandatory measures include energy efficiency, water conservation, material conservation, planning and design and overall environmental quality.

The analysis of a project's impact on GHG emissions during long-term project operations typically considers emissions from mobile sources, stationary area point sources, energy and water demand, and wastewater and solid waste generation. The Project is within the development envelope of the approved Master Plan. Therefore, the approved buildout for construction and operation purposes is assumed to be included in the Town's projected planning processes, including in the VMT estimates for the Town under the General Plan.

Neither the Town nor the GBUAPCD have established numerical air quality significance thresholds for quantitatively determining GHG emission impacts.

In accordance with the CEQA Guidelines, the Office and Planning and Research encourages lead agencies to make use of programmatic mitigation plans and programs from which to tier when they perform individual project analyses. The Town of Mammoth Lakes does not have a programmatic

mitigation plan specific to GHG emissions to tier from, such as a Greenhouse Gas Emissions Reduction Plan as recommended in the relevant amendments to the CEQA Guidelines. However, the Town has adopted the CALGreen Code that requires applicable projects to implement energy efficiency measures. In addition, the California CAT (Climate Action Team) Report provides recommendations for specific emission reduction strategies for reducing GHG emissions and reaching the targets established in AB 32 and Executive Order S-3-05. Thus, if the project is designed in accordance with these policies and regulations, it would result in a less than significant impact, since it would be consistent with the overarching State regulations on GHG reduction (AB 32).

In accordance with the CALGreen Code, the Project would incorporate the following features supportive of goals to reduce GHG emissions:

Energy Conservation: New development would be required to reduce energy demand in accordance with the Title 24 Building Standards Code. The Town would ensure that new developments meet or exceed the applicable standards prior to building permit issuance.

Water Conservation: New development would be required to reduce indoor and outdoor water demand in accordance with the Title 24 Building Standards Code. The Town would ensure that new developments meet or exceed the applicable standards prior to building permit issuance.

Resource Conservation: New development would be required to recycle, reuse, or divert from landfills at least 50% of nonhazardous construction waste (by weight). The Town would ensure that new developments meet or exceed the applicable standards prior to grading permit issuance.

Consistency Climate Change Scoping Plan

The goal to reduce GHG emissions to 1990 levels by 2020 (Executive Order S-3-05) was codified by the Legislature as the 2006 Global Warming Solutions Act (AB 32). In 2008, CARB approved a *Climate Change Scoping Plan* as required by AB 32 that has been updated over time to reflect updated strategies.[37] In addition, SB 32 was approved in 2016, calling for deeper GHG emissions reductions by 2030. The *2017 Climate Change Scoping Plan* addresses the 2030 horizon and has a range of GHG reduction actions that include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 implementation fee to fund the program.

The 2017 Scoping Plan Update identifies additional GHG reduction measures necessary to achieve the 2030 target. These measures build upon those identified in the *2017 Climate Change Scoping Plan Update*. As discussed therein, the Project will be consistent with the GHG reduction-related actions and strategies of the *2017 Climate Change Scoping Plan Update.*

In November 2017, CARB adopted a Climate Change Scoping Plan (2017 Scoping Plan) that addressed how long-term objectives could be met, including SB 32 targets in 2030. Specifically, the 2017 Scoping Plan states that the Plan "establishes a path that will get California to its 2030 target" and "identifies how

[37] Climate Change Proposed Scoping Plan was approved by CARB on December 11, 2008.

the State can reach our 2030 climate target to reduce…GHG emissions by 40% from 1990 levels." (2017 Plan at pp. 1).[38]

Studies confirm CARB's determination that the state's existing and proposed regulatory framework will put the state on a pathway to reduce its GHG emissions level to 40% below 1990 levels by 2030, and to 80% below 1990 levels by 2050 if additional appropriate reduction measures are adopted.[39] Even though these studies did not provide an exact regulatory and technological roadmap to achieve the 2030 and 2050 goals, they demonstrated that various combinations of policies could allow the statewide emissions level to remain very low through 2050, suggesting that the combination of new technologies and regulations not analyzed in the studies could allow the state to meet the 2050 target.

In addition, on May 22, 2014, CARB approved its first update to the AB 32 Scoping Plan (CARB's First Update).[40] CARB's Update "lays the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80% below 1990 levels by 2050," and many of the strategies recommended would serve to reduce the Project's post-2020 emissions level to the extent required by applicable by law (CARB's First Update, p. 4 and Table 6 pp. 94-99).

When compared to SB 32, the Project would be consistent with its objectives and the GHG reduction-related actions and strategies of the 2017 Scoping Plan. Table No. 1, below, follows the same approach used in the Draft EIR for evaluating consistency with CARB's AB 32 Scoping Plan, which was adopted to meet the goals of AB 32 (Draft EIR, pp. 4.F-34 to 35; Table 4.F-7).[41][42] The 2017 Scoping Plan and the SB 32 objectives that drive it involve increasing renewable energy use, imposing tighter limits on the carbon content of gasoline and diesel fuel, putting more electric cars on the road, improving energy efficiency, and curbing emissions from key industries. Although a number of these strategies are currently promulgated, some have not yet been formally proposed or adopted. It is expected that these measures or similar actions to reduce GHG emissions will be adopted as required to achieve statewide GHG emissions targets. Based on the following analysis, the Project will be consistent with the State's Climate Change Scoping Plan's objective of reducing 2030 GHG emissions in accordance with SB 32.

In addition to the Project's consistency with applicable GHG reduction regulations and strategies, the Project will not conflict with future anticipated statewide GHG reductions goals. Specifically, CARB has outlined strategies for achieving the 2030 reduction target of 40% below 1990 levels, as mandated by SB

---

[38] California Air Resources Board California's 2017 Climate Change Scoping Plan, https://ww2.arb.ca.gov/sites/default/files/classic//cc/scopingplan/scoping_plan_2017.pdf

[39] Energy and Environmental Economics (E3). "Summary of the California State Agencies' PATHWAYS Project: Long-term Greenhouse Gas Reduction Scenarios" (April 2015); Greenblatt, Jeffrey, Energy Policy, "Modeling California Impacts on Greenhouse Gas Emissions" (Vol. 78, pp. 158–172). The California Air Resources Board, California Energy Commission, California Public Utilities Commission, and the California Independent System Operator engaged E3 to evaluate the feasibility and cost of a range of potential 2030 targets along the way to the state's goal of reducing GHG emissions to 80 percent below 1990 levels by 2050. With input from the agencies, E3 developed scenarios that explore the potential pace at which emission reductions can be achieved, as well as the mix of technologies and practices deployed. E3 conducted the analysis using its California PATHWAYS model. Enhanced specifically for this study, the model encompasses the entire California economy with detailed representations of the buildings, industry, transportation and electricity sectors. https://www.ethree.com/wp-content/uploads/2017/02/E3_Project_Overview_20150406.pdf

[40] California Air Resources Board, First Update to the Climate Change Scoping Plan, May 2014; https://ww2.arb.ca.gov/sites/default/files/classic//cc/scopingplan/2013_update/first_update_climate_change_scoping_plan.pdf

[41] Ibid

[42] California Air Resources Board, Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document, August 2011; https://ww2.arb.ca.gov/sites/default/files/classic//cc/scopingplan/document/final_supplement_to_sp_fed.pdf

32. These strategies include renewable resources for half of the State's electricity by 2030, increasing the fuel economy of vehicles and the penetration of zero-emission or hybrid vehicles into the vehicle fleet, reducing the rate of growth in VMT, supporting high-speed rail and other alternative transportation options, and use of high-efficiency appliances, water heaters, and HVAC systems.

The Project will also benefit from statewide and utility-provider efforts towards increasing the portion of electricity provided from renewable resources. SCE has committed to increasing renewable sources that exceed the Renewables Portfolio Standard requirements. The Project will also include energy efficient mechanical systems, energy efficient glazing and window frames, and the use of high-efficiency lighting. The Project will also benefit from statewide efforts to improve fuel economy of vehicles.

Recent studies show that the state's existing and proposed regulatory framework will put the state on a pathway to reduce its GHG emissions level to 40% below 1990 levels by 2030, and to 80% below 1990 levels by 2050 if additional appropriate reduction measures are adopted.[43] Even though these studies did not provide an exact regulatory and technological roadmap to achieve the 2030 and 2050 goals, they demonstrated that various combinations of policies could allow the statewide emissions level to remain very low through 2050, suggesting that the combination of new technologies and other regulations not analyzed in the studies could allow the state to meet the 2050 target. Subsequent to the findings of these studies, SB 32 was passed on September 8, 2016, and would require the state board to ensure that statewide GHG emissions are reduced to 40% below the 1990 level by 2030. As discussed above, the new plan, outlined in SB 32, involves increasing renewable energy use, imposing tighter limits on the carbon content of gasoline and diesel fuel, putting more electric cars on the road, improving energy efficiency, and curbing emissions from key industries.

Table 4.8-1, Consistency with Applicable Greenhouse Gas Reduction Strategies, contains a list of GHG-reducing strategies potentially applicable to the Project. The analysis describes the consistency of the Project with these strategies. Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Table 4.8-1
Consistency with Applicable Greenhouse Gas Reduction Strategies

Source	Description	Consistency
AB 1493 (Pavley Regulations)	Reduces greenhouse gas emissions in new passenger vehicles from 2012 through 2016 (Phase I) and from 2017 through 2025 (Phase II).	**Consistent**. The Project would be consistent with this regulation and would not conflict with implementation of the vehicle emissions standards.
SB 1368	Establishes an emissions performance standard for power plants within the State of California.	**Consistent**. The Project would be consistent with this regulation and would not conflict with

[43] Energy and Environmental Economics (E3). "Summary of the California State Agencies' PATHWAYS Project: Long-term Greenhouse Gas Reduction Scenarios" (April 2015); Greenblatt, Jeffrey, Energy Policy, "Modeling California Impacts on Greenhouse Gas Emissions" (Vol. 78, pp. 158–172). The California Air Resources Board, California Energy Commission, California Public Utilities Commission, and the California Independent System Operator engaged E3 to evaluate the feasibility and cost of a range of potential 2030 targets along the way to the state's goal of reducing GHG emissions to 80 percent below 1990 levels by 2050. With input from the agencies, E3 developed scenarios that explore the potential pace at which emission reductions can be achieved, as well as the mix of technologies and practices deployed. E3 conducted the analysis using its California PATHWAYS model. Enhanced specifically for this study, the model encompasses the entire California economy with detailed representations of the buildings, industry, transportation and electricity sectors.

Table 4.8-1
Consistency with Applicable Greenhouse Gas Reduction Strategies

Source	Description	Consistency
		implementation of the emissions standards for power plants.
Low Carbon Fuel Standard	Establishes protocols for measuring life-cycle carbon intensity of transportation fuels and helps to establish use of alternative fuels.	**Consistent**. The Project would be consistent with this regulation and would not conflict with implementation of the transportation fuel standards.
California Green Building Standards Code Requirements	All bathroom exhaust fans shall be ENERGY STAR compliant.	**Consistent**. The Project would utilize energy efficiency appliances and equipment and would meet or exceed the energy standards in ASHRAE Appendix G and Title 24 Building Code (the version in effect at the time of building permit issuance for implementing projects).
	HVAC Systems will be designed to meet ASHRAE standards.	**Consistent**. The Project would utilize energy efficiency appliances and equipment and would meet or exceed the energy standards in ASHRAE Appendix G and Title 24 Building Code (the version in effect at the time of building permit issuance for implementing projects).
	Air filtration systems are required to meet a minimum of MERV 8 or higher.	**Consistent**. The Project would meet or exceed this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Refrigerants used in newly installed HVAC systems shall not contain any CFCs.	**Consistent**. The Project would meet this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Parking spaces shall be designed for carpool or alternative fueled vehicles as specified in the CALGreen Code.	**Consistent**. The Project would meet this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Long-term and short-term bike parking shall be provided for up to five percent of vehicle trips as specified in the CALGreen Code.	**Consistent**. The Project would meet this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Stormwater Pollution Prevention Plan (SWPPP) required.	**Consistent**. The Project would meet this requirement.
	Reduce indoor water usage by installing low- flow fixtures as specified in the CALGreen Code and/or reduced indoor water usage by 20 percent compared to California Building Code Standards baseline flow rates.	**Consistent**. The Project would exceed this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	All irrigation controllers must be installed with weather sensing or soil moisture sensors.	**Consistent**. The Project would meet this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Wastewater usage shall be reduced by 20 percent compared to California Building Code Standards baseline flow rates.	**Consistent**. The Project would exceed this requirement as part of its compliance with the Town's requirements and the CALGreen Code.

Table 4.8-1
Consistency with Applicable Greenhouse Gas Reduction Strategies

Source	Description	Consistency
	Requires a minimum of 50 percent recycle or reuse of nonhazardous construction and demolition debris.	**Consistent**. The Project would exceed this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Requires documentation of types of waste recycled, diverted or reused.	**Consistent**. The Project would exceed this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Requires use of low VOC coatings consistent with SCAQMD Rule 1168.	**Consistent**. The Project would be consistent with this regulation and would meet or exceed the low VOC coating requirements.
	100 percent of vegetation, rocks, soils from land clearing shall be recycled or stockpiled on-site.	**Consistent**. The Project would exceed this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
Climate Action Team	Reduce diesel-fueled commercial motor vehicle idling.	**Consistent**. The Project would be consistent with the CARB Air Toxics Control Measure (ATCM) to limit heavy duty diesel motor vehicle idling to no more than 5 minutes at any given time.
	Achieve California's 50 percent waste diversion mandate (Integrated Waste Management Act of 1989) or meet local ordinance, whichever is more stringent.	**Consistent**. The Project would exceed this requirement as part of its compliance with the Town's requirements and the CALGreen Code.
	Reduce GHG emissions from electricity by reducing energy demand. The California Energy Commission updates appliance energy efficiency standards that apply to electrical devices or equipment sold in California. Recent policies have established specific goals for updating the standards; new standards are currently in development.	**Consistent**. The Project would utilize energy efficiency appliances and equipment and would exceed the energy standards in ASHRAE Appendix G and the Title 24 Building Standards Code (the version of the standards in effect at the time of building permit issuance for implementing projects).
	Apply strategies that integrate transportation and land-use decisions, including but not limited to promoting jobs/housing proximity, high-density residential/ commercial development along transit corridors, and implementing intelligent transportation systems.	**Consistent**. The Mobility Element would reduce Town-wide VMT though the provision of sidewalks, bike paths, and transit service.
	Reduce energy use in private buildings.	**Consistent**. The Project would utilize energy efficiency appliances and equipment and would exceed the energy standards in ASHRAE Appendix G and the Title 24 Building Standards Code (the version of the standards in effect at the time of building permit issuance for implementing projects).
CAJA, 2021.		

4.8.3 Any new Circumstances Involving New Impacts or Substantially More Severe Impacts?

While there was no discussion of consistency with any GHG reduction plans in the Certified EIR, since none were applicable at the time, the Certified EIR modeled air quality pollutant emissions and discussed consistency with the AQMP. The Certified EIR determined that implementation of **Mitigation Measure 4.7-4** will reduce the impacts related to AQMP to less than significant levels. The Project must comply with the Town's AQMP, and the control measures are incorporated in the Town's Municipal Code. For example, Chapter 8.30 of the Municipal Code limits the maximum number of residential wood combustion appliances in new construction to one certified appliance plus one pellet fueled appliance.[44] The Project must comply with the Code.

GHG reduction strategies are built into compliance with the latest efficiency targets of the applicable building code. California's Green Building Standards (CALGreen) Code includes mandatory measures to support the goals of the State's greenhouse gas reduction program. Reduction in energy demand, water demand, traffic trips, and adding housing to infill sites are all demonstrated to reduce GHG emissions. The Project would encourage people to walk or bike instead of using a vehicle because it would be an infill site and within walking and biking trails. This mode shift decreases VMT growth. Increased density, measured in terms of persons, jobs, or dwelling units per unit area, reduces emissions associated with transportation as it reduces the distance people travel for work or services and provides a foundation for the implementation of other strategies, such as enhanced transit services. This is not a substantial change nor does it constitute significant new information that was not previously analyzed in the Certified EIR. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what were analyzed in the Certified EIR.

4.8.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance that has become available relative to GHG emissions. No substantial changes in the environment related to GHG emissions have occurred since certification of the EIR that would result in new or more severe significant environmental impacts.

4.8.5 Mitigation Measures Addressing Impacts

The Certified EIR did not analyze GHG emissions. No mitigation measures were required. Implementation of the Project does not change these impact determinations. Therefore, no additional mitigation measures are required.

4.8.6 Conclusion

There is no new information of substantial importance that has become available relative to GHG emissions. No substantial changes in the environment related to GHG emissions have occurred since certification of the EIR, and no substantial new conditions related to GHG emissions have been identified

[44] Town of Mammoth Lakes AQMP, Chapter 7 Control Measures.

within the vicinity of the Project Site that will result in new or more severe significant environmental impacts.

4.9 Hazards and Hazardous Materials

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
HAZARDS AND HAZARDOUS MATERIALS: Would the project:					
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Not determined	No	No	No	No
(b) Create a significant hazard to the public or the environment through the reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	Not determined	No	No	No	No
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Not determined	No	No	No	No
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Not determined	No	No	No	No
(e) 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, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	Not determined	No	No	No	No
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less Than Significant	No	No	No	No
(g) Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	Not determined	No	No	No	No

4.9.1 Impact Determination in the Certified EIR

The Town's Safety Element of the General Plan was adopted to address, among other issues, geologic hazards and seismic potential, and seismically related landslides on steep slopes with loose soils. An emergency response plan has been prepared in the event of volcanic activity. The plan is administered by the Mammoth Lakes Police Department. Administration and training of personnel involved in the emergency response plans for the Town is carried out by the Unified Command System. Members of the command meet at least once each calendar quarter to coordinate and participate in response exercises. Additional equipment and volunteers are being acquired to assist the command. Impacts would be less than significant.

The Certified EIR did not discuss other hazards and hazardous materials as it was not required at the time the EIR was certified. Rather, the Certified EIR focused on geologic hazards (e.g. landfill, volcano, earthquakes).

4.9.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

Various regulatory compliance measures are in effect that protect against the hazardous release and provides response plans as required. This includes California Health and Safety Code Chapter 6.95 Hazardous Materials Release and Response Plans and Inventory (Section 25500 et seq.) and the Unified Hazardous Waste and Hazardous Materials Management Regulatory Program with a Certified Unified Program Agency. The Certified EIR and the current Project would be subject to the regulations. The Master Plan contemplated residential at the Development Area 2. The Project is residential. This is not a substantial change nor does it constitute significant new information that was not previously analyzed in the Certified EIR.

Routine Transport, Use, or Disposal of Hazardous Materials

Industrial facilities tend to store, use, and generate larger quantities of hazardous materials and wastes than other types of land uses. Individual facilities, or any facilities that use or store large quantities of hazardous materials on-site, are required to comply with all federal, State, and local regulations that deal with hazardous materials use and transport including RCRA, Title 22, the Hazardous Waste Control Law, Hazardous Materials Transportation Act, and Hazardous Materials Business Plans.

The potential transport of any hazardous materials and wastes, i.e., paints, adhesives, surface coatings, cleaning agents, fuels, and oils, if it occurs, will occur in accordance with federal and state regulations that govern the handling and transport of such materials. In accordance with such regulations, the transport of hazardous materials and wastes will only occur with transporters who have received training and appropriate licensing. Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Upset or Accident Conditions

Businesses are required to comply with health and safety, and environmental protection laws and regulations, which require businesses handling or storing certain amounts of hazardous materials to prepare a hazardous materials business plan that includes an inventory of hazardous materials used or stored on-site, and procedures to be used in the event of a significant or threatening significant release

of a hazardous material. The hazardous materials plan must include a Material Safety Data Sheet (MSDS) for each hazardous material used or stored on-site. To accomplish this, and to otherwise provide a safe and healthy environment, businesses that use hazardous materials must implement health and safety policies and procedures.

The Project is a residential use.

The California Geologic Energy Management Division (CalGEM) online mapping of wells shows that there are no oil and gas well on the Project Site.[45] The nearest is a geothermal well is 975 feet northwest of the Site along Viewpoint Road.

The Project will be maintained in a neat, attractive, and safe condition at all times. On-site activities shall be conducted so as not to create noise, dust, odor, or other nuisances to surrounding properties. Trash and recycling bins shall be maintained with a lid in working condition; such lid shall be kept closed at all times. Trash and garbage collection bins shall be maintained in good condition and repair such that there are no holes or points of entry through which a rodent could enter. Trash and garbage collection containers shall be emptied a minimum of once per week. Trash and garbage bin collection areas shall be maintained free from trash, litter, garbage, and debris. Accordingly, operational impacts will be less than significant. Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR

Hazardous Materials Near a School

There are no schools within ¼ mile of the Site. Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR

Hazardous Materials List

According to EnviroStor, there are no cleanup sites (either Federal Superfund, State Response, voluntary, school evaluation, school investigation, military evaluation, tiered permit, or corrective action), permitted sites (either operating, post-closure, or non-operating), leaking underground fuel tanks (LUFT) or Spills, Leaks, Investigation, and Cleanup (SLICS) sites on, in, or under the Project Site.[46]

The Norco Service Center facility (EDR ID #S102434423 and #U001586937) is listed as a HAZNET and HIST UST site, and is also listed with the Leaking Underground Storage Tank Information System (LUST) and with the Cortese Hazardous Waste and Substance Sites List (CORTESE). The service center is located at 3670 Main Street, approximately 700 feet north of the Site. The service center is currently permitted to handle waste and mixed oils. A gasoline leak was discovered in Spring 1996; the contaminated material was subsequently excavated and disposed of under purview of Mono County

[45] California Department of Conservation, Division of Oil, Gas & Geothermal Resources (DOGGR), Online Mapping System, District 1, https://maps.conservation.ca.gov/doggr/wellfinder/#close/, accessed September 26, 2021.

[46] CA Department of Toxic Substance Control, EnviroStor, website: http://www.envirostor.dtsc.ca.gov/public/, September 26, 2021.

Environmental Health Department (MCEHD), which closed the case in October 1996.[47] Therefore, the unauthorized release at the Norco Service Center has no potential to affect activities on the Project Site.

