6.0 OTHER MANDATORY CEQA CONSIDERATIONS

This section summarizes the findings with respect to irreversible environmental changes; significant, unavoidable environmental impacts; growth inducing impacts; potential secondary effects; and effects found to be less than significant.

1. IRREVERSIBLE ENVIRONMENTAL CHANGES

According to Sections 15126(c) and 15126.2(c) of the *CEQA Guidelines*, an EIR is required to address any significant irreversible environmental changes that would occur if the project were implemented. As stated in CEQA Guidelines Section 15126.2(c):

> *"[u]ses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter likely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."*

The Project would consume limited, slowly renewable and non-renewable resources. This consumption would occur during the active construction of roads, MUPs, and mixed commercial/multi-family development. With the mixed commercial/multi-family development, the use of slowly renewable or non-renewable resources would continue throughout the operational lifetime of these uses. Project development would require a commitment of resources that would include: (1) building materials, (2) fuel and operational materials/resources, and (3) the transportation of goods and people to and from the developed sites. Project construction would require the consumption of resources that are non-replenishable or may renew so slowly as to be considered non-renewable. These resources would include the following construction supplies: certain types of lumber and other forest products; aggregate materials used in concrete and asphalt such as sand, gravel and stone; metals such as steel, copper, and lead; petrochemical construction materials such as plastics; and water. Furthermore, nonrenewable fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment, as well as the transportation of goods and people to and from the sites.

Operation of new commercial/mixed use/multifamily development and the expanded street and trails network would create an incremental increase in demand for nonrenewable resources compared to those evaluated in the General Plan EIR and those currently consumed within the Town of Mammoth Lakes. These include energy resources such as electricity and natural gas, petroleum-based fuels required for vehicle-trips, fossil fuels, and water. Fossil fuels would represent the primary energy source associated with both construction and ongoing operation of the future development and roadways, and the existing, finite supplies of these natural resources would be incrementally reduced. Energy requirements associated with new development would nonetheless represent a commitment of essentially non-renewable resources.

At the same time, the proposed Land Use Element/Zoning Code Amendments would contribute to a land use pattern that would reduce reliance on private automobiles and the consumption of non-renewable resources when considered in a larger context. Most notably, the Project would allow higher density housing and hotel uses within the Town's Main Street and Old Mammoth Road commercial corridors, than under the 2007 General Plan. The Land Use Element/Zoning Code Amendments would also allow for incrementally more commercial floor area in the commercial district than under the existing General Plan. The location of higher density housing and hotels in proximity to a greater range of restaurants, retail, services, and entertainment activities, would promote more pedestrian activity and interaction compared to the land use patterns set forth in the 2007 General Plan. Also, the Land Use Element/Zoning Code Amendments would allow for greater density in proximity to the Town's year-round transit network and existing and proposed pedestrian network, as described in the Mobility Element Update. These factors would contribute to a land use pattern that is considered to reduce the consumption of non-renewable resources.

Continued use of such non-renewable resources would be on a relatively small scale and consistent with regional and local growth forecasts in the area, as well as State and local goals for reductions in the consumption of such resources. The areas affected by the Land Use Element/Zoning Code Amendments or new streets under the Mobility Element Update contain no energy resources that would be precluded from future use through Project implementation. As such, although irreversible environmental changes would result from the Project, such changes would not be considered significant.

2. SIGNIFICANT UNAVOIDABLE IMPACTS

Section 15126.2(b) of the CEQA Guidelines requires that an EIR describe significant environmental impacts that cannot be avoided, including those effects that can be mitigated but not reduced to a less than significant level. Following is a summary of the impacts associated with the project that were concluded to be significant and unavoidable. These impacts are also described in detail in Chapter 4, Environmental Impact Analysis, of this EIR.

Air Quality: Implementation of GPMM 4.2-1 and GPMM 4.2-2, TSMM 4.B-2.A through 4.B-2.H, and compliance with the prescribed Mitigation Measure AIR-1 through AIR-3 would reduce Project and cumulative construction and operational PM_{10} and $PM_{2.5}$ emissions related to the combined Land Use Element/Zoning Code Amendments and Mobility Element Update (or the Land Use Element/Zoning Code Amendments alone). However, even with implementation of the recommended mitigation measures, Project and cumulative construction and operation of the combined Land Use Element/Zoning Code Amendments and Mobility Element Update (or the Land Use Element/Zoning Code Amendments alone) could potentially contribute substantially to an existing or projected air quality violation or result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment (i.e., PM_{10}) under the State standards and impacts would be significant and unavoidable.

Parks and Recreation: The Land Use Element/Zoning Code Amendments could result in an increase in intensity in the commercially designated areas beyond that anticipated in the 2007 General Plan. Even in light of recent improvements to Whitmore Park, new planned park and recreational facilities, access to other parks and recreational amenities, funding associated with the DIF program, and Measure R and U, implementation of the Project would increase the demand for parks and recreational services beyond that projected under the existing General Plan buildout as a result of the increase in projected population that could occur in the commercial areas. However, any future projects would be required to pay the required

parkland and recreation DIF, and taxes associated with Measure R and U. There are no additional feasible mitigation measures that could address the issue. As the Town is currently below the LOS goal of 5 acres of parks per 1,000 residents for developed parkland, and as the Project would further increase demand for parks and recreational facilities and would exacerbate impacts to parks and recreational facilities, impacts to parks and recreation facilities are considered significant and unavoidable.

Transportation and Traffic: Based on the Traffic Study, with the implementation of the Land Use Element/Zoning Code Amendments and the Mobility Element, the Project would result in significant impacts on level of service at various intersections. Implementation of the recommended mitigation measures would reduce potentially significant LOS impacts at all affected intersections under all Project scenarios. However, because Main Street is a state route and is under Caltrans' jurisdiction, coordination with Caltrans and approval of signal warrant analyses per the CA MUTCD is required for improvements on Main Street. If mitigation measures related to signals and other improvements on Main Street are not approved by Caltrans, such improvements would not be implemented. Because approval of the mitigation measures are under the jurisdiction of another agency, the approval of which are uncertain, the potentially significant impacts at Main Street intersections under Scenarios 3 through 6 would be considered significant and unavoidable.

3. ENERGY

Section 21100(b) of the State *CEQA Guidelines* requires that an EIR include a detailed statement setting forth mitigation measures proposed to minimize a project's significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy. Appendix F of the State *CEQA Guidelines* states that, in order to ensure that energy implications are considered in project decisions, the potential energy implications of a project shall be considered in an EIR, to the extent relevant and applicable to the project. Appendix F further states that a project's energy consumption and proposed conservation measures may be addressed, as relevant and applicable, in the Project Description, Environmental Setting and Impact Analysis portions of technical sections, as well as through mitigation measures and alternatives.

In accordance with Appendix F of the State *CEQA Guidelines,* this Draft EIR includes relevant information and analyses that address the energy implications of the Project. This section represents a summary of the Project's anticipated energy needs, impacts, and conservation measures. Information found herein, as well as other aspects of the Project's energy implications, are discussed in greater detail elsewhere in this Draft EIR, including in Sections 4.6, *Greenhouse Gas Emissions*, 4.11, *Transportation and Traffic*, and Appendix A, *Initial Study*, of this Draft EIR.

1. Construction-Related Energy Consumption

Estimated Energy Consumption

Specific project-level developments are not proposed as part of this Project. As a result, specific project-level information, such as construction schedules and import and export soil quantities, are not known and it is not possible to specifically quantify the energy usage associated with project-level construction. Regardless, construction activities would occur under the Project as a result of the Land Use Element/Zoning Code Amendments. However, construction activities in the Project Area would also occur without implementation of the Land Use Element/Zoning Code Amendments in accordance with the adopted General Plan.

