

PUBLIC REVIEW DRAFT • MARCH 2014

Inn at the Village Project

MODIFIED INITIAL STUDY / ENVIRONMENTAL CHECKLIST

Prepared for:
Town of Mammoth Lakes

Prepared by:
RBF Consulting
A Company of Michael Baker Corporation







PUBLIC REVIEW DRAFT
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Inn at the Village Project

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1.0 INTRODUCTION

The Inn at the Village ("project") is located in the Town of Mammoth Lakes, California (Town). The Town is located in the southwest portion of Mono County, on the eastern side of the Sierra Nevada mountain range. The project site is situated in the developed area of the North Village within the northwestern portion of the Town. The proposed project analyzed in this Modified Initial Study would allow for the development of a seven-story hotel that includes hotel rooms, restaurant, spa, outdoor pool/jacuzzis, and landscaping elements; refer to Section 2.0, *Project Description*, for a detailed description.

The project site (the subject site of this Modified Initial Study) is located within the North Village Specific Plan (NVSP) area. The NVSP is a set of land use designations and development standards which facilitates the development (or renovation) of the "North Village" area as a concentrated, pedestrian-oriented commercial and visitor accommodation center. Upon adoption of the NVSP, the Town analyzed the potential environmental impacts that would result from the required General Plan Amendments and Zoning Code Amendments necessary for implementation of the NVSP, encompassed in the *Final Environmental Impact Report North Village Specific Plan* (1991 PEIR), dated February 1991. These land use changes were approved by the Town and the 1991 PEIR was certified. Since this time, the NVSP has undergone multiple amendments and associated environmental compliance documentation, including the following (refer to Section 1.5, *Incorporation by Reference*, for a detailed discussion of each of the past environmental analyses conducted for projects in the NVSP area):

- *Final Environmental Impact Report North Village Specific Plan*, dated February 1991;
- 1994 NVSP Amendment;
- *North Village Specific Plan Environmental Impact Report Addendum* (May 1994);
- 1999 NVSP Amendment;
- *Subsequent Program Environmental Impact Report for the North Village 1999 Specific Plan Amendment* (October 13, 2000);
- 2005 NVSP Amendment;
- 2008 NVSP Amendment;
- 2009 NVSP Amendment; and
- *Final Environmental Impact Report Mammoth Crossing Project* (April 17, 2009).

According to the California Environmental Quality Act (CEQA) Guidelines, Section 15168(c), subsequent activities in the program must be examined in the light of the Program EIR to determine whether an additional environmental document must be prepared. If the lead agency finds that pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162 no new effects could occur or no new mitigation measures would be required, then the lead agency can approve the activity as being within the scope of the project covered by the Program EIR (CEQA Guidelines Section 15168(c)(2)). Otherwise, further environmental review would be required if circumstances under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 are triggered. The CEQA Guidelines go on to state that where subsequent activities involve site specific operations, the lead agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the Program EIR (CEQA Guidelines, Section 15168(c)(4)).

Following a preliminary review of the proposed project, the Town of Mammoth Lakes has determined that the Inn at the Village constitutes a "project" that is subject to CEQA. Based upon the legal principles outlined above, the Town of Mammoth Lakes has prepared this Modified Initial Study to determine whether any of the circumstances under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 are triggered by the project such that further environmental review would be required. The discussion in this Modified Initial Study is intended to focus the further environmental review to only the new effects which have not been considered before (CEQA Guidelines Section 15168(d)(3)).

1.1 STATUTORY AUTHORITY AND REQUIREMENTS

In accordance with CEQA (Public Resources Code Section 21000 - 21177), this Modified Initial Study has been prepared to evaluate whether any of the circumstances in Public Resources Code Section 21166 and CEQA Guidelines Section 15162 are triggered by the proposed Inn at the Village project such that further environmental review would be required. In accordance with Section 15063 of the CEQA Guidelines, this Modified Initial Study is a preliminary analysis prepared by the Lead Agency, the Town of Mammoth Lakes, in consultation with other jurisdictional agencies, to determine the scope of any necessary further environmental review that would be required for the proposed Inn at the Village project.

As explained above, CEQA Guidelines Section 15168(c) requires lead agencies to consider subsequent activities in a program in the light of the Program EIR to determine whether an additional environmental document must be prepared. If a later activity would have effects that were not examined in the Program EIR, a new initial study would need to be prepared leading to either an EIR or a negative declaration (CEQA Guidelines Section 15168(c)(1)).

Public Resources Code Section 21166 provides guidance with respect to when a subsequent or supplement to a prior certified EIR is required for a later project. The presumption is that:

> *When an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:*
>
> *(a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.*
>
> *(b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.*
>
> *(c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available and shows that the project will have one or more significant effects not discussed in the previous environmental impact report.*

CEQA Guidelines Section 15162 further provides as follows:

When an EIR has been certified 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 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 due to the involvement of new significant environmental effects or a substantial increase in the severity of 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;

(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;

(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.

1.2 CEQA DOCUMENT TIERING

The Public Resources Code and the CEQA Guidelines discuss the use of "tiering" environmental impact reports by lead agencies. Public Resources Code Section 21068.5 defines "tiering" as:

The coverage of general matters and environmental effects in an environmental impact report prepared for a policy, plan, program or ordinance followed by narrower or site-specific environmental impact reports which incorporate by reference the discussion in any prior environmental impact report and which concentrate on the environmental effects which: (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior environmental impact report.

Tiering is further discussed in Public Resources Code Section 21094, as follows:

(a) Where a prior environmental impact report has been prepared and certified for a program, plan, policy, or ordinance, the lead agency for a later project that meets the requirements of this section shall examine significant effects of the later project upon the environment by using a tiered environmental impact report,

except that the report on the later project is not required to examine those effects that the lead agency determines were either of the following:

(1) Mitigated or avoided pursuant to paragraph (1) of subdivision (a) of Section 21081 as a result of the prior environmental impact report.

(2) Examined at a sufficient level of detail in the prior environmental impact report to enable those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project.

(b) This section applies only to a later project that the lead agency determines is all of the following:

(1) Consistent with the program, plan, policy, or ordinance for which an environmental impact report has been prepared and certified.

(2) Consistent with applicable local land use plans and zoning of the city, county, or city and county in which the later project would be located.

(3) Not subject to Section 21166.

(c) For purposes of compliance with this section, an initial study shall be prepared to assist the lead agency in making the determinations required by this section. The initial study shall analyze whether the later project may cause significant effects on the environment that were not examined in the prior environmental impact report.

(d) All public agencies that propose to carry out or approve the later project may utilize the prior environmental impact report and the environmental impact report on the later project to fulfill the requirements of Section 21081.

(e) When tiering is used pursuant to this section, an environmental impact report prepared for a later project shall refer to the prior environmental impact report and state where a copy of the prior environmental impact report may be examined.

Tiering is a method to streamline EIR preparation by allowing a Lead Agency to focus on the issues that are ripe for decision and exclude from consideration issues already decided or not yet ready for decisions (CEQA Guidelines Section 15152 and 15385). According to CEQA Guidelines Section 15152 (a), "tiering" is defined as:

Tiering refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.

According to CEQA Guidelines Section 15385: *"Tiering is appropriate when the sequence of EIRs is (a) from a general plan, policy, or program EIR to a program, plan, or policy EIR of a lesser scope or to a site-specific EIR . . . ."*

The concept of tiering anticipates a multi-tiered approach to preparing EIRs. The first-tier EIR covers general issues in a broader program-oriented analysis, including important program resource and mitigation commitments required to be implemented at the project-level. Subsequent tiers incorporate by reference the general discussions from the broader document, concentrating on the issues specific to the proposed action being evaluated (CEQA Guidelines Section 15152).

When an EIR has been prepared and certified for a program or plan consistent with CEQA requirements, a Lead Agency, should, for a later project pursuant to or consistent with the program or plan, concentrate on the environmental effects that were not examined as significant effects on the environment in the prior EIR; refer to Public Resources Code Section 21068.5. In those situations where a programmatic document does not specifically address and analyze the impacts and mitigation measures necessary for a project-level action, the project-level environmental review can be streamlined by tiering from the program-level documents. Agencies are encouraged to tier their CEQA analysis to avoid repetition of issues and to focus on the issues for decision at each level of review. Subsequent CEQA compliance involves either the preparation of a further EIR (subsequent or supplemental) or a further Negative Declaration.

Pursuant to CEQA Guidelines Section 15152, for purposes of tiering, significant environmental effects have been "adequately addressed" if the Lead Agency determines that the significant environmental effects:

- Have been mitigated or avoided as a result of the prior EIR and adopted findings in connection with that prior EIR; or

- Have been examined at a sufficient level of detail in the prior EIR to enable those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means with the approval of the later project.

Where appropriate, this Modified Initial Study tiers off of the 1999 SPEIR. As discussed above, under CEQA Guidelines Section 15152, tiering is appropriate when the sequence of analysis follows from an EIR prepared for a general plan, policy, or program to an EIR of lesser scope, or to a site-specific EIR. Under CEQA, the 1991 PEIR and 1994 PEIR Addendum are considered the first tier documents and the 1999 SPEIR is considered the second tier document. This Modified Initial Study, for the proposed project, is being prepared to determine whether a third tier document would be required. This Modified Initial Study will identify impacts that were adequately analyzed in the 1999 SPEIR. While subsequent analyses can rely on previous tier analyses, it also has the obligation to discuss any changed circumstances or new information that might alter the previous analyses.

1.3 MODIFIED INITIAL STUDY

Consistent with the Public Resource Code and CEQA Guidelines (refer to Section 1.2, above), the 1991 PEIR, 1994 PEIR Addendum, and 1999 SPEIR are incorporated into the analysis and utilized to focus the discussion on new effects which had not been considered prior to the 1999 SPEIR or effects that may be more significant than what was previously analyzed. While potentially significant impacts may be identified in the Modified Initial Study requiring further analysis, ultimately those impacts may be found less than significant with or without mitigation measures, project changes, or alternatives to the project. In addition, adopted NVSP mitigation measures may require site specific

studies for certain topical areas. Accordingly, when a site specific study is required for a particular topical area and the study has not been finalized to date, this Modified Initial Study may determine that the topical area will be discussed in detail in a further EIR even though it may not result in a new or more significant effect than what was previously studied in the 1999 SPEIR. Following completion of the Modified Initial Study, the Town of Mammoth Lakes will make a formal determination as to whether the project may or may not have potentially significant and unmitigatable environmental impacts. A determination that a project's impacts were adequately addressed in the programmatic document and/or that a project will have less than significant effects would result in the preparation of a Negative Declaration. A determination that a project may have new or more severe significant impacts on the environment would require the preparation of a further EIR to evaluate issues identified in this Modified Initial Study.

Based upon the potential environmental effects identified in Section 4.0, *Environmental Analysis*, the Town of Mammoth Lakes will require preparation of further environmental analysis (via a Subsequent EIR) to evaluate issues identified in this Modified Initial Study. Therefore, this Modified Initial Study and Notice of Preparation (NOP) serve as part of the scoping process to determine the appropriate scope of the further environmental analysis. As indicated in Section 3.3, *Lead Agency Determination*, the Lead Agency has determined that substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that require major revisions to the 1999 SPEIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Furthermore, the Town has determined that new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the 1999 SPEIR was certified, shows that the proposed project could have new potentially significant environmental impacts.

The Modified Initial Study and NOP will undergo a 30-day public review period. During this review, comments by the public and responsible agencies on the project relative to environmental issues may be submitted to the Town of Mammoth Lakes. The Town will review and consider all comments as a part of the project's environmental analysis, as required in Section 15082 of the CEQA Guidelines, as amended. The comments received with regard to this NOP and Modified Initial Study will be included in the project environmental document, for consideration by the Town of Mammoth Lakes.

1.4 CONSULTATION

In accordance with Section 15063 of the CEQA Guidelines, as soon as the Lead Agency has determined that an Initial Study would be required for the project, the Lead Agency is directed to consult informally with all Responsible Agencies and Trustee Agencies that are responsible for resources affected by the project, in order to obtain the recommendations of those agencies on the environmental documentation to be prepared for the project. Following receipt of any written comments from those agencies, the Town of Mammoth Lakes will consider any recommendations of those agencies in the formulation of the preliminary findings. Following execution of this Modified Initial Study, the Town of Mammoth Lakes will initiate formal consultation with these and other governmental agencies as required under CEQA and its implementing guidelines.

Responsible and Trustee Agencies and other entities in addition to the Town of Mammoth Lakes (Lead Agency), which may use this Modified Initial Study/Environmental Checklist in their decision-making process or for informational purposes include, but may not be limited to, the following:

- Mammoth Community Water District;
- Mammoth Lakes Fire Protection District;
- California Department of Transportation;
- California Regional Water Quality Control Board (Lahontan);
- State Water Resources Control Board; and
- Great Basin Unified Air Pollution Control District.

1.5 INCORPORATION BY REFERENCE

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

- *Town of Mammoth Lakes General Plan 2007*. The Town of Mammoth Lakes Council adopted the *Town of Mammoth Lakes General Plan 2007* (2007 General Plan) on August 15, 2007. The General Plan establishes standards, guidelines, and priorities that define the community now and for the future. The General Plan is organized by elements. Each element is introduced with an explanation of the intent of the goals, policies, and actions within that element. The General Plan contains the following elements:

  - Economy;
  - Arts, Culture, Heritage, and Natural History;
  - Community Design;
  - Neighborhood and District Character;
  - Land Use;
  - Mobility;
  - Resources Management and Conservation; and
  - Public Health and Safety.

  It is noted that the Housing and Noise Elements were not updated as part of the General Plan. However, an updated Housing Element was adopted in 2010. Additionally, the Town Council amended the Parks, Open Space, and Recreation Element in 2012 with the addition of new policies and one additional goal.

- *Final Program Environmental Impact Report for the Town of Mammoth Lakes 2005 General Plan Update* (May 2007). The Final Program Environmental Impact Report (2007 General Plan PEIR) involves the update of the Town's General Plan, which provides the Town's long-range comprehensive direction to guide future development and identifies the community's environmental, social and economic goals. This document was prepared as a Program EIR, which is intended to facilitate consideration of broad policy directions, program-level

alternatives and mitigation measures consistent with the level of detail available for the Plan. The 2007 General Plan PEIR concluded significant and unavoidable impacts regarding aesthetics, air quality, biological resources, public safety and hazards, noise, public services and utilities, and recreation.

- *Town of Mammoth Lakes Municipal Code (Municipal Code)*. The *Town of Mammoth Lakes Municipal Code* (Municipal Code) consists of all the regulatory and penal ordinances and administrative ordinances of the Town of Mammoth Lakes. It is the method the Town uses to implement control of land uses, in accordance with General Plan goals and policies. The Town of Mammoth Lakes Zoning Ordinance, Title 17, of the Municipal Code identifies land uses permitted and prohibited according to the zoning category of particular parcels. The Buildings and Construction Ordinance, Title 15, specifies rules and regulations for construction, alteration, and building for uses of human habitation.

- *North Village Specific Plan (as amended)*. The North Village Specific Plan (NVSP) area consists of approximately 61 acres of land, the majority of which is under multiple ownerships, within the northwest portion of the Town. The NVSP area is primarily comprised of urban development and includes hotels, restaurants, visitor-oriented and general commercial operations, professional offices, condominiums, single-family residential, and community facilities.

  The objective of the NVSP is to create a set of land use designations and development standards which would facilitate the development (or renovation) of the "North Village" as a concentrated, pedestrian-oriented commercial and visitor accommodation center with public and private underground parking, amenities and activities focused around three pedestrian plazas connected by retail, restaurant, and cultural amenities. It is the intent of the NVSP that future development in North Village be oriented toward year-round uses and visitor activity to strengthen the existing winter visitor market and to improve the Town's attractiveness to year-round resort visitors. Unification of development throughout the NVSP area through the establishment of architectural and landscaping guidelines also strengthen North Village's image as a resort activity node in the Town.

  Since the NVSP was approved, several major projects within the NVSP area have been approved, including:

  - The Village at Mammoth (Grand Sierra Lodge, White Mountain Lodge, and Lincoln House);
  - Village Gondola Building;
  - Village Skier Services Building;
  - Restaurants and Retail; and
  - 8050: Buildings "A", "B", and "C".[1]

- *Final Environmental Impact Report North Village Specific Plan* (February 1991). The *Final Environmental Impact Report North Village Specific Plan* (1991 PEIR), dated February 1991, addresses geology, soils, and seismicity; hydrology and water quality; biological resources;

[1] Note that modification of the approved Building C is the subject of this Modified Initial Study.

land use and planning; jobs/housing relationship; utilities; traffic; air quality; noise; archeological; aesthetics/visual impacts; light and glare; public services/fiscal impacts; energy conservation; as well as other topical areas determined to be less than significant. Where potentially significant environmental impacts were identified, feasible mitigation measures were recommended that would avoid or lessen adverse environmental effects of the NVSP project. The 1991 PEIR concluded that the following significant and unavoidable impacts would occur with implementation of the NVSP project:

- Impacts to school facilities;
- Existing view impacts (pertaining to the proposed gondola feature); and
- Land use impacts related to the aesthetics of the proposed gondola feature.

All other impacts were found to be less than significant through the existing standards, regulations, and mitigation measures imposed under the 1991 PEIR.

- *North Village Specific Plan Environmental Impact Report Addendum* (May 1994). In 1994, Zoning Code Amendment 94-1 and General Plan Amendment 94-1 were filed in order to refine the design of the NVSP pedestrian core area and to realign Canyon Boulevard to meet with Millers Siding/Lake Mary Road as a Collector Street. These proposed design changes did not alter the concept of the NVSP (as approved in 1991). As determined by CEQA Statues and Guidelines, the lead agency determined that an Addendum was required, as the project would not raise important new issues about the significance of effects on the environment. The *North Village Specific Plan Environmental Impact Report Addendum* (1994 PEIR Addendum), dated May 1994, determined that all of the impacts were less than significant through the implementation of the existing standards, regulations, and mitigation measures.

- *Subsequent Program Environmental Impact Report for the North Village 1999 Specific Plan Amendment* (October 13, 2000). In 1999, an amendment to the NVSP was proposed (the 1999 NVSP Amendment). This amendment involved modifications to circulation and parking, height limitations and setbacks, as well as alternate development opportunities and housing modifications, when compared to the approved NVSP at the time. As part of the 1999 NVSP Amendment, the Town prepared and certified the *Subsequent Program Environmental Impact Report for the North Village 1999 Specific Plan Amendment* (1999 SPEIR), on October 13, 2000. The purpose of the 1999 SPEIR was to review the existing conditions and conclusions of the 1991 PEIR and 1994 PEIR Addendum, analyze potential environmental impacts associated with the 1999 NVSP Amendment in comparison to the previous environmental documentation, and identify mitigation measures to reduce potentially significant effects. Mitigation measures from the 1991 PEIR and 1994 PEIR Addendum were incorporated, and in some cases modified, and new mitigation measures were recommended, where necessary, to reduce new potentially significant impacts. Topical areas specifically examined in the 1999 SPEIR included land use and relevant planning; population and housing; aesthetics/light and glare; traffic and parking; air quality; noise; geology, soils, and seismicity; hydrology and drainage; biological resources; public services and utilities; as well as cultural resources. The 1999 SPEIR concluded that the following additional significant and unavoidable impacts would occur with implementation of the 1999 NVSP Amendment:

- Air Quality (Threshold exceedances established by the Great Basin Unified Air Pollution Control District and cumulative considerations for air quality).

All other impacts were found to be less than significant through the existing standards, regulations, and mitigation measures (modified as necessary) imposed under the 1991 PEIR and 1994 PEIR Addendum.

The Inn at the Village project site (the subject site of this Modified Initial Study) involves development of a property within the NVSP area. This Modified Initial Study will rely on the first and second tier analyses conducted for the project site in and prior to the 1999 SPEIR, and will discuss any changed circumstances or new information that might alter the previous analyses. The Modified Initial Study will also identify those environmental impacts that are new potentially significant or more severe than analyzed in the past environmental documentation.

- *Final Environmental Impact Report Mammoth Crossing Project* (April 17, 2009). The Mammoth Crossing Project (Mammoth Crossing) proposed the redevelopment of three of the four corners that comprise the Main Street/Lake Mary Road and Minaret Road intersection with a combination of resort accommodations, retail uses, and public plazas. Mammoth Crossing is located within the southern portion of the NVSP area, and included a series of amendments to the NVSP as well as amendments to the 2007 General Plan. Environmental impacts as a result of construction of Mammoth Crossing's three development areas were analyzed in a project-level EIR, the *Final Environmental Impact Report Mammoth Crossing Project* (Mammoth Crossing EIR), which was certified on September 16, 2009. Overall, Mammoth Crossing proposed the construction of up to 742 condominium/hotel rooms, up to approximately 69,150 square feet of hotel amenities and operations and general retail uses, 40,500 square feet of retail development, and 711 parking spaces and nine spaces for hotel guest check-in. Affordable housing would be required to be provided as part of Mammoth Crossing, some of which would be constructed off-site. Proposed development at the three development areas would involve multiple buildings ranging in height from one to approximately seven stories. The project-level EIR determined that this project would result in the following significant and unavoidable impacts:

  - Aesthetics;
  - Air Quality; and
  - Noise.

- *North Village District Planning Study* (modified November 5, 2008 and accepted by Town Council in July 2009). The North Village District Planning Study (modified November 5, 2008) has been developed in accordance with the Town's district planning policy, which requires completion of district planning in conjunction with major land use applications seeking zoning code or General Plan amendments. This planning study was initiated by the Mammoth Crossing project application.

  Mammoth Crossing was anticipated to markedly change the character, appearance, and function of this gateway intersection, and the North Village area as a whole. The North Village District Planning Study therefore takes as its study boundaries the entire NVSP area,

and frames its analysis relative to the intent and goals of the NVSP and adopted General Plan for this district. The study provides an overview and analysis of the existing conditions, regulatory environment, character and functionality of the NVSP area, and examines these as a series of issues, opportunities, and constraints. The 2007 General Plan's character statement for North Village and the stated objectives of the NVSP serve as a benchmark to consider how future development patterns under the existing Specific Plan either support or hinder the achievement of those objectives.

