

# Attachment C

**ADDENDUM TO THE INITIAL STUDY/MITIGATED NEGATIVE  
DECLARATION**

**Mammoth Arts and Cultural Center  
(MACC)**

November 29, 2023

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**Lead Agency:**

**Town of Mammoth Lakes**  
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ATTACHMENT

- 1   Habitat Assessment
- 2   Cultural Resources Memorandum
- 3   Transportation Analysis



## 1.0 INTRODUCTION

As Lead Agency, the Town of Mammoth Lakes (Town) prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the *Mammoth Arts and Cultural Center (MACC) Project* (approved project), sponsored by the Mammoth Lakes Foundation (MLF). The Town Council approved the *Mammoth Arts and Cultural Center (MACC) Project Initial Study/Mitigated Negative Declaration* (approved 2019 IS/MND) (State Clearinghouse [SCH] No. 2019042023) on April 10, 2019.

Following approval of the IS/MND, MLF has requested to modify the proposed theatre component (reducing the square footage and siting the facility closer to the existing building) and leasing the remainder of the MACC project site to the Town to construct and operate the following:

- Childcare center;
- Dog park; and
- Potential redevelopment of the Dog Park into an affordable townhome community.

These changes to the project are collectively referred to as the “modified project”. Refer to [Section 2.2, Proposed Project Characteristics](#), for a full description of the modified project.

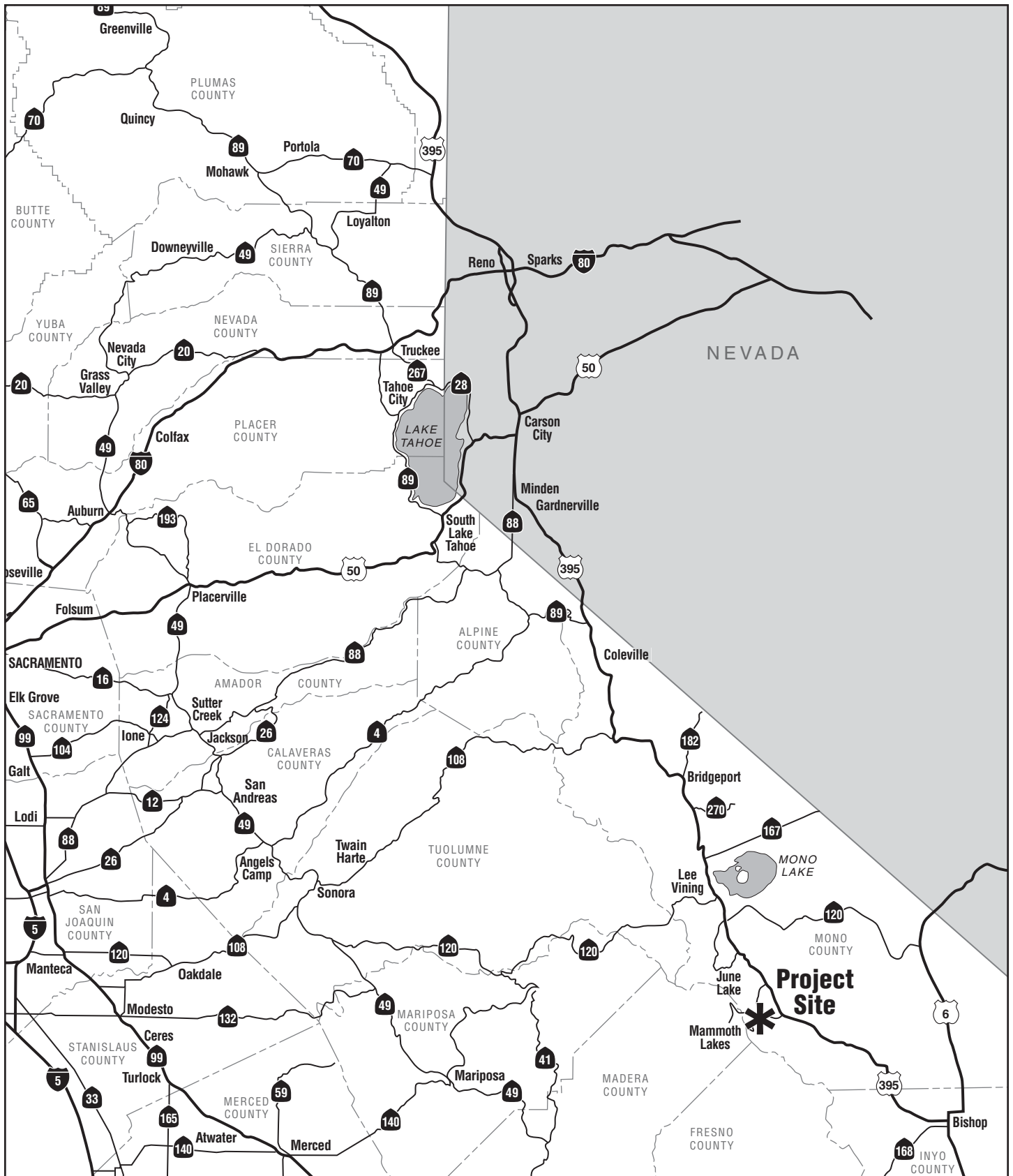
This Addendum to the approved 2019 IS/MND has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) statutes (California Public Resources Code [PRC] 21000 et seq.); the CEQA Guidelines (14 California Code of Regulations [CCR], 15000 et seq.); and the rules, regulations, and procedures for implementing CEQA as adopted by the Town of Mammoth Lakes. The purpose of the Addendum to the approved 2019 IS/MND is to determine whether the proposed project would result in new or substantially more severe significant environmental impacts compared with the impacts disclosed in the approved 2019 IS/MND.

Additionally, project-specific impacts related to energy, vehicle miles traveled, tribal cultural resources, and wildfire were not specifically identified in the approved 2019 IS/MND as these topics were not subject matter that required evaluation pursuant to the CEQA Guidelines at the time the document was prepared. As such, this Addendum also analyzes the proposed project’s impacts related to these topical areas.

As described in greater detail below, the Town finds that the previously approved 2019 IS/MND (SCH No. 2019042023) remains relevant in light of the proposed changes.

### 1.1 PROJECT LOCATION AND ENVIRONMENTAL SETTING

The 7.9-acre project site is located at the Cerro Coso Community College campus at 100 College Parkway in the Town of Mammoth Lakes (Mono County), California; refer to [Exhibit 1, Regional Vicinity](#). The project site consists of predominantly vacant land, the existing Edison Theatre, and the associated parking lot; refer to [Exhibit 2, Site Vicinity](#). Surrounding roadways include College Parkway and Meridian Boulevard. Mammoth Elementary School, a single-family residential community and the Cerro Coso Community College-Eastern Sierra Campus are also within the vicinity of the project site.



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## Regional Vicinity


**Exhibit 1**





Source: Google Earth Pro, 2018.

 - Proposed Limits of Disturbance

 - Parcel Boundary

 - Existing Edison Theatre

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**Site Vicinity**

**Exhibit 2**





## 1.2 PREVIOUS ENVIRONMENTAL DOCUMENT

On April 10, 2019, the Town approved the *Mammoth Arts and Cultural Center (MACC) Project Initial Study/Mitigated Negative Declaration* (approved 2019 IS/MND), for the development of 298-seat Performing Arts Theatre, 500-seat outdoor amphitheater, a new parking lot located east of the project site, and improvements to the existing parking lot east of the Edison Theatre. An existing unsignalized entryway from Meridian Boulevard to College Parkway would continue to serve as primary access to the project site. Additionally, approximately 17 trees would be removed on-site, while 14 trees would be protected in place. Last, utility improvements for the project would connect to the existing utilities that serve the existing Edison Theatre (i.e., utilities including sewer, water, storm drain systems, and dry utilities).

The Town, as the Lead Agency under the CEQA, determined that an Initial Study was required to review the existing conditions and analyze potential environmental impacts. The approved 2019 IS/MND was prepared in conformance with CEQA (PRC Section 21000 et seq.); CEQA Guidelines (CCR, Title 14, Section 15000 et seq.); and the rules, regulations, and procedures for implementation of CEQA, as adopted by the Town.

## 1.3 DOCUMENTS INCORPORATED BY REFERENCE

CEQA Guidelines Section 15150 permits and encourages environmental documents to incorporate by reference other documents that provide relevant data and analysis. The approved 2019 IS/MND referenced above is incorporated by reference herein, as well as those listed below. These documents are available for review at the Town of Mammoth Lakes Community and Economic Development Department, located at 437 Old Mammoth Road, Suite 230, Mammoth Lakes, CA 93546 and on the Town's website: <http://www.townofmammothlakes.ca.gov>.

### 1.3.1 Town of Mammoth Lakes General Plan 2007 (adopted August 2007)

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

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

It is noted that the Housing and Noise Elements were not updated as part of the General Plan. However, the latest Housing Element (i.e., the 2019-2027 Housing Element) was adopted on August 7, 2019. Additionally, the Town Council amended the Parks, Open Space, and Recreation



Element in 2012 with the addition of new policies and one additional goal, revoking the 1990 Parks and Recreation Element.

### **1.3.2 Final Program Environmental Impact Report for the Town of Mammoth Lakes 2005 General Plan Update (certified May 2007), SCH No. 2003042155**

The *Final Program Environmental Impact Report for the Town of Mammoth Lakes 2005 General Plan Update* (General Plan PEIR) analyzed the environmental impacts associated with the update of the Town's General Plan. This update provided the Town's long-range comprehensive direction to guide future development and identified the community's environmental, social, and economic goals. The General Plan PEIR document was prepared as a Program EIR, which is intended to facilitate consideration of broad policy directions, program-level alternatives, and mitigation measures consistent with the level of detail available for the plan. The General Plan PEIR concluded significant and unavoidable impacts regarding aesthetics, air quality, biological resources, public safety and hazards, noise, public services and utilities, and recreation.

### **1.3.3 Town of Mammoth Lakes Municipal Code (current through Ordinance No. 22-02)**

The *Town of Mammoth Lakes Municipal Code* (Municipal Code) consists of all the regulatory and penal ordinances and administrative ordinances of the Town of Mammoth Lakes. It is the method the Town uses to implement control of land uses, in accordance with General Plan goals and policies. Municipal Code Title 17, *Zoning*, is the Zoning Ordinance for the Town, which identifies land uses permitted and prohibited according to the zoning category of particular parcels. In 2015, the Town updated the Zoning Code along with General Plan Land Use Element Amendments and a Mobility Element Update, all of which collectively known as the Land Use Element/Zoning Code Amendments and Mobility Element Update (the 2016 Update).

### **1.3.4 Town of Mammoth Lakes General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update Draft Environmental Impact Report**

During the course of the Town's Zoning Code Update, a proposal was made to use floor area ratio (FAR) to regulate the intensity of development in the Town's commercial zoning districts. In response, the *Town of Mammoth Lakes General Plan Land Use Element/Zoning Code Amendments and Mobility Element Update Draft Environmental Impact Report* (Land Use Element/Zoning Code Amendments and Mobility Element Update DEIR) analyzed the impact of implementing a FAR standard with no unit or room density limitations within the Town's commercial areas. The Land Use Element/Zoning Code Amendments and Mobility Element Update DEIR concluded significant and unavoidable impacts regarding air quality and public services.

### **1.3.5 Eastern Sierra College Center Mammoth Lakes Environmental Impact Report (certified November 1994), SCH No. 94012060**

The *Eastern Sierra College Center Mammoth Lakes Environmental Impact Report* (ESCC EIR) addressed the environmental impacts associated with development of a College Center, Cultural Center, Upper Division College, and Student Housing, all completed in four separate phases. The ESCC project footprint included the project site. The proposed Cultural Center phase included the construction of a 21,000-square foot, 500-seat theatre on 2.5 acres and a 35,000-square foot 1,800-seat amphitheater (1,000 sloped and 800 grass) on 2.7 acres. The ESCC EIR determined that potentially significant environmental impacts with regard to land use compatibility, long-term



employment/housing, geologic/seismic, vegetation (weed establishment, insect infestations, and locally sensitive species), wildlife (noise, dust, lighting, roving pets, adjacent lands, and direct mortality), cultural resources, noise, air quality, and water resources would be mitigated to avoid or lessen adverse environmental effects of the project. Impacts regarding vegetation and wildlife as well as visual resources were determined to be significant and unavoidable. All other impact areas were determined to be less than significant.

### **1.3.6 Town of Mammoth Lakes Parks and Recreation Master Plan (adopted February 2012)**

The Town of Mammoth Lakes Council adopted the *Town of Mammoth Lakes Parks and Recreation Master Plan* (Parks and Recreation Master Plan) on February 1, 2012, which assesses the Town's recreation needs for the future and establishes goals and policies that would guide park improvements. The Parks and Recreation Master Plan contains an analysis of the supply, demand, and needs for park and recreation facilities and services within the Town and includes a comprehensive assessment of public and private facilities available in and around Mammoth Lakes. It also recommends implementation strategies to help meet the challenges of providing parks and recreation facilities and a vision for developing parks and recreation within Mammoth Lakes for the next 17 years.



## 2.0 DESCRIPTION OF PROPOSED PROJECT

### 2.1 ADDENDUM'S PURPOSE AND NEED

When an Environmental Document has been certified for a project, CEQA Guidelines Section 15162 mandates that no subsequent or supplemental environmental review documentation shall be required unless one or more of the following events occurs:

- 1) Substantial changes are proposed in the project, which will require major revisions of the previous Environmental Document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous Environmental Document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Environmental Document was certified as complete, shows any of the following:
  - A. The project will have one or more significant effects not discussed in the previous Environmental Document;
  - B. Significant effects previously examined will be substantially more severe than shown in the previous Environmental Document;
  - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Environmental Document would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

When none of the above events has occurred, yet minor technical changes or additions to the previously adopted negative declaration are necessary, an Addendum may be prepared (CEQA Guidelines Section 15164[b]).

As discussed below, none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of subsequent environmental review have occurred. This Addendum supports the conclusion that the proposed project would result in minor technical changes that do not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, as discussed below, the proposed project would not result in any new or substantially increased significant environmental impacts, no new mitigation



measures, and no new alternatives that would substantially reduce significant impacts. As a result, an Addendum is an appropriate CEQA document for analysis and consideration of the proposed project.

Circulation of an Addendum for public review is not necessary (CEQA Guidelines Section 15164[c]); however, the Addendum must be considered in conjunction with the adopted Final Environmental Document by the decision-making body (CEQA Guidelines Section 15164[d]).

## 2.2 PROPOSED PROJECT CHARACTERISTICS

In 2019, the Town of Mammoth Lakes analyzed the development of a 298-seat Performing Arts Theatre, 500-seat outdoor amphitheatre, a new 80-space parking lot located in the eastern portion of the project site, and improvements to the existing parking lot east of the existing Edison Theatre as part of the approved 2019 IS/MND; refer to Exhibit 3, *Original 2019 Site Plan*. As part of the approved project, an existing unsignalized entryway from Meridian Boulevard to College Parkway was proposed to serve as the primary access to the project site. Additionally, approximately 17 trees would be removed on-site, while 14 trees would be protected in place; refer to Exhibit 4, *Original 2019 Landscape Concept Plan*. The 298-seat Performing Arts Theatre would be constructed in the south/central portion of the project site along College Parkway. The theatre would include a 21,856-square foot main level, 2,184-square foot costume storage area, and a 1,454-square foot mechanical attic; refer to Exhibit 5, *Original 2019 Performing Arts Theatre Site Plan*. Last, utility improvements for the project would connect to the existing utilities that serve the existing Edison Theatre (i.e., utilities including sewer, water, storm drain systems, and dry utilities).

In 2022, MLF has requested to modify the theatre component (reducing the square footage and siting the facility at the existing Edison Theatre). The modified theatre would be a remodel/addition to the existing Edison Theatre facility. MLF would also construct an approximately 1,000-square foot storage building to the north of the existing Edison Theatre parking lot. Given that MLF would not develop the remainder of the project site, other than the outdoor amphitheatre, MLF proposes leasing the remainder of the site to the Town of Mammoth Lakes to construct and operate the following (refer to Exhibit 6, *Overall Modified Conceptual Site Plan*):

- Childcare center;
- Dog park; and
- Potential redevelopment of the Dog Park into an affordable townhome community.

For the purpose of this comparative analysis, the modified project would result in the same circulation, ingress/egress, parking, and landscaping as the approved project. Although it is acknowledged that the modified project would allow for one additional parking space in the Edison Theatre parking lot, compared to the approved project. The Landscaping Plan would be designed in accordance with the Municipal Code, and would be reviewed and confirmed by the Town at the time of Design Review.

Specific details of each modified project component are further described below.





Source: Design Workshop, Mammoth Fine Arts District Illustrative Plan, August 29, 2018.

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## Original 2019 Site Plan

**Exhibit 3**



Source: Design Workshop, August 23, 2018.

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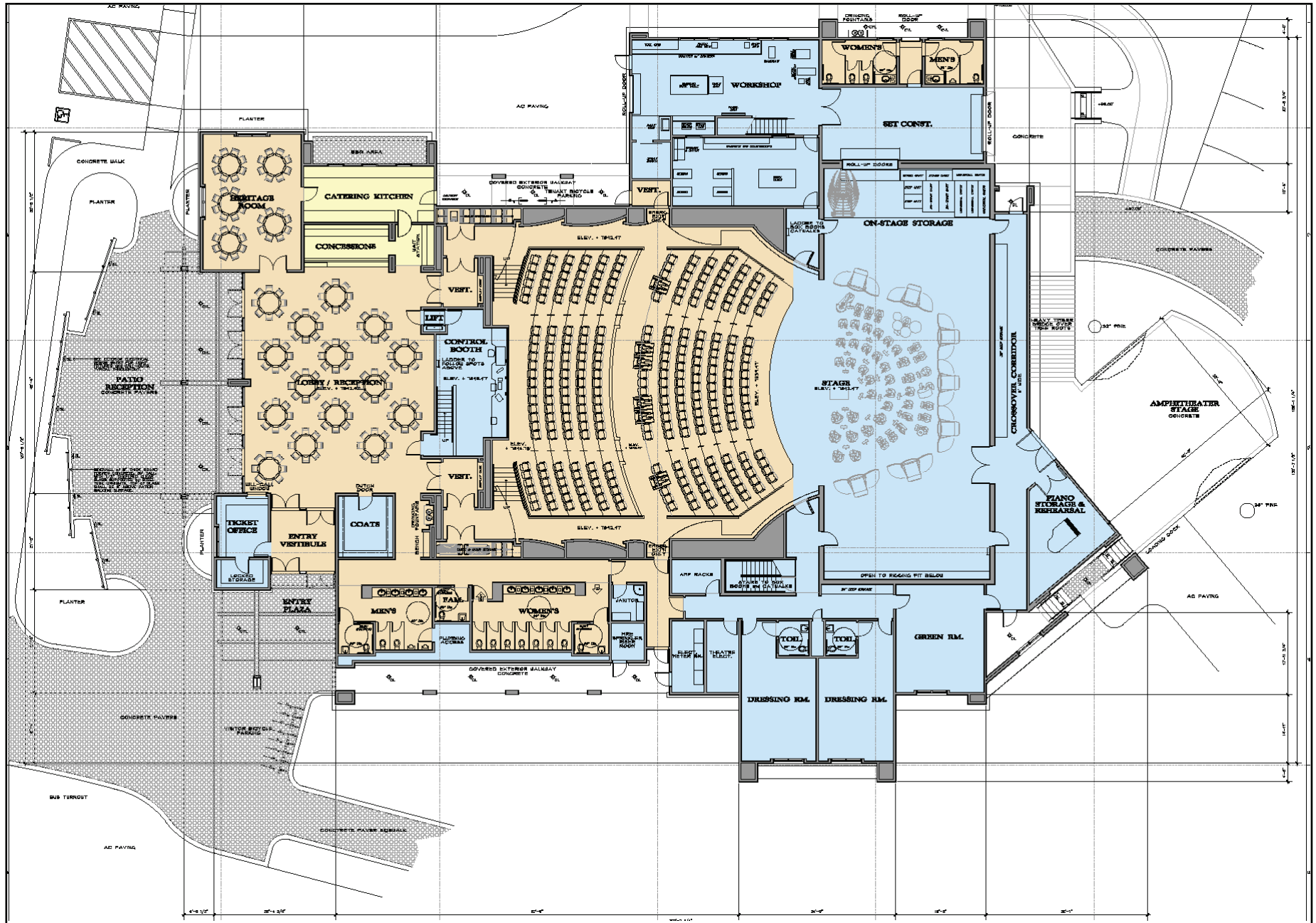


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MAMMOTH ARTS AND CULTURAL CENTER (MACC)  
 ADDENDUM TO THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
**Original 2019 Landscape Concept Plan**

**Exhibit 4**





Source: Woodward Architecture, August 22, 2018

MAMMOTH ARTS AND CULTURAL CENTER (MAMC)  
ADDENDUM TO THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

# Original 2019 Performing Arts Theatre Site Plan







## 2.2.1 Performing Arts Theatre

The modified project would no longer construct the 298-seat Performing Arts Theatre at the south-central portion of the project site. Rather, the modified project would improve the existing Edison Theatre and construct a new addition Performing Arts Theatre, north of the building. The new theatre addition would connect to the existing Edison Theatre via an enclosed pedestrian connection, or “jewel box connector”; refer to Exhibit 7; Modified Performing Arts Theatre Site Plan.

The modified building would be total 15,655 square feet (8,705 net new square feet); refer to Table 1, Proposed Performing Arts Theatre Building Square Footage. The modified building would include the following components:

**Table 1**  
**Proposed Performing Arts Theatre Building Square Footage**

Description	Square Footage
<b>Existing Square Footage</b>	<b>6,950</b>
<b>Existing Square Footage to Remain</b>	<b>2,280</b>
<b>Modified Building Square Footage</b>	
Public Space	990
Back of House	2,390
Administrative Space	390
Ancillary Space	900
<i>Subtotal</i>	<b>4,670</b>
<b>New Addition Square Footage</b>	
Auditorium (250-seats)	5,890
Public Space	1,200
Back of House	1,190
Ancillary Space	425
<i>Subtotal</i>	<b>8,705</b>
<b>Total Proposed Building Square Footage</b>	<b>15,655</b>
<b>Total Net New Square Feet</b>	<b>8,705</b>

- Auditorium: The proposed theatre would include a 3,000-square foot auditorium containing approximately 250 seats. The proposed theatre would also include a 1,100-square foot stage.
- Public Space: A new lobby/reception area is also proposed at a reduced size of 1,200 square feet. The proposed lobby/reception area would be located adjacent to the proposed jewel box connector, and serve as the main entrance to the auditorium.
- Back of House: Additionally, a 450-square foot general storage room and an 80-square foot piano storage room would both be located east of the lobby/reception area. A 820-square foot access room would provide circulation to the stage. This area would also include a 290-square foot dressing room, a 1,060-square foot rehearsal space, and a 70-square foot restroom.





- Auditorium
- Lobby
- Back of House
- Hospitality
- Core
- Existing



Source: Mammoth Lakes Foundation, September 2021



- Administrative Space: Existing offices would remain.
- Ancillary Space: The project would remodel the existing structure to include restrooms, as well as construct new electrical/mechanical facilities to support the new theatre.

It is anticipated that approximately 40 to 50 full-time employees would be employed for the theatre.

### **2.2.2 Storage Building**

The proposed project would construct a new 1,000-square foot storage building, north of the existing Edison Theatre parking lot. The proposed storage building would be used by the proposed theatre operation.

### **2.2.3 Childcare Center**

Under the direction of the Town, the proposed project would construct an approximately 6,600-square foot childcare center; refer to Exhibit 6. The new development would be located in the south/central portion of the project site along College Parkway. The proposed childcare center would include a 7,800-square foot ancillary playground. Vehicular and pedestrian access to the proposed childcare center would occur through the existing Edison Theatre Parking Lot. No more than 100 staffing and kids are anticipated at the childcare facility.

### **2.2.4 Dog Park**

Under the direction of the Town, the proposed project would include an approximately one-acre dog park located east of the proposed outdoor amphitheater; refer to Exhibit 6. The proposed dog park would include a small dog park area and a large dog park area, as well as multiple amenities, such as hoops, benches, dog ramps, and stepping paws. An ancillary surface parking lot (40 parking spaces) would be constructed just east of the new dog park. The proposed parking lot would include two driveways connecting to College Parkway, to the east and to the south.

### **2.2.5 Future Townhomes**

The Town proposes the option to redevelop the proposed dog park into a 24-unit affordable townhome community in the future. The project would condition the future units to be afforded to institutional employees pursuant to the Municipal Code requirements. The exact timing of this activity is unknown at this time. The proposed townhome community would consist of approximately 24 units in 10 buildings. All 24 for-sale townhome units would be moderate for-sale market rate and affordable units for the purpose of institutional employee housing. The new townhome development would be supported by a 24-foot drive isle as well as a 24-foot by 120-foot hammerhead turnaround at the northern terminus of the new drive isle. Project driveway access would be afforded from College Parkway to the south.



## 2.3 REQUESTED ACTIONS

The proposed project would include, but not be limited to, the following Town approvals:

### Edison Theatre

- Major Design Review.

### Child Care Center

- Design Review.

### Dog Park

- Design Review.

### Townhome Community

- Tentative Tract Map (for for-sale units); and
- Major Design Review.



### 3.0 MODIFIED INITIAL STUDY CHECKLIST

NEW SIGNIFICANT ENVIRONMENTAL EFFECTS OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS CEQA DOCUMENT. The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances, or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input type="checkbox"/>	Geology and Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards/Hazardous Materials
<input type="checkbox"/>	Hydrology and Water Quality	<input type="checkbox"/>	Land Use and Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population and Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation	<input type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities and Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Sig.

DETERMINATION (To be completed by the Lead Agency): On the basis of this initial evaluation:

- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous approved ND or MND or certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND or MND or previously certified EIR adequately discusses the potential impacts of the project without modification.
- ☒ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous approved ND or MND or certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND, MND or previously certified EIR adequately discusses the potential impacts of the project; however, minor changes require the preparation of an ADDENDUM.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND, MND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However, all new potentially significant environmental effects or substantial increases in the severity of previously identified significant effects are clearly reduced to below a level of significance through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT MND is required.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous environmental document due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However, only minor changes or additions or changes would be necessary to make the previous EIR adequate for the project in the changed situation. Therefore, a SUPPLEMENTAL EIR is required.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous environmental document due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT EIR is required.

Signature

Date

Printed Name

For

## EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A finding of “No New Impact/No Impact” means that the potential impact was fully analyzed and/or mitigated in the prior CEQA document and no new or different impacts will result from the proposed activity. A brief explanation is required for all answers except “No New Impact/No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No New Impact/No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No New Impact/No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) A finding of “New Mitigation is Required” means that the project have a new potentially significant impact on the environment or a substantially more severe impact than analyzed in the previously approved or certified CEQA document and that new mitigation is required to address the impact.
- 3) A finding of “New Potentially Significant Impact” means that the project may have a new potentially significant impact on the environment or a substantially more severe impact than analyzed in the previously approved or certified CEQA document that cannot be mitigated to below a level of significance or be avoided.
- 4) A finding of “Reduced Impact” means that a previously infeasible mitigation measure is now available, or a previously infeasible alternative is now available that will reduce a significant impact identified in the previously prepared environmental document.
- 5) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 6) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analyses Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis. Describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the proposed action.
  - c) Infeasible Mitigation Measures. Since the previous EIR was certified or previous ND or MND was adopted, discuss any mitigation measures or alternatives previously found not to be feasible that would in fact be feasible or that are considerably different from those previously analyzed and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives.
  - d) Changes in Circumstances. Since the previous EIR was certified or previous ND or MND was adopted, discuss any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause a change in conclusion regarding one or more effects discussed in the original document.
- 7) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.





- 8) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 9) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 10) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question;
  - b) differences between the proposed activity and the previously approved project described in the approved ND or MND or certified EIR; and
  - c) the previously approved mitigation measure identified, if any, to reduce the impact to less than significance.

## 4.0 ENVIRONMENTAL ASSESSMENT

This comparative analysis has been undertaken to analyze whether the modified project would result in any new or substantially more severe significant environmental impacts as compared with the impacts disclosed in the approved 2019 IS/MND and subsequent addenda, if any. The comparative analysis discusses whether impacts are greater than, less than, or similar to the conclusions discussed in the approved 2019 IS/MND and subsequent addenda.

### 4.1 AESTHETICS

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
Would the project:					
a. Have a substantial adverse effect on a scenic vista?	Approved 2019 IS/MND Pages 4.1-1 to 4.1-3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Approved 2019 IS/MND Page 4.1-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Approved 2019 IS/MND Pages 4.1-3 to 4.1-7	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	Approved 2019 IS/MND Pages 4.1-7 to 4.1-8	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a) The approved 2019 IS/MND determined that implementation of the approved project would result in less than significant impacts on scenic vistas; particularly, the viewshed of the Sherwin Range and Mammoth Mountain (identified visual resources per the Town's General Plan). The approved 2019 IS/MND noted that although the approved project may result in nominal view blockage of the Sherwin Range from Meridian Boulevard based on the mass and scale of the originally proposed Performing Arts Theatre (with maximum height of 54 feet), views of the Sherwin Range would largely remain. Further, approved project implementation would not result in view obstruction of Mammoth Mountain (westward). Impacts would be less than significant in this regard.

