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Town of Mammoth Lakes )  
Community & Economic Development Department )  
P.O. Box 1609 )  
Mammoth Lakes, CA 93546 )

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**RESOLUTION NO. PEDC 2021-06**  
**A RESOLUTION OF THE MAMMOTH LAKES PLANNING AND**  
**ECONOMIC DEVELOPMENT COMMISSION ADOPTING A**  
**MITIGATED NEGATIVE DECLARATION AND APPROVING**  
**USE PERMIT 20-004 FOR THE**  
**MAMMOTH DISPOSAL TRANSFER STATION EXPANSION PROJECT**  
**LOCATED AT 264 COMMERCE DRIVE**  
**(APN: 037-200-061-000)**

**WHEREAS**, a request for consideration of a Use Permit was filed by Glen Long, on behalf of Mammoth Disposal Company, for the Mammoth Disposal Transfer Station Expansion Project, in accordance with Chapters 17.68 (Use Permits), of the Town of Mammoth Lakes Municipal Code, for property located within the Industrial (I) zoning district at 264 Commerce Drive; and

**WHEREAS**, the Planning and Economic Development Commission conducted a noticed public hearing on the application request on July 14, 2021, at which time all those desiring to be heard were heard; and

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

1. The staff report to the Planning and Economic Development Commission with exhibits;
2. The General Plan, Municipal Code and associated Land Use Maps;
3. Oral evidence submitted at the hearing;
4. Written evidence submitted at the hearing; and
5. Project plans consisting of: Site Plan Figures 9 and 9.A, dated March 15, 2021;
6. Mammoth Disposal Transfer Station Expansion Project Draft Initial Study/Mitigated Negative Declaration (IS/MND), Final IS/MND, and associated technical appendices (collectively, the "Initial Study/Mitigated Negative Declaration" or "IS/MND") (State Clearinghouse No. 2021050146), incorporated herein by reference;

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

**SECTION 1. FINDINGS.**

**I. CEQA.**

MND – California Environmental Quality Act Guidelines Section 15074 (Consideration and Adoption of a Negative Declaration or Mitigated Negative Declaration):

- a. Any advisory body of a public agency making a recommendation to the decision making body shall consider the proposed mitigated negative declaration before making its recommendation.**

The Planning and Economic Development Commission considered the Initial Study/Mitigated Negative Declaration together with all comments received during the public review process, including the Response to Comments and Mitigation Monitoring and Reporting Program, and finds that on the basis of the whole record, there is no substantial evidence that the Project will have a significant effect on the environment.

- b. Prior to approving a project, the decision making body of the lead agency shall consider the proposed mitigated negative declaration together with any comments received during the public review process. The decision making body shall adopt the proposed mitigated negative declaration only if it finds on the basis of the whole record before it that there is no substantial evidence that the project will have a significant effect on the environment and that the mitigated negative declaration reflects the lead agency's independent judgement and analysis.**

The Planning and Economic Development Commission finds that on the basis of the whole record before it, there is no substantial evidence that the project will have a significant effect on the environment, and the Initial Study/Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis.

- c. When adopting a mitigated negative declaration, the lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.**

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

- d. When adopting a mitigated negative declaration, the lead agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects.**

A Mitigation Monitoring and Reporting Program (MMRP) for reporting on and monitoring the required mitigation measures has been prepared and will be adopted with the Initial Study/Mitigated Negative Declaration. All mitigation measures are included in the MMRP and included in the Conditions of Approval for the Project.

- e. **A lead agency shall not adopt a mitigated negative declaration for a project within the boundaries of a comprehensive airport land use plan or, if a comprehensive airport land use plan has not been adopted, for a project within two nautical miles of a public airport or public use airport, without first considering whether the project would expose people residing or working in the project area to excessive noise levels.**

The closest airport to the project site is the Mammoth Yosemite Airport, located approximately 4.8 miles east of the site at 1300 Airport Road. The project site is not located within any airport safety zones established for the Mammoth Yosemite Airport, or within an airport land use plan. Further, based on distance to the closest airport, project implementation would not result in excessive noise for people residing or working in the project area.