The Town's Planning, Mobility, Public Art, and Tourism and Recreation Commissions, the public, and other interested stakeholders provided critical input through a series of focus groups and public meetings held as part of the district planning process. This input helped guide the overall analysis, development of alternatives, and selection of a preferred alternative that has been refined to create the preferred plan and recommendations.

The analysis and recommendations presented in the North Village District Planning Study are to be used by Town decision makers to frame consideration of future projects, including potential updates or amendments to the NVSP.

- *Design Guidelines The Village at Mammoth* (approved August 23, 2000). The *Design Guidelines The Village at Mammoth* (Design Guidelines) (approved August 23, 2000), are intended to provide general and specific design information so that all involved in the development process are able to proceed with a shared basis of information. They are structured to provide a description of the concept of North Village, followed by supporting objectives of the design components, followed by a listing of design guidelines that must be followed to achieve the objectives. The main concept of the Design Guidelines is that North Village should be designed so that it is appropriate to the character of the Mammoth Lakes region, and to be competitive with other high-quality mountain villages in North America.

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2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The Inn at the Village ("project") is located in the Town of Mammoth Lakes, California (Town). The Town is located in the southwest portion of Mono County, on the eastern side of the Sierra Nevada mountain range; refer to Exhibit 2-1, *Regional Vicinity*. The project site is situated in the developed area of the North Village within the northwestern portion of the Town; refer to Exhibit 2-2, *Site Vicinity*. The project site is specifically located at 50 Canyon Boulevard, to the west of Minaret Road, north of Main Street/Lake Mary Road, and east of Canyon Boulevard. Regional access to the site is provided via U.S. Highway 395 to State Route 203 (Main Street).

2.2 ENVIRONMENTAL SETTING

EXISTING ON-SITE CONDITIONS

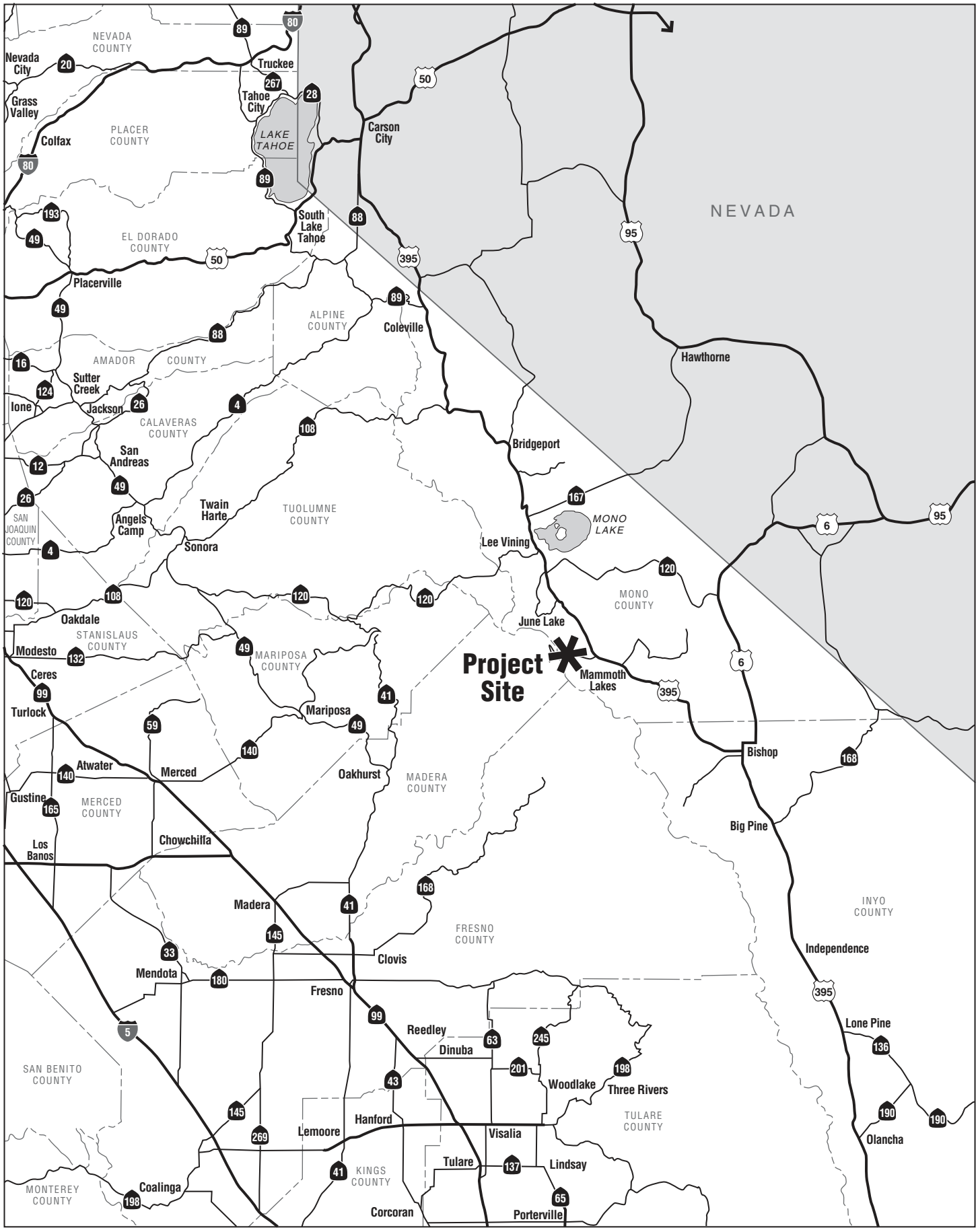
The proposed project is the last phase (Building C) of a three-phase development (8050 project). The first two phases (Buildings A and B) of the 8050 project have been completed, as well as the 136-space parking structure to serve Buildings A, B, and C. The project site is located atop the parking structure, adjoining the existing Buildings A and B.

The existing Building A and Building B of the 8050 project (adjoining the project site to the north/northwest) consist of two resort lodging buildings comprised of 28 units with 57 bedrooms. Further, the ground floor commercial along Minaret Road in Building B totals 3,335 square feet of commercial space and includes an on-site fine dining catering enterprise (Toomey's). The existing Buildings A and B also include a roof-top fitness room and Jacuzzi terrace and related site and landscaping improvements.

EXISTING GENERAL PLAN AND ZONING

According to Figure 3 of the Mammoth Lakes General Plan (2007 General Plan), Neighborhood Character Map, the project site is within the North Village District. District boundaries are based on the 1987 General Plan Planning Districts and are defined by existing development, patterns of vegetation, topographic features, circulation patterns, and the relationships of land uses. Master planning of these specific districts provides a basis for future land use decisions incorporating the goals, policies, and actions in the Land Use and Community Design Elements as well as the Neighborhood and District Character Element of the General Plan.

The project site is zoned North Village Specific Plan (NVSP), Resort General (RG), according to the Town's Official Zoning Map and the North Village Specific Plan Zoning. The NVSP was originally adopted in 1991 and subsequently amended in 1994, 1999, January 19, 2005, May 21, 2008, and October 7, 2009. According to the General Plan, the NVSP is intended to create a visitor-oriented entertainment retail and lodging district anchored by a pedestrian plaza and a gondola connection to Mammoth Mountain Ski Area.



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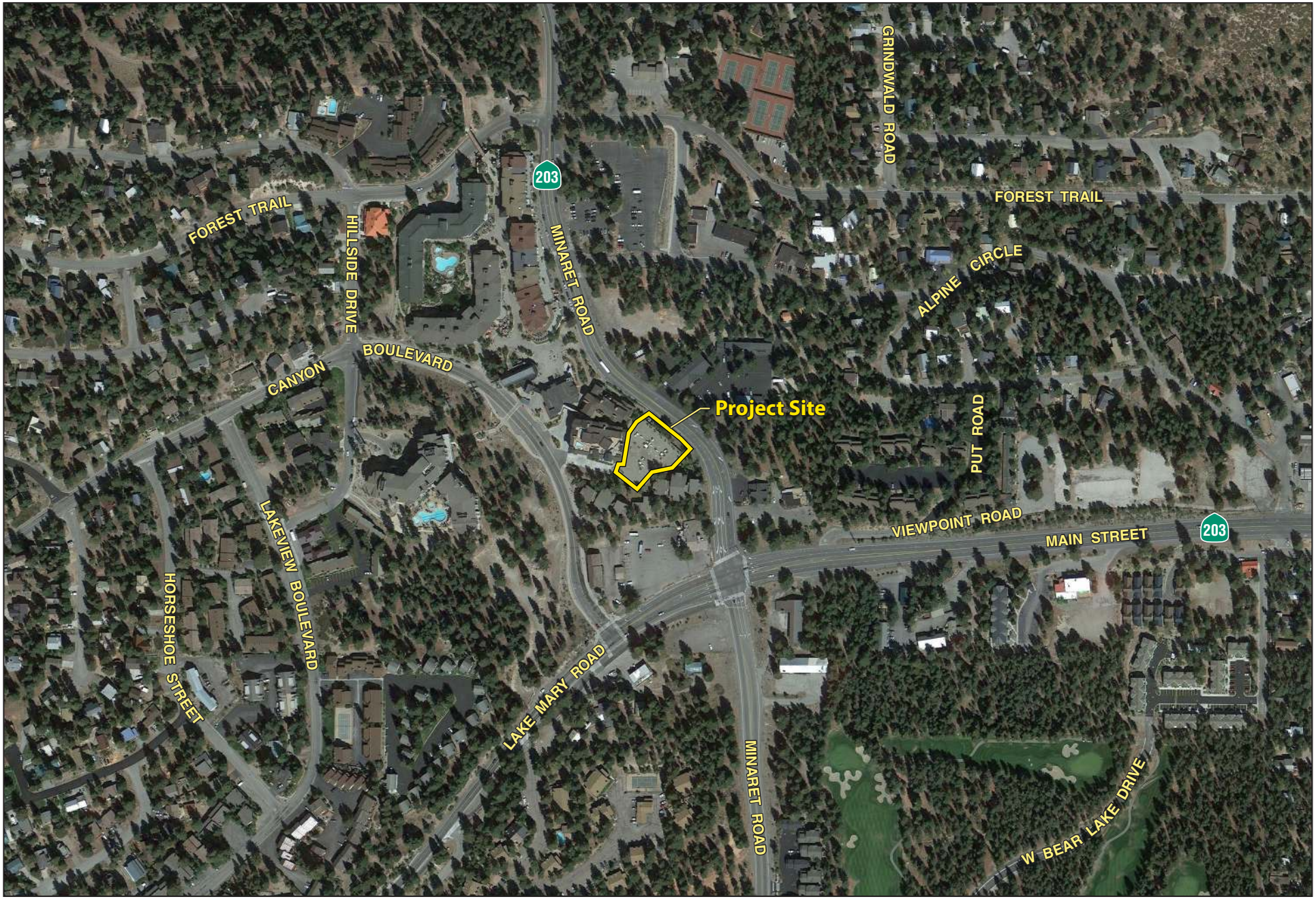
Regional Vicinity

Exhibit 2-1

RBF A Baker Company

not to scale

2/5/14 JN 139231-19955 MAS



Source: Google Earth Pro aerial, 2013.

RBF A Baker Company

not to scale

2/5/14 JN 139231-19955 MAS

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Site Vicinity

Exhibit 2-2

The NVSP area encompasses the northwest portion of Town, adjacent to Main Street/Lake Mary Road and Minaret Road. The NVSP area is primarily comprised of more urban development, including hotels, restaurants, visitor-oriented and general commercial operations, professional offices, condominiums, single family homes, and community facilities.

SURROUNDING LAND USES

The land uses surrounding the project site are:

- *North*: Buildings A and B of the 8050 project adjoin the project site to the northwest. These resort lodging buildings are zoned NVSP RG. Commercial and retail uses within the Village Plaza and the Mammoth Mountain Village Gondola are located further northwest of the project site (west of Minaret Road and east of Canyon Boulevard). These commercial and retail uses are zoned NVSP, Plaza Resort (PR).

- *East*: Minaret Road forms the northeast boundary of the project site. Hotel, vacation condominium rentals, and restaurant uses are located directly across Minaret Road to the northeast and southeast. The land uses to the east are also within the North Village Planning District and are zoned NVSP RG.

- *South*: Fireside at the Village condominiums adjoin the project site to the south. The Fireside at the Village property is zoned NVSP RG. A commercial building (previously shared by Whiskey Creek Restaurant and Mammoth Brewing Company) and surface parking are located further south of the project site. These properties are zoned NVSP, Mammoth Crossing (MC).

- *West*: The Westin Monache Resort and surrounding vacant land are located directly across Canyon Boulevard, west of the project site. These properties are zoned NVSP PR.

2.3 BACKGROUND

The NVSP was adopted in 1991 and has been amended several times. The NVSP establishes development regulations for approximately 64 acres located around Minaret Road, Main Street/Lake Mary Road, and Canyon Boulevard. The intent of the NVSP is to develop a cohesive, pedestrian-oriented resort activity node, and to provide a year-round focus for visitor activity within the town. An EIR was certified along with the adoption of the NVSP in 1991. In 1994, an EIR Addendum was prepared for an amendment to the NVSP, and in 2000, the *Subsequent Program Environmental Impact Report for the North Village 1999 Specific Plan Amendment* (1999 SPEIR) was certified for an update to the NVSP. The most recent amendment to the NVSP was in 2009 for the Mammoth Crossing Project (Mammoth Crossing), which established tailored development standards (e.g., density, height, setbacks, lot coverage) for certain NVSP properties. As part of that effort, the Town also prepared the North Village District Planning Study, which was accepted by the Town Council in July 2009.

Several projects have been approved under the NVSP, resulting in the development or redevelopment of various properties in the area. One of these projects was the 8050 project (encompassing the project site), which consisted of a three-phased development. The certified

NVSP SPEIR was found to adequately cover and address the 8050 project. The first two phases of the 8050 project, Buildings A and B, have been completed, as well as the parking structure that would serve all three phases, Buildings A, B, and C. On April 27, 2005, the Planning Commission of the Town of Mammoth Lakes approved Tentative Tract Map 36-229 and Use Permit 2005-01, which approved Building C, the third and final building in the 8050 complex. The requisite building permit was subsequently issued by the Town to allow for construction of the approved Building C, which totaled 41,134 square feet and included 21 residential condominiums with a total of 33 bedrooms; Building C has not been built. The proposed Inn at the Village project is a redesign of Building C.

In response to dramatic changes to the resort industry as a result of the recession, the property owner engaged Severy Realty Group and Bull Stockwell Allen Architects to analyze the approved development program for Building C, make it more responsive to a fundamentally changed resort industry, and seek design solutions focused on addressing the unmet needs of the existing Buildings A and B as well as the greater North Village area.

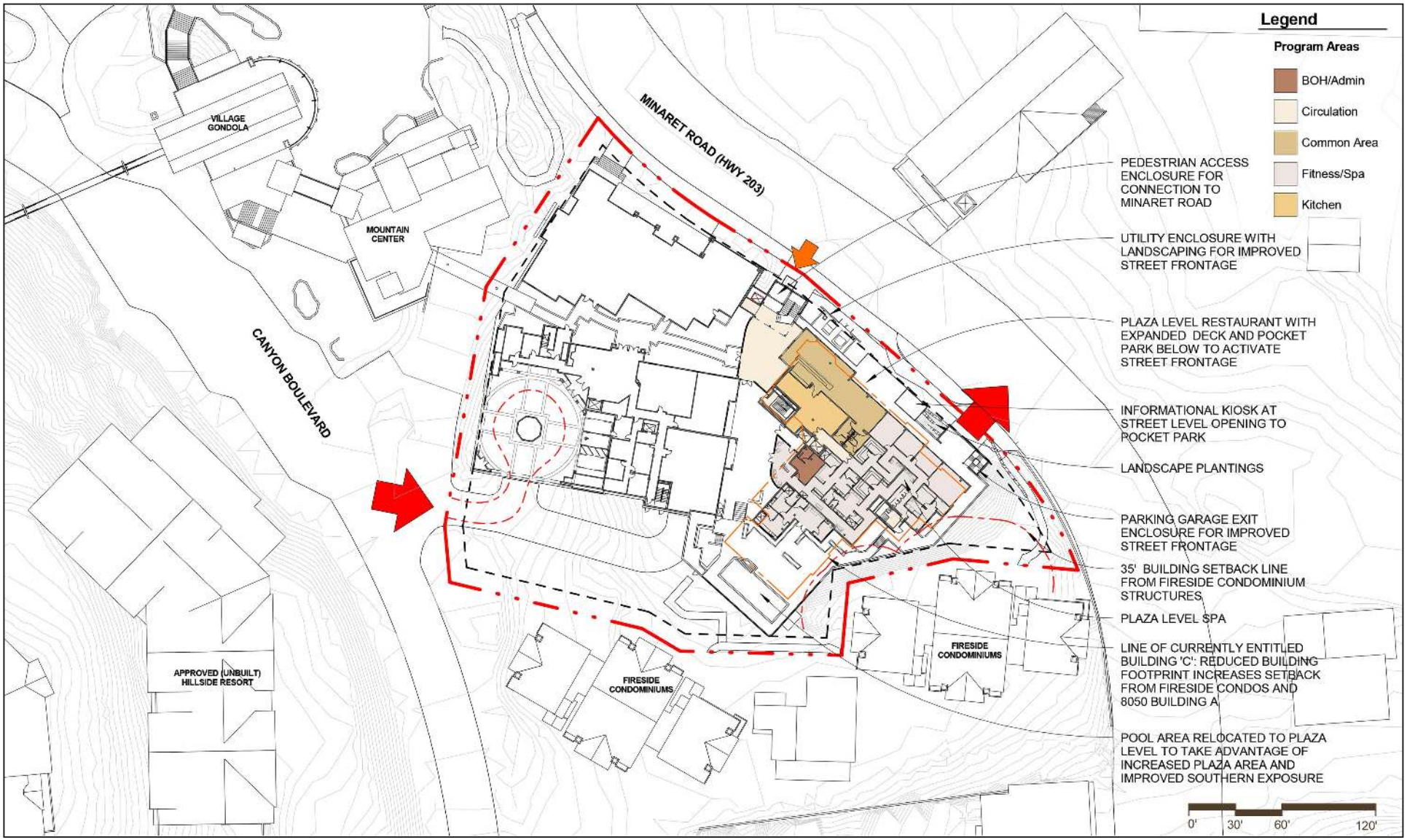
2.4 PROJECT CHARACTERISTICS

The project proposes a seven-story hotel that includes hotel rooms, restaurant, spa, outdoor pool/jacuzzis, and landscaping elements; refer to Table 2-1, *Proposed Land Uses,* and Exhibit 2-3, *Preliminary Site Plan*. The hotel, totaling 64,750 gross square feet of buildable floor area, would consist of a maximum lodging room count of up to 67 rooms. The project would be built on top of the existing parking structure.

Table 2-1
Proposed Land Uses

Land Use	Size (square feet)
Hotel[1]	34,840
Accessory Uses (e.g., spa, bar/food service, lobby, circulation, etc.)	29,910
Total Project	***64,750***
1. The hotel proposes up to 67 rooms that would be approximately +/- 520 square feet per room.	

The project proposes to amend the approved 8050 project to address the current performance deficiencies in the existing 8050 project and the North Village area. The project would necessitate three amendments to the NVSP: (1) an increase in the allowable development density for the project site; (2) an increase in the allowable building height; and (3) a reduction in the required front yard setbacks along Minaret Road. The current application is to amend the approved 8050 project and seek entitlement/permitting for a proposed hotel (with the requisite market requirement to retain flexibility with respect to ownership structures [e.g., traditional hotel, condominium-hotel, etc.]).



Source: Bull Stockwell Allen, February 28, 2014.

RBF A Baker Company

0 90'

3/3/14 JN 139231-19955 MAS

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Preliminary Site Plan

Exhibit 2-3

The following list summarizes the components of the project:

Density

The maximum allowable building density within the NVSP RG zone is 55 rooms per acre. The 8050 property is 1.84 acres, yielding an allowable density of 101 rooms at 55 rooms per acre. The existing Buildings A and B of the 8050 project include 28 units with an overall total of 57 bedrooms, and the existing commercial square footage in Building B equates to seven rooms. Therefore, a maximum of 37 rooms would be allowed for Building C without a density amendment to the NVSP.

Given the project's maximum room count of up to 67 rooms, the project proposes a zoning amendment for the shortfall of 30 bedrooms and not including commercial space towards the maximum allowable building density. However, this deficiency is proposed to be mitigated by way of density transfer of a like-kind number of bedrooms from the nearby Mammoth Crossing property that is also owned by the project Applicant. As such, there would be no net increase in development density in the NVSP associated with the project.

Building Height

The maximum permitted height within the NVSP RG zone is 40 feet and the maximum projected height is 55 feet with an additional three feet for roof appurtenances. The currently approved design for Building C allows for a total of five stories with a maximum height of 62 feet plus another three feet for roof appurtenances.

The project proposes a maximum height of seven stories (80 feet) with an additional 4 feet, 6 inches, for roof appurtenances; refer to Exhibit 2-4, *East Building Elevation.* The project proposes a zoning amendment to increase the maximum permitted height allowed for the project site.