The modified project would be located in the same project site of the approved project. Although there is no height limit in the P-QP zone, building height of any building proposed within the project



site is limited to the tree canopy height in accordance with General Plan Policy C.2.X, and complement neighboring land uses and preserve views to the surrounding mountains in regard to building height, massing, and scale in accordance with General Plan Policy C.2.V. For reference, commercial zones adjacent to the project site to the west have maximum heights of 45 to 55 feet (Old Mammoth Road and Downtown zones, respectively). Overall, this modified project would result in a 15,655-square foot modified building for institutional uses, which is a smaller footprint than the 21,856-square foot Performing Arts Theatre originally proposed under the approved project. As such, the modified project is anticipated to result in similar or reduced impacts in regard to building height and massing.

Overall, all proposed structures under the modified project would maintain the Town's character of "village in the trees", and the overall views of the Sherwin Range would largely remain. Based on the smaller scale and massing of the proposed structures under the modified project as compared to those under the approved project, impacts in this regard would be reduced and no new mitigation measures are required.

(b) The approved 2019 IS/MND concluded no impacts would occur to scenic resources within a State scenic highway.

Based on the California Department of Transportation's *California Scenic Highway Mapping System*, there are no Officially Designated State Scenic Highways located in close proximity to the project site.<sup>1</sup> The modified project site is in the same location as the approved project site. Thus, the modified project would similarly have no impact on scenic resources within a State scenic highway.

(c) The approved 2019 IS/MND determined that compliance with the Town's Municipal Code, including the Town's Design Review process, would ensure the approved project's long-term impacts pertaining to the degradation of visual character/quality are less than significant.

The modified project would include the expansion of the existing Edison Theatre with the addition of a new, connecting Performing Arts Theatre; the construction of an approximately 1,000 square-foot storage building; and the construction of a childcare center and a dog park. The modified project would also include redevelopment of the dog park into a townhome community. Similar to the approved project, the modified project could alter the existing character of the site and surrounding area as new hardscapes and landscaping would be introduced to the project site. As discussed under Impact Statement 4.1(a), the proposed remodeling of Edison Theatre/addition of a new Performing Arts Theatre under the modified project would be reduced in massing and scale, compared to the originally approved Performing Arts Theatre. Further, the proposed future townhomes, under the modified project, would be limited to the tree canopy height in accordance with General Plan Policy C.2.X, complement complement neighboring land uses and preserve views to the surrounding mountains in accordance with General Plan Policy C.2.V. As such, all proposed structures under the modified project would maintain the Town's character of "village in the trees". Overall, based on the smaller scale and massing of the proposed structures under the modified project, compared to those under the approved project, no new significant impacts have been identified and no new mitigation measures are required.

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<sup>1</sup> California Department of Transportation, *California State Scenic Highway System Map*, <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>, accessed February 6, 2023.

It is acknowledged that all tree removal activities would be required to comply with Municipal Code Section 17.36.140, *Tree Removal and Protection*. In accordance with Municipal Code Section 17.36.140, the Town's Community and Economic Development Director may require replacement planting. If required, replacements shall be limited to plantings in areas suitable for tree replacement with species identified in the Town's Recommended Plant List. The replacement ratio, tree sizes, and other requirements shall be determined by the Town's Community and Economic Development Director. Compliance with Municipal Code Section 17.36.140 would ensure potential impacts associated with pine tree removal under the modified project are reduced to less than significant levels. As such, no new significant impacts have been identified and no new mitigation measures are required in this regard.

Pursuant to Design Guidelines for the Town of Mammoth Lakes (Design Guidelines), the Community Development Department and/or an Advisory Design Panel (ADP) reviews project materials such as drawings, site development plans, landscape plans, building elevations, cross-sections, sample materials/color palettes, and visual simulations to determine compliance with the Design Guidelines. All Town staff and ADP findings and recommendations would be presented to the Planning Commission for a compliance determination. Overall, the Design Guidelines Review process would ensure that landscaping would enhance the character of the on-site development and would be required to be compatible with, and complementary to, the natural environment in Mammoth Lakes and the surrounding region. Proposed landscaping would be required to meet Municipal Code requirements, including tree replacement. Compliance with Town's Design Review process and Municipal Code Section 17.36.140 would ensure potential impacts on visual character/quality under the modified project are reduced to less than significant levels. As such, no new significant impacts have been identified and no new mitigation measures are required in this regard.

(d) The approved 2019 IS/MND determined that compliance with Municipal Code Chapter 15.08.020, *Hours of Working*, which limits construction activities to occur between 7:00 a.m. and 8:00 p.m. Monday through Saturday, and the approved 2019 IS/MND Mitigation Measure NOI-1, which requires all construction-related stationary equipment to be placed such that emitted noise (as well as lighting) is directed away from sensitive receivers, would reduce the approved project's construction-related light and glare impacts to less than significant levels. In regard to operational impacts, the approved 2019 IS/MND determined that compliance with Municipal Code Section 17.36.030, *Exterior Lighting*, which requires an outdoor lighting plan to be submitted in conjunction with the application for design review approval, would ensure the approved project's operational light and glare impacts are less than significant. Implementation of the approved 2019 IS/MND Mitigation Measure AES-1 would also require a non-reflective finish to be applied to the building materials, including the exterior building materials of the proposed Performing Arts Theatre. As such, the approved 2019 IS/MND concluded that compliance with the approved 2019 IS/MND Mitigation Measure AES-1 would ensure neighboring uses are not exposed to substantial daytime glare and impacts would be less than significant in this regard.

Similar to the approved project, short-term light and glare impacts associated with the modified project's construction activities would be limited to nighttime lighting (for security purposes) in the evening hours. Construction activities under the modified project would be limited to between 7:00 a.m. and 8:00 p.m. Monday through Saturday in accordance with Municipal Code Chapter 15.08.020. The modified project would also implement the approved 2019 IS/MND Mitigation Measure NOI-1, which requires all construction-related stationary equipment to be placed such





that emitted noise (as well as lighting) would be directed away from sensitive receivers. Upon compliance with Municipal Code and implementation of the approved 2019 IS/MND Mitigation Measure NOI-1, the modified project's construction-related light and glare impacts would be reduced to less than significant levels. No new impacts have been identified and no new mitigation measures are required in this regard.

Similar to the approved project, implementation of the modified project would increase lighting at the project site during operations, compared to existing conditions. Compliance with Municipal Code Section 17.36.030, *Exterior Lighting*, which requires an outdoor lighting plan be submitted in conjunction with the application for design review approval, would ensure the modified project's operational light and glare impacts are less than significant. Specifically, exterior lighting associated with the proposed Performing Arts Centre, dog park, childcare center, and potential future townhomes would be required to comply with Municipal Code Section 17.36.030 and prepare an outdoor lighting plan for the Town's design review approval. The outdoor lighting plan would be required to show that all outdoor lighting fixtures are designed, located, installed, aimed downward or toward structures, retrofitted if necessary, and maintained to prevent glare, light trespass, and light pollution. Outdoor lighting installations associated with the modified project would be designed to avoid harsh contrasts in lighting levels between the project site and the adjacent properties. The modified project would also be required to implement the approved 2019 IS/MND Mitigation Measure AES-1, which would require a non-reflective finish to be applied to all applicable building materials to reduce potential daytime glare. With compliance with Municipal Code and implementation of the approved 2019 IS/MND Mitigation Measure AES-1, the modified project's operational light and glare impacts would be reduced to less than significant levels. No new significant impacts have been identified and no new mitigation measures are required in this regard.

### **Approved 2019 IS/MND Mitigation Measures**

The following mitigation measures from the approved 2019 IS/MND are applicable to the modified project. Any modifications to the original measures are shown in ~~striketrough~~ for deleted text and in double underline for new, inserted text.

Refer to Section 4.13, Noise, for the approved 2019 IS/MND Mitigation Measure NOI-1.

AES-1      Prior to issuance of the Building Permits, the Town shall identify on the building plans that potential reflective building materials (e.g., the vertical ribbed metal siding, aluminum windows and doors, raw steel columns and beams, metal roofing, and steel doors) shall use a non-reflective finish.

### **New Mitigation Measures**

No new mitigation measures are required.



## 4.2 AGRICULTURE AND FORESTRY RESOURCES

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
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In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Approved 2019 IS/MND Page 4.2-1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Approved 2019 IS/MND Page 4.2-1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	Approved 2019 IS/MND Page 4.2-2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	Approved 2019 IS/MND Page 4.2-2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a)-(e) The approved 2019 IS/MND confirmed that the project site and adjacent areas do not support agricultural use and are not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The approved 2019 IS/MND also confirmed that although the project site and its surrounding vicinity are known for forest resources, the Town does not include zoning for forest land, timberland, or timberland production. Thus, project implementation would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)). No impacts in this regard would occur.

The modified project is located within the same project site as the approved project and does not involve any land use changes related to agriculture, forest land, or timberland production. As such,



no new or substantially more severe impacts would occur, and no new mitigation measures are required.

### Approved 2019 IS/MND Mitigation Measures

No mitigation measures from the approved 2019 IS/MND are required.

### New Mitigation Measures

No new mitigation measures are required.

## 4.3 AIR QUALITY

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	Approved 2019 IS/MND Page 4.3-1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?	Approved 2019 IS/MND Pages 4.3-2 to 4.3-6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	Approved 2019 IS/MND Page 4.3-6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Approved 2019 IS/MND Page 4.3-6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a) The project site is located within the Great Basin Valleys Air Basin (Basin), which is governed by the Great Basin Unified Air Pollution Control District (GBUAPCD). As a non-attainment area, the GBUAPCD was subject to the *State Implementation Plan* (SIP), later satisfied by the *Mammoth Lakes Air Quality Maintenance Plan and PM<sub>10</sub> Redesignation Request for the Town of Mammoth Lakes* (2014 AQMP) pursuant to the Federal Clean Air Act (FCAA). The approved 2019 IS/MND determined that the approved project would not conflict with the 2014 AQMP as development associated with the approved project would be consistent with what was anticipated in the General Plan and Zoning Code, and vehicle miles traveled (VMT) associated with the approved project is included in the General Plan buildout VMT estimate that was included in the



modeling for the 2014 AQMP. As such, the approved 2019 IS/MND concluded that a less than significant impact would occur in this regard.

As discussed in Section 4.11, *Land Use and Planning*, the site is designated Institutional Public (IP) and zoned Public and Quasi Public (P-QP). According to the General Plan, the IP land use designation allow for institutional uses such as schools, hospitals, governmental offices and facilities, museums, performing arts and cultural facilities, physical wellness and rehabilitation facilities, and related uses; residential uses are not permitted with the exception of employee housing that supports and is ancillary to the allowed institutional uses and student housing that is accessory to the College. According to the Municipal Code, the “P-QP” zone is intended to permit adequate identification of areas reserved and developed for public uses other than street rights-of-way, to provide for educational and cultural activities and facilities, to provide for expansion of their operations or change in use, and, to identify and preserve areas of historic and community significance for the enjoyment of future generations.

The modified project would include the expansion of the existing Edison Theatre with the addition of a new, connecting Performing Arts Theatre; the construction of an outdoor amphitheater as previously proposed under the approved project; the construction of an approximately 1,000-square foot storage building; and the construction of a childcare center and a dog park. The modified project also considers the future redevelopment of the dog park into an institutional employee (workforce) housing townhome community. As discussed in Section 4.10, *Land Use and Planning*, the future 24-unit institutional employee townhome community on the 7.9-acre site (3.04 units per acre) would be a permitted use under the site’s existing land use designation and zoning, which allows a maximum of four units per gross acre.

Further, as detailed in the *Mammoth Arts and Cultural Center (MACC) – Trip Generation and VMT Analysis Update* (Transportation Analysis), prepared by LSC Transportation Consultants, Inc., dated November 27, 2023, the modified project would generate approximately 84 average daily trips, which represents a net decrease of 11 average daily trip compared to trips generated by the approved project (i.e., 95 trips); refer to Attachment 3, *Transportation Analysis*. As such, VMT associated with the modified project would be within the General Plan buildout VMT estimate would be similar to the approved project.

Overall, the modified project would not conflict with the 2014 AQMP as development associated with the modified project would be consistent with what was anticipated in the General Plan buildout, and VMT associated with the modified project would be included in the General Plan buildout VMT estimate that was utilized in the modeling for the 2014 AQMP. As such, no new impacts are identified and no new mitigation measures are required.

(b) According to the approved 2019 IS/MND, criteria pollutant emissions associated with the approved project were measured against the numerical standards developed by the Mojave Desert Air Quality Management District (MDAQMD) as the GBUAPCD does not maintain CEQA significance thresholds for criteria pollutant emissions other than State and Federal standards at the time of writing. According to the approved 2019 IS/MND, construction and operational emissions associated with the approved project would not exceed the applicable MDAQMD significance thresholds and would not result in a cumulatively considerable net increase of any criteria pollutant; refer to the approved 2019 IS/MND Table 4.3-2, *Maximum Daily Construction Emissions*, and Table 4.3-3, *Long-Term Operational Air Emissions*. Although the approved project may result in short-term air quality impacts from fugitive dust in the vicinity of the project site as a





result of construction activities, construction and operation of the proposed project would not result in long-term or cumulatively considerable increases in air pollution emissions for which Mono County is currently in nonattainment (ozone and PM<sub>10</sub>). In addition, the approved project would be required to implement approved 2019 IS/MND Mitigation Measure AQ-1, which would minimize fugitive dust emissions and ensure compliance with GBUAPCD Rules. With implementation of Mitigation Measure AQ-1, the approved 2019 IS/MND concluded that construction and operation emissions associated with the approved project would result in less than significant impacts.

### **Short-Term Construction Impacts**

Construction activities associated with the modified project would include tree removal, grading, paving, construction of buildings, and painting. Emitted pollutants would include volatile organic compound (VOC), carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). The largest amount of VOC, CO, and NO<sub>x</sub> emissions would occur during the earthwork phase. PM<sub>10</sub> and PM<sub>2.5</sub> emissions would occur from fugitive dust (due to earthwork and excavation) and from construction equipment exhaust. Exhaust emissions from construction activities include emissions associated with the transport of machinery and supplies to and from the project site, emissions produced on-site as the equipment is used, and emissions from trucks transporting materials to and from the site.

Construction emissions associated with exhaust emissions (emissions associated with the transport of machinery and supplies to and from the project site, emissions produced on-site as the equipment is used, and emissions from trucks transporting materials to and from the site) are anticipated to be lower under the modified project due to technological advances expected over time, as construction of the approved project was scheduled to begin in 2019 and conclude in 2020.

In regard to the proposed structures, the modified project would no longer construct the 298-seat, 21,856-square foot Performing Arts Theatre. Rather, the modified project would improve the existing Edison Theatre and construct a new smaller 250-seat, 5,890-square foot Performing Arts Theatre north of the Edison Theatre. As such, this modified project would result in the construction of a 15,655-square foot modified building (8,705 net new square feet), which is a smaller footprint than the 21,856-square foot Performing Arts Theatre originally proposed under the approved project. Overall, the buildings proposed under the modified project (including the 15,655-square foot modified building, 1,000 square foot storage building and the 6,600-square foot childcare center) would total approximately 15,380 square feet, which would be lower than the originally proposed 21,464-square foot Arts and Cultural Center under the approved project.

In regard to outdoor spaces, it should be noted that the modified project would result in the similar parking (one additional parking space) and landscaping as the approved project. The modified project would include an outdoor amphitheater (which remains from the approved project) a 7,800-square foot ancillary playground for the childcare center, and a one-acre dog park. Construction-related impacts from construction of the outdoor amphitheater would be the same as approved project, and the ancillary playground and dog park are not anticipated to generate substantial air emissions as only grading and minimal paving would be involved. As such, the construction-related air quality impacts resulting from the modified project are anticipated to be less than or similar to what as previously envisioned under the approved project.



Finally, in regard to the potential redevelopment of the dog park into a 24-unit townhome community, the proposed townhome development would be consistent with the General Plan and Zoning designation of the existing site. As such, the modified project would be considered consistent with the growth forecasts of the GBUAPCD and 2014 AQMP, and would not cause new impacts as compared to the approved project.

Overall, changes under the modified project are not anticipated to result in a substantial increase in criteria pollutant emissions, including ozone and PM<sub>10</sub>, in a manner that would exceed MDAQMD significance thresholds during project construction. In addition, the modified project would be required to implement the approved 2019 IS/MND Mitigation Measure AQ-1, which would minimize fugitive dust emissions and ensure compliance with GBUAPCD Rules during project construction. With implementation of approved 2019 IS/MND Mitigation Measure AQ-1, the modified project is not anticipated to result in any new or potentially adverse construction-related air quality impacts not previously considered and addressed in the approved 2019 IS/MND. No new significant impacts are identified and no new mitigation measures are required.

### **Long-Term Operational Impacts**

Long-term air quality impacts typically consist of mobile source emissions generated from project-related traffic and from stationary source emissions from combustion to produce space heating, water heating, other miscellaneous heating, or air conditioning, consumer products, and landscaping.

As detailed above, implementation of the modified project involves reduced total building footprint and would develop more outdoor uses (only minimal lighting and water uses may result in emissions) as compared to the approved project. As such, operational impacts from stationary sources (e.g., mechanical equipment, landscaping, and HVAC equipment) would be similar to existing conditions and would not substantially increase operational emissions. The modified project would also potentially accommodate a 24-unit townhome community in place of the proposed dog park. Higher density infill housing typically increase energy and water efficiency and reduce VMT when compared to that of lower density housing. As detailed in the Transportation Analysis, the modified project would generate approximately 84 average daily trips, which represents a net decrease of 11 average daily trip compares to trips generated by the approved project (i.e., 95 trips); refer to [Attachment 3](#). As such, the modified project is not anticipated to result in any new or potentially adverse operational air quality impacts not previously considered and addressed in the approved 2019 IS/MND and is not anticipated to exceed the MDAQMD's significance thresholds or cumulatively contribute to the nonattainment designations of the ozone and PM<sub>10</sub>. No new impacts are identified and no new mitigation measures are required.

(c) The approved 2019 IS/MND concluded that as local fugitive dust, CO, and/or ozone precursor emissions generated during the operational phase of the approved project would be minimal and the approved project would be required to comply with all applicable GBUAPCD Rules and dust control measures in accordance with the approved 2019 IS/MND Mitigation Measure AQ-1, the approved 2019 IS/MND concluded that the approved project would not expose sensitive receptors to substantial pollutant concentrations and less than significant impacts would occur in this regard.



Sensitive uses near the project site include Mammoth Elementary School and single-family residences to the north, Mammoth Middle School to the northwest, Mono County Library to the west, and South Gateway Student Apartments to the south.

As detailed above, the buildings proposed under the modified project (including the 15,655-square foot modified building, 1,000 square foot storage building and the 6,600-square foot childcare center) would total approximately 15,380 square feet, which would result in a reduced buildout compared to the originally proposed 21,464-square foot Arts and Cultural Center under the approved project. In regard to outdoor spaces, the modified project would include surface parking lot and an outdoor amphitheater similar to that proposed under the approved project; a 7,800-square foot ancillary playground for the childcare center, and a one-acre dog park. Construction-related impacts from construction of the outdoor amphitheater would be the same as approved project, and the ancillary playground and dog park are not anticipated to generate substantial air emissions as only grading and minimal paving would be involved. Further, construction of the approximately 38,100-square foot future townhomes would not be located near sensitive receptors and residential uses are not typically associated with substantial air pollutant emissions.

As such, the modified project is not anticipated to result in substantial air pollutant concentrations. In addition, the modified project would be required to implement the approved 2019 IS/MND Mitigation Measure AQ-1, which would minimize fugitive dust emissions and ensure compliance with GBUAPCD Rules during project construction. With implementation of approved 2019 IS/MND Mitigation Measure AQ-1, the modified project is not anticipated to result substantial pollutant concentrations not previously considered and addressed in the approved 2019 IS/MND. No new impacts are identified and no new mitigation measures are required.

(d) According to the approved 2019 IS/MND, odor impacts from construction activities would be intermittent, short-term in nature, and cease upon project completion, and operational odor impacts is not anticipated as no odor-generating land uses were proposed. As such, the approved 2019 IS/MND concluded that less than significant impacts would occur in this regard.

Similar to the approved project, construction-related odor impacts from the modified project would be short-term and cease upon project completion, and the modified project does not include any odor-generating land use. As such, no new impacts are identified and no new mitigation measures are required.

### **Approved 2019 IS/MND Mitigation Measures**

The following mitigation measures from the approved 2019 IS/MND are also applicable to the modified project. Any modifications to the original measures are shown in ~~strike through~~ for deleted text and in double underline for new, inserted text.

- AQ-1      Prior to approval of the project plans and specifications, the Public Works Director, or designee, shall confirm that the plans and specifications stipulate that, in compliance with GBUAPCD Rule 401, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures, as specified in the GBUAPCD Rules and Regulations. In addition, GBUAPCD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:

- All active portions of the construction site shall be watered to prevent excessive amounts of dust;
- On-site vehicles' speed shall be limited to 15 miles per hour (mph);
- All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized;
- All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust; watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day;
- If dust is visibly generated that travels beyond the site boundaries, clearing, grading, earth moving or excavation activities that are generating dust shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour); and
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.

### New Mitigation Measures

No new mitigation measures are required.

### 4.4 BIOLOGICAL RESOURCES

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Impact/No Impact	Reduced Impact
Would the project:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Approved 2019 IS/MND Pages 4.4-1 to 4.4-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Approved 2019 IS/MND Page 4.4-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Impact/No Impact	Reduced Impact
c. Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Approved 2019 IS/MND Page 4.4-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Approved 2019 IS/MND Pages 4.4-4 to 4.4-5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Approved 2019 IS/MND Page 4.4-5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?	Approved 2019 IS/MND Page 4.4-5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

This section is based on the *Habitat Assessment for the Addendum to the Mammoth Arts and Cultural Center Project located in the Town of Mammoth Lakes, Mono County, California* (Habitat Assessment), prepared by Michael Baker International, dated March 17, 2023; refer to Attachment 1, Habitat Assessment.

(a) The approved 2019 IS/MND determined that no special-status plant species were observed within the project site and that the project site does not provide suitable habitat for any special-status plant species. Additionally, the approved 2019 IS/MND determined that special-status plant communities do not occur within the project site, and the project site is not located within any designated Critical Habitat. While the project site has high potential to support western white-tailed jackrabbit (*Lepus townsendii townsendii*) and low potential to provide suitable foraging habitat for northern goshawk (*Accipiter gentilis*) and prairie falcon (*Falco mexicanus*), the approved 2019 IS/MND determined that the project site does not provide high quality habitat for these species and that the undeveloped, natural areas to the south of the site, including Mammoth Creek, provide ample habitat for these species. Therefore, impacts were determined to be less than significant in this regard.

The modified project would encompass the same project site as the approved project. As such, and similar to the approved project, the modified project would not provide suitable habitat for any special-status plant species, special-status plant communities would not occur within the project site, and the project site is not located within any designated Critical Habitat. Additionally, while the project site would have high potential to support western white-tailed jackrabbit and low potential to provide suitable foraging habitat for northern goshawk, similar to the approved project, the project site would not provide high quality habitat for these species. Further, undeveloped,



natural areas to the south of the project site, including Mammoth Creek, would provide ample habitat for these species. As such, no new impacts to special status species would occur, and no new mitigation measures are required.

(b) The approved 2019 IS/MND found that no jurisdictional drainage and/or wetland features were observed within or adjacent to the project site that would be considered jurisdictional by the U.S. Army Corps of Engineers (Corps), Regional Water Quality Control Board (Regional Board), or California Department of Fish and Wildlife (CDFW), and as such, no impact would occur in this regard. Further, the Mono Pumice Flat and Water Birch Riparian Scrub, both special-status plant communities, were not observed on-site.

The modified project would encompass the same project site as the approved project. As such, and similar to the approved project, no drainage and/or wetland features would occur within or adjacent to the project site that would be considered jurisdictional by the Corps, Regional Board, or CDFW. Additionally, based on the Habitat Assessment, the Mono Pumice Flat and Water Birch Riparian Scrub special-status plant communities were not observed on-site. As such, no new impacts to any riparian habitat or other sensitive natural community would occur, and no new mitigation measures are required.

(c) As stated above, the approved 2019 IS/MND found that no jurisdictional drainage and/or wetland features were observed within or adjacent to the project site that would be considered jurisdictional by the Corps, Regional Board, or CDFW. As such, no impact would occur in this regard.

The modified project would encompass the same project site as the approved project. Based on the Habitat Assessment, and similar to the approved project, no drainage and/or wetland features would occur within or adjacent to the project site that would be considered jurisdictional by the Corps, Regional Board, or CDFW, and the modified project would not result in the direct removal, filling, hydrological interruption, or other direct or indirect impact to wetlands under jurisdiction of regulatory agencies. Accordingly, no new impacts are identified, and no new mitigation measures are required.

(d) While the project site is located 0.3-mile north of Mammoth Creek, an area that provides opportunities for wildlife movement, the approved 2019 IS/MND determined that implementation of the approved project would not result in impacts to the creek. Further, the project site was not found to be located within any local or regional designated migratory corridors or linkages. As such, impacts in regard to habitat linkages and wildlife corridors would be less than significant.

The approved 2019 IS/MND found that plant communities, vegetated areas, and open ground areas within the project site provide foraging and nesting opportunities for species protected pursuant to the Migratory Bird Treaty Act (MBTA), the Bald and Golden Eagle Protection Act, and the California Fish and Game Code. As such, Mitigation Measure BIO-1 would require a qualified biologist to conduct a pre-construction nesting bird clearance survey should project activities be initiated during the nesting season (February 1 to August 31). Implementation of Mitigation Measure BIO-1 would reduce approved project impacts on nesting bird species to less than significant levels.

The modified project would encompass the same project site as the approved project. While the project site would have a less than significant impact in regard to habitat linkages and wildlife



corridors, similar to the approved project, and based on the Habitat Assessment, project activities for the modified project that occur during the nesting season (January 1<sup>st</sup> through August 31<sup>st</sup>) could impact bird species protected by the MBTA, the Bald and Golden Eagle Protection Act, or the California Fish and Game Code. As such, the modified project would be required to implement Mitigation Measure BIO-1 in order to ensure impacts to protected nesting birds remain less than significant.

(e) According to the approved 2019 IS/MND, the approved project would remove 17 of 41 existing trees on-site (14 trees to remain). Pursuant to Municipal Code Section 17.36.140, the approved project would be required to provide grading or building permit(s) depicting the location, type and size of all trees proposed for removal. It was also anticipated that tree replacement may be required. The 2019 IS/MND determined that compliance with the Town's Municipal Code requirements would ensure project impacts on the 17 pine trees proposed for removal as part of the approved project would be reduced to less than significant levels.

Similar to the approved project, the modified project would result in pine tree removal. As such, and as recommended by the Habitat Assessment, a tree removal and protection plan would be prepared that is consistent with the standards of Municipal Code Section 17.36.140 in order to ensure impacts to biological resources due to modified project implementation would remain less than significant. Thus, no new significant impacts have been identified, and no new mitigation measures are required.

(f) According to the approved 2019 IS/MND, the project site and surrounding vicinity are not located within an area covered by a Habitat Conservation Plan or Natural Community Conservation Plan. As such, no impact would occur in this regard.

The modified project would encompass the same project site as the approved project. Similar to the approved project, the modified project would not be located within an area covered by a Habitat Conservation Plan or Natural Community Conservation Plan.<sup>2</sup> Thus, no new impacts have been identified, and no new mitigation measures are required.

### **Approved 2019 IS/MND Mitigation Measures**

The following mitigation measure from the approved 2019 IS/MND is also applicable to the modified project. Any modifications to the original measure is shown in ~~strike through~~ for deleted text and in double underline for new, inserted text.

BIO-1 If construction activities are to be initiated during the nesting season (~~February~~ January 1<sup>st</sup> to August 31<sup>st</sup>), a preconstruction nesting bird clearance survey shall be conducted by a qualified biologist no more than three days prior to the start of any vegetation removal or ground-disturbing activities. A qualified biologist shall survey all suitable nesting bird habitat within the project impact area, and within a biologically defensible buffer distance surrounding the project impact area. Documentation of surveys and findings shall be submitted to the Town of Mammoth Lakes for review and file. If no active nests are detected, project construction activities may begin. If an active nest is found, the bird(s) shall be identified to species and a "no disturbance" buffer shall be estimated and

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<sup>2</sup> California Department of Fish and Wildlife, *California Natural Community Conservation Plans Map*, April 2019.

established around the active nest(s). The distance of the “no disturbance” buffer may be increased or decreased according to the judgement of the qualified biologist depending on the level of construction activity and sensitivity of the species. The qualified biologist shall periodically monitor any active nests to determine if the “no disturbance” buffer should be increased based on increased or moved construction activities. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, project construction activities within the “no-disturbance” buffer may occur.

## New Mitigation Measures

No new mitigation measures are required.

## 4.5 CULTURAL RESOURCES

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Impact/No Impact	Reduced Impact
Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	Approved 2019 IS/MND Page 4.5-1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	Approved 2019 IS/MND Pages 4.5-2 to 4.5-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	Approved 2019 IS/MND Pages 4.5-3 to 4.5-4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

This section is based on the *Cultural Resources Addendum for the Mammoth Arts and Cultural Center Project, Town of Mammoth Lakes, Mono County, California* (Cultural Resources Memorandum), prepared by Rincon Consultants, Inc., dated October 12, 2022; refer to Attachment 2, Cultural Resources Memorandum.

