

RESOLUTION NO. _____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
MAMMOTH LAKES ADOPTING ENVIRONMENTAL FINDINGS
PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY
ACT, CERTIFYING THE MAMMOTH YOSEMITE AIRPORT
TERMINAL AREA DEVELOPMENT PROJECT FINAL
ENVIRONMENTAL IMPACT REPORT (SCH #2019100384), ADOPTING
THE MITIGATION MONITORING AND REPORTING PROGRAM, AND
APPROVING THE PROJECT**

WHEREAS, Pursuant to the General Plan Goals and Policies for Air Service, the Town is required to consider the proposed Mammoth Yosemite Airport Terminal Area Development Project (“Project”) as described in Section 2.1 *Project Description* and Figure 2-1 *Project Site Plan* of the Environmental Impact Report (EIR), located at the Mammoth Yosemite Airport (1300 Airport Road), and comprised of Assessor’s Parcel Number (APN) 037-250-004-000; and

WHEREAS, Town Council adopted the 2018/19 – 2023/24 Airport Capital Improvement Program (ACIP), on December 19, 2018, and found it was consistent with the Town’s General Plan; and

WHEREAS, the adoption of an ACIP does not compel the Town to complete or fund any of the listed projects, but it does make the identified projects eligible for Federal Aviation Administration (FAA) Airport Improvement Program (AIP) funding; and

WHEREAS, all proposed airport actions that are subject to FAA approval require environmental impact analyses to be prepared pursuant to the National Environmental Policy Act (NEPA). Projects on the airport property are also subject to the California Environmental Quality Act (CEQA); and

WHEREAS, appropriate environmental review must be completed for all projects identified on the ACIP prior to construction; and

WHEREAS, On June 26, 2019, Town Council authorized consulting agreements with Wallace Environmental Consulting, Inc., and Mead & Hunt, Inc., for the preparation of the necessary CEQA and NEPA environmental review for projects included in the ACIP and described in the Project Description (Section 2.1) of the EIR; and

WHEREAS, the Town has prepared an Environmental Assessment for the Project pursuant to NEPA, and that document is currently in review with the FAA; and

WHEREAS, pursuant to section 21067 of the Public Resources Code, and section 15367 of the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the Town is the lead agency for the proposed Project; and

WHEREAS, in accordance with State CEQA Guidelines section 15060(d), the Town determined that an Environmental Impact Report (“EIR”) would be “clearly required” for the proposed Project, such that an Initial Study was deemed unnecessary; and

WHEREAS, in accordance with State CEQA Guidelines section 15082, on October 19, 2019, the Town publicly posted and sent to the Office of Planning and Research and each responsible and trustee agency a Notice of Preparation (“NOP”) stating that an Environmental Impact Report (State Clearinghouse Number #2019100384) would be prepared; and

WHEREAS, during the 30-day public review period, the Town received four comment letters in response to the NOP; and

WHEREAS, pursuant to Public Resources Code section 21083.9 and State CEQA Guidelines sections 15082(c) and 15083, the Town held a duly noticed Scoping Meeting on October 24, 2019, to solicit comments on the scope of the environmental review of the proposed Project and no comments were received; and

WHEREAS, a Draft Environmental Impact Report (“Draft EIR”) was prepared, incorporating comments received in response to the NOP; and

WHEREAS, the Draft EIR demonstrates why there would be no significant and unavoidable impacts resulting from the Project with mitigation measures incorporated; and

WHEREAS, the Draft EIR further demonstrates why the proposed mitigation measures will mitigate impacts to a less than significant level for the following resource areas: Biological Resources and Cultural Resources; and

WHEREAS, in accordance with State CEQA Guidelines section 15085, a Notice of Completion was prepared and filed with the Office of Planning and Research on June 10, 2021; and

WHEREAS, as required by State CEQA Guidelines section 15087(a), on June 14, 2021, the Town provided and publicly posted a Notice of Availability of the Draft EIR; and

WHEREAS, during the public comment period, copies of the Draft EIR and technical appendices were available for review and inspection at the Town of Mammoth Lakes Community and Economic Development Department, on the Town’s website, and at the Mono County Library; and

