

1.0 INTRODUCTION

This document is a Draft Environmental Impact Report (Draft EIR) that has been prepared at the direction and under the supervision of the Town of Mammoth Lakes (the "Town") in accordance with the California Environmental Quality Act (CEQA) and the Guidelines for California Environmental Quality Act (CEQA Guidelines), as amended.^{1,2} The TSMP is a comprehensive trails and public access plan that updates the Town's 1991 Trails System Plan. The TSMP will integrate and adopt the Sherwins Area Recreation Plan (SHARP) as a component of the TSMP, which includes proposals for trails, public access, and recreation facilities within the Sherwins area, south of the Town's urbanized area.

1. PROJECT BACKGROUND

The Town adopted a Trails System Plan in 1991 which includes the Town's "Main Path," a hard surface trail which loops around and through the town, including some sections on National forest land, and a series of "future/alternative" connector trails. Since 1991, a number of major sections of the Main Path and some connectors have been completed, with others remaining to be built. The TSMP will update and supersede the 1991 Trails System Plan. The proposed TSMP was developed through a collaborative effort between the Mammoth Lakes Trails and Public Access Foundation (MLTPA) which is a local non-profit organization, the Town of Mammoth Lakes, Mammoth Mountain Ski Area (MMSA), and the United States Forest Service (USFS). Development of the TSMP included extensive outreach efforts in the community to determine and identify the trail needs of the community. Upon completion of the Draft TSMP in February 2009, a diverse coalition of volunteer citizens in collaboration with and technical assistance from the Town of Mammoth Lakes, USFS and MLTPA, known as the Sherwins Working Group (SWG), worked to prepare the SHARP.

2. PURPOSE OF THE EIR

The Town of Mammoth Lakes is the Lead Agency under CEQA responsible for preparing the EIR for the proposed TSMP Project (State Clearinghouse No. 2010111013). This EIR has been prepared in conformance with CEQA (California Public Resources Code Section 21000 et seq.), and the *CEQA Guidelines* (California Code of Regulations, Title 14, Section 15000 et seq.). The principal *CEQA Guidelines* sections governing content of this document are Sections 15120 through 15132 (Content of an EIR).

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

The Town, which has the principal responsibility of processing and approving the project, will use and consider information in this EIR, along with other information that may be presented during the CEQA

¹ *Public Resources Code Section 21000-21178.*

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

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

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

3. APPROACH OF THE EIR

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

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

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

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

Implementation of the majority of the management actions or policies and anticipated future trail-related components (such as new trails or facilities) included in the TSMP may require further project-level environmental analysis. In addition, some Town activities that require approval from other agencies may be subject to subsequent CEQA or NEPA review. In addition, if new information becomes known prior to implementation of an action that could lead to significant impacts, further environmental analysis would be required.

Pursuant to CEQA Guidelines Section 15161, this document has also been prepared as a “Project EIR” and is “focused primarily on the changes in the environment that would result from the development” (i.e., the construction and operation of the Priority Projects). Project-level analysis of the Priority Projects is provided where feasible in instances where site-specific information is sufficient to support a detailed analysis of environmental impacts.

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

4. COMPLIANCE WITH CEQA

The Draft EIR is subject to a 45-day review period by responsible and trustee agencies and interested parties. In accordance with the provision of Sections 15085(a) and 15087(a)(1) of the *CEQA Guidelines*, the Town, serving as the Lead Agency will: 1) publish a Notice of Availability of a Draft EIR in The Sheet a newspaper of general circulation, which states that the Draft EIR will be available for review at: Town of Mammoth Lakes, Community Development Department, 437 Old Mammoth Road, Suite R, Mammoth Lakes, California 93546; and at the Mammoth Lakes Library located at 400 Sierra Park Road, Mammoth Lakes, CA, 93546; 2) prepare and transmit a Notice of Completion (NOC) to the State Clearinghouse; and 3) send notices to the last known name and address of all organizations and individuals who have previously requested such notice in writing. Proof of publication is available at the Town. All comments on the Draft EIR should be addressed to:

Ellen Clark, Senior Planner
Town of Mammoth Lakes
Community Development Department
P.O. Box 1609
Mammoth Lakes, California 93546
Or via email at: eclark@ci.mammoth-lakes.ca.us

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

The Final EIR will consist of the Draft EIR, and revisions to the Draft EIR and responses to comments addressing concerns raised by responsible agencies or reviewing parties. After the Final EIR is completed and at least 10 days prior to its certification, a copy of the response to comments made by public agencies on the Draft EIR will be provided to the respective agency.