(a) A records search for previous cultural resources studies and previously recorded cultural resources within a 0.5-mile radius of the project site was conducted for the approved project. The search included a review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California Points of Historical Interest list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Historic Resources Inventory list. The search identified one previously conducted cultural resources study at the project site (MN-00620) in 1993; no cultural resources were identified as part of the study. As such, the approved 2019 IS/MND found that the project site does not support historical resources pursuant to CEQA and development of the approved project would not adversely impact historic resources. No impact would occur in this regard.





The modified project would encompass the same project site as the approved project. The Cultural Resources Memorandum determined that, similar to the approved project, no previously recorded resources were documented within the project site. Therefore, no new impacts have been identified and no new mitigation measures are required for the modified project.

(b) As described above in Response 4.5(a), MN-00620 was conducted within the project site. Although no archaeological resources were discovered as part of this effort, the approved 2019 IS/MND stated that the region remains highly sensitive for cultural resources and potentially significant cultural deposits may exist beneath the project site and may be impacted during ground-disturbing activities. As such, the approved project included Mitigation Measures CUL-1 and CUL-2 to ensure impacts to potentially significant archaeological resources are reduced to less than significant levels.

The modified project would encompass the same project site as the approved project, and as such would have the same potential for encountering and impacting potentially significant cultural deposits during ground-disturbing activities. The Cultural Resources Memorandum recommended that, similar to the approved project, the modified project implement Mitigation Measures CUL-1 and CUL-2 to ensure impacts to potentially significant archaeological resources are reduced to less than significant levels. Therefore, no new impacts have been identified and no new mitigation measures are required for the modified project.

(c) Although no conditions exist that suggest human remains are likely to be found on the project site, development of the project site could result in the discovery of human remains and potential impacts to these resources. If human remains are found, those remains would be required to conduct proper treatment, in accordance with applicable laws. The approved 2019 IS/MND determined that following compliance with existing State regulations, which detail appropriate actions necessary in the event human remains are encountered, impacts in this regard would be reduced to less than significant levels.

The modified project would encompass the same project site as the approved project, and as such would have the same potential for encountering human remains. The Cultural Resources Memorandum determined that, compliance with existing State regulations, which detail appropriate actions necessary in the event human remains are encountered, impacts in this regard would be reduced to less than significant levels. Applicable laws include Health and Safety Code Sections 7050.5 to 7055 and Public Resources Code Section 5097.98, which requires notifying the County Coroner and Native American Heritage Commission (NAHC), followed by consultation with the “most likely descendent (MLD)” of the deceased. No new impacts have been identified and no new mitigation measures are required for the modified project.

The following mitigation measures from the approved 2019 IS/MND are applicable to the modified project. Any modifications to the original measures are shown in ~~strike through~~ for deleted text and in double underline for new, inserted text.

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.

- 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).

## New Mitigation Measures

No new mitigation measures are required.

## 4.6 ENERGY

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
Would the project:					
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Not Previously Analyzed	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	Not Previously Analyzed	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a)-(b) The approved 2019 IS/MND did not evaluate energy impacts in a standalone section or quantitatively as it was not required in the CEQA Guidelines at the time the approved 2019 IS/MND was prepared. Although not addressed in a standalone section, energy considerations were

discussed in the approved 2019 IS/MND Section 4.7, *Greenhouse Gas Emission*. Specifically, approved 2019 IS/MND Table 4.7-2, *Mono County Resource Efficiency Plan Consistency Analysis*, includes an analysis on the approved project's consistency with applicable policies in the Mono County Resource Efficiency Plan (REP). The REP was adopted by the County on August 1, 2014 and identifies the County's long-term strategies to reduce GHG emissions and provide energy, fuel, water, and monetary savings to the County's residents. As shown on approved 2019 IS/MND Table 4.7-2, the approved project is consistent with all the applicable REP policies and would meet the applicable mandated energy efficiency programs and regulations included in Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6; commonly known as Title 24) and the California Green Building Standards Code (CCR Title 24, Part 11; commonly known as CALGreen).

The modified project would include the expansion of the existing Edison Theatre with the addition of a new, connecting Performing Arts Theatre; the construction of an outdoor amphitheater as previously proposed under the approved project; the construction of an approximately 1,000 square-foot storage building; and the construction of a childcare center and a dog park. The modified project also considers the future redevelopment of the dog park into a workforce housing townhome community (with 24 units). Development in the Town does not use natural gas, but would rely on propane gas instead to fuel furnaces, water heaters, and stoves, etc. As such, energy consumption associated with the modified project would be primarily associated with electricity and propane gas consumption as well as mobile fuel consumed during construction and operation.

The modified project would be consistent with permitted uses under the project site's General Plan land use designation and zoning upon the Commission's approval. It is anticipated that the reduction of building size overall would result in reduced building energy consumption than what was proposed under the approved project. Further, the day care and townhome community is also not anticipated to result in significant energy impacts as the modified project would be required to adhere to all applicable federal, State, and local requirements for energy efficiency, including the most current (2022) Title 24 standards, (2022) CALGreen, and the REP (last updated in May 2022). It should be acknowledged that Title 24, CALGreen, and REP were all recently adopted or updated since the approved 2019 IS/MND was certified, and compliance with the latest standards would result in more energy efficiency and GHG emissions reduction than the 2019 Title 24 envisioned for the approved project. Specifically, the modified project would reduce on-site energy use by installing energy efficient lighting and appliances at the Performing Arts Theatre and outdoor amphitheater, installing water efficient irrigation systems, and incorporating water reducing features and fixtures into the building. Further, photovoltaic solar panels would be installed on the roof of the new Performing Arts Theatre to promote renewable energy generation as conditions and budget allow.

The modified project would also have minimal off-site energy use associated with mobile fuel consumption as it would generate approximately 84 average daily trips, which represents a net decrease of 11 average daily trip compares to trips generated by the approved project (i.e., 95 trips); refer to [Attachment 3](#). Pedestrian access is afforded along both sides of College Parkway, south of the project site. Additionally, a Class I, off-site bike trail is present to the south, and along College Parkway. Last, the modified project would be located within walking distance of two existing transit stops for the Eastern Sierra Transit bus route. As such, the modified project would encourage multiple modes of transportation which would enable a reduction in VMT from



employee commutes by providing clean air vehicle spaces and be sited where pedestrian access, bike lane, and bus stops are accessible.

Overall, the modified project would not result in the inefficient, wasteful, or unnecessary consumption of energy. No new impacts are identified and no new mitigation measures are required.

### Approved 2019 IS/MND Mitigation Measures

No mitigation measures from the approved 2019 IS/MND are required.

### New Mitigation Measures

No new mitigation measures are required.

## 4.7 GEOLOGY AND SOILS

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
Would the project:					
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Approved 2019 IS/MND Page 4.6-1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Strong seismic ground shaking?	Approved 2019 IS/MND Page 4.6-2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Seismic-related ground failure, including liquefaction?	Approved 2019 IS/MND Pages 4.6-2 to 4.6-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Landslides?	Approved 2019 IS/MND Page 4.6-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	Approved 2019 IS/MND Pages 4.6-3 to 4.6-4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>





Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Approved 2019 IS/MND Page 4.6-4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Approved 2019 IS/MND Pages 4.6-4 to 4.6-5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	Approved 2019 IS/MND Page 4.6-5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Approved 2019 IS/MND Page 4.5-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a)(i) According to the approved 2019 ISMND, no Alquist-Priolo Earthquake Fault Zones are mapped within the Town.

The modified project would be located in the same project site as the approved project; as such, no impacts would result in this regard. No new impacts have been identified and no new mitigation measures are required

(a)(ii) According to the approved 2019 ISMND, the Town is in proximity to historically active faults, including the Hilton Creek Fault, Owens Valley Fault, and Chalfant Valley Fractures. Active and potentially active faults in the project area are capable of producing seismic shaking at the project site, and it is likely that the project site would periodically experience ground acceleration as a result of exposure to moderate to large magnitude earthquakes. However, structures built for human occupancy must be designed to meet or exceed the California Building Code (CBC) standards for earthquake resistance and in accordance with Municipal Code Chapter 15.04, *Building Regulations and Codes*. Designs for structures built within the Town would also be required to comply with local building codes related to seismic and wind design, snow-loading, and construction requirements related to roof materials, concrete placement, and footing/foundation, to name a few, in accordance with Municipal Code Chapter 15.24, *Design Requirements*. Further, the Town would review applicable engineering plans and soils report during the plan review process to ensure compliance with specific recommended geotechnical improvements in accordance with Municipal Code Section 12.08.078, *Standard Grading Permit Requirements*, and Section 12.08.080, *Engineered Grading Permit Requirements*. Therefore, although the Town is in a seismically active area, the approved 2019 ISMND concluded that impacts associated with seismic ground shaking would be less than significant.

Accordingly, the modified project would be located in the same project site as the approved project. Similar to the approved project, the modified project would also be required to adhere with regulations pursuant to the CBC, Municipal Code Chapter 15.04, Chapter 15.24, Section 12.08.078, and Section 12.08.080. With adherence with all applicable regulations, impacts associated with seismic ground shaking would be less than significant. No new impacts have been identified and no new mitigation measures are required.

(a)(iii) The approved 2019 IS/MND determined that the nearest area to the project site that is susceptible to liquefaction, as it is underlain by alluvium and moraine with shallow groundwater depths, is near Meridian Boulevard and Minaret Road, approximately one mile west of the project site. Given this distance, and upon adherence with regulations pursuant to Municipal Code Chapter 15.04, Chapter 15.24, Section 12.08.078, and Section 12.08.080, the approved 2019 IS/MND concluded that impacts associated with ground failure, including liquefaction, would be less than significant

Accordingly, the modified project would be located in the same project site as the approved project. Similar to the approved project, the modified project would also be required to adhere with regulations pursuant to Municipal Code Chapter 15.04, Chapter 15.24, Section 12.08.078, and Section 12.08.080. With adherence with all applicable regulations, impacts associated with ground failure, including liquefaction, would be less than significant. No new impacts have been identified and no new mitigation measures are required.

(a)(iv) The approved 2019 IS/MND determined that the project site and surrounding areas are generally flat, and void of topographical features capable of producing a landslide. Therefore, development of the approved project would not expose people or structures to landslide hazards. No impacts would occur.

Accordingly, the modified project would be located in the same project site as the approved project. No new impacts have been identified and no new mitigation measures are required.

(b) The approved 2019 IS/MND determined that construction of the approved project could result in soil erosion. However, proposed improvements would be subject to the National Pollution Discharge Elimination System (NPDES) permitting regulations, including development and implementation of a Stormwater Pollution Prevention Plan (SWPPP), and to coverage under a General Construction Permit (CGP) as issued by the State Water Resources Control Board (SWRCB). Further, the construction contractor would be required to implement Best Management Practices (BMPs) related to soil erosion and sedimentation control as set forth by the Lahontan Regional Water Quality Control Board (LRWQCB). Consequently, impacts regarding soil erosion or the loss of topsoil would be less than significant during the construction phase. Regarding operation of the approved project, the project area is mostly flat within minimal rises or changes in elevation. Given that the approved project would add new structures and landscaping compared to existing conditions, the approved 2019 IS/MND concluded that potential for erosion or loss of topsoil would be low upon project completion. The impact was found to be less than significant.

Construction of the modified project would be subject to the requirements of Chapters 12.04 (construction encroachment permits), 12.08 (earthwork standards), and 15.08 (erosion control), and Section 17.08.020 (grading permits) of the Town's Municipal Code. The modified project



would encompass the same project site as the approved project and would entail similar construction activities. However, each project component would be permitted separately on a case-by-case basis. While the modified project proposes an altered site plan compared to the approved project, including minor modifications in building massing and scale, the modified project would add new structures and landscaping to the project site compared to existing conditions. Accordingly, upon completion of the modified project, it is anticipated that the project site would have low potential for soil erosion. As such, no new impacts have been identified and no new mitigation measures are required.

(c) Refer to Responses 4.7(a)(iii)-(iv). Upon compliance with applicable provisions of the CBC and Municipal Code, the approved 2019 IS/MND determined that project implementation would have a less than significant impact related to geologic hazards. No mitigation was required.

Similarly, as the modified project would be located in the same project site as the approved project, and thus prone to the same susceptibility for soil instability, the modified project would need to adhere to the above-referenced provisions of the CBC and Municipal Code in order to reduce potential impacts related to geologic hazards. No new impacts have been identified and no new mitigation measures are required.

(d) The approved 2019 IS/MND determined that no expansive soils have been mapped or encountered in the Town. With adherence to the above-referenced requirements of the CBC and Municipal Code, no impact would occur regarding risks to life or property due to expansive soil.

Accordingly, the modified project would be located in the same project site as the approved project; as such, no impacts would result in this regard. No new impacts have been identified and no new mitigation measures are required.

(e) As no septic tanks or alternative wastewater disposal systems were proposed as part of the approved project, the approved 2019 IS/MND determined that no impact would occur in this regard.

Similar to the approved project, the modified project does not propose any septic tanks or alternative wastewater disposal systems. The modified project would connect to existing sewer mainlines and service lines, which are currently available in the project area. As such, no new impacts have been identified and no new mitigation measures are required.

(f) According to the approved 2019 IS/MND, there are no known unique paleontological resources or sites, and no known unique geologic features in the developable portions of the Town of Mammoth Lakes. The soils in the project area are glacial till and relatively recent volcanic materials, and therefore no paleontological resources would be expected to occur in the area. Given the lack of potential for paleontological resources within or near the project site, the approved 2019 IS/MND determined that implementation of the approved project would not have the potential to result in significant adverse impacts to such resources. No impact would occur in this regard.

Accordingly, the modified project would be located in the same project site as the approved project; as such, the modified project would not result in direct or indirect impacts to paleontological resources. No new impacts have been identified and no new mitigation measures are required.

## Approved 2019 IS/MND Mitigation Measures

No mitigation measures from the approved 2019 IS/MND are required.

## New Mitigation Measures

No new mitigation measures are required.

## 4.8 GREENHOUSE GAS EMISSIONS

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
Would the project:					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Approved 2019 IS/MND Pages 4.7-1 to 4.7-4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Approved 2019 IS/MND Pages 4.7-4 to 4.7-6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a)-(b) As shown in approved 2019 IS/MND Table 4.7-1, *Estimated Greenhouse Gas Emissions*, the total amount of approved project-related GHG emissions from direct and indirect sources combined would be below the GBUAPCD recommended applicable California Air Pollution Control Officers Association (CAPCOA) numerical threshold. Further, as detailed in the approved 2019 IS/MND Table 4.7-2, the approved project would be consistent with applicable policies in the County's REP, which identifies the County's long-term strategies to reduce GHG emissions and aims to provide energy, fuel, water, and monetary savings to the County's residents. The approved project also includes design features meeting the current applicable Title 24 CALGreen requirements that would further reduce project-related GHG emissions. As such, the approved 2019 IS/MND concluded that the approved project would result in a less than significant impact with regard to GHG emissions.

As previously discussed, the modified project would be consistent with permitted uses under the project site's General Plan land use designation and zoning upon the Commission's approval. The modified project would encourage multiple modes of transportation which would enable a reduction in VMT from employee commutes by providing clean air vehicle spaces and be sited where pedestrian access, bike lane, and bus stops are accessible. The modified project would also have minimal GHG impacts associated with mobile fuel consumption as it would generate approximately 84 average daily trips, which represents a net decrease of 11 average daily trip compares to trips generated by the approved project (i.e., 95 trips); refer to [Attachment 3](#). Consequently, operational GHG emissions impacts associated with the proposed project would be less than significant.

Additionally, the modified project would be required to comply with mandated energy efficiency programs and regulations, including the most current (2022) Title 24 standards, (2022) CALGreen, and the REP (last updated in May 2022). It should be acknowledged that Title 24, CALGreen, and REP were all recently adopted or updated since the approved 2019 IS/MND was certified, and compliance with the latest standards would result in more energy efficiency and GHG emissions reduction than the 2019 Title 24 envisioned for the approved project. Therefore, modified project compliance with the latest standards would result in more energy efficiency and GHG emissions reduction than that of the approved project. Further, the project would be in compliance with the REP that was recently updated. The new REP includes Appendix B, *GHG Checklist*, for County and private development project to demonstrate project consistency with the REP. Table 2, Mono County Resource Efficiency Plan Consistency Analysis, evaluates the modified project's consistency with applicable REP policies.

**Table 2**  
**Mono County Resource Efficiency Plan Consistency Analysis**

REP Policy/Action and Policy Requirement	Project Compliance	Remarks (Project-Level Details)
<b><i>Energy Efficient Measures and Practices</i></b>		
Action CO.1.B.ii.a. Conservation and Open Space Element Action 16.B.2.a  <u>Requirement:</u> Promote installation of variable frequency drive water pumps to serve existing residential buildings.	Not Applicable	The modified project is not an existing residential project.
Action CO.1.B.ii.b. Conservation and Open Space Element Action 16.B.2.b.  <u>Requirement:</u> Encourage voluntary upgrades of residential and nonresidential HVAC systems.	Project Complies	The modified project would remodel (and retrofit) 4,670 square feet of the original 6,950 square feet Edison Theatre to meet or exceed current Title 24 CALGreen standards. Specifically, the modified project would install energy efficient windows, insulation, lighting, ventilation systems, install water efficient irrigation systems and water reducing features into the building. The modified project would also install photovoltaic solar panels on the roof of the new Performing Arts Theatre to promote renewable energy generation as conditions and budget allow. All sustainable project design features would be confirmed by the Town at the time of Building Permit Review.
Action CO.1.B.ii.c. Conservation and Open Space Element Action 16.B.2.c.  <u>Requirement:</u> Encourage energy audits and voluntary retrofits for residential and nonresidential buildings at the time of sale or major renovation (>50% of building square footage, or addition of >500 square feet).	Project Complies	See response to Action CO.1.B.ii.c.
<b><i>Water Conservation Practices</i></b>		
Policy CO.6.A.i. Conservation and Open Space Element Action 3.C.1.b.  <u>Requirement:</u> Encourage reduced water consumption in residential and nonresidential properties.	Project Complies	The modified project would meet the most current CALGreen standards for indoor and outdoor water use. This would include the installation of water efficient irrigation systems and water reducing features into the building.
Action CO.6.A.i.c. General Plan Conservation and Open Space Element Action 3.C.1.c.	Project Complies	See response to Policy CO.6.A.i.





REP Policy/Action and Policy Requirement	Project Compliance	Remarks (Project-Level Details)
Requirement: Encourage new residential and commercial construction and new County facilities to exceed CALGreen water conservation requirements.		
Action CO.6.A.i.f. Conservation and Open Space Element Action 3.C.3.a.  Requirement: Ensure applicable projects comply with the Water Efficient Landscape Ordinance	Project Complies	The modified project would meet the most current CALGreen standards for outdoor water use. This would include the installation of water efficient irrigation systems. The Landscaping Plan (which proposes low water and native species throughout the site) would be designed in accordance with the Municipal Code, and would be reviewed and confirmed by the Town at the time of Design Review.
Action CO.6.A.ii.a Conservation and Open Space Element Action 4.A.8.a.  Requirement: Promote low-impact development solutions (see General Plan Appendix B) for stormwater management on private property, such as rain gardens, green roofs, and detention ponds.	Project Complies	The modified project would conform with the <i>Water Quality Control Plan</i> for the Lahontan Region in regard to stormwater management; refer to Section 4.10, <i>Hydrology and Water Quality</i> . Specifically, the modified project would be required to comply with Municipal Code Chapters 12.08, <i>Land Clearing, Earthwork, And Drainage Facilities</i> , and Section 17.08.020, <i>Requirements for Development and New Land Uses</i> , and implement appropriate measures for stormwater management purposes.
<b>Transportation</b>		
Action C.1.A.i.f. Regional Transportation Plan Objective 4.A.6  Requirement: Encourage the installation of bicycle rack, showers, and/or other amenities as part of new commercial development projects to promote bicycle use by employees and residents	Project Complies	The project would comply with CALGreen Section 5.106.4, <i>Bicycle Parking</i> , and provide adequate bicycle parking spaces as well as other end-of-trip amenities for employees and residents.
Action C.1.A.i.f. Regional Transportation Plan Objective 4.A.6  Requirement: Encourage the installation of bicycle rack, showers, and/or other amenities as part of new commercial development projects to promote bicycle use by employees and residents	Project Complies	The project would comply with CALGreen Section 5.106.5.3, <i>Electric Vehicle (EV) Charging</i> , and provide electric vehicle charging stations in parking areas.
<b>Wood Burning</b>		
Great Basin Unified Air Pollution Control District Rule 431 And General Plan Land Use Element Action 6.C.1.a. Wood burning fireplaces and other wood burning appliances are certified by the US Environmental Protection Agency.  Requirement: Wood burning fireplaces not certified by USEPA are prohibited from being installed in Alpine, Mono and Inyo Counties after January 1, 2007. Require all woodstoves installed in the area to be certified EPA Phase II, in conformance to policies in the Conservation/Open Space Element.	Not Applicable	The project would not include any wood burning fireplaces or appliances.
<b>Building Standards</b>		
Building Efficiency Standards – Title 24, Part 1 and 6  Requirement: Complies with energy efficiency standards for residential, multifamily, and nonresidential buildings	Project Complies	The project would comply with all applicable energy efficiency standards in accordance with the most current Title 24 and CALGreen requirements.



REP Policy/Action and Policy Requirement	Project Compliance	Remarks (Project-Level Details)
Cal Green Building Standards Code – Title 24, Part 11 <u>Requirement:</u> Residential buildings comply with Chapter 4 – Residential Mandatory Measures. Non-residential buildings comply with Chapter 5 – Nonresidential mandatory measures	Project Complies	Refer to response to Action CO.1.B.ii.b.
Sources: County of Mono, <i>Mono County Resource Efficiency Plan</i> , May 13, 2022.		

As such, the modified project is not anticipated to generated substantial greenhouse gas emissions or conflict with an applicable plan, policy, or regulation regarding GHG emissions. No new impacts are identified, and no new mitigation measures are required.

### Approved 2019 IS/MND Mitigation Measures

No mitigation measures from the approved 2019 IS/MND are required.

### New Mitigation Measures

No new mitigation measures are required.

## 4.9 HAZARDS AND HAZARDOUS MATERIALS

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
Would the project:					
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Approved 2019 IS/MND Pages 4.8-1 to 4.8-2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Approved 2019 IS/MND Page 4.8-2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Approved 2019 IS/MND Page 4.8-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Approved 2019 IS/MND Page 4.8-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	Approved 2019 IS/MND Page 4.8-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Approved 2019 IS/MND Page 4.8-4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	Approved 2019 IS/MND Page 4.8-5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a)-(d) The approved project proposed an Arts and Cultural Center that included the existing Edison Theatre and Edison Theatre Parking Lot in addition to several new buildings, including a Performing Arts Theatre, outdoor amphitheater, and East Parking Lot. The approved 2019 IS/MND determined that, as construction would be temporary and substantial risks associated with hazardous materials are not typically associated with the operation of institutional/quasi-public uses, construction and operational activities associated with the approved project would not cause a significant hazard to the public or environment through the routine use, transport, or disposal of hazardous materials. All transport, use, and disposal of hazardous materials would be required to comply with current local, State and Federal laws and regulations. Compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur.

The project site is predominantly comprised of vacant land and the Edison Theatre and Edison Theatre Parking Lot. The approved 2019 IS/MND determined that due to existing site conditions and that the project site is not listed pursuant to Government Code Section 65962.5, the presence of hazardous materials in on-site soil, soil gas, and groundwater is not anticipated. Further, operation of an Arts and Cultural Center would not require the handling/storage/use of hazardous materials in reportable quantities. As such, the release and/or emission of hazardous materials was not anticipated. Given this determination, although the project site is in the vicinity of the Cerro Coso Community College Eastern Sierra Campus, Mammoth Elementary School, Mammoth Middle School, and Mammoth High School, construction and operations of the approved would not significantly impact these nearby schools in regard to hazardous emissions or materials. Overall, impacts were determined to be less than significant.



Similar to the approved project, the modified project would develop an Arts and Cultural Center, inclusive of an outdoor amphitheater, in addition to new structures for storage, childcare, dog park, and future residential uses. Construction activities would be similar to those anticipated for the approved project; additionally, the modified project proposes similar uses as those analyzed under the approved 2019 IS/MND. As such, construction and operational activities associated with the modified project would not cause a significant hazard to the public or environment through the routine use, transport, or disposal of hazardous materials. All transport, use, and disposal of hazardous materials would be required to comply with current local, State and Federal laws and regulations. Compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur.

As the modified project would encompass the same project site, the project site is not listed pursuant to Government Code Section 65962.5, and as such would not contain hazardous materials in on-site soil, soil gas, and groundwater that could be emitted or released near the Cerro Coso Community College Eastern Sierra Campus, Mammoth Elementary School, Mammoth Middle School, or Mammoth High School.<sup>3</sup> No new impacts have been identified and no new mitigation measures are required for the proposed project

(e) The approved 2019 IS/MND determined that the closest airport (i.e., Mammoth Yosemite Airport) is located approximately 5.5 miles to the east of the project site. As the modified project would encompass the same project site as the approved project, no impact would occur in this regard.

(f) The approved project proposed site access via three driveways along College Parkway, two existing driveways that currently provides access to the Edison Theatre and Edison Theatre Parking Lot, and one new driveway at the southeast corner of the site to the new East Parking Lot. Development of these driveways would be subject to compliance with emergency access standards and requirements specified by State Fire Code and the Municipal Code Section 17.44.110, *Driveways and Site Access*. The approved 2019 IS/MND determined that development of the approved project would have no adverse impact on implementation of the adopted *Emergency Operation Plan* (EOP) as no circulation changes were proposed that may conflict with emergency evacuation routes in the Town. Further, the approved project would be required to comply with Town construction standards and regulations for emergency access, be required to go through the town's development review and permitting process, incorporate all applicable design and safety standards as set forth in the CBC Mammoth lakes Fire Protection District, and Municipal Code related to emergency response and evacuation access. As such, implementation of the approved project would result in less than significant impacts in regard to applicable emergency response or evacuation plan.

As discussed in Section 2.2, the modified project would result in the same circulation and ingress/egress as the approved project. As such, the proposed project would not impair implementation of or physically interfere with the adopted County EOP. No new impacts have been identified and no new mitigation measures are required for the proposed project.

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<sup>3</sup> California Environmental Protection Agency, Cortese Listing, <https://calepa.ca.gov/sitecleanup/corteselist/>, accessed, accessed May 4, 2023.



(g) Refer to Section 4.20, *Wildfire*.

### Approved 2019 IS/MND Mitigation Measures

No mitigation measures from the approved 2019 IS/MND are required.

### New Mitigation Measures

No new mitigation measures are required.

## 4.10 HYDROLOGY AND WATER QUALITY

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Impact/No Impact	Reduced Impact
Would the project:					
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Approved 2019 IS/MND Pages 4.9-1 to 4.9-4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Approved 2019 IS/MND Page 4.9-5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
1) Result in substantial erosion or siltation on- or off-site?	Approved 2019 IS/MND Page 4.9-5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	Approved 2019 IS/MND Page 4.9-5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	Approved 2019 IS/MND Page 4.9-6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>





Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Impact/No Impact	Reduced Impact
4) Impede or redirect flood flows?	Approved 2019 IS/MND Page 4.9-6	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Approved 2019 IS/MND Page 4.9-7	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Not Previously Analyzed	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a)-(c) The approved project proposed an Arts and Cultural Center that included the existing Edison Theatre and Edison Theatre Parking Lot in addition to several new buildings, including a Performing Arts Theatre, outdoor amphitheater, and East Parking Lot. The approved 2019 IS/MND found that construction of the approved project could result in short-term impacts to water quality due to runoff of pollutants associated with construction materials, construction equipment, and earthmoving activities. However, it was determined that project compliance with NPDES requirements, including implementation of a SWPPP, and with Chapters 12.04, 12.08, and 15.08, and Section 17.08.020 of the Town's Municipal Code would reduce short-term construction-related impacts to water quality.

The project site does not contain any streams, rivers, or other drainage features. Under existing conditions, no designated groundwater recharge basins or infrastructure exist within the project site. The approved project would result in increase in impervious surface area compared to exiting conditions; however, the approved project proposed four retention basins pursuant to the *Water Quality Control Plan* for the Lahontan Region. The approved 2019 IS/MND determined the proposed retention basins would prevent any non-point source pollutants from affecting nearby Mammoth Creek, contain and infiltrate stormwater so as not to substantially deplete groundwater supplies or interfere with recharge, prevent alteration of the existing drainage pattern on site, and ensure post-development peak stormwater runoff rates do not exceed pre-development peak stormwater runoff rates. As such, implementation of the approved project would neither increase stormwater and polluted runoff from the project site with implementation of BMPs, nor exceed the capacity of existing and planned stormwater drainage; based on the proposed stormwater design, flooding on- or off-site was not anticipated to result. Operational impacts were determined to be less than significant.

The modified project would remodel the existing Edison Theatre with the addition of a new, connecting Performing Arts Theatre, construct an outdoor amphitheater as previously proposed under the approved project, and construct a new storage building, a childcare center, and a dog park on-site. The modified project would also include the potential for redevelopment of the dog park into a 24-unit workforce housing townhome community. The modified project would encompass the same project site as the approved project and would entail similar construction activities. However, each project component would be permitted separately on a case-by-case basis. As such, the modified project would be required to comply with Municipal Code Chapters 12.04, 12.08, 5.08 and Section 17.08.020. Upon compliance with these requirements, short-term



construction-related impacts to water quality would be reduced to a less than significant level. With compliance with the Municipal Code requirements, the modified project would not substantially alter drainage patterns and associated impacts pertaining to erosion/siltation, flooding, runoff pollution, impeded or redirected flood flow, and water quality would be less than significant. No new significant impacts have been identified and no new mitigation measures are required in this regard.