WHEREAS, pursuant to State CEQA Guidelines section 15087(e), the Draft EIR was circulated for a 45-day review period from June 14, 2021 to July 28, 2021; and

WHEREAS, during the 45-day public comment period, the Town consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies, and others pursuant to State CEQA Guidelines section 15086; and

WHEREAS, the Town received two written comment letters on the Draft EIR; and

WHEREAS, pursuant to Public Resources Code section 21092.5, the Town provided copies of its responses to commenting public agencies at least ten (10) days prior to the Town’s consideration of the Final EIR on October 6, 2021; and

WHEREAS, the Town released the Final EIR (“Final EIR”), which consists of the Draft EIR, all technical appendices prepared in support of the Draft EIR, all written comment letters received on the Draft EIR, written responses to all written comment letters received on the Draft EIR, and errata to the Draft EIR and technical appendices; and

WHEREAS, the “EIR” consists of the Final EIR and its attachments and appendices, as well as the Draft EIR and its attachments and appendices (as modified by the Final EIR); and

WHEREAS, all potentially significant adverse environmental impacts were sufficiently analyzed in the EIR; and

WHEREAS, as contained herein, the Town has endeavored in good faith to set forth the basis for its decision on the Project; and

WHEREAS, all of the requirements of the Public Resources Code and the State CEQA Guidelines have been satisfied by the Town in connection with the preparation of the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated; and

WHEREAS, the EIR prepared in connection with the Project sufficiently analyzes the Project’s potentially significant environmental impacts and, although no significant and unavoidable impacts were identified, the EIR analyzes a range of feasible alternatives capable of reducing these effects to an even lesser level of significance; and

WHEREAS, all of the findings and conclusions made by the Town pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and the entirety of the administrative record for the Project, which are incorporated herein by this reference, and not based solely on the information provided in this Resolution; and

WHEREAS, prior to taking action, the Town has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including but not limited to the EIR, and all oral and written evidence presented to it during all meetings and hearings; and

WHEREAS, the EIR reflects the independent judgment of the Town and is deemed adequate for purposes of making decisions on the merits of the Project; and

WHEREAS, no comments made during public meetings conducted by the Town and no additional information submitted to the Town have produced substantial new information requiring recirculation of the EIR or additional environmental review of the Project under Public Resources Code section 21092.1 and State CEQA Guidelines section 15088.5; and

WHEREAS, on October 6, 2021, the Town Council considered adoption of this Resolution, at which time all persons wishing to testify were heard and the Project was fully considered; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES:

CERTIFICATION OF THE EIR

The Town Council hereby finds that it has been presented with the EIR, which it has reviewed and considered, and further finds that the EIR is an accurate and objective statement that has been completed in full compliance with CEQA, the State CEQA Guidelines and the Town's Local CEQA Guidelines and that the EIR reflects the independent judgment and analysis of the Town.

The Town declares that no evidence of new significant impacts or any new information of "substantial importance", as defined by State CEQA Guidelines section 15088.5, has been received by the Town after circulation of the Draft EIR that would require recirculation.

Therefore, the Town hereby certifies the EIR based on the entirety of the record of proceedings.

ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to Public Resources Code section 21081.6, the Town Council hereby adopts the Mitigation Monitoring and Reporting Program attached to this Resolution as Exhibit "A", including without limitation the findings set forth therein regarding significant environmental effects of the project. Implementation of the Mitigation Measures contained in the Mitigation Monitoring and Reporting Program is hereby made a condition of approval of the Project.

PROJECT APPROVAL

Based upon the entire record before it, the Town Council hereby approves the Project. This action is intended to constitute project approval pursuant to CEQA Guidelines Section 15352.

CUSTODIAN OF RECORDS

The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Town of Mammoth Lakes Community and Economic Development Department, P.O. Box 1609, 437 Old Mammoth Road, Suite 230, Mammoth Lakes, CA, 93546. The custodian for these records is Ms. Sandra Moberly, Community and Economic Development Director. This information is provided pursuant to Public Resources Code Section 21081.6.

NOTICE OF DETERMINATION

Town staff shall cause a Notice of Determination to be filed and posted with the County of Mono Registrar-Recorder/County Clerk and the State Clearinghouse within five (5) working days of the Town's final Project approval.