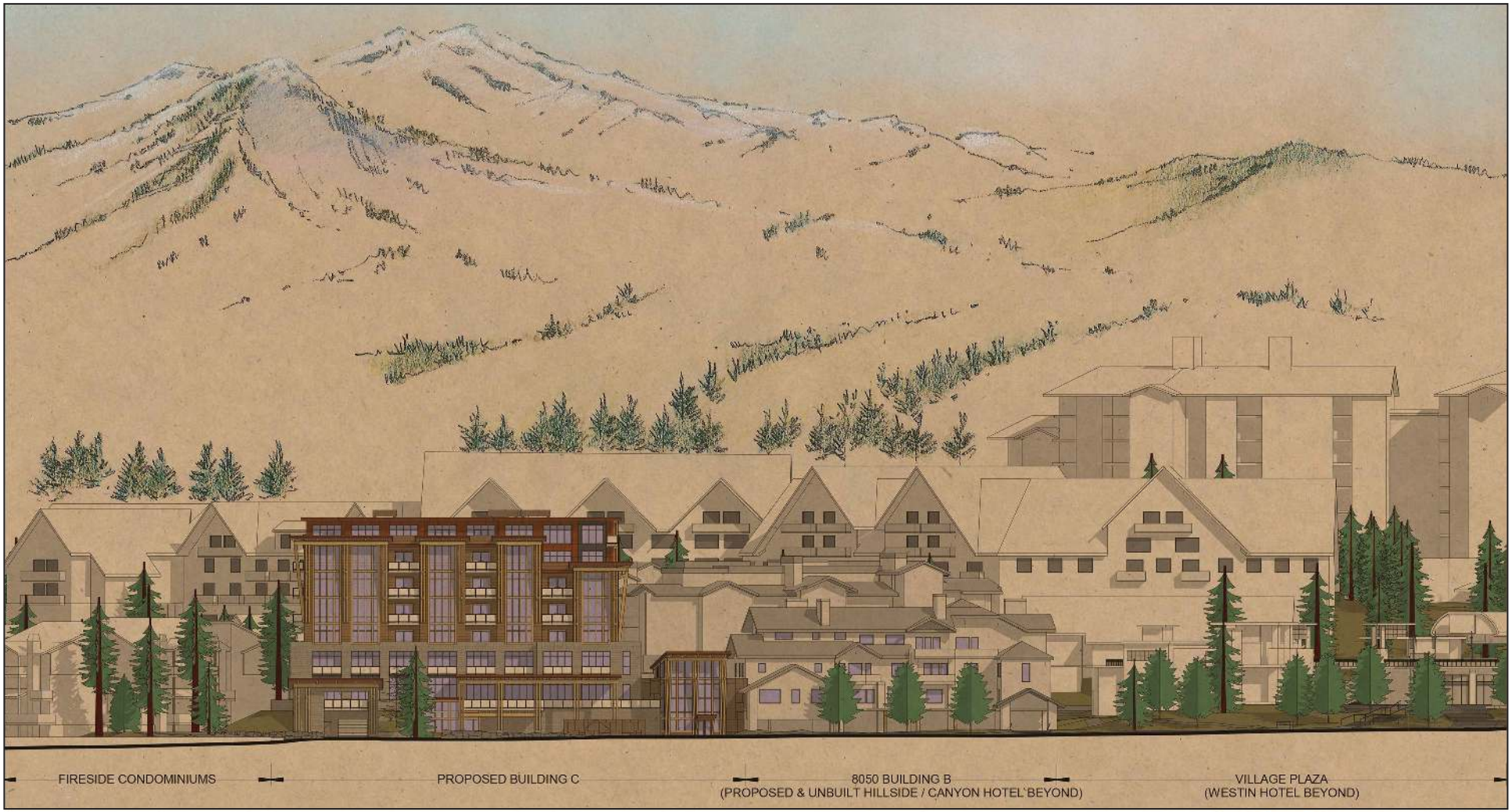
Building Setbacks

Building C conforms to the minimum of 10-foot side and rear yard setbacks. However, the project would require a zoning amendment for the front yard setback area along Minaret Road for a reduced setback; refer to Exhibit 2-5, *Proposed Setbacks*.

An additional setback is described in a private agreement between Fireside at the Village condominiums to the south and the 8050 property owner (Settlement Agreement, Mutual Release and Joint Escrow Instructions). Since this is a private agreement, and the Town of Mammoth Lakes is not a party, the Town is not responsible for enforcing the terms and conditions of this agreement.

Site Coverage

The site coverage is approximately 56,100 square feet, or 70 percent of the total lot area. A maximum lot coverage of 70 percent is allowed.



Source: Bull Stockwell Allen, February 28, 2014.

RBF
A Baker Company

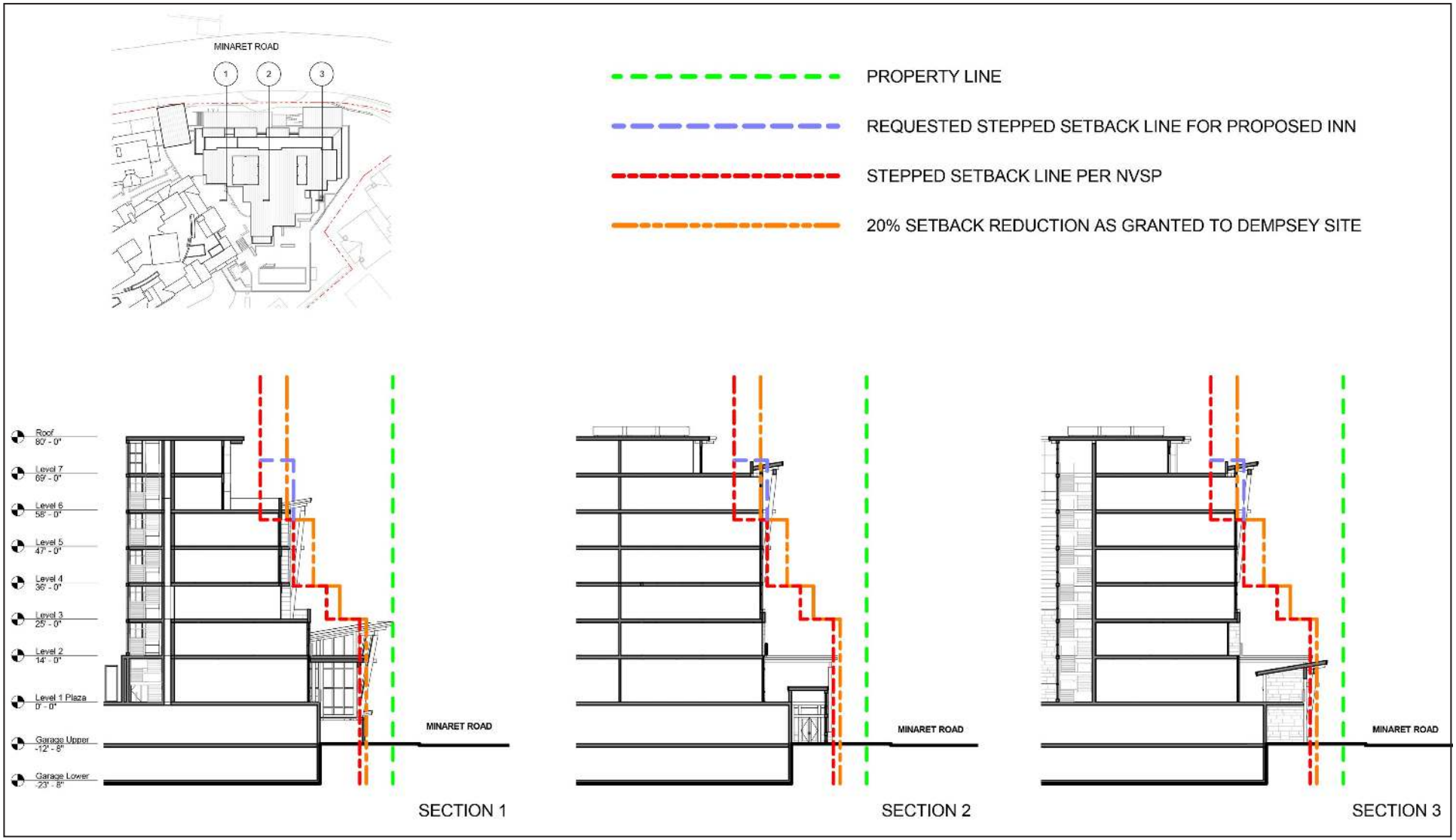
0 40' 80'

3/3/14 JN 139231-19955 MAS

INN AT THE VILLAGE
MODIFIED INITIAL STUDY / ENVIRONMENTAL CHECKLIST

East Building Elevation

Exhibit 2-4



Source: Bull Stockwell Allen, February 18, 2014.

Site Access

Primary vehicle access to the project site would occur at the existing site entry at Canyon Boulevard. The proposed project does not seek to alter the existing approved access on the property. In addition, enhanced pedestrian access along Minaret Road and access between the existing 8050 project and Building C are proposed to allow access to and from hotel amenities.

Drainage

Drainage is routed through the subterranean parking structure to a Conspan retention structure near the parking structure entrance on Canyon Boulevard. The drainage would not be altered as a result of the proposed project.

Parking

The total parking required in the NVSP for the 8050 site, including the proposed project, is 112 spaces. This includes residential parking for the existing Buildings A and B, including parking for the existing Building B commercial,[2] and the proposed Inn project. A private parking agreement reserves 50 spaces in the 8050 parking garage for Fireside at the Village condominiums. Proposed parking for the project would be accommodated via the existing parking structure with the use of a valet plan.

Affordable Housing Mitigation Plan

On August 12, 2004, Mammoth 8050, LLC, the original developer of the 8050 project, and the Town entered into an In Lieu Fee Agreement for Affordable Housing Units (AH In-Lieu Fee Agreement) to mitigate the impact the 8050 project would have on the availability of workforce housing within the community and to provide additional housing credits to the developer. The AH In-Lieu Agreement required a total payment of $3,000,000, $1,000,000 for each phase (e.g., Building A, B, and C). At that time, the Town's standard in-lieu fee for each Employee Housing Unit (EHU) was $52,802. Under the AH In-Lieu Fee Agreement, the original developer paid the Town total in-lieu fees of $2,000,000, representing a payment of $52,632 for each of the 38 EHUs required to mitigate the total affordable housing demand generated by the 8050 Buildings A, B, and C pursuant to the AH In-Lieu Fee Agreement. Although $1,000,000 is still due pursuant to the AH In-Lieu Fee Agreement, according strictly to the Town's previous in-lieu fee of $52,802, and not considering the "greater housing benefit" required for in-lieu fee mitigation, an underpayment of $170 per EHU, a total deficit of $6,476 would exist. The Applicant is requesting to amend the AH In-Lieu Fee Agreement so that instead of the remaining $1,000,000 being paid, $6,476 would be paid to the Town and no additional affordable housing mitigation be required for the project.

The Town's interim housing policy (Town Council Resolution 09-76) requires that 10 percent of the total project units be provided for on-site affordable housing; however, an Affordable Housing Mitigation Plan (AHMP) may be approved instead of providing on-site housing if a substantial additional affordable housing benefit will be achieved. The Town and Mammoth Lakes Housing, Inc. will be evaluating the applicant's AHMP request.

[2] This includes 12 commercial parking spaces for Building B per the original approval.

Landscaping

Landscaping for the project would include a combination of planting areas. Along the northeast and southeast sides of the building, native plant communities, shrubs, and related groundcover would be utilized. A Zen garden is proposed on the southwest side of the building. However, some vegetation (including sapling trees) would be removed for the project to allow for frontage improvements along Minaret Road. The northeastern portion of the project site would also accommodate a visitor serving public kiosk or retail space at the street level that would open up to a proposed public pocket park.

Energy Saving Measures

The project would incorporate the following energy saving measures:

- South facing units feature deep balconies in front of window walls that act as a sun shade in combination with high, operable windows to provide the desired amount of solar gain and stack effect air circulation.

- A super insulated roof system would minimize thermal transfer through the roof with a combination of built-up rigid insulation above the structural deck and an additional layer of batt insulation applied below the deck.

- Dual method wall insulation would provide a high insular value, and a substantial thermal break in the exterior wall, reducing air infiltration and condensation within the wall cavity to create an extremely robust and long-lived thermal envelope.

- Extensive use of light emitting diode (LED) lighting would be used in a variety of lighting fixtures.

- Weather-lock vestibule at the proposed pedestrian street entry would be positively pressurized to keep warmed or cooled air inside the building and untreated, unfiltered air out.

- The plaza level circulation and amenity spaces would include operable fenestration and in some areas fully opening wall panels to embrace the summer season's mild climate.

Grading

A minor amount of grading would be required for landscaping purposes along the perimeter of the project site.

Construction Phasing and Staging

- The project would commence in a single phase with above grade improvements.

- Construction of Building C on top of the parking structure is anticipated to take 12 months.

- The construction offices would be accommodated nearby on the Mammoth Crossing property located on the northeast corner of Canyon Road and Lake Mary Road while construction phase parking, mobilization, and storage of materials would be located on the southeast corner of Minaret Road and Main Street.

2.5 GOALS AND OBJECTIVES

Pursuant to CEQA Guidelines § 15124(b), the project description must include "[a] statement of objectives sought by the proposed project…. The statement of objectives should include the underlying purpose of the project."

TOWN GOALS AND OBJECTIVES

Mammoth Lakes is comprised of 12 districts and four mountain portals, as described in the Neighborhood and District Character Element of the Town's General Plan. Master planning of these specific districts provides a basis for future land use decisions incorporating the goals, policies, and actions in the Land Use and Community Design Elements as well as the Neighborhood and District Character Element. The characteristics of each district provide a sense of place regarding structure, function, and a district center. The project site is located in the North Village District and the identified characteristics for this district are as follows:

- Viewsheds to Sherwin Range and the Knolls are preserved;
- Landscape that recalls the Eastern Sierra and establishes scale and street edge;
- Create a sense of exploration using pedestrian-oriented sidewalks, plazas, and courtyards with pedestrian comforts;
- Easy pedestrian access across main streets;
- Gateway intersection at Minaret Road and Main Street/Lake Mary Road;
- Visitor-oriented entertainment retail district;
- Active day and evening through all four seasons, designed to achieve a two to three hour visit;
- Resort and resident activities, amenities, and services;
- Animation with retail and significant businesses oriented to the street;
- Retail and services in "storefront" setting located at the sidewalk;
- A variety of resort lodging supported by meeting facilities, outdoor activities, and restaurants, arts, culture, and entertainment;
- Create year-round non-vehicular links to mountain portals;

- Lake Mary Road connected to the North Village District by trails;

- Shared and pooled parking, convenient structured parking, and small-scale street adjacent surface parking; and

- Encourage living and working in close proximity to transit-oriented development.

SPECIFIC PLAN GOALS AND OBJECTIVES

The North Village Specific Plan aims to create a set of land use designations and development standards which facilitate the development (or renovation) of "North Village" as a concentrated, pedestrian-oriented activity center with limited vehicular access. North Village is oriented toward achieving year-round uses and visitor activity, strengthening the existing winter visitor market, and to improving Mammoth's attractiveness to spring, summer, and fall resort visitors. The key objective of the NVSP, and consequently the Land Use Element, is to enhance the Town's image as a destination resort community, through the creation of a high profile, pedestrian oriented, resort activity center where lodging, restaurants, shopping, housing, and recreational opportunities are located within proximity to one another and easily accessible by transit.

There are six land use districts established within the NVSP. As previously noted, the project site is located in the NVSP RG. RG has been assigned to parcels adjacent to and easily accessible to the plaza, but still within the Pedestrian Core Overlay area. The Pedestrian Core area is intended to be a mixed-use village with commercial uses on the ground level and accommodation units on upper floors. The scale of the individual ground level shops vary. RG uses are intended to provide visitor-oriented resort services, but retail uses are limited to multi-tenant complexes or within full-service hotels. Restaurants are generally the only freestanding uses permitted in the NVSP RG district.

The RG objectives identified in NVSP are as follows:

- To provide resort accommodations and supporting commercial facilities for visitor-oriented activities and facilities.

- To provide a transition zone between the Plaza Resort and Specialty Lodging uses within North Village and surrounding residential uses.

- To provide integrated pedestrian access to and from the plazas.

PROJECT GOALS AND OBJECTIVES

The intent of the proposed project is to create a better relationship and integration with Minaret Road, with a signature street level pedestrian porte cochere and other features that would animate the streetscape and serve as an inviting portal into the proposed hotel. In a commitment to help the North Village community realize its place-making potential, the key goals and objectives of the project are to:

- Greatly improve the project's relationship with the streetscape by introducing the porosity that allows for ease of pedestrian integration with Minaret Road.

- Populate and animate this section of Minaret Road and allow for ease of access to and from the proposed hotel amenities via the inviting pedestrian porte cochere and streetscape features.

- Deliver much needed critical mass in terms of hot beds to substantively help the North Village achieve economic sustainability.

- Provide an array of services and amenities that make the North Village a much more compelling destination for tourists and locals alike.

- Eliminate the need for any additional curb cuts along Minaret Road, which would be disruptive to pedestrian flows, by utilizing the existing vehicular access to Building C off of Canyon Boulevard.

- Improve the animation and vibrancy of the streetscape along Minaret Road with the addition of terraces for casual gathering or dining.

- Provide an array of amenities and related back-of-the-house functions that would allow for the lodge to operate efficiently and attract an experienced and quality hotel operator to reinforce 8050's quality as a compelling year-round destination for visitors and locals alike.

- Deliver a LEED certifiable project consistent with the shared environmental values of the Town and the Applicant.

- Utilize a contextually sensitive architectural vernacular that departs from the repetitive and mostly uninspiring design solutions associated with earlier generation lodging properties within the community.

- Deliver a project that takes into account snow country design issues and constraints.

- Produce a compelling, iconic, and economically sustainable lodging project that acts as a catalyst for the revitalization and added vibrancy of the North Village.

2.6 PROJECT APPROVALS

The Town, as Lead Agency for the project, has discretionary authority over the project. In order to implement the proposed Inn at the Village, the Applicant would need to obtain, at a minimum, the following discretionary permits/approvals:

- Subsequent Environmental Impact Report Certification;
- District Zoning Amendment;
- Tentative Tract Map;
- Conditional Use Permit;
- Design Review Permit; and
- Final Map(s).

In addition, grading permits and building permits, (which are non-discretionary actions) would be necessary for project implementation.

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3.0 MODIFIED INITIAL STUDY CHECKLIST

3.1 BACKGROUND

1.	**Project Title:** Inn at the Village
2.	**Lead Agency Name and Address:** Town of Mammoth Lakes 437 Old Mammoth Road, Suite R Mammoth Lakes, CA 93546
3.	**Contact Person and Phone Number:** Ms. Jen Daugherty, Senior Planner 760.934.8989 x260
4.	**Project Location:** The project site is specifically located at 50 Canyon Boulevard, to the west of Minaret Road, north of Main Street/Lake Mary Road, and east of Canyon Boulevard.
5.	**Project Sponsor's Name and Address:** Severy Realty Group 127 El Paseo Santa Barbara, CA 93101 *Mr. Dana Severy, President*
6.	**General Plan Designation:** North Village District
7.	**Zoning:** North Village Specific Plan, Resort General
8.	**Description of the Project:** Refer to Section 2.4, *Project Characteristics*.
9.	**Surrounding Land Uses and Setting:** North: Buildings A and B of the 8050 project, Commercial, and Retail uses. South: Fireside at the Village condominiums, Commercial, and Parking. East: Hotel, Vacation Condominium Rentals, and Restaurant uses. West: Hotel and Vacant Land uses.
10.	**Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement):** Mammoth Community Water District; Mammoth Lakes Fire Protection District; California Department of Transportation; California Regional Water Quality Control Board (Lahontan); State Water Resources Control Board; and Great Basin Unified Air Pollution Control District.

3.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "New Potentially Significant Impact" or "New Mitigation Required," as indicated by the checklist on the following pages.

✓	Aesthetics	✓	Land Use and Planning
	Agriculture and Forest Resources		Mineral Resources
✓	Air Quality	✓	Noise
	Biological Resources		Population and Housing
	Cultural Resources		Public Services
	Geology and Soils		Recreation
✓	Greenhouse Gas Emissions	✓	Traffic, Circulation, and Parking
	Hazards and Hazardous Materials	✓	Utilities and Service Systems
	Hydrology and Water Quality	✓	Mandatory Findings of Significance

3.3 LEAD AGENCY DETERMINATION

On the basis of this initial evaluation:

☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous approved ND or MND or certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND or MND or previously certified EIR adequately discusses the potential impacts of the project without modification.

☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous approved ND or MND or certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND, MND or previously certified EIR adequately discusses the potential impacts of the project; however, minor changes require the preparation of an ADDENDUM.

☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND, MND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However all new potentially significant environmental effects or substantial increases in the severity of previously identified significant effects are clearly reduced to below a level of significance through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT MND is required.

☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous environmental document due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However, only minor changes or additions or changes would be necessary to make the previous EIR adequate for the project in the changed situation. Therefore, a SUPPLEMENTAL EIR is required.

☒ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous environmental document due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT EIR is required.

Signature	Town of Mammoth Lakes Agency
Jen Daugherty, Senior Planner Printed Name	3/26/14 Date

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4.0 ENVIRONMENTAL ANALYSIS

This Modified Initial Study analyzes the changes between the Inn at the Village project as analyzed in the 1999 SPEIR and the project as currently proposed, and the changes in the circumstances under which the project will be undertaken that require major revisions to the 1999 SPEIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Furthermore, new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the 1999 SPEIR was certified is also identified. The following terminology is used in determining the project-related impacts:

1) A finding of "No New Impact/No Impact" means that the potential impact was fully analyzed and/or mitigated in the prior CEQA document and no new or different impacts will result from the proposed activity. A brief explanation is required for all answers except "No New Impact/No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No New Impact/No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No New Impact/No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis). If modifications to the applicable 1999 SPEIR Mitigation Measures are necessary, these changes have been made in ~~strikethrough~~ and <u>double underline</u> text.

2) A finding of "New Mitigation Required" means that the project may have a new potentially significant impact on the environment or a substantially more severe impact than analyzed in the previously approved or certified CEQA document and that new mitigation is required to address the impact.

3) A finding of "New Potentially Significant Impact" means that the project may have a new potentially significant impact on the environment or a substantially more severe impact than analyzed in the previously approved or certified CEQA document that cannot be mitigated to below a level of significance or be avoided.

4) A finding of "Reduced Impact" means that a previously infeasible mitigation measure is now available, or a previously infeasible alternative is now available that will reduce a significant impact identified in the previously prepared environmental document.

5) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

6) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

    a) Earlier Analyses Used. Identify and state where they are available for review.

b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis. Describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the proposed action.

c) Infeasible Mitigation Measures. Since the previous EIR was certified or previous ND or MND was adopted, discuss any mitigation measures or alternatives previously found not to be feasible that would in fact be feasible or that are considerably different from those previously analyzed and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives.

d) Changes in Circumstances. Since the previous EIR was certified or previous ND or MND was adopted, discuss any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause a change in conclusion regarding one or more effects discussed in the original document.

7) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

8) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

4.1 AESTHETICS

Would the project:	New Potentially Significant Impact	New Mitigation Required	No New Impact/No Impact	Reduced Impact
a. Have a substantial adverse effect on a scenic vista?	✓			
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	✓			
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	✓			
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	✓			

4.1.a Have a substantial adverse effect on a scenic vista?

New Potentially Significant Impact. The 1991 PEIR concluded that distant views for motorists and pedestrians traveling along Minaret Road would be affected due to the development in the Specific Plan area. Mitigation measures such as design review for individual development sites within the Specific Plan area and the use of earth-tone colors and materials would reduce these impacts to less than significant levels. Upon consideration of the 1999 NVSP Amendment, the 1999 SPEIR determined that there were no designated scenic vistas or highways located within the Specific Plan area.[3] However, this document determined that a significant visual impact would occur if future development creates obstruction of long-range views of the Sherwin Mountains. The 1999 SPEIR concluded that the 1999 NVSP Amendment would result in reduced impacts to scenic views and vistas upon implementation of recommended mitigation measures compared to the 1991 PEIR.

Currently, the project site consists of a parking structure with elevations at approximately 8,050 feet above mean sea level (amsl). Surrounding land uses include Buildings A and B of the 8050 project adjoining the project site to the northwest, as well as hotel, vacation condominium rentals, and restaurant uses to the northeast and southeast, Fireside at the Village condominiums and a commercial building to the south, and the Westin Monache Resort and surrounding vacant land uses to the west. Implementation of the proposed project would amend the NVSP to increase the allowable density and building height at the site as well as reduce the allowed setbacks along Minaret Road. These project changes could result in view obstruction of the Sherwin Range. Therefore, this issue will be analyzed in detail in the SEIR. New information (such as photosimulations), will be utilized to determine whether a new impact would occur.

4.1.b Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

New Potentially Significant Impact. The 1991 PEIR concluded that distant views for motorists and pedestrians traveling along Minaret Road would be affected due to the intensification of

[3] Note that this statement was based on the adopted General Plan at the time, which was the *1986 Town of Mammoth Lakes General Plan EIR.*

development in the Specific Plan area. Mitigation measures such as design review for individual development sites within the Specific Plan area and the use of earth-tone colors and materials would reduce these impacts to less than significant levels. The 1999 SPEIR determined that the 1999 NVSP Amendment would result in reduced impacts to scenic resources upon implementation of recommended mitigation measures.

Currently, based on the California Scenic Highway Mapping System, there are no designated scenic highways located within, or adjacent to the site.[4] Although the SR-203 is not officially designated, this segment of highway is an eligible State scenic highway. The site contains numerous trees and ornamental landscaping along the perimeter of the site. As stated in Section 2.4, *Project Characteristics*, vegetation (including sapling trees) would be removed for the project, mainly to allow for frontage improvements along Minaret Road. No rock outcroppings or historic buildings are located on the project site. The proposed project could result in damage to scenic resources, including trees. Thus, further analysis will be conducted as part of the SEIR to determine potential impacts in this regard. New information (such as photosimulations), will be utilized to determine whether a new impact would occur.

4.1.c Substantially degrade the existing visual character or quality of the site and its surroundings?

New Potentially Significant Impact. The 1991 PEIR concluded that development of the Specific Plan would change the physical and visual character of the site, potentially resulting in significant impacts to the character/quality. However, mitigation measures (such as enforcement of a tree preservation plan, contour grading, a forested buffer of 100 feet along the southern extension of Minaret Road, and the use of native plants in landscaping design) were recommended to reduce potential impacts in this regard to less than significant levels. According to the 1999 SPEIR, development of the 1999 NVSP Amendment would be similar to the approved NVSP in that it would permanently alter the visual character of the area as a result of increased densities and the loss of open space and trees. Land uses, densities, building area, and grading requirements within the 1999 NVSP Amendment would remain similar to those identified for the approved Specific Plan. However, increased impacts as a result of the reduced setback requirements were determined. New mitigation measures were recommended (such as modulation in building walls and facades, stepping of roof forms and detailing of exterior treatments and finishes) in order to reduce these potential impacts.

The 1999 SPEIR determined that the decreased setbacks along Canyon Boulevard as a result of the 1999 Amendment would not result in view obstruction of a significant viewshed or long-range views to the east. Impacts in this regard were determined to be reduced to less than significant levels.

The 1991 PEIR identified the loss of forested and open space areas throughout the NVSP area as a significant aesthetic impact. Mitigation measures were proposed to address preservation of forested character in the Specific Plan area, including maintenance of a 100-foot forested buffer along the southern exterior of Minaret Road. These measures include a tree preservation and replacement plan which would outline increased setbacks or tree preservation pockets where feasible. The 1999 SPEIR concluded that based on available information, the mitigation measures presented in the

[4] Officially Designated State Scenic Highways and Historic Parkways Map, http://www.dot.ca.gov/hq/LandArch/scenic_highways/, accessed February 14, 2014.

1991 PEIR needed to be revised and new measures needed to be incorporated in order to reduce potential impacts in this regard. With implementation of the recommended mitigation measures and adherence to the Town's Municipal Code regarding grading and clearing requirements, these increased impacts were determined to be reduced to less than significant levels. Overall, the 1999 SPEIR determined that impacts to character/quality associated with the project site were reduced to less than significant levels upon implementation of recommended mitigation measures.

Currently, the project site would be atop an existing parking structure with elevations at approximately 8,050 amsl. Surrounding land uses include Buildings A and B of the 8050 project adjoining the project site to the northwest, as well as hotel, vacation condominium rentals, and restaurant uses to the northeast and southeast, Fireside at the Village condominiums and a commercial building to the south, and the Westin Monache Resort and surrounding vacant land to the west. Surrounding hotels include the Westin Monache Resort to the west and other two to four story hotels further east and northwest of the project site. The surrounding uses exhibit a variety of architectural styles, emphasizing the Town's alpine resort character through the use of gabled roofs, timbers and wood exteriors.

The project proposes the development of a seven-story hotel that includes hotel rooms and accessory uses. The proposed development would change the character of the project site, as the proposed NVSP amendments would increase on-site density and building heights, and decrease setbacks along Minaret Road. The proposed project is subject to compliance with the NVSP Development and Design Standards with respect to site planning (building density, building height, and building setbacks), building design, landscaping, and revegetation standards. The proposed project changes could degrade the existing visual character or quality of the site and its surroundings further than that previously analyzed in the 1999 SPEIR. Further analysis will be conducted as part of the SEIR to determine potential impacts in this regard. New information, such as photosimulations and shade/shadow diagrams, will be utilized to determine whether a new impact would occur.

4.1.d Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

New Potentially Significant Impact. The 1991 PEIR determined that lighting and glare levels at the project site would increase with development of the Specific Plan. Mitigation measures were recommended to reduce these impacts to less than significant levels. According to the 1999 SPEIR, development in accordance with the 1999 NVSP Amendment would not create additional sources of light and glare over anticipated levels for the Specific Plan. The 1999 SPEIR concluded that light sources would be required to be directed away from adjacent uses. The 1999 SPEIR concluded that previously identified mitigation measures, together with standard Town Code directive light requirements, would reduce potential impacts of new sources of light or glare to less than significant levels.

The proposed project would result in increased density and building heights and decreased setbacks, which could result in increased lighting sources at the site. Light introduction can be a nuisance to adjacent uses and diminish the view of the clear night sky. In addition, lighting associated with non-residential uses may cause spillover impacts to nearby sensitive receptors. The proposed project would be subject to the NVSP design standards and the *Town of Mammoth Lakes Municipal Code* (Municipal Code) Section 17.34, Outdoor Lighting. However, implementation of the proposed

increase in allowable building density, increase in building height, and reduction in front yard setbacks along Minaret Road could cause ambient lighting to be greater than under existing conditions due to light spillage from windows, security lighting, architectural lighting, landscape lighting, and other sources. Although such light spillage typically has a low glare potential and minimal effect on ambient lighting, the increased effect of all the on-site ambient lighting could be substantial. Further analysis will be conducted as part of the SEIR to determine potential impacts in this regard.

4.2 AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	**New Potentially Significant Impact**	**New Mitigation Required**	**No New Impact/No Impact**	**Reduced Impact**
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?			✓	
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?			✓	
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 Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?			✓	
d. Result in the loss of forest land or conversion of forest land to non-forest use?			✓	
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?			✓	

4.2.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 New Impact/No Impact. The 1999 SPEIR determined that the project site had no evidence of previous agricultural operations and is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The 1999 SPEIR determined that the 1999 NVSP Amendment would result in no impacts in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance to nonagricultural use.

Currently, based on the California Important Farmland Finder, the project site is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.[5] Thus, no new or different impacts would result from the proposed project. Project implementation would not convert farmland to non-agricultural uses and no impact would occur in this regard.

4.2.b Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No New Impact/No Impact. The 1999 SPEIR determined that the project site is designated as Specific Plan pursuant to the 1994 NVSP Amendment. The 1999 SPEIR concluded that the 1999 NVSP Amendment would result in no impacts to conflicts with existing zoning for agricultural use, or a Williamson Act contract.

Currently, the project site is zoned North Village Specific Plan (NVSP), Resort General (RG), according to the Town's Official Zoning Map and the North Village Specific Plan Zoning. The existing zoning does not include any agricultural-related districts, nor is the site part of a Williamson Act contract. No new or different impacts would result from the proposed project. Therefore, project implementation would not conflict with existing zoning for agricultural use, or a Williamson Act contract and no impact would occur in this regard.

4.2.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 Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

No New Impact/No Impact. Forest land and timberland were not addressed in the 1999 SPEIR, as these were not CEQA thresholds at the time of document preparation.

The project site's existing zoning does not include any designated forest or timberland-related districts; refer to Response 4.2.b. The project site is in its entirety located within the NVSP RG area, which is intended for development of hotels, resort condominiums, restaurants, residential uses, employee housing facilities, and visitor-oriented resort services for the Town and is not used for forest land or timberland use. Although native tree species are located along the perimeter of the project site (e.g., Pine, Fir, and Aspen trees), no trees with a diameter at breast height (DBH) of six inches or more would be removed as a result of the proposed project. Further, implementation of the proposed project would install new native trees along the perimeter of the new building. With compliance with the Town's Municipal Code, Chapter 17.16.050 (Grading and Clearing [B]), no new significant impacts pertaining to timberland resources would result. Further, project implementation would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production. Thus, no new significant impacts would occur in this regard.

4.2.d Result in the loss of forest land or conversion of forest land to non-forest use?

No New Impact/No Impact. Refer to Response 4.2.c.

[5] California Department of Conservation, *Farmland Mapping and Monitoring Program, California Important Farmland Finder*, http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx, accessed on February 14, 2014.

4.2.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 New Impact/No Impact. As previously noted, the 1999 SPEIR determined that the project site is not used for agricultural production and agricultural operations do not occur within the vicinity. The 1999 SPEIR concluded that the 1999 NVSP Amendment would not result in any changes to the environment that would result in the conversion of farmland to non-agricultural use. As previously indicated in Response 4.2.c, forest land and timberland were not addressed in the 1999 SPEIR, as these were not CEQA thresholds at the time of document preparation.

There is no Farmland or forest land located on the project site or in its immediate vicinity. The project site is located within developed or urbanizing areas and the development of this site would not create additional pressures on other Farmland areas to convert to nonagricultural uses. Implementation of the proposed project would not involve changes in the environment that would result in the conversion of designated farmland or forest land to non-agricultural/non-forest land use and no impact would occur in this regard. Refer also to Responses 4.2.a through 4.2.c.

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4.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	New Potentially Significant Impact	New Mitigation Required	No New Impact/No Impact	Reduced Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	✓			
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	✓			
c. 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	✓			
d. Expose sensitive receptors to substantial pollutant concentrations?	✓			
e. Create objectionable odors affecting a substantial number of people?			✓	

4.3.a Conflict with or obstruct implementation of the applicable air quality plan?

New Potentially Significant Impact. The project is located within the Great Basin Valley Air Basin (GBVAB), regulated by the Great Basin Unified Air Pollution Control District (GBUAPCD). The United States Environmental Protection Agency (EPA) has classified the GBVAB as a non-attainment area for Federal and State coarse particulate matter (PM_{10}) and ozone (O_3) (State standards only) air quality standards. As a non-attainment area, the GBUAPCD was subject to the State Implementation Plan (SIP), later satisfied by the 1990 Air Quality Management Plan (1990 AQMP) pursuant to the Federal Clean Air Act (FCAA). The 1991 PEIR concluded that construction emissions would exceed Federal and State carbon monoxide (CO) standards. Mitigation measures to reduce construction equipment idling would reduce impacts to less than significant levels. The 1991 PEIR also determined that operational PM_{10} levels, as well as localized concentrations of CO levels would be exceeded. With compliance to GBUAPCD requirements and other limitations to wood burning appliances and fireplaces, operational emissions would be reduced to less than significant levels. The 1999 SPEIR concluded that the 1999 NVSP Amendment complied with the 1990 AQMP regulations applicable to wood burning appliance emissions. However, implementation of the 1999 NVSP Amendment would add increased vehicles miles traveled (VMT) to the Town's buildout maximum VMT, exceeding the VMT Cap of 106,600 prescribed in the Town's 1990 AQMP and Municipal Code Section 8.30.110, *Road Dust Reduction Measures*.[6] Mitigation measures such as each project contributing their fair share to the Town's vacuum street sweeping program and conversions to certified stoves/fireplaces can help reduce PM_{10} levels below the Federal threshold. The 1999 SPEIR concluded that the 1999 NVSP Amendment would result in significant and unavoidable air quality impacts for PM_{10} State standards.

[6] The Town's AQMP was updated in 2013 and included a new VMT Cap of 179,708, under which the project will be evaluated.

With approval of the District Zoning Amendment, the project proposes a development of a seven-story hotel and accessory uses. The potential impact of exceeding the maximum allowable building density would be reduced by way of density transfer from the nearby Mammoth Crossing property to maintain General Plan District buildout consistency. However, as compared to the 1999 SPEIR, project implementation is subject to the 2013 Air Quality Maintenance Plan (an update to the 1990 AQMP), and an increase in significant impacts for PM_{10} concentrations could result. Because project implementation could result in potentially new significant impacts involving conflicts or obstruction of implementation of the 2013 AQMP, this issue will be analyzed in detail in the SEIR.

4.3.b Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

New Potentially Significant Impact. The 1991 PEIR concluded that construction impacts from PM_{10} concentrations would be potentially significant. Mitigation measures such as site watering and using drift fencing tackifiers and stockpile covering for inactive construction areas would reduce these impacts to less than significant. The 1991 PEIR identified construction vehicles and equipment as creating potentially significant hot spot violations of Federal and State CO standards. The 1991 PEIR determined that with implementation of recommended mitigation to reduce unnecessary construction equipment idling, impacts in this regard would be reduced to less than significant levels.

According to the 1999 SPEIR, clearing, excavation, grading operations, and other construction activities within the NVSP area would generate dust, with PM_{10} quantities that could violate State and Federal standards. The 1999 SPEIR concluded that construction impacts would be mitigated to a less than significant level with implementation of GBUAPCD standard dust control measures including daily clean-up and site watering during construction activities, effective covering to minimize fugitive dust release, and replanting and repaving after construction to reestablish vegetation. Additionally, construction activities would require a secondary source permit from the GBUAPCD, specifying appropriate dust control measures to further reduce potential air quality impacts to less than significant levels.

Construction of the proposed project would result in pollutant emissions from three different sources: (1) short-term construction emissions; (2) long-term mobile emissions from vehicles traveling to and from the site once the project is operational; and (3) long-term stationary emissions from power and natural gas consumption from the on-site uses. The greatest potential for air quality impacts from the project would be attributed to mobile source emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. The project could have a new potentially significant air quality impact. As anticipated by the 1999 SPEIR, this issue will be analyzed in detail in the SEIR to quantify potential project-related air quality impacts (both short- and long-term) and determine whether the project would exceed GBUAPCD's recommended thresholds of significance for construction and operation emissions. The project's potential air quality impacts on a local and regional level will be evaluated pursuant to the GBUAPCD and California Air Resources Board (CARB) requirements and methodology.

4.3.c 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

New Potentially Significant Impact. Refer to Responses 4.3.a and 4.3.b.

4.3.d Expose sensitive receptors to substantial pollutant concentrations?

New Potentially Significant Impact. The 1991 PEIR concluded that there were potentially significant operational impacts from three sources: 1) localized CO hotspots; 2) contribution to PM_{10} levels from resuspended road cinders and vehicle tail pipe and tire wear; and 3) impacts of wood burning fireplaces on PM_{10} levels. Several mitigation measures including compliance with GBUAPCD requirements and limitations on the quantity of fireplaces and wood burning appliances would reduce these impacts to less than significant levels.

The 1991 PEIR also quantified existing, future cumulative, and future cumulative plus project worst-case curbside CO concentrations expected at five intersections. Of the five intersections analyzed, two intersections (Minaret Road/Main Street and Old Mammoth Road/Main Street) were identified as exceeding the CO standard. Combined traffic impacts from cumulative development and the NVSP buildout could exceed the 8-hour CO standards for roadside receptors. However, a sensitivity analysis identified that CO levels at the Minaret Road/Main Street intersection decreased rapidly as receptors moved away from the intersection, and at 50 feet from the roadside, the 8-hour CO concentration was below the State standard. The 1-hour CO standard was not exceeded as a result of the NVSP or cumulative development.

The 1999 SPEIR determined that under the 1999 NVSP Amendment, the Minaret Road/Main Street intersection would operate at level of service (LOS) F without mitigation and then be improved to LOS D with proposed roadway/intersection improvements resulting in the 8-hour CO concentration to fall below the State standard. A new mitigation measure prohibiting development within 50 feet of the Minaret Road/Main Street intersection would reduce potential CO levels to less than significant. The 1999 SPEIR also concluded that the buildout of the 1999 NVSP Amendment would result in an increase in local and regional PM_{10} levels due to increased traffic and wood stoves. Even with implementation of recommended mitigation measures and proposed project design measures, impacts in this regard were determined significant and unavoidable for PM_{10} emissions.

Construction and operation of the proposed project would increase vehicle trips on area roadways and result in associated air pollutants. Grading and excavation operations could also result in air quality impacts in the absence of mitigation. The 1999 SPEIR assumed the development of a maximum five-story hotel and accessory uses (the project site). The project proposes development of a seven-story hotel and 29,910 square feet of accessory uses. Comparatively, the project proposes increased on-site density than that analyzed in the 1999 SPEIR. Concentrations of criteria pollutants could exceed the GBUAPCD's thresholds for construction and operational activities. Therefore, project implementation could result in a new potentially significant air quality impact. This issue will be analyzed in detail in the SEIR, in order to quantify potential project-related air quality impacts relative to the GBUAPCD's thresholds.

4.3.e Create objectionable odors affecting a substantial number of people?

No New Impact/No Impact. This threshold was not addressed in the 1999 SPEIR.

Construction activities associated with the proposed project may generate detectable odors from heavy-duty equipment exhaust. However, construction-related odors would be intermittent, short-

term in nature, and cease upon project completion. The project does not propose land uses that are typically associated with odor complaints, although, the proposed hotel and accessory uses may involve cooking activities that may generate odors. However, odors from operations are not expected to be objectionable. Therefore, project implementation would not create objectionable odors affecting a substantial number of people. Thus, no new significant impacts would occur in this regard.

4.4 BIOLOGICAL RESOURCES

Would the project:	New Potentially Significant Impact	New Mitigation Required	No New Impact/No Impact	Reduced Impact
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 Game or U.S. Fish and Wildlife Service?			✓	
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 Game or U.S. Fish and Wildlife Service?			✓	
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓	
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?			✓	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			✓	
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?			✓	

4.4.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 Game or U.S. Fish and Wildlife Service?

No New Impact/No Impact. The 1991 PEIR determined that any loss of a plant species of concern would be considered a significant impact. According to field surveys conducted in 1990, the 1991 PEIR found no species of special concern and determined that no significant adverse impacts as a result of implementation of the NVSP would result in this regard. According to the 1994 PEIR Addendum, the 1994 NVSP Amendment resulted in no changes to the impacts, mitigation measures, or cumulative impacts in this regard. Based on the 1999 SPEIR, the 1999 NVSP Amendment resulted in no impacts special status plant or wildlife species and no mitigation measures were required.

As the project site currently consists of developed uses and ornamental landscaping, no new or different impacts would result from the proposed project. Thus, the potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

4.4.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 Game or U.S. Fish and Wildlife Service?

No New Impact/No Impact. The 1991 PEIR found that the recreational and commercial developments proposed for the NVSP would result in the alteration of most of the scattered native vegetation and wildlife resources at the NVSP site. Implementation of the NVSP could have resulted in increased cover in some areas as a result of new landscape planting; however, it was determined that this increase may not result in an increase in the overall habitat values since the replacement vegetation would be "urban" and represents a loss of plant species diversity. The 1991 PEIR also discussed potential impacts as a result of the change in vegetation from conifer forest to urban development. These impacts would be considered a potentially significant impact of the 1991 NVSP. The 1991 PEIR considered potential site disturbance and disruptions during project construction, which was anticipated to scatter/disperse and fragment existing wildlife communities on-site, forcing survivors into already occupied habitats, causing cumulative negative impacts on all wildlife in the area. The 1991 PEIR also stated that increased erosion and siltation as a result of construction and grading activities could alter vegetation in the project area. The 1991 PEIR determined that all potential impacts to natural communities would be reduced to a less than significant level after implementation of recommended mitigation measures.

According to the 1994 PEIR Addendum, the 1994 NVSP Amendment resulted in no changes to the impacts, mitigation measures, or cumulative impacts in this regard. Based on the 1999 SPEIR, the 1999 NVSP Amendment would result in increased impacts to the removal of Jeffrey Pine-Fir forest. However, these tree species are not considered sensitive species and with implementation of the existing required mitigation measures pertaining to tree surveys to identify potential trees of special concern, impacts in this regard would be reduced to less than significant levels.