(d) The approved 2019 IS/MND determined that the project site is not within a 100-year flood hazard area or tsunami flood zone. Additionally, the project site is not located within or near any dams, reservoirs, harbors, or storage tanks susceptible to a seiche. As such, it was determined that the approved project would have no impact regarding inundation.

The modified project would encompass the same project site as the approved project; as such, no new impacts have been identified and no new mitigation measures are required in this regard.

(e) The approved 2019 IS/MND did not include assessment criteria for potential conflicts with or obstructions to implementation of a water quality control plan or sustainable groundwater management plan, as it was not required in the CEQA Guidelines at the time the document was prepared. Therefore, the modified project's impacts, as currently proposed, is discussed below.

As described in Responses 4.10(a)-(c), the modified project would comply with the LRWQCB's *Water Quality Control Plan*, with compliance with the Town's Municipal Code requirements. Similar to the approved project, the modified project improvements would not affect nearby Mammoth Creek, substantially deplete groundwater supplies or interfere with recharge, significantly alter the existing drainage pattern on site, or exceed pre-development peak stormwater runoff rates. Additionally, the modified project would be required to comply with Municipal Code Chapters 12.04, 12.08, 5.08 and Section 17.08.020. Upon compliance with these requirements, the modified project would not conflict with any water quality control or groundwater management plans. No new impacts have been identified and no new mitigation measures are required in this regard.

### **Approved 2019 IS/MND Mitigation Measures**

No mitigation measures from the approved 2019 IS/MND are required.

### **New Mitigation Measures**

No new mitigation measures are required.



#### 4.11 LAND USE AND PLANNING

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Impact/No Impact	Reduced Impact
Would the project:					
a. Physically divide an established community?	Approved 2019 IS/MND Page 4.10-1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Approved 2019 IS/MND Pages 4.10-1 to 4.10-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a) The project site is located in a developed part of the Town and is part of the Cerro Coso Community College Eastern Sierra Campus. It is surrounded primarily by educational and residential uses. The approved project proposed an Arts and Cultural Center that includes the existing Edison Theatre and Edison Theatre Parking Lot in addition to several new buildings, including a Performing Arts Theatre, outdoor amphitheater, and East Parking Lot. Together, the various buildings would make up the Arts and Cultural Center. The approved 2019 IS/MND found that the proposed Arts and Cultural Center is within the buildout assumptions previously made for the Cerro Coso Community College Eastern Sierra Campus and analyzed as part of an ESCC EIR prepared by the Kern Community College District in 1994. As such, it was determined that development of the approved project would not physically divide an established community and no impact would occur.

Similar to the approved project, the modified project would develop an Arts and Cultural Center, in addition to new structures for storage, childcare, dog park, and a future 24-unit townhome community. The modified project would encompass the same project site as the approved project. The modified project would not physically divide an established community as the project site is part of the Cerro Coso Community College Eastern Sierra Campus. The project site is surrounded by existing educational and residential uses. Thus, development of the modified project would not result in any physical division of an established community or neighborhood. No new significant impacts have been identified and no new mitigation measures are required.

(b) Based on the General Plan, the site is designated Institutional Public (IP). According to the General Plan, the designation "IP" allows institutional uses such as schools, hospitals, governmental offices and facilities, museums, performing arts and cultural facilities, physical wellness and rehabilitation facilities, and related uses. Residential uses are not permitted, with the exception of employee housing that supports and is ancillary to the allowed institutional uses and student housing that is accessory to the College. The maximum density for housing is four units per gross acre and subject to the High-Density Residential 1 (HDR-1) development standards. The existing zoning is Public and Quasi Public (P-QP). According to the Town's Municipal Code, the designation "P-QP" is intended to permit adequate identification of areas reserved and developed for public uses other than street rights-of-way, to provide for educational and cultural activities and facilities, to provide for expansion of their operations or change in use,



and, to identify and preserve areas of historic and community significance for the enjoyment of future generations. The approved 2019 IS/MND determined that the approved project, a Cultural Center within the Coso Community College Eastern Sierra Campus, would be consistent with permitted uses under the project site's land use designation and zoning. Additionally, approved 2019 IS/MND Table 4.10-1, *Project Consistency with Public and Quasi-Public Zoning District*, concluded that the approved project would satisfy the design requirements of the P-QP design standards per Municipal Code Section 17.32.100. As such, impacts were found to be less than significant in this regard.

The modified project would include the expansion of the existing Edison Theatre with the addition of a new, connecting Performing Arts Theatre; the construction of an outdoor amphitheater as previously proposed under the approved project; the construction of an approximately 1,000 square-foot storage building; and the construction of a childcare center and a dog park. The modified project also considers the potential for future redevelopment of the dog park into a market rate and affordable townhome community. The modified project would encompass the same project site as the approved project. As such, and similar to the approved project, the modified project would provide a Cultural Center within the Coso Community College Eastern Sierra Campus, which would be consistent with permitted uses under the project site's land use designation IP and zoning of P-QP.

The future 24-unit townhome community would be conditioned to be solely for institutional employees in accordance with the IP land use designation. The proposed townhome community would have a density of 3.04 units per gross acre and thus, would not exceed the site's four units per acre maximum allowed density. The townhomes would also be subject to the HDR-1 development standards to be verified during the plan check review process at a later date. As such, the potential townhome community would be consistent with the permitted uses and zoning of the project site.

Additionally, per Municipal Code Section 17.32.100, as concluded in Table 3, *Modified Project Consistency with Public and Quasi-Public Zoning District*, the modified project would satisfy the design requirements of the P-QP zone. No new significant impacts have been identified and no new mitigation measures are required.

**Table 3**  
**Modified Project Consistency with Public and Quasi-Public Zoning District**

Development Standard	Public and Quasi-Public (P-QP) Zoning Requirement	Modified Project	Does Project Satisfy Requirement?
Site Standards/Setbacks	Site Area: 20,000 square feet	The entire project site is 7.9 acres. The project proposes modifications to the existing Performing Arts Theater, totaling 8,705 net new square feet, construction of a 46,000 square-foot outdoor amphitheater as previously proposed under the approved project, as well as a 1,000 square-foot storage building, a 7,800 square-foot childcare center, and a one-acre dog park; the dog park would have the option to be redeveloped into a	Yes

Development Standard	Public and Quasi-Public (P-QP) Zoning Requirement	Modified Project	Does Project Satisfy Requirement?
		24-unit townhome community (up to 20,000 square feet total).	
	Site Width/Depth: 100 feet	The project site is an irregular 7.9-acre property that spans approximately 1,045 feet wide along College Parkway and approximately 460 feet deep to the south to meet College Parkway.	Yes
	Front/Side/Rear Yard: 20 feet	The closest portion of the proposed development to the front yard along College Parkway is the childcare center and playground, set back approximately 25 feet. The remaining buildings and proposed development areas are located further into the central portion of the site beyond the 20-foot front, side, and rear yard setback.	Yes
Accessory Unit	Maximum density: 4 units per gross acre	As the project site is approximately 7.9 acres, a maximum of 32 residential units are permitted; the modified project proposes 24 future townhome units, which would result in a density of 3.04 units per acre. Thus, the project would not exceed the site's maximum allowed density.	Yes
Screening and Landscaping	As specified in the Use Permit or Design Review approval	Proposed screening and landscaping on-site would be reviewed by the Town and require discretionary approval of Major Design Review.	Yes
Off-Street Parking	Established by special review and approved by the review authority.	The modified project proposes to re-pave and re-stripe the existing Edison Theatre Parking Lot to provide 45 parking spaces, which is acknowledged to be one additional parking space compared to the approved project and includes five Americans with Disabilities Act (ADA) spaces. The modified project also proposes to develop a new parking lot (East Parking Lot), which would provide 80 parking spaces, including four ADA spaces and three motorcycle parking spaces. As part of the design review process, the Town would review the modified project to ensure it provides adequate parking. Further, per a parking agreement between the Applicant and the College, access to an additional 53 parking spaces would be made available at the existing Cerro Coso Community College parking lot to the south of the project site during events.	Yes





Upon approval by the Commission, the proposed employee workforce housing would be allowed under the project site's existing land use and zoning. Further, by providing affordable, workforce housing, the modified project would satisfy the General Plan Land Use Element Goal L.2, to substantially increase housing supply available to the workforce.

### Approved 2019 IS/MND Mitigation Measures

No mitigation measures from the approved 2019 IS/MND are required.

### New Mitigation Measures

No new mitigation measures are required.

## 4.12 MINERAL RESOURCES

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	Approved 2019 IS/MND Page 4.11-1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	Approved 2019 IS/MND Page 4.11-1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a)-(b) The approved 2019 IS/MND determined that implementation of the approved project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the State, or of a local-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. There are no known mineral resources or existing mineral operation within the project site. No impacts would occur in this regard.

The modified project would be located in the same project site as the approved project. As such, the modified project would not result in direct or indirect impacts to mineral resources. No new impacts have been identified and no new mitigation measures are required.

### Approved 2019 IS/MND Mitigation Measures

No mitigation measures from the approved 2019 IS/MND are required.

### New Mitigation Measures

No new mitigation measures are required.

#### 4.13 NOISE

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
Would the project result in:					
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Approved 2019 IS/MND Pages 4.12-10 to 4.12-16	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	Approved 2019 IS/MND Pages 4.12-16 to 4.12-17	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Approved 2019 IS/MND Page 4.12-18	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a)-(b) According to the approved 2019 IS/MND, construction activities associated with the approved project may result in a temporary increase in noise levels at the project site and at adjacent land uses. However, the approved project would adhere to the Town's regulations governing the hours of construction (Municipal Code Section 8.16.090, *Prohibited Acts*), and would not exceed the Town's maximum exterior noise levels allowed for the adjacent residential uses from mobile and stationary construction equipment pursuant to Municipal Code Chapter 8.16, *Noise Regulation*. In addition, implementation of approved 2019 IS/MND Mitigation Measure NOI-1 (i.e., engine muffling, placement of construction equipment, and construction hours) would further reduce construction noise levels during construction. Therefore, the approved 2019 IS/MND concluded that construction noise impacts resulting from the approved project would be less than significant. Operational noise impacts from mobile sources would be less than significant due to the approximately 138 peak hour trips. Further, although sound system noise levels from the proposed outdoor amphitheater would have the potential to exceed the Town's 55 dBA daytime exterior noise standard for nearby sensitive receptors, the approved 2019 IS/MND determined that implementation of approved 2019 IS/MND Mitigation Measure NOI-2 (i.e., Noise Control Plan for event operations) would ensure compliance with the Town's noise standards. Noise impacts from mechanical equipment and parking areas are anticipated to be minimal. Therefore, the approved 2019 IS/MND concluded that operational noise impacts from stationary sources resulting from the approved project would be less than significant. Additionally, the

approved 2019 IS/MND also determined that vibration impacts associated with the proposed project would be less than significant.

The modified project would be located in the same project site of the approved project. Similar to the approved project, construction under the modified project would result in operation of construction equipment approximately 330 feet from the nearest sensitive receptors (single-family residential uses located north of the site) measured from the northern boundary of the project site. However, construction of the modified project is not anticipated to generate higher noise and vibration levels than what was previously analyzed for the approved project upon conformance with regulatory requirements (i.e., construction hours per Municipal Code Section 8.16.090) and implementation of the approved 2019 IS/MND Mitigation Measure NOI-1 (i.e., engine muffling, placement of construction equipment, and construction hours), which would further reduce construction noise levels during construction. As such, no new construction noise and vibration impacts are identified, and no new mitigation measures are required.

The modified project would develop a new Performing Arts Theatre north of the existing Edison Theatre and would keep the Outdoor Amphitheater as previously proposed under the approved project. Although the Performing Arts Theatre would be located closer to the nearest sensitive receptors (single-family residential uses north of the site) than its original location proposed under the approved project, operational noise levels would not be significant, as noise would be confined and located within the structure. No changes are proposed to the outdoor amphitheater; thus, the sound system noise levels from the outdoor amphitheater are not anticipated to generate higher noise and vibration levels than what was previously analyzed for the approved project upon conformance with regulatory requirements (i.e., exterior noise standard per Municipal Code Chapter 8). Further, similar to the approved project, the modified project would also be required to implement approved 2019 IS/MND Mitigation Measure NOI-2, which would require a Noise Control Plan be prepared and implemented for event operations and would ensure modified project compliance with the Town's exterior noise standards during the day. It should be noted that the Performing Arts Theatre and outdoor amphitheater would not operate past 10:00 p.m., and therefore would not exceed the Town's nighttime standard. It is also acknowledged that per the Town's Noise Ordinance (Municipal Code Chapter 8.16.100, *Exemptions*), certain events (i.e., occasional outdoor gatherings, public dances, shows and sporting and entertainment events) are exempt from specific limits set by the Noise Ordinance with a permit or license issued by the Town. However, most of the proposed events at the MACC, including the outdoor amphitheater activities, would be exempt from the Administrative Permit Requirements per Municipal Code Section 17.56.030, *Approved Public Assembly Sites*. For those events that are not, such as events that exceed the approved capacity for the Edison Theatre and the new Performing Arts Theatre, or which are scheduled simultaneously (at the outdoor amphitheater and the Edison Theatre/Performing Arts Theatre at the same time), would be required to apply for an Administrative Permit (Special Event Permit). Further, all stationary noise activities would be required to comply with the Municipal Code and the California Building Code requirements pertaining to noise attenuation.

Crowds have the potential to gather at the proposed one-acre dog park and proposed parking areas. Noise generated by groups of people (i.e., crowds) is dependent on several factors including vocal effort, impulsiveness, and the random orientation of the crowd members. Crowd

noise is estimated to be 60 dBA at 3.28 feet away for raised normal speaking.<sup>4, 5</sup> The proposed dog park is located approximately 330 feet from the nearest sensitive receptors (single-family residential uses located north of the site). At this distance, it is not anticipated that crowd noise from the proposed dog park would be audible to the off-site single-family residences. Subsequently, parking lot areas that are located further away would not have the potential to generate substantial noise to the nearest sensitive receptors. Further, regarding the potential residential uses (the 24-unit affordable townhomes) are not typically associated with significant noise impacts, and potential impacts from mechanical equipment are also anticipated to be minimal.

Operational noise impacts from mobile sources under the modified project would remain similar or be reduced due to the reduced trips generated by the modified project; refer to Attachment 3. According to the U.S. Department of Transportation Federal Highway Administration, a doubling of traffic volumes would result in a 3 dB increase in traffic noise levels, which is barely detectable by the human ear.<sup>6</sup> According to the Transportation Analysis, the modified project would generate only 84 average daily trips (11 trips fewer than the approved 2019 IS/MND); the generated daily trips would not double existing traffic volumes and any increase in traffic noise levels would be imperceptible.

Overall, the modified project would not result in significant short-term construction or long-term operational noise impacts as the level of construction activities is unchanged or lessened, and operations would not result in the doubling of vehicular trips. Additionally, it is noted that vibration impacts are not typically associated with uses that do not involve railroads or substantial heavy truck operations. As such, no new operational noise and vibration impacts are identified, and no new mitigation measures are required.

(c) The approved 2019 IS/MND determined that impacts in this regard would be less than significant as the project site is not located within an airport land use plan and no public airport, public use airport, or private airstrip located within two miles of the project site.

The modified project would be located at the same project site as the approved project. Thus, the proposed project would not expose people residing or working in the project area to excessive airport noise levels. No new impacts have been identified and no new mitigation measures are required.

### **Approved 2019 IS/MND Mitigation Measures**

The following mitigation measures from the approved 2019 IS/MND are also applicable to the modified project. Any modifications to the original measures are shown in ~~striketrough~~ for deleted text and in double underline for new, inserted text.

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<sup>4</sup> Crowd noise is estimated at 60 dBA at one meter (3.28 feet) away for raised normal speaking. This noise level would have a +5 dBA adjustment for the impulsiveness of the noise source, and a -3 dBA adjustment for the random orientation of the crowd members. Therefore, crowd noise would be approximately 62 dBA at one meter from the source.

<sup>5</sup> Hayne, M.J., *Prediction of Crowd Noise*, November 2006.

<sup>6</sup> U.S. Department of Transportation Federal Highway Administration, *Techniques for Reviewing Noise Analyses and Associated Noise Reports*, June 1, 2018.

NOI-1 Prior to issuance of any Grading Permit or Building Permit for new construction, the Public Works Director, or designee, shall confirm that the Grading Plan, Building Plans, and specifications stipulate that:

- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State required noise attenuation devices.
- The Contractor shall provide a qualified "Noise Disturbance Coordinator." The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall notify the Town within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Public Works Director, or designee. The contact name and the telephone number for the Disturbance Coordinator shall be clearly posted on-site.
- When feasible, construction haul routes shall be designed to avoid noise sensitive uses (e.g., residences, schools, hospitals, etc.).
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- Construction activities that produce noise shall not take place outside of the allowable hours specified by the Town's Municipal Code Section 8.16.090 (7:00 a.m. and 8:00 p.m. Monday through Saturday; construction is prohibited on Sundays and/or federal holidays).

NOI-2 Prior to issuance of a Certificate of Occupancy of the Arts and Cultural Center, the Applicant shall develop and implement a Noise Control Plan for event operations at the outdoor amphitheatre ~~Arts and Cultural Center~~ that have live or recorded amplified music. The Applicant shall reimburse the Town for the cost of having the Noise Control Plan peer reviewed by a Town selected acoustical engineer. The Noise Control Plan shall contain the following elements:

- A maximum of two speakers shall be installed at a maximum height of 5 feet from ground level. The speakers shall be positioned no more than 10 feet from the amphitheater stage and shall be oriented toward the amphitheater crowd/seating area. Amplification systems shall include and utilize a processor to control the maximum output that the speakers can reach. Noise levels during this period shall not exceed 97 dBA per speaker at 1 meter from the source. Activities permitted pursuant to Municipal Code Chapter 8.16.100, Exemptions, shall not be subject to this limit. All other non-permitted activities shall be subject to the limits set forth in this mitigation measure.
- The contact telephone number and email address of the Noise Control Officer shall be posted at each facility entrance for neighbors to lodge noise complaints





or other concerns. Complaints shall be addressed in a diligent and responsive manner.

- Future modifications to the amplification systems would require the Applicant to prepare an acoustical study prepared by a certified acoustical engineer to ensure compliance with the Town's noise standards prior to any performances. The Applicant shall reimburse the Town for the cost of having the acoustical study peer reviewed by a Town selected acoustical engineer.

## New Mitigation Measures

No new mitigation measures are required.

### 4.14 POPULATION AND HOUSING

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
Would the project:					
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Approved 2019 IS/MND Page 4.13-1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Approved 2019 IS/MND Pages 4.13-1 to 4.13-2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a) The approved 2019 IS/MND determined that as the approved project development (construction of a new Arts and Cultural Center) is within the assumptions previously made for the Cerro Coso Community College Eastern Sierra Campus and analyzed in the ESCC EIR prepared by the Kern Community College District in 1994, the approved project would not induce substantial population growth in the Town than what was envisioned for the site. No impacts would occur in this regard.

Based on the General Plan, the site is designated Institutional Public (IP). According to the General Plan, the designation "IP" allows institutional uses such as schools, hospitals, governmental offices and facilities, museums, performing arts and cultural facilities, physical wellness and rehabilitation facilities, and related uses. Residential uses are not permitted, with the exception of employee housing that supports and is ancillary to the allowed institutional uses and student housing that is accessory to the College. The maximum density for housing is four units per gross acre and subject to the High-Density Residential 1 (HDR-1) development standards. The existing zoning is Public and Quasi Public (P-QP). According to the Town's Municipal Code, the designation "P-QP" is intended to permit adequate identification of areas reserved and developed for public uses other



than street rights-of-way, to provide for educational and cultural activities and facilities, to provide for expansion of their operations or change in use, and, to identify and preserve areas of historic and community significance for the enjoyment of future generations.

The modified project is not anticipated to induce substantial unplanned population growth in the area, either directly or indirectly. Similar to the approved project, the proposed uses under the modified project are permitted uses under the site's current General Plan land use designation (i.e., IP) and zoning (i.e., P-QP) upon the Commission's approval; refer to Section 4.11, *Land Use and Planning*. Implementation of the modified project is anticipated to employ up to 50 workers at the proposed Performing Arts Theatre and may allow up to a total of 100 children and staff at the proposed childcare facility. Further, the potential townhomes would include 24 workforce housing units that would provide for employee housing opportunities. Given the nature of the proposed future uses, including the Performing Arts Theatre, childcare facility, dog park, and future development of townhomes, the modified project is not anticipated to result in new employees and their families relocating to the Town from outside jurisdictions, but rather, would provide employment opportunities, services, and workforce housing for the Town's existing workforce.

The proposed project is not anticipated to induce substantial unplanned population growth in the area, either directly or indirectly. The project proposes 24 dwelling units on the one-acre dog park site. According to the U.S. Census Bureau, average household size of 2.34 people per unit is assumed for all units occupied by permanent residents in the Town. As such, the project may introduce an increase in population of up to approximately 57 persons, and would result in minor unplanned population growth (as the site was not originally zoned for housing). According to the U.S. Census Bureau, the Town population is approximately 7,271 persons. As such, the population generated from the proposed future townhomes would represent 0.8 percent of total Town population, which would not be significant. Additionally, given the nature of the proposed use (i.e., workforce housing development), the proposed project is not anticipated to generate new jobs (that may result in potential employees relocating to the Town), but rather would provide housing for the Town's workforce. Therefore, no indirect population growth as a result of jobs associated with the project is anticipated, and the project would not result in substantial increases in unplanned population growth in a local context. Therefore, the modified project is not anticipated to induce substantial unplanned population growth in the area, either directly or indirectly.

Overall, although uses proposed under the modified project would induce nominal population growth from hiring new employees, such population growth is anticipated to be less than that of the approved project due to the reduce overall footprint. Accordingly, less than significant impacts would occur in this regard. No new impacts have been identified and no new mitigation measures are required.

(b) The approved 2019 IS/MND determined that no impacts would occur regarding the displacement of any existing housing or residents as the project site is comprised of vacant land and the existing Edison Theatre and Edison Theatre Parking Lot. No existing residences are located on-site.

The modified project would be located in the same project site of the approved project; as such, the modified project would not have the potential to displace existing housing or residents. No impacts would occur in this regard. No new impacts have been identified and no new mitigation measures are required.



## Approved 2019 IS/MND Mitigation Measures

No mitigation measures from the approved 2019 IS/MND are required.

## New Mitigation Measures

No new mitigation measures are required.

### 4.15 PUBLIC SERVICES

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
Would the project:					
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
1) Fire protection?	Approved 2019 IS/MND Pages 4.14-1 to 4.14-2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Police protection?	Approved 2019 IS/MND Pages 4.14-2 to 4.14-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Schools?	Approved 2019 IS/MND Pages 4.14-3 to 4.14-4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Parks?	Approved 2019 IS/MND Pages 4.14-4 to 4.14-4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Other public facilities?	Approved 2019 IS/MND Pages 4.14-4 to 4.14-5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a)(1)-(5) Overall, the approved 2019 IS/MND found that the approved project development would have a less than significant impact on public services. The approved project did not propose to construct new or physically alter existing facilities that provide fire or police protection, school,

parks, or other (i.e., library) public services. Given the proximity of existing fire and police protection facilities to the project site, it was not anticipated that response times would be increased due to construction or operation of the approved project. Project construction and operation would be subject to Municipal Code Title 15, which adopts the latest versions of the CBC and California Fire Code and thus includes specific requirements regarding site access, safety precautions, and building standards. Further, any increase in project demands to fire and police protection services would be offset through payment of relevant development impact fees and through property, sales, and utility taxes paid to the Town's General Fund. Regarding school, parks, and library services, it was determined that construction of the approved project would be temporary and that neither construction nor operation would generate additional population that would increase demand for these services, thus resulting in less than significant impacts. Further, the approved 2019 IS/MND found that payment of school impact fees pursuant to Government Code Section 65996 and payment of development impact fees in compliance with Municipal Code Chapter 15.16, *Special Fees*, would offset the cost of providing these and ensure operational impacts of the approved project would be less than significant.

Similar to the approved project, the modified project would develop an Arts and Cultural Center, inclusive of an outdoor amphitheater, in addition to new structures for storage, childcare, dog park, and future residential uses. Similar to the approved project, the modified project does not propose to construct new or physically alter existing facilities that provide fire or police protection, school, parks, or other (i.e., library) public services. The modified project would be located within the same project site as the approved project; as such, the modified project would be serviced by the same existing public service facilities as the approved project. As development under the modified project would be subject to the requirements of Municipal Code Title 15 and payment of relevant development impact fees, and given the project site location, the modified project would not result in additional impacts to fire and police protection services, including response times. Although the modified project provides the potential for future residential development, as described in Section 4.14, *Population and Housing*, the resulting population growth would be nominal, and as described in Section 4.11, *Land Use and Planning*, the proposed housing would be allowed under the project site's land use and zoning designations upon the Commission's approval. As such, the modified project would not result in additional demands on school, parks, or library services. Additionally, payment of development impact fees pursuant to Government Code Section 65996 and Municipal Code Chapter 15.16 would also offset impacts on school, parks, and library services. Thus, the modified project would not result in any additional impacts to public services, including fire, police, park, school, and library services that were addressed in the 2019 IS/MND. As such, no new impacts are identified, and no new mitigation measures are required.

### **Approved 2019 IS/MND Mitigation Measures**

No mitigation measures from the approved 2019 IS/MND are required.

### **New Mitigation Measures**

No new mitigation measures are required.

## 4.16 RECREATION

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Impact/No Impact	Reduced Impact
Would the project:					
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Approved 2019 IS/MND Page 4.15-1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Approved 2019 IS/MND Page 4.15-1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a)-(b) The approved 2019 IS/MND determined that, while the approved project would not increase the use of existing park and recreational facilities given that the approved Arts and Cultural Center (MACC) would include recreational components to support both residents and the general public, the construction of those recreational components could cause environmental effects. However, the approved 2019 IS/MND determined that the potential environmental effects would be addressed throughout the approved 2019 IS/MND, and that compliance with the relevant laws, ordinances, and regulations identified in the approved 2019 IS/MND would ensure the approved project's construction-related environmental impacts associated with new recreational facilities would be reduced to less than significant levels.

Similar to the approved project, the modified project would include recreational components to support both residents and the general public, and as such would not increase the use of existing park and recreational facilities. As discussed in [Section 4.14](#), the modified project would not induce substantial population growth such that the use of existing parks and recreational facilities would substantially increase. While future residential uses under the modified project would increase demand for recreational facilities, as discussed in [Section 4.15, Public Services](#), the payment of development impact fees pursuant to Municipal Code Chapter 15.16 would also offset impacts on park services. The potential environmental effects caused by construction of the proposed parks and recreational components under the modified project are analyzed throughout this Addendum. The modified project would comply with all relevant laws, ordinances, and regulations identified in this Addendum related to construction impacts on the environment. Therefore, no new significant impacts are identified and no new mitigation measures are required.

### Approved 2019 IS/MND Mitigation Measures

No mitigation measures from the approved 2019 IS/MND are required.



## New Mitigation Measures

No new mitigation measures are required.

### 4.17 TRANSPORTATION

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Impact/No Impact	Reduced Impact
Would the project:					
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Approved 2019 IS/MND Pages 4.16-7 to 4.16-13 and 4.16-15 to 4.16-16	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	Not Previously Analyzed	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Approved 2019 IS/MND Page 4.16-14	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in inadequate emergency access?	Approved 2019 IS/MND Pages 4.16-14 to 4.16-15	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

This section is based on the *Mammoth Arts and Cultural Center (MACC) – Trip Generation and VMT Analysis Update* (Transportation Analysis), prepared by LSC Transportation Consultants, Inc., dated November 27, 2023; refer to Attachment 3, Transportation Analysis.

(a) The approved project proposed an Arts and Cultural Center that includes the existing Edison Theatre and Edison Theatre Parking Lot in addition to several new buildings, including a Performing Arts Theatre, outdoor amphitheater, and East Parking Lot. Existing Town transportation standards used at the time that the approved project was analyzed included level of service (LOS) criteria at intersections in the project area, using a typical Saturday peak hour as the threshold. Based on the proposed uses, the approved project was forecast to generate approximately 234 daily trips with 95 trips occurring in the winter Saturday evening peak hour. Based on the Town's established thresholds of significance, the approved 2019 IS/MND found that the approved project would not result in significant traffic impacts at the study area intersections or roadway segments for the existing conditions or opening year (2020) future conditions. Impacts would be less than significant in this regard. Further, the approved 2019 IS/MND determined that the approved project would not conflict with any plans, ordinances, or policies supporting alternative transportation. Given the project site's proximity to institutional uses, existing sidewalks, bicycle paths, and multi-use paths, and the Eastern Sierra Transit Mammoth Lakes Purple Line Bus, patrons of the approved project would have alternative modes of transportation to utilize. The approved project would maintain



access to all existing modes, thereby encouraging a reduction in automobile use. Impacts would be less than significant in this regard.

Similar to the approved project, the modified project would develop an Arts and Cultural Center, inclusive of an outdoor amphitheater, in addition to new structures for storage, childcare, dog park, and future residential uses. The modified project would encompass the same project site as the approved project. Based on the Transportation Analysis, the modified project would result in a net decrease of 11 average daily trips, or 11 percent, compared to the approved project. Therefore, the modified project would not have increased impacts associated with vehicle trips, compared to the approved project. The modified project would meet the Town's standards; no new impacts have been identified and no new mitigation measures are required. Further, as the project site would be the same as the area as that analyzed for the approved 2019 IS/MND, the modified project would be served by the same alternative transportation options as the approved project. The modified project would maintain existing pedestrian, bicycle, and transit options and thus would not conflict with any plans, ordinances, or policies supporting the Town's circulation system. No new impacts have been identified and no new mitigation measures are required.