PASSED, APPROVED AND ADOPTED this 6th day of October 2021.

MAYOR

ATTEST:

JAMIE GRAY
TOWN CLERK

APPROVED AS TO FORM:

ANDREW MORRIS
TOWN ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF MONO)
TOWN OF MAMMOTH LAKES)

I, Jamie Gray, Town Clerk of the Town of Mammoth Lakes, do hereby certify that the foregoing Resolution Number _____ was duly and regularly adopted by the Town Council of the Town of Mammoth Lakes at a regularly scheduled meeting thereof held on the 6th day of October 2021, by the following vote:

AYES:

NOES:

ABSENT:

Jamie Gray, Town Clerk

EXHIBIT A

MITIGATION MONITORING AND REPORTING PROGRAM

FINAL
CEQA FINDINGS AND
MITIGATION MONITORING/REPORTING PROGRAM

for the

MAMMOTH YOSEMITE AIRPORT TERMINAL AREA
DEVELOPMENT PROJECT IMPROVEMENTS
Mammoth Lakes, CA

State Clearinghouse No: 2019100384

August 20, 2021

Prepared for:

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



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1.0 INTRODUCTION

This document sets forth the findings of the Town of Mammoth Lakes (the "Town") relating to the potential environmental effects of the Mammoth Yosemite Airport TADP (the "project") as required by the California Environmental Quality Act in CEQA Guidelines sections 15091-15093. This document also describes the Mitigation Monitoring/Reporting Program (MMRP) for the project as required by CEQA Guidelines Section 15097.

The primary source document for the findings and MMRP is the *Environmental Impact Report for The Mammoth Yosemite Airport Terminal Area Development Project Improvements EIR* (SCH#2019100384) (the "EIR"). When referenced as such, the EIR includes the Public Review Draft EIR for the project (the DEIR) dated June 2021 and the Final EIR (the FEIR) dated August 2021, as well as any documents that have been incorporated into the DEIR and FEIR by reference.

1.1 PURPOSE AND SCOPE OF THIS DOCUMENT

The California Environmental Quality Act (CEQA) requires that a Lead Agency prepare an Environmental Impact Report (EIR) when a proposed project may involve significant environmental effects, as defined by CEQA. Prior to approval of the project, the Lead Agency is required to certify that the EIR was completed in compliance with CEQA and that the Lead Agency reviewed and considered the information in the EIR before approving the project. If the EIR identifies significant or potentially significant environmental effects, CEQA requires that the Lead Agency make specified written findings regarding each of the significant effects prior to project approval. That is the function of this document. If the Lead Agency finds, however, that mitigation measures are not feasible for one or more of the significant environmental effects of the project, it may also adopt a Statement of Overriding Considerations. In the case of the TADP project, there are no significant and unavoidable impacts, and no Statement of Overriding Considerations is needed.

With respect to implementation of the mitigation measures identified in the EIR, the Lead Agency is required to adopt a Mitigation Monitoring/Reporting Program (MMRP) that lists all mitigation measures identified in the EIR and identifies those entities or persons responsible for their implementation and/or monitoring.

The proposed project that is the subject of these findings, the environmental review process, the environmental documentation prepared for the project, and the findings that the Town must make to fulfill the requirements of CEQA, are discussed below. The Town's findings and MMRP for the project are described in subsequent sections of this document, as follows:

2.0 Findings of the Lead Agency with Regard to the Significant Environmental Effects of the Project

3.0 Mitigation Monitoring/Reporting Program

A table listing the significant or potentially significant effects of the project, the mitigation measures for each significant effect, the Town's findings with respect to each of significant effects, and the requirements of the MMRP for implementation and monitoring of the significant effects is shown in the Appendix.