The project site currently consists of developed uses and ornamental landscaping along the perimeter of the project site. No new or different impacts pertaining to impacts to riparian habitat or other sensitive natural communities would result from the proposed project. Some native ornamental landscaping (including sapling trees) would be required to be removed and/or relocated. However, the project proposes replacement landscaping, including tree species. As discussed, these tree species are not riparian habitat or other designated sensitive natural communities. The potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

Applicable 1999 SPEIR Mitigation Measures:

MM 5.9-2a The project shall preserve existing native vegetation to the maximum extent feasible. Landscaping shall emphasize the use of native plants indigenous to the Jeffrey Pine-Fir Forest plant community. Whenever possible, native plants used on-site shall be subject to the Design Review procedure of the Town.

MM 5.9-2b Landscape materials shall be used that allow for the protection and preservation of existing trees. Native plant species, preferably from seed or cuttings from local plants, shall be used where possible. The Landscape Plan shall be approved by the Town Planning ~~Director~~ Manager prior to issuance of any construction permits.

MM 5.9-2c Irrigation, fertilization, and other landscape management practices shall be designed to minimize effects on existing tees and other vegetation.

MM 5.9-2d To the extent possible, native vegetation shall be retained and protected during construction. A Revegetation Plan, prepared by a qualified Landscape Architect and approved by the Town of Mammoth Lakes, shall be completed prior to the commencement of the project, which will describe in detail the species of trees and shrubs which will be used, where they will be planted, and in what numbers, and the methods of planting and maintenance which will ensure successful growth. It shall include a monitoring program to follow the progress of new plantings and ensure replacement of unsuccessful plants. Landscaping with native species of trees and shrubs shall be undertaken to enhance wildlife use of cleared areas.

MM 5.9-2f All construction activities, including movement and storage of vehicles and the storage of building and other materials, shall be confined to areas slated for development. Care shall be taken during construction to avoid damage to vegetation and habitats not directly involved in project construction. Any vegetation inadvertently damaged outside of the area slated for development shall be replaced on a one-to-one basis on- or off-site. Off-site replacement shall require the approval of the Town Planning ~~Director~~ Manager.

MM 5.9-2j Construction and site development, such as grading and trenching, shall be prohibited within the dripline of retained trees. Equipment shall be stored or driven under trees. Grading shall not cover the ground surface within the dripline of existing trees. Grading limits shall be clearly defined and protected.

4.4.c Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No New Impact/No Impact. According to the 1999 SPEIR, no wetlands as defined by Section 404 of the Clean Water Act exist or have been identified on-site and the 1999 NVSP Amendment would not result in impacts in this regard.

As the project site currently consists of developed uses and ornamental landscaping, no new or different impacts would result from the proposed project. Thus, the potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

4.4.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?

No New Impact/No Impact. According to the 1999 SPEIR, the 1999 NVSP Amendment would not result in significant impacts pertaining to the interference of the movement of any native resident or migratory wildlife corridors.

The project site currently consists of developed uses and ornamental landscaping located within the central portion of the NVSP area. No new or different impacts pertaining to impacts to wildlife movement would result from the proposed project. Thus, project implementation would not impact wildlife movement and no impact would occur in this regard.

4.4.e Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No New Impact/No Impact. The 1999 SPEIR discussed that the 1999 NVSP Amendment when viewed in conjunction with other major development planned for the Town, the loss of trees could be considered a negative cumulative effect. However, cumulative impacts were determined to be mitigated on a project-by-project basis and in accordance with the Town's requirements.

Implementation of the proposed project would require the removal/relocation of some native ornamental landscaping (including sapling trees). However, the project proposes replacement landscaping, including tree species. The proposed project would be subject to the Town's existing Municipal Code Section 12.08.080, *Engineered Grading Permit Requirements*. Per these requirements, the proposed project's grading plans must show the location, circumference, species and approximate base elevation of all trees over six feet in height and four inches in diameter (or as required by the Planning Division) within the property boundaries including any trees that may be affected by the grading whether inside or outside of the property boundaries. The project site does not support a large number of evergreen trees and the majority of existing evergreens on the property would be retained. Further, the trees that would be removed (currently saplings planted at construction of Buildings A and B of the 8050 project) are smaller than the required four inches in diameter. Thus, project implementation would result not result in impacts pertaining to a conflict with the Town's tree policy. No new significant impacts would result in this regard.

4.4.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?

No New Impact/No Impact. The 1999 SPEIR determined that the project site does not have an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other habitat conservation plan. The 1999 SPEIR determined that the 1999 NVSP Amendment would not result in impacts to conflicts with provisions of any such plans.

Currently, no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan has been adopted for the project site. No new or different impacts would result from the proposed project. Thus, project implementation would not result in any new or different impacts pertaining to a conflict with provisions of any such plans and no impact would occur in this regard.

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4.5 CULTURAL RESOURCES

Would the project:	New Potentially Significant Impact	New Mitigation Required	No New Impact/No Impact	Reduced Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?			✓	
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?			✓	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			✓	
d. Disturb any human remains, including those interred outside of formal cemeteries?			✓	

4.5.a Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?

No New Impact/No Impact. The 1991 PEIR did not identify any structures of historical resource in the NVSP area. According to the 1994 PEIR Addendum, the 1994 NVSP Amendment did not result in any changes to the impacts, mitigation measures, or cumulative impacts with respect to historical resources. The 1999 SPEIR determined that implementation of the 1999 NVSP Amendment would result in similar impacts to historical resources when compared to the 1994 NVSP Amendment.

As concluded in the previous environmental documentation, there are no historical resources pertaining to on-site structures present on the project site. Therefore, project implementation would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5. The potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

4.5.b Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?

No New Impact/No Impact. The 1991 PEIR determined that with implementation of recommended mitigation measures, potential impacts to archaeological resources would be reduced to less than significant levels. According to the 1994 PEIR Addendum, the 1994 NVSP Amendment did not result in any changes to the impacts, mitigation measures, or cumulative impacts with respect to archaeological resources. The 1999 SPEIR determined that implementation of the 1999 NVSP Amendment could result in a substantial adverse change in the significance of an archaeological resource. Implementation of the specified mitigation measures would reduce these impacts to less than significant levels. When compared to the 1994 NVSP Amendment, the 1999 NVSP Amendment would result in similar impacts to archaeological resources because the NVSP boundary has not been modified.

Minimal earthwork activities would be required for perimeter improvements and landscaping proposed as part of the project. As concluded in the previous environmental documentation, with implementation of the 1999 SPEIR Mitigation Measure 5.11-1e, potential impacts to archaeological resources during minor surface grading activities would be reduced to less than significant levels. Therefore, the potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

Applicable 1999 SPEIR Mitigation Measures:

MM 5.11-1e In the event that a material of potential cultural significance is uncovered during grading activities on the project site, all grading in the area of the uncovered material shall cease and the project applicant shall retain a professional archaeologist to evaluate the quality and significance of the material. Grading shall not continue in the area where a material of potential cultural significance is uncovered until resources have been completely removed by the archaeologist and recorded as appropriate.

4.5.c Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No New Impact/No Impact. The 1999 SPEIR determined that the 1987 General Plan and 1991 PEIR did not indicate a potential for paleontological resources to be located on the project site or surrounding area. Therefore, the 1999 SPEIR determined that no impacts to paleontological resources would occur with implementation of the 1999 NVSP Amendment.

Minimal earthwork activities would be required for perimeter improvements and landscaping. Based on the 2007 General Plan, no known paleontological resources are present on-site or in the surrounding area. Therefore, project implementation is not anticipated to impact paleontological resources and no mitigation measures are required. The potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

4.5.d Disturb any human remains, including those interred outside of formal cemeteries?

No New Impact/No Impact. The 1991 PEIR determined that the construction activities associated with implementation of the NVSP could disturb previously unknown human burial sites of Native American Groups, which is a potentially significant impact. Upon implementation of the recommended mitigation measure, impacts in this regard would be reduced to a less than significant level. According to the 1994 PEIR Addendum, the 1994 NVSP Amendment did not result in any changes to the impacts, mitigation measures, or cumulative impacts with respect to archaeological and/or historical resources, and human remains. The 1999 SPEIR determined that when compared to the 1994 NVSP Amendment, the 1999 NVSP Amendment would result in similar impacts to archaeological resources due to the similar development areas. No new impacts or mitigation measures were identified.

As concluded in the previous environmental documentation, with implementation of the 1999 SPEIR Mitigation Measure 5.11-2, potential impacts to burial sites during minor surface grading activities would be reduced to less than significant levels. Therefore, the potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

Applicable 1999 SPEIR Mitigation Measures:

MM 5.11-2 ~~See Mitigation Measure 5.11; in addition, i~~If human remains are discovered, work shall cease and an appropriate representative of Native American Indian groups and the County Coroner shall both be informed and consulted, as required by State law.

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4.6 GEOLOGY AND SOILS

Would the project:	New Potentially Significant Impact	New Mitigation Required	No New Impact/No Impact	Reduced Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1) 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? Refer to Division of Mines and Geology Special Publication 42.			✓	
2) Strong seismic ground shaking?			✓	
3) Seismic-related ground failure, including liquefaction?			✓	
4) Landslides?			✓	
b. Result in substantial soil erosion or the loss of topsoil?			✓	
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?			✓	
d. Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001), creating substantial risks to life or property?			✓	
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?			✓	

4.6.a.1 Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?

No New Impact/No Impact. According to the 1991 PEIR, no part of the NVSP is in a known Alquist-Priolo (AP) Earthquake Fault Zone; therefore, the 1991 PEIR concluded there would be no impact. The 1994 PEIR Addendum did not identify additional project or cumulative impacts associated with seismicity, beyond those included in the 1991 PEIR. Further, the 1999 SPEIR determined that no known AP Earthquake Fault Zones are present within the NVSP area. No impacts were identified in this regard.

As concluded in the previous environmental documentation and verified in Special Publication 42, the project site is not affected by an AP Earthquake Fault Zone.[7] Therefore, project implementation would not expose people or structures to potential substantial adverse effects involving rupture of a

[7] State of California Department of Conservation California Geological Survey, *Alquist-Priolo Home Page,* http://www.quake.ca.gov/gmaps/ap/ap_maps.htm, Accessed February 25, 2014.

known earthquake fault. The potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

4.6.a.2 Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

No New Impact/No Impact. The 1991 PEIR concluded that with the incorporation of recommended mitigation measures outlined within required geotechnical studies for individual developments on a project-by-project basis, seismic ground shaking within the NVSP area would be reduced to less than significant levels. The 1994 PEIR Addendum did not identify additional project or cumulative impacts associated with seismicity, beyond those included in the 1991 PEIR. Based on the 1999 SPEIR, although the NVSP area is subject to strong seismic ground shaking, future development would be subject to compliance with the Uniform Building Code (UBC), Municipal Code, 1987 General Plan, and 1987 General Plan PEIR, and other applicable standards prior to issuance of grading permits. As such, no impacts beyond those previously identified were anticipated to occur.

The existing parking structure was constructed to support the future Building C at the site and was constructed to UBC standards and regulations as well as the Town's Municipal Code. The new structure would be required to be constructed to current regulatory requirements. Upon compliance with the UBC and Town Municipal Code, project implementation would result in a less than significant impact due to exposure of people or structures to potential substantial adverse effects involving strong seismic ground shaking, and no mitigation measures are required. The proposed project would result in land uses similar to that analyzed in the 1999 SPEIR. Thus, the potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

4.6.a.3 Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

No New Impact/No Impact. The 1991 PEIR determined that the NVSP area is not subject to known impacts associated with earthquake-induced hazards, including liquefaction. The 1994 PEIR Addendum did not identify additional project or cumulative impacts associated with soils and seismicity, beyond those included in the 1991 PEIR. Based on the 1999 SPEIR, the potential for liquefaction to occur during a seismic event is considered to be low.

Based on the Mammoth Crossing EIR (prepared for a property located within the NVSP and approximately 120 feet to the south of the project site), the potential for liquefaction to occur is considered non-existent, given the lack of a static or permanently perched water table and the dense nature of bearing soils present at this site. Because the potential for liquefaction to occur at the site is considered non-existent, the potential for ground failures associated with liquefaction (i.e., lateral spreading, post-liquefaction reconsolidation, and loss of bearing support) is also considered low. Implementation of the proposed project would involve construction of a hotel structure and accessory uses over an existing subterranean parking structure. The existing parking structure was constructed to support the future Building C at the site and was constructed to the UBC standards and regulations as well as the Municipal Code. The new structure would be required to be constructed to current regulatory requirements. Upon compliance with the UBC and Municipal

Code, project implementation would result in less than significant impacts pertaining to seismic-related ground failure, including liquefaction. Further, the potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

4.6.a.4 Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic landslides?

No New Impact/No Impact. The 1991 PEIR determined that the NVSP area is not subject to known impacts associated with earthquake-induced land sliding. The 1994 PEIR Addendum did not identify additional project or cumulative impacts associated with soils and seismicity, beyond what was addressed in the 1991 PEIR. Based on the 1999 SPEIR, the NVSP area is not subject to known earthquake-induced land sliding. The 1999 SPEIR determined that no impacts beyond those previously identified are anticipated to occur.

Landslides, earthslips, mudflows, and soil creeps are soil instabilities caused by steep slopes, shallow soil development, excess water, and lack of shear strength in the area. Erosion of supporting material at the foot of constructed slopes is another major cause of sliding. Landslides are limited primarily to areas with a combination of poorly consolidated material and slopes that exceed 30 percent. Based on the Mammoth Crossing EIR and the past environmental documentation prepared for the project site, the potential for rock falls or snow avalanches to occur on the project site is considered low and no evidence of past landslides has been noted. Therefore, project impacts related to landslides and avalanches would be less than significant and no mitigation measures are required. The potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

4.6.b Result in substantial soil erosion or the loss of topsoil?

No New Impact/No Impact. The 1991 PEIR determined that implementation of the NVSP would result in potential significant impacts associated with soil erosion. However, with adherence to standard specifications pertaining to a comprehensive Erosion and Sediment Control Plan, impacts in this regard would be reduced to less than significant levels. With manufactured slopes being designed pursuant to applicable Town regulations and standards, long-term erosion impacts would also be reduced to less than significant levels. The 1994 PEIR Addendum did not identify additional project or cumulative impacts associated with soils, beyond those included in the 1991 PEIR.

The 1999 SPEIR determined that grading and excavation activities associated with development of the 1999 NVSP Amendment would potentially result in the temporary exposure of soils to short-term erosion by wind and water. Impacts would be reduced to a less than significant level with implementation of an Erosion and Sediment Transport Control Plan pursuant to the requirements of the Town, County, and Lahontan Regional Water Quality Control Board (RWQCB). The 1999 SPEIR concluded that impacts beyond those previously identified within the 1991 PEIR would not occur with development of the proposed 1999 NVSP Amendment.

Major on-site excavation and grading activities have already occurred and project implementation would only result in minor earthwork activities associated with perimeter improvements. The proposed project would be subject to the Municipal Code requirements pertaining to the

minimization of soil erosion during earthwork activities. Upon compliance with the Municipal Code, project implementation would result in less than significant impacts pertaining to soil erosion and/or the loss of topsoil. These potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

4.6.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 an on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

No New Impact/No Impact. The 1991 PEIR concluded that with the incorporation of recommended mitigation measures, potentially significant impacts associated with the existing or newly created unstable slopes within the NVSP area would be reduced to less than significant levels. The 1991 PEIR did not analyze potential hazards associated with ground fracturing and/or differential changes due to subsidence and/or the presence of collapsible soils. The 1994 PEIR Addendum did not identify additional project or cumulative impacts associated with soils, beyond those included in the 1991 PEIR.

The 1999 SPEIR determined that modifications to existing topography may occur during grading phases within the NVSP area, potentially creating new or increased slope instability. These impacts would be reduced to less than significant levels with implementation of recommended mitigation measures. The 1999 SPEIR also analyzed ground fracturing and differential changes in elevation associated with subsidence and the presence of collapsible/loose sandy soils that may impact the NVSP area. The 1999 SPEIR determined that these impacts would be reduced to a less than significant level with adherence to the Municipal Code requirements. The 1999 SPEIR determined that impacts beyond those previously identified within the 1991 PEIR would not occur with development of the proposed 1999 NVSP Amendment.

As discussed above, the existing parking structure was constructed to support the future Building C at the site and was constructed to the UBC standards and regulations as well as the Town's Municipal Code. The new structure would be required to be constructed to current regulatory requirements. Upon compliance with the UBC and Municipal Code, project implementation would result in less than significant impacts pertaining to unstable soils. Thus, no mitigation measures are required. The potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

4.6.d Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

No New Impact/No Impact. Refer to Response 4.6.c. Further, based on the 2007 General Plan PEIR, no expansive soils have been mapped or encountered in the Town. Thus, no impacts are anticipated in this regard.

4.6.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 New Impact/No Impact. Based on the 1999 SPEIR, the 1999 NVSP Amendment proposed to install on-site sewer lines. The installation of septic tanks or other alternative types of wastewater disposal systems was not necessary. No significant impacts were anticipated in this regard.

Currently, the project site is connected to the existing Mammoth Community Water District sewer system. Therefore, the use of septic tanks or alternative wastewater disposal systems would not be required and no impact would occur in this regard. Thus, the potential impacts were fully analyzed in the 1999 SPEIR and no new or different impacts would result from the proposed project.

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4.7 GREENHOUSE GAS EMISSIONS

Would the project:	New Potentially Significant Impact	New Mitigation Required	No New Impact/No Impact	Reduced Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	✓			
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	✓			

Greenhouse gases (GHGs) are gases in the atmosphere that absorb and emit radiation. The greenhouse effect traps heat in the troposphere through a three-fold process, summarized as follows: short wave radiation emitted by the Sun is absorbed by the Earth; the Earth emits a portion of this energy in the form of long wave radiation; and GHGs in the upper atmosphere absorb this long wave radiation and emit this long wave radiation into space and toward the Earth. This "trapping" of the long wave (thermal) radiation emitted back toward the Earth is the underlying process of the greenhouse effect. The main GHGs in the Earth's atmosphere are water vapor, carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), ozone (O_3), hydrofluorocarbons (HCFs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6).

Direct GHG emissions include emissions from construction activities, area sources, and mobile sources. Typically, mobile sources make up the majority of direct emissions. Indirect GHG emissions are generated by incremental electricity consumption, water demand, and solid waste generation. Electricity consumption is responsible for the majority of indirect emissions. Operational GHG estimations are based on energy emissions from natural gas usage and automobile emissions.

At the time of the 1999 SPEIR document preparation, the CEQA Guidelines did not expressly address global climate change, and GHG analyses were not required under CEQA. The Town has incorporated the greenhouse gas emissions from the 2009 amended CEQA Appendix G Checklist threshold questions into its modified initial study checklist form. The analysis below considers those thresholds and addresses whether the project may have potentially significant impacts requiring further study.

4.7.a Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

New Potentially Significant Impact. As noted above, this threshold was added to the CEQA Statutes and Guidelines after completion of the 1999 SPEIR.

The proposed project involves minimal grading along the perimeter of the project site. The development of a seven-story hotel would be constructed on the project site. As a result, the project would generate both direct and indirect GHG emissions that could have a significant impact on the

environment. Direct project-related GHG emissions include emissions from construction activities, area sources, and mobile sources, while indirect project-related GHG emissions include emissions from electricity consumption, water demand, and solid waste generation. Operational GHG estimations are based on energy emissions from natural gas usage and automobile emissions.

The recommended approach for GHG analysis included in the Governor's Office of Planning and Research (OPR) *CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act Review* (June 19, 2008) release is to: (1) identify and quantify GHG emissions, (2) assess the significance of the impact on climate change, and (3) if significant, identify alternatives and/or mitigation measures to reduce the impact below a level of significance. The CEQA Guidelines do not prescribe thresholds of significance or a particular methodology for performing an impact analysis. As with most environmental topics, significance criteria are left to the judgment and discretion of the lead agency. In compliance with the GHG regulatory requirements, further analysis of greenhouse gas emissions is required. Therefore, because the project could have a new potentially significant impact involving the generation of GHG, this issue will be analyzed in detail in the SEIR.

4.7.b Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

New Potentially Significant Impact. As noted above, this threshold was added to the CEQA Statutes and Guidelines after completion of the 1999 SPEIR.

The project would generate both direct and indirect GHG emissions. The Town does not currently have an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of GHGs. However, GHG emissions will be analyzed in detail in the SEIR in the context of the State plans, policies, and regulations on a project and cumulative level, in order to determine the significance of potential new impacts.

4.8 HAZARDS AND HAZARDOUS MATERIALS

Would the project:	New Potentially Significant Impact	New Mitigation Required	No New Impact/No Impact	Reduced Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓	
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			✓	
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 for people residing or working in the project area?			✓	
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			✓	
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			✓	

4.8.a Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

No New Impact/No Impact. Based on the 1999 SPEIR, future uses on-site may handle materials that are considered hazardous, though these materials would be limited to solvents and chemicals used for cleaning, building maintenance, and those used in landscaping. These materials would not be substantially different from household chemicals and solvents. No uses would be located on-site that would be engaged in the production or disposal of hazardous materials. Thus, the 1999 SPEIR determined that significant impacts in this regard would not occur.

The proposed project would involve the construction of a hotel that includes hotel rooms, restaurant, spa, outdoor pool/jacuzzis, and landscaping elements. These land uses may involve the use of limited quantities of hazardous materials, similar to those analyzed in the 1999 SPEIR. Cleaning and degreasing solvents, fertilizers, pesticides, and other materials used in the regular

maintenance of buildings and landscaping would be utilized by hotel, restaurant, and spa/pool/jacuzzis activities. In addition, new landscaping would require maintenance, which may involve the use fertilizers and pesticides. These limited quantities of hazardous materials used on-site could involve the routine transport, use, or disposal of hazardous materials associated with daily operations. The project would be subject to compliance with applicable Federal, State, and local laws regulating generation, handling, transportation and disposal of hazardous materials and waste. Therefore, project implementation would result in a less than significant impact in this regard. As proposed uses would be similar to those previously considered on-site, the potential impacts were fully analyzed in the 1999 SPEIR and no increase in significant impacts would result from the proposed project.

