

**THE TIOGA INN**  
**SPECIFIC PLAN**  
**AND**  
**FINAL ENVIRONMENTAL IMPACT REPORT**

May 24, 1993

**MONO COUNTY PLANNING DEPARTMENT**

Post Office Box 8  
Bridgeport, California 93517  
619 932-5217

*Specific Plan and Environmental Impact Report prepared by*  
**The Company of Eric Jay Toll AICP, Incorporated**  
1050 East William • Suite 407  
Carson City, Nevada 89701  
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**MONO COUNTY  
PLANNING  
DEPARTMENT**

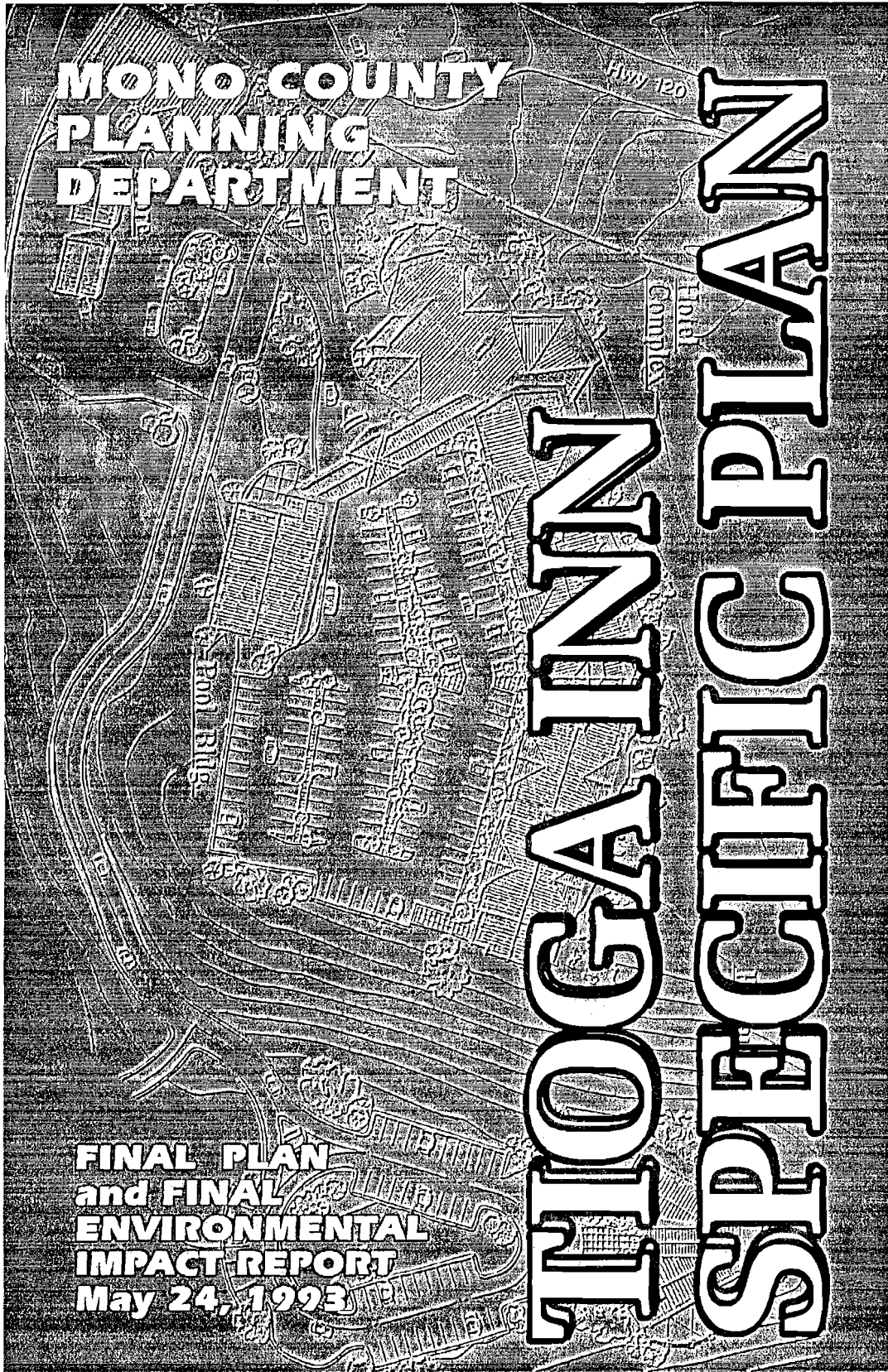
Hwy 120

Hotel  
Complex

Pool  
Bldg.