1.2 PROJECT DESCRIPTION

The proposed project consists of improvements to the Mammoth Yosemite Airport (MMH) passenger terminal area described in the 2017 *Terminal Area Development Plan for the Mammoth Yosemite Airport*. The principal improvements associated with the TADP project include construction of new and larger passenger terminal building, aircraft parking apron, aircraft de-icing facilities, maintenance building, connecting taxiways, and other supporting infrastructure including access roads, service roads and parking lots as well as potable water, wastewater disposal and other utility services. Proposed improvements would occur entirely within an approximately 22-acre portion of the existing airport site that is immediately east and south of, the existing terminal area (Figures 1 and 2) The primary objective of the project is to improve MMH as required to accommodate existing and future commercial aviation demand and provide an acceptable level of customer service. The principal elements of the project include:

- New passenger terminal a maximum of 38,688 square feet in floor area.
- New aircraft parking apron approximately 20,444 square yards in area.
- Separate concrete de-icing apron adjacent to the aircraft parking apron.
- New eight-bay maintenance building and ARFF facility east of the de-icing apron with a total floor area of 8,400 square feet.
- Extension of Airport Road approximately 850 feet east from its current terminus to provide vehicle access to the new terminal.
- Passenger loading/unloading at landside of the terminal.
- Two new parking areas providing 130 automobile spaces primarily for rental car company vehicles and 60 additional automobile spaces for commercial passengers and visitors.
- Extension of utility lines to new terminal facilities and a new 2,500-gallon septic tank and leach field system.

1.3 ENVIRONMENTAL REVIEW OF THE PROJECT UNDER CEQA

The potential environmental effects of the project, the mitigation measures necessary to address significant environmental effects and alternatives to the project are discussed in detail in an EIR prepared and circulated for public review by the Town of Mammoth Lakes in accordance with the requirements of CEQA. EIR process steps for the project included preparation and distribution of a Notice of Preparation, publication and distribution of a Draft EIR for public review, preparation of a Final EIR addressing comments received during the public review period and preparation of this CEQA Findings and Mitigation Monitoring/Reporting Plan for adoption by the Mammoth Lakes Town.

The City issued a Notice of Preparation (NOP) of the EIR on October 21, 2019; the NOP was circulated for agency review as required by CEQA. Detailed information on the content, circulation and comments received by the Town on the Notice of Preparation is contained in Appendix A of the DEIR, which is incorporated herein by reference.

The DEIR prepared by the Town was distributed for agency and public comment from June 14, 2021 to July 28, 2021. Documentation of the DEIR distribution process is detailed in the Appendix A of the FEIR, which, is also incorporated into this document by reference, below. The Town received two written comments on the DEIR. In response to this input and as required by CEQA, the Town prepared the FEIR, which incorporates the DEIR by reference, displays a summary the EIR, includes all of the comments received on the DEIR, provides the Town's responses to those comments and makes any required revisions to the DEIR.

The DEIR and the FEIR for The Mammoth-Yosemite Airport TADP project are hereby incorporated by reference. Copies of these documents, specifically cited below, are available for review at the offices of the Town of Mammoth Lakes, 437 Old Mammoth Road, Suite 230, Mammoth Lakes, CA 93546.

BaseCamp Environmental, 2021a. Public Review Draft Environmental Impact Report for the Mammoth Yosemite Airport Terminal Area Development Project Improvements. SCH#2019100384. June 2021

BaseCamp Environmental, 2021b. Final Environmental Impact Report for Mammoth Yosemite Airport Terminal Area Development Project Improvements. SCH #2019100384. September 2021

1.4 REQUIRED CEQA FINDINGS

CEQA requires that, prior to approval of a project, the Lead Agency make specified findings related to each of the significant or potentially significant environmental effects considered in the EIR. The EIR considered the range of potential environmental effects, including all of those concerns listed in the CEQA Guidelines Appendix G

Environmental Checklist. Most of these potential environmental effects were found, on analysis, to have no effect or less than significant effects on the environment. These potential effects do not require Town findings under CEQA. All of the potential environmental effects found to have “no effect” or less than significant effects are listed in the following Section 2.1.

The EIR also identifies several potentially significant effects on the environment and the mitigation measures needed to reduce those effects to a less than significant level. The Town’s findings with respect to each of these environmental effects, which would be avoided or reduced to a less than significant level with mitigation measures, are described in Section 2.2 and Appendix A of this document.