- f. **When a non-elected decision making body of a local lead agency adopts a mitigated negative declaration, that adoption may be appealed to the agency's elected decision making body.**

The Planning and Economic Development Commission finds that adoption of the mitigated negative declaration and approval of the proposed project may be appealed to Town Council if the appeal is submitted in writing, and filed with the Town Clerk, on a Town application form, by 5:00 p.m. on the fifteenth day following the date of the review authority's action.

## II. MUNICIPAL CODE FINDINGS.

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

- 1. **The proposed use is consistent with all applicable sections of the General Plan and Title 17 and is consistent with any applicable Specific Plan;**

The proposed project would relocate the Mammoth Disposal buy back/recycling center to 264 Commerce Drive and would repurpose the existing 6,800 square foot building for the operation of a "Large Collection Recycling Facility." The proposed use is consistent with the General Plan land use designation as well as the allowable land use table for the Industrial zoning district because "Large Collection Recycling Facilities" are permitted in the Industrial Zoning District with approval of a Use Permit.

The proposed use would relocate recycling collection bins and containers from the existing buy back/recycling center to the 264 Commerce Drive Site. As shown on the proposed site plan, the various storage containers would be located along the south and west perimeter of the site. Containers would not be located within a required setback from Commerce Drive or any required

parking or loading area. The existing 6,800 square foot industrial building is required to provide eleven parking spaces on site. The site plan identifies a total of fourteen parking spaces provided on-site including three spaces in queue for unloading, which exceeds the minimum standard. The site is also entirely enclosed and will be screened by solid walls along the site perimeters in compliance with development standards applicable to outdoor storage and work areas.

As shown on the proposed site plan, the site would provide a total of 2,920 square feet of snow storage area (90.6% of the required 3,216 square feet). Since this is below the 40-percent requirement, the project will be required to provide a snow management plan for snow removal which is included as condition of approval #42 of this Use Permit. With the approval of a snow management plan the proposed use of the site complies with the applicable development standards of Title 17 (zoning code).

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

The proposed use and the conditions under which it would be operated will not be detrimental to the public health or safety nor materially injurious to properties or improvements in the vicinity because the Initial Study/Mitigated Negative Declaration prepared for the project analyzed potential impacts of the proposed use related to aesthetics, air quality, noise, hazards and hazardous materials, traffic, and other issues. The analyses prepared for each potential impact addresses the direct, indirect, and cumulative environmental effects of the project, as proposed. The analysis concluded that the proposed project would not have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly, following conformance with the existing regulatory framework and mitigation measures.

Relocation of the buyback/recycling center operations to the proposed 264 Commerce Drive Site will locate the use farther away from *The Trails* residential neighborhood than the current location at 59 Commerce Drive. New construction at the site is limited to interior alterations of the existing structure and construction of a new of a 6-foot tall masonry wall for screening purposes as well as site drainage and utility improvements. The proposed construction and operations at the site would only be publicly visible from adjacent industrial uses, because existing development and vegetation screens of the site as a whole from other properties in the vicinity. Therefore, the use would not be materially injurious to properties or improvements in the vicinity of the use.

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

The intent of the Mammoth Disposal Transfer Station Expansion project is to provide greater capacity for continued solid waste and recycling services currently provided to the Town and surrounding unincorporated communities in Mono County. The anticipated closure of the Benton Crossing Landfill by January 1, 2023, requires certain changes to the current Solid Waste transfer

station and recycling operations. In order to provide expanded capacity for the buyback/recycling center operations, the Mammoth Disposal Company will relocate recycling operations to the 264 Commerce Drive site which features a larger structure and collection area that would be dedicated for recycling operations.

The Town of Mammoth Lakes General Plan Resource Management and Conservation Element states in Policy R.9.A., “Support programs to recycle materials such as paper, cardboard, glass, metal, plastics, motor oil; and programs to compost or chip for mulch tree cuttings, brush, and other vegetation.” Approval of the proposed Use Permit will allow Mammoth Disposal to respond to the anticipated need for increased recycling capacity as well as continuing to improve recycling services for the Town and surrounding communities.