4.8.b Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

No New Impact/No Impact. The 1999 SPEIR concluded that the 1999 NVSP Amendment is not anticipated to result in the creation of health hazards to future residents. There are no uses in the area which may use, generate, or dispose of hazardous materials in large quantities. Impacts in this regard were determined to be less than significant.

The accidental release of hazardous substances could occur during project construction. The construction contractor would be required to use standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by local, State, and Federal law. When compared to the 1999 SPEIR, the proposed project would result in similar construction activities and similar impacts as that previously anticipated in the 1999 SPEIR. Thus, the potential impacts were fully analyzed in the 1999 SPEIR and no new or different impacts would result from the proposed project.

As noted above, project operations would not involve the routine transport, use, or disposal of substantial quantities of hazardous materials. During operations, it is anticipated that strict standards implemented by the Mono County Health Department would be implemented, if necessary. Project implementation would result in similar impacts as previously anticipated in the 1999 SPEIR. The potential impacts were fully analyzed in the 1999 SPEIR and no new or different impacts would result from operation of the proposed project.

4.8.c Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No New Impact/No Impact. The 1999 SPEIR concluded that the NVSP area is not located within 0.25 mile of an existing or proposed school. Therefore, no impacts occurred in this regard.

Currently, the project site is not located within 0.25 mile of an existing or proposed school. Thus, project implementation would not result in impacts involving hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of a school site. The potential impacts were fully analyzed in the 1999 SPEIR and no new or different impacts would result from the proposed project.

4.8.d Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No New Impact/No Impact. The 1999 SPEIR concluded that the NVSP area is not included on a list of sites containing hazardous materials, and would not result in a significant hazard to the public or to the environment.

Currently, the project site is not listed in a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.[8] No impact would result in this regard. The potential impacts were fully analyzed in the 1999 SPEIR and no new or different impacts would result from the proposed project.

4.8.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 for people residing or working in the project area?

No New Impact/No Impact. The 1999 SPEIR concluded that the NVSP area is not located within an airport land use plan or within two miles of a public airport and would not result in aircraft safety hazards for people within the area. The nearest airport is located approximately 10 miles from the NVSP area.

As concluded in the 1999 SPEIR, the project site is not located within an airport land use plan, or within 2.0 miles of any public airport, public use airport, or private airstrip. Therefore, project implementation would not result in an airport-related safety hazard for people residing or working in the project area. The potential impacts were fully analyzed in the 1999 SPEIR and no new or different impacts would result from the proposed project.

4.8.f For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No New Impact/No Impact. Refer to Response 4.8.e.

4.8.g Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No New Impact/No Impact. This threshold was not addressed in the 1999 SPEIR.

The primary emergency evacuation route is State Route 203 (Main Street) to U.S. Highway 395. Secondary evacuation is provided by the Scenic Loop extending from Minaret Road to U.S. Highway 395. During the summer months, two additional routes are available including Sherwin Creek Road and the Sawmill Cutoff, both of which are graded dirt roads. The project is required to comply with applicable Town and Mammoth Lakes Fire Protection District's (MLFPD) codes for emergency vehicle access. Construction of the proposed hotel and accessory uses would occur over

[8] Department of Toxic Substances Control, http://www.envirostor.dtsc.ca.gov/public/mandated_reports.asp, accessed on February 26, 2014.

an existing subterranean parking structure that supports Buildings A and B of the 8050 development. The existing site access (from Canyon Boulevard) was constructed to accommodate the proposed project. Further, construction of the proposed project is not anticipated to require road closure during construction. Thus, the project would not result is significant impacts regarding interfering with the adopted emergency response plan or result in inadequate emergency access. Impacts in this regard would be less than significant.

4.8.h Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No New Impact/No Impact. This threshold was not addressed in the 1999 SPEIR.

The Town and surrounding area have been rated as having a very high fire potential. Thus, implementation of the proposed project could expose people or the new structure to risk involving wildland fires, as would be true for any development within the Town. The proposed project is subject to compliance with the Uniform Fire Code, which was amended by the MLFPD to ensure that Fire Code regulations are met. Project implementation would result in a less than significant in this regard. Refer to Response 4.14.a.1.

4.9 HYDROLOGY AND WATER QUALITY

Would the project:	New Potentially Significant Impact	New Mitigation Required	No New Impact/No Impact	Reduced Impact
a. During project construction, substantially impair the water quality of receiving waters? In considering water quality, factors such as water temperature, dissolved oxygen levels, and turbidity should be considered.			✓	
b. Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			✓	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?			✓	
e. Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			✓	
f. Otherwise substantially degrade water quality?			✓	
g. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			✓	
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			✓	
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			✓	
j. Inundation by seiche, tsunami, or mudflow?			✓	

4.9.a During project construction, substantially impair the water quality of receiving waters? In considering water quality, factors such as water temperature, dissolved oxygen levels, and turbidity should be considered.

No New Impact/No Impact. The 1991 PEIR determined that the quality of surface runoff could significantly be degraded as a result of development and short-term erosion associated with construction activities. The 1991 PEIR concluded that with implementation of recommended mitigation measures, impacts related to water quality would be reduced to less than significant levels. The 1994 PEIR Addendum determined that the 1994 NVSP Amendment would not result in

changes to the impacts, mitigation measures, or cumulative impacts with respect to hydrology and drainage beyond those identified in the 1991 PEIR.

The 1999 SPEIR determined that grading, excavation, and construction activities associated with development of individual sites within the NVSP area could impact water quality as a result of sheet erosion of exposed soils and subsequent deposition of particles and pollutants in drainage ways. The 1999 SPEIR also discussed that development of the NVSP could result in a long-term increase of surface runoff, potentially impacting the quality of storm water and urban runoff, and subsequently impacting water quality. The 1999 SPEIR concluded that impacts to water quality would be reduced to less than significant levels with incorporation of recommended mitigation measures. However, these mitigation measures are not applicable to the proposed project.

The proposed project would be required to adhere to local and regional water quality standards and waste discharge requirements. Impervious areas would not substantially increase compared to existing conditions. Minimal earthwork activities would be required for perimeter improvements and landscaping. The proposed project would be required to implement the 1999 SPEIR Mitigation Measure 5.8-1c pertaining to the use of pervious paving materials whenever feasible. Long-term operations would be similar to that analyzed as part of the 1999 SPEIR. The proposed project would be required to comply with all the Municipal Code regulatory requirements, as well as those of the Lahontan Regional Water Quality Control Board (RWQCB). Thus, with compliance with the existing regulatory requirements, as well as implementation of the 1999 SPEIR recommended Mitigation Measure 5.8-1c, impacts resulting from the proposed project would be would be less than significant. The potential impacts were fully analyzed in the 1999 SPEIR and no new or different impacts would result from the proposed project.

Applicable 1999 SPEIR Mitigation Measures:

MM 5.8-1c The following water conservation procedures shall be incorporated in the project elements where feasible:

- Landscape with low water-using plants;
- Install efficient irrigation systems that minimize runoff and evaporation and maximize the water that will reach the plant roots, such as drip irrigation, soil moisture sensors, and automatic irrigation systems; and
- Use pervious paving materials whenever feasible.

4.9.b Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

No New Impact/No Impact. The 1991 PEIR determined that the quality of groundwater would not be affected by construction activities associated with development of the NVSP and impacts in this regard would be less than significant. The 1994 PEIR Addendum determined that the 1994 NVSP Amendment would not result in changes to the impacts, mitigation measures, or cumulative impacts with respect to hydrology and drainage beyond those identified in the 1991 PEIR. The 1999 SPEIR determined that implementation of the 1999 NVSP Amendment could affect

groundwater recharge within the basin. Proposed subdrain systems could also impact water quality. Impacts were determined to be reduced to less than significant levels with adherence to State, County, and the Town's Municipal Code requirements regarding dewatering discharges.

No impacts to groundwater during construction would occur due to the proposed project. Thus, project implementation would not deplete groundwater supplies or interfere with groundwater recharge. Therefore, impacts in this regard would be less than significant. The potential impacts were fully analyzed in the 1999 SPEIR and no new or different impacts would result from the proposed project.

4.9.c Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

No New Impact/No Impact. The 1991 PEIR determined that the quality of surface runoff could significantly be degraded as a result of development and short-term erosion associated with construction activities. The 1991 PEIR concluded that with implementation of recommended mitigation measures impacts to water quality would be reduced to less than significant levels. The 1994 PEIR Addendum determined that the 1994 NVSP Amendment would not result in changes to the impacts, mitigation measures, or cumulative impacts with respect to hydrology and drainage beyond those identified in the 1991 PEIR. The 1999 SPEIR determined that surface runoff velocities, volumes, and peak flow rates could increase as a result of the increase in impervious surfaces associated with the development of the 1999 NVSP Amendment. The 1999 SPEIR concluded that impacts would be reduced to less than significant levels with incorporation of recommended mitigation measures. However, these mitigation measures are not applicable to the proposed project.

The proposed project would require minor earthwork activities for perimeter improvements. During project operations, the existing on-site drainage system would support the proposed project. Further, increased runoff at the site would be minimized through implementation of pervious surfaces, where feasible (1999 SPEIR Mitigation Measure 5.8-1c). Thus, implementation of the proposed project is not anticipated to result in substantial erosion or siltation on- or off-site. Further, it is not anticipated that implementation of the proposed project would result in the exceedance of the existing stormwater system or create substantial additional sources of polluted runoff. The potential impacts were fully analyzed in the 1999 SPEIR and no new or different impacts would result from the proposed project.

Applicable 1999 SPEIR Mitigation Measures: Refer to MM 5.8-1c.

4.9.d Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?

No New Impact/No Impact. The 1991 PEIR addressed potential impacts associated with the increased surface runoff velocities from the NVSP area and determined that these potential impacts would constitute a significant adverse impact on downstream flooding. The 1991 NVSP incorporated a drainage plan to control excess flow which would occur from development of the

NVSP. Improvements proposed as part of the drainage plan included an additional 54-inch storm drain pipe installed parallel to the existing storm drain, modifications to portions of an existing 42-inch pipe, and a storm drain installed in Minaret Road. The 1991 PEIR concluded that implementation of recommended mitigation measures and drainage improvements would reduce potentially significant surface runoff impacts to less than significant levels. The 1994 PEIR Addendum determined that the 1994 NVSP Amendment would not result in changes to the impacts, mitigation measures, or cumulative impacts with respect to hydrology and drainage beyond those identified in the 1991 PEIR.

The 1999 SPEIR determined that surface runoff velocities, volumes, and peak flow rates could increase as a result of the increase in impervious surfaces associated with the development of the 1999 NVSP Amendment. The 1999 SPEIR concluded that impacts would be reduced to less than significant levels with incorporation of recommended mitigation measures. However, these mitigation measures are not applicable to the proposed project.

During project operations, the existing drainage system would be used to support the proposed project. Drainage is routed through the subterranean parking structure to a Conspan retention structure near the parking structure entrance on Canyon Boulevard. The drainage would not be altered as a result of the proposed project. The capacity of the existing on-site and off-site storm drain system was constructed to support future development at the project site. Implementation of the proposed project would not impact the capacity of the existing storm drain system such that on- or off-site flooding would result. Further, it is not anticipated that implementation of the proposed project would result in the exceedance of the existing stormwater system or create substantial additional sources of polluted runoff. Thus, implementation of the proposed project is not anticipated to result in substantial impacts in this regard and no mitigation measures are required. The potential impacts were fully analyzed in the 1999 SPEIR and no new or different impacts would result from the proposed project.

4.9.e Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

No New Impact/No Impact. Refer to Impact Statements 4.9.c and 4.9.d.

4.9.f Otherwise substantially degrade water quality?

No New Impact/No Impact. The 1991 PEIR determined that the quality of surface runoff could significantly be degraded as a result of development and short-term erosion associated with construction activities. The 1991 PEIR concluded that with implementation of recommended mitigation measures impacts to water quality would be reduced to less than significant levels. The 1994 PEIR Addendum determined that the 1994 NVSP Amendment would not result in changes to the impacts, mitigation measures, or cumulative impacts with respect to hydrology and drainage beyond those identified in the 1991 PEIR.

The 1999 SPEIR determined that grading, excavation, and construction activities associated with development of individual sites within the NVSP area could impact water quality as a result of sheet erosion of exposed soils and subsequent deposition of particles and pollutants in drainage ways. The 1999 SPEIR also discussed that development of the 1999 NVSP Amendment could result in a

long-term increase of surface runoff, potentially impacting the quality of storm water and urban runoff, and subsequently impacting water quality. The 1999 SPEIR concluded that impacts to water quality would be reduced to less than significant levels with incorporation of recommended mitigation measures.

Beyond analysis provided above, the proposed project is not anticipated to otherwise degrade water quality within the project area greater than that already analyzed in the 1999 SPEIR. Refer to Response 4.9.a, above. Impacts are less than significant in this regard and, based on the developed nature of the project site currently, no mitigation measures are required. The potential impacts were fully analyzed in the 1999 SPEIR and no new or different impacts would result from the proposed project.

4.9.g Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No New Impact/No Impact. This threshold was not addressed in the 1999 SPEIR.

According to the Flood Insurance Rate Map (FIRM), the project site is not located within a 100-year flood hazard area.[9] The nearest 100-year flood hazard area is located greater than one mile south of the project site (along Mammoth Creek). Thus, the project would not place housing within a 100-year flood hazard area and no impact would occur.

4.9.h Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No New Impact/No Impact. This threshold was not addressed in the 1999 SPEIR.

As previously stated in Response 4.9.g., the project site is not located within a 100-year flood hazard area. Implementation of the proposed project would result in no impacts in this regard.

4.9.i Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No New Impact/No Impact. This threshold was not addressed in the 1999 SPEIR.

As previously stated in Response 4.9.g., the project site is not subject to flooding. Additionally, the project site is not located downstream of dams or waterways. Further, based on the 2007 General Plan, no future dams or levees are anticipated in the Town. Therefore, no impacts are anticipated in this regard.

4.9.j Inundation by seiche, tsunami, or mudflow?

No New Impact/No Impact. This threshold was not addressed in the 1999 SPEIR.

[9] Federal Emergency Management Agency, *Flood Insurance Rate Map*, Panel 1388 of 2050, Map Number 06051C1388D, effective date February 18, 2011.

Based on the General Plan PEIR, the project site is not located in an area that would be impacted by a tsunami. The impacts from mudflows are considered to be negligible given the varying topography and heavily vegetated nature of the Town. Further, the project site is not located within the vicinity of a closed body of water that would present a potential seiche inundation concern. Thus, the project site is not anticipated to experience inundation resulting from seiches, tsunamis, or mudflows. No impacts would occur.

4.10 LAND USE AND PLANNING

Would the project:	New Potentially Significant Impact	New Mitigation Required	No New Impact/No Impact	Reduced Impact
a. Physically divide an established community?			✓	
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	✓			
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?			✓	

4.10.a Physically divide an established community?

No New Impact/No Impact. The 1991 PEIR identified potentially significant impacts pertaining to changes in the existing physical land use patterns and demand both in the NVSP area and throughout the commercial areas of the Town. Mitigation measures were adopted to reduce these potentially significant impacts to less than significant levels. The 1999 SPEIR stated that the 1999 NVSP Amendment would change the permitted land uses within the NVSP and redistribute the location of various uses. Although land uses changed, the 1999 SPEIR determined that the 1999 NVSP Amendment would not physically divide an established community. Impacts were concluded to be less than significant and no mitigation measures were required.

The project site is situated in the developed area of North Village within the northwestern portion of the Town. The land uses surrounding the project site consist of visitor-oriented commercial (retail and restaurant), hotel, and condominium uses. The project proposes a hotel that includes hotel rooms, restaurant, spa, outdoor pool/jacuzzis, and landscaping elements. The project site is surrounded by similar land uses, and thus, would be considered a continuation of the existing land use pattern. Project implementation would not result in the division of an established community. No impact would occur in this regard and no mitigation measures are required. The potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

4.10.b Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

New Potentially Significant Impact. The 1991 PEIR identified potentially significant impacts pertaining to changes in the existing physical land use patterns and demand both in the NVSP area and throughout the commercial areas of the Town, as well as development of a more intense use than the previous zoning and land uses. Mitigation measures were adopted for these potentially significant impacts. The 1991 PEIR provided a brief consistency analysis of the NVSP with the

1987 General Plan and did not identify inconsistencies. The 1994 PEIR Addendum did not provide an additional consistency analysis or recommend additional mitigation measures. The 1999 SPEIR stated that the 1999 NVSP Amendment would be consistent with the Town's 1987 General Plan goals and policies. Impacts in this regard were concluded to be less than significant.

Based on the Figure 3, *Neighborhood Character Map* of the 2007 General Plan, the project site is within the North Village District. The maximum allowable building density within the NVSP RG zone is 55 rooms per acre. The 8050 property is 1.84 acres, yielding an allowable density of 101 rooms at 55 rooms per acre. The existing Buildings A and B of the 8050 project include 28 units with an overall total of 57 bedrooms, and the existing commercial in Building B equates to seven rooms. Therefore, a maximum of 37 rooms are currently allowed for Building C.

The proposed project would construct a seven-story hotel of 34,840 square feet and up to 67 rooms, and an additional 29,910 square feet of accessory uses. This increase in density at the project site would be accommodated by a proposed density transfer from the approved Mammoth Crossing site to the project site. Thus, although the proposed project would increase densities at the site, the overall approved density for the NVSP area would remain the same after implementation of the proposed project. Development of the proposed project would require a District Zoning Amendment, Tentative Tract Map, Conditional Use Permit, Design Review Permit, and Final Map(s). Further analysis is required in order to determine whether project implementation would conflict with any applicable land use plan, policy, or regulation. Analysis of the project's consistency with the Town's parking policies will also be analyzed. Therefore, this issue will be analyzed in detail in the SEIR in order to determine whether a new impact would occur.

4.10.c Conflict with any applicable habitat conservation plan or natural community conservation plan?

No New Impact/No Impact. Refer to Response 4.4.f.

4.11 MINERAL RESOURCES

Would the project:	New Potentially Significant Impact	New Mitigation Required	No New Impact/No Impact	Reduced Impact
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?			✓	
b. 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?			✓	

4.11.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 New Impact/No Impact. The 1991 PEIR determined that impacts in this regard were found to be insignificant. Based on the 1999 SPEIR, the 1999 NVSP Amendment would result in the use of additional natural resources for both construction (building and foundation materials, energy for construction equipment) and long-term operations of the NVSP (energy for lighting, heating, cooling, and transportation). Based on the 1999 SPEIR, the NVSP area contains no known mineral resources. It is also noted that the NVSP area has not been delineated as an important mineral resource recovery site within the 1987 General Plan. No significant impacts were anticipated in this regard. Therefore, no significant impacts were identified in the 1999 SPEIR.

Based on Figure 4.4-1, *Mineral Resources Map*, of the 2007 General Plan PEIR, there are no mineral resources identified on the project site. Therefore, project implementation 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 involves development of a hotel with associated accessory uses, which would be similar to the land uses anticipated in the 1999 SPEIR. The potential impacts were fully analyzed in the 1999 SPEIR and no new or different impacts associated with the potential loss of availability of mineral resources would result from the proposed project.

4.11.b 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?

No New Impact/No Impact. Refer to Response 4.11.a. The potential impacts were fully analyzed in the 1999 SPEIR and no new or different impacts associated with the potential loss of availability of mineral resources would result from the proposed project.

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4.12 NOISE

Would the project:	New Potentially Significant Impact	New Mitigation Required	No New Impact/No Impact	Reduced Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	✓			
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	✓			
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	✓			
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	✓			
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 expose people residing or working in the project area to excessive noise levels?			✓	
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			✓	

4.12.a Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

New Potentially Significant Impact.

Short-Term Construction Noise

The 1991 PEIR concluded that sensitive receptors in the project vicinity could experience noise levels up to 101 dBA Leq at 50 feet from the noise source as a result of pile driving activities. Mitigation measures including limitations to construction hours and the provision of noise mufflers for engine driven equipment would reduce these impacts to less than significant levels. According to the 1999 SPEIR, short-term noise impacts could occur as a result of the project's construction activities including trenching and pile driving activities. A new mitigation measure providing temporary sound barriers around pile driving sites if pile driving activities should occur within 200 feet of existing residences was recommended. In addition, haul route noise impacts were determined to be less than significant. The 1999 SPEIR concluded that the 1999 NVSP Amendment would result in reduced impacts to short-term construction noise associated with the project site upon implementation of previously identified mitigation measures, and temporary sound barriers, as applicable.

Short-term noise impacts and vibration could occur as a result of the project's construction activities. The project involves the construction of hotel and accessory uses over an existing subterranean parking structure. The proposed project would be subject to the Town's Noise Element and the Municipal Code Chapter 8.16, *Noise Regulation*. The proposed project would increase the allowable density and building height as well as decrease setbacks, which could result in increased construction activities at the site. Therefore, because the project could have a new potentially significant impact associated with construction noise sources, this issue will be analyzed in detail in the SEIR.

Long-Term Operational Noise – Mobile Sources

The 1991 PEIR concluded that existing noise levels on all major arterials and streets exceeding 60 dBA would increase due to cumulative development with or without implementation of the NVSP. However, anticipated noise levels with implementation of the NVSP would not be significantly higher than projected noise levels without the project. According to the 1999 SPEIR, development of the 1999 NVSP Amendment would result in additional traffic on adjacent roadways and contributing noise levels on adjacent roadway segments. Further, development of the 1999 NVSP Amendment would result in an increase in vehicular generated noise levels along Main Street, east of Minaret Road. However, this increase was determined to be less than significant. The 1999 SPEIR concluded that adherence to the Town's Noise Element and Title 24 of the California Code of Regulations would ensure that project impacts would remain less than significant.

The project's long-term mobile source noise impacts would be associated with vehicular traffic to and from the site (including hotel guests/residents and visitors). The proposed project would be subject to the Town's Noise Element and the Municipal Code Chapter 8.16. The project could expose sensitive receptors to a substantial increase in ambient noise resulting from increased traffic volumes generated by the project, as the project would increase on-site density. Therefore, as the project could have a new potentially significant impact associated with mobile noise sources, this issue will be analyzed in detail in the SEIR.