Nonetheless, construction under the Project could result in more intensive development within the Project Area and as such, result in incrementally greater construction energy usage relative to construction that would occur in accordance with the current zoning and General Plan. Construction energy consumption would result primarily from transportation fuels (e.g., diesel and gasoline) used for haul trucks, heavy-duty construction equipment, and construction workers traveling to and from the site.

Heavy-duty construction equipment associated with demolition, grading, utilities, paving, and building construction would include equipment such as excavators, graders, tractors/loaders/backhoes, dozers, scrapers, bore/drill rigs, air compressors, cranes, forklifts, generators, pumps, welders, rollers, trenchers and pavers. The majority of the equipment would likely be diesel-fueled; however, smaller equipment, such as welders and pumps may be electric-, gasoline-, or natural gas-fueled and tower cranes would likely be electric.

Based on the California Air Resources Board (CARB) on-road vehicle emissions model, EMFAC2014, heavy-duty trucks operating in the Great Basin Valleys Air Basin had an estimated fuel economy of approximately 5.7 miles per gallon in 2015, which is expected to improve to 6.5 miles per gallon by the buildout of the Project in 2035. This increase in fuel efficiency (by over 14 percent) would minimize wasteful consumption of fuel by construction projects under the Land Use Element/Zoning Code Amendments and Mobility Element Update.

The number of construction workers that would be required would vary based on the phase of construction and activity taking place. The transportation fuel required by construction workers to travel to and from a project site would depend on the total number of worker trips estimated for the duration of construction activity. According to the EMFAC2014 model, passenger vehicles operating in the Great Basin Valleys Air Basin had an average fuel economy of approximately 22.5 miles per gallon in 2015, which is expected to improve to 38.2 miles per gallon by 2035. Over the length of the Land Use Element/Zoning Code Amendments buildout, passenger vehicle fuel economy would improve by over 69 percent with a fleet-wide increase in electric vehicles and improved engine efficiency. Additionally, construction under the Project would seek to hire construction workers from the local workforce, which would minimize commuting distances and overall vehicle miles traveled. Hiring from the local workforce would reduce fuel consumption and reduce the wasteful, inefficient, and unnecessary consumption of energy.

In 2014, California consumed a total of 343,568 thousand barrels of gasoline for transportation, which is equivalent to a total annual consumption of 14.4 billion gallons by the transportation sector.[1] For diesel, California consumed a total of 79,756 thousand barrels for transportation, which is equivalent to a total annual consumption of 3.3 billion gallons by the transportation sector.[2] Compared to these numbers, the annual average construction fuel usage by the Project would likely represent a small fraction of the State's annual fuel usage. The demolition or closure of existing, older buildings would offset a portion of the Project's operational and construction energy usage as the existing building would no longer consume

[1] *U.S. Energy Information Administration, Table F3: Motor Gasoline Consumption, Price, and Expenditure Estimates, 2014, http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep_fuel/html/fuel_mg.html&sid=US. Accessed March 2016.*

[2] *U.S. Energy Information Administration, Table F3: Motor Gasoline Consumption, Price, and Expenditure Estimates, 2012, http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep_fuel/html/fuel_use_df.html&sid=US. Accessed March 2016.*

energy for heating, cooling, lighting, water, and miscellaneous energy loads, and the existing trips would no longer occur.

Electricity used during construction to provide temporary power for lighting and electronic equipment (e.g., computers, etc.) and to power certain construction equipment would generally not result in a substantial increase in on-site electricity use. Certain heavy-duty construction equipment could be electric or alternatively fueled, such as tower cranes, based on commercial availability. The Project would utilize electric or alternatively fueled equipment as available and as feasible. Electricity use during construction would be variable depending on lighting needs and the use of electric-powered equipment and would be temporary for the duration of construction activities. Therefore, it is expected that construction electricity use would generally be considered as temporary and negligible over the long-term.

Energy Conservation: Regulatory Compliance

The Project would utilize construction contractors who demonstrate compliance with applicable CARB regulations governing the accelerated retrofitting, repowering, or replacement of heavy duty diesel on- and off-road equipment. As discussed in Section 4.2, *Air Quality*, of this EIR, CARB has adopted an Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other toxic air contaminants. This measure prohibits diesel-fueled commercial vehicles greater than 10,000 pounds from idling for more than five minutes at any given time. CARB has also approved the Truck and Bus regulation (CARB Rules Division 3, Chapter 1, Section 2025, subsection (h)) to reduce NO_X, PM_{10}, and $PM_{2.5}$ emissions from existing diesel vehicles operating in California. This regulation will be phased in, with full implementation for large and medium fleets by 2023 and for small fleets by 2028. In addition to limiting exhaust from idling trucks, CARB recently promulgated emission standards for off-road diesel construction equipment of greater than 25 horsepower. The regulation aims to reduce emissions by requiring the installation of diesel soot filters and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission-controlled models. Implementation began January 1, 2014, and the compliance schedule requires that best available control technology turnovers or retrofits be fully implemented by 2023 for large and medium equipment fleets and by 2028 for small fleets. The CARB In-Use Off-Road Diesel Vehicle Regulation requires construction equipment to meet the USEPA/CARB certified Tier 4 standards for engines by the same schedule.

While intended to reduce construction criteria pollutant emissions, compliance with the above anti-idling and emissions regulations would also result in efficient use of construction-related energy and the minimization or elimination of wasteful and unnecessary consumption of energy. It is not possible to accurately quantify the amount of energy that construction of a Project would save by complying with these regulations due to the difficulties in estimating idling times and technology turnovers in the absence of the regulations. Nonetheless, idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

Energy Conservation: Mitigation Measures

The Project would implement a construction equipment cap, as described in Mitigation Measure TSMM 4.B-2.H in Section 4.2, Air Quality, of this EIR, for certain construction activities subject to the mitigation measures. TSMM 4.B-2.H is from the Mitigation Monitoring and Reporting Program (MMRP) for the Town of Mammoth Lakes Trails System Master Plan (TSMP) and is applicable to the Project. The mitigation measure limits TSMP construction activities to no more than 20 pieces of construction equipment operating

simultaneously per 8-hour day, or 16 pieces operating 10 hours per day, averaging 200 hp rated engine capacity. Each on-road delivery or haul truck traveling approximately 200 miles per day equals one piece of non-road equipment, and shall be included in the daily limit. This mitigation of the quantity of construction equipment operating in the Town would further minimize fuel and energy consumption by the Mobility Element Update.

Conclusion

Construction would utilize energy for necessary on-site activities and to transport materials, soil, and debris to and from each site within the Town. The amount of energy used would not represent a substantial fraction of the available energy supply in terms of equipment and transportation fuels. Furthermore, compliance with the previously discussed anti-idling and emissions regulations would result in a more efficient use of construction-related energy and the minimization or elimination of wasteful and unnecessary consumption of energy. The Project would also implement a restriction on the quantity of heavy-duty construction equipment operating simultaneously in the Town for certain construction activities subject to the mitigation measures. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption. The Project would also utilize newer equipment that meet stringent emissions standards and provide opportunities for future energy efficiency by using electric or alternatively-fueled equipment as available and feasible. Therefore, construction of the Project would not result in the wasteful, inefficient, and unnecessary consumption of energy and would not preempt opportunities for future energy conservation.

2. Operation and Maintenance Energy Consumption

Anticipated Energy Consumption

Operational energy consumption would occur from building energy needs and from transportation fuels (e.g., diesel and gasoline) used for vehicles traveling to and from the additional development in the commercial districts. This analysis provides the estimated maximum operational energy consumption for the purposes of evaluating the associated impacts on energy resources.