According to GeoTracker, there are no LUST sites, other cleanup sites, land disposal sites, military sites, waste discharge requirement (WDR) sites, permitted UST facilities, monitoring wells, or California Department of Toxic Substance Control cleanup sites or hazardous materials permits on, in or under the Project Site.[48]

The Project Site has not been identified as a solid waste disposal site having hazardous waste levels outside of the Waste Management Unit.[49]

There are no active Cease and Desist Orders or Cleanup and Abatement Orders from the California Water Resources Control Board associated with the Project Site.[50]

The Project Site is not subject to corrective action pursuant to the Health and Safety Code, as it has not been identified as a hazardous waste facility.[51]

The Project Site is not located on a list of hazardous material sites and will not result in a significant hazard to the public or environment. Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR

Airport Land Use Plan

There are no nearby airports or private airstrips. Mammoth Yosemite Airport is located approximately 6.25 miles to the southeast. Given the distance between the Project Site and the listed airport, the Project will not have the potential to result in a safety hazard or create excessive noise. Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR

Emergency Response Plan

Development of buildings or roadways would be subject to compliance with emergency access standards and requirements specified by State Fire Code and the Town's Municipal Code, as well as the Town's General Plan, where appropriate. In addition, it is acknowledged that the Town has an adopted EOP for emergency response within the Town. The Town adopted an Emergency Operations Plan (EOP) in August 2017. Mammoth High School has been designated as a disaster shelter in the Town of Mammoth Lakes.[52] Project implementation would not impair implementation or physically interfere with the EOP,

---

47 Geotracker file: https://geotracker.waterboards.ca.gov/profile_report?global_id=T0605100027

48 CA State Water Resources Control Board, GeoTracker, website: http://geotracker.waterboards.ca.gov/map, September 26, 2021.

49 CA Environmental Protection Agency, Cortese List Data Resources, Sites Identified with Waste Constituents Above Hazardous Waste Levels Outside the Waste Management Unit, website: http://www.calepa.ca.gov/SiteCleanup/CorteseList/CurrentList.pdf, accessed September 26, 2021.

50 CA Environmental Protection Agency, Cortese List Data Resources, List of "Active" CDO and CAO from Water Board, website: http://www.calepa.ca.gov/sitecleanup/corteselist/, accessed September 26, 2021.

51 CA Environmental Protection Agency, Cortese List Data Resources, Cortese List: Section 65962.5(a), website: http://www.calepa.ca.gov/SiteCleanup/CorteseList/SectionA.htm#Facilities, accessed September 26, 2021.

52 Mammoth Lakes, Emergency Response Plan, 2017: https://www.townofmammothlakes.ca.gov/DocumentCenter/View/11055/Adopted-EOP-08-16-17

because no circulation changes are being proposed which conflict with the procedures set forth in the EOP. Impacts would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR

Wildland Fires

The characteristics of the Town, including limited points of entry/exit and location near forested land present unique fire hazard problems. Wildfires can result in death, injury, economic loss, and heavy public investment in firefighting efforts. The Project would allow intensification of development in the Town's center, which would increase residential and visitor populations and, thus, expose more people to wildland fires. For this purpose, the Town of Mammoth Lakes maintains the EOP, which sets forth the responsibilities, functions, and operations of the Town government and its interrelationship with other agencies and jurisdictions to provide emergency services during such events as wildfires. In addition, the Eastern Sierra Fire Safety Council (ESRFSC) prepared a Fire Safety Plan to help residents improve defenses against wildfires. The ESRFSC is made up of private citizens and advised by the U.S. Forest Service (USFS), California Department of Forestry and Fire Protection (CDFFP), and the Bureau of Land Management (BLM). Fire hazard and risk are measured by the amount of fuel available to burn at any given time and the likelihood that an ignition would occur. The risk factors are used to provide a relative ranking of fire risk, hazard, and susceptibility to a large, severe fire. Fire hazard severity for Mammoth Lakes, which has been mapped by the CDFFP, is considered "very high." In response to this rating, USFS crews began the construction of the Mammoth Lakes Fuelbreak, which is funded by the National Fire Plan (NFP) for the Inyo National Forest.

The Town's EOP, which meets the state's Standardized Emergency Management System (SEMS) requirements, provides emergency response procedures such as identification of critical hazard areas, locations for meeting and staging in an emergency event, communications, and emergency evacuation. In a disaster situation, the Town would provide an Emergency Operations Center (EOC), which is equipped with emergency communication equipment and cooking, showering, and sleeping facilities. Other EOCs include the Mammoth Community Water District (MCWD) office, Fire Station 2, Police Department, Canyon Lodge, and other facilities. Radio and satellite communications would be utilized to maintain communications should other systems fail and local radio and television would be utilized to notify residents and visitors of an emergency.

With improvements to the transportation system and the effective use of EOCs and other procedures set forth in the EOP and NFP, risk to the Town related to wildfires would be less than significant. Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

4.9.3 Any New Circumstances Involving New Impacts or Substantially More Severe Impacts?

There are no new circumstances involving new significant impacts or substantially more severe impacts than what were analyzed in the Certified EIR.

4.9.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was approved related to one or more significant effects of hazards or hazardous materials not discussed in the Certified EIR, significant effects related to hazards or hazardous materials previously examined that will be substantially more severe than shown in the Certified EIR, or of mitigation measures previously determined to be infeasible which have now been determined to be feasible.

4.9.5 Mitigation Measures Addressing Impacts

No mitigation measures were required. Implementation of the Project does not change these impact determinations. Therefore, no additional mitigation measures are required.

4.9.6 Conclusion

Based on the above, no new significant impacts or a substantial increase in previously identified impacts from hazards and hazardous materials will occur as a result of the Project. Therefore, the impacts from hazards and hazardous materials, if any, do not meet the standards for a subsequent or supplemental EIR pursuant to CEQA Guidelines, Section 15162.

4.10 Hydrology and Water Quality

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
HYDROLOGY AND WATER QUALITY: Would the project:					
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Less Than Significant	No	No	No	No
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less Than Significant	No	No	No	No
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
(i) Result in substantial erosion or siltation on- or off-site?	Less Than Significant w/ Mitigation	No	No	No	Yes
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	Less Than Significant w/ Mitigation	No	No	No	Yes
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	Less Than Significant w/ Mitigation	No	No	No	Yes
(iv) Impede or redirect flood flows?	Less Than Significant w/ Mitigation	No	No	No	Yes
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	No determination	No	No	No	No
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less Than Significant w/ Mitigation	No	No	No	Yes

This section is based in part on the following document included as **Appendix D** to this Addendum:

D Drainage Analysis and Storm Water Quality Management Plan, Triad/Holmes Associates, February 2, 2021.

4.10.1 Impact Determination in the Certified EIR

Surface Water Quality

Impacts on surface water quality during construction related to implementation of the Master Plan will be short-term. However, grading, excavation, and other construction activities associated with the implementation of the Master Plan could impact water quality due to erosion resulting from exposed soils that may be transported from project areas via stormwater runoff. In addition, construction related to implementation of the Master Plan also has the potential to generate short-term water pollutants, including sediment, trash, construction materials, and equipment fluids. Compliance with the NPDES program would ensure these stormwater pollutants would not substantially degrade water quality. It is required that construction sites to develop a Stormwater Pollution Prevention Plan (SWPPP) and implement best management practices (BMPs) to reduce the potential for construction-induced water pollutant impacts. Any new development is required to comply with these regulations.

The reclaimed water will be supplied by the Mammoth County Water District, and will require construction of supply lines to the area. Discharge of reclaimed water is regulated to prevent hazards to human health and to protect water quality. Reclaimed water discharge requires a permit from the Regional Water Quality Control Board as designated in the California Administrative Code, Title 22, Division 4.

The treatment processes needed to produce reclaimed water of quality suitable irrigation generally includes biological oxidation, and chlorination. The wastewater is considered adequately disinfected if the median number of coliform organisms in the effluent does not exceed 24 per 100 ml., with no two consecutive samples exceeding 240 per 100 ml. According to the Mammoth County Water District, the median number of coliform organisms in their reclaimed water is less than 2.2 per 100 ml. The impact is therefore less-than-significant.

Development of the Project will result in the application of fertilizers and herbicides on the golf course grounds which could produce a pollutant load in surface and ground waters.

This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measure 4.2-5** will reduce the impacts to less than significant.

Groundwater

Groundwater occurrence is erratic within the vicinity of the project site. The depth to groundwater in the vicinity of the Project Site is anticipated to be approximately 150 feet. Construction of lakes within the Project will not require excavation below the water table. Recharge to the underlying aquifer occurs around the Long Valley caldera rim, within the western portion and beneath the resurgent area in the northwestern-central portion of the caldera. Recharge will also occur from precipitation falling on the alluvial fill of the caldera. Approximately 67 acres of the total 210-acre project site area (32%) will be developed and covered with impermeable surfaces, in the way of residential and resort development.

The Project is not expected to have a significant impact on recharge of underlying aquifers, given the total basin area is 248,600 acres.

Therefore, implementation of the Master Plan will result in less-than-significant impacts related to groundwater.

Stormwater Drainage

The existing natural drainage paths which traverse the site are not well defined, and will carry flow in limited periods throughout the year. Sheet flow will also occur across the site and be collected by drains on the east. Construction of buildings and placement of lakes may interrupt the drainage courses. Though usually ill-defined, spring surface runoff may be sufficient to cause localized flooding problems, and may result in significant localized impacts. The increased discharge and modification of natural surface flow will result in adverse impacts on existing drainage capacity and will require alteration and modification of the existing drainage system to handle the flow. Development within the Mammoth Creek Watershed is required to conform to the Guidelines for Erosion Control in the Mammoth Lakes Area, regulated by the Lahontan Regional Water Quality Control Board (LRWQCB). For water quality control and drainage purposes, developers are required to install drainage collection, retention, and filtration facilities to prevent transport of runoff from a 20-year, 1-hour design storm from the Project Site. The lakes within the development are intended to act as retention basins to contain stormwater runoff from the golf course.

Runoff from developed areas tends to contain higher levels of suspended solids, as well as gasoline and other hydrocarbons, oil and grease, rubber, lead, and other automotive related contaminants than the runoff from undeveloped lands. This project will replace a portion of a large undeveloped area with buildings and parking lots. Storm runoff will drain over roof areas and asphalt parking areas which will contribute pollutants as described above. These contaminants already exist in the surrounding environment. Increased runoff from additional impermeable surface could lower the quality of stormwater runoff.

This is a potentially significant impact. This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.2-1(a)** through **4.2-1(c),** and **4.2-7** will reduce the impacts to less than significant.

Therefore, implementation of the Master Plan will result in less-than-significant impacts related to stormwater drainage.

Erosion

Grading activities onsite for artificial lakes, foundations, structures, and parking lots could adversely affect downstream water quality through erosion, the transport of sediments and dissolved constituents entering the natural receiving waters, and increased turbidity and contaminant load. Deposition of eroded soil in the storm drains downstream of the Project Site will decrease their capacity and will increase the possibility of local flooding within the area. Construction activities are required to conform to the Lahontan Regional Water Quality Control Board's Guidelines for Erosion Control in the Mammoth Lakes Area. The quality of surface runoff could be degraded as a result of increased erosion during Project construction.

This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.2-6(a)** and **4.2-6(b)** will reduce the impacts to less than significant.

Therefore, implementation of the Master Plan will result in less-than-significant impacts related to erosion.

Inundation by Seiche, Tsunami, or Mudflow

The Certified EIR did not discuss inundation.

Water Quality Control Plan

The Certified EIR did not discuss water quality control plan.

Water Nuisance

The project will result in the creation of several man-made lakes for storage of irrigation water. Lakes will be interconnected and water pumped between water bodies. This circulation will aid in maintaining oxygen levels and a reasonable water quality. Water will be continually used within summer months and replaced. During peak irrigation requirements drawdown in the upper lake is expected to be 2.35 inches and 10.5 inches in the lower lake. Residence time within the lakes is expected to be reasonably short which will help maintain suitable water quality. The lakes will be used as retention basins for storm drainage control. However, water quality could be adversely affected by the inflow of surface runoff rich in nutrients from irrigated areas, which may cause unchecked growth of aquatic weeds. This can significantly impair water quality and result' in a "green" lake causing disagreeable odor and aesthetic problems. The proposed project's man-made lakes have the potential to become nuisances due to water quality problems resulting from incorrect maintenance or care.

This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.2-8(a)** through **4.2-8(c)** will reduce the impacts to less than significant.

Therefore, implementation of the Master Plan will result in less-than-significant impacts related to water nuisance.

Mitigation Measures

The following mitigation measures were included in the Certified EIR to reduce impacts related to hydrology and water quality:

Hydrology And Water Quality Mitigation Measures	
4.2-1(a)	Prior to approval of the final project design, a final project-specific hydrology analysis for design purposes shall be required to estimate the amounts of runoff which would be required to be retained onsite and held within the lakes onsite.
4.2-1(b)	Runoff control shall be designed to meet the Lahontan Regional Water Quality Control Board's requirements and must be approved by the Town prior to issuance of any grading permits.
4.2-1(c)	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; • Use pervious paving material whenever feasible.

Hydrology And Water Quality Mitigation Measures	
4.2-5	To avoid impacts resulting from upkeep of greens and fairways, the following measures or equivalent shall be completed: • A certified greenskeeper with appropriate state-approved applicator's license for use of fertilizers and pesticides shall be employed for maintenance of greens and fairways. • A fertilization program shall be specifically developed to match application rate with the known uptake rate for each turf grass species. • Pesticides, herbicides, and fertilizers which are rapidly degradable, are relatively insoluble in water and exhibit significant soil adoption shall be chosen for use. These chemicals shall comply with the requirements of the LRWQCB and the Soil Conservation Service. • The golf course operator shall submit to the LRWQCB and the MCWD a list of chemicals to be used on the golf course. This list shall be updated annually, before any chemicals are applied, and at any time new chemicals are proposed for use. No chemicals shall be used on the golf course which are prohibited by the LRWQCB or the Department of Health Services (DHS). • During periods when fertilizers and other chemicals are used watering shall be kept to a minimum. • Installation of automatic irrigation timers to implement an irrigation schedule to maximize infiltration. • Installation of automatic rain and soil moisture sensors that will override irrigation programs to reduce excess watering of fairways. • Specific chemical analysis shall be required in the project proponents downstream discharge monitoring program to account for compounds that could indicate contamination by fertilizers, pesticides, or other chemical agents used in golf course maintenance. Should evidence of such contamination occur, use of pesticides or fertilizes shall cease until appropriate contamination prevention measures can be implemented. The monitoring plan shall be developed in accordance with waste discharge requirements established by the LRWQCB and the well water testing required by the DHS. • Compliance with the LRWQCB "Guidelines for Erosion Control."
4.2-6(a)	For each individual project considered under this development concept, disturbance of soil requires a Water Discharge Report to be filed with the LRWQCB and a Waste Discharge Permit to be issued for the project to ensure that proper control measures for the protection of water quality are taken and adhered to during all phases of the project.
4.2-6(b)	See Mitigation Measure 4.1-2
4.2-7	Installation of oil and grease separators shall be required in the inlets of catch basins where necessary, particularly at the collection points from parking areas, to minimize pollution of downstream water courses. The separators shall be maintained regularly (at least twice a year) to ensure efficient pollution removal.
4.2-8(a)	Weeds and algae in the man-made lakes shall be harvested and removed on a regular as-needed basis. Removal shall be complete-not temporary control through application of chemicals and algaecides.
4.2-8(b)	Grass swales shall be used to convey runoff from major portions of the site towards the lakes. The swales would promote sedimentation of contaminants in the particulate or absorbed phase, and may allow some capture of dissolved contaminants through infiltration.
4.2-8(c)	Implementation of an irrigation schedule (as previously required in Mitigation Measure 4.2-5) to reduce inflow from irrigated areas and to reduce nutrient inflows.
Lodestar at Mammoth Final EIR, MMRP.	

4.10.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

Surface Water Quality

The Stormwater Pollution Prevention Plan (SWPPP) prepared for construction of the 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 SWPPPs. The required implementation of the BMPs in the Project's SWPPP would ensure that Project construction activities within the SSMP area would not cause the violation of any water quality standards within Mammoth Creek. Thus, the Project would not be considered to have a significant impact on the ability of Mammoth Creek to attain all applicable water quality standards.

Activities associated with operation of the Project would generate substances that could degrade the quality of water runoff. The deposition of certain chemicals by cars in the parking areas and the internal roadway surfaces could have the potential to contribute metals, oil and grease, solvents, phosphates, hydrocarbons, and suspended solids to the storm drain system. However, impacts to water quality generated from Project operation can be reduced through the proposed implementation of BMPs designed to be protective of receiving water quality. These BMPs include detention and sedimentation basins designed to filter runoff from paved areas on the Project Site. Therefore, impacts would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Groundwater

Groundwater seepage was not encountered during the field investigation and groundwater is known to be greater than 100-feet in depth below the Site. Groundwater seepage may however be encountered during construction as well as after construction as a result of snowmelt runoff, rainfall, and/or landscape irrigation. To reduce seepage, a perimeter subdrain should be installed surrounding the structure in accordance the recommendations in the geotechnical investigation. The development of the Project will not involve direct groundwater withdrawal, and therefore, it will not deplete groundwater supplies.[53] Therefore, impacts would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Stormwater Drainage

Onsite storm drain facilities will be sized for the 20-year storm event. As expected, the increase in impervious area due to the proposed improvements increases the runoff rates. The increase in flow will be retained on-site. On-site drainage improvements will include inlets at low points, storm drain pipes, and swales as necessary that will be directed to on-site retention systems. An 8-inch pipe has enough capacity to convey 20-year flow of 1.23 cubic feet per second (cfs) at 1% grade.

[53] Preliminary Geotechnical Investigation, SGS, February 4, 2021.

Preliminary, two retention systems are proposed for the site. Approximately half of the site will drain to the retention system at the northern end of Callahan Way and the other half of the site will be contained in the system at the southern end of Callahan Way. Therefore, impacts would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Erosion

Grading shall be limited to the extent possible. Graded areas shall be protected against erosion once they are brought to final grade. No graded areas are to be left unstabilized between April 15th and October 15th. This project lies within the boundaries of the Lahontan Regional Water Quality Control Board and shall conform to the requirements of the SWPPP, the National Pollutant Discharge Elimination System (NPDES) Permit for General Construction Activities. Therefore, impacts would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Inundation

According to FEMA the Flood Insurance Rate Map (06051C1388D), the Project Site is located within Flood Zone X, which is an area determined to be outside the 0.2% annual chance floodplain.[54]

There are no major water-retaining structures located immediately upgradient from the Project Site. Therefore, flooding from a seismically-induced seiche is considered unlikely.

The Project is not located within an area potentially impacted by a tsunami.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Water Quality Control Plan

The Lahontan RWQCB adopted the Water Quality Control Plan (Basin Plan) for the Lahontan Region (last amended in 2019).[55] The Basin Plan designates the beneficial uses of receiving waters, including Mammoth Creek to which the Project Site ultimately discharges via the Town's storm drain system, and specifies both narrative and numerical water quality objectives for these receiving waters. Water quality objectives, as defined by the California Water Code Section 13050(h), are the "limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses or the prevention of nuisance within a specific area." Because these standards are applicable to receiving waters, they do not apply directly to stormwater runoff from the Project Site. Therefore, impacts would be less than significant.

[54] FEMA, Flood Map Service Center: https://msc.fema.gov/portal, September 26, 2021.
[55] Water Quality Control Plan for the Lahontan Region: https://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Mitigation Measures

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to hydrology and water quality, the Project will nevertheless implement, or at least not conflict with, the following mitigation measures from the Certified EIR:

> **4.2-1(a)** is applicable to the Project. The Project conducted a drainage analysis and stormwater quality management plan (Drainage Analysis and Storm Water Quality Management Plan, Triad/Holmes Associates, February 2, 2021) that will be reviewed and approved prior to issuance of building permits.
>
> **4.2-1(b)** is applicable to the Project. The Project conducted a drainage analysis and stormwater quality management plan designed to comply with the Lahontan Regional Water Quality Control Board requirements.
>
> **4.2-1(c)** is applicable to the Project. The Project will be landscaped with low water-using plants, efficient irrigation systems, and permeable pavers where possible.
>
> **4.2-6(a)** is applicable to the Project. The Project will file a Water Discharge Report with the LRWQCB and a Waste Discharge Permit to be issued.
>
> **4.2-7** is applicable to the Project. The Project will install oil and grease separators in the inlets of catch basins of the parking areas.

The following mitigation measures are not applicable to the Project:

> **4.2-5** is not applicable to the Project because the Site does not include the golf course. As noted in the MMRP, this was completed in conjunction with the master grading permit for the golf course and is ongoing.
>
> **4.2-8(a)** is not applicable to the Project because the Site does not include the golf course.
>
> **4.2-8(b)** is not applicable to the Project because the Site does not include the golf course. As noted in the MMRP, this was completed in conjunction with the golf course approvals.
>
> **4.2-8(c)** is not applicable to the Project because the Site does not include the golf course. As noted in the MMRP, this was completed in conjunction with the golf course approvals.

These mitigation measures are not applicable to the Project due to the inapplicable Site (The Project Site is within Development Area 2 and not the golf course), inapplicable program (residential, and not the hotel or golf course), changes to the setting (growth of vegetation, completed golf course or road, or urban development), or are already required by the Town's Municipal Code or other applicable regional or state regulatory measure. Thus, these mitigation measures are not necessary to this Project to mitigate

a significant impact, and removal of these mitigation measures will not allow a new significant impact to occur or increase the severity of a significant impact. (*Mani Bros. Real Estate Group .v City of Los Angeles* (2007) 153 CA4th 1385, 1388.)

4.10.3 Any New Circumstances Involving New Impacts or Substantially More Severe Impacts?

There are no substantial changes to the circumstances under which the Project will be undertaken that result in new or more severe significant impacts, and there is no new information of substantial importance that has become available relative to hydrology and water quality. No substantial changes related to hydrology and water quality have occurred since certification of the EIR, and no substantial changes have occurred in the physical environment that will result in new or more severe significant environmental impacts.

4.10.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified related to one or more significant effects related to hydrology and water quality not discussed in the Certified EIR, significant effects related to hydrology and water quality previously examined that will be substantially more severe than shown in the Certified EIR, or of mitigation measures previously determined to be infeasible which have now been determined to be feasible.

4.10.5 Mitigation Measures Addressing Impacts

As stated above, the Certified EIR provided **Mitigation Measures 4.2-1(a)** through **4.2-8(c)** to address impacts with respect to hydrology and water quality of the Master Plan.

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to hydrology and water quality, the Project will nevertheless implement **Mitigation Measures 4.2-1(a)** through **4.2-1(c)**, 4.**2-6(a),** and **4.2-7** from the Certified EIR.