It is anticipated that the Town will certify the FEIR, adopt the EIR mitigation measures and approve the project in conjunction with its adoption of this Findings and MMRP document. With these approvals in place, all of the project environmental effects will be reduced to a Less Than Significant level.

The findings for The Mammoth-Yosemite Airport TADP project described below, are based upon substantial evidence, comprised primarily of the information, analysis and mitigation measures described in the DEIR and FEIR and any other information incorporated into these documents by reference. References to supporting information are provided in conjunction with the Town’s finding for each potentially significant effect of the project, as shown in the MMRP table in the Appendix.

2.0 FINDINGS OF THE LEAD AGENCY WITH REGARD TO ENVIRONMENTAL EFFECTS

2.1 ENVIRONMENTAL EFFECTS OF THE PROJECT THAT ARE LESS THAN SIGNIFICANT AND REQUIRE NO FINDINGS

The following environmental issues and concerns were evaluated in the EIR and were determined to have no effect or a less than significant effect on the environment. Consequently, these effects do not require findings under CEQA.

4.0 AESTHETICS AND VISUAL RESOURCES

- Impact AES-1: Scenic Vistas
- Impact AES-2: Scenic Resources
- Impact AES-3: Visual Character and Quality
- Impact AES-4: Light and Glare

5.0 AIR QUALITY

- Impact AIR-1: Air Quality Plans and Standards, Construction Emissions
- Impact AIR-2: Air Quality Plans and Standards-Operational Emissions
- Impact AIR-3: Exposure of Sensitive Receptors to Criteria Pollutants.
- Impact AIR-4: Odors and Other Emissions.

6.0 BIOLOGICAL RESOURCES

- Impact BIO-3: Riparian and Other Sensitive Habitats
- Impact BIO-4: Waters of the U.S. and Wetlands
- Impact BIO-5: Fish and Wildlife Migration
- Impact BIO-6: Local Biological Resource Requirements
- Impact BIO-7: Habitat Conservation Plans

7.0 CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES

- Impact CULT-1: Historical Resources

8.0 GEOLOGY AND SOILS

- Impact GEO-1: Fault Rupture
- Impact GEO-2: Other Seismic Hazards
- Impact GEO-3 Volcanic Activity
- Impact GEO-4: Soil Erosion
- Impact GEO-5: Expansive Soils
- Impact GEO-6: Paleontological Resources and Unique Geological Features
- Impact GEO-7: Access to Mineral Resources.

9.0 GREENHOUSE GAS EMISSIONS

Impact GHG-1: Project GHG Construction Emissions

Impact GHG-2: Project GHG Operational Emissions and Consistency with Applicable Plans and Policies

10.0 HAZARDS AND HAZARDOUS MATERIALS

Impact HAZ-1: Hazardous Material Transportation, Storage, and Disposal

Impact HAZ-2: Hazardous Material Releases

Impact HAZ-3: Hazardous Material Sites

Impact HAZ-4: Airport Hazards

Impact HAZ-5: Interference with Emergency Vehicle Access and Evacuations.

Impact HAZ-6: Wildfire Hazards

Impact HAZ-7: Snow Hazards

Impact HAZ-8: Radon and CO Hazards

11.0 HYDROLOGY AND WATER QUALITY

Impact HYDRO-1: Surface Water Resources and Quality

Impact HYDRO-2: Groundwater Resources and Quality

Impact HYDRO-3: Drainage Patterns and Runoff

Impact HYDRO-4: Polluted Runoff and Release of Pollutants

Impact HYDRO-5: Exposure to Flood Hazard

Impact HYDRO-6: Consistency with Water Quality and Groundwater Management Plans

12.0 LAND USE, POPULATION AND HOUSING

Impact LUP-1: Division of Communities

Impact LUP-2: Conflict with Applicable Plans, Policies, and Regulations

Impact LUP-3: Agriculture Resources

Impact LUP-4: Forest Resources

Impact LUP-5: Indirect Conversion of Agricultural or Forest Lands

Impact LUP-6: Inducement of Population Growth

Impact LUP-7: Displacement of Housing and People

13.0 NOISE

Impact NOISE-1: Increase in Noise Levels in Excess of Standards-Construction

Impact NOISE-2: Increase in Noise Levels in Excess of Standards-Operations

Impact NOISE-3: Groundborne Vibrations

14.0 PUBLIC SERVICES AND RECREATION

Impact PSR-1: Fire Protection Services

Impact PSR-2: Police Protection Services

Impact PSR-3: Schools

Impact PSR-4: Parks and Recreational Services

Impact PSR-5: Other Public Facilities

15.0 TRANSPORTATION

Impact TRANS-1: Vehicular Transportation Plans

Impact TRANS-2: Conflicts with Non-Motor Vehicle Transportation Plans

Impact TRANS-3: Consistency with CEQA Guidelines Section 15064.3(b)