The Project must comply with the applicable portions of the Title 24 Building Standards Code and California Green Building (CALGreen) Code. The Project would incorporate applicable General Plan Goals/Policies in a manner to achieve the reductions in energy usage, as well as encourage installing renewable energy sources, recycling, and waste diversion, above and beyond State regulatory requirements. Physical and operational Project characteristics for which sufficient data are available to quantify the reductions from building energy and resource consumption have been included in the quantitative analysis, and include but are not limited to the general plan goals discussed in Resource Management and Conservation Goal 6, Optimize efficient use of energy (see Section 4.6, *Greenhouse Gas Emissions*, in this EIR).

The daily operation of the Project would generate demand for electricity, natural gas, and water supply, as well as generating wastewater requiring conveyance, treatment, and disposal off-site, and solid waste requiring disposal off-site. Based on engineering estimates used as the basis for greenhouse gas (GHG) emissions calculations, the Project would have an electricity demand of approximately 4.7 million kilowatt-hours (kWh), which is inclusive of approximately 0.5 million kWh for water supply and wastewater

treatment.[3] To put this number into perspective, the value is compared to the Southern California Edison (SCE) network demand, which is the utility provider for the Town of Mammoth Lakes. In the 2013 year, SCE had an annual electric sale to customers of approximately 87.4 billion kWh, with an end-use sector breakdown of 40.6 billion kWh for the commercial sector, 29.9 billion kWh for residential, 8.4 billion for industrial, and 8.3 billion for other sectors. The Project represents approximately 0.005 percent of the SCE network sales for the 2013 year and 0.01 percent of SCE consumer end-use sales for 2013, which is a relatively very small fraction.

Based on engineering estimates used as the basis for GHG emissions calculations, the initial operational year of the Project would have a natural gas demand of approximately 1.9 million kilo British thermal units (kBtu) per year.[4] The Town of Mammoth Lakes is not serviced by a natural gas pipeline; propane tanks are filled for individual properties to provide heating. A typical 500 gallon propane tank has a 5-foot diameter and a capacity of 36.6 thousand kBTU. Therefore, the Project could add approximately 52 new propane tanks to accommodate the Land Use Element/Zoning Code Amendments. This is a small fraction of the current natural gas demand for the Town of Mammoth Lakes.

As discussed in Section 4.6, *Greenhouse Gas Emissions*, of this Draft EIR, Executive Orders S-3-05 and B-30-15 are orders from the State's Executive Branch for the purpose of reducing Statewide GHG emissions. These Executive Orders establish the goals to reduce GHG emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050. These goals have not yet been codified. However, in order to meet the 2030 and 2050 targets, aggressive technologies in the transportation and energy sectors, including electrification and the decarbonization of fuel, will be required. In its *Climate Change Scoping Plan*, CARB acknowledged that the measures needed to meet the 2050 goal are too far in the future to define in detail. Although the State has yet to identify specific technologies and measures, in particular for meeting the 2050 target, it is reasonable to conclude that the Project's post-2020 emissions trajectory, and associated energy use, is expected to follow a declining trend, consistent with Statewide efforts to meet these future year targets.

Alternative Energy Considerations

The use of energy provided by alternative (renewable) resources, off site and on site, to meet the Project's operational demands is constrained by the energy portfolio mix managed by Southern California Edison and limitations on the availability or feasibility of on-site energy generation.

SCE is required to commit to the use of renewable energy sources for compliance with the California Renewable Energy Resources Act. Southern California Edison has committed to meeting the requirement to procure at least 33 percent of its energy portfolio from renewable sources by 2020 through the procurement of energy from eligible renewable resources, to be implemented as fiscal constraints, renewable energy pricing, system integration limits, and transmission constraints permit. Eligible renewable resources defined in the 2013 Renewable Portfolio Standard include biodiesel; biomass; hydroelectric and small hydro (30 megawatts [MW] or less); Los Angeles Aqueduct hydro power plants; digester gas; fuel cells; geothermal;

[3] *Values are based on the Title 24 (2016) standards. Compliance with future updated Title 24 standards in effect at the time of building permit issuance could result in further reduced energy demand.*

[4] *Values are based on the Title 24 (2016) standards. Compliance with future updated Title 24 standards in effect at the time of building permit issuance could result in further reduced energy demand.*

landfill gas; municipal solid waste; ocean thermal, ocean wave, and tidal current technologies; renewable derived biogas; multi-fuel facilities using renewable fuels; solar photovoltaic; solar thermal electric; wind; and "other renewables that may be defined later." As of 2014, the most recent year for which data are available, Southern California Edison's renewable energy resources included geothermal, small hydro, wind, solar, and biomass, which accounted for 23.5 percent of its overall energy mix. This represents the available off-site renewable sources of energy that would meet Project demand. [5]

With respect to on-site renewable energy sources, because project-level details associated with implementation of the Land Use Element/Zoning Code Amendments are not known, plans for future installation of renewable energy are not known. The Town of Mammoth Lakes General Plan includes Resource Management and Conservation Goal 8, which encourages increased use of renewable energy resources and conservation of existing sources of energy (see Section 4.6, *Greenhouse Gas Emissions*, in this Draft EIR). This goal calls for the education of the community and building industry professionals in the value of energy efficient building construction, as well as encourages the use of renewable fuels such as biodiesel, the design of buildings to be oriented for passive solar heating, and the use of decentralized solar power production systems.

Solar and wind power represent variable-energy, or intermittent, resources that are generally used to augment, but not replace, natural gas-fired energy power generation. Reliability of energy availability and transmission is necessary to meet demand, which is constant.

The California Energy Commission (CEC) studied the State's high wind resource potential.[6] Based on a map of California's wind resource potential, the Town of Mammoth Lakes is not identified as an area with wind resource potential. Wind resource areas are considered to be those with winds above 12 mph, the Town of Mammoth Lakes has land-based wind speeds that range from 9 to 12 mph. Since project-level developments are not proposed, it is unknown if viable sites exist for the placement and operation of wind turbines.

Similarly, solar energy is highly variable in Mono County, particularly based on elevation and season where there is increased cloud cover, and is therefore not cost-effective as a primary source of energy. The CEC has identified areas within California with high potential for viable solar, wind, and geothermal energy production. The CEC rated California's solar potential by county using insolation values available to typical photovoltaic system configurations, as provided by the National Renewable Energy Laboratory. Although Mono County has a relatively high photovoltaic potential of 2,036,627 megawatt-hours (MWh)/day, inland counties to the south such as Inyo (10,047,177 MWh/day), Riverside (7,811,694 MWh/day), and San Bernardino (25,338,276 MWh/day) are more suitable for large-scale solar power generation.[7] In addition, there are no high potential areas of greater than 6 KWh/sqm/day in the Town of Mammoth Lakes.

---

[5] *California Public Utilities Commission, California Renewables Portfolio Standard (RPS), http://www.cpuc.ca.gov/PUC/energy/Renewables/. Accessed February 2015.*

[6] *California Energy Commission. California Wind Resource Potential, http://www.energy.ca.gov/maps/renewable/wind.html. Accessed May 2016.*

[7] *California Energy Commission, California Solar Resources, April 2005, http://www.energy.ca.gov/2005publications/CEC-500-2005-072/CEC-500-2005-072-D.PDF. Accessed May 2016.*

The Town of Mammoth Lakes is located near important geothermal sources. As of October 31, 2015, Mono County had 62 MW of geothermal and 96 MW of small hydro on-line with an addition 33 MW of geothermal approved for construction. As stated previously, project-level details are not known with respect to implementation of the Land Use Element/Zoning Code Amendments. However, the Project would result in development in an existing commercial area and the area is not compatible with the development of geothermal or small hydro power sources. Nonetheless, the Project would not conflict with the Town's ability to pursue geothermal or small hydro development in appropriate areas and it is likely that some renewable resources could be developed to offset energy consumption by the Project.