Long-Term Operational Noise – Stationary Sources

The 1991 PEIR determined that stationary noise impacts at the project site were insignificant as impacts were below ambient noise levels. The 1999 SPEIR concluded that long-term operations associated with the 1999 NVSP Amendment (including loading and unloading activities, mechanical equipment, and parking lots) would not result in significant impacts.

Currently, the project's long-term stationary noise impacts would be generated by deliveries, outdoor activities, and mechanical equipment on-site. The proposed project would be subject to compliance with the Town's Noise Element and the Municipal Code Chapter 8.16. As the project could have a new potentially significant impact associated with stationary noise sources, this issue will be analyzed in detail in the SEIR.

4.12.b Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

New Potentially Significant Impact. Refer to Response 4.12.a.

4.12.c A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

New Potentially Significant Impact. Refer to Response 4.12.a.

4.12.d Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above the levels existing without the project?

New Potentially Significant Impact. Refer to Response 4.12.a.

4.12.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 expose people residing or working in the project area to excessive noise levels?

No New Impact/No Impact. According to the 1999 SPEIR, development of the 1999 NVSP Amendment would not be located in close proximity to the Mammoth Lakes Airport (renamed Mammoth Yosemite Airport in 2000) or private airstrip and would not result in excessive noise levels generated by airport uses. The 1999 SPEIR concluded there would be no impact in this regard.

The project site is not located within an airport land use plan area or within two miles of a public airport or public use airport or in the vicinity of a private airstrip.[10] The project site is located approximately 10 miles from the Mammoth Yosemite Airport. Areas exposed to aircraft noise of CNEL 65 and higher remain within the airfield boundary of the Airport on either Airport property or vacant land controlled by the Airport through leases or use permits. Therefore, project implementation would not expose people residing or working in the project area to excessive noise levels associated with aircraft and no impact would occur in this regard.

4.12.f For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No New Impact/No Impact. Refer to Response 4.12.e.

[10] Town of Mammoth Lakes, *Final Program Environmental Impact Report for the Town of Mammoth Lakes 2005 General Plan Update,* May 2007.

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4.13 POPULATION AND HOUSING

Would the project:	New Potentially Significant Impact	New Mitigation is Required	No New Impact/No Impact	Reduced Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			✓	
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			✓	

4.13.a Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No New Impact/No Impact. The 1991 PEIR identified a beneficial impact of the creation of an estimated 1,612 permanent new full-time employees and 106 temporary construction-related jobs as a result of the NVSP. Population increases from the NVSP were anticipated from the jobs that would be created from the hotel and commercial development. Based on the creation of an estimated 1,612 jobs and a 0.57 jobs-to-population ratio, the 1991 PEIR projected a population increase of 2,828 persons, with an accompanying housing demand of 1,230 housing units. This was identified as a significant impact which was reduced to less than significant levels upon implementation of recommended mitigation measures.

The 1999 SPEIR determined that implementation of the 1999 NVSP Amendment could induce substantial growth in the Town's permanent year-round population as a result of the employment associated with lodging and commercial uses. The 1999 SPEIR analysis concluded that the population growth was anticipated in the 1987 General Plan and there was enough suitably zoned land and sufficient public services to accommodate the proposed increase in population. The 1999 SPEIR determined that impacts in this regard were less than significant.

The 1999 SPEIR also stated that the proposed 1999 SPEIR would result in an increased visitor population as a result of the proposed lodging. The 1999 SPEIR determined that impacts in this regard were less than significant, as this growth was anticipated in the Town's 1987 General Plan.

It should be noted that the NVSP was most recently amended in 2009 (the 2009 NVSP Amendment) in order to allow for increased densities for a development to the south of the project site (Mammoth Crossing). The Mammoth Crossing EIR determined that up to 185 employees may relocate to the Town as a result of the Mammoth Crossing Project. This growth was determined to be consistent with the growth anticipated in the 2007 General Plan and impacts associated with population growth would be less than significant and no mitigation measures were required. Further, the Mammoth Crossing EIR determined that the resultant population increase associated

with new lodging units would be consistent with the existing zoning and would not exceed the Persons At One Time (PAOT) metric that was established by the Town.

Currently, approved Building Permits for Building C of the 8050 project exist for the project site. These building permits allow for a maximum construction of 37 rooms at the project site. The proposed project would construct a seven-story hotel of 34,840 square feet and up to 67 rooms, with an additional 29,910 square feet of accessory uses. This increase in density at the project site would be accommodated by a proposed density transfer from the approved Mammoth Crossing site to the project site. Thus, although the proposed project would increase densities at the site, the overall approved density for the NVSP area would remain the same after implementation of the proposed project.

Upon approval of the proposed density transfer, the resultant population for the site would not exceed the overall assumptions for the NVSP area or the Town. Thus, potential impacts associated with population growth were fully analyzed in the 1999 SPEIR, 2007 General Plan PEIR, and Mammoth Crossing EIR, and no new impacts would result from the proposed project and no mitigation measures are required. Potential impacts were fully analyzed in the previous environmental documentation for the NVSP area and no new impacts would result with regard to increased population at the project site.

4.13.b Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No New Impact/No Impact. The 1991 PEIR did not specifically address the displacement of existing housing units. However, the housing demand of 1,230 units created by the employment associated with the proposed hotel and commercial development in the 1991 NVSP was identified as a significant impact in the 1991 PEIR. Further, it was determined that approximately 800 of the 1,230 housing units would need to be designated as affordable housing. The 1991 PEIR noted that since there was an unmet need for affordable housing in the Town, any additional demand created by the NVSP was considered a significant impact upon the Town's ability to meet the needs for affordable housing. According to the 1994 PEIR Addendum, the 1994 NVSP Amendment resulted in no changes to the impacts, mitigation measures, or cumulative impacts, when compared to the 1991 PEIR, with respect to employment, population, and/or housing.

The 1999 SPEIR determined that implementation of the 1999 NVSP Amendment could result in the displacement of existing housing necessitating the provision of replacement housing elsewhere. The 1999 NVSP Amendment required that the developer of a project which displaces any permanent residents from multi-family residential units which were historically rented to individuals within the range of affordable housing rents, must provide a sufficient number of bedrooms to house the same number of permanent residents displaced by the project, in a similar unit type, and at rents maintained with the affordable range. The 1999 SPEIR determined that this provision reduced the impact to a less than significant level.

The project site currently consists of an existing subterranean parking structure and does not contain any housing units. Therefore, project implementation would not displace housing or people, necessitating the construction of replacement housing elsewhere. Further, on August 12, 2004, Mammoth 8050, LLC, the original developer of the 8050 project, and the Town entered into an In Lieu Fee Agreement for Affordable Housing Units (AH In-Lieu Fee Agreement) to mitigate the

impact the 8050 project would have on the availability of workforce housing within the community and to provide additional housing credits to the developer. The AH In-Lieu Agreement required a total payment of $3,000,000, $1,000,000 for each phase (e.g., Building A, B, and C). At that time, the Town's standard in-lieu fee for each Employee Housing Unit (EHU) was $52,802. Under the AH In-Lieu Fee Agreement, the original developer paid the Town total in-lieu fees of $2,000,000, representing a payment of $52,632 for each of the 38 EHUs required to mitigate the total affordable housing demand generated by the 8050 Buildings A, B, and C pursuant to the AH In-Lieu Fee Agreement. Although $1,000,000 is still due pursuant to the AH In-Lieu Fee Agreement, according strictly to the Town's previous in-lieu fee of $52,802, and not considering the "greater housing benefit" required for in-lieu fee mitigation, an underpayment of $170 per EHU, a total deficit of $6,476, would exist. The Applicant is requesting to amend the AH In-Lieu Fee Agreement so that instead of the remaining $1,000,000 being paid, $6,476 would be paid to the Town and no additional affordable housing mitigation be required for the proposed project.

The Town's interim housing policy (Town Council Resolution 09-76) requires that 10 percent of the total project units be provided for on-site affordable housing; however, an Affordable Housing Mitigation Plan (AHMP) may be approved instead of providing on-site housing if a substantial additional affordable housing benefit would be achieved. The Town and Mammoth Lakes Housing, Inc. will be evaluating the applicant's AHMP request. Thus, upon compliance with the Town's interim housing policy, impacts in this regard would be less than significant. As no overall density increases would occur within the NVSP area, the potential impacts were fully analyzed in the 1999 SPEIR, General Plan PEIR, and Mammoth Crossing EIR and no new impacts would result from the proposed project.

4.13.c Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No New Impact/No Impact. Refer to Response 4.13.b.

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4.14 PUBLIC SERVICES

Would the project:	New Potentially Significant Impact	New Mitigation is Required	No New Impact/No Impact	Reduced Impact
a. 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:				
1) Fire protection?			✓	
2) Police protection?			✓	
3) Schools?			✓	
4) Parks?			✓	
5) Other public facilities?			✓	

4.14.a.1 Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives?

No New Impact/No Impact. The 1991 PEIR concluded that development of the NVSP would result in equipment needs for a new aerial ladder truck. In addition, over pumping capacity within the project site was identified as a concern. According to the 1994 PEIR Addendum, the 1994 NVSP Amendment resulted in no changes to the impacts, mitigation measures, or cumulative impacts in regards to public services beyond those identified in the 1991 PEIR. With implementation of recommended mitigation measures, these impacts would be reduced to less than significant levels. Based on the 1999 SPEIR, development of the 1999 NVSP Amendment may require modifications to existing facilities to maintain acceptable service ratios and response times. According to the Mammoth Lakes Fire Protection District (MLFPD), the 1999 NVSP Amendment would increase development beyond existing conditions, and increase demands for fire protection including additional service calls. Therefore, increased fire protection service demands would result in needs for additional personnel, equipment, and specialized apparatus, as well as funding to offset the resultant increased costs. The 1999 SPEIR determined that the 1999 NVSP Amendment would result in reduced impacts to fire protection services upon implementation of recommended mitigation measures.

The MLFPD provides fire protection and emergency response to the project site. There are two fire stations that located near the project site: Fire Station 1 is located at 3150 Main Street, approximately 0.85 miles east of the project site; and Fire Station 2 is located 1574 Old Mammoth Road, approximately 1.35 miles southeast of the project site. MLFPD is equipped with 10 full time and 42

paid call personnel.[11] Development of the proposed project could increase the demand for fire protection services, which could result in the deterioration of fire services within the service area. Implementation of the proposed project would result in the construction of a seven-story hotel and accessory uses over an existing subterranean parking structure. The proposed project would construct 64,750 square feet and up to 67 rooms. As noted in Section 4.13, *Population and Housing*, this increase in density at the project site would be accommodated by a proposed density transfer from the approved Mammoth Crossing site to the project site. Thus, although the proposed project would increase densities at the site, the overall approved density for the NVSP area would remain the same after implementation of the proposed project. Upon approval of the proposed density transfer, the resultant population for the site would not exceed the overall assumptions for the NVSP area or the Town. Further, existing infrastructure and access to the site was designed to meet the fire services demands for the proposed project. Therefore, project impacts related to fire protection services would be less than significant. As concluded in the previous environmental documentation, with implementation of the 1999 SPEIR Mitigation Measures 5.10-1a, 5.10-1b, and 5.10-1c, potential impacts to fire protection services would be reduced to less than significant levels. The potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

Applicable 1999 SPEIR Mitigation Measures:

MM 5.10-1a ~~Each project~~The Applicant shall contribute a fair share financial contribution for an emergency services facility (fire and police) to be located on the site of Fire Station No. 1 on Main Street.

MM 5.10-1b Access roads to all structures, and areas of use, shall comply with Mammoth Lakes Fire Protection District requirements~~Ordinance 98-01~~.

MM 5.10-1c An approved water supply system capable of supplying required fire flow for fire protection purposes, as determined by the Fire District, shall be provided.

4.14.a.2 Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

No New Impact/No Impact. The 1991 PEIR concluded that development of the NVSP would result in a population increase requiring a 24-hour patrol of the project site and police service calls were expected to increase by 15 to 30 percent. According to the 1994 PEIR Addendum, the 1994 NVSP Amendment resulted in no changes to the impacts, mitigation measures, or cumulative impacts associated with public services beyond those included in the 1991 PEIR. With implementation of recommended mitigation measures, these impacts would be reduced to less than significant levels. Based on the 1999 SPEIR, although the 1999 NVSP Amendment would result in impacts to police protection during construction activities, these impacts would be short-term in nature and less than significant. However, operations of the development would result in an

[11] Mammoth Lakes Fire Protection District, http://mammothlakesfd.homestead.com/Operations.html, accessed February 28, 2014.

increase in calls for police service, and would warrant the construction of a new police station and would result in the need for alteration of the existing facility. The 1999 SPEIR determined that implementation of the 1999 NVSP Amendment would not result in a substantial adverse physical impact regarding police protection. Implementation of mitigation measures including contribution toward a new or expanded facility would reduce these impacts to less than significant levels.

Police protection and law enforcement in the Town are provided by the Mammoth Lakes Police Department (MLPD), the Mono County Sheriff's Department (MCSD), and the California Highway Patrol (CHP). The Police Department is located at 568 Old Mammoth Road, approximately 1.2 miles from the project site. Development of the proposed project could increase the demand for police protection services, which could cause a deterioration of police services within the service area. The proposed project would construct 64,750 square feet and up to 67 rooms. Upon approval of the proposed density transfer from the approved Mammoth Crossing site to the project site, the resultant population for the NVSP area would not exceed the overall assumptions for the NVSP or the Town, and project impacts related to police protection services would be less than significant. As concluded in the previous environmental documentation, with implementation of the 1999 SPEIR Mitigation Measure 5.10-1a, potential impacts to police protection services would be reduced to less than significant levels. In addition, the Town's continued compliance with 2007 General Plan goals and policies as well as payment of development impact fees would further reduce potential impacts regarding police protection services. The potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

Applicable 1999 SPEIR Mitigation Measures: Refer to MM 5.10-1a.

4.14.a.3 Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

No New Impact/No Impact. The 1991 PEIR identified an unavoidable, significant impact relating to overcrowding of school enrollment among School District facilities. The 1991 PEIR discussed the cumulative impact of the proposed projects within the Town and the development of the NVSP resulting in the need for a new elementary school. According to the 1994 PEIR Addendum, the 1994 NVSP Amendment resulted in no changes to the impacts, mitigation measures, or cumulative impacts with respect to public services beyond those included in the 1991 PEIR.

The 1999 SPEIR concluded that implementation of the 1999 NVSP Amendment would create a housing demand of approximately 1,330 units yielding an estimated increase of 657 students. Existing school facilities would not have sufficient capacity to absorb the increase in student population. However, construction of a new facility and expansion of existing facilities would provide sufficient capacity within the Mammoth Unified School District (MUSD). Thus, the 1999 SPEIR determined that implementation of the 1999 NVSP Amendment would not result in a substantial adverse physical impact regarding school facilities. Implementation of mitigation measures including temporary portable classrooms on existing school campuses and payment of developer fees would reduce these impacts to less than significant levels.

Although the proposed project would increase densities at the site, the overall approved density for the NVSP area would remain the same after implementation of the proposed project. Upon approval of the proposed density transfer from the approved Mammoth Crossing site to the project site, the resultant population for the site would not exceed the overall assumptions for the NVSP or the Town and project impacts related to school services would be less than significant. As determined in the previous environmental documentation, with implementation of the 1999 SPEIR Mitigation Measure 5.10-3, potential impacts to school services would be reduced to less than significant levels. Additionally, the Town's continued compliance with 2007 General Plan implementation measures and the payment of development impact fees would ensure that potential impacts regarding school services are reduced to less than significant levels. The potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

Applicable 1999 SPEIR Mitigation Measures:

MM 5.10-3 In accordance with A.B. 2926, the developer shall pay Developer Fees for commercial ~~uses~~ and ~~foot for~~ residential uses (condominiums).

4.14.a.4 Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities, need for new or physically altered park facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

No New Impact/No Impact. The 1991 PEIR concluded that development of the NVSP would create potentially significant impacts pertaining to an increase in demand of approximately 14 acres of park land. According to the 1994 PEIR Addendum, the 1994 NVSP Amendment resulted in no changes to impacts, mitigation measures, or cumulative impacts beyond those identified in the 1991 PEIR, with respect to recreational facilities. These impacts were reduced to less than significant levels upon implementation of recommended mitigation measures.

The 1999 SPEIR concluded that implementation of the 1999 NVSP Amendment would result in a population increase that would increase the use of existing recreational facilities as well as create additional park demand. These impacts were reduced to less than significant levels upon compliance with the Town's Development Impact Fee (DIF) Program, and land dedication requirements imposed by the NVSP.

Development of the proposed project could increase the demand for recreational facilities, which could result in the deterioration in recreation services. Implementation of the proposed project would result in increased densities at the site. However, the overall approved density for the NVSP area would remain the same after implementation of the proposed project. Upon approval of the proposed density transfer from the Mammoth Crossing site to the project site, the resultant population for the site would not exceed the overall assumptions for the NVSP or the Town and project impacts related to recreational facilities would be less than significant. As determined in the previous environmental documentation, with implementation of the 1999 SPEIR Mitigation Measure 5.10-4a, potential impacts to recreational facilities would be reduced to less than significant levels. In addition, the Town's continued compliance with 2007 General Plan goals and policies as well as payment of development impact fees would ensure that potential impacts regarding

recreational facilities are reduced to less than significant levels. The potential impacts associated with parkland demand were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

Applicable 1999 SPEIR Mitigation Measures: Refer to MM 5.10-4a.

MM 5.10-4a The Applicant~~project proponent~~ shall contribute a fair share financial contribution in accordance with the Town's DIF Mitigation Program~~ established under Resolution 98-06~~.

4.14.a.5 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?

No New Impact/No Impact. The 1991 PEIR and 1994 PEIR Addendum did not specifically address impacts on library services. Based on the 1999 SPEIR, implementation of the 1999 NVSP Amendment would result in a significant increase in usage of the Mammoth Lakes Branch Library, necessitating the construction of new facilities or alteration of existing facilities. These impacts were reduced to less than significant levels upon compliance with the Town's DIF program, utilizing fees for the expansion of the library.

Implementation of the proposed project would result increased densities at the site. However, the overall approved density for the NVSP would remain the same after implementation of the proposed project. Upon approval of the proposed density transfer from the approved Mammoth Crossing site to the project site, the resultant population for the site would not exceed the overall assumptions for the NVSP or the Town. Therefore, project impacts related to library services would be less than significant. As determined in the previous environmental documentation, with implementation of the 1999 SPEIR Mitigation Measure 5.10-4a, potential impacts to library services would be reduced to less than significant levels. Additionally, a new Mammoth Lakes Library was completed and opened in 2007 and the Town's continued compliance with 2007 General Plan goals and policies would further reduce potential impacts regarding library services. The potential impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

Applicable 1999 SPEIR Mitigation Measures: Refer to MM 5.10-4a.

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4.15 RECREATION

Would the project:	New Potentially Significant Impact	New Mitigation Required	No New Impact/No Impact	Reduced Impact
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?			✓	
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?			✓	

4.15.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 New impact/No Impact. Refer to Response 4.14.a.4.

4.15.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 New impact/No Impact. Refer to Response 4.14.a.4.

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4.16 TRANSPORTATION/TRAFFIC

Would the project:	New Potentially Significant Impact	New Mitigation Required	No New Impact/No Impact	Reduced Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	✓			
b. 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?			✓	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			✓	
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	
e. Result in inadequate emergency access?			✓	
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			✓	

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

New Potentially Significant Impact. The 1991 PEIR provided an analysis of traffic generation, the NVSP Circulation Plan, pedestrian circulation, and transit. For traffic generation, a cumulative plus project scenario was presented which represented traffic conditions with full buildout of the 1991 NVSP. The level of service analysis identified seven roadway segments that would operate at LOS F. Several intersections were also identified to operate at level of service (LOS) F. Mitigation measures were provided to reduce the significance of impacts, which included a Transportation Demand Management Program.

The Circulation Plan review evaluated vehicular circulation, roadway design consideration, and access. The analysis concluded that the overall circulation for the area in the vicinity could expect to be improved by the proposed roadway network. The roadway design consideration addressed the

Canyon Road realignment and closure realignment of Berner Street. Mitigation for the Circulation Plan was provided and included the provision of transit services.

The 1994 NVSP Amendment resulted in further analysis of traffic and circulation conditions and was included in the 1994 PEIR Addendum. This analysis resulted in modified mitigation measures as a result of modifications to traffic patterns.

The 1999 SPEIR determined that the 1999 NVSP Amendment would result in the generation of approximately 15,419 additional typical Saturday daily trips. This increase in traffic could result in potentially significant impacts to the existing LOS on three nearby intersections. The 1999 SPEIR determined that implementation of the recommended mitigation measures would reduce potentially significant impacts to less than significant levels. Further, the 1999 SPEIR determined that operational deficiencies would occur at several intersections in the area with and without the 1999 NVSP Amendment, assuming buildout of the Town's 1987 General Plan. The 1999 SPEIR concluded that with implementation of the recommended mitigation measures, cumulative impacts in this regard would be reduced to less than significant levels.

The 1999 SPEIR also determined that the 1999 NVSP Amendment was consistent with the Town's 1987 General Plan policies that encouraged transit, pedestrian, and bicycle transportation, and discouraged vehicular transportation. The 1999 SPEIR concluded that with implementation of the recommended mitigation measures, cumulative impacts in this regard would be reduced to less than significant levels.

Project implementation would increase vehicular movement at the project site during the a.m. and p.m. peak hour periods. Future increases in traffic volumes could aggravate existing deficiencies and/or cause an intersection to operate at an unacceptable LOS. Thus, a detailed analysis will be conducted as part of the SEIR, in order to determine if the proposed project would conflict with an adopted LOS standard, resulting in a new potentially significant impact, and identify project features and/or secondary improvements necessary to mitigate impacts, if applicable. A detailed analysis will also be conducted in the SEIR, in order to determine the project's consistency with the 2007 General Plan policies pertaining, but not limited to, intersections, streets, highways and freeways, parking, pedestrian and bicycle paths, and mass transit.

4.16.b 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?

No New Impact/No Impact. The previous environmental documentation did not identify any applicable congestion management program (CMP). No impacts were identified in this regard.