Impact TRANS-4: Safety Hazards

Impact TRANS-5: Emergency Access

16.0 UTILITIES AND ENERGY

Impact UTIL-1 Wastewater Services and Facilities

Impact UTIL-2 Water Services and Facilities

Impact UTIL-3 Stormwater Services and Facilities

Impact UTIL-4 Solid Waste

Impact UTIL-5 Energy and Telecommunications Facilities

Impact UTIL-6 Project Energy Consumption

2.2 ENVIRONMENTAL EFFECTS OF THE PROJECT THAT REQUIRE FINDINGS

The following environmental effects were found by the EIR to be significant and/or potentially significant prior to the application of mitigation measures. As required by CEQA, the Town must make findings with respect to each of these significant effects. Each of these environmental effects would be reduced to a less than significant level with mitigation measures described in the EIR and to be adopted by the Town in conjunction with its approval of the project. The Town's findings specific to each significant environmental effect, and the evidence in support of those findings, are detailed in the Mitigation Monitoring/Findings table shown in the Appendix.

Impact BIO-1: Special-Status Plant Species and Habitats

Impact BIO-2: Special-Status Wildlife Species and Habitats

Impact CULT-2: Archaeological Resources

Impact CULT-3: Tribal Cultural Resources

Impact CULT-4: Human Burials

2.3 FINDINGS TABLE

The Town's findings with respect to each of the significant or potentially significant environmental effects of the project are detailed in the Mitigation Monitoring/Findings table shown in the Appendix. The findings consider each of the significant or potentially significant environmental effects of the project on an individual basis. Each environmental effect is briefly identified, all of the mitigation measures identified in the

EIR are listed, and the significance of each environmental effect after application of the mitigation measures is identified. Following this, the Town's finding with respect to the environmental effect, and the location of source information for the Town's finding, are identified.

The findings are based upon the whole of the information and analysis included in the EIR and, in particular, on the implementation of the project mitigation measures identified in the EIR as described in the following Mitigation Monitoring/Reporting Plan. As described in the MMRP, implementation of the mitigation measures will be accomplished through incorporation in permits and approvals as well as project improvement plans and specifications. Implementation of mitigation measures will be ensured through monitoring of project activities by the Town of Mammoth Lakes. Section 5.0 of this document adopts the MMRP.

Potential findings for the significant and potentially significant effects of the project are prescribed in Sections 15091 of the State CEQA Guidelines. The three potential findings as they apply to the significant effects of the project are listed below. The findings are listed by number reference only in the appended table describing findings for the individual significant effects.

Finding 1 Changes or alterations to the project have been required of, or incorporated into, the project that will avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. (This is the finding made by the Town for all of the significant or potentially significant environmental effects identified in the EIR.)

Finding 2 Changes or alterations to the project that would avoid or substantially lessen the subject environmental effect are within the responsibility and jurisdiction of another public agency and not the Town. Such changes or alterations have been adopted by such other agency or can and should be adopted by such other agency. (This finding is not applied to any of the environmental effects identified in the EIR.)

Finding 3 Mitigation measures or alternatives that would avoid or substantially lessen the subject environmental effect are infeasible as a result of specific economic, legal, social, technological or other considerations. (This finding is not applied to any of the environmental effects identified in the EIR.)

3.0 MITIGATION MONITORING/REPORTING PROGRAM

CEQA requires more than just preparing environmental documents; it also requires the governmental agency to change or place conditions on a project, or to adopt plans or ordinances for a broader class of projects, which would address a project's potential environmental impacts. To ensure that mitigation measures within the Lead Agency's purview are implemented, CEQA requires the adoption of a mitigation monitoring and/or reporting program (MMRP). Specifically, CEQA Guidelines Section 15091(d) requires that a public agency, when making findings for the significant impacts of a project,

“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 avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.”