## **SECTION 2. PLANNING AND ECONOMIC DEVELOPMENT COMMISSION ACTIONS.**

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

1. Adopts Mitigated Negative Declaration (State Clearinghouse #202105146) pursuant to the California Environmental Quality Act (CEQA) Guidelines;
2. Approves Use Permit #20-004, subject to the conditions as recommended by staff (SEE EXHIBIT “A”); and
3. Directs Staff to file a Notice of Determination.

**PASSED AND ADOPTED** this 14<sup>th</sup> day of July 2021, by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

RECUSED:

ATTEST:

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Sandra Moberly,  
Community and Economic Development  
Director

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

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

**OWNER/APPLICANT:**

I, Glen Long, District General Manager for Mammoth Disposal Company, am the authorized signatory, and I do hereby attest that I have read, and agree to, the conditions of approval stipulated within this Resolution.

Date: \_\_\_\_\_

\_\_\_\_\_  
Glen Long, District General Manager  
Mammoth Disposal Company  
(Notary Required)

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

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

State of California     }  
County of Mono

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

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

**WITNESS my hand and official seal.**

\_\_\_\_\_  
Signature of Notary

**EXHIBIT “A”**  
**Resolution No. PEDC 2021-06**  
**Case No. UPA 20-004**  
**PLANNING DIVISION CONDITIONS**

**STANDARD PLANNING CONDITIONS**

1. This approval authorizes Mammoth Disposal Company to establish a new “Large Recycling Facility” located at 264 Commerce Drive, for the relocation of the Mammoth Disposal buy-back/recycling center as part of the Mammoth Disposal Transfer Station Expansion Project.
2. The approved site plans including: Site Plan Figures 9 and 9.A, dated March 15, 2021., shall be adhered to and maintained for the duration of the permit.
3. This permit and all rights hereunder shall automatically terminate unless the site preparation or construction has been commenced within two years after the issuance of this permit and such work is diligently carried on until completion, or an extension of time has been granted in accordance with Municipal Code §17.60.060.B.
4. All new improvements constructed on the site shall be in compliance with all Town of Mammoth Lakes, County of Mono, Mammoth Community Water District, the Mammoth Lakes Fire Protection District, the CRWQCB Lahontan District, Great Basin Air Pollution Control District, OSHA, State of California and United States of America laws, statutes, ordinances, regulations, directives, orders, and the like applicable thereto and in force at the time thereof. Any violation of the above may constitute grounds for revocation under Chapter 17.128 of the Mammoth Lakes Municipal Code.
5. This resolution of approval, as conditioned herein, shall be recorded for the subject property by the Mono County Recorder’s Office to commence the approved use on the property or the issuance of any building permits for new or remodeled structures.
6. The site shall be maintained in a neat, clean and orderly manner. All improvements shall be maintained in a condition of good repair and appearance. Equipment and materials inappropriate to the site and its use shall not be stored within outdoor areas on the site.
7. Storage of construction materials and equipment off-site shall not be permitted without a permit issued by the Community and Economic Development Department of the Town. Any public or private property altered, damaged or destroyed by site preparation, grading, construction or use shall be restored to its pre-existing condition by the permittee.
8. All conditions of this permit shall be met or secured prior to final occupancy approval of any tenant improvements or new structures.
9. All uses are subject to review by the Building Official of the Town of Mammoth Lakes and must conform to occupancy ratings of the structures to obtain occupancy.
10. Town staff shall have the right to enter the subject property to verify compliance with these conditions. The holder of any permit associated with this project shall make the premises available to Town staff during regular business hours and shall, upon request make records and documents available to Town staff as necessary to