Energy Conservation: Regulatory Compliance

The CEC first adopted the Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the state. Part 11 of the Title 24 Building Standards Code is referred to as the CALGreen Code. The purpose of the CALGreen Code is to "improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality." As of January 1, 2011, the CALGreen Code is mandatory for all new buildings constructed in the State. The CALGreen Code establishes mandatory measures for new residential and non-residential buildings, which includes requirements for energy efficiency, water conservation, material conservation, planning and design, and overall environmental quality. The CALGreen Code was most recently updated in 2013 to include new mandatory measures for residential as well as nonresidential uses. The new measures took effect on January 1, 2014 (the energy provisions took effect on July 1, 2014). The Project would comply with or exceed the applicable provisions of Title 24 and the CALGreen Code in effect at the time of building permit issuance. According to the CEC, the Title 24 (2016) standards use 5 percent less energy for nonresidential lighting, heating, cooling, ventilation, and water heating compared to the Title 24 (2013) standards. It is expected that future updates to the Title 24 standards would result in increased energy efficiency. The California Public Utilities Commission (CPUC) has designed the Zero Net Energy (ZNE) Action Plan to make new residential and commercial construction in California zero net energy by 2030 in order to meet the state's greenhouse gas goals. The ZNE Action Plan's key milestones are achieved by improving and expanding Title 24 standards, providing incentives, mandating carbon benchmarking and labeling, and developing performance data. However, it is not possible to accurately predict the increased level of energy efficiency associated with future updates to the Title 24 standards. As discussed in Section 4.6, *Greenhouse Gas Emissions*, of this EIR, applicable General Plan goals call for the optimization of energy efficiency and the increase in renewable energy resources and energy conservation. Additionally, continued improvements in California's appliance and building energy efficiency programs and initiatives, such as the State's zero net energy building goals, would serve to reduce the Project's anticipated energy consumption after 2030.

With respect to solid waste, the Project is required to comply with applicable regulations, including those pertaining to waste reduction and recycling. Waste haulers serving the Project Area would divert generated municipal waste in accordance with applicable ordinances, as well as future updates to the ordinances in effect at the time of construction and operation.

Operational Transportation Energy Consumption

Implementation of the Land Use Element/Zoning Code Amendments and Mobility Element Update would result in transportation energy use. Transportation fuels, primarily gasoline and diesel, would be provided by local or regional suppliers and vendors. As discussed previously, in 2014, California consumed a total of 14.4 billion gallons of gasoline and 3.3 billion gallons of diesel in the transportation sector.[8,9] Vehicles would require a fraction of a percent of the total state's transportation fuel consumption. According to the EMFAC2014 model, the vehicle fleet average fuel economy for all vehicle types in the Great Basin Valleys Air Basin region in 2035 is predicted to be 33.5 miles per gallon for gasoline and 8.1 miles per gallon for diesel with gasoline vehicles accounting for 82.3 percent of the total VMT and diesel vehicles accounting for 9.7 percent of the total VMT. Electric vehicles are predicted to account for 8.0 percent of the total VMT.

Buildout of the land uses in accordance with the Land Use Element/Zoning Code Amendments would result in a maximum estimated VMT of approximately 49.8 million miles per year from passenger vehicles, which would use approximately 1.2 million gallons of gasoline and 598,200 gallons of diesel fuel in a year. This would represent about 0.009 percent of the Statewide gasoline consumption and about 0.02 percent of the Statewide diesel consumption, which represents a very small fraction of the state's annual fuel usage.

Buildout of the land uses in accordance with the Land Use Element/Zoning Code Amendments with implementation of the Mobility Element Update would result in a maximum estimated VMT of approximately 48.3 million miles per year from passenger vehicles, which would use approximately 1.2 million gallons of gasoline and 580,000 gallons of diesel fuel in a year. This would represent about 0.008 percent of the Statewide gasoline consumption and about 0.02 percent of the Statewide diesel consumption, which represents a very small fraction of the state's annual fuel usage. The implementation of the Mobility Element Update would reduce VMT, as well fuel usage, resulting in a net decrease in mobile energy consumption.

As stated in Section 4.2, *Air Quality*, and Section 4.6, *Greenhouse Gas Emissions*, the Mammoth Lakes General Plan limits the total Town VMT. As a result, the Project would support Statewide efforts to improve transportation energy efficiency and reduce wasteful or inefficient transportation energy consumption with respect to vehicles. In addition, the purpose of the Mobility Element Update is to reduce VMT by improving pedestrian connectivity in the Town's commercial districts, increasing bicycle lanes, and improving public transit, which would further reduce wasteful or inefficient transportation energy consumption with respect to vehicles.

Alternative-fueled, electric, and hybrid vehicles, to the extent these types of vehicles would be utilized by passengers, would reduce the Project's consumption of gasoline and diesel; however, the effect may be minimal in the current vehicle market. According to the EMFAC2014 model, electric vehicles are predicted to account for 8.0 percent of the vehicle fleet total VMT in 2035 in the region. Based on the estimate above, this would translate to fuel savings of up to about 115,400 gallons of fuel (primarily gasoline, assuming electric vehicles replace gasoline-fueled passenger vehicles) per year under the Land Use Element/Zoning Code Amendments and Mobility Element Update.

---

[8] *U.S. Energy Information Administration, Table F3: Motor Gasoline Consumption, Price, and Expenditure Estimates, 2014, http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep_fuel/html/fuel_mg.html&sid=US. Accessed March 2016.*

[9] *U.S. Energy Information Administration, Table F3: Motor Gasoline Consumption, Price, and Expenditure Estimates, 2012, http://www.eia.gov/state/seds/data.cfm?incfile=/state/seds/sep_fuel/html/fuel_use_df.html&sid=US. Accessed March 2016.*

Energy Conservation: Land Use Characteristics and Project Design Features

The Land Use Element/Zoning Code Amendments and Mobility Element Update were drafted with the intent of increasing commercial density and improving the transportation network. Implementation of the Mobility Element Update would reduce VMT and reduce transportation fuel demand. New development under the Land Use Element/Zoning Code Amendments would be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code, which would minimize building energy demand. Measures that would contribute to energy efficiencies are described in applicable General Plan goals in Section 4.2, *Air Quality*, and Section 4.6, *Greenhouse Gas Emissions*, in this Draft EIR.

Conclusion

Operation of the Project would utilize energy for necessary building usage and transportation associated with vehicles traveling within the Town. The amount of energy used would not represent a substantial fraction of the available energy supply in terms of equipment and transportation fuels. Furthermore, the Project would incorporate green building measures consistent with or exceeding energy efficiency standards in CALGreen. The Project would also provide opportunities for future energy efficiency by promoting the use of renewable energy resources. As the Project would achieve greater than required energy efficiency, it would not result in the wasteful, inefficient, and unnecessary consumption of supporting equipment energy, and future growth that would occur with or without the Project could provide opportunities for improving overall fuel efficiency. Therefore, operation of the Project would preempt opportunities for future energy conservation.

4. GROWTH INDUCING IMPACTS

Section 15126.2 (d) of the *CEQA Guidelines* requires agencies to address potential growth inducing effects of their actions. Growth-inducing effects are defined as those effects that could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Growth-inducing effects could result from projects that would remove obstacles to population growth, such as the proposed Land Use Element/Zoning Code Amendments.

