

1.0 INTRODUCTION

This document is a Draft Environmental Impact Report (Draft EIR) that has been prepared at the direction and under the supervision of the Town of Mammoth Lakes (the “Town”) in accordance with the California Environmental Quality Act (CEQA) and the Guidelines for California Environmental Quality Act (CEQA Guidelines), as amended.^{1,2} The Town of Mammoth Lakes General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update (the “Project”) includes in part Land Use Element Amendments focused on revisions to the development standards for the commercial areas, which would provide for increased flexibility and intensity of future development along commercially designated areas within the Town. Other proposed Land Use Element amendments include: revising the boundaries of commercially designated land in the Land Use Element to match current commercial zoning boundaries in the Zoning Code; changing Land Use Element policy and text associated with regulating population growth from a People At One Time (PAOT) approach to an impact assessment based approach as well as a change in the buildout methodology; and, deleting Land Use Element Community Benefits Incentive Zoning (CBIZ) and modifying Transfer of Development Rights (TDR) policies. The Town is also proposing Zoning Code Amendments regarding commercial development standards so that the General Plan and Zoning Code are consistent. In addition, consistent with assumptions in the buildout projections, the Town proposes a Zoning Code Amendment to allow 75 percent of the ground floor to be used for units or rooms (and other non-active uses) retaining the commercial uses along Primary and Secondary Active Frontages.

In addition, the Town is proposing to adopt and implement a Mobility Element Update. The Mobility Element Update addresses the two key concepts that are a focus of the 2007 General Plan: the triple-bottom line, which is the community’s social, economic, and natural capital, and “feet-first” transportation, which emphasizes and prioritizes non-motorized travel first, public transportation second, and vehicle last. The Mobility Element Update identifies a Complete Streets network, which includes physical improvements to the local and regional transportation systems. For example, reconfiguration of Main Street (i.e., vacation of the frontage road), extensions of roadways (i.e., Tavern Road, Sierra Nevada Road, Callahan Way) and connections of streets (i.e., Thompsons Way, Shady Rest site, 7B Road, and USFS property). In addition, the Mobility Element Update identifies opportunities for two future signals in Town.

A detailed discussion of the Project is provided in Chapter 2.0, *Project Description*, of this EIR.

1. PURPOSE OF THE EIR

The Town of Mammoth Lakes is the Lead Agency under CEQA responsible for preparing the EIR for the proposed Project (State Clearinghouse No. 2015052072). This EIR has been prepared in conformance with CEQA (California Public Resources Code Section 21000 et seq.), and the *CEQA Guidelines* (California Code of Regulations, Title 14, Section 15000 et seq.). The principal *CEQA Guidelines* sections governing content of this document are Sections 15120 through 15132 (Content of an EIR).

¹ *Public Resources Code Section 21000-21178.*

² *California Code of Regulations Title 14, Chapter 3, Section 15000-15387.*

In accordance with Section 15121 of the *CEQA Guidelines*, a primary purpose of this EIR is to provide decision-makers and the public with specific information regarding the environmental effects associated with the Project, identify ways to minimize the significant effects and describe reasonable alternatives to the project. Mitigation measures are provided in order to reduce the significance of impacts resulting from the Project. In addition, this EIR is the primary reference document in the formulation and implementation of a mitigation monitoring program for the proposed Project.

The Town, which has the principal responsibility of processing and approving the Project, will use and consider information in this EIR, along with other information that may be presented during the CEQA process, during the decision to approve, disapprove, or modify the proposed Project. Significant environmental impacts cannot always be mitigated to a level considered less than significant; in those cases, impacts are considered significant and unavoidable. In accordance with Section 15093(b) of the *CEQA Guidelines*, if a public agency approves a project that has significant impacts that are not substantially mitigated (i.e., significant unavoidable impacts), the agency shall state in writing the specific reasons for approving the project, based on the Final EIR and any other information in the public record for the project. This is termed, per Section 15093(b) of the *CEQA Guidelines*, a “statement of overriding considerations.”