The EIR sets forth several mitigation measures that will be applicable to the project. The table shown in the Appendix A summarizes the environmental effects that could result from approval of the proposed project as described in the EIR. The table identifies 1) each effect, 2) how each significant effect would be mitigated, 3) the responsibility for implementation of each mitigation measure, 4) the responsibility for monitoring of the mitigation measures, and 5) the Town's CEQA finding, the significance of the effect with mitigation and the source material for the finding. The table follows the same sequence as the impact analysis in the EIR. Reporting actions required to ensure that the mitigation measures are implemented are also described in the table.

The significance determination for each environmental effect evaluated in the EIR was based on one or more criteria for significance developed from guidance contained in the CEQA Guidelines, or other “significance thresholds” established by federal, state, regional, or local agencies:

- A “Significant” effect is a substantial adverse change in the environment (CEQA Guidelines Section 15382).
- A “Cumulatively Significant” effect is a substantial adverse change in the environment, which results from cumulative development in the Town of Livingston.
- A “Potentially Significant” effect is one that is likely to cause future substantial adverse changes to the environment.
- A “Significant and Unavoidable” effect is one for which there is no known or feasible mitigation.
- A “Not Significant” effect is one that may be adverse but does not exceed the defined significance threshold.

APPENDIX
MITIGATION MONITORING/REPORTING PROGRAM TABLE

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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<p>4.0 AESTHETICS</p>			
<p>There are no significant or potentially significant impacts in this issue area.</p>			
<p>5.0 AIR QUALITY</p>			
<p>There are no significant or potentially significant impacts in this issue area.</p>			
<p>6.0 BIOLOGY</p>			
<p>Impact BIO-1: Special-Status Plant Species and Habitats. This is a potentially significant impact.</p>			
<p>BIO-1: Floristic field surveys of the project site shall be conducted during the blooming period(s) for the potentially occurring special-status species prior to construction, including the Masonic rock cress. At a minimum, one survey shall be conducted during the month of May, and another shall be conducted during the month of July. If any special-status plants are identified within areas of potential construction disturbance, they shall be identified on construction plans with a 10-foot buffer and avoided to the extent feasible. If avoidance is not feasible, a special-status plant mitigation plan shall be prepared and implemented by a qualified biologist. The plan will include the identification of a nearby relocation site that can be secured by the airport, and the methodology to relocate perennial species and/or broadcast seed, prior to ground disturbance.</p>	<p>The Town's Project Manager will be responsible for retaining a qualified biologist to conduct pre-construction botanical surveys and specify necessary mitigation actions. The Town will be responsible for implementing biologist recommendations.</p>	<p>The Community and Economic Development Department (CEDD) will oversee biologist selection, survey and implementation of mitigation, if required.</p>	<p>1, NS Rationale: DEIR, Pages 6-1 to 6-14</p>
<p>BIO-2: Prior to the start of construction work, the Town shall conduct a pre-construction survey on the project site between April and June to determine the presence of western white-tailed jackrabbit. If western white-tailed jackrabbit is found on the project site, the Town shall contact the California Department of Fish and Wildlife (CDFW) to develop and implement measures to conserve western white-tailed jackrabbit. Such measures may include, but are not limited to,</p>	<p>The Town's Project Manager will be responsible for retaining a qualified biologist to conduct pre-construction jackrabbit surveys, consult with CDFW and specify</p>	<p>CEDD will oversee biologist selection, survey, CDFW consultation and implementation of mitigation, if required</p>	<p>1, NS Rationale: DEIR, Pages 6-1 to 6-14</p>

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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removal of individual rabbits from the project site or implementation of a buffer zone around rabbit areas until rabbits can independently forage on their own. No construction work shall occur on the project site until consultation with CDFW is completed.	necessary mitigation actions. The Town will be responsible for implementing biologist recommendations.		
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7.0 CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES

Impact CULT-2: Archaeological Resources. This is a potentially significant issue.