4.10.6 Conclusion

Based on the above, no new significant hydrologic/water quality impacts or a substantial increase in previously identified hydrologic/water quality impacts will occur as a result of the Project. Therefore, the impacts to hydrology and water quality as a result do not meet the standards for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 or CEQA Guidelines, Section 15162.

4.11 Land Use and Planning

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
LAND USE AND PLANNING: Would the project:					
(a) Physically divide an established community?	No determination	No	No	No	No
(b) Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	No determination	No	No	No	No

4.11.1 Impact Determination in the Certified EIR

The Certified EIR did not discuss potential impacts associated with physically dividing a community, or conflicts with land use plans for the purpose of avoiding or mitigating an environmental effect, because CEQA did not require this analysis at the time the EIR was certified.

4.11.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

Physically Divide an Established Community

The Project will not cause any permanent street closures, block access to any surrounding land use, or cause any change in the existing street grid system. The Project is not of a scale or nature that will physically divide an established community. The Project is not affecting any existing rights-of-way. The Project will be built on an existing urban infill site and is contiguous and bounded by a golf course and residential uses. In addition, the Project Site is not large enough to encompass an established community. The Project's uses are compatible with the residential and commercial uses in the area. Throughout the Town, generally, and near the Project Site, specifically, there are similar uses. Therefore, impacts would be less than significant.

The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Consistency Analysis

The Master Plan provides for a 35 feet height limit for development in Development Area 2. The buildings will be approximately 37 feet and 6 inches in height. An adjustment for 2-foot, 6-inch increase is requested. This potential height increase as it related to visual character and aesthetics impacts is already

discussed in aesthetics. Further, this minor adjustment does not completely negate consistency with the Master Plan. The legal standard that governs consistency determinations is that a project must only be in general "harmony" with the applicable land use plan to be consistent with that plan, it doesn't require perfect conformity with each and every provision and requirement of a plan, a determination over which a lead agency land use authority such as the Town has significant discretion.

The Project would not preclude attainment of the Master Plan's objective to provide a development that will enrich the quality of life for existing and future residents of the region. Additional housing would meet that objective. While the proposed buildings are slightly larger than the Master Plan standard for height, it is essentially compatible with the Master Plan's purpose of guiding future development in the area, and specifically in Development Area 2. This request is an allowed Adjustment pursuant to Municipal Code §17.76.020 since the increase is less than 10%. The Adjustment request is the minimum departure from the Lodestar Master Plan to achieve a minimum 3:12 roof pitch. This is not a substantial change or constitute significant new information that was not previously analyzed in the Certified EIR.

The Project is therefore substantially consistent with the Master Plan. Further, the Project does not propose any changes to the zoning or land use designation for the Project Site, and therefore, the Project's impacts with respect to land use and planning were accounted for within the analysis contained in the Certified EIR.

The Project is generally consistent with and implements applicable plans goals. As discussed on **Table 4.11-1**, the Project will be substantially consistent with the General Plan Land Use Element.

Table 4.11-1
General Plan

Goals	Discussion
Land Use Element	
L.1. GOAL: Be stewards of the community's small town character and charm, compact form, spectacular natural surroundings and access to public lands by planning for and managing growth.	**Consistent.** The Project adds residential uses in the center of the Town near commercial areas. The buildings would not block views of the area's mountains and would continue to have a trail walkway on the east boundary of the Site.
L.3. GOAL: Enhance livability by designing neighborhoods and districts for walking through the arrangement of land uses and development intensities.	**Consistent.** The Project adds 33 units on more than 4 acres, for a density of approximately 8 units/acre. The Town supports a range of densities. This falls within the High Density Residential 2 (HDR-2) designation. This designation allows both transient visitor lodging and residential multi-unit style developments including townhouses, apartments, and condominiums. Residential density may range from of six (6) to twelve (12) residential dwelling units per acre and hotel density is permitted up to thirty-six (36) rooms per acre. This designation is found in the Mammoth Slopes and Meridian Districts.
L.5. GOAL: Provide an overall balance of uses, facilities and services to further the town's role as a destination resort community.	**Consistent.** The Project adds residential uses that could serve residents and visitors to the resort community.

https://www.townofmammothlakes.ca.gov/DocumentCenter/View/9579/General_Plan-Updated-Sep-2019?bidId=

As discussed on **Table 4.11-2**, the Project will be substantially consistent with the Lodestar at Mammoth Master Plan. Where not modified by the standards outlined below, the standards of the Town of Mammoth Lakes Municipal Code shall apply to this Project.

Table 4.11-2
Master Plan

Land Use Standards	Discussion
1. Density	
Development Area 2: 210 Dwellings	**Consistent.** A maximum of 210 residential units are allowed in Development Area 2. Currently Development Area 2 had 132 units remaining to be approved out of 210. The Project adds 33 units, which would reduce the density remaining to 99. The only approved developments in Area 2 are the Tallus/Obsidian project, which consists of 29 units, Gray Bear I, which consists of 12 units, Gray Bear II, which consists of 25 units, and Gray Bear III, which consists of 8 units. The overall density in Development Area 2, including the Project, is well below the allowable density specified in the Master Plan.
2. Permitted and Conditional Uses	
A. The following uses are permitted within the Lodestar Master Plan Area: 4. Single Family Detached Dwellings within Development Area 2. 5. Multiple Family Structures with four or fewer dwellings per structure within Development Area 2.	**Consistent.** The Project adds 3 single family detached dwellings and 30 multifamily structures with 2 dwelling units per structure.
B. The following uses may be permitted subject to the granting of a use permit by the Planning Commission. 7. Transient occupancies within Development Area 2.	**Consistent.** The Project seeks a Conditional Use Permit for transient occupancies.
3. Building Heights	
A. The maximum permissible building height is: 1. Development Area 2: 35 feet	**Substantially Consistent.** The buildings will be approximately 37 feet and 6 inches in height. An adjustment for 2-foot, 6-inch increase is requested.
4. Setbacks – Building Separation – Lot Size	
B. Building Separation 5. Within Development Area 2, minimum building separation is 20 feet.	**Consistent.** Per the TTM, there is a minimum of 20 feet separation between each building.
5. Site Coverage – Building Footprint	
1. Maximum allowable site coverage, including all structures and paved or other impervious surfaces is: a. Development Area 2 60%	**Consistent.** The Project's coverage is 50%.

Table 4.11-2
Master Plan

Land Use Standards	Discussion
6. Off Street Parking	
A. Except for Workforce Housing projects within Planning Area 4, all required parking for multiple family residential structures and nonresidential uses must be understructure with the exception of parking required for residential visitor/guest parking and short-term registration and loading and unloading areas.	**Consistent**. The Project provides parking for the units in each garage and visitor/guest parking in driveways.
7. Design Review / Environmental Review	
A. All uses or structures with the exception of single family detached residences are subject to the design review requirements of the Town of Mammoth Lakes and shall be reviewed by the Planning Commission for conformance with Town design policies. B. If detailed design identifies environmental impacts or mitigation measures not included in the program EIR, the uses or structures shall be subject to further environmental review as determined by the Planning Director or Planning Commission.	**Consistent**. The Project will be subject to design review approval.
8. Grading and Landscape	
A. All grading must conform to the requirements of the Town of Mammoth Lakes grading regulations. Mitigation measures in the Program EIR of subsequent Environmental Document shall be incorporated into grading design. B. Tree removal is subject to Town design review procedures and the Lodestar at Mammoth EIR mitigation measures. C. With the exception of the golf course, common recreation areas in Development Area 5, and single family residences, there shall be no lawn used for landscaping. All landscaped areas shall be left in natural condition or planted with low water using shrubs and flowers. D. Areas of native riparian vegetation shall be protected to the maximum extent feasible. Where disturbance is unavoidable, similar vegetation shall be provided along the lakes and artificial drainage ways in the golf course. The area of replacement vegetation shall be equal to twice the area disturbed. All permitting for such disturbances and replacement shall be handled through the Grading Permit process. E. Wherever possible, perimeter trees should be maintained or replaced where feasible considering fire safety standards.	**Consistent**. The Project will comply with the requirements of the applicable mitigation measures.
9. Affordable and Employee Housing	
-	**Not Applicable.**
10. Street Standards	
A. All interior circulation streets serving residential development shall be constructed with a minimum of 24 feet of pavement width within at least a 40-foot wide private easement or right-of-way with 10-foot wide snow storage easements on each side, except that the Public Works Director may approve reduced snow	**Consistent**. Per the TTM, there is a minimum of 40 feet roadway easement width and a 26 foot pavement width.

Table 4.11-2
Master Plan

Land Use Standards	Discussion
storage easements where golf course is located on both sides of the road, and shall meet the construction standards of the Town Department of Public Works.	
11. Utilities	
A. All utility lines must be placed underground and must be constructed to the standards of the entity providing the utility service.	**Consistent**. All new utilities will be placed underground.
B. Storage tanks for propane must be located in accordance with all applicable fire and building codes and must be substantially screened with berms, fencing, or landscaping. Tank placement and screening is subject to the Design Review regulations of the Town.	**Consistent**. The storage tanks for propane placement and screening will comply with the Design Review regulations of the Town.
12. Golf Course Standards	
-	**Not Applicable.**
13. Signs	
A. All signs shall conform to the sign regulations of the Town Municipal Code. Sign plans shall be submitted concurrent with each building phase. For commercial uses, sign standards shall be submitted concurrent with the use permit application. B. All major land use applications should incorporate a detailed signage program, including both wayfinding and interpretive signage.	**Consistent**. The Project will comply.
14. Solid Waste	
A. The project applicant shall provide a recycling collection station or contract with a solid waste disposal company which will offer a convenient system of recycling stations for project residents and guests. B. The project developer shall, at a minimum, provide each residence with a divided cabinet suitable for aluminum cans, glass bottles, and plastic bottles. C. The developer shall provide enclosed trash facilities. The solid waste reduction facilities shall be constructed in conjunction with each development phase.	**Consistent**. The Project will comply.
15. Motorized and non-motorized Transportation	
A. Each project phase shall provide pedestrian pathways or sidewalks which will connect to the hotel and commercial areas and to public sidewalks and paths. A master trail plan shall be submitted to the Town for approval and approved in conjunction with the first phase of development.	**Consistent**. The Project will provide pedestrian pathways to connect the buildings with the roadways and trail.
16. Recreational amenities	
A. The developer shall provide recreational amenities as required by Section 17.16.040 of the municipal Code. Affordable, seasonal or short-term housing fronting Main Street shall provide 100% of the required recreational facilities identified in Municipal Code Section 17.16.040. Projects may combine their requirements into	**Consistent**. The Project will provide recreational amenities required by the Town. Developer Impact Fees will be paid to the Town to offset the recreational facilities and maintenance.

Table 4.11-2
Master Plan

Land Use Standards	Discussion
one or more shared facilities by contributing to a fund and establishing a site in the vicinity of all sharing developments. B. The developer shall be required to provide 4.02 acres of land to the Town for public parks or pay an in lieu fee to the Town for parkland acquisition and development. This requirement is due at the time of each subdivision or development approval and shall be pro-rated. This requirement may be waived in part or in full upon a determination by the Town Council that the developer has provided on site an equivalent value of public recreational amenities. If the development is built at lesser densities, reducing the permanent population increase, the contribution may be reduced by the Town Council.	
https://www.townofmammothlakes.ca.gov/DocumentCenter/View/3960/Lodestar-Master-Plan-April-2016?bidId=	

Conclusion

The Project is generally consistent with the General Plan, Municipal Code, and Lodestar Master Plan. The Project's uses and density were sufficiently analyzed in the Certified EIR.

The requested discretionary actions sought by the Project do not conflict with existing land uses in the area, and the Project will not introduce incompatible uses. Moreover, the criterion for determining significance with respect to a land use plan emphasizes conflicts with plans adopted for the purpose of avoiding or mitigating an environmental effect, recognizing that an inconsistency with a plan, policy or regulation does not necessarily equate to a significant physical impact on the environment. The analysis of potential land use impacts of the Project, therefore, considers consistency with adopted plans, regulations, and development guidelines that regulate land use on the Project Site, based on detailed review of the relevant documents.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

4.11.3 Any New Circumstances Involving New Impacts or Substantially More Severe Impacts?

There are no substantial changes to the circumstances under which the Project will be undertaken that results in new or more severe significant impacts, and there is no new information of substantial importance that has become available relative to land use. No substantial changes to land use have occurred since certification of the Certified EIR, and no substantial new changes in land use have been identified within the vicinity of the Project that will result in new or more severe significant environmental impacts.

4.11.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified related to one or more significant effects related to land use not discussed in the Certified EIR, significant effects related to land use previously examined that will be substantially more severe than shown in the Certified EIR, or of mitigation measures previously determined to be infeasible which have now been determined to be feasible.

4.11.5 Mitigation Measures Addressing Impacts

The Certified EIR did not analyze land use. No mitigation measures were required. Implementation of the Project does not change these impact determinations. Therefore, no additional mitigation measures are required.

4.11.6 Conclusion

Based on the above, no new significant land use impacts or a substantial increase in previously identified land use impacts will occur as a result of the Project. Therefore, the impacts to land use as a result do not meet the standards for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 or CEQA Guidelines, Section 15162.

4.12 Mineral Resources

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
MINERAL RESOURCES: Would the project:					
(a) 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?	No determination	No	No	No	No
(b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on local general plan, specific plan or other land use plan?	No determination	No	No	No	No

4.12.1 Impact Determination in the Certified EIR

The Certified EIR did not discuss mineral resources as it was not required to do so at the time the EIR was certified.

4.12.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

Mineral resources in the Mammoth Lakes region include industrial minerals (clay, aggregate, cinders, etc.) and precious metals associated with volcanic rocks and hot spring and geothermal activity. The Project does not incorporate heavy industrial uses that would increase demand or availability of minerals and does not propose mineral development activities. The construction of new buildings would not occur in areas of known mineral resources, which are located within the southern portion of the Town, approximately 2.5 miles southwest of the Site.[56]

No mineral extraction activities are presently conducted or proposed on the Project Site. Therefore, the 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. The 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. The Project Site is not within the designated boundaries of any general, specific or land use plan designated for the extraction of any locally-significant mineral resources.

The California Geologic Energy Management Division (CalGEM) online mapping of wells shows that there are no oil and gas well on the Project Site.[57] The nearest is a geothermal well is 975 feet northwest

[56] Mammoth Lakes, General Plan EIR, 2007, Figure 4.4-1 (Mineral Resources Map).
[57] California Department of Conservation, Division of Oil, Gas & Geothermal Resources (DOGGR), Online Mapping System, District 1, https://maps.conservation.ca.gov/doggr/wellfinder/#close/, accessed September 26, 2021.

of the Site along Viewpoint Road. Therefore, no impact would occur.

Mineral resources are governed by the California Department of Conservation's Division of Mine Reclamation and identified by the California Geological Survey (CGS). Any extraction is covered by applicable regulations. The Site is an infill location that makes any extraction infeasible due to the nuisance potential of nearby residential uses. The Master Plan contemplated residential at the Development Area 2. The Project is residential. This is not a substantial change nor does it constitute significant new information that was not previously analyzed in the Certified EIR. Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

4.12.3 Any New Circumstances Involving New Impacts or Substantially More Severe Impacts?

There are no substantial changes to the circumstances under which the Project will be undertaken that result in new or more severe significant impacts, and there is no new information of substantial importance that has become available relative to mineral resources. No substantial changes to mineral resources have occurred since certification of the EIR, and no substantial new changes in mineral resources have been identified within the vicinity of the Project that will result in new or more severe significant environmental impacts.

4.12.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified related to one or more significant effects related to mineral resources not discussed in the Certified EIR, significant effects related to mineral resources previously examined that will be substantially more severe than shown in the Certified EIR, or of mitigation measures previously determined to be infeasible which have now been determined to be feasible.

4.12.5 Mitigation Measures Addressing Impacts

The Certified EIR did not analyze mineral resources. No mitigation measures were required. Implementation of the Project does not change these impact determinations. Therefore, no additional mitigation measures are required.

4.12.6 Conclusion

Based on the above, no new significant mineral resources or a substantial increase in previously identified mineral resources will occur as a result of the Project. Therefore, the impacts to mineral resources as a result do not meet the standards for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 or CEQA Guidelines, Section 15162.

4.13 Noise

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
NOISE: Would the project result in:					
(a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less Than Significant w/ Mitigation	No	No	No	Yes
(b) Generation of excessive groundborne vibration or groundborne noise levels?	Less Than Significant w/ Mitigation	No	No	No	Yes
(c) For a project located within the vicinity of a private airstrip or 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, would the project expose people residing or working in the project area to excessive noise levels?	No Impact	No	No	No	No

4.13.1 Impact Determination in the Certified EIR

Construction Noise

Construction activities would temporarily generate high noise levels on and around the Project Site. Since noise from localized sources is typically reduced by about 6 decibels (dB) with each doubling of distance from the source of noise to the person hearing the noise (receptor), outdoor receptors within 1,600 feet of construction sites, with an uninterrupted view of the construction site, would experience noise greater than 60 dB when noise on the construction site exceeds 90 dB. This would occur if pile driving is necessary. Noise levels during other stages of construction would also be high. Construction noise has the greatest potential for disrupting and disturbing residents and workers in the surrounding neighborhoods. The time of greatest noise sensitivity generally occurs during morning and evening hours for residents neighboring the proposed site, and during the daytime for people working in the vicinity of the construction site.

This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.8-1(a)** and **4.8-1(b)** will reduce the impacts to less than significant.

Operation Noise

The largest increases between existing noise levels and predicted cumulative noise levels with and without the proposed project occurred at Minaret Road between Meridian Boulevard and Old Mammoth Road. Increases along this corridor would be perceived to be twice as loud as a result of increased traffic from cumulative development. The incremental increase in noise from the proposed project to traffic noise generated by cumulative development would not be detectable. To the average person, an increase in noise levels of 3 dB would be perceived as just noticeable while an increase in noise levels of 10 dB would be perceived as twice as loud.

The increase in noise levels would be considered a significant noise impact only if it causes a substantial increase in the ambient noise level in areas sensitive to noise adjacent to the project site. Based on the distances to the 60 dB contour, receptors located inside this contour would be subjected to a significant noise impact from cumulative traffic noise.

A significant noise impact would also exist if the proposed project assigned land uses which were not in agreement with the land use compatibility standards for community noise. Setbacks from streets generating noise in excess of 60 dB have not currently been defined for the proposed project and therefore a determination of the potential for a significant noise impact on a specific type of land use cannot be determined at this time.

This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.8-2(a)** through **4.8-2(c)** will reduce the impacts to less than significant.

Vibration

The Certified EIR did not discuss vibration as it was not required to do so at the time the EIR was certified.

Airport

The Certified EIR did not discuss airports as it was not required to do so at the time the EIR was certified.

Mitigation Measures

The following mitigation measures were included in the Certified EIR to reduce impacts related to noise:

Noise Mitigation Measures	
4.8-1(a)	Construction activities shall be limited to the hours between 7 a.m. and 8 p.m. Monday through Saturday and 9 a.m. to 5 p.m. on Sunday in order to minimize noise impacts.
4.8-1(b)	Construction equipment shall be required to be muffled or controlled. Contracts shall specify that engine-driven equipment be fitted with appropriate noise mufflers.
4.8-2(a)	The proposed project shall be located or architecturally designed so the exterior noise levels will not exceed 60 dB and interior noise levels will not exceed 45 dB. Design features could include setbacks, berms, landscaping and architectural features, adjacent to both arterial and interior streets.
4.8-2(b)	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 Administrative Code.
4.8-2(c)	The project proponents shall work with Town staff to implement transit alternatives to reduce automobile traffic, as outlined in the Town's General Plan. Cumulative site development shall be

Noise Mitigation Measures	
	reviewed at each phase and a trip reduction program developed for current phase implementation. Typically, a reduction in traffic of one-half would reduce the noise level by 3 dB.
Lodestar at Mammoth Final EIR, MMRP.	

4.13.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

Construction Noise

Noise levels generally peak during the grading phases, when diesel-fueled heavy-duty equipment (e.g., excavators, dozers) are needed to move large amounts of dirt. This equipment is mobile in nature and does not always operate at in a steady-state mode full load, but rather powers up and down depending on the duty cycle needed to conduct work. As such, equipment is occasionally idle during which time no noise is generated. Mobile equipment often operates away from off-site receptors, continuously moving around.

Impact devises such as pile driving and jack hammers are not necessary.

During other phases of construction (e.g., building construction, architectural coatings), noise impacts are generally lesser because they are less reliant on using heavy equipment with internal combustion engines. Smaller equipment (e.g., forklifts, generators, powered hand tools, pneumatic equipment) is generally utilized. Off-site secondary noises will be generated by construction worker vehicles, vendor deliveries, and haul trucks.

The Town is the local agency responsible for adopting and implementing policies as they relate to noise levels and its effect on land uses within its jurisdiction. Both acceptable and unacceptable noise levels associated with construction activities and exterior noise levels at various land use zones have been defined and quantified. Municipal Code Chapter 8.16 (Noise Regulations) controls unnecessary, excessive, and annoying noise in the Town. The regulations sets forth sound measurement and criteria, maximum ambient noise levels for different land use zoning classifications, sound emission levels for specific uses, hours of operation for certain uses, standards for determining when noise is deemed to be a disturbance to the peace, and legal remedies for violations.

According to Municipal Code Section 15.08.020, construction activities are permitted between the hours of 7 A.M. and 8 P.M., Monday through Saturday. Work hours on Sundays and Town recognized holidays are limited to the hours between 9 A.M. and 5 P.M., and are permitted only with the approval of the building official or designee. The Town has established noise standards for construction activity in Municipal Code Section 8.16.090 (Prohibited Acts). The Town has established maximum exterior noise levels during permitted work hours from the operation of equipment used in construction, drilling, repair, alteration, or demolition work. All mobile and stationary internal-combustion powered equipment and machinery are also required to be equipped with suitable exhaust and air-intake silencers in proper working order.

The Project would be required to comply with the provisions of the Municipal Code and Noise Regulations. Construction best management practices (BMPs) would to be implemented by contractors

to reduce construction noise levels. Project developers shall require by contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels. These include:

- Provide advance notification of construction to the immediate surrounding land uses around a development site
- Ensure that construction equipment is properly muffled according to industry standards
- Place noise-generating construction equipment and locate construction staging areas away from residences, where feasible
- Schedule high noise-producing activities between the hours of 8 A.M. and 5 P.M. to minimize disruption on sensitive uses
- Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, noise barriers or noise blankets

Because the Project's construction-related trips will not cause a doubling in traffic volumes on this major arterial, the Project's construction-related traffic (workers and trucks) will not increase existing noise levels by 3 dBA or more. Therefore, the Project's on-site construction noise impact will be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Operation Noise

During long-term operations, the Project will produce noise from both on- and off-site sources. The Project will not result in an exposure of persons to or a generation of noise levels in excess of standards established in the local general plan or noise ordinance.