**FINAL PLAN  
and FINAL  
ENVIRONMENTAL  
IMPACT REPORT  
May 24, 1993**

# **GEOGRAPHIC PLAN**



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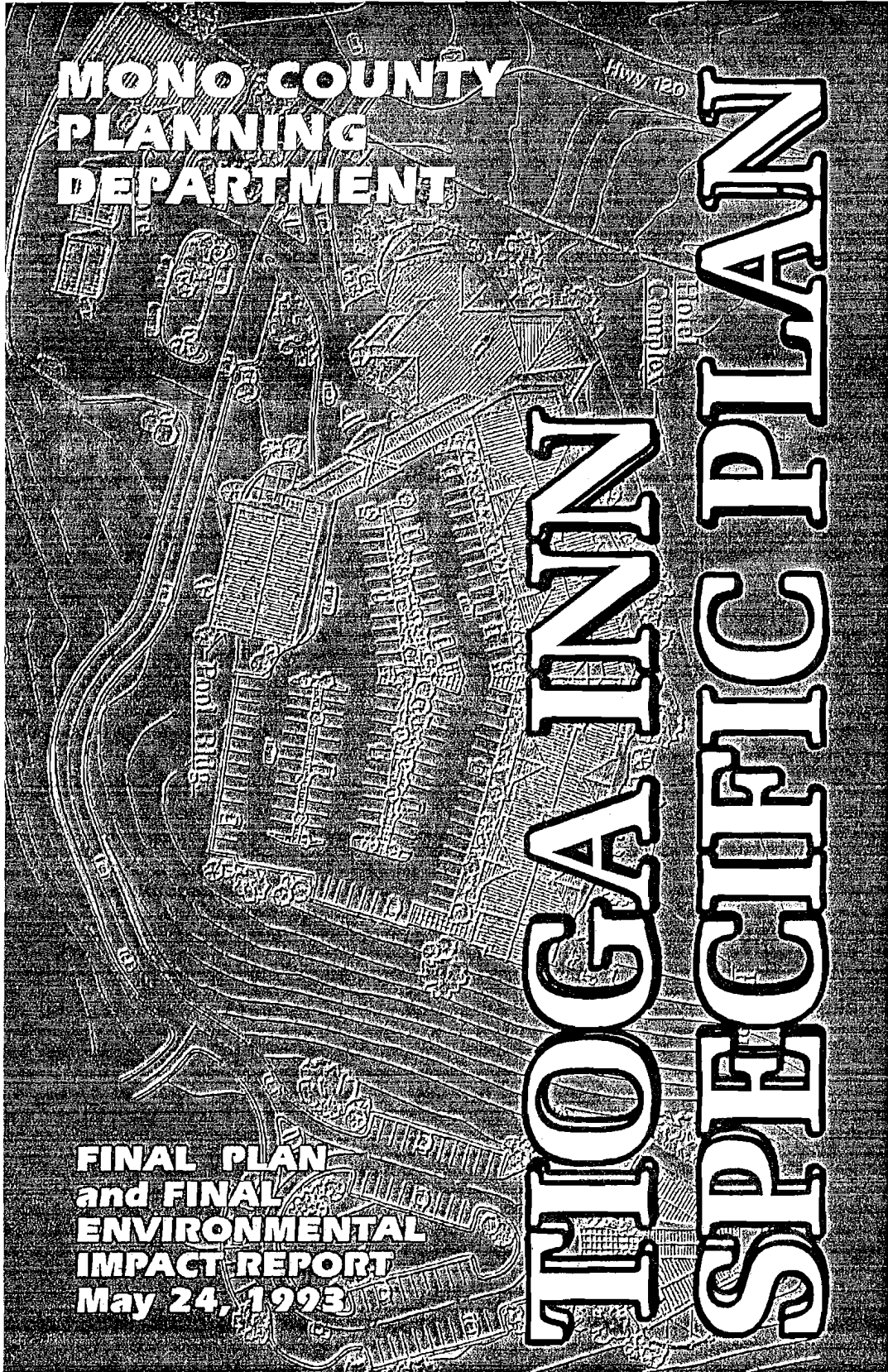
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# TIOGAINN SPECIFIC PLAN



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**Explanations, notations, and comments**