This document analyzes the environmental effects of the Project to the degree of specificity appropriate to the current proposed actions, as required by Section 15146 of the *CEQA Guidelines*. This analysis considers the actions associated with the Project, to determine the short-term and long-term effects associated with their implementation. This EIR discusses both the direct and indirect impacts of this Project, as well as the cumulative impacts associated with other past, present, and reasonably foreseeable future projects. CEQA requires the preparation of an objective, full disclosure document to inform agency decision makers and the general public of the direct and indirect environmental effects of the project; provide mitigation measures to reduce or eliminate significant adverse effects; and identify and evaluate reasonable alternatives to the proposed project.

2. APPROACH OF THE EIR

The Project is subject to a Program EIR because it constitutes a series of actions that can be characterized as one large project that is related: “...a) geographically; b) as logical parts in a chain of contemplated actions; and c) in connection with the issuance of...plans...to govern the conduct of a continuing program...” (*CEQA Guidelines* 15168[a]). A Program EIR generally establishes a foundation for “tiered” or project-level environmental documents that may be subsequently prepared in accordance with the overall program. According to *CEQA Guidelines* Section 15168(b), a Program EIR can provide the following advantages:

1. Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action;
2. Ensure consideration of cumulative impacts that might be slighted in a project-level analysis;
3. Avoid duplicative reconsideration of basic policy considerations;
4. Allow the lead agency to consider broad policy alternatives and program-wide mitigation measures at the earliest possible time when the agency has greater flexibility to deal with basic problems or cumulative impacts; and
5. Allow a reduction in paperwork.

The Program EIR analyzes, at a general level, the implications of the revised development standards and policies, including an increase in future development that may occur within the commercial areas of the Town. In this way, decision-makers and the public can get a sense of the overall physical effects of the whole Project. The purpose of the Program EIR is to focus attention to those aspects of a future project (often a long-range plan) that could bring about adverse physical impacts. A Program EIR in this way serves as a foundation for subsequent environmental documentation and/or clearance. CEQA Guidelines Section 15146 indicates that “the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR....”

The Program EIR identifies and analyzes the potential environmental impacts of the anticipated future development resulting from the Project’s amended development standards and policies as well as implementation of the Mobility Element Update, and proposes mitigation measures that would reduce those impacts determined to be significant. With the Program EIR, the Town and the public will be able to consider the Project in its entirety and the impacts associated with the Project’s revised development standards and policies and the Mobility Element Update, some of which might be overlooked if considered on a case-by-case basis. The Program EIR also allows for consideration of broad policy alternatives and their possible environmental effects in a more exhaustive manner than would otherwise be possible. Optimally, this process allows for development of program-wide mitigation measures at a stage when the Town has greater flexibility to deal with basic problems or cumulative environmental impacts, and provides an opportunity to reduce paperwork. Program-level analysis differs from project-level analysis, which benefits from detailed, specific plans of a project (i.e., grading, footprint) and usually applies more directly to actual construction.

Implementation of the majority of the anticipated future development resulting from the Project’s revised development standards and policies and implementation of the Mobility Element Update will require further project-level environmental analysis. In addition, some future development activities that require approval from other agencies may be subject to subsequent CEQA or NEPA review. In addition, if new information becomes known prior to implementation of an action that could lead to significant impacts, further environmental analysis would be required.

In addition, alternatives to the Project are presented to evaluate whether there are alternative Project scenarios that can further minimize or avoid significant impacts associated with the project.

3. COMPLIANCE WITH CEQA

In compliance with the *CEQA Guidelines*, the Town has provided opportunities for the public to participate in the environmental review process. During the preparation of the EIR, an effort was made to contact various Federal, State, regional, and local government agencies and other interested parties to solicit comments and inform the public of the proposed Project.