Upon completion of the Project, noise levels within the Project site would be dominated by vehicular traffic on the surrounding roadways. The Town has established exterior noise standards for different land uses. As indicated in the Noise Regulations, noise levels at each land use may not exceed the exterior noise standard plus 20 dBA for any period of time (maximum noise level) (Municipal Code Section 8.16.070.B.5). As such, the maximum noise level that is allowed for any period of time for one and two-family residential uses would be 60 dBA Ldn (40 dBA + 20).

Because it takes a doubling of traffic volumes (i.e., 100% increase) to elevate ambient noise levels by 3 dBA L_{eq}, the Project's traffic will not increase ambient noise levels 3 dBA. The extension of Callahan Way to serve the Project would be limited to vehicles with a gate. As such, the traffic volume is expected to be minimal. In addition, the narrow roadway and gradual turns would slow vehicle speed and thus reduce noise energy from vehicles. Main Street would have a negligible increase in roadway volumes and the nearby residential uses would not experience a noticeable increase in noise. Impacts associated with traffic noise levels onsite would be less than significant.\

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Vibration

Construction of the Project would require the use of typical construction equipment that could generate some ground-borne vibration and ground-borne noise, but the Project would not involve the use of pile drivers, which have the potential to generate substantial vibration. In addition, per the Town's requirements, construction activities that would produce groundborne vibration would primarily occur between the hours of 7:00 AM and 8:00 PM Monday through Friday. Therefore, these activities would not occur during recognized sleep hours for residences. Based on this information, proposed construction activities associated with the Project would not expose sensitive receptors in the Project vicinity to excessive groundborne vibration levels. Therefore, Project impacts related to excessive construction-related groundborne vibration would be considered less than significant.

During Project operations, there will be no significant stationary sources of groundborne vibration, such as heavy equipment or industrial operations, as the Project is a residential development.

The Project's long-term vibration impact from operational sources (primarily passenger vehicles) will be less than significant. Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Airport Noise

There are no nearby airports or private airstrips. Mammoth Yosemite Airport is located approximately 6.25 miles to the southeast. Given the distance between the Project Site and the listed airport, the Project will not have the potential to create excessive noise. Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Mitigation Measures

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to noise, the Project will nevertheless implement, or at least not conflict with, the following mitigation measures from the Certified EIR:

> **4.8-2(a)** is applicable to the Project. The Project will comply with setback requirements, and siting orientation to ensure that exterior noise levels comply with the Municipal Code. Landscaping and tree planting would further attenuate and buffer sound from the Site to adjacent residential uses.
>
> **4.8-2(c)** is applicable to the Project. It requires cumulative site developments to be reviewed and a trip reduction program developed. The Project would comply with the Town's Mobility Element (adopted December 2016), which discusses the Callahan Way extension south to Dorrance Drive and allow improved access from Sierra Valley neighborhood to Main Street.

The following mitigation measures are not applicable to the Project:

> **4.8-1(a)** is not applicable as mitigation to the Project because the Project must comply with Municipal Code Section 15.08.020 (Hours of working), which align with the mitigation measure. As a matter of law, regulatory compliance is not mitigation.

4.8-1(b) is not applicable as mitigation to the Project because the Project must comply with Municipal Code Section 8.16.090.B.6.b (Prohibited acts) which requires that all mobile or stationary internal combustion engine-powered equipment or machinery shall be equipped with suitable exhaust and air intake silencers in proper working order. As a matter of law, regulatory compliance is not mitigation.

4.8-2(b) is not applicable as mitigation to the Project because the Project must comply with Title 24 of the California Code of Regulations. As a matter of law, regulatory compliance is not mitigation. Interior noise levels are regulated by the Municipal Code. CEQA regulates impacts of a project on the environment; not of the environment on a project (in this case, interior noise).

These mitigation measures are not applicable to the Project because they are already required by the Town's Municipal Code or other applicable regional or state regulatory measure. Thus, these mitigation measures are not necessary to this Project to mitigate a significant impact, and removal of these mitigation measures will not allow a new significant impact to occur or increase the severity of a significant impact. (*Mani Bros. Real Estate Group .v City of Los Angeles* (2007) 153 CA4th 1385, 1388.)

4.13.3 Any New Circumstances Involving New Impacts or Substantially More Severe Impacts?

The Project will not result in new or increased significant impacts beyond those already identified in Certified EIR. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what was analyzed in the Certified EIR.

4.13.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance that has become available relative to noise impacts. No substantial changes in the environment related to noise have occurred since certification of the EIR, and no substantial new significant noise sources have been identified within the vicinity of the Project that will result in new or more severe significant environmental impacts.

4.13.5 Mitigation Measures Addressing Impacts

As stated above, the Certified EIR provided **Mitigation Measures 4.8-1(a)** through **4.8-2(c)** to address impacts with respect to noise of the Master Plan.

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to noise, the Project will nevertheless implement **Mitigation Measures 4.8-2(a)** and **4.8-2(c)** from the Certified EIR.

4.13.6 Conclusion

Based on the above, no new significant noise impacts or a substantial increase in previously identified noise impacts will occur as a result of the Project. Therefore, the impacts to noise as a result do not meet

the standards for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 or CEQA Guidelines, Section 15162.

4.14 Population and Housing

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
POPULATION AND HOUSING: Would the project:					
(a) Induce substantial unplanned 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)?	Less Than Significant w/ Mitigation	No	No	No	Yes
(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact	No	No	No	No

4.14.1 Impact Determination in the Certified EIR

Population Growth

Employment generated by the commercial development of the Project could increase the population of Mammoth Lakes and the surrounding areas by as much as 1,086 people, with an accompanying housing demand of 472 units.[58] A portion of the new housing demand could be absorbed by the residential development of the Project. Of the 875 residential units proposed, 100 units are proposed for employee apartments. Assuming current permanent occupancy rates of 86% for single-family units, 11% for condominiums, and 100% for employee apartments, approximately 215 units could be available for year-round residents. However, given current prices of single-family homes and condominiums, and the type of jobs generated from the Project, it is unlikely that many of the single-family and condominium units will be available for purchasing or renting by the new employees. Therefore, under a worst-case scenario, the 100 proposed employee apartment units may be the only available units for the new employees. If the current percentage (49%) of very-low and low-income households in the Town is applied to the newly created households, then 231 households will need affordable housing. The 100 employee housing units under the Project are still 131 units short of meeting the potential needs of the projected employees.

This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.4-1(a)** through **4.4-1(c)** will reduce the impacts to less than significant.

Displacement

[58] 619 jobs / 0.51 jobs-to-population ratio = 1,086 people. 1,086 people / 2.3 household size = 472 housing units.

The portions of the Project Site where development would occur under the Project are currently undeveloped. As such, these portions of the Project Site do not contain any existing residents, employees, or livable housing units.

Therefore, implementation of the Master Plan will result in no impact related to displacement.

Mitigation Measures

The following mitigation measures were included in the Certified EIR to reduce impacts related to population and housing:

Population and Housing Mitigation Measures	
4.4-1(a)	One hundred percent of housing for employees generated by uses within the Project shall be provided onsite, including affordable employee housing based upon Health and Safety code section 53379.5 and 50105 criteria unless the Town Council allows a portion of this housing need offsite, through an in-lieu of fee, or equivalent program. If the Town adopts an employee/affordable housing program, requiring on- or off-site housing or in-lieu fees prior to any phase of development, provision of housing in accordance with that ordinance shall constitute adequate mitigation.
4.4-1(b)	Any housing constructed offsite shall be subject to further environmental review to ensure that significant or cumulative environmental effects are mitigated on a site-specific basis.
4.4-1(c)	Employee housing, an in-lieu fee, or equivalent program as approved by the Town Council shall be in place prior to or concurrent with the non-residential development generating the need for such housing.
Lodestar at Mammoth Final EIR, MMRP.	

4.14.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

The Project does not propose any changes to the zoning or land use designation for the Project Site, and therefore, the Project's impacts with respect to population and housing were accounted for within the Certified EIR's analysis.

The Town adopted a Housing Element in August 2019. The Housing Element establishes the Town's policy relative to the maintenance and development of safe, decent, and affordable1 housing to meet the needs of existing and future residents. It addresses the planning period 2019-2027, and meets the two purposes identified by State law, including assessment of current and future housing needs and constraints in meeting those needs; and providing a strategy that establishes housing goals, policies and programs.[59] The State Department of Housing and Community Development provided the Regional Housing Need Allocation (RHNA) for Mono County and Mammoth Lakes; the county's only incorporated community. The RHNA is 155 units for the period December 31, 2018 to August 15, 2027.

The Site is identified in the Housing Element as land inventory for housing and that infrastructure is available.

[59] Mammoth Lakes, Housing Element, 2019: https://www.townofmammothlakes.ca.gov/DocumentCenter/View/9756/Adopted-Mammoth-Lakes-2019-2027-HE

According to data from the American Community Survey (2016), the average household size in the Town is 2.77. With the development of 33 units, the population could increase by approximately 91 persons.

The Project will be consistent with the population and housing projections of the Housing Element. Mammoth Lakes could grow by its RHNA of 155 units, or 388 people. Therefore, the Project's residents fit well within projections for the Town.

As emphasized in regional and local planning documents, including the Housing Element, the Town is in need of new dwelling units to serve both the current population and the projected population. The Project Site does not currently provide housing, but the Project will add 33 housing units. The Project will not conflict with the Housing Element, which requires that the Town show it has adequate land zoned to accommodate the RHNA allocation of housing units for 2019-2027. Thus, the Project, which is adding housing units, will not result in a net loss of housing inventory in the area. By developing new residential dwelling units, the Project will help to fulfill this demand.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Displacement

The portions of the Project Site where development would occur under the Project are currently undeveloped. As such, these portions of the Project Site do not contain any existing residents, employees, or livable housing units. Therefore, no impact will occur.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Mitigation Measures

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to population and housing, the Project will nevertheless implement, or at least not conflict with, the following mitigation measures from the Certified EIR:

> **4.8-2(a)** is applicable to the Project. The Project will comply with setback requirements, and siting orientation to ensure that exterior noise levels comply with the Municipal Code. Landscaping and tree planting would further attenuate and buffer sound from the Site to adjacent residential uses.
>
> **4.8-2(c)** is applicable to the Project. It requires cumulative site developments to be reviewed and a trip reduction program developed. The Project would comply with the Town's Mobility Element (adopted December 2016), which discusses the Callahan Way extension south to Dorrance Drive and allow improved access from Sierra Valley neighborhood to Main Street.

The following mitigation measures are not applicable to the Project:

> **4.4-1(a)** is not applicable to the Project because the Project does not include hotel or commercial uses that would generate employees. Thus, it does not need to provide housing for employees. The provision of affordable housing is on-going with each phase of development.

4.4-1(b) is not applicable to the Project because the Project does not include offsite housing.

4.4-1(c) is not applicable to the Project because the Project does not include non-residential development.

These mitigation measures are not applicable to the Project due to the inapplicable program (residential, and not the hotel or commercial). Thus, these mitigation measures are not necessary to this Project to mitigate a significant impact, and removal of these mitigation measures will not allow a new significant impact to occur or increase the severity of a significant impact. (*Mani Bros. Real Estate Group .v City of Los Angeles* (2007) 153 CA4th 1385, 1388.)

4.14.3 Any New Circumstances Involving New Impacts or Substantially More Severe Impacts?

The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what was analyzed in the Certified EIR.

4.14.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance that has become available relative to population and housing impacts. No substantial changes in the environment related to population and housing have occurred since certification of the EIR that will result in new or more severe significant environmental impacts.

4.14.5 Mitigation Measures Addressing Impacts

As stated above, the Certified EIR provided **Mitigation Measures 4.4-1(a)** through **4.4-1(c)** to address impacts with respect to population and housing of the Master Plan.

The analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to population and housing because the Project does not include employee housing, offsite housing, or non-residential development, and **Mitigation Measures 4.4-1(a)** through **4.4-1(c)** from the Certified EIR are not applicable to the Project.

4.14.6 Conclusion

Based on the above, no new significant population and housing impacts or a substantial increase in previously identified population and housing impacts will occur as a result of the Project. Therefore, the impacts to population and housing as a result do not meet the standards for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 or CEQA Guidelines, Section 15162.

4.15(a) Public Services

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
PUBLIC SERVICES: Would the 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 services:					
(a) Fire protection?	Less Than Significant w/ Mitigation	No	No	No	Yes
(b) Police protection?	Less Than Significant w/ Mitigation	No	No	No	Yes
(c) Schools?	Significant and Unavoidable	No	No	No	Yes
(d) Parks?	No determination	No	No	No	No
(e) Other public facilities?	Less Than Significant w/ Mitigation	No	No	No	Yes

4.15(b) Recreation

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
RECREATION					
(a) Would the 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?	No determination	No	No	No	No
(b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	No determination	No	No	No	No

4.15.1 Impact Determination in the Certified EIR

Fire

Fire protection services to the Town are provided by the Mammoth Lakes Fire Protection District (MLFD). Properties surrounding the Town are within the Inyo National Forest and are therefore protected by the U.S. Forest Service. The District facilities consist of four engine companies, two truck companies, one heavy-duty rescue truck, and one ambulance. Fire District personnel consists of 65 volunteer fire fighters and six paramedics. The MLFD has established a set of guidelines designed to facilitate fire protection to a proposed project. These guidelines are discussed below as mitigation measures.

This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.11-4(a)** through **4.11-4(n)** will reduce the impacts to less than significant.

Police

Police protection services are provided by the Mammoth Lakes Police Department (MLPD). The MLPD staff is made up of 15 sworn officers and 6 non-sworn personnel. The sworn officers consist of one chief, one lieutenant, three sergeants, one detective, and nine patrol officers. Police facilities include six patrol cars and a police station located near the intersection of Old Mammoth Road and Chateau Road (at the time of the Certified EIR).

The population increase resulting from project construction would require a 24-hour patrol of the project area. Since the Police Department is currently operating at full capacity, this would require three new patrol officers (one per eight-hour shift) and a new patrol car. The project would require one additional Animal Control employee.

This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measure 4.11-3** will reduce the impacts to less than significant.

School

Public school services for Mammoth Lakes are provided by the Mammoth Unified School District (MUSD). The two District facilities are the Mammoth Elementary School (K-6). located on Meridian Boulevard. and Mammoth High School (7-12), located at the intersection of Sierra Park Road and Meridian Boulevard. Mammoth Elementary has a current enrollment of about 500 students with a capacity of 513 students, while Mammoth High has a present enrollment of about 300 students with a capacity of 366 students.

The Project is anticipated to produce approximately 190 students. The project-generated student population would result in an overcrowded situation for both MUSD facilities. The Project will specifically create the need for a new elementary school facility. Each new student is expected to cost the district $4,760 in operating costs and $11,000 in capital costs.

This is an unavoidable, significant impact. The Certified EIR determined that implementation of

Mitigation Measures 4.11-2(a) and **4.11-2(b)** will reduce the impacts on the MUSD. However, even the incorporation of these mitigations would not reduce project impacts to a less-than-significant level since the impact fees alone are insufficient for funding the construction costs of a new elementary school. School impacts are therefore considered to be a significant and unavoidable impact.

Parks

The Certified EIR did not discuss parks as it was not required to do so at the time the EIR was certified.

Other Public Facilities (Snow Storage and Removal)

Snow removal is provided by Caltrans for State Highway 203 (Minaret Road and Main Street) from the junction of State Highway 395 to the Mammoth Mountain Inn. The Town Public Works Department provides snow removal service for all other publicly maintained roads. Roads and paved surfaces on private property are the responsibility of the landowner. The Town considers current snow removal activities adequate to meet existing needs.

Development of the Project will result in increased amounts of snow removal due to new access roads to and from the project. There is presently enough land area within the Project Site to accommodate necessary snow storage for public streets and private developments.

This is a less-than-significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.11-1(a)** through **4.11-1(i)** will further reduce the impacts.

Other Public Facilities (Libraries)

The Certified EIR did not discuss libraries as it was not required to do so at the time the EIR was certified.

Mitigation Measures

The following mitigation measures were included in the Certified EIR to reduce impacts related to public services:

Public Services Mitigation Measures	
4.11-1(a)	All project road alignments and project phases shall be designed to provide the necessary snow storage areas as determined by the Town Department of Public Works. Snow storage areas shall equal at least 70 percent of the surfaces to be cleared.
4.11-1(b)	All buildings, walkways and pedestrian open spaces shall be located a minimum of 20 feet from the roadway edge to limit the amount of snow storage/blowing interference.
4.11-1(c)	Alternate methods of snow removal, such as radiant heat decking, shall be implemented in the plaza area to ensure that access is provided to all businesses at all times.
4.11-1(d)	Parking garage entry points shall avoid north-facing orientation. Design solutions shall be implemented to prevent blowing and drifting snow from accumulating in the garage entry area.
4.11-1(e)	Sloping roofs shall be designed so as not to shed snow onto adjacent properties, parking lots, walkways or other passage ways.
4.11-1(f)	The Town and Caltrans shall retain the right to cover any sidewalks with snow located adjacent to streets for snow removal purposes.
4.11-1(g)	No snow removal activities, except that which is performed by the Town or by Caltrans, shall be allowed to deposit snow within the public rights-of-way.

Public Services Mitigation Measures	
4.11-1(h)	To avoid ice build-up, all structures shall be oriented to minimize shading of streets and pedestrian areas.
4.11-1(i)	Clearing of private roads shall be the responsibility of the developer or homeowners associations.
4.11-2(a)	The project proponent shall pay school impact fees under the provisions of AB 2926 or provide equivalent alternative mitigation as determined by the School District.
4.11-2(b)	The project proponent may volunteer to designate a portion of the project site to the District for the purpose of constructing a new elementary school facility or to participate in a proportionate share of a school site at another location.
4.11-3	The project proponent shall contribute sufficient funds to the Town of Mammoth Lakes for the cost of purchasing one patrol car.
4.11-4(a)	The project proponent shall pay a one-time mitigation fee for construction of the project, based upon building height, and another onetime mitigation fee on project operations. Both fees are to be determined by the Fire Protection District and collected by the Town.
4.11-4(b)	Access to all structures shall comply with Mammoth Lakes Fire Protection District Ordinance ~~#85-02~~ in effect.
4.11-4(c)	Access roads shall be of an approved hard all-weather surface and shall have a minimum clear unobstructed width of ~~20~~ *24* feet. All access roads shall have a minimum vertical clearance of 15 feet *or as otherwise required by the Caltrans design manual.* Access roads shall have a grade of not more than 10 percent.
4.11-4(d)	To provide for aerial ladder access to building rooftops, a minimum ~~20~~ *24*-foot wide access road shall be provided for each structure located not more than 25 feet from the structure, but no closer than 1 foot for every 3 feet of building height. This access road shall have a grade of not more than three percent and shall be clearly posted "No Parking - Fire Lane." All *mid-rise and* high-rise structures (defined by the District as any structure exceeding 3 stories or 35 feet in height for nonresidential structures, and 55 feet for residential structures) should be required to have approved Fire Department access roads to at least 2 sides of the structure. One of these access roads should be on the side of the building with the longest continual roof line.
4.11-4(e)	Fire Department access roads that are 150 feet or more in length *but less than 2,500 feet in length* shall be provided with approved fire apparatus turn-a-rounds. The required width and height clearances for Fire Department access roads shall be maintained.
4.11-4(f)	If a smoke tower or stairway is used as a required exit for a structure, that exit shall have an unobstructed passage of not less than 6 feet in width to Fire Department access, and then not less than 3 feet in width from that point to the public way.
4.11-4(g)	An approved water supply system capable of supplying required fire flow for fire protection purposes be provided to all premises upon which buildings or portions of buildings are constructed. The establishment of gallons per minute requirements for fire flow shall be based on the "Guide for Determination of Required Fire Flow" published by the Insurance Service Office.
4.11-4(h)	Fire hydrants shall be located and installed per Fire Department standards and approved by the Fire Chief. On-site fire hydrants shall be provided when any portion of the building protected is in excess of ~~150~~ *50* feet from a water supply on a public street, or as required by the Fire Chief.
4.11-4(i)	Fire hydrants and access roads shall be installed and made serviceable prior to and during time of construction. All hydrants shall be properly identified per Fire Department standards.
4.11-4(j)	An approved automatic fire extinguishing system is required for all ~~covered parking areas and other~~ structures *per the Fire Code*. ~~having: a foundation footprint of 5,000 square feet or more; a height of more than 35 feet (50 feet for residential condominiums or apartment buildings); or a height of more than 3 stories. Fire extinguishing systems shall also be installed for all other occupancies designated for this system in the Uniform Fire and Uniform Building Code, or structures identified~~

Public Services Mitigation Measures	
	~~as special hazard occupancies as outlined in the appropriate National Fire Protection Association pamphlet.~~
4.11-4(k)	Fire standpipe systems shall be installed in conformance with National Fire Protection Association Standards and the Uniform Fire Code.
4.11-4(l)	Incorporation of other fire protection methods as necessary in underground parking garages and high-rise structures, based upon building construction, size, and adjoining occupancy types, shall be determined by the Fire Chief upon formal plan submission.
4.11-4(m)	All vehicular bridges and pedestrian bridges shall comply with fire apparatus access road requirements in regards to minimum width and height clearances.
4.11-4(n)	Liquid petroleum gas storage and system installation shall comply with Mammoth Lakes Fire Protection District Ordinance ~~#85-02~~ *in effect*, which establishes and regulates the storage of liquid petroleum gases.
4.11-6	Implement Mitigation Measures 4.11-2(a) and 4.11-2(b).
4.11-8	Implement Mitigation Measure 4.11-4(a).
Lodestar at Mammoth Final EIR, MMRP. Mitigation Measure 4.11-4(b) revised for compliance with current Fire District regulations. Mitigation Measure 4.11-4(c) revised for compliance with current Fire District regulations and clearances for pedestrian areas. Mitigation Measure 4.11-4(d) revised for compliance with current Fire District regulations. Mitigation Measure 4.11-4(e) revised for compliance with current Fire District regulations. Mitigation Measure 4.11-4(h) revised for compliance with current Fire District regulations. Mitigation Measure 4.11-4(j) revised for compliance with current Fire District regulations. Mitigation Measure 4.11-4(n) revised for compliance with current Fire District regulations. These minor modifications do not change the prior approval of the Lodestar at Mammoth project in a way that would allow a new significant impact to occur, increase the severity of a significant impact, or reduce its effectiveness. Thus, a subsequent EIR is not required. (Pub. Resources Code, §21166; State CEQA Guidelines §15162; *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, 1167-1168.)	