- evidence compliance with the terms and conditions of the permit.
11. Prior to the issuance of a building permit, the applicant shall pay all applicable fees as prescribed by ordinance and/or resolution and pay any fees due on the project processing account.
  12. The approved site and building plans shall be adhered to and maintained for the duration of the permit.
  13. This action may be appealed to the Town Council within fifteen (15) calendar days from the date of Planning and Economic Development Commission approval in accordance with Municipal Code Chapter 17.104.
  14. The applicant shall defend, indemnify, and hold harmless the Town and its agents, officers, and employees from any claim, action, or proceeding against the Town and its agents, officers, or employees to attack, set aside, void, or annul, an approval of the Town, advisory agency, appeal board, or legislative body concerning this approval. The Town shall promptly notify the applicant of any claim, action, or proceeding and shall cooperate fully in the defense.
  15. All exterior lighting, including any existing light fixtures, shall comply with Chapter 17.36.030 *Exterior Lighting* of the Town of Mammoth Lakes Municipal Code. Exterior light fixtures having a total of over 400 lumens of output shall be equipped with shields that extend below the horizontal plane of the light source to direct the light downward onto the structure or surrounding grounds. This shall be verified prior to issuance of a certificate of occupancy.
  16. A Building Permit is required for tenant improvements and utility connections within the subject structures. Tenant improvements shall identify occupancy separation requirements, disabled access requirements and compliance with all applicable building, electrical, plumbing, and fire code requirements.
  17. Zoning entitlement conditions of approval shall be printed verbatim on all of the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the index.

### **SPECIAL PLANNING CONDITIONS**

18. The project shall comply with all of the applicable mitigation measures identified in the Mammoth Disposal Transfer Station Project Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program (MMRP).
19. Prior to issuance of a certificate of occupancy for the project, all required vehicle parking spaces shall be striped. A minimum of 14 parking spaces, including three proposed unloading spaces shall be striped, and shall have minimum dimensions of 10 feet by 20 feet.
20. All walls visible from off-site shall be made of a solid textured masonry material and shall be a tan or similar earth tone color. A wall cap shall be incorporated at the top of all new walls.
21. If the existing concrete wall located on the eastern perimeter of the site is removed by the adjacent property owner, or if it is found that the wall is structurally deficient, the applicant shall construct a new 6 foot tall masonry wall along the east property line of the site to ensure the outdoor storage and work area is adequately screened.
22. If an access gate is installed at the entrance to the site, the gate shall be coated in a

brown or black color in compliance with M.C. Section 17.36.040 – *Fences and Walls*.

23. A key box shall be provided for any perimeter gates restricting access to the site. The key box shall have an individual master key that provides access to the facility. This shall be reviewed and approved by the Mammoth Lakes Fire Protection District.
24. A Sign Permit will be required prior to installation of new business identification signs. All signs shall comply with Municipal Code Chapter 17.48 (Signs) and the Town's Design Guidelines.

## **ENGINEERING DIVISION CONDITIONS**

### **STANDARD CONDITIONS / GENERAL REQUIREMENTS:**

25. All new utility lines within, adjacent to, or serving the site shall be placed underground.
26. Paved access is required to a maintained street. Street and traffic signs shall meet the California Manual of Uniform Traffic Control Devices (MUTCD).
27. All driveways shall be constructed in accordance with the driveway standards of the Town.
28. The project shall comply with the Guidelines for Erosion Control in the Mammoth area. This shall include submittal of a Report of Waste Discharge, if applicable.
29. All export shall be taken to, and all import shall be taken from a permitted site, which shall be identified at grading permit issuance. The applicant shall prepare a haul route, subject to the approval of the Public Works Director prior to the import or export of material for the site.
30. All grading and public improvements shall be consistent with the Town of Mammoth Lakes Standard Plans for Public Works.
31. Rights of way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing shall be required as necessary.

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

32. An encroachment permit or a letter of exemption shall be obtained from the Engineering Services Division of the Town prior to construction within the public right of way in accordance Chapter 12.04 of the Municipal Code.
33. No work within Town right of way shall be commenced until a traffic control plan has been approved by the engineering services division of the Town.
34. An application for a grading permit shall be submitted to the Engineering Services Division of the Public Works Department in accordance Chapter 12.08 of the Municipal Code. No change to the existing conditions of the site, including site grading, drainage interruption, land clearing, etc. shall be commenced until grading and drainage plans have been approved by the Public Works Director. Grading plans shall include all mitigating measures and best management practices to prevent erosion and to protect existing trees, which shall be constructed prior to work commencing for any and all site improvements.
35. A final hydrology and hydraulics study is required and shall be submitted with the grading and improvement plans for the project. The study shall be prepared in