(b) The approved 2019 IS/MND calculated VMT (minimal increase of 317 VMT on a winter Saturday) but did not completely evaluate VMT impacts as it was not required in the CEQA Guidelines at the time the approved 2019 IS/MND was prepared. Therefore, the modified project's impacts, as currently proposed, is discussed below.

The Transportation Analysis evaluated VMT in accordance with *SB 743 Implementation Guidelines Town of Mammoth Lakes*, dated November 24, 2020. The modified project was screened for non-significant transportation impacts; screening criteria applicable to the modified project include:

- Small Projects - Project generation is less than 110 trips per day per the Institute of Transportation Engineers (ITE) Manual or other acceptable source determined by Town of Mammoth Lakes;
- Local Essential Service - Building is less than 50,000 square feet: and Land Use is: Day care center; and
- Affordable Housing - A high percentage of affordable housing is provided as determined by the Town of Mammoth Lakes

The Transportation Analysis determined that the proposed Performing Arts Theater would generate 74 trips during peak hour and thus, falls under the Small Projects screening criteria. The proposed childcare center would be approximately 6,600 square feet and would fall under the Local Essential Service screening criteria. Last, the future townhome community would offer 24 affordable units and thus, fall under the Affordable Housing screening criteria for the purpose of workforce housing. As such, the Transportation Analysis concluded that less than significant VMT impacts would occur and a full VMT assessment is not required. As such, the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). No new significant impacts have been identified and no new mitigation measures are required.

(c) The approved project did not propose any alterations to the Town's circulation system. While the proposed improvements included a new entryway at the southeastern corner of the project site, the approved 2019 IS/MND determined that no queueing issues were identified at any study intersection under existing or future scenarios with or without the approved project, and that no



new turn lanes are warranted under existing or future conditions. Thus, impacts related to hazards due to a design feature would be less than significant.

The modified project would result in the same circulation, ingress/egress, parking, and landscaping as the approved project, with the addition of a hammerhead turnaround within the future townhome community for improved emergency access. Therefore, no new impacts have been identified and no new mitigation measures are required for the modified project.

(d) The approved 2019 IS/MND determined that during construction of the approved project, any temporary lane closures would not result in the closure of surrounding roadways and would not interfere with emergency vehicle access; existing roadways would have the reserve capacity to accommodate short-term construction traffic. The proposed driveway under the approved project would incorporate all appropriate fire and emergency access design elements and would comply with the Town's Municipal Code regarding site access for emergency vehicles. As such, impacts would be less than significant.

The modified project would be located at the same project site and entail similar construction activities as the approved project. During construction of the modified project, it would be required that any temporary lane closures would not result in the closure of surrounding roadways and would not interfere with emergency vehicle access. Similar to the approved project, the existing roadways would have the reserve capacity to accommodate short-term construction traffic. Additionally, the modified project would result in the same circulation, ingress/egress, parking, and landscaping as the approved project. As such, proposed driveway improvements would be required to comply with emergency access standards and requirements specified by State Fire Code and Municipal Code Section 17.44.110, *Driveways and Site Access*. All proposed improvements would incorporate all appropriate fire and emergency access design elements. Therefore, no new impacts have been identified and no new mitigation measures are required for the proposed project.

### **Approved 2019 IS/MND Mitigation Measures**

No mitigation measures from the approved 2019 IS/MND are required.

### **New Mitigation Measures**

No new mitigation measures are required.

#### 4.18 TRIBAL CULTURAL RESOURCES

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
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Would the project:

- a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	Approved 2019 IS/MND Page 4.17-2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Approved 2019 IS/MND Page 4.17-2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a)(1) The approved 2019 IS/MND determined that implementation of the approved project would not adversely impact any resources listed or eligible for listing in the CRHR or in a local register of historical resources per Public Resources Code Section 5020.1(k), as the project site does not support CRHR listed or eligible historical resources. No impact would occur in this regard.

As discussed in Section 4.5, Cultural Resources, the project site does not support CRHR listed or eligible historical resources based on the Cultural Resources Memorandum; refer to Attachment 2. As such, no impacts would occur in this regard. No new impacts have been identified and no new mitigation measures are required.

(a)(2) The Town, in accordance with Assembly Bill 52 (AB 52), distributed letters notifying each tribe of the opportunity to consult with the Town regarding the approved project as part of the approved 2019 IS/MND. The Bishop Paiute Tribe requested to be involved in the AB 52 process on March 27, 2018. No tribal cultural resources were identified as part of consultation with the

Bishop Paiute Tribe. Nonetheless, based on the region's high sensitivity for cultural resources and sensitivity with the Bishop Paiute Tribe, the approved project would be required to implement the approved 2019 IS/MND Mitigation Measures CUL-1 and CUL-2. The approved 2019 IS/MND concluded that implementation of these mitigation measures would ensure impacts concerning undiscovered tribal cultural resources would be less than significant.

With respect to tribal consultation for the modified project, AB 52 states that prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project, a lead agency shall begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project, if the tribe requested to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area and the tribe requests consultation. As this environmental document (Addendum) is not a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report, AB 52 consultation would not apply to the modified project. Nonetheless, the modified project would be located in the same project site of the approved project. As such, the modified project would have the same potential to impact undiscovered tribal cultural resources due to the region's high sensitivity for cultural resources and sensitivity with the Bishop Paiute Tribe. Thus, the modified project would also be required to implement the approved 2019 IS/MND Mitigation Measures CUL-1 and CUL-2. The approved 2019 IS/MND Mitigation Measure CUL-1 requires the preparation and implementation of a Workers Environmental Awareness Program training prior to project commencement and the approved 2019 IS/MND Mitigation Measure CUL-2 requires archaeological and Native American monitoring during initial ground disturbances associated with the project and/or until the monitor determines that monitoring is no longer necessary. The approved 2019 IS/MND Mitigation Measure CUL-2 also requires all construction work to halt if cultural resources are encountered during ground disturbing activities until a qualified archaeologist can evaluate the find. With implementation of these mitigation measures impacts concerning undiscovered tribal cultural resources would be reduced to less than significant levels, similar to that of the approved project. No new impacts have been identified and no new mitigation measures are required.

### Approved 2019 IS/MND Mitigation Measures

The following mitigation measures from the approved 2019 IS/MND are applicable to the modified project. Any modifications to the original measures are shown in ~~strike through~~ for deleted text and in double underline for new, inserted text.

- 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.



**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).

## New Mitigation Measures

No new mitigation measures are required.

## 4.19 UTILITIES AND SERVICE SYSTEMS

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
Would the project:					
a. Require or result in the relocation or construction of new or expanded water, or wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Approved 2019 IS/MND Pages 4.18-2 to 4.18-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Approved 2019 IS/MND Page 4.18-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Approved 2019 IS/MND Page 4.18-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Significant Impact/No Impact	Reduced Impact
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Approved 2019 IS/MND Page 4.18-3	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Approved 2019 IS/MND Page 4.18-4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a) The approved 2019 IS/MND determined that, while the approved project proposed new water facilities, the construction of which could cause environmental effects, those potential effects were analyzed throughout the approved 2019 IS/MND. Additionally, the new water facilities would be subject to compliance with all applicable local, State, and Federal laws, ordinances, and regulations, as well as the specific mitigation measures in the approved 2019 IS/MND. As such, the impact to water facilities was determined to be less than significant. Regarding wastewater treatment facilities, Mammoth Community Water District (MCWD) confirmed that the approved project would not generate wastewater that would exceed MCWD's existing capacity. Regarding stormwater drainage facilities, the approved project proposed a new retention basin system, which was found to ensure that post-development peak stormwater runoff rates would not exceed pre-development peak stormwater runoff rates. Overall, as the approved project was consistent with the Town's General Plan and did not include growth-inducing land uses, the approved 2019 IS/MND determined that the approved project would have a less than significant impact on existing facilities.

Similar to the approved project, the modified project would develop an Arts and Cultural Center, inclusive of an outdoor amphitheater, in addition to new structures for storage, childcare, dog park, and future residential uses. The modified project would be located within the same project site as the approved project. Proposed utility improvements for the modified project would connect to the existing utilities that serve the existing project site, including sewer, water, and storm drain systems. Similar to the approved project, and as discussed in [Section 4.14](#) and [Section 4.11](#), the modified project would not induce substantial or unanticipated population growth and, upon the Commission's approval, the proposed workforce housing would be allowed under the project site's land use and zoning designations. As such, it is not anticipated that the modified project would significantly increase demand for utilities beyond what was analyzed in the approved 2019 IS/MND and what is assumed for buildout of the project site, or which would result in the construction of new expansion of existing facilities. Therefore, no new impacts have been identified and no new mitigation measures are required for the proposed project.

Similar to the approved project, the modified project would connect to existing utilities that serve the existing project site, including dry utilities. As described above, the modified project would not induce substantial or unplanned population growth and, upon the Commission's approval, the proposed workforce housing would be allowed under the project site's land use and zoning designations. As such, the modified project would not result in additional impacts on utilities and service systems, and no new mitigation measures are required.

(b) Based on the approved 2019 IS/MND, the approved project would have adequate water supply to serve the project site by the MCWD under average, single-dry, and multiple-dry year conditions. The impact was determined to be less than significant.

As discussed above in Response 4.19(a), the modified project would be located within the same project site as the approved project and proposed utility improvements for the modified project would connect to the existing utilities that serve the existing project site. While the future townhome community was not proposed under the approved project and therefore would increase water demand compared to the approved project, the modified project would not induce substantial or unanticipated population growth and, upon the Commission's approval, the proposed workforce housing would be allowed under the project site's land use and zoning designations. As such, it is not anticipated that the modified project would significantly increase demand for water beyond what was analyzed in the approved 2019 IS/MND and what is assumed for buildout of the project site. As such, no new impacts have been identified and no new mitigation measures are required.

(c) Refer to Response 4.19(a).

(d) The approved 2019 IS/MND found that, although project implementation would increase solid waste generation, there is adequate capacity at Benton Crossing Landfill to address the project's solid waste and disposal needs. Further, project implementation would be subject to compliance with the Town's Source Reduction and Recycling Element (SRRE) for solid waste reduction. Thus, impacts concerning solid waste disposal would be less than significant following conformance with the Town's SRRE. The impact was determined to be less than significant.

The modified project would be located within the same project site as the approved project and thus would be serviced by the same solid waste facilities. Proposed structures under the modified project would be smaller in scale and massing than those under the approved project. The modified project would not induce substantial population growth and, upon the Commission's approval, the proposed workforce housing would be allowed under the project site's land use and zoning designations. While the proposed future townhome community was not proposed under the approved project and therefore would increase solid waste generation compared to the approved project, it is not anticipated that the modified project's solid waste and disposal needs would exceed those analyzed by the 2019 IS/MND for the approved project or what is assumed for buildout of the project site. Additionally, the modified project would comply with the Town's SRRE. As such, no new impacts have been identified and no new mitigation measures are required.

(e) The approved 2019 IS/MND stated that compliance with existing regulatory framework, including AB 939, the Town's SRRE and Integrated Solid Waste Management Plan (ISWMP), and Municipal Code Chapter 8.12, would ensure that implementation of the approved project would result in less than significant impacts related to Federal, State, and local solid waste statutes and regulations.

Similar to the approved project, the modified project would develop an Arts and Cultural Center, inclusive of an outdoor amphitheater, in addition to new structures for storage, childcare, dog park, and future residential uses. Components of the modified project would be subject to the same Federal, State, and local solid waste statutes and regulations as the approved project, including the Town's SRRE and Integrated Solid Waste ISWMP, and Municipal Code Chapter



8.12. As such, no new significant impacts have been identified and no new mitigation measures are required.

### Approved 2019 IS/MND Mitigation Measures

No mitigation measures from the approved 2019 IS/MND are required.

### New Mitigation Measures

No new mitigation measures are required.

### 4.20 WILDFIRE

Issues:	Where Impact Was Analyzed in Prior Environmental Documents	New Potentially Significant Impact	New Mitigation is Required	No New Impact/No Impact	Reduced Impact
If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	Not Previously Analyzed	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	Not Previously Analyzed	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	Not Previously Analyzed	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	Not Previously Analyzed	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a)-(d) The approved 2019 IS/MND did not evaluate wildfire impacts beyond Section 4.8(g), *Hazards and Hazardous Materials* as it was not required in the CEQA Guidelines at the time the document was prepared. Therefore, the modified project's impacts, as currently proposed, is discussed below.

According to the California Department of Forestry and Fire Protection's *Mono County: State Responsibility Area Fire Hazard Zones Map*, the project site is not located within a State



Responsibility Area (SRA) nor is it located in a Fire Hazard Severity Zone.<sup>7</sup> Accordingly, no impacts would occur in this regard.

### Approved 2019 IS/MND Mitigation Measures

No mitigation measures from the approved 2019 IS/MND are required.

### New Mitigation Measures

No new mitigation measures are required.

## 4.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

(a) The 2019 IS/MND determined that with implementation of recommended mitigation, specifically measures BIO-1, CUL-1, and CUL-2, development of the proposed Arts and Cultural Center on the project site have a less than significant environmental impact.

The modified project would remodel the existing Edison Theatre with the addition of a new, connecting Performing Arts Theatre, construct an outdoor amphitheater as previously proposed under the approved project, and construct a new storage building, a childcare center, and a dog park on-site. The modified project would also include the potential for redevelopment of the dog

<sup>7</sup> California Department of Forestry and Fire Protection, *Mono County: State Responsibility Area Fire Hazard Zones Map*, November 21, 2022.



park into a 24-unit townhome community. The modified project would be located within the same project site as the approved project. As analyzed above, the modified project would not result in any new impacts to biological, cultural, or paleontological resources, and previous mitigation measures remain feasible to minimize impacts. While implementation of the modified project would include the potential for future residential development, as analyzed throughout this document, such uses are not anticipated to induce substantial population growth and, upon the Commission's approval, would be allowed under the project site's land use and zoning designations. As such, this land use change is not expected to result in any additional impacts to existing biological, cultural, or paleontological resources compared to the findings of the approved 2019 IS/MND.

Similar to the approved project, the modified project would be required to comply with existing local, State, and federal regulations and applicable mitigation measures outlined in the 2019 IS/MND. To reduce impacts on nesting bird species, Mitigation Measure BIO-1 would require a qualified biologist to conduct a pre-construction nesting bird clearance survey should project activities be initiated during the nesting season (February 1 to August 31). Mitigation Measure CUL-1 would require the preparation and implementation of a Workers Environmental Awareness Program training prior to project commencement and Mitigation Measure CUL-2 would require archaeological and Native American monitoring during initial ground disturbances; these measures would reduce impacts concerning undiscovered archaeological and tribal cultural resources. As such, the project would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. No new significant impacts are identified, and no new mitigation measures are required.

(b) As analyzed above, the modified project would not result in new impacts or substantially increased impacts, and previous mitigation measures from the approved 2019 IS/MND remain feasible to minimize impacts. The approved 2019 IS/MND found that the approved project would have less than significant impacts to all environmental topical areas except for aesthetics, air quality, biological resources, cultural resources, noise, and tribal cultural resources. The proposed project is consistent with the previous analyses. The modified project would remodel the existing Edison Theatre with the addition of a new, connecting Performing Arts Theatre, construct an outdoor amphitheater as previously proposed under the approved project, and construct a new storage building, a childcare center, and a dog park on site; the modified project would include the potential for redevelopment of the dog park into an institutional employee workforce housing townhome community. The modified project would be located within the same project site as the approved project. The modified project proposes structures of smaller scale and massing than the approved project, and thus is anticipated to have less intensive environmental effects than what was analyzed in the approved 2019 IS/MND. As such, the modified project would not introduce any new cumulative impacts not previously identified in the 2019 IS/MND. No new significant impacts are identified, and no new mitigation measures are required.

(c) The modified project would have a different footprint and introduce additional uses compared to the approved project. However, as analyzed in Responses 4.21(a) and 4.21(b), the modified project would not result in any new significant impacts or the need for new mitigation measures, compared to the approved project. Previous mitigation measures identified in the approved 2019 IS/MND remain feasible to minimize project impacts. As such, the modified project would not have



environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.



## 5.0 DETERMINATION/ADDENDUM CONCLUSION

The Town conducted an environmental review in conformance with CEQA and the State CEQA Guidelines and determined the modified project does not cause new significant environmental effects or substantially increase environmental effects previously studied and mitigated within the Certified EIR. Therefore, an addendum may be prepared, pursuant to CEQA Guidelines Section 15164(b), as minor technical changes or additions to be made to the EIR to reflect the project. This Addendum has been prepared per Public Resources Code Section 21166 and State CEQA Guidelines Sections 15162 and 15164, based on the following conclusions.

### 5.1 NO MAJOR REVISIONS REQUIRED DUE TO ADDITIONAL ENVIRONMENTAL EFFECTS

There are no substantial changes proposed in the modified project which will require major revisions of the approved 2019 IS/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, in that:

1. The modified project does not create new significant environmental effects or substantially increase in the severity of environmental effects found to be of no impacts or less than significant impacts in the approved 2019 IS/MND. Further, the modified project does not create new significant environmental effects or substantially increase environmental effects found to be less than significant with mitigation in the 2019 IS/MND with mitigation measures incorporated in the following topical areas: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Noise, and Tribal Cultural Resources. As described in Section 4.0, *Environmental Assessment*, the modified project is consistent with the environmental impact analysis, findings, and mitigations in the approved 2019 IS/MND, with no significant changes occurred to the circumstances or assumptions in which the approved 2019 IS/MND was completed.
2. No significant unavoidable impacts were identified in the approved 2019 IS/MND.

### 5.2 NO MAJOR REVISIONS REQUIRED DUE TO CHANGE IN CIRCUMSTANCES

There are no substantial changes that have or will occur with respect to the circumstances under which the modified project is undertaken which would require major revisions of the approved 2019 IS/MND, for reasons detailed in Section 5.1, *No Major Revisions Required Due to Additional Environmental Effects*.

### 5.3 NO NEW INFORMATION OF SUBSTANTIAL IMPORTANCE

There is no new information of substantial importance known and could have been known with the exercise of reasonable diligence at the time the previous environmental document was certified as complete, in that:



1. The key circumstances and assumptions to which the approved 2019 IS/MND was completed have not changed. The modified project is consistent with the environmental impact analysis, findings, and mitigations in the approved 2019 IS/MND; and
2. Applicable mitigation measures in the approved 2019 IS/MND Mitigation Monitoring and Reporting Program (MMRP) shall be incorporated as feasible mitigation measures for the modified project.

#### 5.4 ADDENDUM TO IS/MND IS APPROPRIATE CEQA DOCUMENTATION

Although there are no substantive changes to the approved project, an addendum is appropriate because the modified project involves minor changes and new information related to the approved 2019 IS/MND (State CEQA Guidelines §§15162, 15164). This information does not constitute substantial changes to the approved project or the circumstances due to the involvement of significant environmental effects or a substantial increase in the severity of previously identified significant effects. Similarly, subsequent consideration does not constitute new information that would show new effects or substantially more severe effects. Likewise, there are no known mitigation measures that would in fact be feasible or that would substantially reduce significant effects that the project proponent has declined to adopt. Furthermore, there have been no other changes, evidence or new information, which would require revisions to the approved 2019 IS/MND. In accordance with State CEQA Guidelines Section 15164, this Addendum to the approved *Mammoth Arts and Cultural Center (MACC) Project Initial Study/Mitigated Negative Declaration* is the appropriate environmental document for the proposed project.



## 6.0 REFERENCES

California Department of Fish and Wildlife, *California Natural Community Conservation Plans Map*, April 2019.

California Environmental Protection Agency, Cortese Listing, <https://calepa.ca.gov/sitecleanup/corteselist/>, accessed May 4, 2023.

California Department of Transportation, *California State Scenic Highway System Map*, <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>, accessed February 6, 2023.

County of Mono, *Mono County Resource Efficiency Plan*, August 1, 2014.

Hayne, M.J., *Prediction of Crowd Noise*, November 2006.

LSC Transportation Consultants, Inc., *Mammoth Arts and Cultural Center (MACC) – Trip Generation and VMT Analysis Update*, November 27, 2023.

Michael Baker International, *Habitat Assessment for the Addendum to the Mammoth Arts and Cultural Center Project located in the Town of Mammoth Lakes, Mono County, California*, March 17, 2023.

Rincon Consultants, Inc., *Cultural Resources Addendum for the Mammoth Arts and Cultural Center Project, Town of Mammoth Lakes, Mono County, California*, October 12, 2022.

U.S. Department of Transportation Federal Highway Administration, *Techniques for Reviewing Noise Analyses and Associated Noise Reports*, June 1, 2018.





ATTACHMENT 1  
Habitat Assessment

March 17, 2023

JN 190838

**Town of Mammoth Lakes**

Attn: *Ruth Traxler*

P.O. Box 1609

Mammoth Lakes, California 93546

**SUBJECT: Habitat Assessment for the Addendum to the Mammoth Arts and Cultural Center Project located in the Town of Mammoth Lakes, Mono County, California**

Dear Ms. Traxler:

Michael Baker International (Michael Baker) conducted a habitat assessment for the addendum to the proposed Mammoth Arts and Cultural Center (MACC) Project (Project) located in the Town of Mammoth Lakes, Mono County, California. Michael Baker biologist Travis McGill inventoried and evaluated the condition of the habitat within the Project site on November 14, 2017 to characterize existing site conditions and assess the potential occurrence of special-status<sup>1</sup> plant and wildlife species that could pose a constraint to Project implementation in support of the original Project. Michael Baker biologist John Parent visited the site on September 24, 2022 and inventoried and reevaluated the site to document current conditions in support of the addendum. This report provides an assessment of the suitability of the on-site habitat to support special-status plant and wildlife species identified by the California Department of Fish and Wildlife (CDFW) California Natural Diversity Data Base (CNDDDB) (CDFW 2023), the California Native Plant Society's (CNPS) online Inventory of Rare and Endangered Plants of California (CNPS 2023), the U.S. Fish and Wildlife Service's Information for Planning and Consultation (IPaC) environmental review tool (USFWS 2023), and other electronic databases as potentially occurring in the vicinity of the Project site.

**PROJECT LOCATION**

The Project site is generally located west of U.S. Route 395 and south of State Route 203 on the eastern foothills of the Sierra Nevada Mountain range in the Town of Mammoth Lakes, Mono County, California (refer to Exhibit 1, *Regional Vicinity*, Attachment A). The Project site is depicted on the Old Mammoth quadrangle of the United States Geological Survey's (USGS) 7.5-minute topographic map series in Section 35 of Township 3 south, Range 27 east (refer to Exhibit 2, *Site Vicinity*, Attachment A). Specifically, the Project site is located north of Mammoth Creek Road, east of Old Mammoth Road, south of Meridian Boulevard, and west of U.S. Route 395 (refer to Exhibit 3, *Project Site*, Attachment A).

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<sup>1</sup> As used in this report, "special-status" refers to plant and wildlife species that are federally or State listed, proposed, or candidates; plant species that have been designated a California Native Plant Society (CNPS) Rare Plant Rank; and wildlife species that are designated by the California Department of Fish and Wildlife (CDFW) as fully protected, species of special concern, or watch list species.

## **PROJECT DESCRIPTION**

The Project as originally proposed was to include a 298-seat Performing Arts Theatre, 500-seat outdoor amphitheater, a new parking lot, and a workshop and storage building (refer to Exhibit 4, *Conceptual Site Plan*, Attachment A). The original Project proposed additional renovations to the existing Edison Theatre (roof replacement) and parking lot improvements (paving and restriping). The modified project would improve the existing Edison Theatre by constructing a new addition to the Performing Arts Theatre, north of the building, a storage building, a childcare center, and a dog park, with an option to redevelop the proposed dog park into a 60-unit affordable townhome community with access from College Parkway to the south.

## **METHODOLOGY**

A literature review and records search was conducted to determine which special-status biological resources have the potential to occur on or within the general vicinity of the Project site. In addition to the literature review, a general habitat assessment or field survey of the Project site was conducted. The field survey was conducted to document existing conditions within the Project site and assess the potential for special-status biological resources to occur.

### **Literature Review**

Prior to conducting the field survey, a literature review and records search was conducted for special-status biological resources potentially occurring on or within the vicinity of the Project site. Previously recorded occurrences of special-status plant and wildlife species and their proximity to the Project site were determined through a query of the CDFW CNDDDB Rarefind 5 (CDFW 2023a), the CNPS online Inventory of Rare and Endangered Plants of California (CNPS 2023), the USFWS IPaC environmental review tool (USFWS 2023a), and Calflora Database (Calflora 2023). In addition, lists of special-status species published by CDFW (CDFW 2023b-e), and the U.S. Fish and Wildlife Service (USFWS) Critical Habitat Mapper (USFWS 2023b) and species listings were also reviewed.

All available reports, survey results, and literature detailing the biological resources previously observed on or within the general vicinity of the Project site were reviewed to understand existing site conditions and note the extent of any disturbances that have occurred on the Project site that would otherwise limit the distribution of special-status biological resources. Standard field guides and texts were reviewed for specific habitat requirements of special-status and non-special-status biological resources, as well as the following resources:

- Google Earth Pro historic aerial imagery (1993 – 2023);
- Town of Mammoth Lakes General Plan Update (2007);
- United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Custom Soil Resource Report for Mono County; and
- USFWS Critical Habitat designations and Primary Constituent Elements (PCEs) for Threatened and Endangered Species.

The literature review provided a baseline from which to inventory the biological resources potentially occurring within the Project site. Additional recorded occurrences of those species found on or near the Project site were derived from database queries. The CDFW's CNDDDB Rarefind 5 was used, in conjunction with ArcGIS software, to review historical special-status species occurrence data within the vicinity of the Project site.

### Habitat Assessment and Field Surveys

Michael Baker biologist Travis McGill inventoried the extent and condition of the habitats within the Project site on November 14, 2017. An additional survey was performed by Michael Baker biologist John Parent on September 24, 2022 in order to inventory and reevaluate the site's current conditions in support of the addendum. Plant communities were preliminarily identified on aerial photographs and visually inspected during the field survey to document their extent within the Project site. The plant communities occurring within the Project site were evaluated for their potential to provide suitable habitat for special-status plant and wildlife species as well as function as corridors and/or linkages that may support the movement of wildlife through the area. Special attention was given to any special-status habitats and/or undeveloped, natural areas, which have a higher potential to support special-status plant and wildlife species.

All plant and wildlife species, including dominant plant species within each plant community, observed during the field survey were recorded. Plant species were identified by visual characteristics and morphology in the field. Unusual and less familiar plant species were photographed during the field survey and identified in the laboratory using taxonomical guides. Wildlife detections were made through observation of scat, trails, tracks, burrows, nests, and/or visual and aural detection. In addition, general site characteristics including soil condition, topography, hydrology, anthropogenic disturbances, indicator species, condition of on-site plant communities, and presence of potential jurisdictional drainage and/or wetland features were noted.

### **EXISTING SITE CONDITIONS**

The Project site abuts Meridian Boulevard to the north and the Cerro Coso Community College Eastern Sierra Campus to the south and southwest. Mammoth Elementary School and residential housing is located to the north of the Project site, across Meridian Boulevard, while vacant land can be found to the east and southeast. The Mammoth Ski Museum is located within the southwest portion of the Project site while undeveloped land occurs within the northern, eastern, and southeast portions of the Project site. Exposed rocks and surface boulders occur throughout the landscaped and undeveloped areas of the Project site. College Parkway and a paved bike trail bisect the southeast portion of the Project site. On-site surface elevation ranges from approximately 7,814 to 7,862 feet above mean sea level and generally slopes from the northwest to southeast. According to the USDA NRCS Custom Soil Resource Report for Mono County, the Project site is underlain by the following soil units: Chesaw family, 0 to 5 percent slopes (163bo) and Glean family, 0 to 50 percent slopes (215) (refer to Exhibit 5, *Soils*, Attachment A). Refer to Attachment B for representative photographs taken throughout the Project site.

## **VEGETATION**

The only natural plant community occurring within the Project site was big sagebrush scrub (refer to Exhibit 6, *Vegetation*, Attachment A). The remaining portions of the Project site consists of land cover types that would be classified as landscaped, disturbed, and developed. This natural plant community and land cover types are described in further detail below. Refer to Attachment C for a complete list of plant species observed within the Project site.

### **Big Sagebrush Scrub (5.58 Acres)**

The undeveloped, natural areas located within the northern, eastern, and southeast portions of the Project site are composed of a big sagebrush scrub plant community. This plant community is primarily dominated by big sagebrush (*Artemisia tridentata*). Other common plant species occurring within this plant community include green leaf manzanita (*Arctostaphylos patula*), hoary aster (*Dieteria canescens*), rubber rabbitbush (*Ericameria nauseosa* var. *speciosa*), Bailey's buckwheat (*Eriogonum baileyi* var. *baileyi*), and antelope bitterbush (*Purshia tridentata*). Several Jeffery pine (*Pinus jeffreyi*) trees are also scattered throughout this plant community; however, they are not grouped together and do not provide a dense canopy within this plant community.

### **Landscaped (1.10 Acres)**

The landscaped area within the Project site is associated with the Mammoth Ski Museum which is located within the southwest portion of the Project site. Individual Jeffery pines are scattered throughout the landscaped area with various non-native grasses consisting of crested wheatgrass (*Agropyron cristatum*), Indian wild rice (*Stipa hymenoides*), and cheatgrass (*Bromus tectorum*) as understory.