<p data-bbox="216 630 963 979">CULT-1: If any subsurface archaeological resources are encountered during construction, all construction activities within a 50-foot radius of the encounter shall be immediately halted until a qualified archaeologist can examine these materials, initially evaluate their significance and, if potentially significant, recommend measures on the disposition of the resource before work near the discovery can resume. The Town shall be immediately notified in the event of a discovery, and if the resources may constitute tribal cultural resources, the Town shall notify the appropriate Native American representatives. The Town shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts.</p> <p data-bbox="216 1003 963 1117">Prior to construction, construction personnel shall receive brief “tailgate” training by a qualified archaeologist in the identification of archaeological resources and the protocol for notification should such resources be discovered during construction work.</p>	<p data-bbox="993 630 1293 1122">The Town’s contractor will be responsible for construction supervision and reporting archaeological encounters to the Department of Public Works (DPW). DPW in consultation with CEDD will be responsible for retaining qualified professionals and tribal notification, if required. The Town’s contractor will be responsible for implementing archaeologist recommendations.</p>	<p data-bbox="1323 630 1661 773">CEDD and DPW will be jointly responsible for overseeing archaeological study and implementation of recommendations.</p>	<p data-bbox="1738 630 1881 764">1, NS Rationale: DEIR, Pages 7-1 to 7-14</p>
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Impact CULT-3: Tribal Cultural Resources

Implement Mitigation Measure CULT-1.	Same as CULT-1.	Same as CULT-1.	<p data-bbox="1738 1206 1881 1341">1, NS Rationale: DEIR, Pages 7-1 to 7-14</p>
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Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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Impact CULT-4: Human Burials			
<p>CULT-2: If project construction encounters evidence of human burial or scattered human remains, work shall be halted in the immediate area and the contractor shall immediately notify the Mono County Coroner and the Town. The Town shall notify other federal and State agencies as required. The Town will be responsible for compliance with the requirements of California Health and Safety Code Section 7050.5 Public Resources Code Section 5097.98, and the CEQA Guidelines Section 15064.5(e), with direction provided by the County Coroner.</p> <p>If the human remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which will notify and appoint a Most Likely Descendant. The Most Likely Descendant shall have 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the Most Likely Descendant does not make recommendations within 48 hours, the Airport shall, with appropriate dignity, re-inter the remains in an area of the property secure from further disturbance. Work shall not resume in the area of the encounter until the final disposition of the remains has occurred.</p>	<p>The Town's contractor will be responsible for construction supervision and reporting burial encounters to the Department of Public Works (DPW). DPW in consultation with CEDD will be responsible for notifying the County Coroner, retaining qualified professionals, tribal notification and work with the Most Likely Descendant, if required. The Town contractor will be responsible for implementing burial-related archaeologist recommendations.</p>	<p>CEDD and DPW will be jointly responsible for overseeing notifications and coordination with County and native American officials.</p>	<p>1, NS</p> <p>Rationale: DEIR, Page 7-1 to 7-14</p>
<p>8.0 GEOLOGY AND SOILS</p>			
<p>There are no significant or potentially significant impacts in this issue area.</p>			
<p>9.0 GREENHOUSE GAS EMISSIONS</p>			
<p>There are no significant or potentially significant impacts in this issue area.</p>			

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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10.0 HAZARDS AND HAZARDOUS MATERIALS
There are no significant or potentially significant impacts in this issue area.
11.0 HYDROLOGY AND WATER QUALITY
There are no significant or potentially significant impacts in this issue area.
12.0 LAND; USE, POPULATION AND HOUSING
There are no significant or potentially significant impacts in this issue area.
13.0 NOISE
There are no significant or potentially significant impacts in this issue area.
14.0 PUBLIC SERVICES AND RECREATION
There are no significant or potentially significant impacts in this issue area.
15.0 TRANSPORTATION
There are no significant or potentially significant impacts in this issue area.
16.0 UTILITIES AND ENERGY
There are no significant or potentially significant impacts in this issue area.

Impact/Mitigation Measures	Implementation Responsibility	Monitoring/Reporting Responsibility	CEQA Finding, Significance with Mitigation, Sources
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