a. Draft EIR

The Draft EIR is subject to a 45-day public review period, commencing June 24, 2016 and ending August 8, 2016, by responsible and trustee agencies, members of the public and other interested parties. In accordance with the provision of Sections 15085(a) and 15087(a)(1) of the *CEQA Guidelines*, the Town, serving as the Lead Agency has: 1) published a Notice of Availability of a Draft EIR in *The Sheet*, a newspaper

of general circulation, which states that the Draft EIR is available for review at: Town of Mammoth Lakes, Community & Economic Development Department, 437 Old Mammoth Road, Suite R, Mammoth Lakes, California 93546; Mammoth Lakes Library located at 400 Sierra Park Road, Mammoth Lakes, CA, 93546; and on the Town's website at <http://www.townofmammothlakes.ca.gov/> 2) prepared and transmitted a Notice of Completion (NOC) to the State Clearinghouse; and 3) sent notices to the last known name and address of all organizations and individuals who have previously requested such notice in writing. Proof of publication is available at the Town. All comments on the Draft EIR should be addressed to:

Sandra Moberly, Community & Economic Development Manager
 Town of Mammoth Lakes
 Community and Economic Development Department
 437 Old Mammoth Road, Suite R
 Mammoth Lakes, California 93546
 Or via email at: smoberly@townofmammothlakes.ca.gov

Any public agency or members of the public desiring to comment on the Draft EIR must submit their comments in writing to the Town prior to the end of the public review period. Upon the close of the public review period, the Town will then proceed to evaluate and prepare responses to all relevant written comments received from both citizens and public agencies during the public review period.

The Final EIR will consist of the Draft EIR, corrections and additions to the Draft EIR, responses to comments addressing concerns raised by responsible agencies or reviewing parties and a mitigation monitoring and reporting program. After the Final EIR is completed, and at least 10 days prior to its certification, a copy of the response to comments on the Draft EIR will be provided or made available to all commenting parties.

b. Initial Study

In accordance with Section 15063(a) of the *CEQA Guidelines*, prior to preparation of the Draft EIR, the Town prepared an Initial Study. The Initial Study determined that a number of environmental issue areas may be impacted by Project implementation. As a result, the Initial Study determined that this Draft EIR should address the Project's potentially significant impacts on a variety of environmental issue areas.

The EIR focuses primarily on changes in the environment that would result from the Project. The EIR identifies potentially significant impacts resulting from Project implementation and provides measures to mitigate potential significant impacts. This EIR addresses impacts in the following areas:

- Aesthetics;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Forestry Resources;
- Greenhouse Gas Emissions;
- Land Use/Planning
- Noise;
- Population/Housing;
- Public Services (fire protection, police protection, schools, parks and recreation, and library services);
- Transportation/Traffic; and
- Utilities and Service Systems (water, wastewater, stormwater, and solid waste)

Based on the Initial Study, issues for which no significant impacts are anticipated to occur are addressed in Chapter 6, *Other Environmental Considerations*, contained in this EIR.

c. Notice of Preparation and Scoping Meeting

Pursuant to the provision of Section 15082 of the *CEQA Guidelines*, the Town circulated a Notice of Preparation (NOP) to public agencies, special districts, and members of the public for a 30-day period commencing May 29, 2015 and ending June 29, 2015. The purpose of the NOP was to formally convey that the Town is preparing a Draft EIR for the Project, and to solicit input regarding the scope and content of the environmental information to be included in the EIR. The Initial Study was circulated with the NOP.

As part of the NOP, the Town advertised a notice of public scoping meeting for the Project. The meeting was held during the regularly scheduled Planning and Economic Development Commission Meeting on Wednesday, June 10, 2015, in the Town's Council Chambers located within the Minaret Village Shopping Center at 437 Old Mammoth Road, Suite Z, Mammoth Lakes, California 93546. The meeting was held with the specific intent of affording interested individuals/groups and public agencies to assist the lead agency in determining the scope and focus of the EIR as described in the NOP and Initial Study.