### **Disturbed (0.37 Acres)**

Disturbed areas within the Project site do not comprise a natural plant community and instead consist of unpaved land with heavily compacted soils that are routinely exposed to anthropogenic disturbances (i.e., dirt trails, activities associated with the on-site museum, and weed abatement activities). Surface soils within these areas are generally devoid of vegetation and/or support non-native and ruderal/weedy plant species.

### **Developed (1.41 Acres)**

Developed areas within the Project site generally consist of paved, impervious surfaces and infrastructure including the Mammoth Ski Museum, parking lots, sidewalks, College Parkway, and a bike path associated with the Cerro Coso Community College Eastern Sierra Campus.

## **WILDLIFE**

Plant communities provide foraging habitat, nesting/denning sites, and shelter from adverse weather or predators. This section provides a general discussion of those wildlife species that were observed or that are expected to occur within the Project site. The discussion is to be used a general reference and is limited



by the season, time of day, and weather conditions in which the field survey was conducted. Wildlife detections were based on calls, songs, scat, tracks, burrows, and direct observation.

### Fish

No fish or hydrogeomorphic features (e.g., creeks, ponds, lakes, reservoirs) with frequent sources of water that would support populations of fish were observed on or within the vicinity of the Project site. Therefore, no fish are expected to occur and are presumed absent from the Project site.

### Amphibians

No amphibians or hydrogeomorphic features (e.g., creeks, ponds, lakes, reservoirs) with frequent sources of water that would support amphibian species were observed on or within the vicinity of the Project site. Therefore, no amphibians are expected to occur and are presumed absent from the Project site.

### Reptiles

No reptilian species were observed during the field surveys. However, the Project site and surrounding habitat has the potential to support a variety of reptilian species that are adapted to a high level of human disturbance. Common reptilian species expected to occur on or within the vicinity of the Project site include Nevada side-blotched lizard (*Uta stansburiana nevadensis*), Great Basin fence lizard (*Sceloporus occidentalis longipes*), northern sagebrush lizard (*Sceloporus graciosus graciosus*), and Great Basin gopher snake (*Pituophis catenifer deserticola*).

### Birds

The Project site provides suitable foraging and cover habitat for a variety of resident and migrant bird species. Red-tailed hawk (*Buteo jamaicensis*) and Brewer's blackbird (*Euphagus cyanocephalus*) were the only bird species detected during the 2017 and 2022 field surveys. Other common bird species expected to occur on or within the vicinity of the Project site include northern flicker (*Colaptes auratus*), western wood-pewee (*Contopus sordidulus*), common raven (*Corvus corax*), Steller's jay (*Cyanocitta stelleri*), song sparrow (*Melospiza melodia*), house finch (*Haemorhous mexicanus*), dark-eyed junco (*Junco hyemalis*), cliff swallow (*Petrochelidon pyrrhonota*), mountain chickadee (*Poecile gambeli*), red-breasted nuthatch (*Sitta canadensis*), lesser goldfinch (*Spinus psaltria*), American robin (*Turdus migratorius*), mourning dove (*Zenaidura macroura*), and various other migrant and resident songbirds.

### Mammals

The Project site and surrounding habitat has the potential to support a variety of mammalian species. However, most mammalian species are nocturnal and are difficult to observe during a diurnal field survey. Mule deer (*Odocoileus hemionus*) and chipmunk (*Tamias* sp.) were the only mammal species observed during the field surveys. Other common mammalian species that are expected to occur on or within the vicinity of the Project site include opossum (*Didelphis virginiana*), coyote (*Canis latrans*), striped skunk (*Mephitis mephitis*), raccoon (*Procyon lotor*), lodgepole chipmunk (*Tamias speciosus*), Botta's pocket gopher (*Thomomys bottae*), and black bear (*Ursus americanus*).

## **NESTING BIRDS**

No remnant or active nests were observed during the field survey. However, the plant communities within the Project site provide foraging and nesting habitat for a variety of year-round and seasonal avian residents, as well as migrating songbirds that could occur in the area. Further, unvegetated areas within the Project site provide nesting habitat for bird species that nest on the open ground and the individual Jeffery pine trees found within the Project site provide additional nesting habitat.

## **MIGRATORY CORRIDORS AND LINKAGES**

Habitat linkages provide links between larger undeveloped habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. A corridor can be defined as a linear landscape feature of sufficient width to allow animal movement between two comparatively undisturbed habitat fragments. Adequate cover is essential for a corridor to function as a wildlife movement area. It is possible for a habitat corridor to be adequate for one species, but inadequate for others. Wildlife corridors are significant features for dispersal, seasonal migration, breeding, and foraging. Additionally, open space can provide a buffer against both human disturbance and natural fluctuations in resources.

The Project site is not located within any local or regional designated migratory corridors or linkages. Although the majority of the Project site is dominated by natural habitat, the Project site is bordered by Meridian Boulevard, College Parkway, and existing development which limits wildlife movement opportunities. As such, the proposed Project would not be expected to disrupt wildlife movement opportunities within or adjacent to the Project site. It is important to note that Mammoth Creek is located approximately 0.30 miles to the south of the Project site and provides west to east wildlife movement opportunities along the riparian corridor associated with the creek from the mountains to the valley floor. However, the proposed Project would not result in impacts to Mammoth Creek and would not be expected to disrupt wildlife movement within undeveloped areas to the south or prevent the creek from continuing to function as a wildlife movement corridor. Due to the distance from the Project site, the proposed Project would not be expected to disrupt wildlife movement within this area or prevent the Mammoth Creek from continuing to function as a wildlife movement corridor.

## **JURISDICTIONAL AREAS**

There are three key agencies that regulate activities within coastal streams, wetlands, and riparian areas in California. The U.S. Army Corps of Engineers (Corps) Regulatory Branch regulates discharge of dredge or fill materials into “waters of the United States” pursuant to Section 404 of the Federal Clean Water Act (CWA), Section 10 of the Rivers and Harbors Act, and Section 103 of the Marine Protection, Research and Sanctuaries Act. Of the State agencies, the Regional Water Quality Control Board (Regional Board) regulates discharges to surface waters pursuant to Section 401 of the CWA and the California Porter-Cologne Water Quality Control Act, and CDFW regulates alterations to streambed and associated plant communities under Code Sections 1600 *et seq.*, of the California Fish and Game Code.

No jurisdictional drainage and/or wetland features were observed within or adjacent to the Project site that would be considered jurisdictional by the Corps, Regional Board, or CDFW. Therefore, development of the proposed Project would not result in impacts to Corps, Regional Board, or CDFW jurisdictional areas and regulatory approvals would not be required.

### **SPECIAL-STATUS BIOLOGICAL RESOURCES**

The CNDDDB (CDFW 2022) and CIRP (CNPS 2022) was queried for reported locations of special-status plant and wildlife species as well as special-status natural plant communities in the Old Mammoth, Mammoth Mountain, Crystal Crag, Bloody Mountain, Whitmore Hot Springs, and Convict Lake USGS 7.5-minute quadrangles, and for the project region in IPaC (USFWS 2022). A search of published records of these species was conducted within these quadrangles using CDFW's CNDDDB Rarefind 5 online software and Quickview Tool in BIOS. The habitat assessment evaluated the conditions of the habitat(s) within the boundaries of the Project site to determine if the existing plant communities, at the time of the survey, have the potential to provide suitable habitat(s) for special-status plant and wildlife species.

The literature search identified sixty-five (65) special-status plant species, twenty-three (23) special-status wildlife species, and two (2) special-status plant communities as having been recorded in the region. Special-status plant and wildlife species were evaluated for their potential to occur within the Project site based on habitat requirements, availability and quality of suitable habitat, and known distributions. Special-status plant and wildlife species identified during the literature searches and their potential to occur within the vicinity of the Project site are presented in Attachment D, *Potentially Occurring Special-Status Biological Resources*.

#### **Special-Status Plants**

Sixty-five (65) special-status plant species were identified during the literature search (refer to Attachment D). No special-status plant species were observed within the Project site during the field survey. Based on habitat requirements for specific special-status plant species and the availability and quality of habitats needed by each species, it was determined that the Project site does not provide suitable habitat for any of the special-status plant species identified during the literature search. Therefore, the proposed Project is not anticipated to impact special-status plant species and mitigation would not be required.

#### **Special-Status Wildlife**

Twenty-three (23) special-status wildlife species were identified during the literature search (refer to Attachment D). No special-status wildlife species were observed within the Project site during the field survey. Based on habitat requirements for specific special-status wildlife species and the availability and quality of habitats needed by each species, it was determined that the Project site has a high potential to support western white-tailed jackrabbit (*Lepus townsendii townsendii*), and a low potential to provide suitable foraging habitat for northern goshawk (*Accipiter gentilis*). All remaining special-status wildlife species identified during the literature search are presumed to be absent from the Project site based on habitat requirements, availability and quality of habitat needed by each species, and known distributions.

### Sensitive Plant Communities

According to the CNDDDB, two (2) sensitive plant community have been reported in the Old Mammoth, Mammoth Mountain, Crystal Crag, and Bloody Mountain USGS 7.5-minute quadrangles: 1) Mono Pumice Flat and 2) Water Birch Riparian Scrub (refer to Attachment D). Based on the results of the field survey, these special-status plant communities do not occur within the Project site. Further, sensitive vegetation communities listed by CDFW in *California Sensitive Natural Communities* (CDFW 2022) are not present on-site. Therefore, the proposed Project is not anticipated to impact any sensitive plant communities and mitigation would not be required.

### Critical Habitat

Critical Habitat refers to specific areas within the geographical range of a species at the time it is listed that include the physical or biological features that are essential to the survival and eventual recovery of that species. Maintenance of these physical and biological features requires special management considerations or protection, regardless of whether individuals or the species are present or not. In the event that a project may result in take or adverse modification to a species' designated Critical Habitat, a project proponent may be required to engage in suitable mitigation. However, consultation for impacts to Critical Habitat is only required when a project has a federal nexus. This may include projects that occur on federal lands, require federal permits (i.e., Corps, CWA Section 404 permit), or receive any federal oversight or funding. If there is a federal nexus, then the federal agency that is responsible for providing funds or permits would be required to consult with the USFWS for the loss or adverse modification to Critical Habitat. If a project does not have a federal nexus, consultation with the USFWS is not required.

The Project site is not located within federally designated Critical Habitat (refer to Exhibit 7, *Critical Habitat*, Attachment A). Therefore, the proposed Project would have no effect on Critical Habitat and consultation with the USFWS for the loss or adverse modification of Critical Habitat would not be required.

## **LOCAL POLICIES AND ORDINANCES**

### Town of Mammoth Lakes Tree Removal and Protection

Section 17.36.140 of Mammoth Lakes Municipal Code includes provisions to protect and to regulate the removal of certain trees, based on the important environmental, aesthetic and health benefits that trees provide to Mammoth Lakes residents and visitors, and the contribution of such benefits to public health, safety and welfare. These benefits include, but are not limited to, enhancement of the character and beauty of the community as a "Village in the Trees," protection of property values, provision of wildlife habitat, reduction of soil erosion, noise buffering, wind protection, and visual screening for development.

Due to the presence of pine trees within the Project site, a tree removal permit or tree removal and protection plan shall be obtained from the Town of Mammoth Lakes prior to development of the proposed Project. Since the proposed Project will receive development approval through a land use, building, or grading permit, a tree removal and protection plan shall be prepared that is consistent with the standards of Section 17.36.140 of Mammoth Lakes Municipal Code. As a result, a separate tree removal permit would not be required, and the removal of trees is considered approved through the land use, building, or grading permit.

The tree removal and protection plan shall clearly depict all the trees to be preserved and/or removed from the Project site. Please refer to Attachment E for a copy of Section 17.36.140 of the Mammoth Lakes Municipal Code.

### **LOCAL, REGIONAL, AND STATE HABITAT CONSERVATION PLANS**

The proposed Project is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan. Therefore, the proposed Project would have no effect to any local, regional, or state Habitat Conservation Plans and mitigation would not be required.

### **CONCLUSION AND RECOMMENDATIONS**

The Project site abuts Meridian Boulevard to the north and the Cerro Coso Community College Eastern Sierra Campus to the south and southwest. The Mammoth Ski Museum is located within the southwest portion of the Project site while vacant, undeveloped land is located within the northern, eastern, and southeast portions of the Project site. One natural plant community occurs within the Project site: 1) big sagebrush scrub. In addition, the Project site contains land cover types that would be classified as landscaped, disturbed, and developed.

No special-status wildlife species were observed within the Project site during the field survey. Based on habitat requirements for specific special-status wildlife species and the availability and quality of habitats needed by each species, it was determined that the Project site has a high potential to support western white-tailed jackrabbit, and a low potential to provide suitable foraging habitat for northern goshawk. All remaining special-status wildlife species identified during the literature searches are presumed to be absent from the Project site based on habitat requirements, availability and quality of habitat needed by each species, and known distributions. Although the Project site has a high potential to support western white-tailed jackrabbit and a low potential to provide suitable foraging habitat for northern goshawk, it does not provide high quality habitat for these species. Further, undeveloped, natural areas to the south of the Project site, including Mammoth Creek, provide ample habitat for these species. Therefore, impacts to foraging habitat as a result of the proposed Project would be less than significant and no mitigation would be required.

The Project site and surrounding area has the potential to provide refuge/cover from predators, perching sites, and favorable conditions for nesting birds. Nesting birds are protected pursuant to the Migratory Bird Treaty Act, the Bald and Golden Eagle Protection Act, and the California Fish and Game Code. If project activities are to be initiated during the nesting season (February 1st to August 31st), a pre-construction nesting bird clearance survey shall be conducted by a qualified biologist no more than three (3) days prior to the start of any vegetation removal or ground disturbing activities. A qualified biologist shall survey all suitable nesting habitat within the project impact area, and within a biologically defensible buffer distance surrounding the project impact area, for nesting birds prior to commencing project activities. Documentation of surveys and findings shall be submitted to the Town of Mammoth Lakes for review and file. If no active nests are detected, project activities may begin. If an active nest is found, the bird shall be identified to species and the approximate distance from the closest work site to the nest shall be estimated.



and the qualified biologist shall establish a “no-disturbance” buffer around the active nest. The distance of the “no-disturbance” buffer may be increased or decreased according to the judgement of the qualified biologist depending on the level of activity and sensitivity of the species. The qualified biologist shall periodically monitor any active nests to determine if project-related activities occurring outside the “no-disturbance” buffer disturb the birds and if the buffer should be increased. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, project activities within the “no-disturbance” buffer may occur.

Due to the presence of pine trees within the Project site, a tree removal permit or tree removal and protection plan shall be obtained from the Town of Mammoth Lakes prior to development of the proposed Project. Since the proposed Project will receive development approval through a land use, building, or grading permit, a tree removal and protection plan shall be prepared that is consistent with the standards of Section 17.36.140 of Mammoth Lakes Municipal Code. As a result, a separate tree removal permit would not be required, and the removal of trees is considered approved through the land use, building, or grading permit. The tree removal and protection plan shall clearly depict all the trees to be preserved and/or removed from the Project site.

Please do not hesitate to contact John Parent at (949) 472-3432 or [john.parent@mbakerintl.com](mailto:john.parent@mbakerintl.com) or Tom Millington at (949) 855-5777 or [tommillington@mbakerintl.com](mailto:tommillington@mbakerintl.com) should you have any questions regarding this report.

Sincerely,



John Parent  
Biologist  
Natural Resources

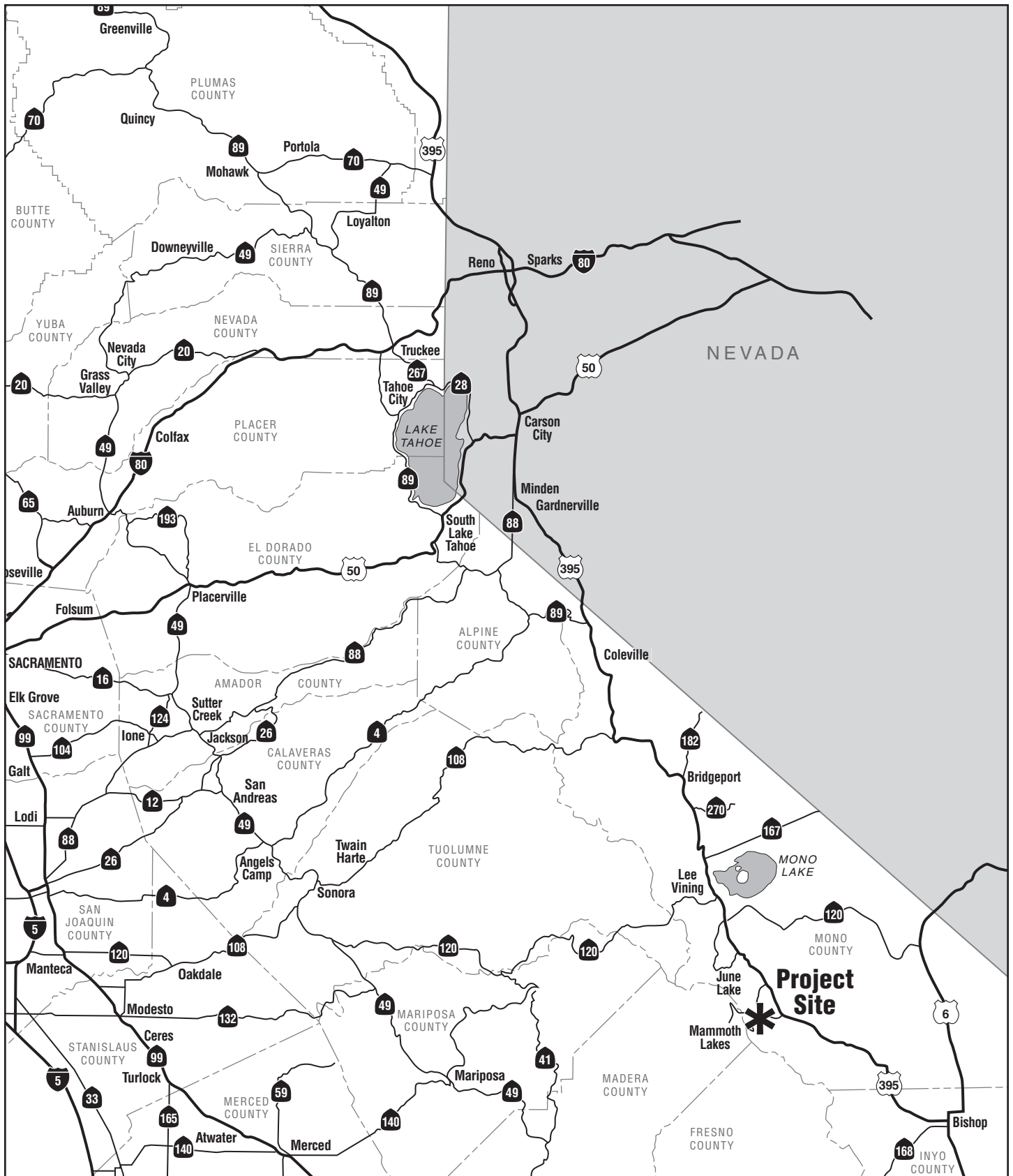


Thomas Millington  
Senior Biologist  
Natural Resources

Attachments:

- A. Project Exhibits
- B. Site Photographs
- C. Flora and Fauna Compendium
- D. Potentially Occurring Special-Status Biological Resources
- E. References
- F. Section 17.36.140 of the Mammoth Lakes Municipal Code

**ATTACHMENT A**  
**Project Exhibits**



NOT TO SCALE

**Michael Baker**  
INTERNATIONAL



9/7/22 | JN 190838


MAMMOTH ARTS AND CULTURAL CENTER (MACC)  
ADDENDUM TO THE MAMMOTH ARTS AND CULTURAL CENTER (MACC) PROJECT  
**Regional Vicinity**





Source: Google Earth Pro, 2018.

 - Proposed Limits of Disturbance

 - Parcel Boundary

 - Existing Edison Theatre

NOT TO SCALE

**Michael Baker**  
INTERNATIONAL



9/7/22 | JN 190838

MAMMOTH ARTS AND CULTURAL CENTER (MACC)  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

**Site Vicinity**

**Exhibit 2**





MAMMOTH ARTS AND CULTURAL CENTER PROJECT  
HABITAT ASSESSMENT  
**Project Site**







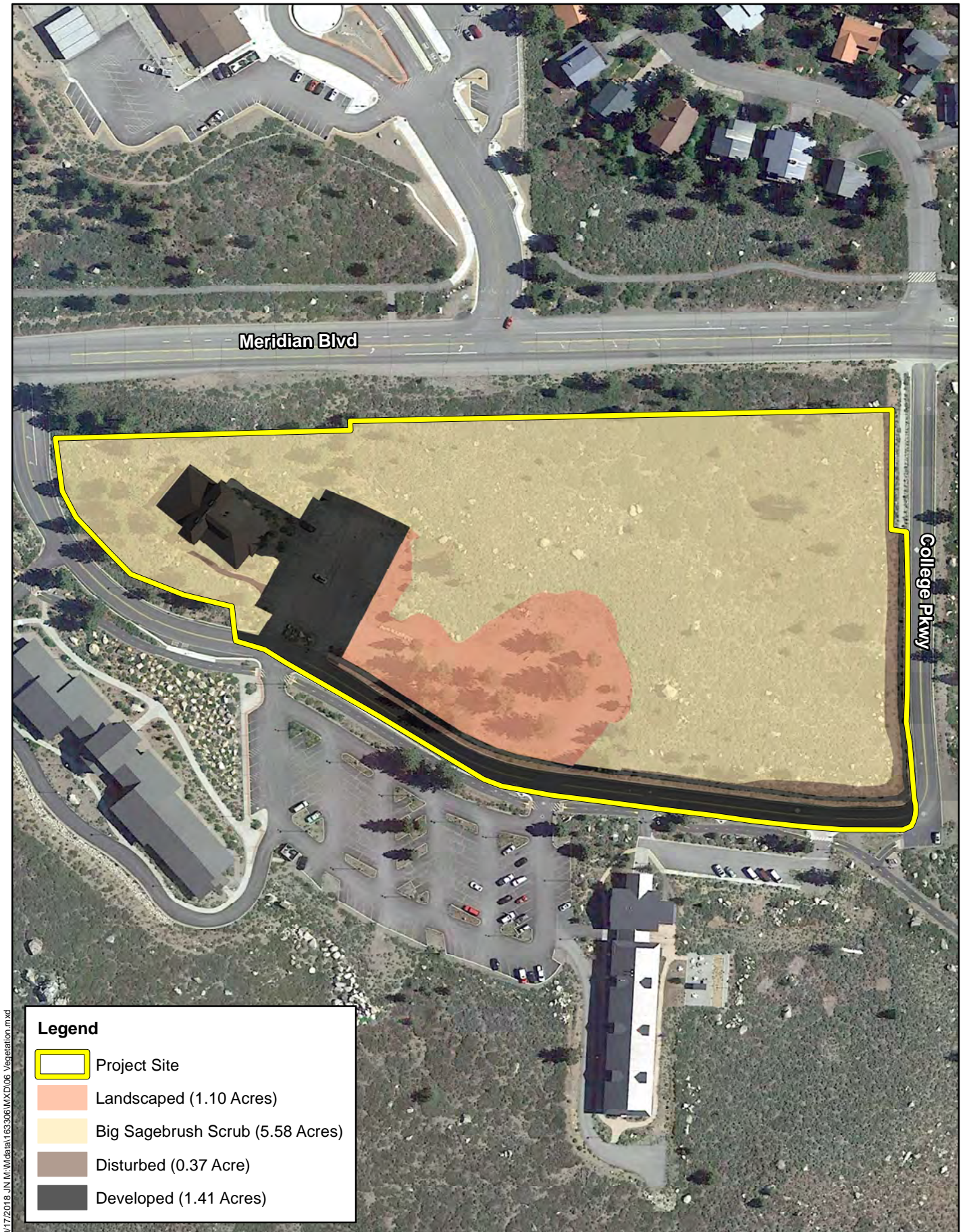


MAMMOTH ARTS AND CULTURAL CENTER PROJECT  
HABITAT ASSESSMENT

Soils



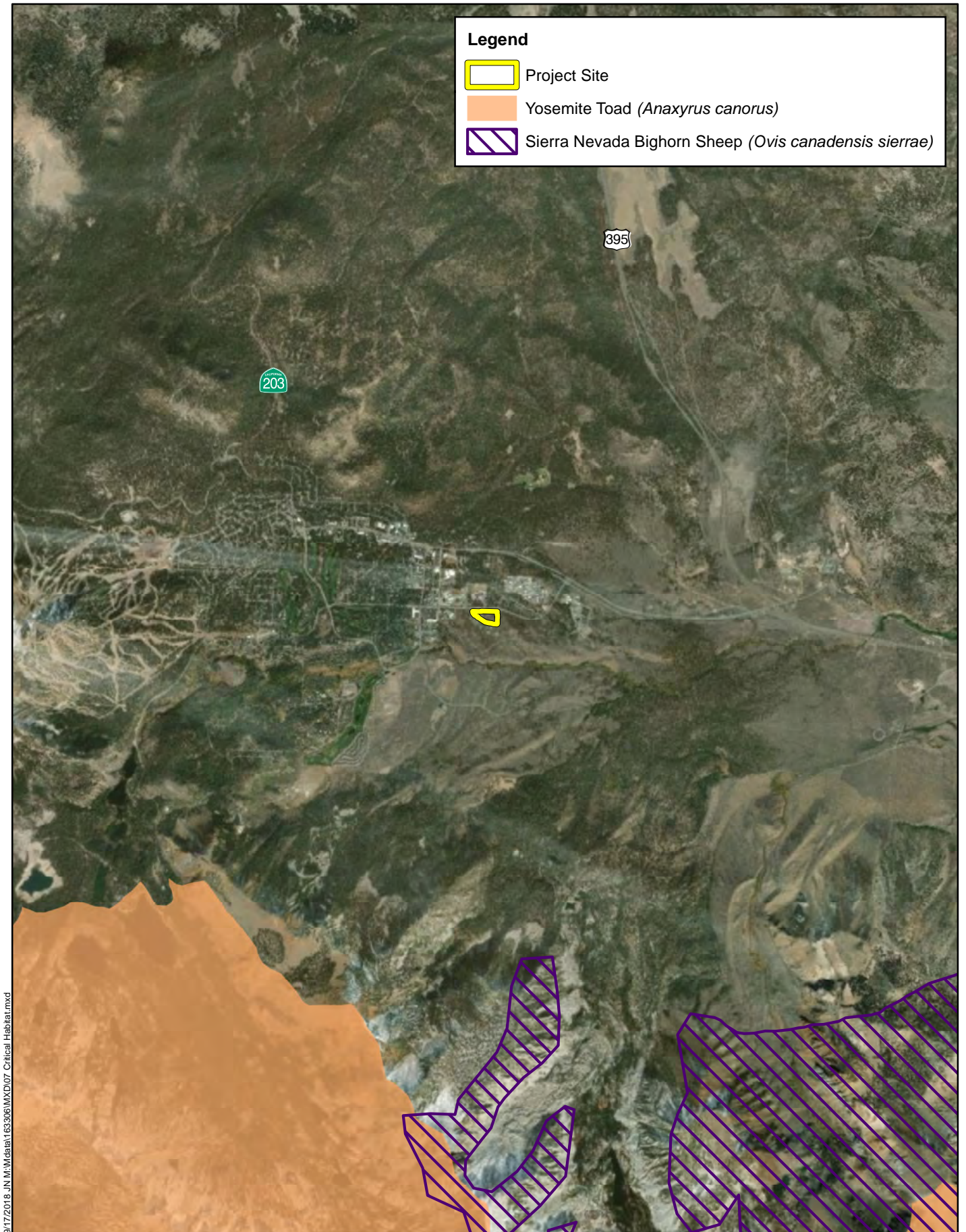




MAMMOTH ARTS AND CULTURAL CENTER PROJECT  
HABITAT ASSESSMENT  
**Vegetation**







**Legend**



Project Site



Yosemite Toad (*Anaxyrus canorus*)



Sierra Nevada Bighorn Sheep (*Ovis canadensis sierrae*)

MAMMOTH ARTS AND CULTURAL CENTER PROJECT  
HABITAT ASSESSMENT

**Critical Habitat**



**ATTACHMENT B**  
**Site Photographs**





**Photo 1.** South-facing view from northcentral of the project site.



**Photo 2.** Southwest-facing view from northcentral of the project site.



**Photo 3.** Northwest-facing view from northcentral of the project site.



**Photo 4.** South-facing view from northeast corner of project site.





**Photo 5.** Southwest-facing view from northeast corner of project site.



**Photo 6.** Northwest-facing view from southeast corner of project site.



**Photo 7.** West-facing view from southeast corner of project site.



**Photo 8.** East-facing view from southcentral of the project site.





**Photo 9.** Northeast-facing view from southcentral of the project site.



**Photo 10.** West-facing view from southcentral of the project site.



**Photo 11.** Northwest-facing view from southcentral of the project site.



**Photo 12.** East-facing view along College Parkway from in front of Edison Hall.





**Photo 13.** North-facing view of Edison Hall from College Parkway.



**Photo 14.** South-facing view from southwest corner of project site.





**Photo 15.** Northeast-facing view from southwest corner of project site.



**Photo 16.** East-facing view from southwest corner of project site.





**Photo 17.** Southeast-facing view from northwest corner of project site.



**Photo 18.** South-facing view from northwest corner of project site.

**ATTACHMENT C**  
**Flora and Fauna Compendium**

**Table C-1: Plant Species Observed List**

<i>Scientific Name*</i>	<i>Common Name</i>
<b>Plants</b>	
<i>Achillea millefolium</i>	common yarrow
<i>Agropyron cristatum</i>	crested wheatgrass
<i>Arctostaphylos patula</i>	green leaf manzanita
<i>Artemesia tridentata</i>	big sagebrush
<i>Bromus tectorum*</i>	cheatgrass
<i>Descuriania californica</i>	Sierra tansy mustard
<i>Dieteria canescans</i>	hoary aster
<i>Elymus cinereus</i>	Great Basin wild rye
<i>Ericameria nauseosa</i> var. <i>speciosa</i>	rubber rabbitbrush
<i>Eriogonum baileyi</i> var. <i>baileyi</i>	Bailey's buckwheat
<i>Erysimum perenne</i>	sanddune wallflower
<i>Lepidium densiflorum</i>	common pepper grass
<i>Pinus jeffreyi</i>	Jeffrey pine
<i>Purshia tridentata</i>	antelope brittlebrush
<i>Salsola tragus*</i>	Russian thistle
<i>Stipa hymenoides</i>	Indian rice grass
<i>Stephanomeria tenuifolia</i>	wire lettuce

\* Non-native species

**Table C-2: Wildlife Species Observed List**

<i>Scientific Name*</i>	<i>Common Name</i>
<b>Birds</b>	
<i>Buteo jamaicensis</i>	Red-tailed hawk
<i>Euphagus cyanocephalus</i>	Brewer's blackbird
<b>Mammals</b>	
<i>Odocoileus hemionus</i>	mule deer
<i>Tamias</i> sp.	chipmunk

**ATTACHMENT D**  
**Potentially Occurring Special-Status Biological Resources**



**Table D-1: Potentially Occurring Special-Status Biological Resources**

<i>Scientific Name</i> Common Name	Special-Status Rank*	Habitat Preferences and Distribution Affinities	Suitable Habitat Present	Potential to Occur
<b>SPECIAL-STATUS WILDLIFE SPECIES</b>				
<i>Accipiter gentilis</i> northern goshawk	SSC G5 S3	Within, and in vicinity of, coniferous forest. Uses old nests, and maintains alternate sites. Usually nests on north slopes, near water. Red fir, lodgepole pine, Jeffrey pine, and aspens are typical nest trees. Breeding within the California range extends from approximately 1,000 to 10,800 feet above mean sea level (amsl).	Yes	<b>Low:</b> The Project site provides suitable foraging habitat, but no suitable nesting habitat for this species. Additionally, per CNDDB records this species is known to occur within the vicinity of the Project site. Additionally, there are multiple observations of this species within a 5-mile radius of the project site (focused near Horseshoe Lake) through eBird (eBird 2022).
<i>Anaxyrus canorus</i> Yosemite toad	FT SSC G2G3 S2	Vicinity of wet meadows in central High Sierra, approximately 6,400 to 11,300 feet amsl. Primarily montane wet meadows; also in seasonal ponds associated with lodgepole pine and subalpine conifer forest.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Aplodontia rufa californica</i> Sierra Nevada mountain beaver	SSC G5T3T4 S2S3	Dense growth of small deciduous trees & shrubs, wet soil, & abundance of forbs in the Sierra Nevada & east slope. Needs dense understory for food & cover. Burrows into soft soil. Needs abundant supply of water.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Buteo swainsoni</i> Swainson's hawk	ST G5 S3	Summer migrant in southern California. Typical habitat is open desert, grassland, or cropland containing scattered, large trees or small groves. Breeds in stands with few trees in juniper-sage flats, riparian areas, and in oak savannah in the Central Valley. Forages in adjacent grassland or suitable grain or alfalfa fields or livestock pastures.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Catostomus fumeiventris</i> Owens sucker	SSC G3 S3	Endemic to the Owens River drainage. In its native river habitat, it is most common in areas with long runs & few riffles. Adults can thrive in reservoirs, but need gravelly riffles in tributary streams for spawning. Inhabits streams and lakes below 7,500 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Centrocercus urophasianus</i> greater sage-grouse	SSC G3G4 S2S3	In California this species is found in the northeastern, Great Basin portion of the state. They are restricted to flat/rolling terrain vegetated by sage-brush, upon which it depends for both food and shelter. Openings within sage habitat are used by grouse for mating displays.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.