5. EIR SCOPING PROCESS

In compliance with the *CEQA Guidelines*, the Town has provided opportunities for the public to participate in the environmental review process. During the preparation of the Draft EIR, an effort was made to contact various Federal, State, regional, and local government agencies and other interested parties to solicit comments and inform the public of the proposed project. This included the distribution of an Initial Study and Notice of Preparation (NOP), and the holding of a public scoping meeting.

a. Initial Study

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

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

- Aesthetics;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Geology/Soils;
- Greenhouse Gas Emissions;
- Wildland Fires/Fire Protection;
- Hydrology/Water Quality;
- Land Use and Planning;
- Noise;
- Recreation; and
- Transportation/Traffic.

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

b. Notice of Preparation

Pursuant to the provision of Section 15082 of the *CEQA Guidelines*, the Town circulated a NOP to public agencies, special districts, and members of the public for a 30-day period commencing November 3, 2010 and ending December 6, 2010 (an extra four days (4) days were added to the review period to account for the Thanksgiving Holidays). The purpose of the NOP was to formally convey that the Town is preparing a Draft EIR for the Project, and to solicit input regarding the scope and content of the environmental information to be included in the EIR. The Initial Study was circulated with the NOP. The NOP, Initial Study, and responses to the NOP are provided in Appendix A, *Initial Study/Notice of Preparation/NOP Comment Letters*.

c. NOP and Scoping Results

The Town advertised a notice of public scoping meeting for the Project. The meeting was held during the regularly scheduled Planning Commission Meeting on Wednesday, November 17, 2010, in the Town's Council Chambers located within the Minaret Village Shopping Center at 437 Old Mammoth Road, Mammoth Lakes, California 93546. The meeting was held with the specific intent of affording interested individuals/groups and public agencies to assist the lead agency in determining the scope and focus of the EIR as described in the NOP and Initial Study.

The NOP/Initial Study was distributed for 34 days to various public agencies in order to receive input as to the scope and content of the environmental information to be provided in this EIR. Comments were received from Caltrans, the Mammoth Community Water District, the California Department of Fish and Game, and the Lahontan Regional Water Quality Control Board. The NOP comments are contained in Appendix A and summarized in the Executive Summary under the "Areas of Controversy and Issues to be Resolved" subheading.

6. FORMAT OF THE EIR

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

Executive Summary. This section presents a summary of the proposed Project and alternatives, potential impacts and mitigation measures, and impact conclusions regarding significant unavoidable adverse impacts and effects not found to be significant.

- 1. Introduction.** This section provides: background information on the Project; describes the purpose of the EIR; approach of the EIR; provides CEQA compliance information relative to the proposed Project and the EIR; provides a brief overview of the environmental review process; identifies areas of controversy and issues to be resolved in the EIR; and outlines the organization of the EIR.
- 2. Project Description.** Describes the project location, project details and the Town's overall objectives for the Project.
- 3. Basis for Cumulative Analysis.** This section contains a list of related projects anticipated to be built within the project vicinity.

4. **Environmental Impact Analysis.** This section contains the environmental setting, Project and cumulative impact analyses, mitigation measures, and conclusions regarding the level of significance after mitigation for each of the following environmental issues: (A) Aesthetics; (B) Air Quality; (C) Biological Resources; (D) Cultural Resources; (E) Geology/Soils; (F) Greenhouse Gas Emissions; (G) (H) Wildland Fires/Fire Protection; (I) Hydrology/Water Quality; (J) Land Use/Planning; (K) Noise; (L) Recreation, and (M) Transportation/Traffic.
5. **Alternatives.** This section evaluates the environmental effects of the project alternatives, including the No Project Alternative. It also identifies the environmentally superior project.
6. **Other Environmental Considerations.** This section includes a discussion of issues required by CEQA that are not covered in other chapters. This includes unavoidable adverse impacts, impacts found not to be significant, irreversible environmental changes, potential secondary effects caused by the implementation of the mitigation measures for the Project, and growth inducing impacts.
7. **Document Preparation and References.** This section lists all of the persons, public agencies, and organizations that were consulted or contributed to the preparation of this EIR, as well as all the references and sources used in the preparation of the document.

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

- Appendix A – Initial Study/Notice of Preparation/NOP Comment Letters
- Appendix B – SHARP Area Priority Projects
- Appendix C – Trail System Master Plan Errata
- Appendix D – Air Quality/Global Climate Change Technical Appendix
- Appendix E – Biological Resources Assessment
- Appendix F – Cultural Resources Assessment
- Appendix G – Hydrology and Water Quality Report
- Appendix H – Noise Technical Appendix
- Appendix I – Traffic Study