The proposed Land Use Element/Zoning Code Amendments has the potential to foster a direct increase in population compared to the buildout of the 2007 General Plan. As discussed in Section 4.9, Population and Housing, of this EIR the potential population associated with the increase in intensity of development under the proposed Land Use Element/Zoning Code Amendments could increase over the anticipated General Plan bailout by a total of 2,846 people, including permanent residents and visitors. Increased population would increase demand for commercial services, public services, utility infrastructure and other facilities. While these growth increments are anticipated, the associated impacts have been analyzed and discussed in Chapter 4, *Environmental Impact Analysis*, of this EIR. As discussed therein, the proposed Land Use Element/Zoning Code Amendments would not require new development of facilities and infrastructure, the development of which would result in secondary environmental effects. Although the proposed Land Use Element/Zoning Code Amendments has the potential to foster growth, it does not provide new development projects or enable new development to occur outside the Town's existing commercially-zoned districts or outside of the Town's Urban Growth Boundary (UGB).

The proposed Land Use Element/Zoning Code Amendments has the potential to increase commercial floor area by approximately 152,533 square feet over anticipated General Plan buildout within the commercial areas of the Town. This could potentially increase employment opportunities over the employment opportunities anticipated under the 2007 General Plan. Employment increases could affect growth in outlying communities beyond the Town's jurisdiction because employees are also often drawn from a much larger geography than the town, itself. As a result, housing demand indirectly related to growth within the Town of Mammoth Lakes could affect nearby county communities such as Lake Crowley, June Lake, and Lee Vining as well as more distant locations, particularly in and around Bishop. The Land Use Element/Zoning Code Amendments would allow for additional, higher density housing that could also provide more housing for employees within the Town than under the 2007 General Plan's housing projections. Although additional new commercial uses could incrementally increase employees compared to 2007 General Plan projections, the increase in new employees residing outside the Town of Mammoth Lakes, compared to 2007 General Plan projections, is expected to be minimal and to have a minor effect on regional growth projections.

The proposed new streets and MUPs identified in the Mobility Element Update would not increase growth or encourage and facilitate other activities that could significantly affect the environment, above the buildout anticipated under the 2007 General Plan. Improved connectivity and alternative modes of transportation, also provided under the Mobility Element Update, would not open new areas for development or cause additional environmental effects not anticipated under the 2007 General Plan. Because population growth associated with the proposed Land Use Element/Zoning Code Amendments would be located within the Town's UGB, because the proposed Land Use Element/Zoning Code Amendments would not result in adverse impacts in the Town of Mammoth Lakes where new growth is primarily concentrated, and because incremental growth that could impact other communities would be minor, it is concluded that growth-inducing impacts associated with the proposed Land Use Element/Zoning Code Amendments would be less than significant.

5. REASONS WHY THE PROJECT IS BEING PROPOSED, NOTWITHSTANDING SIGNIFICANT UNAVOIDABLE IMPACTS

In addition to identification of a project's significant unavoidable impacts, Section 15126.2(b) of the State CEQA Guidelines also requires a description of the reasons why the project is being proposed, notwithstanding significant unavoidable impacts associated with the project. As indicated above, the Project would result in significant and unavoidable impacts relative to air quality, transportation, and recreation.

The Project includes two components, the Land Use Element/Zoning Code Amendments and the Mobility Element Update, which together would result in changes particular to the Town's downtown area. The implementation of the Mobility Element Update would meet the objectives of the 2007 General Plan to achieve a progressive and integrated multi-modal transportation system, one that emphasizes "feet first, public transportation second, and car last." In addition, the Mobility Element Update would be consistent with the California Complete Streets Act (AB 1358). AB 1358 requires that municipalities craft a specific network of travel options through an adopted General Plan circulation element. Under AB 1358, the circulation element must reflect land use patterns that further support the effectiveness of a multimodal transportation network. The Mobility Element Update would expand upon the Town's adopted Mobility Element, focus on multi-modal transportation, and provide specificity as required under AB 1358. Thus, the adoption of the Mobility Plan Update would engender regional and state confidence with respect to funding. A more secure funding source would further ensure future roadway, pedestrian, and transit improvements.

The Land Use Element/Zoning Code Amendments would provide development flexibility in the commercial districts through the removal of the unit/room cap. The removal of the cap could result in an increase in intensity of development in the downtown that would result in greater activity in the area. The Mobility Element Update would result in a greater use of alternate transportation through the provision of trails, bicycle lanes, and an increase in transit. The increase in intensity coupled with implementation of the Mobility Element Update would emphasize feet first and greater use of alternate transportation in the Town thereby reducing vehicle miles travelled (VMT). The Project would assist in meeting the Town's objective to create a Downtown area in which people park their vehicles once and walk throughout the area thereby reducing congestion and vehicle miles travelled.

The combined Land Use Element/Zoning Code Amendments and the Mobility Element Update would implement California Senate Bill 375 (SB 375), which requires that land use and transportation planning be integrated to reduce VMT. Under SB 375, this is achieved through land use patterns that allow alternatives to the automobile, such as proximity of residential uses to jobs, services, and other destinations that accommodate walking and cycling. The Land Use Element/Zoning Code Amendments and the Mobility Element Update would also implement AB 743, which is intended to support residential/mixed-use densification for the purpose of inducing greater pedestrian and other multi-modal activity and, thus, reduce vehicle miles traveled. With the exception of No Project Alternative, incrementally less intensive Alternatives would not reduce potentially significant environmental impacts related to construction and operations emissions, recreational facilities, and levels of service along Main Street (if Caltrans does not approve signals at certain intersections) to less than significant levels. Given the benefits of the Land Use Element/Zoning Code Amendments and Mobility Element Update in supporting the "feet first" objectives of the General Plan and addressing State legislation to reduce VMT, the Project is, therefore, proposed in spite of these potentially significant environmental effects.

6. EFFECTS FOUND NOT TO BE SIGNIFICANT

Pursuant to Section 15128 of the State CEQA Guidelines, an EIR must contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were, therefore, not discussed in detail in the EIR. This section discusses those issue areas that were determined not to require further analysis in the EIR through the Initial Study, which is contained in Appendix A of this EIR. The Project comprises the proposed Land Use Element/Zoning Code Amendments and the Mobility Element Update. With respect to individual issue areas, in some cases the Initial Study determined that environmental effects with respect to both the Land Use Element/Zoning Code Amendments and Mobility Element Update would not be significant. In other issue areas, the Initial Study determined environmental effects to be less than significant for either the Land Use Element/Zoning Code Amendments component or the Mobility Element Update component. The EIR evaluation reflected the particular focus of the Initial Study.

Agricultural and Forestry Resources

Based on information provided by the Town as well as comments received on the NOP, the Initial Study determined that the Land Use Element/Zoning Code Amendments and the Mobility Element Update would not cause significant environmental effects on agricultural resources. There are no prime or unique farmlands, agricultural operations, zoned agricultural lands, or Williamson Act contract lands within the Town's UGB affected by the Land Use Element/Zoning Code Amendments and the Mobility Element Update,

or withine the Municipal Boundary and surrounding USFS lands affected by new trails under the Mobility Element Update. Therefore, the Project would not result in conversion of farmland to non-agricultural uses and no impacts on agricultural resources are anticipated.

Because new roads and trails associated with the Mobility Element Update could affect forestry resources in the surrounding Inyo National Forest, these potential effects are further addressed in this EIR. Please see Section 4.3, Forestry Resources, for evaluation of the effects of the Mobility Element Update on forestry resources.

Air Quality

During construction activities associated with improvements identified in the Mobility Element Update, various diesel-powered vehicles and equipment could create minor odors. These odors are not likely to be noticeable beyond the immediate vicinity and would be temporary and short-lived in nature. Because of highly localized construction odors and the short-term character of construction, short-term odors would be less than significant. Long-term odors are typically associated with industrial projects involving use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes. Odors are also associated with such uses as sewage treatment facilities and landfills. The Project involves no elements related to these types of uses. Therefore, long-term odor impacts would be less than significant.