**Table D-1: Potentially Occurring Special-Status Biological Resources**

<i>Scientific Name</i> Common Name	Special-Status Rank*	Habitat Preferences and Distribution Affinities	Suitable Habitat Present	Potential to Occur
<i>Coccyzus americanus</i> yellow-billed cuckoo	FT	This species is known for being riparian forest nesters, usually along the broad lower-flood bottoms of large river systems. They nest in dense riparian willow habitats often mixed with cottonwoods that have lower stories of blackberry, nettle, or wild grape brush.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Coturnicops noveboracensis</i> yellow rail	SSC G4 S1S2	For breeding, this species requires sedge marshes/meadows with moist soil or shallow standing water. In the winter, this species inhabits wet meadows and coastal tidal marshes.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Cyprinodon radiosus</i> Owens pupfish	FE	Preferring warm, clear, shallow water in the Owens Valley that is free of exotic fishes. This species needs areas of firm substrate for spawning.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Danaus plexippus</i> monarch butterfly	FC G4T2T3 S2S3	Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico. Roosts are located in wind-protected tree groves (eucalyptus, Monterey pine, cypress), with nectar and water sources nearby.	No	<b>Not Expected:</b> The project site does not provide suitable habitat for this species. Based on maps of known wintering roosts for this species, there are no known roosts in this area (Xerces Society 2022).
<i>Empidonax traillii</i> willow flycatcher	SE G5 S1S2	Requires dense willow thickets for nesting/roosting and low exposed branches that are used for singing posts/hunting perches. Inhabits extensive thickets of low, dense willows on the edge of wet meadows, ponds, or backwaters at elevations ranging from 2,000 to 8,000 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Gila bicolor ssp. snyderi</i> Owens tui chub	FE SE G4T1 S1	Endemic to the Owens River basin in a variety of habitats. Needs clear, clean water, adequate cover, and aquatic vegetation.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Gulo gulo luscus</i> wolverine	FT (Proposed) ST FP G4 S1	Needs water source. Uses caves, logs, burrows for cover & den area. Hunts in more open areas. Can travel long distances.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Lepus townsendii townsendii</i> western white-tailed jackrabbit	SSC G5T5 S3	Sagebrush, subalpine conifer, juniper, alpine dwarf shrub & perennial grassland. Open areas with scattered shrubs & exposed flat-topped hills with open stands of trees, brush & herbaceous understory. Found at elevations ranging from 131 to 14,108 feet amsl.	Yes	<b>High:</b> Suitable habitat for this species can be found within the big sagebrush scrub habitat present on site.
<i>Oncorhynchus clarkii henshawi</i> Lahontan cutthroat trout	FT G5T3 S1	Historically found in all accessible cold waters of the Lahontan Basin. It is known to withstand a wide variety of water temperatures and conditions. Cannot tolerate the presence of other salmonoids. Requires gravel riffles in streams for spawning.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.

**Table D-1: Potentially Occurring Special-Status Biological Resources**

<i>Scientific Name</i> Common Name	Special-Status Rank*	Habitat Preferences and Distribution Affinities	Suitable Habitat Present	Potential to Occur
<i>Oncorhynchus clarkii seleniris</i> Paiute cutthroat trout	FT SSC G5T1 S1	Cool, well-oxygenated waters. Cannot tolerate presence of other salmonids, requires clean gravel for spawning.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Pekania pennanti pop. 2</i> fisher - southern Sierra Nevada ESU	FE ST SSC G5T1 S1	Intermediate to large-tree stages of coniferous forests & deciduous-riparian areas with high percent canopy closure. Uses cavities, snags, logs & rocky areas for cover & denning. Needs large areas of mature, dense forest.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Rana sierrae</i> Sierra Nevada yellow-legged frog	FE ST G1 S1	Inhabits lakes, ponds, meadow streams, isolated pools, and sunny riverbanks in the Sierra Nevada Mountains. Open stream and lake edges with a gentle slope up to a depth of 5-8cm is preferred. Tadpoles may require 2 - 4 years to complete their aquatic development. Found at elevations ranging from 984 to 12,000 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Rhinichthys osculus ssp. 12</i> Long Valley speckled dace	SSC G5T1 S1	Found only in Long Valley in the Owens River drainage. Rarely found in water exceeding 29 C.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Rhinichthys osculus ssp. 2</i> Owens speckled dace	SSC G5T2Q S2	Found in small streams and springs in Owens Valley. Rarely found in water exceeding 29 C.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Sorex lyelli</i> Mount Lyell shrew	SSC G3G4 S3S4	High elevation riparian areas in the southern Sierra Nevada. Requires moist soil, lives in grass or under willows. Uses logs, stumps, etc. for cover. Found at elevations ranging from 6,890 to 11,909 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Strix nebulosa</i> great gray owl	SE G5 S1	Resident of mixed conifer or red fir forest habitat, in or on edge of meadows. Requires large diameter snags in a forest with high canopy closure, which provide a cool sub-canopy microclimate. Found at elevations ranging from 6,000 to 9,000 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Vulpes vulpes necator pop. 2</i> Sierra Nevada red fox - Sierra Nevada DPS	FE ST G5TNR S1	Historically found from the Cascades down to the Sierra Nevada. Found in a variety of habitats from wet meadows to forested areas. Use dense vegetation & rocky areas for cover & den sites. Prefer forests interspersed w/ meadows or alpine fell-fields. Found at elevations ranging from 3,937 to 11,811 feet amsl.	Yes	<b>Not Expected:</b> Though suitable habitats preferred by this species are present within the project site, the closest known record is greater than 9 miles away and more than 35 years old.
<b>SPECIAL-STATUS PLANT SPECIES</b>				
<i>Antennaria pulchella</i> beautiful pussy-toes	4.3 G4 S4	Perennial stoloniferous herb. Occurs in alpine boulder and rock field (stream margins), meadows and seep habitats. Blooming period is from June to September. Found at elevations ranging from 9,185 to 12,140 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.

**Table D-1: Potentially Occurring Special-Status Biological Resources**

<i>Scientific Name</i> Common Name	Special-Status Rank*	Habitat Preferences and Distribution Affinities	Suitable Habitat Present	Potential to Occur
<i>Arabis repanda</i> var. <i>greenii</i> Greene's rockcress	3.3 G5T3Q S3	Perennial herb. Occurs in subalpine coniferous forest, upper montane coniferous forest habitats on granitic, talus, rocky or sandy soils. Blooming period is June to August. Found at elevations ranging from 7,695 to 11,810 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Astragalus johannis-howellii</i> Long Valley milk-vetch	CR 1B.2 G2 S1	Perennial herb. Occurs in sandy loam soils within great basin scrub habitat. Blooming period is from June to August. Found at elevations ranging from 6,695 to 8,300 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Astragalus kentrophyta</i> var. <i>danaus</i> Sweetwater Mountains milk-vetch	4.3 G5T4 S4	Perennial herb. Occurs in rocky talus within alpine boulder and rock field, subalpine coniferous forest. Blooming period is July to September. Found at elevations ranging from 9,845 to 12,010 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Astragalus lemmonii</i> Lemmon's milk-vetch	1B.2 G2 S2	Perennial herb. Occurs in Great Basin scrub, meadows and seeps, marshes and swamp (lake margin) habitats. Blooming period is from May to August (September). Found at elevations ranging from 3,305 to 7,220 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Astragalus monoensis</i> Mono milk-vetch	CR 1B.2 G2 S2	Perennial herb. Occurs in Great Basin scrub, upper montane coniferous forest, pumice flats with sparse vegetative cover. Found at elevations ranging from 6,925 to 11,010 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Atriplex pusilla</i> smooth saltbush	2B.1 G4 SH	Annual herb. Occurs in Great Basin scrub, meadow and seep, wetland. Known from hot springs, and alkali springs. Blooming period is June to September. Found at elevations ranging from 4,265 to 6,560 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Boechera cobrensis</i> Masonic rockcress	2B.3 G5 S3	Perennial herb. Occurs in Great Basin scrub, Pinon and juniper woodlands, usually in sandy soils. Blooming period is June to July. Found at elevations ranging from 4,510 to 10,190 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Boechera pinzliae</i> Pinzl's rockcress	1B.3 G2 S1	Perennial herb. Occurs in alpine, alpine boulder and rock field, subalpine coniferous forest habitats in steep, unstable scree and sand. Blooming period is July. Found at elevations ranging from 9,845 to 10,990 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Additionally, the project site is outside of the known elevational limits of this species.
<i>Boechera tularensis</i> Tulare rockcress	1B.3 G3 S3	Perennial herb. Subalpine coniferous forest, upper montane coniferous forest habitats on rocky slopes. Blooming period is May to August. Found at elevations ranging from 5,990 to 10,990 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.



**Table D-1: Potentially Occurring Special-Status Biological Resources**

<i>Scientific Name</i> Common Name	Special-Status Rank*	Habitat Preferences and Distribution Affinities	Suitable Habitat Present	Potential to Occur
<i>Botrychium ascendens</i> upswept moonwort	2B.3 G3 S2	Perennial rhizomatous herb. Occurs in mesic soils within lower montane coniferous forest, meadows and seep habitats. Blooming period is (June) July to August. Found at elevations ranging from 3,660 to 9,990 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Botrychium crenulatum</i> scalloped moonwort	2B.2 G4 S3	Perennial rhizomatous herb. Occurs in bogs and fens, lower montane coniferous forest, meadows and seeps, marshes and swamps (freshwater), and upper montane coniferous forest habitats. Blooming season is from June to September. Found at elevations ranging from 4,160 to 10,761 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Botrychium minganese</i> Mingan moonwort	2B.2 G5 S3	Perennial rhizomatous herb. Occurs in mesic soils within bogs and fens, lower montane coniferous forest, meadows and seep (edges), and upper montane coniferous forest habitats. Found at elevations ranging from 4,775 to 7,155 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Bruchia bolanderi</i> Bolander's bruchia	4.2 G3 S3	Moss. Occurs in lower montane coniferous forest, meadows and seep, and upper montane coniferous forest habitats. Moss which grows on damp clay soils. Seems to colonize bare soil along streambanks, meadows, fens and springs. Found at elevations ranging from 5,580 to 9,185 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Calochortus excavatus</i> Inyo County star-tulip	1B.1 G2 S2	Perennial bulbiferous herb. Occurs in alkaline or mesic soils within chenopod scrub, meadows and seep habitats. Blooming period is from April to July. Found at elevations ranging from 3,775 to 6,560 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Carex geyeri</i> Geyer's sedge	4.2 G5 S4	Perennial rhizomatous herb. Occurs in Great Basin scrub and lower montane coniferous forest habitats. Blooming period is May to August. Found at elevations ranging from 3,790 to 7,200 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Carex incurviformis</i> Mt. Dana sedge	4.3 G4G5 S4	Perennial rhizomatous herb. Occurs in alpine boulder and rock field habitats. Blooming period is July to August. Found at elevations ranging from 12,140 to 13,320 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Carex petasata</i> Liddon's sedge	2B.3 G5 S3	Perennial herb. Occurs in broadleaved upland forest, lower montane coniferous forest, meadow and seep, pinyon and juniper woodlands, and wetland habitats. Blooming period is May to July. Found at elevations ranging from 1,970 to 10,895 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.

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<i>Scientific Name</i> Common Name	Special-Status Rank*	Habitat Preferences and Distribution Affinities	Suitable Habitat Present	Potential to Occur
<i>Carex scirpoidea</i> ssp. <i>pseudoscirpoidea</i> western single-spiked sedge	2B.2 G5T5 S2	Perennial rhizomatous herb. Occurs in mesic and often carbonate substrate within alpine boulder, rock field, meadows, seeps, and subalpine coniferous forest (rocky) habitats. Blooming period is from July to September. Found at elevations ranging from 8,430 to 11,385 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Cinna bolanderi</i> Bolander's woodreed	1B.2 G2G3 S2S3	Perennial herb. Occurs in habitats including meadows and seeps and upper montane coniferous forest, often mesic. Blooming period is from July to September. Found at elevations ranging from 5,480 to 8,005 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Claytonia megarhiza</i> fell-fields claytonia	2B.3 G5 S2	Perennial herb. Alpine, alpine boulder and rock field, and subalpine coniferous forest habitats in the crevices between rock in rocky and gravelly soils. Blooming period is July to September. Found at elevations ranging from 8,530 to 11,590 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Cleomella brevipes</i> short-pedicelled cleomella	4.2 G4 S3	Annual herb. Occurs in alkaline soils within meadows, seeps, marshes, swamps, and playa habitats. Blooming period is from May to October. Found at elevations ranging from 1,295 to 7,200 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Crepis runcinata</i> fiddlelead hawksbeard	2B.2 G5 S3	Perennial herb. Occurs in Mojavean desert scrub, and pinyon and juniper woodlands habitats in moist, alkaline valley bottoms. Blooming period is May to August. Found at elevations ranging from 4,100 to 6,480 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Cryptantha glomeriflora</i> clustered-flower cryptantha	4.3 G4Q S4	Annual herb. Occurs in granitic or volcanic, sandy soils in Great Basin scrub, meadows and seeps, subalpine coniferous forest, and upper montane coniferous forest. Blooming period is June to September. Found at elevations ranging from 5,905 to 12,305 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Draba cana</i> canescent draba	2B.3 G5 S2S3	Perennial herb. Occurs in alpine, alpine boulder and rock field, limestone, meadow and seep, and subalpine coniferous forest in carbonate substrates. Blooming period is July. Found at elevations ranging from 9,845 to 11,500 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Draba lonchocarpa</i> spear-fruited draba	2B.3 G5 S2S3	Perennial herb. Occurs in alpine boulder and rock field habitats on limestone scree. Blooming period is June to July. Has an elevational range of 9,845 to 10,810 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.

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<i>Scientific Name</i> Common Name	Special-Status Rank*	Habitat Preferences and Distribution Affinities	Suitable Habitat Present	Potential to Occur
<i>Draba praealta</i> tall draba	2B.3 G5 S3	Perennial herb. Meadows and seeps on mesic sites. Blooming period is July to August. Found at elevations ranging from 8,205 to 11,205 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Elodium blandowii</i> Blandow's bog moss	2B.3 G5 S3	Moss. Occurs in damp soils within meadow, seeps, and subalpine coniferous forest habitats. Found at elevations ranging from 6,110 to 8,860 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Elymus scribneri</i> Scribner's wheat grass	4.3 G4 S4	Perennial herb. Occurs in alpine boulder and rock field habitats. Blooming period is from July to August. Found at elevations ranging from 9,515 to 13,780 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Epilobium howellii</i> subalpine fireweed	4.3 G4 S4	Perennial stoloniferous herb. Occurs in meadow and seeps, subalpine coniferous forest, and wetland habitats. Found in wet meadows, mossy seeps. Blooming period is July to August. Has an elevational range of 6,560 to 10,235 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Eremothera boothii ssp. boothii</i> Booth's evening-primrose	2B.3 G5T4 S3	Annual herb. Occurs in Joshua tree "woodland", pinyon and juniper woodland habitats. Blooming period is from April to September. Found at elevations ranging from 2,675 to 7,875 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Eriastrum sparsiflorum</i> few-flowered eriastrum	4.3 G5 S4	Annual herb. Occurs in granitic, sandy openings within chaparral, cismontane woodland, Great Basin scrub, Joshua tree "woodland", Mojavean desert scrub, pinyon and juniper woodland habitats. Blooming period is from May to September. Found at elevations ranging from 3,525 to 5,610 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Ericameria nana</i> dwarf goldenbush	4.3 G5 S4	Perennial shrub. Occurs in pinyon and juniper woodland (rocky, carbonate or granitic soils) habitat. Blooming period is July to November. Found at elevations ranging from 4,805 to 9,185 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Eriogonum microthecum var. alpinum</i> alpine slender buckwheat	4.3 G5T3 S3	Perennial herb. Occurs in alpine dwarf scrub and Great Basin scrub habitats, sometimes in rocky or gravelly soils. Blooming period is July to September. Found at elevations ranging from 8,205 to 10,825 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.

**Table D-1: Potentially Occurring Special-Status Biological Resources**

<i>Scientific Name</i> Common Name	Special-Status Rank*	Habitat Preferences and Distribution Affinities	Suitable Habitat Present	Potential to Occur
<i>Erythranthe laciniata</i> cut-leaved monkeyflower	4.3 G4 S4	Annual herb. Occurs in lower montane coniferous forest and upper montane coniferous forest habitats, often in granitic or mesic soils. Blooming period is from April to July. Found at elevations ranging from 1,610 to 8,695 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Fritillaria pinetorum</i> pine fritillary	4.3 G4 S4	Perennial bulbiferous herb. Grows in granitic or metamorphic soils within chaparral, lower montane coniferous forest, pinyon and juniper woodland, upper montane coniferous forest, and subalpine coniferous forest habitats. Blooming period is from May to July (September). Found at elevations ranging from 5,692 to 10,827 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Goodmania luteola</i> golden goodmania	4.2 G3 S3	Annual herb. Occurs in Mojavean desert scrub, meadows and seeps, playas, valley and foothill grassland habitats in alkaline and clay substrates. Blooming period is from April to August. Found at elevations ranging from 65 to 7,220 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Hulsea brevifolia</i> short-leaved hulsea	1B.2 G3 S3	Perennial herb. Occurs in lower montane coniferous forest and upper montane coniferous forest habitats in granitic, gravelly, sandy, or volcanic soil of forest openings and road cuts. Blooming period is May to August. Found at elevations ranging from 4,920 to 10,500 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Ivesia kingii</i> var. <i>kingii</i> alkali ivesia	2B.2 G4T3Q S2	Perennial herb. Occurs in alkaline, clay, or mesic soils in Great Basin scrub, meadows and seeps, and playa habitats. Blooming period is from May to August. Found at elevations ranging from 3,935 to 6,990 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Jamesia americana</i> var. <i>rosea</i> rosy-petalled cliffbush	4.3 G5T4 S4	Perennial deciduous shrub. Occurs in carbonate, granitic, or rocky soils within alpine boulder and rock field, Great Basin scrub, pinyon and juniper woodland, and subalpine coniferous forest habitats. Blooming period is from May to September. Found at elevations ranging from 6,495 to 12,140 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Kobresia myosuroides</i> seep kobresia	2B.2 G5 S2	Perennial rhizomatous herb. Occurs in alpine boulder and rock field (mesic), meadows and seeps (carbonate), and subalpine coniferous forest habitats. Blooming period is in (Jun) August. Found at elevations ranging from 4,890 to 10,645 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.



**Table D-1: Potentially Occurring Special-Status Biological Resources**

<i>Scientific Name</i> Common Name	Special-Status Rank*	Habitat Preferences and Distribution Affinities	Suitable Habitat Present	Potential to Occur
<i>Lupinus duranii</i> Mono Lake lupine	1B.2 G2 S2	Perennial herb. Occurs in Great Basin scrub, subalpine coniferous forest, and upper montane coniferous forest habitats in pumice flats, coarse barren soils of volcanic origin. Blooming period is May to August. Found at elevations ranging from 6,560 to 9,845 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Lupinus nevadensis</i> Nevada lupine	4.3 G4 S4	Perennial herb. Occurs in Great Basin scrub, pinyon and juniper woodland habitats. Blooming period is from April to June. Found at elevations ranging from 3,280 to 9,845 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Meesia longiseta</i> long seta hump moss	2B.3 G5 S3?	Moss. Occurs in bogs and fens, meadows and seeps, upper montane coniferous forest on moist soils along streams and meadows, often in carbonate soils. Found at elevations ranging from 5,740 to 9,990 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Micromonolepis pusilla</i> dwarf monolepis	2B.3 G5T5 S2	Annual herb. Occurs in alkaline soils in openings within Great Basin scrub habitat. Blooming period is from May to August. Found at elevations ranging from 4,920 to 7875 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Orobanche ludoviciana</i> var. <i>arenosa</i> Suksdorf's broom rape	2B.2 G4 S1	Perennial herb (achlorophyllous). Occurs in Great Basin scrub habitat. Blooming period is from June to September (October). Found at elevations around of 5,250 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Parnassia parviflora</i> small-flowered grass-of-Parnassus	4.3 G4 S3	Perennial herb. Occurs in mesic soils within meadows and seep habitats. Blooming period is from August to September. Found at elevations 6,560 to 9,365 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Pedicularis crenulate</i> scalloped-leaved lousewort	2B.2 G4 S1	Perennial herb. Occurs in mesic soils within meadows and seep habitats. Blooming period is from June to July. Found at elevations ranging from 6,890 to 7,545 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Penstemon papillatus</i> Inyo beardtongue	4.3 G3 S3	Perennial herb. Occurs in granitic or rocky soils within pinyon and juniper woodland, and subalpine coniferous forest habitats. Blooming period is from June to July. Found at elevations ranging from 6,560 to 9,845 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Phacelia gymnoclada</i> naked-stemmed phacelia	2B.3 G4 S2	Annual herb. Occurs in chenopod scrub, Great Basin scrub, pinyon and juniper woodland habitats sometimes in clay or gravelly substrates. Blooming period is from April to June (August). Found at elevations ranging from 4,000 to 8,205 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.

**Table D-1: Potentially Occurring Special-Status Biological Resources**

<i>Scientific Name</i> Common Name	Special-Status Rank*	Habitat Preferences and Distribution Affinities	Suitable Habitat Present	Potential to Occur
<i>Phacelia inyoensis</i> Inyo phacelia	1B.2 G2 S2	Annual herb. Occurs in meadow and seep, in alkaline meadows. Blooming period is April to August. Found at elevations ranging from 3,000 to 10,500 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Pinus albicaulis</i> whitebark pine	FT	Coniferous tree. Occurs in montane forests. Found at elevations ranging from 3,800 to 12,140 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Potamogeton praelongus</i> white-stemmed pondweed	2B.3 G5 S2	Perennial rhizomatous herb (aquatic). Occurs in marshes and swamps (lakes, deep water). Blooming period is from July to August. Found at elevations from 5,905 to 9,845 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Potamogeton robbinsii</i> Robbins' pondweed	2B.3 G5 S3	Perennial rhizomatous herb (aquatic). Occurs in marshes and swamps, wetlands. Deep water, lakes. Blooming period is July to August. Found at elevations ranging from 5,020 to 10,825 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Sabulina stricta</i> bog sandwort	2B.3 G5 S3	Perennial herb. Occurs in alpine boulder and rock field, alpine dwarf scrub, meadows and seep habitats. Blooming period is from July to September. Found at elevations ranging from 8,005 to 12,995 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Salix brachycarpa</i> var. <i>brachycarpa</i> short-fruited willow	2B.3 GST5 S2	Perennial deciduous shrub. Occurs in alpine dwarf scrub, limestone, meadow and seeps, subalpine coniferous forest, and wetland. Found on edges of lakes, and in wet meadows, on limestone, marble, and metamorphic substrates. Blooming period is June to July. Found at elevations ranging from 9,845 to 11,485 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Salix nivalis</i> snow willow	2B.3 S2 G5	Perennial deciduous shrub. Occurs in alpine dwarf scrub habitats. Blooming period is from July to August. Found at elevations ranging from 10,170 to 11,485 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Sedum pinetorum</i> Pine City sedum	3 GUGHQ SH	Perennial herb. Occurs in alpine boulder and rock field, subalpine coniferous forest, likely on rocky volcanic slopes. Blooming period is in July. Found at elevations around 8,695 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Spartina gracilis</i> alkali cord grass	4.2 G5 S3	Perennial rhizomatous herb. Occurs in alkaline substrates within Great Basin scrub, meadows and seeps, marshes and swamp habitats. Blooming period is from June to August. Found at elevations ranging from 3,280 to 6,890 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.

Table D-1: Potentially Occurring Special-Status Biological Resources

Scientific Name Common Name	Special-Status Rank*	Habitat Preferences and Distribution Affinities	Suitable Habitat Present	Potential to Occur
<i>Sphaeromeria potentilloides</i> var. <i>nitrophila</i> alkali tansy-sage	2B.2 G5T4? S2	Perennial herb. Occurs in alkaline substrates within meadows and seeps, and playa habitats. Blooming period is from June to July. Found at elevations ranging from 6,890 to 7,875 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Stuckenia filiformis</i> ssp. <i>alpina</i> northern slender pondweed	2B.2 G5T5 S2S3	Perennial rhizomatous herb (aquatic). Occurs in shallow freshwater within marsh and swamp habitats. Blooming period is from May to July. Found at elevations ranging from 985 to 7,055 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Trichophorum pumilum</i> little bulrush	2B.2 S3 G5	Perennial rhizomatous herb. Occurs in carbonate streambanks within bogs and ferns, marshes and swamps, and riparian scrub habitats. Blooming period is in August. Found at elevations ranging from 9,385 to 10,665 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site. Further, the project site is outside of known elevation ranges for this species.
<i>Triglochin palustris</i> marsh arrow-grass	2B.3 G5 S2	Perennial rhizomatous herb. Occurs in meadows and seeps, marshes and swamps (freshwater), subalpine coniferous forest (mesic) habitats. Blooming period is July to August. Has an elevational range of 7,495 to 12,140 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Utricularia minor</i> lesser bladderwort	4.2 G5 S3	Perennial stoloniferous herb (carnivorous) (aquatic). Occurs in calcium-rich waters within bogs and ferns, marshes and swamps (shallow freshwater) habitats. Blooming period is from (May to June) July to August. Found at elevations from 2,625 to 9,515 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<i>Viola purpurea</i> ssp. <i>aurea</i> golden violet	2B.2 G5T2 S2	Perennial herb. Occurs in sandy soils within Great Basin scrub, pinyon and juniper woodland habitats. Blooming period is from April to June. Found at elevations 3,280 to 8,205 feet amsl.	No	<b>Not Expected:</b> Suitable habitats preferred by this species are not present within the project site.
<b>SPECIAL-STATUS VEGETATION COMMUNITIES</b>				
<u>CNDDDB/Holland (1986)</u> Mono Pumice Flat <u>MCV (1995)</u> N/A <u>NVCS (2009)</u> N/A	G1 S1.2	Pumice flats occur on level to slightly sloping terrain, and are characterized by open expanses of pumice gravel, which are typically moist a short distance beneath the surface.	No	<b>Absent:</b> This vegetation community was not observed within the project site.
<u>CNDDDB/Holland (1986)</u> Water Birch Riparian Scrub <u>MCV (1995)</u> N/A Water Birch Series <u>NVCS (2009)</u> N/A	GNR SNR	Birch riparian scrubs occur on level to slightly sloping terrain, and are characterized by temporarily saturated stream banks, alluvial terraces, and seeps with substrates that are fairly shallow, finely textured to gravelly and boulder sands and loams.	No	<b>Absent:</b> This vegetation community was not observed within the project site.