Currently, the project site is not subject to a CMP. Thus, potential impacts associated with traffic on CMP facilities would not occur.

4.16.c Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

No New Impact/No Impact. The 1999 SPEIR concluded that the 1999 NVSP Amendment would not affect air traffic patterns and would not result in safety risks should air traffic levels increase due to an increase in visitors associated with development of the 1999 NVSP Amendment.

Due to the nature and scope of the proposed project, project implementation is not anticipated to impact air traffic patterns at the Mammoth Yosemite Airport. No impacts would occur in this regard. The impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

4.16.d Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No New Impact/No Impact. The 1991 PEIR provided an analysis of the NVSP Circulation Plan and pedestrian circulation. The Circulation Plan review evaluated vehicular circulation, roadway design consideration, and access. The analysis concluded that the overall circulation for the area in the vicinity could expect to be improved by the proposed roadway network. The roadway design consideration addressed the Canyon Road realignment and closure realignment of Berner Street. Mitigation for the Circulation Plan was provided, and included the provision of transit services. The 1994 NVSP Amendment resulted in further analysis of circulation conditions and was included in the 1994 PEIR Addendum. This analysis resulted in modified mitigation measures as a result of modifications to traffic patterns. The 1999 SPEIR determined that implementation of the 1999 NVSP Amendment could increase hazards associated with increased pedestrian activity. The 1999 SPEIR concluded that impacts in this regard would be less than significant.

Implementation of the proposed project would result in the construction of a hotel building and accessory uses over an existing parking structure. The existing site access to the 8050 project (from Canyon Boulevard) was constructed to accommodate the proposed project. Operations of the project would continue to use the existing site access for vehicle ingress/egress, which is not anticipated to result in a substantial increase in hazards due to a design feature or incompatible uses. Impacts in this regard are less than significant and no mitigation measures are required. The impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

4.16.e Result in inadequate emergency access?

No New Impact/No Impact. Refer to Response 4.8.g.

4.16.f Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

No New Impact/No Impact. The 1991 PEIR provided an analysis of the NVSP Circulation Plan, pedestrian circulation, and transit. The Circulation Plan review evaluated vehicular circulation, roadway design consideration, and access. The analysis concluded that the overall circulation for the area in the vicinity could expect to be improved by the proposed roadway network. The roadway design consideration addressed the Canyon Road realignment and closure realignment of Berner Street. Mitigation for the Circulation Plan was provided, and included the provision of transit services. The 1994 NVSP Amendment resulted in further analysis of traffic and circulation

conditions and was included in the 1994 PEIR Addendum. This analysis resulted in modified mitigation measures as a result of modifications to traffic patterns.

The 1999 SPEIR determined that the 1999 NVSP Amendment was consistent with the Town's 1987 General Plan policies that encouraged transit, pedestrian, and bicycle transportation, and discouraged vehicular transportation. The 1999 SPEIR concluded that with implementation of the recommended mitigation measures, cumulative impacts in this regard would be reduced to less than significant levels.

Operations of the project would continue to use the existing site access for vehicle ingress/egress. However, development of the proposed project would also involve improvements along Minaret Road in order to increase the pedestrian access of the site particularly from Minaret Road. These improvements would include sidewalk and public pocket park improvements as well as an information kiosk along Minaret Road to support visitor-tourist pedestrians accessing the NVSP area. The proposed project would be consistent with the Town's existing policies pertaining to public transit, bicycle, and pedestrian facilities and implementation of the proposed project would not decrease the performance or safety of such facilities. Impacts in this regard are less than significant and no mitigation measures are required. The impacts were fully analyzed in the previous environmental documentation and no new or different impacts would result from the proposed project.

4.17 UTILITIES AND SERVICE SYSTEMS

Would the project:	New Potentially Significant Impact	New Mitigation is Required	No New Impact/No Impact	Reduced Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	✓			
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	✓			
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	✓			
e. 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?	✓			
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			✓	

4.17.a Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

New Potentially Significant Impact. According to the 1991 PEIR, the development of the NVSP was anticipated to generate approximately 459,100 gallons of wastewater per day. As the Mammoth Community Water District (MCWD) had adequate treatment capacity for project-generated wastewater flows, the 1991 PEIR concluded there was a less than significant impact on wastewater facilities. Based on the 1994 PEIR Addendum, the 1994 NVSP Amendment resulted in no changes to the impacts, mitigation measures, or cumulative impacts with respect to public utilities beyond those identified in the 1991 PEIR. According to the 1999 SPEIR, the 1999 NVSP Amendment would increase generated wastewater above existing conditions at the project site, presenting an increase in service demand for operations and maintenance of the sewer pipeline system and treatment facility. The 1999 SPEIR concluded that mitigation measures pertaining to issuance of a sewer permit and applicable fee payments prior to construction would reduce potential impacts to wastewater systems and facilities to less than significant levels.

Although implementation of the proposed project would not result in an increase in the overall density planned for the NVSP or Town, the project would increase density at the project site, which would increase wastewater generation at the site. The proposed project would be required to comply with all provisions of the Lahontan Regional Water Quality Control Board (RWQCB) and

MCWD. These project changes could result in deterioration of service levels or cause available public service infrastructure and utility system capacity to be exceeded. Thus, further analysis will be conducted as part of the SEIR to determine potential impacts in this regard.

4.17.b Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

New Potentially Significant Impact.

Water

The 1991 PEIR determined that the estimated total water demand of the development of the NVSP would be considered a potentially significant impact. According to the 1994 PEIR Addendum, the 1994 NVSP Amendment resulted in no changes to the impacts, mitigation measures, or cumulative impacts with respect to public utilities beyond those identified in the 1991 PEIR. With implementation of recommended mitigation measures, these impacts would be reduced to less than significant levels. Based on the 1999 SPEIR, the 1999 NVSP Amendment would increase water demand above existing conditions at the project site, requiring some existing water main pipelines to be upgraded and an incremental expansion of the existing water system. The 1999 SPEIR concluded that implementation of mitigation measures would reduce potential impacts to water systems and facilities to less than significant levels.

Per a recent settlement agreement between Los Angeles Department of Water and Power (DWP) and the Mammoth Community Water District (MCWD) resolving two recent court cases, future water demands in the MCWD's service area should not exceed 4,387 acre-feet annually. Following a dry winter and a warm summer as well as a decline in groundwater aquifers, the MCWD Board enacted the "2013 MCWD Level I Water Restrictions" to place restrictions on water use. As such, project implementation could require additional water supplies to meet the increased demands of the proposed project. Thus, further analysis will be conducted as part of the SEIR to determine potential impacts in this regard.

Wastewater

According to the 1991 PEIR, MCWD would have adequate treatment capacity for project-generated wastewater flows for the development of the NVSP. The 1991 PEIR concluded there was a less than significant impact on wastewater facilities. Based on the 1994 PEIR Addendum, the 1994 NVSP Amendment resulted in no changes to the impacts, mitigation measures, or cumulative impacts with respect to public utilities beyond those identified in the 1991 PEIR. According to the 1999 SPEIR, the 1999 NVSP Amendment would increase generated wastewater above existing conditions at the project site, presenting an increase in service demand for operations and maintenance of the sewer pipeline system and treatment facility. The 1999 SPEIR concluded that mitigation measures pertaining to issuance of a sewer permit and applicable fee payments prior to construction would reduce potential impacts to wastewater systems and facilities to less than significant levels.

As discussed in Response 4.17.a, project implementation would result in an increase in density at the project site, which could increase wastewater generation placing greater demands on the existing wastewater treatment facilities. Thus, further analysis will be conducted as part of the SEIR to determine potential impacts in this regard.

4.17.c Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

No New Impact/No Impact. Refer to Responses 4.9.c and 4.9.d.

4.17.d Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

New Potentially Significant Impact. Refer to Response 4.17.b.

4.17.e 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?

New Potentially Significant Impact. Refer to Response 4.17.b.

4.17.f Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

No New Impact/No Impact. The 1991 PEIR concluded that the Mammoth Disposal Company would have adequate collection facilities to accommodate the development of the NVSP. Therefore, potential impacts on solid waste collection and disposal facilities would be less than significant. According to the 1994 PEIR Addendum, the 1994 NVSP Amendment resulted in no changes to the impacts, mitigation measures, or cumulative impacts in this regard. Based on the 1999 SPEIR, the 1999 NVSP Amendment would increase solid waste generation, thereby increases the demand to provide disposal service. Although sufficient permitted capacity is provided by Mammoth Disposal Company, compliance with AB 939 and the Town's Source Reduction and Recycling Element (SRRE) provisions would ensure potential impacts are maintained at less than significant levels.

Solid waste collection service for the Town is currently provided by Mammoth Disposal, Incorporated. All solid waste generated by the Town is transferred to the Benton Crossing Landfill for disposal. The landfill is approximately 145 acres in size with a landfill footprint of approximately 72 acres. The maximum daily permitted throughput is 500 tons per day. The landfill has a remaining capacity of 695,047 cubic yards of compacted waste and is projected to close in December 2023.[12] The Town is working on a long term solution to address solid waste over the next 30 years. Project implementation could increase solid waste generation, placing greater demands on collection and disposal services, and diminishing landfill capacity. With the existing capacity in the Benton Crossing Landfill, there is adequate landfill capacity that can accommodate the waste

[12] Cal Recycle, Facility/Site Summary Details: Benton Crossing Landfill, http://www.calrecycle.ca.gov/SWFacilities/Directory/26-AA-0004/Detail/, accessed March 4, 2014.

generation and disposal needs for the proposed project. Further, all future development would be subject to compliance with the Town's SRRE for solid waste reduction. As concluded in the previous environmental documentation, with implementation of the 1999 SPEIR Mitigation Measure 5.10-9, potential impacts to solid waste disposal needs would be accommodated and a less than significant impact would occur in this regard. The potential impacts associated with solid waste were fully analyzed and no new impacts would result from the proposed project.

Applicable 1999 SPEIR Mitigation Measures:

MM 5.10-9 Prior to issuance of a building permit, the applicant shall provide an Integrated Solid Waste Management Plan (ISWMP) consistent with the Town's SRRE. The plan shall address, at a minimum, the following measures: ~~construction demolition;~~ recycling; ~~composting;~~ source reduction programs; storage areas for collected recyclable materials, and disposal of hazardous waste materials used on-site.

4.17.g Comply with federal, state, and local statutes and regulations related to solid waste?

No New Impact/No Impact. The 1999 SPEIR concluded that implementation of the 1999 NVSP Amendment would result in increased solid waste generation. The 1999 SPEIR discussed that the 1999 NVSP Amendment would comply with Assembly Bill 939 to ensure that impacts are maintained at less than significant levels. The 1999 SPEIR also discussed that the project would be subject to compliance with the Town's adopted SRRE and an ISWMP. The 1999 SPEIR determined that these provisions would ensure that impacts in this regard were less than significant.

The proposed project would comply with all applicable Federal, State, and local statutes and regulations related to solid waste. As the project would generate solid waste, it would be subject to compliance with the Town's SRRE and ISWMP provisions, and the Municipal Code Chapter 8.12, *Refuse Disposal*, for solid waste reduction. The proposed project would also be required to comply with Assembly Bills 939 and 341, which require measures to enhance recycling and source reduction efforts, and expand opportunities for additional recycling services and recycling manufacturing facilities. Therefore, the project would not conflict with Federal, State, or local statutes and regulations related to solid waste, and no impact would occur in this regard. The potential impacts were fully analyzed in the 1999 SPEIR and no new or different impacts would result from the proposed project

4.18 MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:	New Potentially Significant Impact	New Mitigation is Required	No New Impact/No Impact	Reduced Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			✓	
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?	✓			
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	✓			

4.18.a Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

No New Impact/No Impact. As concluded in Section 4.4, *Biological Resources*, and Section 4.5, *Cultural Resources*, the proposed project would result in no new significant impacts involving plant and wildlife species and/or communities nor significantly impact historical/archaeological resources. The project site currently consists of a subterranean parking structure and is surrounded by existing visitor-oriented commercial uses. Implementation of the proposed project would involve the construction of a new hotel building and accessory uses over the existing subterranean parking structure. Minor earthwork activities associated with perimeter improvements would occur and although some sapling trees would be required to be removed or relocated on-site, these trees are less than six inches in diameter and would not require tree removal permits per the Town's Municipal Code.

Thus, the proposed project would not substantially reduce the habitat of a wildlife species, cause a wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. Further, construction of the proposed project is not anticipated to impact historic resources. Therefore, project implementation would not eliminate important examples of the major periods of California history. Additionally, the 1999 SPEIR assumed development of the project site with

commercial uses and the project site is currently developed with a subterranean parking structure. The project's potential impacts to biological and historical/archaeological resources were fully analyzed in the 1999 SPEIR and no new or different impacts would result from the proposed project.

4.18.b Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?

New Potentially Significant Impact. A significant impact may occur if the proposed project, in conjunction with related projects, would result in impacts that are less than significant when viewed separately but would be significant when viewed together. A detailed review of potentially cumulatively considerable impacts for each issue area that has been identified as potentially significant will be conducted as part of the SEIR pursuant to CEQA Guidelines Section 15130.

4.18.c Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

New Potentially Significant Impact. Project implementation could result in a new potentially significant impact, as discussed in the preceding sections. Because the proposed project could have environmental effects, which could cause substantial adverse effects on human beings, either directly or indirectly, detailed analysis will be conducted as part of the SEIR.

4.19 INVENTORY OF APPLICABLE 1999 SPEIR MITIGATION MEASURES

The following conditions and measures are taken directly from the 1999 SPEIR. Modifications to the certified mitigation measures at the time of the 1999 SPEIR are identified in strikeout text to indicate deletions and double underlined to signify additions.

AESTHETICS

Applicable 1999 SPEIR mitigation measures will be identified in the SPEIR, if necessary.

AGRICULTURE AND FOREST RESOURCES

No mitigation measures are required.

AIR QUALITY

Applicable 1999 SPEIR mitigation measures will be identified in the SPEIR, if necessary.

BIOLOGICAL RESOURCES

Applicable 1999 SPEIR Mitigation Measures:

MM 5.9-2a The project shall preserve existing native vegetation to the maximum extent feasible. Landscaping shall emphasize the use of native plants indigenous to the Jeffrey Pine-Fir Forest plant community. Whenever possible, native plants used on-site shall be subject to the Design Review procedure of the Town.

MM 5.9-2b Landscape materials shall be used that allow for the protection and preservation of existing trees. Native plant species, preferably from seed or cuttings from local plants, shall be used where possible. The Landscape Plan shall be approved by the Town Planning ~~Director~~ Manager prior to issuance of any construction permits.

MM 5.9-2c Irrigation, fertilization, and other landscape management practices shall be designed to minimize effects on existing tees and other vegetation.

MM 5.9-2d To the extent possible, native vegetation shall be retained and protected during construction. A Revegetation Plan, prepared by a qualified Landscape Architect and approved by the Town of Mammoth Lakes, shall be completed prior to the commencement of the project, which will describe in detail the species of trees and shrubs which will be used, where they will be planted, and in what numbers, and the methods of planting and maintenance which will ensure successful growth. It shall include a monitoring program to follow the progress of new plantings and ensure replacement of unsuccessful plants. Landscaping with native species of trees and shrubs shall be undertaken to enhance wildlife use of cleared areas.

MM 5.9-2f All construction activities, including movement and storage of vehicles and the storage of building and other materials, shall be confined to areas slated for development. Care shall be taken during construction to avoid damage to vegetation and habitats not directly involved in project construction. Any vegetation inadvertently damaged outside of the area slated for development shall be replaced on a one-to-one basis on- or off-site. Off-site replacement shall require the approval of the Town Planning ~~Directory~~ Manager.

MM 5.9-2j Construction and site development, such as grading and trenching, shall be prohibited within the dripline of retained trees. Equipment shall be stored or driven under trees. Grading shall not cover the ground surface within the dripline of existing trees. Grading limits shall be clearly defined and protected.

CULTURAL RESOURCES

Applicable 1999 SPEIR Mitigation Measures:

MM 5.11-1e In the event that a material of potential cultural significance is uncovered during grading activities on the project site, all grading in the area of the uncovered material shall cease and the project applicant shall retain a professional archaeologist to evaluate the quality and significance of the material. Grading shall not continue in the area where a material of potential cultural significance is uncovered until resources have been completely removed by the archaeologist and recorded as appropriate.

MM 5.11-2 ~~See Mitigation Measure 5.11; in addition, i~~If human remains are discovered, work shall cease and an appropriate representative of Native American Indian groups and the County Coroner shall both be informed and consulted, as required by State law.

GEOLOGY AND SOILS

No 1999 SPEIR mitigation measures are applicable or required.

GREENHOUSE GAS EMISSIONS

Applicable 1999 SPEIR mitigation measures will be identified in the SPEIR, if necessary.

HAZARDS AND HAZARDOUS MATERIALS

No 1999 SPEIR mitigation measures are applicable or required.

HYDROLOGY AND WATER QUALITY

Applicable 1999 SPEIR Mitigation Measures:

MM 5.8-1c The following water conservation procedures shall be incorporated in the project elements where feasible:

- Landscape with low water-using plants;
- Install efficient irrigation systems that minimize runoff and evaporation and maximize the water that will reach the plant roots, such as drip irrigation, soil moisture sensors, and automatic irrigation systems; and
- Use pervious paving materials whenever feasible.

LAND USE AND PLANNING

Applicable 1999 SPEIR mitigation measures will be identified in the SPEIR, if necessary.

MINERAL RESOURCES

No mitigation measures are required.

NOISE

Applicable 1999 SPEIR mitigation measures will be identified in the SPEIR, if necessary.

POPULATION AND HOUSING

No 1999 SPEIR mitigation measures are applicable or required.

PUBLIC SERVICES

Applicable 1999 SPEIR Mitigation Measures:

MM 5.10-1a ~~Each project~~The Applicant shall contribute a fair share financial contribution for an emergency services facility (fire and police) to be located on the site of Fire Station No. 1 on Main Street.

MM 5.10-1b Access roads to all structures, and areas of use, shall comply with Mammoth Lakes Fire Protection District requirements~~Ordinance 98-01~~.

MM 5.10-1c An approved water supply system capable of supplying required fire flow for fire protection purposes, as determined by the Fire District, shall be provided.

MM 5.10-3 In accordance with A.B. 2926, the developer shall pay Developer Fees for commercial ~~uses~~ and ~~foot for~~ residential uses (condominiums).

MM 5.10-4a The Applicant~~project proponent~~ shall contribute a fair share financial contribution in accordance with the Town's DIF Mitigation Program ~~established Resolution 98-06~~.

RECREATION

Applicable 1999 SPEIR Mitigation Measures:

MM 5.10-4a Refer to Mitigation Measure 5.10-4a.

TRANSPORTATION/TRAFFIC

Applicable 1999 SPEIR mitigation measures will be identified in the SPEIR, if necessary.

UTILITIES AND SERVICE SYSTEMS

Applicable 1999 SPEIR Mitigation Measures:

MM 5.10-9 Prior to issuance of a building permit, the applicant shall provide an Integrated Solid Waste Management Plan (ISWMP) consistent with the Town's SRRE. The plan shall address, at a minimum, the following measures: ~~construction demolition;~~ recycling; ~~composting;~~ source reduction programs; storage areas for collected recyclable materials, and disposal of hazardous waste materials used on-site.

5.0 REFERENCES

The following references were utilized during preparation of this Modified Initial Study/ Environmental Checklist.

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4. Cal Recycle Website, *Facility/Site Summary Details: Benton Crossing Landfill*, http://www.calrecycle.ca.gov/SWFacilities/Directory/26-AA-0004/Detail/, accessed March 4, 2014.

5. California Environmental Quality Act, 1970, as amended, Public Resources Code Sections 21000-21178, http://ceres.ca.gov/ceqa/.

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7. Department of Toxic Substances Control, http://www.envirostor.dtsc.ca.gov/public/ mandated_reports.asp, accessed on February 26, 2014.

8. Federal Emergency Management Agency, *Flood Insurance Rate Map*, Panel 1388 of 2050, Map Number 06051C1388D, effective date February 18, 2011.

9. Great Basin Unified Air Quality Management District, *Air Quality Maintenance Plan and PM-10 Redesignation Request for Mammoth Lakes*, adopted by the Town on November 6, 2013.

10. Google Earth Maps, http://maps.google.com, accessed February 2014.

11. Governor's Office of Planning and Research, *CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act Review,* June 19, 2008.

12. Mammoth Community Water District Website, http://www.mcwd.dst.ca.us/, accessed March 3, 2014.

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14. Mammoth Lakes Police Department Website, http://www.j.mammothlakespd.org/, accessed February 28, 2014.

15. Officially Designated State Scenic Highways and Historic Parkways Map, http://www.dot.ca.gov/hq/LandArch/scenic_highways/, accessed February 14, 2014.

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17. Town of Mammoth Lakes, *Design Guidelines The Village at Mammoth*, approved August 23, 2000.

18. Town of Mammoth Lakes, *Final Program Environmental Impact Report for the Town of Mammoth Lakes 2005 General Plan Update*, May 2007.

19. Town of Mammoth Lakes, *Final Environmental Impact Report Mammoth Crossing Project*, April 17, 2009.

20. Town of Mammoth Lakes, *Final Environmental Impact Report North Village Specific Plan*, February 1991.

21. Town of Mammoth Lakes, *Interim Affordable Housing Mitigation Policy Resolution No. 09-76,* November 18, 2009.

22. Town of Mammoth Lakes*, North Village District Planning Study*, modified November 5, 2008, adopted by Town Council June 2009.

23. Town of Mammoth Lakes, *North Village Specific Plan*, amended through October 7, 2009, adopted December 2000.

24. Town of Mammoth Lakes, *North Village Specific Plan Environmental Impact Report Addendum*, May 1994.

25. Town of Mammoth Lakes, *Subsequent Program Environmental Impact Report for the North Village 1999 Specific Plan Amendment*, October 13, 2000.

26. Town of Mammoth Lakes, *Town of Mammoth Lakes General Plan*, August 15, 2007.

27. Town of Mammoth Lakes, *Town of Mammoth Lakes Municipal Code*, codified through Ordinance No. 13-08, passed August 7, 2013 (Supp. No. 24), http://library.municode.com/index.aspx?clientId=16632.

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