Given that the Land Use Element/Zoning Code Amendments and Mobility Element Update could result in an increase in air emissions from vehicle trips and stationary sources, these issues are addressed in this EIR. Please see Section 4.2, Air Quality, for further discussion of Project-related air quality impacts.

Geology and Soils

Seismic and Geologic Hazards

Any development within the Town, buildings or roadways, would comply with the California Building Code (CBSC) (CCRs, Title 24) and the Town's Municipal Code Sections 12.08.076 and 12.08.080, which require grading permits for all development projects. Engineered building and foundation plans and soils reports must be submitted with grading permit applications. As required under the CBSC, buildings and facilities would be designed in accordance with ground motion parameters that have been calculated for a particular site to withstand seismic ground shaking from the maximum credible earthquake. Because all new development must comply with applicable seismic and structural requirements of the CBSC and Town of Mammoth Lakes Municipal Code, impacts associated with seismic ground shaking and ground stability would be less than significant. In addition, the character of surface and subsurface soil and depth to groundwater in the Town of Mammoth Lakes indicates little potential for liquefaction and landslides. However, all new development would comply with the requirements of the Municipal Code, which would ensure geologic safety of constructed structures, including review of liquefaction and landslide potential. Therefore, geologic hazards associated with liquefaction and landslides would be less than significant.

Soils Erosion and Hazards

Section 12.08.078 of the Municipal Code regulates grading and earthwork for the purpose of minimizing disturbance from erosion and siltation, and the Lahontan Regional Water Quality Control Board's (LRWQCBs) Water Quality Control Plan sets forth standards to reduce soil erosion related to surface water

runoff and siltation. Certain construction projects, including buildings with subterranean excavation and road construction, would require a Storm Water Pollution Prevention Plan (SWPPP) with associated Best Management Practices (BMPs) to control erosion at the source. With the implementation of BMPs and SWPPP, and compliance with other Municipal Code requirements related to erosion and siltation, impacts related to topsoil would be less than significant.

No expansive soils have been mapped or encountered in the Town of Mammoth Lakes and, as such, impacts related to expansive soils would be less than significant. In addition, because the Mammoth Community Water District provides sewer service, no impacts related to appropriate soil structure for the development of septic systems are anticipated.

Hazards and Hazardous Materials

Hazardous Materials

Hazardous materials may be used during the construction phase of new development or for the proposed roadways identified in the Mobility Element Update. Hazardous materials that may be used during construction include, but are not limited to, fuels (gasoline and diesel), paints and paint thinners and possibly herbicides and pesticides. Generally these materials would be used in concentrations that would not pose significant threats during the transport, use and storage of such materials. Over the long-term, the Project would not involve development that would include substantial storage, use, disposal, or generation of hazardous materials or wastes. The proposed Land Use Element/Zoning Code Amendments would not result in a change in the uses allowed in the commercial districts. Routine maintenance activities associated with the Town's proposed roadways may involve the occasional use of hazardous materials. Potentially toxic or hazardous compounds associated with maintenance activities typically consist of readily available solvents, cleaning compounds, paint, herbicides, and pesticides. These compounds are regulated by stringent federal and state laws mandating the proper transport, use, and storage of hazardous materials in accordance with product labeling. The use and storage of these substances is not considered to present a health risk when used in accordance with manufacturer specifications and with compliance to applicable standards and regulations, including California Occupational Safety and Health Administration (OSHA) requirements, and Title 8 and 22 of the Code of California Regulations. No sites within the project areas have been included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5. Accordingly, Project implementation would not be subject to existing hazards from such a site. The Project would result in a less than significant impact with regard to emissions of acutely hazardous materials within one-quarter mile of a school and the routine transport, use, or disposal of hazardous materials, hazards to the public.

Airport Hazards

The proposed Land Use Element/Zoning Code Amendments would potentially result in development within the Town of Mammoth Lakes commercial districts. The proposed Land Use Element/Zoning Code Amendments would not change the existing height limit on buildings and the Town's commercial districts are not within two miles of a public airport, within an airport land use plan, or within the vicinity of a private airstrip. The Mobility Element Update would incorporate roadways that would be nearer the Mammoth-Yosemite Airport. However, the Mobility Element Update would not involve the construction of facilities that would interfere with airport access or other airport operations. No impacts with respect to airport hazards would occur as a result of the proposed Land Use Element/Zoning Code Amendments or Mobility Element Update.

Wildland Fires

The proposed Land Use Element/Zoning Code Amendments would potentially allow intensification of development in the Town's commercial districts, which would increase occupancy rates and potentially expose more residents and visitors to wildland fires. The Town of Mammoth Lakes maintains an Emergency Operations Plan (EOP), which sets forth the Town's interrelationship with other agencies and jurisdictions to provide emergency services during such events as wildfires. The EOP meets the state's Standardized Emergency Management System (SEMS) requirements, provides emergency response procedures such as identification of critical hazard areas, locations for meeting and staging in an emergency event, communications, and emergency evacuation. In addition, the Eastern Sierra Fire Safety Council's (ESRFSC) Fire Safety Plan aids residents in improving defenses against wildfires. Fire hazard severity for Mammoth Lakes, which has been mapped by the CDFFP, is considered "very high" potential. In response to this rating and the Sierra Nevada Forest Plan Amendment (SNFPA) (2004), USFS crews began the construction of the Mammoth Lakes Fuelbreak within the Inyo National Forest. The ESRFSC also collaborates with local volunteer fire departments and assists CDFFP as they train fire prevention volunteers to perform residential fire hazard inspections. Volunteers also work with homeowners and businesses to raise awareness concerning wildland fire risks and methods of hazard reduction. The Mobility Plan Update also provides for roadway improvements that would improve mobility and connectivity throughout the Town. With improvements to the transportation system and the effective use of EOCs and other procedures set forth in the EOP and NFP, risk to the Town of Mammoth Lakes related to wildfires would be reduced to a less than significant level. Because the proposed Land Use Element/Zoning Code Amendments would not interfere with EOP and NFP procedures, they would not increase risk related to wildland fires. Therefore, the impact of the Project with respect to wildland fires would be less than significant.

Hydrology and Water Quality

Water Quality

The construction of buildings and roadways/trails under the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update would increase paved surfaces thereby increasing impermeable surfaces throughout the Town. The increase in impermeable surfaces for roadways has the potential to increase the volume and velocity of surface runoff during a storm event. However, all construction projects would be subject to state and local water quality regulations, including State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) permitting and BMP's. Roadway construction would be administered by the Town of Mammoth Lakes Department of Public Works and would comply with standards for surface water runoff and erosion control set forth in the Town of Mammoth Lakes Standards for roadway design and drainage facilities. During operation, the proposed Mobility Element Update emphasizes "feet first" (non-motorized) transportation, which would potentially reduce growth in motor vehicle use and would benefit water quality by reducing discharge pollutants. All new road segments would install new surface water collection systems and drains which would channel water to the Murphy Gulch detention basin and by decreasing the peak flow to downstream watersheds allows a longer period for downstream watersheds to drain, effectively increasing the ability of downstream drainage systems to accommodate runoff generated upstream. The Town of Mammoth Lakes also requires that all new development retain on-site the runoff produced from a one-hour 20-year storm event. This would reduce the downstream impact of new development, while reducing the sediment and nutrient material that is washed from roofs, roads, and other hard surfaces. Because construction runoff would be controlled by existing state and local regulations and required BMPs, and operational runoff would directed from the pavement to detention systems that reduce pollutants, the Land Use Element/Zoning Code Amendments and

Mobility Element Update would not violate water discharge requirements at existing water bodies, such as Mammoth Creek. Impacts with respect to water quality standards would be less than significant.