4.15.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

Fire

The Mammoth Lakes Fire Protection District (MLFD) is an all-risk fire department headquartered in the Town. The MLFD has eight full-time and 45 part-time fire fighters. Daily staff is one on-duty Chief and one 3-person engine company. For larger emergencies or multiple incidents, the on-duty staff can be supplemented by calling in part-time personnel. MLFD is considered an all-risk department, and as such, responds to a wide variety of incidents including: structure fires, wildland fires, ice and water rescues, hazardous materials incidents, medical emergencies and motor vehicle accidents. See **Table 4.15-1** for the Fire Stations.

Mammoth Lakes is a Wildland-Urban Interface community and is at a higher risk for wildfire. Residents conduct defensible space self-assessments throughout the year.

Municipal Code Section 15.16.080 Article II, (Development Impact Mitigation Fees) establishes and imposes impact fees for development within the Town to finance the cost of public facilities and

improvements required by new development. Section 15.16.082.H, establishes a development impact fee (DIF) program to fund fire facilities, vehicles, and equipment.

Table 4.15-1
Fire Stations

Station	Address	Equipment	Distance to Site
1	3150 Main Street	2 Type 1 Engines Type III Engine 100' Aerial Platform 3000 gal Water Tender BLS Ambulance	2,750 feet
2	1574 Old Mammoth Road	2 Type 1 Engines 75' Quint	1.0 mile
Mammoth Lake, Emergency Operations Plan, 2017. Mammoth Lakes Fire Protection District, https://mlfd.ca.gov/			

Construction Impacts

Appropriate construction traffic control measures (e.g., detour signage, delineators, etc.) would be implemented, as necessary, to ensure emergency access to the Project Site and traffic flow is maintained on adjacent rights-of-way. Furthermore, the drivers of emergency vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic. As construction activities are temporary in nature and emergency vehicles have a variety of options for dealing with traffic, construction of the Project will not impact fire services to the extent that there will be a need for new or expanded fire facilities in order to maintain acceptable service ratios, response times, or other performance objectives during construction of the Project.

Operation

MLFD requires a fire hydrant along the streets of Mammoth Lakes. In addition, the MLFD also requires that new construction meet the National Fire Protection Association (NFPA) requirements for fire protection flows. In conjunction with the Mammoth Community Water District, MLFD has been able to adequately meet these requirements.

A new internal access road would be created for the Project Site. The internal roadway would be privately owned and maintained, and would provide residential and emergency access. Emergency vehicles would circulate through the Project area using the internal roadway. Fire lanes, turning radii and back up space around the buildings would be designed in cooperation with local officials so as to be adequate for emergency and fire equipment vehicles. Pavements would be designed to support loads created by emergency vehicle traffic. Standpipe and fire suppression systems connections would be incorporated into architectural and landscaping design elements where practical and in location accessible to fire equipment.

The Project would incorporate a number of fire safety features in accordance with applicable MLFD fire-safety code and Town regulations for construction, access, fire flows, and fire hydrants. These fire safety features include, but are not limited to, ample roads, adequate building spacing, use of fire resistive

building materials, and adequate vegetative clearance around structures. Considering that the Project Site is undeveloped and that current use of the site is limited to open space the Project would represent a more intense use of the site.

Although the relationship is not directly proportional, more intense uses of land typically result in the increased potential for fire and emergency incidents. Thus, the Project would create an increased demand for fire protection services. However, according to the MLFD, with the mutual-aid agreement with neighboring fire districts, their current staffing, and equipment, facility levels are adequate to accommodate the Project's demand for fire protection services. In addition, the MLFD is a participant in the Town's Emergency Operations Plan (EOP) which includes the Project area. The Plan would be revised with the development of the Project to include any needed updates or changes.

Section 35 of Article XIII of the California Constitution at Subdivision (a)(2) provides: "The protection of public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services." Section 35 of Article XIII of the California Constitution was adopted by the voters in 1993 under Proposition 172. Proposition 172 directed the proceeds of a 0.50-percent sales tax to be expended exclusively on local public safety services. California Government Code Sections 30051-30056 provide rules to implement Proposition 172. Public safety services include fire protection. Section 30056 mandates that cities are not allowed to spend less of their own financial resources on their combined public safety services in any given year compared to the 1992-93 fiscal year. Therefore, an agency is required to use Proposition 172 to supplement its local funds used on fire protection services, as well as other public safety services. In City of Hayward v. Board of Trustee of California State University (2015) 242 Cal. App. 4th 833, the court found that Section 35 of Article XIII of the California Constitution requires local agencies to provide public safety services, including fire protection and emergency medical services, and that it is reasonable to conclude that the Town will comply with that provision to ensure that public safety services are provided.[60]

Therefore, Project impacts related to fire protection services would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Police

The Town of Mammoth Lakes Police Department (MLPD), located at 58 Thompson Way, provides police services to the Project Site and surrounding area. The MLPD is responsible for providing public safety services in the town including patrol, investigations, custody of adult offenders, wildlife management, and narcotic enforcements.

The Mono County Sheriff's Department and the California Highway Patrol also provide police protection and law enforcement in the Town of Mammoth Lakes (Town) and surrounding community.

The MLPD staff is comprised of 11 full time sworn officers, four part time sworn reserve officers, three full time civilian staff, and one contracted full time employee. The MLPD currently owns 10 black and

[60] City of Hayward v. Board Trustee of California State University (2015) 242 Cal. App. 4th 833, 847.

white vehicles, one non-emergency police services vehicle and three unmarked police vehicles. MLPD remains the only agency within Mono County that provides 24 hour patrol coverage. The existing level of service for the MLPD is approximately one officer per 1,000 residents.

Municipal Code Section 15.16.080 Article II, (Development Impact Mitigation Fees) establishes and imposes impact fees for development within the Town to finance the cost of public facilities and improvements required by new development. Section 15.16.082.B, establishes a development impact fee (DIF) program to fund policies facilities, vehicles and equipment.

Construction

Construction sites can be sources of attractive nuisances, providing hazards, and inviting theft and vandalism. Therefore, when not properly secured, construction sites can become a distraction for local law enforcement from more pressing matters that require their attention. Consequently, developers typically take precautions to prevent trespassing through construction sites. Most commonly, temporary fencing is installed around the construction site.

The Project Site is generally open around its boundaries. The boundaries will need to be secured during construction. The Project applicant will employ construction security features, such as fencing, which will serve to minimize the need for police services. Temporary construction fencing will be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local level and to keep unpermitted persons from entering the construction area. These security measures will ensure that valuable materials (e.g., building supplies, metals such as copper wiring) and construction equipment are not easily stolen or abused. Therefore, construction impacts will be less than significant.

Operation

According to data from the American Community Survey (2016), the average household size in the Town is 2.77. With the development of 33 units, the population could increase by approximately 91 persons. To maintain the same officer ratio, the Project would require less than 1/10 of 1 officer.

The additional number of people and activity on the Project Site could result in an increase in the need for police services. The crime rate, which represents the number of crimes reported, affects the "needs" projection for staff and equipment for the MLPD. To some extent, it is logical to anticipate that the crime rate in a given area would increase as the level of activity or population increase, along with an increase in opportunities for crime. However, because a number of other factors also contribute to the resultant crime rate, such as police presence, crime prevention measures, and on-going legislation/funding, the potential for increased crime rates is not necessarily directly proportional to increases in land use activity. While the Project would increase the number of persons and level of activity on the Project Site, given the type of use, it is reasonable to expect that the Project would not result in a meaningful increase in the amount of crime in the Project area. Additionally, although additional police equipment and staff would be necessary to accommodate the Project, the additional demand for police services created by the Project would not require the need for new or altered police facilities other than those currently planned for future police staffing and facilities. Therefore, Project impacts on police services would be less than significant.

Section 35 of Article XIII of the California Constitution at Subdivision (a)(2) provides: "The protection of public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services." Section 35 of Article XIII of the California Constitution was adopted by the voters in 1993 under Proposition 172. Proposition 172 directed the proceeds of a 0.50-percent sales tax to be expended exclusively on local public safety services. California Government Code Sections 30051-30056 provide rules to implement Proposition 172. Public safety services include police protection. Section 30056 mandates that cities are not allowed to spend less of their own financial resources on their combined public safety services in any given year compared to the 1992-93 fiscal year. Therefore, an agency is required to use Proposition 172 to supplement its local funds used on fire protection services, as well as other public safety services. In City of Hayward v. Board of Trustee of California State University (2015) 242 Cal. App. 4th 833, the court found that Section 35 of Article XIII of the California Constitution requires local agencies to provide public safety services, including police protection, and that it is reasonable to conclude that the Town will comply with that provision to ensure that public safety services are provided.[61]

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Schools

Public education services within the Town are provided by the Mammoth Unified School District (MUSD). The MUSD has a current enrollment of 1,200 K-12 students, and is comprised of four schools. See **Table 4.15-2** for the schools.

Table 4.15-2
Schools

Name	Address	Grades	Enrollment
Mammoth Elementary	2600 Meridian Boulevard	K-5	534 students
Mammoth Middle	1600 Meridian Boulevard	6-8	295 students
Mammoth High	365 Sierra Park Road	9-12	349 students
Sierra Continuation High	1601 Meridian Boulevard	11-12	8 students
https://www.mammothusd.org/apps/pages/index.jsp?uREC_ID=339237&type=d&pREC_ID=746162			

As shown on **Table 4.15-3**, the Project (directly through the residential use) will generate an increase of approximately 10 students. To be conservative, this analysis assumed that all students generated by the Project will be new to MUSD. As discussed below, payment of required school fees is deemed to provide full and complete mitigation.

Table 4.15-3
Project Estimated Student Generation

Source	Quantity	Students Generated
Residential	33 units	10
The generation factor is from the Mammoth Unified School District, Level I Developer Fee Study, May 1, 2020. To identify the number of students anticipated to be generated from new residential development, a student yield factor of 0.287 has been utilized for the Mammoth Unified School District. The student generation rate of 0.287		

[61] City of Hayward v. Board Trustee of California State University (2015) 242 Cal. App. 4th 833, 847.

Table 4.15-3
Project Estimated Student Generation

Source	Quantity	Students Generated
is 41% of the Office of Public School Construction's State wide average of 0.7. The State wide average, 0.7, for a unified district is based on the number of students generated from homes in communities in which the majority of homes are occupied by full-time residents. According to the Town of Mammoth Lakes Planning Department, the Mammoth area is a resort community in which 59% of homes are vacation homes, while an estimated 41% are occupied by full-time residents. Therefore, a student generation rate of 0.287 (0.41 x 0.7) was utilized to calculate Level I fees. Table: CAJA Environmental Services, September 2021.		

The state has a mechanism in place to collect funding needed to improve schools. Any future development that occurs as a result of the plan and implementing ordinances will be subject to California Education Code Section 17620(a)(1), which states that the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities. Additionally, future projects will be subject to the Leroy F. Greene School Facilities Act of 1998 (SB 50), which sets a maximum level of fees a developer may be required to pay to reduce a project's impacts on school facilities. The provisions of SB 50 are deemed to provide full and complete mitigation of school facilities impacts, notwithstanding any contrary provisions in CEQA or other State or local laws (Government Code Section 65996).

California Education Code Section 17620(a)(1) states that the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirements against any construction within the boundaries of the district, for the purposes of funding the construction or reconstruction of school facilities. The MUSD's Level I Developer Fee Study has been prepared to support the school district's levy of the fees authorized by California Education Code Section 17620. The Leroy F. Greene School Facilities Act of 1998 (SB 50) sets a maximum level of fees a developer may be required to pay to mitigate a project's impacts on school facilities. The maximum fees authorized under SB 50 apply to zone changes, general plan amendments, zoning permits and subdivisions. The provisions of SB 50 are deemed to provide full and complete mitigation of school facilities impacts, notwithstanding any contrary provisions in CEQA, or other state or local law (Government Code Section 65996). Furthermore, per Government Code Section 65995.5-7, MUSD has imposed developer fees for commercial/industrial and residential space. Overall, the payment of school fees in compliance with SB 50 will be mandatory and provide full and complete mitigation of school impacts for the purposes of CEQA.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Parks

The Mammoth Lakes Parks and Recreation Department (MLPRD) manages and maintains the Mammoth Ice Rink, Whitmore Track & Sports Field, Community Center Tennis Courts, Mammoth Creek Park, Shady Rest Park, the Volcom Brothers Skate Park and the Whitmore Recreation Area, including

the Whitmore Pool. Town Administration oversees the Council Chambers / Suite Z, located in the Minaret Village Shopping Center. See **Table 4.15-4** for the parks.

Table 4.15-4
Parks

Name	Address	Description
Mammoth Ice Rink	416 Sierra Park Road	Public skating sessions, skate improvement programs, expanded adult and youth hockey programs, Friday Night 1st TimerSkate Assist, and curling
Whitmore Track & Sports Field Whitmore Ball Fields Whitmore Pool	575 Benton Crossing Road	Running track, with a full-size synthetic turf infield striped for soccer or football baseball diamond, two softball fields six-lane 25-meter pool, children's wading pool
Shady Rest Park	Sawmill Cutoff	Playground equipment, a sheltered picnic area, restrooms, picnic tables, sand volleyball courts, softball fields, soccer fields, a concession stand, a parking area and a small "street scene" skate-park
Mammoth Creek Park	437 Old Mammoth Road	play area designed for toddlers and school-age children, restrooms, parking, picnic tables, and access to Mammoth Creek
Trails End Park	1390 Meridian Boulevard	Volcom Brothers Skateboard Park
Community Center Park	1000 Forest Trail	six tennis courts, play and picnic areas
https://www.ci.mammoth-lakes.ca.us/322/Parks-Facilities-Trails Parks and Recreation Master Plan, adopted February 1, 2012: https://www.townofmammothlakes.ca.gov/DocumentCenter/View/5567/Final-_TOML_Parks_Rec_Master_Plan_Adopted-2-1-12X?bidId=		

Nearby resources include the Sierra Star golf course, recreational trails and walkways, the golf course lake, individual pools, spas, and water play areas associated with resort hotels.

Municipal Code Section 15.16.080 Article II, (Development Impact Mitigation Fees) establishes and imposes impact fees for development within the Town to finance the cost of public facilities and improvements required by new development. Section 15.16.082.D, establishes a development impact fee (DIF) program to fund park land, parks, and recreation facilities.

The payment of Developer Impact Fees that support the Town's park and recreation fund would be adequate to accommodate the Project's demand for parks and recreational services and to offset the recreational facilities and maintenance. No additional parks or recreational facilities would be required. Therefore, Project impacts to park services would be less than significant, and the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Other Public Facilities (Snow Storage and Removal)

All designated snow storage areas must be at least 10 feet in any direction, be located near the sides or rear of parking areas and driveways, readily accessible and substantially free and clear of all obstructions,

as well as meet all other requirements outlined in Municipal Code Section 17.36.110. Roadway maintenance and snow removal on private roads and private property is the responsibility of the land owners. The snow storage area is required to cover 75% of the pavement area. The pavement area is 42,445 square feet, which results in a snow storage area of 31,834 square feet. the Project would provide 31,998 square feet of snow storage, which exceeds the required amount.[62] Therefore, Project impacts to snow removal services would be less than significant, and the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Libraries

Library services in the Town are provided by the Mono County Library System (MCLS). The MCLS is operated by the Mono County Office of Education (MCOE).[63] The MCLS receives the majority of its funding from a property tax allocation, which is collected by Mono County. 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.[64]

Municipal Code Section 15.16.080 Article II, (Development Impact Mitigation Fees) establishes and imposes impact fees for development within the Town to finance the cost of public facilities and improvements required by new development. Section 15.16.082.G, establishes a development impact fee (DIF) program for library facilities in the Town. The Town collects the library DIF on behalf of Mono County Office of Education.

The Project will not directly necessitate the need for a new library facility. This is because the MCLS has indicated that there are no planned improvements to add capacity through expansion. There are no plans for the development of any other new libraries to serve this community. It is likely that the residents of the Project will have individual access to internet service, which provides information and research capabilities that studies have shown reduce demand at physical library locations.[65,66]

For all of these reasons, it is not anticipated that the Project will result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities, or need for new or physically altered library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for library services. Impacts to library service would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

---

[62] Tentative Tract Map, Triad/Holmes Associates, January 17, 2022.

[63] Mammoth Lakes Library Branch: https://www.monocolibraries.org/branches/mammoth-lakes

[64] Mammoth Lakes, general Plan Update EIR, 2016: https://www.townofmammothlakes.ca.gov/DocumentCenter/View/6105/410_Public-Services

[65] "To Read or Not To Read", see pg. 10: "Literary reading declined significantly in a period of rising Internet use": http://www.nea.gov/research/toread.pdf.

[66] "How and Why Are Libraries Changing?" Denise A. Troll, Distinguished Fellow, Digital Library Federation: http://old.diglib.org/use/whitepaper.htm.

Mitigation Measures

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to public services, the Project will nevertheless implement, or at least not conflict with, the following mitigation measures from the Certified EIR:

4.11-1(b) is applicable to the Project. Per the TTM, there is a minimum of 20 feet separation between each building and the roadway edge to allow for snow storage and avoid blowing interference.

4.11-1(d) is applicable to the Project. All the buildings have their parking garages oriented facing east, west, or south, with the exception of the building with units 26/27 with a driveway facing north. The driveway setback will ensure snow storage and avoid blowing and drifting snow.

4.11-1(e) is applicable to the Project. The buildings feature sloping roofs but there is sufficient required setbacks to ensure that shed snow does not fall on parking lots, walkways, or other passage ways.

4.11-1(f) is applicable to the Project. The Project will not impede the Town's or Caltrans right to cover any sidewalk with snow adjacent to streets for snow removal purposes.

4.11-1(h) is applicable to the Project. The buildings are oriented and separated to minimize shading of streets and pedestrian areas to avoid ice build-up.

The following mitigation measures are not applicable to the Project:

4.11-1(a) is not applicable as mitigation to the Project because the Project must comply with Municipal Code Section 17.36.110 (Snow Storage), which align with the mitigation measure. As a matter of law, regulatory compliance is not mitigation.

4.11-1(c) is not applicable to the Project because the Project does not include a plaza area that provides access to businesses.

4.11-1(g) is not applicable as mitigation to the Project because the Project must comply with Municipal Code Section 12.16.040 (Disposal of snow on town streets), which align with the mitigation measure. As a matter of law, regulatory compliance is not mitigation.

4.11-1(i) is not applicable as mitigation to the Project because the Project must comply with Municipal Code Section 12.16.010 (Property owner responsibility), which align with the mitigation measure. As a matter of law, regulatory compliance is not mitigation.

4.11-2(a) is not applicable as mitigation to the Project because the Project must comply with California Education Code Section 17620(a)(1), which states that the governing board of any

school district is authorized to levy a fee, charge, dedication, or other requirements against any construction within the boundaries of the district, for the purposes of funding the construction or reconstruction of school facilities. The Leroy F. Greene School Facilities Act of 1998 (SB 50) sets a maximum level of fees a developer may be required to pay to mitigate a project's impacts on school facilities. The provisions of SB 50 are deemed to provide full and complete mitigation of school facilities impacts. As a matter of law, regulatory compliance is not mitigation.

4.11-2(b) is not applicable to the Project because the Project is not designating a portion of the Site to the District for a new elementary school. The Site is too small and has insufficient access for a school.

4.11-3 is not applicable to the Project. The payment for the patrol car will be made prior to issuance of certificate of occupancy for the first hotel or portion thereof. The Project does not include the proposed resort hotel use.

4.11-4(a) is not applicable as mitigation to the Project because the Project must comply with Municipal Code Section 15.16.083 (Imposition of development impact fee), which align with the mitigation measure. As a matter of law, regulatory compliance is not mitigation.

4.11-4(b) through 4.11-4(n) are not applicable as mitigation to the Project because the Project must comply with the Mammoth Lakes Fire Protection District Ordinance in effect (the latest is No. 2020-01), which align with the mitigation measures. As a matter of law, regulatory compliance is not mitigation.

4.11-6 is implementation of **4.11-2(a)** and **4.11-2(b),** which are not applicable as mitigation to the Project. As a matter of law, regulatory compliance is not mitigation.

4.11-8 is implementation of **4.11-4(a),** which is not applicable as mitigation to the Project. As a matter of law, regulatory compliance is not mitigation.

These mitigation measures are not applicable to the Project due to being aligned with Town's Municipal Code or other applicable regional or state regulatory measure. Thus, these mitigation measures are not necessary to this Project to mitigate a significant impact, and removal of these mitigation measures will not allow a new significant impact to occur or increase the severity of a significant impact. (*Mani Bros. Real Estate Group .v City of Los Angeles* (2007) 153 CA4th 1385, 1388.)

4.15.3 Any New Circumstances Involving New Impacts or Substantially More Severe Impacts?

The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what was analyzed in the Certified EIR.

4.15.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance that has become available relative to public services impacts. No substantial changes in the environment related to public services have occurred since certification of the EIR, and no substantial new significant noise sources have been identified within the vicinity of the Project that will result in new or more severe significant environmental impacts.

4.15.5 Mitigation Measures Addressing Impacts

As stated above, the Certified EIR provided **Mitigation Measures 4.11-1(a)** through **4.11-8** to address impacts with respect to public services of the Master Plan.

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to public services, the Project will nevertheless implement **Mitigation Measures 4.11-2(b), 4.11-2(d)** through **4.11-2(f),** and **4.11-2(h)** from the Certified EIR.

4.15.6 Conclusion

Based on the above, no new significant public services impacts or a substantial increase in previously identified public services impacts will occur as a result of the Project. Therefore, the impacts to public services as a result do not meet the standards for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 or CEQA Guidelines, Section 15162.

4.16 Transportation

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
TRANSPORTATION / TRAFFIC: Would the project:					
(a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less Than Significant w/ Mitigation	No	No	No	Yes
(b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)?	No determination	No	No	No	No
(c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less Than Significant w/ Mitigation	No	No	No	Yes
(d) Result in inadequate emergency access?	Less Than Significant	No	No	No	No

Note: Threshold b) was changed after the EIR was certified in 1991. Previously it examined: 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? It has been changed to reflect CEQA Guidelines Section 15064.3 (Determining the Significance of Transportation Impacts).