accordance with the grading chapter of the municipal code and the adopted Storm Drain Master Plan of the Town and shall be prepared by a registered civil engineer. The study shall include runoff from the entire site and shall also include runoff that enters the property from all upstream sources, and shall include all storm drains, drywells, infiltrators and surface flows. The study shall indicate the method of conveying surface and underground runoff and shall address drainage conveyances downstream to the extent they exit to an existing facility or natural drainage course. All existing drainage facilities on-site and tributary to the site shall be identified and shown on the grading plans. The hydraulic calculations shall include all pipe flows, velocities and head loss calculations sufficient to show the adequacy of all conveyance systems. Q100 and V100 and the hydraulic grade line for all public storm drains and all facilities with an equivalent diameter of 18 inches or greater shall be shown on the approved grading and improvement plans. The drainage study for the project and the final design of the storm drain system shall be approved prior to approval by staff of the grading and improvement plans and the final map. Infiltrators and storm water pollution prevention facilities are to be designed to accept the "first flush" levels of runoff. The capacity of these facilities shall not be assumed to reduce storm water flows of other drainage facilities that may be required for the project.

36. Temporary and permanent erosion control plans shall be included with the grading, improvement, and building plans. Continuous water spraying or other approved methods shall be used during grading operations to control fugitive dust. Drop inlet filters and other temporary Best Management Practices shall be employed to filter nuisance water from storm drain inlets affected by construction, on-site and off-site. Groundwater pollution from urban run-off water generated by the project shall be mitigated using best management practices (BMPs), per the requirements of the California Regional Water Quality Control Board, Lahontan District, and as indicated in the "New Development and Redevelopment Guidelines". The applicant shall apply for and obtain all required permits, written clearances or exemptions from the Lahontan District prior to any grading. All BMPs shall be shown on the erosion control plans. If the Town inspector determines that the BMPs in place are not adequate, then additional BMPs shall be installed at the discretion of the Town inspector, or a revised erosion control plan shall be prepared for approval by the engineering services division. Gravel bags shall be used in lieu of sandbags. All permanent erosion control measures shall be irrigated for at least one season. Permanent BMPs shall include sediment traps upstream of infiltrators and oil water separators for parking areas consistent with the General Plan.
37. A Construction Staging and Management Plan shall be submitted to and approved by the Public Works Director prior to grading or building permit issuance. Said plan shall include provisions related to the parking of construction worker vehicles, construction equipment, construction materials, and specific limitations restricting access into non-developed portions of the site and the storage of materials within these areas. The staging plan and the final access roadway improvements shall all be approved by the Mammoth Lakes Fire Protection District prior to grading permit issuance. An approved copy of the plan shall be maintained on-site at all times and available to all contractors, subcontractors, their employees and the Town. The staging plan shall address hours of work, and special approval for work outside hours allowed. The plan shall also contain provisions for interrupting utility services

to neighboring properties and sufficient noticing to affected residents and property owners.

38. On the cover sheet of the grading plans and in a very conspicuous location place the following note: "The conditions of approval for the approved Use Permit UPA 20-004, contained in the resolution recorded at the County Recorder's Office of Mono County as Document No. 2021xxxxx, shall be made a part of these plans and the grading permit and all conditions and requirements therein shall be adhered to by the contractor, his sub-contractors and any person performing any work on the project." This note shall also be included within the construction staging and management plan.
39. Existing Town streets that require construction or reconstruction, shall remain open for traffic at all times, with adequate detours and traffic control, during actual construction. A form of security listed in Government Code Section 66499(a) and acceptable to the Town shall be posted to cover the cost of grading and paving prior to approval by staff.
40. The grading plan and building permit plans shall indicate all snow storage areas and drainage facilities.
41. All easements shall be shown on the grading and building permit plans.