Groundwater Supplies

Groundwater in the Town of Mammoth Lakes area derives from the watersheds comprising the 45,000 acre (71-square-mile) Mammoth Hydrologic Basin. New development and roadways would increase impervious surfaces compared to existing conditions. New roadways would incorporate storm drain infrastructure, which would collect runoff and reduce groundwater recharge by diverting more runoff into the Town's storm drainage system. However, surface runoff from the new streets would eventually re-enter the basin. In addition, because new impermeable roadways comprise a relatively small area compared to the size of the Mammoth Hydrologic Basin, the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update would not result in a substantial depletion of groundwater supplies or interfere with groundwater recharge. Therefore, impacts related to groundwater recharge would be less than significant.

Drainage Patterns

New road development or extensions of roadways under the Mobility Element Update would potentially result in an increase in collected surface runoff. Construction of streets would adhere to the Town Standards and other design policies that provide for the collection and diversion of surface runoff to the Town's system of storm drains, which diverts runoff and substantially reduces potential damage associated with streambed erosion, sediment transport, and pollution transport. Development resulting in impervious surfaces was anticipated in the commercial districts under the existing General Plan and would not be substantially different as a result of the proposed Land Use Element/Zoning Code Amendments. Development would comprise approximately 8.3 acres of vacant land, or approximately 6.5 percent of the Town's 122-acre commercial districts. Required retention of runoff would reduce sediment and nutrient material and, thus, impacts on streambeds anddrainage patterns alteration. Therefore, impacts with respect to drainage patterns would be less than significant.

Flood and other Inundation Hazards

Any future housing related to the Project would be located within the Town's existing commercial districts, which terminate to the north of Mammoth Creek. The FEMA-mapped 100-year flood plain is located along Mammoth Creek, with the nearest section occurring to the south of the Project area. The Project area is not within the 100-year floodplain which is located south of the southern edge of the Project boundary. Therefore, the Project would not involve the placement of any habitable structures within a flood hazard boundary, including inundation areas below existing dams, or impede or redirect flood flow within a 100-year flood plain. Impacts with respect to flood hazards would be less than significant and no further analysis of this issue in the EIR is necessary.

Land Use

Physical Division of an Established Community

The proposed Land Use Element/Zoning Code Amendments would not change the configuration of the zoning districts or the overall pattern of development within the Town. Any development in the commercial districts would represent infill of the Town's existing commercial districts and would not require the alteration or closure of roadways and routes to surrounding residential and industrial neighborhoods. The

Mobility Element Update emphasizes non-motorized transportation, to facilitate multi-modal access throughout the commercial districts, and to improve connectivity among the Town's neighborhoods through new streets and road extensions. These conditions would reduce existing community disconnections and division and, as such, impacts associated with the physical division of an established community would be less than significant.

Because the Land Use Element/Zoning Code Amendments and Mobility Element Update would change components of the General Plan and other land use plans and policies, the effects of these changes are addressed further in this EIR. In addition, the Mobility Element Update's potential effect on habitat conservation plans is also addressed in this EIR. Please see Section 4.7, Land Use, for further discussion of land use impacts associated with the Land Use Element/Zoning Code Amendments and Mobility Element Update and Section 4.4, Biological Resources, for effects related to these resources.

Mineral Resources

The Project does not incorporate heavy industrial uses that would increase demand or availability of minerals and does not propose mineral development activities. The potential construction of new and redeveloped buildings in the Town's existing commercial districts and construction of extensions of existing streets under the Mobility Element Update would not occur in areas of known mineral resources, which are located outside of the Town boundaries. The construction of new roadway segments would not impede access or the potential for direct use or future exploration of mineral resources in the region. Therefore, impacts of the proposed Land Use Element/Zoning Code Amendments and Mobility Element Update with respect to the loss of availability of mineral resource would be less than significant.

Noise

Airport Noise

Any future development under the proposed Land Use Element/Zoning Code Amendments would not be located within the vicinity of an airport. The nearest airport to the commercial districts is the Mammoth Yosemite Airport, located approximately 7.5 miles to the southeast of the Town of Mammoth Lakes. No airstrips or heliports are located within the Town of Mammoth Lakes. Helicopter use or landings in the area may occur during emergency situations or if/when filming occurs in Town. However, because this would not be a regular occurrence it would not generate higher ambient noise levels. Airport noise impacts would not be pertinent to the proposed Mobility Element Update because the latter does not affect the location of occupied structures, such as residences or businesses. Implementation of the Project would not expose people to excessive airport related noise levels because of the proximity of an airfield or heliport or helistop and impacts with respect to this issue would be less than significant.

Because the proposed Land Use Element/Zoning Code Amendments could result in groundborne noise and vibration impacts during construction and operation of new development, these effects are evaluated in this EIR. Please see Section 4.8, Noise, for further discussion of the noise impacts associated with the Land Use Element/Zoning Code Amendments.

Public Services

The proposed Mobility Element Update would result in complete streets and new trails within the Town. The Mobility Element Update would not affect the provision of public services, such as schools and libraries, which are based on population. The Mobility Element Update would result in additional roadways and potential increase in maintenance and snow removal requirements. Depending on the ownership of the respective roadways, a variety of Town, Mono County, or state funding sources would fund street maintenance. Maintenance activities regarding the new street components are not anticipated to result in significant physical impacts associated with the provision of new or physically altered governmental facilities. Therefore, impacts regarding snow removal and street maintenance would be less than significant.

Given that the Land Use Element/Zoning Code Amendments could result in an increase in population within the commercial districts and therefore impact public services, this issue is further evaluated this EIR. The Mobility Element would result in changes in the circulation infrastructure that could affect the provision of fire and law enforcement services. Therefore, this issue is further evaluated in the EIR. Please see Section 4.10, Public Services, for evaluation of the effects of the Land Use Element/Zoning Code Amendments on schools, and parks as well as the effects of the Land Use Element/Zoning Code Amendments and the Mobility Element Update on fire and police protection services.

Transportation/Traffic

Air Traffic Patterns

The Project does not propose any structures that would interfere with air traffic patterns; nor is the Project expected to increase use of the Mammoth Yosemite Airport to a level that would significantly increase air traffic levels or require a change in air traffic patterns thereby increasing traffic levels. Thus, no impact regarding air traffic patterns are anticipated.

Because the Land Use Element/Zoning Code Amendments and Mobility Element Update could result in potentially significant impacts related to street service level standards and the performance of the street system, traffic impacts are further evaluated in this EIR. Please see Section 4.11, Transportation and Traffic, for a discussion of the effects of the Land Use Element/Zoning Code Amendments and Mobility Element Update related to traffic and circulation.

7. POTENTIAL SECONDARY EFFECTS

Section 15126.4(a)(1)(D) of the *CEQA Guidelines* requires mitigation measures to be discussed in less detail than the significant effects of the project if the mitigation measure(s) would cause one or more significant effects in addition to those that would be caused by the project as proposed. With regard to this section of the *CEQA Guidelines*, the project's proposed mitigation measures that could cause potential impacts were evaluated. The following provides a discussion of the potential secondary effects that could occur as a result of the implementation of the project mitigation measures, listed by environmental issue area. Only those EIR sections that contain mitigation measures are addressed.