Senate Bill 743 tasked the Office of Planning and Research (OPR) with developing new guidelines for evaluating transportation impacts under CEQA using methods that no longer focus on measuring automobile delay and level of service (LOS). Senate Bill 743 directed lead agencies to revise transportation assessment guidelines to include a transportation performance metric that promotes: the reduction of greenhouse gas emissions, the development of multi modal networks, and access to diverse land uses. OPR's proposed updates to the CEQA guidelines in support of these goals established vehicle miles traveled (VMT) as the primary metric for evaluating a project's impacts on the environment and transportation system.

Another proposed update to the CEQA guidelines clarified how a project's environmental assessment must assess and disclose whether the proposed project conflicts or is inconsistent with local plans or policies. The California Natural Resources Agency certified and adopted the updated CEQA Guidelines implementing Senate Bill 743 (Section 15064.3) in December 2018, and these guidelines are now in effect.

LOS can no longer be used to determine significant impacts under CEQA.

4.16.1 Impact Determination in the Certified EIR

Conflicting with Plans, Programs, Ordinances, or Policies

Level of service (LOS) is a qualitative measure used to describe the condition of traffic flow, ranging from excellent conditions at LOS A to overloaded conditions at LOS F. The Town's standard for acceptable level of service is LOS C or better. The traffic analysis was conducted to determine if the proposed project-generated traffic would have a significant impact at any of the 14 intersections or 13 roadway segments that have been identified.

The Project is projected to generate a net total of approximately 13,160 daily vehicle trips on a peak winter Saturday, of which approximately 1,515 would be during the afternoon peak-hour. The traffic impact analysis determined that unacceptable levels of service would be experienced on peak winter Saturdays along portions of Lake Mary Road, Main Street, Minaret Road, and Old Mammoth Road on a daily basis and at 11 of the 14 analyzed intersections during the afternoon peak-hour, under both Cumulative Base and Cumulative Plus Project conditions. These conditions result from the substantial amount of new traffic which would be generated by the cumulative projects as well as by the Project.

The Project is expected to contribute traffic to each of the locations which are projected to operate at poor levels of service under the cumulative conditions. The Project will generate additional vehicular trips, which would impact traffic volumes and intersection LOS throughout the study area.

A series of street system improvements have been developed in an attempt to achieve acceptable operating conditions throughout the roadway system with the projected future traffic volumes.

This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.6-1(a)** through **4.6-1(o)** will reduce the impacts to less than significant.

A review of projected daily and peak-hour traffic volumes on the proposed internal roadways serving the proposed Project Site indicates that each of the streets would be adequate to accommodate the projected traffic volumes, as well as non-motorized traffic, at good levels of service with two through lanes (one in each direction).

This is a less-than-significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.6-2(a)** through **4.6-2(c)** will further reduce the impacts.

Design Hazard

Traffic volumes at some proposed Project Site access points intersections indicate that signalization will be required to maintain acceptable LOS. The projected peak-hour traffic volumes at the six Project access points were evaluated to determine the potential levels of service and to ascertain whether traffic signals would be warranted.

This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.6-3(a)** through **4.6-3(e)** will reduce the impacts to less than significant.

Emergency Access

The Project applicant is assisting the Town in completing the existing and emergency access roadway system. A new internal access road would be created for the Project Site. The internal roadway would be privately owned and maintained, and would provide residential and emergency access. Emergency vehicles would circulate through the Project area using the internal roadway.

Fire lanes, turning radii and back up space around the buildings would be designed in cooperation with local officials so as to be adequate for emergency and fire equipment vehicles. Pavements would be designed to support loads created by emergency vehicle traffic. Standpipe and fire suppression systems connections would be incorporated into architectural and landscaping design elements where practical and in location accessible to fire equipment.

This is a less-than-significant impact.

Mitigation Measures

The following mitigation measures were included in the Certified EIR to reduce impacts related to transportation:

Transportation Mitigation Measures	
4.6-1(a)	The project shall be required to contribute "in lieu" fees if transit system improvements are not implemented by the Town. It is anticipated that the continued need for certain roadway improvements and the level of developer financial participation in support of an improved transit system would be determined by the upcoming transit system study.
4.6-1(b)	Minaret Road (Main Street/Lake Mary Road to south of Old Mammoth Road) - Dedicate and widen Minaret Road between Main Street/Lake Mary Road and a point just south of Old Mammoth Road to provide four travel lanes plus the necessary snow storage easement. This improvement is consistent with the designation of Minaret Road as an arterial in the Town General Plan.
4.6-1(c)	Old Mammoth Road (Main Street to south of Chateau Road) - Restripe or widen Old Mammoth Road between Main Street and a point just south of Chateau Road to provide four travel lanes, and maintain the existing continuous left-turn lane. This improvement is consistent with the designation of Old Mammoth Road as an arterial in the Town General Plan
4.6-1(d)	Lake Mary Road (Main Street to Lakeview Road) - Widen Lake Mary Road between Main Street and Lakeview Road to provide four travel lanes. The outer westbound through lane within this road segment would become a forced right- turn lane at the intersection with Lakeview Road
4.6-1(e)	Main Street (Sierra Boulevard to Minaret Road) - Widen and restripe Main Street between Sierra Boulevard and Minaret Road to provide a two-way continuous left-turn lane in the median (consistent with the existing two-way continuous left-turn lane east of Sierra Boulevard).
4.6-1(f)	Minaret Road/Forest Trail - In addition to the traffic signal and other improvements proposed as part of the North Village Specific Plan circulation plan, widen Minaret Road just north of Forest Trail to provide two southbound lanes, resulting in one exclusive left-turn lane, one through lane, and a shared through/right-turn lane on the southbound Minaret approach to Forest Trail. Also, eliminate the constant eastbound right-turn arrow for traffic turning from eastbound Forest Trail to southbound Minaret which is proposed as part of the North Village Specific Plan circulation plan.
4.6-1(g)	Lakeview Road/Lake Mary Road - In conjunction with the recommended widening of Lake Mary Road as described above, the following localized intersection improvements are required: widen or restripe the eastbound Lake Mary Road approach to provide one exclusive left-turn lane and one through lane (the second eastbound through lane recommended as part of the Lake Mary Road widening east of Lakeview Road would begin at Lakeview Road); widen the westbound Lake Mary Road approach to provide one through lane and one exclusive right-turn lane (the second westbound

Transportation Mitigation Measures	
	through lane recommended as part of the Lake Mary Road widening east of Lakeview Road would terminate as the forced right-turn lane at Lakeview Road); and formally stripe the southbound approach Lakeview Road approach to provide one exclusive left-turn lane and one shared left/right-turn lane. These improvements will be in addition to the installation of a traffic signal and grade reconstruction proposed as part of the North Village Specific Plan circulation plan
4.6-1(h)	Minaret Road/Main Street/Lake Mary Road - Widen the northbound Minaret approach to provide an exclusive right-turn lane. Restripe the southbound approach and northbound departure to provide the following configuration on the southbound Minaret approach: two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane. Restripe the westbound approach and eastbound departure to provide a second left-turn lane on the westbound Main approach. Also, modify the signal phasing to provide left-turn protected phases on the north and south approaches which will replace the existing split phasing on these approaches.
4.6-1(i)	Sierra Boulevard/Main Street - Restripe Main Street to provide a left-turn lane on the eastbound approach (in conjunction with the recommended widening of Main Street to provide a two-way continuous left-turn lane between Sierra Boulevard and Minaret Road as described above). This will remove turning vehicles from the through traffic lanes and thus improve the overall operation of the intersection. However, installation of a traffic signal is not recommended, as the cumulative traffic volumes do not satisfy signal warrants, and the projected poor level of service would be experienced only by stop-controlled vehicles waiting to turn left from Sierra onto Main.
4.6-1(j)	Old Mammoth Road/Main Street - Restripe the northbound and eastbound approaches to provide the following configurations: one exclusive left-turn lane and one shared left/right-turn lane on the northbound Old Mammoth approach; one through lane, one shared through/right-turn lane, and one exclusive right-turn lane on the eastbound Main approach.
4.6-1(k)	Minaret Road/Meridian Boulevard - In conjunction with the recommended widening of Minaret Road to four through lanes as described above, the following localized intersection improvements will be required: widen both the northbound and southbound Minaret approaches to provide one exclusive left-turn lane, one through lane, and one shared through/right-turn lane on each approach; and widen and/or restripe the eastbound approach Meridian to provide an exclusive right-turn lane. These improvements will be in addition to the exclusive left-turn lanes on the eastbound and westbound Meridian approaches and installation of a traffic signal programmed for implementation by the Town of Mammoth Lakes.
4.6-1(l)	Mono Street/Meridian Boulevard - Widen and restripe Meridian Boulevard to provide left-turn lanes on both the eastbound and westbound approaches (consistent with the two-way continuous left-turn lane proposed for Meridian Boulevard as a project access improvement in Chapter VI). This will remove turning vehicles from the through traffic lanes and thus improve the overall operation of the intersection. However, installation of a traffic signal is not recommended, as the cumulative traffic volumes do not satisfy signal warrants, and the projected poor level of service will be experienced only by stop-controlled vehicles waiting to turn left from Mono onto Meridian.
4.6-1(m)	Old Mammoth Road/Meridian Boulevard - In conjunction with the recommended widening of Old Mammoth Road as described above, the following localized intersection improvements will be required: restripe the southbound Old Mammoth approach to provide one exclusive left-turn lane, one through lane, and one shared through/right-turn lane; and widen the northbound Old Mammoth approach to provide two exclusive left-turn lanes, one through lane, and one shared through/right-turn lane.
4.6-1(n)	Minaret Road/Chateau Road - In conjunction with the recommended widening of Minaret Road as described above, the following localized intersection improvements will be required: stripe the northbound Minaret approach to provide one through lane and one shared through/right-turn lane; widen the southbound Minaret approach to provide one exclusive left-turn lane and two through

Transportation Mitigation Measures	
	lanes; restripe the westbound Chateau approach to provide an exclusive left-turn lane and a shared left-turn/right-turn lane; and install a two-phase traffic signal (the cumulative traffic volumes satisfy traffic signal warrants).
4.6-1(o)	Old Mammoth Road/Chateau Road - In conjunction with the recommended widening of Old Mammoth Road as described above, the following localized intersection improvements will be required: restripe the southbound Old Mammoth approach to provide one exclusive left-turn lane, one through lane, and one shared through/right-turn lane; widen the northbound Old Mammoth approach to provide one exclusive left-turn lane, one through lane, and one shared through/right-turn lane; and install a two-phase traffic signal (the cumulative traffic volumes satisfy traffic signal warrants).
4.6-1(p)	Minaret Road/Old Mammoth Road - In conjunction with the recommended widening of Minaret Road as described above, the following localized intersection improvements will be required: widen the northbound Minaret approach to provide one exclusive left-turn lane, one through lane and one shared through/right-turn lane; widen the southbound Minaret approach to provide one exclusive left-turn lane, two through lanes and one exclusive right-turn lane; widen the westbound Old Mammoth approach to provide two exclusive left-turn lanes, one through lane and one exclusive right-turn lane; widen the eastbound Old Mammoth approach to provide one exclusive left-turn lane, one through lane, and one exclusive right-turn lane; and install a traffic signal with overlapping left- turn phasing on the Old Mammoth approaches (the cumulative traffic volumes satisfy traffic signal warrants).
4.6-2(a)	Each of the internal roadways providing access to the Lodestar Project site should be constructed to two-lane collector street standards.
4.6-2(b)	The proposed internal cul-de-sacs shall be constructed to two-lane local street standards.
4.6-2(c)	Facilities for pedestrians and bicycle traffic shall be provided. In addition, internal access and circulation for transit facilities shall be provided. These shall be consistent with the policies of Mammoth Lakes Policies 2C-4 and 2C-6 of the Town of Mammoth Lakes and Recreation Element of the General Plan.
4.6-3(a)	Traffic signals shall be installed at access numbers 1 and 2 onto Minaret Road (See Figure 4.6-2). Left-turn storage pockets shall be provided on the southbound Minaret approach to access number 1, and on both the northbound and southbound approaches to access number 2. Two approach (outbound) lanes and one departure (inbound) lane shall be provided on each access road. At access number 1, the outbound lanes shall be striped as one left-turn and one right-turn lane. At access number 2, the outbound lanes shall be striped as one left-turn lane and one shared through/right-turn lane. All roadway improvements shall be designed and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director
4.6-3(b)	The four access points onto Meridian Boulevard shall be controlled by stop signs on the project access approaches, with uncontrolled traffic flows along Meridian. Two approach (outbound) lanes and one departure (inbound) lane shall be provided on each access road, with the outbound lanes striped as one left-turn and one right-turn lane. All roadway improvements shall be designed and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director.
4.6-3(c)	Access number 6 (from Lodestar Area 3 to Meridian Boulevard) shall be aligned directly opposite the existing Joaquin Road, to form a four-way intersection rather than two slightly offset 'T" intersections. Through movements from the access road onto Joaquin Road shall be permitted from the right-most approach (outbound) lane on the access road. All roadway improvements shall be designed and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director.
4.6-3(d)	Access number 5 (from Areas 2 and 4 to Meridian Boulevard) shall be located as close as possible to the midpoint between Minaret Road and Joaquin Road/access number 6, to maximize the spacing

Transportation Mitigation Measures	
	between the three adjacent intersections. All roadway improvements shall be designed and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director.
4.6-3(e)	Meridian Boulevard, along the entire proposed Project frontage shall be widened to provide a two-way continuous left-turn lane, thus providing left-turn storage on Meridian Boulevard at each of the proposed project access roads (access numbers 3, 4, 5 and 6), as well as at the existing intersections of Meridian Boulevard with Villa Vista Drive, Joaquin Road, Lupin Street, Mono Street and Manzanita Road. All roadway improvements shall be designed and constructed in accordance with Town of Mammoth Lakes roadway standards, subject to approval of the Public Works Director.
Lodestar at Mammoth Final EIR, MMRP.	

4.16.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

Conflicting with Plans, Programs, Ordinances, or Policies

The Project does not propose any changes to the zoning or land use designation for the Project Site, and therefore, the Project's impacts with respect to transportation were accounted for within the analysis contained in the Certified EIR.

The Project would not impede development of Town-wide pedestrian network improvements. The Mobility Element identifies the eastern boundary of the Site as an existing multi-use path (routes for pedestrian and bicycle recreation and commuting).[67] The Project would extend Callahan Way and realign the multi-use path to continue from Main Street to Dorrance Avenue.

The Project would not impede development of Town-wide bicycle network improvements. The Mobility Element identifies the Main Street as a year-round transit route.[68] The Project would extend Callahan Way and realign the multi-use path to continue from Main Street to Dorrance Avenue.

The Project would not impede development of Town-wide transit network improvements. The Mobility Element identifies the eastern boundary of the Site as an existing Class-I multi-use path (routes for pedestrian and bicycle recreation and commuting).[69] The would not affect this.

The Project would not conflict with adopted policies, plans, or programs supporting alternative transportation and impacts would be less than significant.

The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

---

[67] Mammoth Lakes, Mobility Element, 2016, Figure 3-3, Pedestrian Network: https://www.townofmammothlakes.ca.gov/DocumentCenter/View/6510/Final-Mobility-Element_12-7-16?bidId=

[68] Mammoth Lakes, Mobility Element, 2016, Figure 3-4, Bicycle Network: https://www.townofmammothlakes.ca.gov/DocumentCenter/View/6510/Final-Mobility-Element_12-7-16?bidId=

[69] Mammoth Lakes, Mobility Element, 2016, Figure 3-5, Transit Network: https://www.townofmammothlakes.ca.gov/DocumentCenter/View/6510/Final-Mobility-Element_12-7-16?bidId=

VMT

See **Table 4.16-1** for the trip generation.

Table 4.16-1
Trip Generation

Land Use	Quantity	ITE Code	Daily Rate	Daily Trips
Residential	33 units	221	5.44 / unit	179.52
Institute of Transportation Engineers, ITE Trip Generation Manuel, 10th Edition. In the 10th edition, apartments and condominiums/townhomes have been combined under the same umbrella of multifamily housing. Multifamily housing is broken up into: #220 – Multifamily Housing (Low-Rise) – containing one or two floors #221 – Multifamily Housing (Mid-Rise) – containing three to ten floors #222 – Multifamily Housing (High-Rise) – containing more than ten floors				

SB 743, made effective in January 2014, required the Governor's Office of Planning and Research to change the CEQA Guidelines regarding the analysis of transportation impacts. Under SB 743, the focus of transportation analysis shifts from driver delay (level of service [LOS]) to VMT, with the intent of reducing greenhouse gas emissions (GHG), creating multimodal networks, and promoting mixed-use developments.

The Town adopted a VMT threshold of significance for purposes of analyzing transportation impacts under CEQA at its December 2, 2020 Council Meeting.[70] As permitted by SB743, the Town is recommending screening out certain projects from needing a complete VMT analysis. The purpose of this step is to determine if a presumption of a non-significant transportation impact can be made on the facts of the project. The guidance in this section is primarily intended to avoid unnecessary analysis and findings that would be inconsistent with the intent of SB 743.

A detailed CEQA transportation analysis will not be required for land use elements of a project that meet a screening criteria shown in **Table 4.16-2.** Two possible screening criteria were explored:

[70] Mammoth Lakes, Council Meeting, December 2, 2020, Item 10: https://pub-townofmammothlakes.escribemeetings.com/Meeting.aspx?Id=68120742-5d1b-260b-8f64-aceacb092508&Agenda=Agenda&lang=English#

Table 4.16-2
Screening Criteria

Screening Criteria	Guidance
Small Projects[1] This applies to projects with low trip generation per existing CEQA exemptions. Note that this includes any land use type (residential, office, open space, neighborhood parks, etc.)	Presumed to cause a less-than-significant impact: • Project generation is less than 110 trips per day per the ITE Manual or other acceptable source determined by Town of Mammoth Lakes Unless: • It is inconsistent with the General Plan as determined by the Town of Mammoth Lakes
Map-Based Screening[2] This method eliminates the need for complex analyses, by allowing existing VMT data to serve as a basis for the screening smaller developments. Note that screening is limited to residential and employment-based-projects utilizing the maps.	Presumed to cause a less-than-significant impact: • Area of development is under threshold as shown on screening map as allowed by the Town of Mammoth Lakes. Note that screening maps for residential and employment based VMT projects are provided in Appendix B. Unless: • The project represents significant growth as to substantially change regional travel patterns as determined by the Town of Mammoth Lakes
Draft SB 743 Orientation Guidelines, November 24, 2020, Exhibit 2 – Screening Criteria https://pub-townofmammothlakes.escribemeetings.com/filestream.ashx?documentid=11094 [1] 2018 OPR Guidance, page 12 [2] Map-Based Screening is appropriate for projects where the primary source of VMT is related to residential or employment-based VMT. Office of Planning and Research (OPR), Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018.	

First, the Small Projects screening was analyzed to determine if the Project complied with the Guidance. The trip generation was calculated and determined to exceed the trip generation threshold.

Second, the Map-Based screening was analyzed to determine if the Project complied with the Guidance. The residential trip length map was reviewed and determined that the area of development is within an area that would be 15% or more below the Mono County average for residential commute trip length (home-based). Therefore, the Project, as a residential development, is screened out. The non-significant process of transportation assessment is complete.

Therefore, the Project will not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Design Hazard

Temporary impacts to pedestrian safety could occur during construction. Safety measures will be implemented during construction of the Project to ensure the safety of pedestrians and other vehicles in general, as the construction area could create hazards of incompatible/slow-moving construction and

haul vehicles. The Project developer will install appropriate construction related traffic signs and fencing around the Project Site to ensure pedestrian and vehicle safety. Therefore, no impacts will occur.

The Project does not include any sharp curves, dangerous intersections, or incompatible uses. No off-site traffic improvements are proposed or warranted in the area surrounding the Project Site.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Emergency Access

The Project's internal circulation will be designed to meet all applicable Building Code and Fire Code requirements regarding site access, including providing adequate emergency vehicle access both during construction as well as after completion of the Project. The Project also will not include the installation of barriers that could impede emergency vehicle access both during and post-construction.

Drivers of emergency vehicles are also trained to utilize center turn lanes, or travel in opposing through lanes (on two-way streets) to pass through crowded intersections or streets. Accordingly, the respect entitled to emergency vehicles and driver training allows emergency vehicles to negotiate typical street conditions. As such, emergency access to the Project Site and surrounding area will be maintained both during and post-construction. Therefore, the Project will not result in inadequate emergency access during construction or operation, and, as such, impacts to emergency access during construction and operation of the Project will be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Mitigation Measures

The analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to transportation, and the Project will not be required to implement mitigation measures from the Certified EIR:

The following mitigation measures are not applicable to the Project:

> **4.6-1(a)** is not applicable as mitigation to the Project because new development is required to either pay mitigation fees that will fund capital improvement projects and programs or directly provide the necessary capital improvements and programs. As a matter of law, regulatory compliance is not mitigation. The transit system improvements have been implemented by the Town. Both the Mammoth Lakes Transit Plan and Eastern Sierra Transit Authority Transit Plan (April 2016). Since the preparation of these plans, a number of the recommendations have been implemented and transit routes are annually refined. The Mobility Element (December 2016) establishes existing conditions for transit service, and provides additional recommendations that will guide future updates of the Town's transit plans.
>
> **4.6-1(b), 4.6-1(j),** and **4.6-3(b)** are not applicable to the Project because they have been completed.

4.6-1(c), 4.6-1(m), 4.6-1(o) not applicable to the Project because the redesign of Old Mammoth Road negated these mitigation measures.

4.6-1(d) through **4.6-1(g)**, and **4.6-1(h)** not applicable to the Project because they were revised by the North Village Specific Plan.

4.6-1(i), 4.6-1(k), 4.6-1(l), and **4.6-1 (n)** are not applicable to the Project because they are already proposed in the Master Plan and the Project would not preclude their completion, in coordination with the Mobility Element. In addition, SB 743 shifted the analysis from driver delay (LOS) to VMT.

4.6-1(p) is not applicable to the Project because it was superseded by the Snowcreek Master Plan Update EIR traffic mitigation measures.

4.6-2(a) is not applicable to the Project. Per the TTM, there is a minimum of 40 feet roadway easement width and a 26 foot pavement width. This would allow an internal roadway to be constructed to Local – Shared Streets standards, which is a street that is not wide enough to accommodate separate zones for people walking, bicycling, parking, or driving. This is consistent with Callahan Way from Main Street into the Site and the roadway to Obsidian development from Meridian Boulevard, per the Mobility Element.