The NOP/Initial Study was distributed for 30 days to various public agencies in order to receive input as to the scope and content of the environmental information to be provided in this EIR. Comments were received from State Clearinghouse, California Department of Transportation (CalTrans), California Department of Fish and Wildlife, Regional Water Quality Control Board, Mammoth Lakes Fire District, Mammoth Community Water District, and Mammoth Lakes Housing. The NOP, Initial Study, comments received on the NOP, and the minutes from the June 10, 2015 Planning and Economic Development Commission Meeting are provided in Appendix A, *Initial Study/Notice of Preparation/NOP Comment Letters/Minutes*, of this EIR. The NOP comments are summarized in the Executive Summary under the section entitled Areas of Controversy and Issues to be Resolved.

d. Incorporation by Reference

CEQA Guidelines Section 15150 provides for an EIR to incorporate by reference all or portions of another document. The following two certified EIRs are hereby incorporated by reference into this document:

Final Program EIR – Town of Mammoth Lakes Trail System Master Plan Project, September 2011
State Clearinghouse No. 2010111013

Final Program EIR – Town of Mammoth Lakes 2005 General Plan Update, May 2007
State Clearinghouse No. 2003042155

These documents are available for public review during normal business hours at the Community and Economic Development Department office at 437 Old Mammoth Road, Suite R, Mammoth Lakes, California. The Trail System Master Plan EIR is relevant as trails are part of the Mobility Element Update and thus previous analyses are relevant to that portion of the Mobility Element Update. The General Plan Update EIR is relevant in that the EIR evaluated Townwide buildout under the General Plan that was adopted in 2007. Information from these two EIRs is summarized as relevant. For example, the history described in the cultural resources existing conditions has not changed. However, other issue areas, such as traffic, are based on new technical studies. Mitigation Monitoring and Reporting Programs (MMRPs) were adopted for the General Plan Update and the Trail System Master Plan. As such, the Town is currently implementing these mitigation measures. Therefore, these measures are provided in each of the sections in Chapter 4 of this EIR

and used as relevant to reduce potential impacts. It is envisioned that at the end of this EIR process for the Project, a comprehensive MMRP will be prepared for the Town's use.

4. FORMAT OF THE EIR

The EIR includes eight chapters as well as appendices, which are organized as follows:

Executive Summary. This section presents a summary of the proposed Project and alternatives, potential impacts and mitigation measures, and impact conclusions. This section also summarizes the issues raised in the NOP comment letters regarding the scope and content of the EIR under the "Issues Raised During Notice of Preparation Process" subheading.

1. **Introduction.** This chapter provides: a description of the purpose of the EIR; CEQA compliance information relative to the proposed Project and the EIR; a brief overview of the environmental review process; and, outlines the organization of the EIR.
2. **Project Description.** This chapter describes the project location, project details and the Town's overall objectives for the Project.
3. **Basis for Cumulative Analysis.** This chapter contains a list of related projects anticipated to be built within the project vicinity.
4. **Environmental Impact Analysis.** This chapter contains the environmental setting, Project and cumulative impact analyses, mitigation measures, and conclusions regarding the level of significance after mitigation for each of the following environmental issues: Aesthetics, Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Land Use and Planning, Noise and Vibration, Population/Housing, Public Services, Transportation/Traffic, and Utilities and Service Systems.
5. **Alternatives.** This chapter evaluates the environmental effects of the Project alternatives, including the No Project Alternative. It also identifies the environmentally superior alternative.
6. **Other Mandatory CEQA Considerations.** This chapter includes a discussion of issues required by CEQA that are not covered in other sections. This includes unavoidable significant impacts, impacts found not to be significant, irreversible environmental changes, potential secondary effects caused by the implementation of the mitigation measures for the Project, and growth inducing impacts.
7. **List of Preparers.** This chapter lists all of the persons, public agencies, and organizations that were consulted or contributed to the preparation of this EIR.
8. **References.** This chapter lists all the references utilized in preparation of the EIR.

This EIR includes the environmental analysis prepared for the project and appendices as follows:

- Appendix A – Initial Study/Notice of Preparation/NOP Comment Letters/Minutes
- Appendix B – Air Quality Worksheets
- Appendix C – Greenhouse Gas Emissions Worksheets
- Appendix D – Noise Worksheets
- Appendix E – Public Services
- Appendix F – Traffic Study