Aesthetics

Mitigation Measure AES-1 requires construction equipment staging areas to use appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material from public and sensitive viewers (e.g., residents and motorists/bicyclists/pedestrians), when feasible. Staging locations shall be indicated on the project Building Permit and Grading Plans and shall be subject to review by the Town of Mammoth Lakes Community and Economic Development Director in accordance with Municipal Code requirements. The use of screening is not anticipated to result in secondary aesthetic affects because it would reduce the visual effects of construction staging. Installation of screening would be a minor component of the construction process and any secondary impacts associated with installation, such as post-hole preparation, would be a very small component of the total construction process, which was accounted for in the analyses contained in other sections of the EIR, such as Air Quality, Biological Resources, Cultural Resources, and Greenhouse Gas Emissions. Mitigation Measure AES-2 requires that if shadows were to be cast on Main Street that methods, such as increased maintenance and a driver feedback system, shall be established and funded to reduce the potential impacts that could occur during the winter months. These mitigation measures would not result in the expenditure or use of additional resources, cause additional traffic or emissions impacts, or result in new physical impacts not addressed in the EIR.

Forestry Resources

Mitigation Measure FOR-1 requires that roadway design circumvent or avoid mature healthy, native trees to the extent feasible. In addition, the need for replacement of trees shall be evaluated and implemented based on Healthy Forest and Fire Safe Council principles. The Mobility Element Update is a program level document and as such specific alignments for roadways and trails have not been completed. This mitigation would have the beneficial effect of preserving specimen trees in accordance with Healthy Forest standards. Compliance with Fire Safe Council principals would reduce the secondary effects of forest crowding during any replanting projects. Thus, the mitigation measure ensures that alignments shall avoid trees and that if trees cannot be avoided that replanting shall occur. The measure would not result in the expenditure or use of additional resources, cause additional emissions impacts, or result in new physical impacts not addressed in the EIR.

Air Quality

Mitigation Measure AIR-1 requires that, prior to the issuance of a grading or building permit, individual proposed projects shall comply with specific land preparation, excavation, and/or demolition measures related to dust control, covered loads, clean trucks, clean streets, stabilizing soils stockpiles, and mowing of weeds. Mitigation Measure AIR-2 requires that, prior to the issuance of a grading or building permit, individual proposed projects shall maintain emission control devices on all construction equipment and emissions regulations such as CARB idling restrictions and USEPA/CARB on-road and off-road diesel vehicle emissions standards. Mitigation Measure AIR-3 requires that, prior to the issuance of a building permit, individual projects shall provide direct pedestrian and bicycle access to parks, schools, shopping, bike paths and other amenities. Under MM AIR-3, high density residential, mixed-use, or commercial developments where transit services exist but no transit stop is located within 1/2 mile of the site shall provide a site at the location for bus turnouts and shelters. To address TAC emissions, Mitigation Measure AIR-4 requires that prior to the issuance of a grading or building permit, projects with TAC emissions near sensitive receptors shall conduct a screening or refined health risk assessment to sufficiently demonstrate that impacts would not exceed the adopted significance thresholds inclusive of project-level design features, as appropriate and

feasible. All of these mitigation measures would provide air quality benefits, would not require the expenditure of additional resources, cause additional traffic or emissions impacts, or result in new physical impacts not addressed in the EIR. Thus, no secondary effects would occur as a result of the implementation of these measures.

Biological Resources

Mitigation Measure BIO-1 requires that, prior to the approval of road improvement projects and MUPs in riparian vegetation associated with Mammoth Creek and its tributaries, the Town shall require a habitat evaluation by a biologist with respect to willow flycatcher habitat according to CDFW survey guidelines. Mitigation Measure BIO-2 requires that, to the extent feasible, brush and tree removal projects shall be initiated outside of the nesting bird season. Mitigation Measure BIO-3 requires that special-status amphibian species be captured and relocated in like habitat. Pre-construction surveys shall be conducted by a biologist familiar with the sign of each special-status mammalian species to identify signs of their presence or determine their absence no more than two weeks prior to initiating construction activities. Further mitigation for identified special status mammals would include suspending construction activities within 300 feet of the den, nest, or bat roosts during the breeding period and other measures. Mitigation Measure BIO-4 requires surveys for special-status plants and, if found, such actions as re-routing the trail alignment to avoid or minimize impacts, while preserving an off-site population that is substantially larger than the population to be impacted, developing a transplantation program, and collecting seeds to move populations elsewhere out of harm's way. These measures shall be developed in consultation with the CDFW and USFS. Mitigation Measure BIO-6 requires that, prior to project approval for construction, repair, maintenance and/or improvements in association with individual projects, within waters of the U.S. and federally-protected wetlands, the Town shall notify and consult with the ACOE regarding the need for a Section 404 Permit and the RWQCB regarding the need for its 401 certification. All work shall be performed in compliance with the conditions set forth in the Permit, as determined by the ACOE. All of these mitigation measures (BIO-1 through BIO-6) would benefit biological resources, while not requiring the expenditure of additional resources not anticipated in the EIR. Any additional vehicle trips and activities associated with biological resource surveys would not result in substantial use of resources, cause additional traffic or emissions impacts, or result in physical impacts not addressed in the EIR.

Cultural Resources

Mitigation of Cultural Resources impacts would be addressed through revisions of two existing Trails System Master Plan Mitigation Measures (TSMM). The revisions to the mitigation measures are to broaden the applicability of the measures so as to apply to all components of the Mobility Element Update. Under revised TSMM 4.D-3, the mitigation would apply to potential redesign of the Project, rather than just trails, to avoid sensitive areas. Regarding paleontological resources, TSMM 4.D-8 is revised to allow a salvage program to remove resources from the site and to curate resources at a public or non-profit institution. The process of implementing this additional mitigation would not require the substantial use of additional resources not addressed in the EIR.

Noise and Vibration

Mitigation Measure Noise-1 restricts the proximity of heavy construction equipment relative to sensitive receptors to ensure that noise impacts remain below the threshold. This mitigation measures would provide protection that would not result in secondary environmental impacts.

Transportation and Traffic

Mitigation Measures TRAF-1, TRAF-4, TRAF-5 involve new traffic signals to reduce traffic impacts to less than significant levels. Mitigation Measures TRAF-2, TRAF-3, TRAF-5 through TRAF-9 include re-striping, additional turning lanes, or street widening. Construction impacts for street improvements are addressed in the Aesthetics, Air Quality, Greenhouse Gas Emissions, Noise, Public Services, and other sections of the EIR. These mitigation measures would enhance traffic flow and potentially reduce air emissions caused by traffic congestion and idling. The mitigation measures would not result in the demand for additional resources or result in physical impacts not addressed in the EIR.

Wastewater

Mitigation Measure WW-1 requires that, during the review of an application by the MCWD for a wastewater permit, if deficiencies in local sewer lines resulting from the application would cause the denial of the sewer permit, the applicant shall install improvements that would comply with Division VII of the Sewer Code (as reviewed by the MCWD). Where general deficiencies are identified, the Sanitary Sewer Code already provides for the collection of fees for sewer main lines, new laterals and other infrastructure. MM WW-1 would reduce potential impacts on wastewater systems. Construction of service lines was addressed in the Draft EIR and determined less than significant. The mitigation measure would be beneficial with respect to wastewater demand and, with the exception of construction effects, is not anticipated to require a use of resources not identified in the EIR.

Storm Water

Mitigation Measure STRM-1 requires that peak surface runoff shall be determined for all private projects. Suitable infiltration or other containment systems, such as dry wells, galleries, or basins, shall be designed to reduce net runoff increase to existing conditions. All infiltration devices shall be consistent with the Town Standards and shall be reviewed and approved by the Department of Public Works. The property owner shall perform inspection twice a year (Spring and Fall) and after major storm events and shall provide any needed maintenance or cleanout. This mitigation measure would benefit the Town's storm drain system. Construction of infiltration and other containment systems would be part of normal project construction, which was addressed in the Draft EIR. The implementation of this mitigation measure is not anticipated to require a use of resources not identified in the Draft EIR.