4.6-2(b) is not applicable to the Project because no cul-de-sac is proposed.

4.6-2(c) is not applicable to the Project because the Site is proposed to have a Local – Shared Streets standards, which is a street that is not wide enough to accommodate separate zones for people walking, bicycling, parking, or driving. This is consistent with Callahan Way from Main Street into the Site and the roadway to Obsidian development from Meridian Boulevard, per the Mobility Element.

4.6-3(a) is not applicable to the Project because it is tied to the hotel development.

4.6-3(c) is not applicable to the Project because it was never constructed and considered not applicable, per the MMRP.

4.6-3(d) is not applicable to the Project because Obsidian Drive was completed with Tallus development (Obsidian residences) is this access point.

4.6-3(e) is not applicable to the Project because it was superseded by the Meridian Boulevard redesign.

These mitigation measures are not applicable to the Project due to the inapplicable Site (Development Area 2 and not the golf course), inapplicable program (residential, and not the hotel or golf course), changes to the setting (growth of vegetation, completed golf course or road, or urban development), or included to align with Town's Municipal Code or other applicable regional or state regulatory measure. Thus, these mitigation measures are not necessary to this Project to mitigate a significant impact, and removal of these mitigation measures will not allow a new significant impact to occur or increase the

severity of a significant impact. (*Mani Bros. Real Estate Group .v City of Los Angeles* (2007) 153 CA4th 1385, 1388.)

4.16.3 Any New Circumstances Involving New Impacts or Substantially More Severe Impacts?

The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what was analyzed in the Certified EIR.

4.16.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance that has become available relative to transportation impacts. No substantial changes in the environment related to transportation have occurred since certification of the Certified EIR, and no substantial new significant traffic sources have been identified within the vicinity of the Project that will result in new or more severe significant environmental impacts related to transportation.

4.16.5 Mitigation Measures Addressing Impacts

As stated above, the Certified EIR provided **Mitigation Measures 4.6-1(a)** through **4.6-3(e)** to address impacts with respect to transportation of the Master Plan.

The analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to transportation, and the Project will not be required to implement mitigation measures from the Certified EIR:

4.16.6 Conclusion

Based on the above, no new significant transportation impacts or a substantial increase in previously identified transportation impacts will occur as a result of the Project. Therefore, the impacts to transportation as a result do not meet the standards for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 or CEQA Guidelines, Section 15162.

4.17 Tribal Cultural Resources

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
TRIBAL CULTURAL RESOURCES:					
(a) Would the project 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, please, 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:					
(i) Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	No determination	No	No	No	No
(ii) 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?	No determination	No	No	No	No

4.17.1 Impact Determination in the Certified EIR

AB 52 went into effect on July 1, 2015, and requires that for a project for which a Notice of Preparation (NOP) for a Draft EIR was filed on or after July 1, 2015, the lead agency is required to consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if: (1) the tribe requested to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area; and (2) the tribe requests consultation, prior to the

release of a negative declaration, mitigated negative declaration or environmental impact report for a project.

The NOP for the Master Plan's EIR was released on January 9, 1990, and therefore, the lead agency was not required to comply with the requirements of AB 52.

If archaeological resources (including tribal cultural resources) are discovered during excavation, grading, or construction activities, work will cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Personnel of the Project will not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project Site. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Therefore, with required compliance with all applicable regulatory measures and practices, impacts would be less than significant.

4.17.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

Existing regulations protect the discovery of archaeological resources. AB 52 consultation does not apply to the Addendum because it was not effective law and therefore not applicable at the time of the Certified EIR. Therefore, it is not required as part of the Addendum and the Town is not obliged to conduct consultation. However, the Town will impose a standard condition of approval on the Project as described below. This would ensure that any potential discovery is protected and processed in a consistent method.

Condition of Approval for Tribal Cultural Resources

- In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the Project Site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below.

- Upon a discovery of a potential tribal cultural resource, the Project applicant shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the Town that they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Town.

- If the Town determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the Town shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project applicant and the Town regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.

- The Project applicant shall submit a tribal cultural resource monitoring plan to the Town that includes all recommendations from the Town and any affected tribes. The Project Applicant shall not be allowed to recommence ground disturbance activities until this plan is approved by the Town.
- If the Project applicant does not accept a particular recommendation, the Project applicant may request mediation by a mediator agreed to by both the Project applicant and the Town who has the requisite professional qualifications and experience to mediate such a dispute. The Project applicant shall pay any costs associated with the mediation.
- The Project applicant may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by a culturally affiliated tribal monitor and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the Eastern Information Center (EIC) at University of California, Riverside.

4.17.3 Any New Circumstances Involving New Impacts or Substantially More Severe Impacts?

There are no substantial changes to the circumstances under which the Project will be undertaken that would result in new or more severe significant impacts, and there is no new information of substantial importance that has become available relative to tribal cultural resources. No substantial changes to tribal cultural resources have occurred since certification of the EIR, and no substantial new changes in tribal cultural resources have been identified within the vicinity of the Project that will result in new or more severe significant environmental impacts.

4.17.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified related to one or more significant effects related to tribal cultural resources not discussed in the Certified EIR, significant effects related to tribal cultural resources previously examined that will be substantially more severe than shown in the Certified EIR, or of mitigation measures previously determined to be infeasible which have now been determined to be feasible.

4.17.5 Mitigation Measures Addressing Impacts

The analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to tribal cultural resources.

4.17.6 Conclusion

Based on the above, no new significant tribal cultural resources or a substantial increase in previously identified tribal cultural resources will occur as a result of the Project. Therefore, the impacts to tribal cultural resources as a result do not meet the standards for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 or CEQA Guidelines, Section 15162.

4.18 Utilities and Service Systems

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
UTILITIES AND SERVICE SYSTEMS: Would the project:					
(a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities or expansion of existing facilities, the construction of which could cause significant environment effects?	Less Than Significant w/ Mitigation	No	No	No	Yes
(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	Less Than Significant w/ Mitigation	No	No	No	Yes
(c) 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?	Less Than Significant w/ Mitigation	No	No	No	Yes
(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less Than Significant w/ Mitigation	No	No	No	Yes
(e) Comply with federal, state and local management and reduction statutes and regulations related to solid waste?	Less Than Significant	No	No	No	No

4.18.1 Impact Determination in the Certified EIR

Water

The Mammoth County Water District (MCWD) reports that the proposed Project, exclusive of the golf course development, would have an estimated total water demand of 450,000 gallons per day, which is equivalent to 504 acre-feet per year, approximately the same amount of water which would be used by 2,000 single-family residences. The most recent data available to MCWD indicates that there is approximately 3,400 acre-feet of water available on an annual basis to serve existing community needs.

Total water demand for 1989 amounted to 2,746 acre-feet. The water regime for the Lodestar Golf Course would consist of a main upper lake and a main lower lake serviced with reclaimed water, with other smaller lakes and streams interconnected to these main lakes. The 2.75-acre upper lake is proposed to serve as a reservoir for irrigation of golf course holes 1 through 4 and 17 and 18 (totaling 20 acres), as well as for hotel landscaping purposes. The 1.5-acre lower lake is proposed for irrigation of the balance of the golf course (holes 5 through 16, totaling 52 acres).

The water needs for the proposed golf course amounts of 54 million gallons annually (165.7 acre-feet), averaging 395,000 gpd for 137 days of irrigation. These figures are based on 8 hours of operation a day, 6 days a week for the 72 acres to be irrigated. Since Project-generated water demand can be met with the existing available supply and MCWD has available groundwater supplies which can be utilized to meet future projected demand under General Plan buildout, the Project would have a less-than-significant impact. However, this assumes the prompt development of the Dry Creek wells. The Project operations would have to comply with all MCWD water conservation restrictions. The development portion of the Project would create a total annual community water demand of 3,250 acre-feet, which is 150 acre-feet less than the current available supply.

This is a less-than-significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.5-1(a)** through **4.5-1(e)** are recommended for conservation purposes.

Wastewater

Construction and operation of any sewage lines connecting with the MCWD facilities are contingent upon obtaining a Sewer Permit from the MCWD District Manager in accordance with Division 5 of the MCWD Sanitary Sewer Service Code. The proposed Project is anticipated to generate a total of approximately 346,750 gallons of wastewater per day, made up of 236,250 gpd from residential uses, 8,000 gpd from the retail space, 82,500 gpd from the hotel rooms (based upon full occupancy), and 20,000 gpd from the restaurants. The MCWD has adequate treatment capacity for Project-generated wastewater flows.

This is a less-than-significant impact. The Certified EIR determined that implementation of **Mitigation Measure 4.5-2** will further reduce the impacts.

Water Drainage

The Project will increase the amount of impervious surface, which would result in increased surface runoff from the Site. This is further discussed in Section 4.10 (Hydrology and Water Quality, above). The Lahonton RWQCB has specific requirements in the "Erosion Control Guidelines" to control drainage. In particular, retention facilities are required to be constructed. The Project includes the creation of several man-made lakes, which are able to fulfill this requirement if suitable design is undertaken. The increased amount of impervious surfaces associated with development of the Project would increase surface water runoff from the Project Site and could require infrastructure improvements.

This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.5-3(a)** and **4.5-3(b)** will reduce the impacts to less than significant.

Solid Waste

All solid waste collected in the Town is currently delivered to the landfill located approximately 5 miles east of the U.S. Highway 395/Benton Crossing Road intersection. This landfill is closing at the end of 2022. Beginning January 1, 2023, all waste collected in the Town will be sent to the Russell Pass Sanitary Landfill in Fallon, Nevada.[71] The Russell Pass Sanitary Landfill has an estimated closure date of November 1, 2103 and a remaining total disposal capacity of 12,814,049 cubic yards.[72]

The Project is anticipated to produce a total or 18,607 pounds of solid waste per day, made up or 5,670 pounds per day from all residences and 12,937 pounds per day from all commercial operations.

This is a potentially significant impact. The Certified EIR determined that implementation of **Mitigation Measures 4.5-4(a)** through **4.5-4(e)** will reduce the impacts to less than significant.

Electricity

SCE currently has the infrastructure in place to supply the Project demand. Development of the proposed Project is estimated to generate a demand for 28,500,000 kilowatt hours annually. This is a less-than-significant impact.

Telecommunications

Continental Telephone (ConTel) has the infrastructure in place to meet the Project demand. Based on Project descriptions, approximately 1,700 phone lines will be needed. This is a less-than-significant impact.

Mitigation Measures

The following mitigation measures were included in the Certified EIR to reduce impacts related to utilities:

Utilities Mitigation Measures	
4.5-1(a)	In the event that the Dry Creek wells are not developed in a timely fashion, development shall be deferred pending the availability of adequate water as determined by the Mammoth Community Water District (MCWD).
4.5-1(b)	Golf course water bodies and irrigation shall use reclaimed water to the fullest extent possible. If reclaimed water or domestic water is not available to allow for the water bodies as determined by MCWD, the water bodies shall be reduced in size to obtain MCWD approval or be eliminated in the final Project design. Approval by the County Health Department shall be obtained prior to final Project approval regarding the use of reclaimed water.
4.5-1(c)	Maximum feasible water conservation measures shall be used in all structures, including reuse and recycling of water, low-use water fixtures, and drought resistant landscaping
4.5-1(d)	The Project proponent shall contribute mitigation fees, as determined by MCWD, for any expanded facilities needed to serve the development.
4.5-1(e)	Landscaping shall be predominately native and drought resistant vegetation.
4.5-2	The Project shall comply with all requirements of MCWD regarding flow reduction and sewer system design and operations.

[71] Nevada Division of Environmental Protection, Bureau of Waste Management: https://ndep.nv.gov/uploads/land-waste-solid-fac-docs/russell-pass-landfill.pdf, accessed December 9, 2021.

[72] Nevada Division of Environmental Protection, Solid Waste Permitted Facility Summary: https://nvwastemanagementreports.ndep.nv.gov/PermittedFacilitySummary.aspx, accessed December 9, 2021.

Utilities Mitigation Measures	
4.5-3(a)	Drainage collectors, retention and infiltration facilities shall be constructed and maintained to prevent transport of the runoff from a 20-year, 1-hour storm from the proposed Project site.
4.5-3(b)	The requirements of the Lahonton RWQCB as specified in the "Erosion Control Guidelines" shall be met while construction is being undertaken and during project operation.
4.5-4(a)	Alternate methods of solid waste disposal, such as onsite compaction, shall be incorporated into the final Project design subject to the approval of the Mammoth Lakes Planning Department.
4.5-4(b)	All visible trash collection facilities and features of the development shall be designed to complement the Project design scheme.
4.5-4(c)	The Project applicant shall provide a recycling collection station or contract a solid waste disposal company which will offer a system of convenient recycling stations for Project residents. Placement and design shall be subject to the review and approval of the Planning Director.
4.5-4(d)	The Project applicant shall provide each residence with a divided cabinet suitable for aluminum cans, glass bottles, and plastic bottles.
4.5-4(e)	A portion of the golf course shall be reserved for the processing of green wastes generated by the golf course. The processing of green wastes shall be the responsibility of the golf course management for the life of the Project.
Lodestar at Mammoth Final EIR, MMRP.	

4.18.2 Do Proposed Changes Involve New Significant Impacts or Substantially More Severe Impacts?

The Project does not propose any changes to the zoning or land use designation for the Project Site, and therefore, the Project's impacts with respect to utilities were accounted for within the analysis contained in the Certified EIR.

Water

Water infrastructure development requirements are determined on a site-by-site basis as determined necessary to serve the needs of the project or as otherwise required by the Mammoth Community Water District. The Town is fully served with water infrastructure. The Mammoth Community Water District (MCWD) adopted an Urban Water Management Plan (UWMP) in May 2021.[73] The UWMP total water demand in 2020 is 2,024 acre-feet and projected to increase to 2,385 acre-feet in 2025, an increase of 361 acre-feet. Projections are based on the buildout of the General Plan by 2035.

MCWD also identified some deficiencies in sewer capacity during its 2005 connection fee study and several improvements/upgrades needed to the system including a new sewer trunk line along Meridian Boulevard from Old Mammoth Road to the treatment plant; increase in sewer line capacity along Center Street for Manzanita Road to Main Street; and a new relief sewer through The Parcel site. Collection of connection fees from future development would fund these improvements and ensure that they would not prove to be a constraint to future development.

The 2020 UWMP reviews specific water use metrics reported in MCWD's 2010 and 2015 UWMP to support the State's target of a 20% reduction in average per capita daily water demand by 2020. Key

[73] Mammoth Community Water District, Urban Water Management Plan, May 2021: https://mcwd.dst.ca.us/wp-content/uploads/2021/05/Final-2020-UWMP.pdf

water use metrics for meeting the Act's requirements include the base daily per capita water use, the compliance daily per capita use, and the interim per capita water use target. The base daily per capita water use was developed using a 10- and 5-year continuous record of water demand (MCWD records) and service area population (US Census data and DOF estimates). This data was then used to determine a base daily per capita water use, measured in gallons per capita per day (GPCD). Several methods were available to determine the compliance daily per capita use, or the 2020 target. In the 2010 and the 2015 UWMPs, MCWD chose to apply Method 1, a 20% reduction of the 10-year average GPCD or a 5% reduction from the 5-year record, whichever is lowest. The result for MCWD's base daily per capita water use is 181 GPCD. This result is higher than reported in the 2010 UWMP. Baseline population numbers used to develop the compliance target in the 2010 UWMP were decreased based on updated peak population estimates from the Town of Mammoth Lakes (Town). Changes to the base daily per capita water use resulted in developing new compliance targets. The 2015 interim per capita water use target was 163 GPCD and the 2020 compliance daily per capita water use is 145 GPCD. MCWD met the 2015 interim per capita water use target with a GPCD use of 94.

The ten-year baseline demonstrates a steadily declining per capita water demand. Per capita water use declined approximately 33% over the baseline period due to a combination of a 70% decrease in water distribution system losses and demand management (conservation) measures. Between 2010 and 2015, per capita water demand dropped 29%. Based on the compliance methodology established by DWR, the District met the 2015 interim daily per capita water use target. The baseline data applies gross water use as all treated and raw water delivered to customers and water losses in the distribution system. Water treatment plant process water losses (such as filter backwash) and recycled water used for irrigation are excluded from gross water use.

Gross water production and use data was developed from effluent meters at the District's four water treatment facilities, meters on production wells supplying raw water for direct distribution to irrigation users, and customer meter billing data. Population data for this analysis relied on federal census data and estimates developed by the State of California Department of Finance for non-census years, Town peak population estimates, and transient occupancy rates. Since 2015 visitation to the service area increased, resulting in modification to the equation utilized to determine the service area's "effective population".[74]

MCWD met the 145 GPCD compliance target for 2020 with a GPCD use of 94. The District will continue its demand management and conservation efforts as an integral part of its water supply strategy to ensure future per capita water use remains below the compliance daily per capita use of 145 GPCD.

As shown on **Table 4.18-1, Project Estimated Water Demand**, it is estimated the Project will demand a total of approximately 0.96 acre-feet. The Project's water consumption increase will be met within the remaining approximately capacity of the MCWD per the UWMP.

[74] Mammoth Community Water District, Urban Water Management Plan, May 2021: https://mcwd.dst.ca.us/wp-content/uploads/2021/05/Final-2020-UWMP.pdf

Table 4.18-1
Project Estimated Water Demand

Land Use	Size	Water Demand Rates	Total		
			Gallons / day	Gallons / year	Acre-feet / year
Per Capita	91 persons	94 gallons / capita / day	8,554	312,210	0.96

gpd = gallons per day, 1 acre-feet = 325,851 gallons
Mammoth Community Water District, Urban Water Management Plan, May 2021. MCWD met the 145 GPCD compliance target for 2020 with a gallons per capita per day use of 94.
Table: CAJA Environmental Services, September 2021.

The UWMP forecasts water demand by estimating baseline water consumption by use (single family, multi-family, commercial/government, industrial), then adjusting for projected growth of different uses based on buildout of the General Plan and population projections from the California Department of Finance. The UWMP demonstrates adequate capacity currently and future capacity to accommodate City growth into which the Project would easily fit.

The existing water system infrastructure would not be able to deliver proposed demand at the Project Site due to piping constraints. The water pipelines are constructed of either steel, ductile iron pipe (DIP), or polyvinyl chloride (PVC). The MCWD has worked with design engineers associated with the existing Lodestar Master Plan developments and the Project development to ensure that the future design of development constructed under the Project would be sufficient to meet expected water demands.

The Municipal Code contains detailed water-efficient landscape requirements. The purpose of Chapter 17.40 (Water Efficient Landscape Regulations), is to (a) implement the Water Conservation in Landscaping Act; (b) reduce water waste in landscaping by promoting the use of region- appropriate plants that require minimal supplemental irrigation, and by establishing standards for irrigation efficiency; (c) establish a structure for designing, installing and maintaining water efficient landscapes; and (d) promote the effective and efficient irrigation of landscapes. Under Chapter 17.40, among other regulations, plants must be selected according to their adaptability to the climatic, geologic and topographical conditions of Mammoth Lakes. Native species and natural areas are to be protected and preserved to the extent possible. Plants having similar water use should be grouped together by hydrozone and landscape area shall use efficient water conservation practices and shall generally separate areas of similar slope, sun exposure, soil, and other site conditions appropriate for the selected plants.

Construction impacts associated with the installation of water distribution lines would primarily involve trenching in order to place the water distribution lines below surface and would be limited to on-site wastewater distribution, and minor off-site work associated with connections to the public main. Extension of utilities and connections at the Site are understood to occur within developed areas. The Site is surrounded on the north south and east sides by similar development that all required utilities connections. Minimal disruption of vehicles and pedestrians during construction would be facilitated with flagmen and alternate routes if necessary. Construction activities associated with upsizing and/or connection to existing lines would not result in significant impacts as the construction activities would be temporary. Emergency vehicle access would be maintained. This disruption would be minimal and temporary and would cease with the ending of that specific phase of construction.

The Project will connect to an existing water line at Callahan Way which feeds into a 12-inch line along Main Street. The new water line will follow underneath the new paved roadway with 2-inch lateral lines under the driveways of each structure. This will follow south to the existing connections at Dorrance Avenue.[75] As such, new or expanded water lines beyond these would not be needed to convey water to the Project Site. Impacts related to water infrastructure would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Wastewater

Wastewater is collected at the MCWD Wastewater Treatment Plant (WWTP) located at the MCWD main facility. The WWTP has a design average daily flow of 4.1 million gallons. It treats wastewater through preliminary, primary, and secondary treatment processes and discharges disinfected secondary treated effluent for disposal at Laurel Pond, which is located approximately 5½ miles southeast of Mammoth Lakes on USFS land. Laurel Pond is a terminal surface water feature that, prior to initiation of treated effluent discharge, dried up during sustained drought periods. MCWD has an obligation to maintain a minimum of 18 acres of water surface area at Laurel Pond as a mitigation measure for the recycled water project. During the summer months, the District also delivers disinfected tertiary recycled water to two local golf courses and a trucked recycled water program for construction use.1,259 acre-feet of wastewater was treated by MCWD in 2020. The slight mismatch between the total wastewater treated and the sum of discharged treated wastewater and recycled water used in the service area is caused by the timing of treatment between two different calendar years (Christmas/New Year's holidays) when holding basins are used to even out flows to the WWTP. Golf course irrigation and construction uses utilized 193 acre-feet and 1,045 acre-feet of tertiary treated wastewater was discharged to Laurel Pond. The tertiary water that was not distributed in the service area was lost due to evaporation or was pumped back to the WWTP.[76]

There is adequate capacity in existing wastewater treatment facility to accommodate future housing development to meet the Town's RHNA during this planning period. To comply with SB 1087, Mammoth Lakes will forward the adopted Housing Element to water and wastewater providers so they can grant priority for service allocations to proposed developments that include units affordable to lower-income households.[77]

As shown on **Table 4.18-2, Project Estimated Wastewater Generation**, it is estimated the Project will generate a total of approximately 0.96 acre-feet. The Project's wastewater generation increase will be met within the remaining approximately capacity of the WWTP.