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

42. A snow removal/storage management plan for the hauling of snow in accordance with Municipal Code Section 17.36.110.B(3)(a) shall be submitted by the applicant and approved by the Community and Economic Development Department and Public Works Department prior to first building permit issuance. The plan shall be in the form of a recorded document mutually agreed to between the property owner and the Town and shall describe features such as, but not limited to, location of snow storage areas, the method of snow hauling, frequency of pick-ups, pick-up areas, haul routes, hours of hauling operations, and snow deposit areas. The plan shall also include methods to address potential cornice and ice falling onto pedestrian and vehicular areas and methods to address hazardous snow and ice build-up on pedestrian pathways and sidewalks. Approved methods to address hazardous snow and ice build-up include plowing, application of cindering, and potential of heat-traced pavement.

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

43. Address numbers shall be placed on all new and existing structures in such a manner as to be plainly visible and legible from the access roadway or street, consistent with Municipal Code Chapter 16.32.
44. All required grading, public and private street and drainage improvements shall be completed, all "punchlist" items completed to the satisfaction of the Public Works Director, the as-built plans submitted, reviewed and approved and the required warranty security posted prior the issuance of a certificate of occupancy for the project.
45. Projects subject to a building permit shall have all required on and off-site improvements completed and approved prior to final inspection of any buildings or structures. The installation of any on or off-site improvements shall be sufficiently

completed so as to assure protection from storm or drainage run off, a safe and drivable access for fire and safety, and the ordinary and intended use of buildings or structures. The Building Official, with the concurrence of the Public Works Director, may approve any plan or approve a change to an approved plan, which complies with the intent of this policy.

#### **MITIGATION MEASURES – (MMRP)**

46. **CUL-1: Workers Environmental Awareness Program.** Prior to ground disturbing activities, the Project Applicant shall prepare and implement a Workers Environmental Awareness Program (WEAP) training to address cultural resources issues anticipated at the project site for review and approval by the Public Works Director. The WEAP shall include information of the laws and regulations that protect cultural resources, the penalties for a disregard of those laws and regulations, what to do if cultural resources are unexpectedly uncovered during construction, and contact information for a qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology, who shall be contacted in the case of unanticipated discoveries. The WEAP shall also include project specific information regarding the potential for and types of prehistoric and historic resources that may potentially be encountered.
47. **CUL-2: Archaeological and Native American Monitoring.** A qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology, and qualified Native American monitor shall be retained to perform all mitigation measures related to prehistoric and historic cultural and tribal cultural resources for the project. An archaeologist and Native American monitor shall be present to monitor all initial ground disturbing activities associated with the project, including but not limited to: removal of building asphalt, pot-holing or auguring, grubbing, weed abatement, boring/grading of soils, drilling/trenching for utilities, excavations associated with development, etc. The monitors shall complete monitoring logs on a daily basis. The logs shall provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. In addition, the monitors are required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k).

If, during initial ground disturbance, the monitors determine that the ground disturbing activities have little or no potential to impact cultural resources, and/or the monitors determine that ground disturbances would occur within previously disturbed and non-native soils, the qualified archaeologist may recommend that monitoring may be reduced or eliminated. This decision shall be made in consultation with the Native American monitor and the Town of Mammoth Lakes. The final decision to reduce or eliminate monitoring shall be at the discretion of the Town of Mammoth Lakes. If cultural resources are encountered during ground disturbing activities, work in the immediate area shall halt, the qualified archaeologist shall immediately notify the Public Works Director, and the find shall be evaluated for significance under the California Environmental Quality Act and National Historic Preservation Act (NHPA). Consultation with the Native

American monitor, the Native American Heritage Commission, and data/artifact recovery, if deemed appropriate, shall be conducted. The qualified archaeologist and monitors may reduce or stop monitoring dependent upon observed conditions.

48. TRA-1: Prior to issuance of a grading permit, the project Applicant shall prepare a Traffic Management Plan (TMP) for approval by the Town's Traffic Engineer. The TMP shall specify that one lane of travel in each direction on Commerce Drive must always be maintained during project construction activities. The TMP shall include measures such as construction signage, limitations on timing for lane closures to avoid peak hours of truck traffic, temporary striping plans, and, if necessary, use of construction flag person(s) to direct traffic during heavy equipment use. The TMP shall be incorporated into project specifications for verification prior to final plan approval.