\* **U.S. Fish and Wildlife Service (USFWS)**

- FE Endangered – any species which is in danger of extinction throughout all or a significant portion of its range.
- FT Threatened – any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.
- FC Candidate – any species which has been designated as a candidate eligible for considering to be listed under the Federal Endangered Species Act.

**California Department of Fish and Wildlife (CDFW)**

- SE Endangered – any native species or subspecies of bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.
- ST Threatened – any native species or subspecies of bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required under the California Endangered Species Act.
- FP Fully Protected – any native species or subspecies of bird, mammal, fish, amphibian, or reptile that were determined by the State of California to be rare or face possible extinction.
- SSC Species of Special Concern – any species, subspecies, or distinct population of fish, amphibian, reptile, bird, or mammal native to California that currently satisfies one or more of the following criteria:
  - is extirpated from California or, in the case of birds, in its primary seasonal or breeding role;
  - is listed as Federally-, but not State-, threatened or endangered; meets the State definition of threatened or endangered but has not formally been listed.
  - is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status; or
  - has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for State threatened or endangered status.
- WL Watch List - taxa that were previously designated as “Species of Special Concern” but no longer merit that status, or which do not yet meet SSC criteria, but for which there is concern and a need for additional information to clarify status.
- CR Rare - a native plant that is designated as “rare” under the California Fish and Game Code.

**California Native Plant Society (CNPS) California Rare Plant Rank**

- 1A Presumed extirpated in California and either rare or extinct elsewhere.
- 1B Plants rare, threatened, or endangered in California and elsewhere.
- 2B Plants rare, threatened, or endangered in California but more common elsewhere.
- 3 Plants about which more information is needed – Review List.
- 4 Plants of limited distribution – Watch List.

**Threat Ranks**

- .1 Seriously threatened in California (over 80% of occurrences threatened/high degree any immediacy of threat).
- .2 Moderately threatened in California (20 to 80 percent of occurrences threatened/moderate degree and immediacy of threat).
- .3 Not very threatened in California (less than 20 percent of occurrences threatened/low degree and immediacy of threat or no current threats known).

**NatureServe Conservation Status Rank**

The Global Rank (G#) reflects the overall condition and imperilment of a species throughout its global range. The Intraspecific Taxon Rank (T#) reflects the global situation of just the subspecies or variety. The State Rank (S#) reflects the condition and imperilment of an element throughout its range within California. (G#Q) reflects that the element is very rare but there are taxonomic questions associated with it; the calculated G rank is qualified by adding a Q after the G#. Adding a ? to a rank expresses uncertainty about the rank.

- G1/T1 Critically Imperiled – At very high risk of extinction due to extreme rarity (often 5 or fewer populations), very steep declines, or other factors.
- G2/T2 Imperiled— At high risk of extinction due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors.
- G3/T3 Vulnerable— At moderate risk of extinction due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors.



G4/T4	Apparently Secure— Uncommon but not rare; some cause for long-term concern due to declines or other factors.
G5/T5	Secure – Common; widespread and abundant.
GH	Possibly Extinct — Known from only historical occurrences but still some hope of rediscovery. There is evidence that the species may be extinct or the ecosystem may be eliminated throughout its range, but not enough to state this with certainty. Examples of such evidence include 1) that a species has not been documented in approximately 20–40 years despite some searching or some evidence of significant habitat loss or degradation; 2) that a species or ecosystem has been searched for unsuccessfully, but not thoroughly enough to presume that it is extinct or eliminated throughout its range.
GNR	Unranked — Global rank not yet assessed.
GU	Unrankable — Currently unrankable due to a lack of information or due to substantially conflicting information about status or trends.
S1	Critically Imperiled – Critically imperiled in the state because of extreme rarity (often 5 or fewer occurrences) or because of some factor(s) such as very steep declines making it especially vulnerable to extirpation from the State.
S2	Imperiled – Imperiled in the State because of rarity due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors making it very vulnerable to extirpation from the nation or State.
S3	Vulnerable – Vulnerable in the State due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors making it vulnerable to extirpation.
S4	Apparently Secure – Uncommon but not rare; some cause for long-term concern due to declines or other factors.
SH	Possibly Extirpated (Historical) — Species occurred historically in the state, and there is some possibility that it may be rediscovered. All sites are historical; the element has not been seen for at least 20 years, but suitable habitat still exists.
SNR	Unranked — State conservation status not yet assessed.

**ATTACHMENT E**  
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**ATTACHMENT F**  
**Section 17.36.140 of the Mammoth Lakes Municipal Code**

#### 17.36.140 - Tree Removal and Protection.

- A. Purpose. This section includes provisions to protect and to regulate the removal of certain trees, based on the important environmental, aesthetic and health benefits that trees provide to Mammoth Lakes residents and visitors, and the contribution of such benefits to public health, safety and welfare. These benefits include, but are not limited to, enhancement of the character and beauty of the community as a "Village in the Trees," protection of property values, provision of wildlife habitat, reduction of soil erosion, noise buffering, wind protection, and visual screening for development.
- B. Applicability. The terms and provisions of this section shall apply to all private and public property within the Town of Mammoth Lakes.
- C. Exemptions. The following shall be exempt from the provisions of this section:
  - 1. Removal of a tree that presents an immediate safety hazard to life or property, as determined by the Town Manager, Director, Building Official, Public Works Director, Police Chief, Fire Marshall, Public Utility Company, or their designees.
  - 2. Routine tree maintenance, such as the trimming or thinning of branches.
  - 3. Tree removal performed by the Town, public utilities, or other public agencies in public utility easements or public rights-of-way;
  - 4. Tree removal for fuels reduction purposes on publicly owned land, performed in conjunction with an approved fuel reduction program or activity;
  - 5. Removal of trees felled by natural weather conditions or an act of God;
  - 6. Removal of visibly dead trees; and
  - 7. Coniferous and deciduous trees with a "Diameter at Breast Height" (DBH) of less than 12 inches.
- D. Tree removal permit required. No person shall remove or cause to be removed any tree from any property, which is subject to this section and not otherwise exempted pursuant to Section 17.36.140.C, 17.36.140.F. or 17.36.140.G, without first obtaining a valid tree removal permit pursuant to the requirements of Chapter 17.60 (Applications, Processing, and Fees).
- E. Tree removal permit application and review.
  - 1. Tree removal permit application. The following information shall be provided in the tree removal permit application:
    - a. A site plan or drawing showing the location, type and size of all tree(s) proposed to be removed;
    - b. A statement of the reasons for removal; and
    - c. Written consent of the owner of record of the land on which the tree(s) are proposed to be removed, or their authorized agent or contractor.
  - 2. Tree removal permit review. The following shall be considered when reviewing tree removal permits:
    - a. The Director shall inspect the property and evaluate each application. The applicant shall clearly mark or flag all trees proposed for removal.
    - b. The Director shall issue a permit if any of the conditions 1. through 10. below are determined to apply. The Director may request the applicant to provide a professional assessment by a Registered Professional Forester (RPF) or arborist to support the reasons for the proposed tree removal.

- i. The tree(s) is infected with an epidemic insect or disease where the recommended control is not applicable and an arborist has recommended removal to prevent transmission;
  - ii. The tree is visibly dying;
  - iii. The tree(s) presents a hazard to health, safety or property that cannot be corrected by pruning, transplanting or other treatments;
  - iv. The tree(s) severely interfere with the growth and development of a more desirable tree;
  - v. The removal of the tree would be necessary to provide for the required amount of snow storage on a residential or commercial property;
  - vi. The removal of the tree would substantially increase mid-day solar access to a solar collector;
  - vii. The tree(s) interferes or is causing extensive damage to utility services or facilities, roadways, sidewalks, curbs, gutters, pavement, water or sewer line, foundations or existing structures;
  - viii. The removal of the trees(s) would be necessary to maintain defensible space around a structure, or for fuels reduction purposes approved by Mammoth Lakes Fires Protection District;
  - ix. The removal of the tree(s) would allow for improved enjoyment or quality of a publicly accessible recreation or event site (e.g., improved event circulation or seating, enhanced golf course playability, etc.) consistent with the Town's destination resort objectives.
  - x. Other reason, which, in the determination of the Director, would be necessary to maintain public health, safety or welfare, or to avoid damage to buildings or property.
- c. Creation of views, lawns, or similar amenities shall not be sufficient cause to remove trees.
- 3. Expiration of tree removal permits. Tree removal permits shall remain valid for a period of five years from date of issue.
- F. Multi-family residential project tree management plan. An Administrative Permit for a tree management plan may be approved by the Director for an existing multi-family residential or lodging property of twenty-five units or more consistent with the standards of this section. Separate tree removal permits would not be required with an approved tree management plan.
  - 1. Tree Management Plan. A tree management plan shall include the following information:
    - a. Name of multi-family residential or lodging property.
    - b. Narrative describing purpose and objectives of the tree management plan.
    - c. Location, species, diameter at DBH, reason, and anticipated year of removal for each tree expected to be removed under the management plan.
    - d. Signature of certified RFP or arborist certifying the validity of the tree management plan.
  - 2. Expiration of tree maintenance plan. Tree management plans shall remain valid for a period of five years from date of issue. Substantial revisions or amendments to an approved tree management plan shall be approved by the Director.

- G. Construction-related tree removal and protection. If a site has received development approval through a land use, building, or grading permit that includes a tree removal and protection plan consistent with the standards of this section, then a separate tree removal permit is not required, and removal of trees is considered approved through the land use, building, or grading permit.
1. Tree removal and protection plan. A tree removal and protection plan is required prior to conducting development activities which require a land use permit, building permit or grading permit, including, but not limited to, clearing, grading, excavation or demolition work on any property or development site containing one or more trees.
    - a. The tree removal and protection plan shall clearly depict all trees to be preserved and/or removed on the site. The plan must be drawn to scale and include the following:
      - i. Location, species and diameter of each tree at DBH.
      - ii. Clear identification of all trees proposed to be removed.
      - iii. Location of drip line of each tree.
      - iv. Location of existing and proposed roads, water, sanitary and storm drain, irrigation and other utility lines/facilities and easements.
      - v. Location of existing and proposed structures.
      - vi. Grade change or cut and fill during or after construction.
      - vii. Existing and proposed impervious surfaces.
      - viii. Location and type of tree protection measures to be installed per Section G.1.b., below.
    - b. Tree protection measures. Except as otherwise allowed by the review authority or Director, all required tree preservation measures set forth in this section shall be instituted prior to any construction or development activities, including but not limited to, clearing, grading, excavation or demolition work, and shall be removed only after completion of all construction activity, including landscaping and irrigation installation.
      - i. Fencing, a minimum of three feet tall with posts placed no more than ten feet apart shall be installed at the edge of the tree drip line. Fencing shall be flush with the initial (undisturbed) grade.
      - ii. No construction activity shall occur within the tree drip lines, including, but not limited to dumping or storage of materials such as building supplies, soil, waste items, equipment or parked vehicles.
      - iii. Tree drip lines shall be maintained free of chemically injurious materials and substances such as paints, thinners, cleaning solutions, oil and gasoline, concrete or drywall excess, construction debris or run-off.
      - iv. No excavation, trenching, grading, root pruning or other activity shall occur within the drip line unless approved by the review authority or the Director.
      - v. The applicant shall not proceed with any development or construction activities, except installation of erosion control measures, until the Town has inspected and approved the installation of the required tree protection measures and a grading and/or building permit has been issued by the Town.



- c. Waiver of requirement to provide tree removal and protection plan. The Director may waive the requirement to provide a tree removal and protection plan where it can be demonstrated, to the Director's satisfaction, that no trees would be removed or otherwise directly or indirectly affected by the proposed activity.
- H. Penalty for removal of a tree without a permit. The following penalties may be imposed for removal of a tree(s) without an approved tree removal permit where one is required, consistent with Municipal Code Section 8.32 (Administrative Citations).
  - 1. Coniferous trees over 12 inches: a fine of no less than \$2,500 per tree and/or as valued by an RPF or arborist; in no circumstances shall the fine be less than \$2,500 and no more than \$50,000, per tree;
  - 2. Deciduous trees over 12 inches: a fine of \$1,000 per tree and/or as valued by an RPF or arborist; in no circumstances shall the fine be less than \$1,000 and no more than 5,000;
  - 3. Replacement plantings may be required as determined by the Director consistent with Section 17.36.140. I, which may include valuation by an RPF or arborist.
- I. Mitigation for tree removal. As mitigation for tree removal, either in conjunction with a tree removal permit, construction-related tree removal, or as penalty for tree removal performed without a permit, the Director may require replacement plantings. If required, replacement shall be limited to plantings in areas suitable for tree replacement with species identified in the Town of Mammoth Lakes' Recommended Plant List. The replacement ratio shall be determined by the Director. If required, the minimum replacement tree size shall be seven gallons. Replacement requirements may also be determined based on the valuation of the tree as determined by an RPF or arborist. The property owner shall maintain plantings to a level approved by the Director.

(Ord. No. 14-02, § 4, 3-19-2014; Ord. No. 15-01, § 4(Exh. A, § 26), 1-21-2015)



## ATTACHMENT 2

### Cultural Resources Memorandum



**Rincon Consultants, Inc.**

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October 12, 2022  
Project No: 17-04393

Kristen Bogue  
Senior Environmental Specialist  
Michael Baker International  
5 Hutton Centre Drive, Suite 500  
Santa Ana, CA 92707  
Via email: [kbogue@mbakerintl.com](mailto:kbogue@mbakerintl.com)

Subject: Cultural Resources Addendum for the Mammoth Arts and Cultural Center Project, Town of Mammoth Lakes, Mono County, California

Dear Ms. Bogue:

Rincon Consultants, Inc. (Rincon) was retained in 2018 by Michael Baker International to prepare a cultural resources technical memorandum for the Mammoth Arts and Cultural Center Project (project). Since the submittal of Rincon's technical memorandum project components have been modified to include a dog park and a reduction to the square footage of a proposed performance theater. Included in this memorandum is Rincon's review of the project changes and analysis to determine if additional cultural resources mitigation may be recommended. This analysis was completed using the modified project description, a site visit by a qualified archaeologist, and a review of the existing record search data retained for the project.

## Cultural Resources Records Search

Rincon utilized data from the 2018 cultural resources study to identify previous cultural resources studies and previously recorded cultural resources that may exist in the project footprint. The search included a review of the National Register of Historic Places (NRHP), the CRHR, the California Points of Historical Interest list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Historic Resources Inventory list.

No previously recorded resources are documented within the project site.

## 2022 Site Visit

Rincon archaeologist, Elaine Foster, completed a reconnaissance level survey of the project site on September 29, 2022. The purpose of this site visit was to confirm the project site conditions were similar to those reviewed by Rincon in 2018. Ms. Foster inspected the area for cultural resources of both prehistoric and historical origin. Surface visibility was good at the time of survey. No cultural resources were encountered.

## Discussion and Recommendations

Based on the project changes and the site visit completed by Rincon, Rincon does not recommend any additional mitigation beyond those originally recommended for the project by Rincon in 2018. For convenience those recommended measures are outlined below.

### *Worker's Environmental Awareness Program*

A qualified archaeologist shall be retained to conduct a WEAP training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. Archaeological sensitivity training should include a description of the types of cultural material that may be encountered, cultural sensitivity issues, regulatory issues, and the proper protocol for treatment of the materials in the event of a find.

### *Construction Monitoring*

Rincon recommends that all ground-disturbing construction work should be observed by archaeologist and Native American monitors. Rincon recommends archeological monitoring of all project-related activities that will remove the topsoil, alter the underlying root structure of on-site vegetation, or alter any soils that appear to be within a primary context. Archaeological monitoring should be performed under the direction of an archaeologist meeting the Secretary of Interior's Professional Qualification Standards for archaeology (NPS 1983). If archaeological resources are encountered during monitoring of ground-disturbing activities, work in the immediate area must halt and the find must be evaluated for significance under CEQA.

### *Unanticipated Discoveries*

In the event that unanticipated cultural resources are identified during project related ground disturbance, they should be treated in accordance with CEQA Guidelines section 15064.5(f), requiring halting ground disturbance in the immediate area of the find until it can be evaluated by a qualified archaeologist.

The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the county coroner must be notified immediately. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of being granted access and may recommend scientific removal of human remains and items associated with Native American burials.

Thank you for selecting Rincon Consultants, Inc. to provide you with this technical memorandum. Please feel free to contact Rincon if you have questions, or if we can be of further assistance.

Sincerely,

Rincon Consultants, Inc.



Breana Campbell-King, MA, RPA  
Program Manager



Christopher A. Duran, MA, RPA  
Principal Investigator





## ATTACHMENT 3

### Transportation Analysis



## LSC Transportation Consultants, Inc.

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November 27, 2023

Kristen Bogue, Project Manager  
5 Hutton Centre Drive, Suite 500  
Santa Ana, CA 92707

RE: Mammoth Arts and Cultural Center (MACC) – Trip Generation and VMT Analysis Update

Dear Ms. Bogue:

Per your request, LSC Transportation Consultants, Inc. has prepared a trip generation and vehicle miles traveled (VMT) analysis for the updated Mammoth Arts and Cultural Center (MACC) project located at the Cerro Coso Community College site (100 College Parkway) in Mammoth Lakes, California. First, the land uses are discussed. Then the trip generation is calculated and compared to the original study *Mammoth Arts and Cultural Center Transportation Impact Analysis* (LSC, November 2018). Finally, the VMT analysis is presented.

### Land Uses

The original project proposed a 298 seat performing arts theatre and a 500 seat outdoor amphitheater. The updated project proposes a smaller 250 seat performing arts theatre, a 500 seat outdoor amphitheater, a 6,600 square foot childcare center, a 1,000 square foot storage building and a 1 acre dog park. In the long-term, the dog park will be turned into 24 dwelling units. The storage building is to be used by the proposed theatre, no outside trips will be associated with it and is therefore excluded from analysis. Note as the design day in Mammoth Lakes is a non-holiday winter Saturday and the outdoor amphitheater will only operate in summer the outdoor amphitheater is excluded from the analysis.

### Trip Generation

Trip generation is the evaluation of the number of vehicle-trips that will either have an origin or destination at the project site. Peak-hour one-way vehicle-trips must be determined in order to analyze the potential impacts from the proposed project development.

#### Trip Generation of MACC

The Institute of Transportation Engineers (ITE) Trip Generation Manual does not contain trip rates for a performing arts theatre. Therefore, trip generation for this project is based on a 'person-trip analysis'. Consistent with Town standards, the design day is a busy winter Saturday but not a peak time (such as Christmas week). All assumptions from the original study *Mammoth Arts and Cultural Center Transportation Impact Analysis* (LSC, November 2018) are assumed to still be applicable and were used to calculate trip generation. Table 1 shows the number of hourly vehicle trips to/from the performing arts theatre. As shown in Table 1, the theatre would generate 74 peak hour inbound trips.

### Trip Generation of Childcare Center and Dwelling Units

Standard daily and peak-hour trip generation rates are drawn from the Institute of Transportation Engineers (ITE) *Trip Generation, 11th Edition* manual (ITE, 2021). The standard rates for the childcare center and the dwelling units are shown in Table 2. The childcare center is assumed to have 85 students and 15 staff members associated with it. The ITE land use of “Day Care Center” was used for analysis. For the dwelling units, the land use “multi-family low rise” land use was used for analysis.

### Reductions for Internal Trips

As is typical of a mixed-land use development, some persons generating a trip at the site would visit more than one of the land uses at the site during the same “trip.” Common traffic engineering practice dictates that a reduction in total trip generation can be applied to the project, as some of the persons generating trips at one of the land uses can generate a trip at another of the included land uses without generating an additional vehicle trip at the common site access point(s). For instance, some trips generated by the proposed dwelling units would be made internal to the property, as some residents would also patron the daycare center. The portion of the persons generating a trip at a mixed-use development that would visit two or more uses within the development is based on the types of uses within the development, the size of the individual uses, and the distances between them. About 10 percent of trips from the Day Care Center and dwelling units are assumed to be made internally. For the performing arts theatre, approximately 5 percent of trips are assumed to be made internally.

### Reductions for Non-Auto Modes

Consistent with the Town of Mammoth Lakes Travel Demand Model, approximately 14 percent of trips are made via transit and 5% of trips are made via walking. It is assumed this would apply to the dwelling units and the childcare center but the child care center would not have any walking trips. As non-auto reductions were applied to the MACC trip estimate in Table 1, the trips shown in Table 2 for the MACC include a non-auto reduction already.

### Trip Generation at Site Driveways

Applying the trip generation rates to the childcare center and dwelling units land use quantities and applying reductions for non-auto travel and internal trips yields a total vehicular trip generation crossing the site driveway as shown in the right column of Table 2. For the performing arts theatre, the internal reduction shown in Table 2 was applied to the trip generation presented in Table 1 for the total vehicular trip generation crossing the site driveway. Adding the vehicular trip generation after reductions of the childcare center, dwelling units and the performing arts theatre results in a total of approximately 84 PM peak hour trips including 77 entering and 7 exiting trips.

### Trip Generation Comparison to Original Study

Comparing the trip generation of the updated project and that of the original project indicates that the proposed project would result in a net decrease vehicle-trips at the driveways by 11 trips, or 12 percent. The direction (entering vs existing) of the PM peak hour would shift slightly but not significantly. Therefore, the proposed project would not have an increased impact on the PM peak hour level of service (LOS) or peak hour roadway capacity compared to the original study. And it can still be concluded that the proposed project continues to meet the Towns standards.

## VTM Analysis

Vehicle miles traveled was evaluated in accordance with *SB 743 Implementation Guidelines Town of Mammoth Lakes* (November 24, 2020).

### Step 1: Evaluate Land Use Type

The first step to identifying transportation impacts under CEQA is to evaluate the land use type. For mixed use projects the guidelines state the following:

- “If there are multiple distinct land uses within the project (residential, office, retail, etc.), they will be required to be analyzed separately unless they are determined to be insignificant to the total VMT. Mixed use projects are permitted to account for internal capture, which depending on the methodology may require a distinct approach not covered in this documentation.”

### Step 2: Screen for Non-Significant Transportation Impact

The next step is to screen for non-significant transportation impacts. If a project is mixed use in nature, only those elements of the project that are not screened will require further evaluation. The Screening Criteria for identifying projects that cause a less-than significant impact is as follows:

- Small Projects – Project generation is less than 110 trips per day per the ITE Manual or other acceptable source determined by Town of Mammoth Lakes
- Local-Serving Retail - No single store on-site exceeds 50,000 square feet; and Project is local-serving as determined by the Town of Mammoth Lakes
- Affordable Housing - A high percentage of affordable housing is provided as determined by the Town of Mammoth Lakes
- Local Essential Service - Building is less than 50,000 square feet: and Land Use is:
  - Day care center; or
  - Public K-12 School; or
  - Police or Fire facility; or
  - Medical/Dental office building; or
  - Government offices (in-person services such as post office, library, and utilities)
- Map-Based Screening - Area of development is under threshold as shown on screening map as allowed by the Town of Mammoth Lakes.
- Redevelopment Projects - Project replaces an existing VMT-generating land use and does not result in a net overall increase in VMT.

As shown in Table 3, all land uses associated with the project are screened from further analysis.

## Conclusions

The following conclusions are made based on this analysis:

- The proposed project would not have an increased impact on the PM peak hour trips, level of service (LOS), or roadway capacity compared to the original study, therefore, it can still be concluded that the proposed project continues to meet the Towns standards.




- All components of the project are considered to have a non-significant impact on VMT because they meet the Town's screening criteria.



Please contact our office at (530) 583-4053 with any questions or comments pertaining to this analysis.

Respectfully Submitted,

LSC Transportation Consultants, Inc.

by   
\_\_\_\_\_

Leslie Suen, PE, Associate Engineer

LSC Transportation Consultants, Inc.

Attached: Tables 1-3

**Table 1: Hourly Vehicle Trip Generation for the MACC - Performing Arts Theater (250 seats)**

Hour Starting	Full Time Employee Vehicles		Performers/ Performance Staff Vehicles		Attendee Vehicles		Service Vehicles		Total Vehicles		
	In	Out	In	Out	In	Out	In	Out	In	Out	Total
<b>Saturday</b>											
8:00 AM	0	0	0	0	0	0	0	0	0	0	0
9:00 AM	4	0	0	0	0	0	0	0	4	0	4
10:00 AM	0	0	0	0	0	0	0	0	0	0	0
11:00 AM	0	0	0	0	0	0	1	1	1	1	2
12:00 PM	0	2	0	0	0	0	0	0	0	2	2
1:00 PM	2	0	0	0	0	0	0	0	2	0	2
2:00 PM	0	0	26	0	0	0	0	0	26	0	26
3:00 PM	0	0	0	0	0	0	1	1	1	1	2
4:00 PM	4	0	0	13	0	0	0	0	4	13	17
5:00 PM	0	4	19	0	0	0	0	0	19	4	23
6:00 PM	0	0	0	0	74	0	0	0	74	0	74
7:00 PM	0	0	0	0	5	0	0	0	5	0	5
8:00 PM	0	0	0	0	0	5	0	0	0	5	5
9:00 PM	0	1	0	8	0	74	0	0	0	83	83
10:00 PM	0	3	0	26	0	0	0	0	0	29	29
<b>Total</b>	<b>10</b>	<b>10</b>	<b>45</b>	<b>47</b>	<b>79</b>	<b>79</b>	<b>2</b>	<b>2</b>	<b>136</b>	<b>138</b>	<b>274</b>

Peak Hour is Shaded

Source: LSC Transportation Consultants, Inc.

### Table 2: MACC Update 2023 - Trip Generation

Description	Quantity	Units	ITE Land Use Category	Use Code	Trip Generation Rates <sup>1</sup>			Reduction for Internal Trips	Reduction for Non-Auto Trips	Vehicle Trips at Site Driveways			
					Saturday Peak Hour					Saturday Peak Hour			
					In	Out	Total			In	Out	Total	
<b><u>Proposed Land Uses</u></b>													
Childcare Center	85	Students	Day Care Center	565	0.07	0.04	0.11	10%	14%	4	3	7	
Dwelling Units	24	DU	Multi-Family Low Rise	220	0.21	0.21	0.41	10%	19%	3	4	7	
Performing Arts Theatre	250	seats	See Table 1					5%	Note 2	70	0	70	
											<b>77</b>	<b>7</b>	<b>84</b>
<b><u>Original Study Land Use Assumptions</u></b>													
Performing Arts Theatre	298	seats	vehicle trip generation	See Original Study <sup>3</sup>						95	0	95	
											<b>95</b>	<b>0</b>	<b>95</b>
<b>Change in Trip Generation</b>										<b>-18</b>	<b>7</b>	<b>-11</b>	
DU= Dwelling Unit. Note 1: ITE standard trip generation rates used. Note 2: Reduction for non-auto trips are already included in Table 1 volumes. Note 3: For full analysis of original land uses see Mammoth Arts and Cultural Center Transportation Impact Analysis (LSC, November 2018).  Source: LSC Transportation Consultants, Inc. and Institute of Transportation Engineers Trip Generation (11th Edition)													

**Table 3: MACC Update 2023 - VMT Summary**

Description	Quantity	Units	ITE Land Use Category	ITE Land Use Code	Daily Trips	Screened Out? <sup>1</sup>	Screening Criteria
<b><u>Proposed Land Uses</u></b>							
Childcare Center	85	Students	Day Care Center	565	26	Yes	Local Essential Services
Dwelling Units	24	DU	Multi-Family Low Rise	220	79	Yes	Low VMT Area per Residential Screening Map
Performing Arts Theatre	250	seats	--person trip analysis--		260	Yes	Low VMT Area per Non-Residential Screening Map
Proposed Project Total					365		
<b><u>Original Study Land Use Assumptions</u></b>							
Performing Arts Theatre	298	seats	person trip analysis		234	Yes	Low VMT Area per Non-Residential Screening Map
DU= Dwelling Unit. Note 1: Mixed use projects are required to have the land uses analyzed separately unless they are determined to be insignificant to the total VMT. <i>Source: LSC Transportation Consultants, Inc. and SB 743 Implementation Guidelines Town of Mammoth Lakes (November 24, 2020)</i>							