The RWQCB enforces waste discharge requirements for the MCWD's service area and WWTP. The Project Site is not served by a private on-site wastewater treatment system but instead conveys wastewater via municipal sewage infrastructure maintained by the MCWD. The MCWD wastewater

[75] Tentative Tract Map, Triad/Holmes Associates, January 17, 2022.
[76] Mammoth Community Water District, Urban Water Management Plan, May 2021: https://mcwd.dst.ca.us/wp-content/uploads/2021/05/Final-2020-UWMP.pdf
[77] Mammoth Lakes, Housing Element, 2019: https://www.townofmammothlakes.ca.gov/DocumentCenter/View/9756/Adopted-Mammoth-Lakes-2019-2027-HE

treatment plant is a public facility and therefore, is subject to the State's wastewater treatment requirements. Consequently, wastewater from the Project Site is, and would continue to be, treated according to the wastewater treatment requirements enforced by the LRWQCB. Therefore, the Project would not exceed wastewater treatment requirements. Impacts would be less than significant.

Table 4.18-2
Project Estimated Wastewater Generation

Land Use	Size	Water Demand Rates	Total		
			Gallons / day	Gallons / year	Acre-feet / year
Per Capita	91 persons	94 gallons / capita / day	8,554	312,210	0.96
gpd = gallons per day, 1 acre-feet = 325,851 gallons Mammoth Community Water District, Urban Water Management Plan, May 2021. MCWD met the 145 GPCD compliance target for 2020 with a gallons per capita per day use of 94. Wastewater generation is assumed to be consistent with water demand. Table: CAJA Environmental Services, September 2021.					

Construction impacts associated with the installation of water distribution lines would primarily involve trenching in order to place the water distribution lines below surface and would be limited to on-site water distribution, and minor off-site work associated with connections to the public main. Extension of utilities and connections at the Site are understood to occur within developed areas. The Site is surrounded on the north south and east sides by similar development that all required utilities connections. Minimal disruption of vehicles and pedestrians during construction would be facilitated with flagmen and alternate routes if necessary. Construction activities associated with upsizing and/or connection to existing lines would not result in significant impacts as the construction activities would be temporary. Emergency vehicle access would be maintained. This disruption would be minimal and temporary and would cease with the ending of that specific phase of construction.

The Project will connect to an existing sewer line at Callahan Way to the 8-inch pipe in Callahan Way for the San Joaquin Villas residences. The new sewer line will follow underneath the new paved roadway with 6-inch lateral lines under the driveways of each structure. This will follow south to the existing connections at Dorrance Avenue.[78] As such, new or expanded sewer lines beyond these would not be needed to convey water to the Project Site. Impacts related to sewer infrastructure would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Water Drainage

Storm drainage requirements are outlined in the Storm Drain Master Plan, and when determined necessary due to the intensity and/or type of proposed development.

[78] Tentative Tract Map, Triad/Holmes Associates, January 17, 2022.

As discussed in **Section 4.10**, above, the Project will increase the percentage of impervious surfaces within the Project Site due to an increase in structures and paving. Therefore, stormwater flows from the Project Site will increase with implementation of the Project.

Onsite storm drain facilities will be sized for the 20-year storm event. As expected, the increase in impervious area due to the proposed improvements increases the runoff rates. The increase in flow will be retained on-site. On-site drainage improvements will include inlets at low points, storm drain pipes, and swales as necessary that will be directed to on-site retention systems. An 8" pipe has enough capacity to convey 20-year flow of 1.23 cubic feet per second (cfs) at 1% grade.

Preliminary, two retention systems are proposed for the site. Approximately half of the site will drain to the retention system at the northern end of Callahan Way and the other half of the site will be contained in the system at the southern end of Callahan Way.[79] Therefore, impacts would be less than significant.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Solid Waste

The Mono County Environmental Health Department serves as the Local Enforcement Agency (LEA) for the solid waste facilities in Mono County. Mono County was designated and certified as the LEA in 1992 by the California Department of Resources Recycling and Recovery (CalRecycle) (which was then known as the California Integrated Waste Management Board (CIWMB).

County landfills are categorized as either Class III or unclassified landfills. Non-hazardous municipal solid waste is disposed of in Class III landfills, while inert waste such as construction waste, yard trimmings, and earth-like waste are disposed of in unclassified landfills.

Beginning January 1, 2023, all waste collected in the Town will be sent to the Russell Pass Sanitary Landfill in Fallon, Nevada.

Walker and Pumice Valley landfills have onsite Transfer Stations that accept municipal solid waste, recycling, and HHW for transport. The sites accept inert C&D in a separate area for quarterly burial and cover. The disposal rates and capacity of the landfills is shown in **Table 4.18-3**.

The landfills do not currently face capacity issues. The remaining daily capacity for the Pumice C&D landfill is estimated at approximately 98 tons per day.

Construction of the Project will generate minimal amounts of construction and demolition debris that will need to be disposed of at area landfills. Construction and demolition debris includes concrete, asphalt, wood, drywall, metals, and other miscellaneous and composite materials. California Assembly Bill (AB) 939, also known as the Integrated Waste Management Act, requires each city and county in the state to divert 50% of its solid waste from landfill disposal through source reduction, recycling, and composting.

[79] Drainage Analysis and Storm Water Quality Management Plan, Triad/Holmes Associates, February 2, 2021

Accordingly, much of this material will be recycled and salvaged. Materials not recycled will be disposed of at local landfills.

Table 4.18-3
Waste Disposal and Capacity

Landfill	Average Disposal Rate	Max Disposal Rate	Max Annual Disposal
Pumice Valley	12 tons / day	110 tons / day	n/a
Walker	1 ton / day	80 tons / day	500 tons / year
Russell Pass (Nevada)	Not available	580 tons / day	Not available
Mono County Integrated Waste Management Plan, January 2015: https://monocounty.ca.gov/sites/default/files/fileattachments/planning_division/page/4265/integrated_waste_management_plan_pc_11.12.15.pdf CalRecycle, Solid Waste Information System: https://www2.calrecycle.ca.gov/SolidWaste/Site/Search Nevada Division of Environmental Protection, Solid Waste Permitted Facility Summary: https://nvwastemanagementreports.ndep.nv.gov/PermittedFacilitySummary.aspx, accessed December 9, 2021. Mammoth Disposal Transfer Station Expansion Project, IS/MND, May 2021, Table 4.19-4: https://www.townofmammothlakes.ca.gov/DocumentCenter/View/11435/Mammoth-Transfer-Station_Public-Review-Draft-ISMND_05-10-21 Table: CAJA Environmental Services, December 2021.			

See **Table 4.18-4**, for the Project Demolition and Construction Waste Generation. Demolition and construction will generate approximately 253 tons of construction waste. Assuming 1.5 years of construction yields an average of 0.45 tons per day. This is a conservative estimate that does not include recycling efforts.

Table 4.18-4
Project Demolition and Construction Waste Generation

Building	Size	Rate	Total (tons)
Demolition Waste			
Residential	0	155 pounds / sf	0
Non-residential	0	173 pounds / sf	0
Asphalt	0	75 pounds / sf	0
Construction Waste			
Residential	115,600 sf	4.38 pounds / sf	253
Non-residential	0	3.89 pounds / sf	0
		Total	**253**

Table 4.18-4
Project Demolition and Construction Waste Generation

Building	Size	Rate	Total (tons)
Over the entire total schedule of construction. sf = square feet, 1 ton = 2,000 lbs Based on 173 pounds of nonresidential demolition per square foot. (Source: U.S. Environmental Protection Agency Report No. EPA530-98-010. Characterization of Building Related Construction and Demolition Debris in the United States, June 1998, Table A-3 and Table A-4, pages A-2 to A-3: https://www.epa.gov/sites/production/files/2016-03/documents/charact_bulding_related_cd.pdf U.S. EPA Report No EPA530-98-010, Characterization of Building Related Construction and Demolition Debris in the United States, June 1998. Applied generation rates are averages of empirical waste assessments of residential demolition, non-residential demolition, residential construction, and nonresidential construction waste streams in the United States. Using conservative amount. Based on 3.89 pounds of nonresidential construction and 4.38 lbs for residential construction per square foot. (Source: U.S. Environmental Protection Agency Report No. EPA530-98-010. Characterization of Building Related Construction and Demolition Debris in the United States, June 1998, Tables A-1 and A-2, page A-1: https://www.epa.gov/sites/production/files/2016-03/documents/charact_bulding_related_cd.pdf 1 cubic foot of asphalt weights 150 pounds. The asphalt at the site is assumed to be 6 inches thick. Table: CAJA Environmental Services, September 2021.			

This amount of construction waste will represent approximately 0.47% of the Pumice C&D landfill existing remaining disposal capacity of 98 tons per day. Since the County's unclassified landfill generally does not face capacity shortages, and the landfill will be able to accommodate Project-generated waste, construction of the Project will not result in the need for an additional disposal facility to adequately handle Project-generated construction-related waste.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

As shown on **Table 4.18-5, Project Estimated Solid Waste Generation**, it is estimated the Project will generate a total of approximately 404 pounds per day (0.2 tons) of solid waste.

Table 4.18-5
Project Estimated Solid Waste Generation

Land Use	Size	Solid Waste Generation Rates	Total (pounds)
Residential	33 units	12.23 pounds / day	404
		Total Increase	**404**
Note: 1 ton = 2,000 pounds. CalRecycle Solid Waste Generation Rates: https://www2.calrecycle.ca.gov/wastecharacterization/general/rates Table: CAJA Environmental Services, August 2021.			

In the Town's efforts to comply with AB 939, the Town has successfully diverted 38% of its waste from the local landfill through the Town's recycling program. The Project would be incorporated into the Town's recycling program. Thus, it is likely that the amount of solid waste generated by the Project that would go to the local landfills would be much less than the estimated approximately 404 pounds per day. The

Town's residential disposal rate target is 17.6 pounds per person per day (ppd). In 2019 (the last year reported), the Town's rate was 14.6 ppd.[80]

This amount of operation waste will represent approximately 0.03% of the Russell Pass Sanitary Landfill existing disposal capacity of 580 tons per day. Based on the above, the landfills that serve the Project Site have ample permitted capacity to accommodate the solid waste generated by the Project.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Electricity

Dry utilities (electrical service) are available throughout the Town for any future development or redevelopment. Southern California Edison (SCE) provides electrical power to Mammoth Lakes. Electrical service is available and will be provided in accordance with the SCE Rules and Regulations. Accordingly, operation of the Project will not result in an increase in demand for electricity that exceeds available supply or distribution infrastructure capabilities that could result in the relocation or construction of new or expanded electric power facilities, the construction and operation of which causes significant environmental effects.

The Site is within the SCE's Bobsled Circuit segment, with a line that runs from Main Street to Callahan Way to serve the San Joaquin villas.[81] The Project will connect to this.

The Site is in Climate Zone 1. Per CalEEMod default data for a single-family residence subject to Title 24, the electricity rate is 191.61 kilowatt-hours (KWhr) per dwelling unit.[82] With 33 units, the total is 6,323.13 KWhr. To put this number into perspective, the value is compared to SCE network demand of approximately 90 billion KWhr. The Project represents approximately 0.000007% of the SCE network demand.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Propane is also commonly used in Mammoth Lakes to fuel furnaces, water heaters, and stoves. AmeriGas and Eastern Sierra Propane both provide propane to Mammoth Lakes.

Telecommunications

The Project will require construction of new on-site telecommunications infrastructure to serve the new building and potential upgrades and/or relocation of existing telecommunications infrastructure. Construction impacts associated with the installation of telecommunications infrastructure primarily involve trenching in order to place the lines below surface. When considering impacts resulting from the installation of any required telecommunications infrastructure, all impacts are of a relatively short duration and cease to occur when installation is complete. Installation of new telecommunications infrastructure

[80] CalRecycle, Jurisdiction Diversion/Disposal Summary https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/JurisdictionDiversionPost2006

[81] Mono County, Public Safety Power Shutoff: https://monocounty.ca.gov/prepared/psps

[82] CalEEMod version 2020.4.0, Appendix D (Default Data Tables), Table 8.1.

at the Project Site will be limited to on-site telecommunications distribution and minor off-site work associated with connections to the public system. All on-site work will occur be within the overall Project construction activities, which have been analyzed above. No upgrades to off-site telecommunications systems are anticipated. Any work that may affect services to the existing telecommunications lines will be coordinated with service providers.

Verizon provides telephone service to the Town. It has the infrastructure in place to meet the Project demand. Based on Project description, approximately 33 phone lines will be needed. This is a less-than-significant impact.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

Mitigation Measures

The Project will implement, or at least not conflict with, the following mitigation measures from the Certified EIR:

> **4.5-3(a)** is applicable to the Project. The Project conducted a drainage analysis and stormwater quality management plan (Drainage Analysis and Storm Water Quality Management Plan, Triad/Holmes Associates, February 2, 2021) that provided a plan for runoff from a 20-year, 1-hour storm.
>
> **4.5-4(a)** is applicable to the Project. Alternative methods of solid waste disposal, such as onsite compaction, could be incorporated into the Project, subject to approval by the Town.
>
> **4.5-4(b)** is applicable to the Project. All visible trash collection facilities will be designed to complement the Project's design scheme.
>
> **4.5-4(c)** is applicable to the Project. The Project will provide a recycling collection station.
>
> **4.5-4(d)** is applicable to the Project. The Project will provide a way to collect aluminum cans, glass bottles, and plastic bottles.

The following mitigation measures are not applicable to the Project:

> **4.5-1(a)** is not applicable to the Project because it was resolved with the development of additional wells, per the MMRP.
>
> **4.5-1(b)** is not applicable to the Project because it does not include the golf course. Reclaimed water is used on the golf course and MCWD is responsible for its implementation.
>
> **4.5-1(c)** is not applicable as mitigation to the Project because the Project must comply with water conservation measures required by the Town's Municipal Code, which aligns with the mitigation measure. As a matter of law, regulatory compliance is not mitigation.

4.5-1(d) is not applicable as mitigation to the Project because the Project must comply with payment of mitigation fees to MCWD. As a matter of law, regulatory compliance is not mitigation.

4.5-1(e) is not applicable as mitigation to the Project because the Project must comply with Municipal Code Chapter 17.40 (Water Efficient Landscape Regulations), which requires landscaping to select plants appropriately based upon their adaptability to the climatic, geologic and topographical conditions of Mammoth Lakes. As a matter of law, regulatory compliance is not mitigation.

4.5-2 is not applicable as mitigation to the Project because the Project must comply with the requirements of MCWD. As a matter of law, regulatory compliance is not mitigation.

4.5-3(b) is not applicable as mitigation to the Project because the Project must comply with the requirements of the Lahonton RWQCB as specified in the "Erosion Control Guidelines". As a matter of law, regulatory compliance is not mitigation.

4.5-4(e) is not applicable to the Project because it does not involve the golf course.

These mitigation measures are not applicable to the Project due to the inapplicable Site (Development Area 2 and not the golf course), inapplicable program (residential, and not the hotel or golf course), changes to the setting (growth of vegetation, completed golf course or road, or urban development), or included to align with Town's Municipal Code or other applicable regional or state regulatory measure. Thus, these mitigation measures are not necessary to this Project to mitigate a significant impact, and removal of these mitigation measures will not allow a new significant impact to occur or increase the severity of a significant impact. (*Mani Bros. Real Estate Group .v City of Los Angeles* (2007) 153 CA4th 1385, 1388.)

4.18.3 Any New Circumstances Involving New Impacts or Substantially More Severe Impacts?

The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what were analyzed in the Certified EIR.

4.18.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance that has become available relative to utilities impacts. No substantial changes in the environment related to recreation have occurred since certification of the Certified EIR, and no substantial new significant resources have been identified within the vicinity of the Project Site that will result in new or more severe significant environmental impacts related to utilities.

4.18.5 Mitigation Measures Addressing Impacts

As stated above, the Certified EIR provided **Mitigation Measures 4.5-1(a)** through **4.5-4(e)** to address impacts with respect to utilities of the Master Plan.

While the analysis provided above demonstrates that implementation of the Project will not require any mitigation measures related to utilities, the Project will nevertheless implement **Mitigation Measures 4.5-3(a), 4.5-4(d)** through **4.5-4(d)** from the Certified EIR.

4.18.6 Conclusion

Based on the above, no new significant utility and service system impacts or a substantial increase in previously identified utility impacts will occur as a result of the Project. Therefore, the impacts to utilities and service systems as a result do not meet the standards for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 or CEQA Guidelines, Section 15162.

4.19 Wildfire

Issues (and supporting Information Sources)	Impact Determination in the Certified EIR	Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Circumstances Involving New Significant Impact or Substantially More Severe Impacts?	Any New Information Requiring New Analysis?	EIR's Mitigation Measures Addressing Impact
WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	Less Than Significant	No	No	No	No
(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	No determination	No	No	No	No
(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No determination	No	No	No	No
(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff post-fire slope instability, or drainage change?	No determination	No	No	No	No

4.19.1 Impact Determination in the Certified EIR

The Certified EIR did not discuss wildland fire as it was not required at the time the EIR was certified.

Regarding emergency response plans, the Certified EIR determined that implementation of the new Community Plan will not impair implementation of, or physically interfere with, the Emergency Response Plan. The Town's Safety Element of the General Plan was adopted addresses, among other issues, geologic hazards and seismic potential, and seismically related landslides on steep slopes with loose soils. An emergency response plan has been prepared in the event of volcanic activity. The plan is administered by the Mammoth Lakes Police Department. Administration and training of personnel involved in the emergency response plans for the Town is carried out by the Unified Command System. Members of the command meet at least once each calendar quarter to coordinate and participate in response exercises. Additional equipment and volunteers are being acquired to assist the command. Impacts would be less than significant.

Therefore, the Certified EIR concluded that implementation of the Master Plan will result in less than significant impacts related to emergency response plans.

4.19.2 Does the Project Involve New Significant Impacts or Substantially More Severe Impacts?

The Project would not affect an emergency response plan. While the Project would introduce new development to the Project Site, such development would conform with all applicable local, county, regional, State, and federal regulations pertaining to emergency safety. As such, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and no impact would occur.

Wildfire potential has been known in the area due to the nature and setting of the nearby forest. This is not a substantial change or constitute significant new information that was not previously analyzed in the Certified EIR.

Therefore, the Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

The Town is located within the Inyo National Forest, in the eastern region of the Sierra Nevada mountain range. Portions of the area are heavily forested, which increases the vulnerability of the Town to wildfire. The Site is within a High Fire Hazard Severity Zones designated by Cal FIRE, which illustrate the fire hazard severity within the Town's Urban Growth Boundary and surrounding areas.[83] The Town's one area within the Very High Fire Hazard Severity Zone is isolated to the southwest corner of town just below the Lakes District, approximately 1.3 miles southwest of the Site.

Vegetation management is considered an effective method of wildfire hazard management and mitigation. To address vegetation management within the Town, a Fire Protection Plan (FPP) approved by the fire code official, is required for all new development within the wildland-urban interface area. FPPs are required to include mitigation strategies that take into consideration location, topography, geology, flammable vegetation, sensitive habitats/species, and climate of the proposed site. FPPs must address water supply, street name and address markings (consistent with Chapter 16.32 of the Mammoth Municipal Code), access, building ignition and fire resistance, fire protection systems and equipment, defensible space, vegetation management, and long-term maintenance. All required FPPs must be consistent with the requirements of the California Building Code Chapter 7A, International Wildland-Urban Interface Code, and the Town of Mammoth Lakes Municipal Code. These vegetation management requirements are optional (but highly recommended) for portions of the Town located within the High and Moderate Fire Hazard Severity Zones, such as the Project Site.

The Project Site is located near the center of the Town and, although the Project Site contains existing forest, the Project would not present any greater risk than would have been created under the Master Plan land use designations for the Project Site. Therefore, the Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires and no impact would occur.

[83] Mammoth Lakes, General Plan, 2019, Figure 6 (Fire Hazard Severity Zones and Responsibility Areas): https://www.townofmammothlakes.ca.gov/DocumentCenter/View/9579/General_Plan-Updated-Sep-2019?bidId=

The Project will not result in new or increased significant impacts beyond those already identified in the Certified EIR.

4.19.3 Any New Circumstances Involving New Impacts or Substantially More Severe Impacts?

There are no substantial changes to the circumstances under which the Project will be undertaken that will result in new or more severe significant impacts, and there is no new information of substantial importance that has become available relative to wildfire. No substantial changes to wildfire have occurred since certification of the EIR, and no substantial new changes in wildfire have been identified within the vicinity of the Project that will result in new or more severe significant environmental impacts.

4.19.4 Any New Information Requiring New Analysis?

There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified related to one or more significant effects related to wildfire not discussed in the Certified EIR, significant effects related to wildfire previously examined that will be substantially more severe than shown in the Certified EIR, or of mitigation measures previously determined to be infeasible which have now been determined to be feasible.

4.19.5 Mitigation Measures Addressing Impacts

The Certified EIR did not analyze wildfires. No mitigation measures were required. Implementation of the Project does not change these impact determinations. Therefore, no additional mitigation measures are required.

4.19.6 Conclusion

Based on the above, no new significant wildfire impacts or a substantial increase in previously identified wildfire impacts will occur as a result of the Project. Therefore, the impacts to wildfire as a result do not meet the standards for a subsequent or supplemental EIR pursuant to Public Resources Code, Section 21166 or CEQA Guidelines, Section 15162.

Resolution 2022-03

Final Audit Report 2022-06-23

Created:	2022-06-23
By:	Michael Peterka (mpeterka@townofmammothlakes.ca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAHhylb1KcavTPLaSV9M-8sGhu8svnKNTX

"Resolution 2022-03" History

Document created by Michael Peterka (mpeterka@townofmammothlakes.ca.gov)
2022-06-23 - 9:47:56 PM GMT- IP address: 162.252.90.201

Document emailed to smoberly@townofmammothlakes.ca.gov for signature
2022-06-23 - 9:52:10 PM GMT

Email viewed by smoberly@townofmammothlakes.ca.gov
2022-06-23 - 9:56:13 PM GMT- IP address: 162.252.90.161

Document e-signed by Sandra Moberly (smoberly@townofmammothlakes.ca.gov)
Signature Date: 2022-06-23 - 9:56:30 PM GMT - Time Source: server- IP address: 162.252.90.161

Document emailed to mvanderhurst@visitmammoth.com for signature
2022-06-23 - 9:56:32 PM GMT

Email viewed by mvanderhurst@visitmammoth.com
2022-06-23 - 9:57:37 PM GMT- IP address: 162.252.88.72

Document e-signed by Michael C Vanderhurst (mvanderhurst@visitmammoth.com)
Signature Date: 2022-06-23 - 9:58:15 PM GMT - Time Source: server- IP address: 162.252.88.72

Agreement completed.
2022-06-23 - 9:58:15 PM GMT

Powered by
Adobe
Acrobat Sign