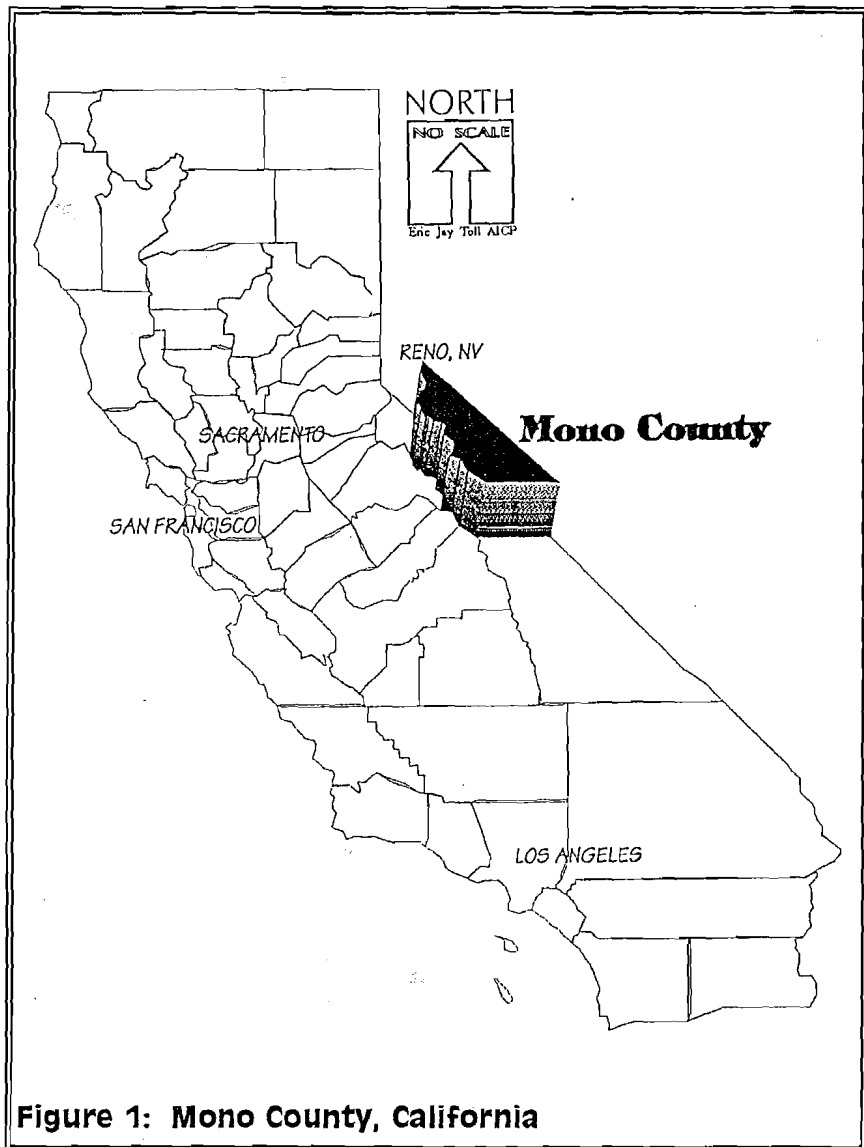
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## I. Introduction

An application was submitted to the Mono County Planning Department for a multiple use visitor commercial project located at the junction of Highways 395 and 120 adjoining Lee Vining in central Mono County. Mono County's General Plan requires that a specific plan be prepared for this project. A Specific Plan requires environmental analysis prior to its consideration by the Planning Commission and Board of Supervisors. The Tioga Inn proposal has the potential to significantly affect the environment. For this reason, an environmental impact report (EIR) is also being prepared as a part of the specific plan. This document represents the consolidated specific plan and environmental impact report. Although both the Specific Plan and its Environmental Impact Report are being published together, the two are separate documents.

### A. Specific plans

Once the County has adopted a general plan, it may prepare specific plans that are intended to provide a more detailed and systematic implementation of the general plan for all or part of the area covered by the general plan.<sup>1</sup>



**Figure 1: Mono County, California**

<sup>1</sup>/California Government Code (GC) §65450 through §65457 states the legal requirements for Specific Plans.

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**1. What is a "specific plan?"**

Although the General Plan and area or community plans usually address land development patterns and standards, a Specific Plan provides an opportunity for a more precise set of standards and opportunities for development of an individual parcel or group of parcels. A Specific Plan provides a means by which the County or a group of property owners can develop a long-term comprehensive project over an extended number of years. The Specific Plan does not include "elements" as are present in a General Plan.<sup>2</sup> Its focus is on the policies related to development of the project area. Explanation 1 quotes the requirements of California Government Code for Specific Plans.

**Explanation 1: Contents of a specific plan  
(GC §65451)**

(a) A specific plan shall include a text and a diagram or diagrams which specify all of the following in detail:

(1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.

(2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.

(3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.

(4) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).

(b) The specific plan shall include a statement of the relationship of the specific plan to the general plan.

**2. Relationship of  
the specific plan  
to the General  
Plan (GC 65451(b))**

The specific plan establishes goals, policies, implementation measures, development standards, land use, and zoning for an area. Specific Plans can be authorized by the Board of Supervisors or proposed by a private developer. Mono County and the property owner have proposed preparation of the *Tioga Inn Specific Plan*, and the proponent (property owner) is responsible for the costs of preparation, review, and implementation.

The *Tioga Inn Specific Plan* provides supplemental and more detailed policies for the project area. The Mono County General Plan addresses a broad range of development policies through its various elements. The General Plan, however, does not provide the level of detail in its policies to establish the programs needed for complex projects carried out over a number of years. The *Tioga Inn Specific Plan* provides the policies at a greater detail than the General Plan. The Specific Plan, however, does not address the individual elements as established in

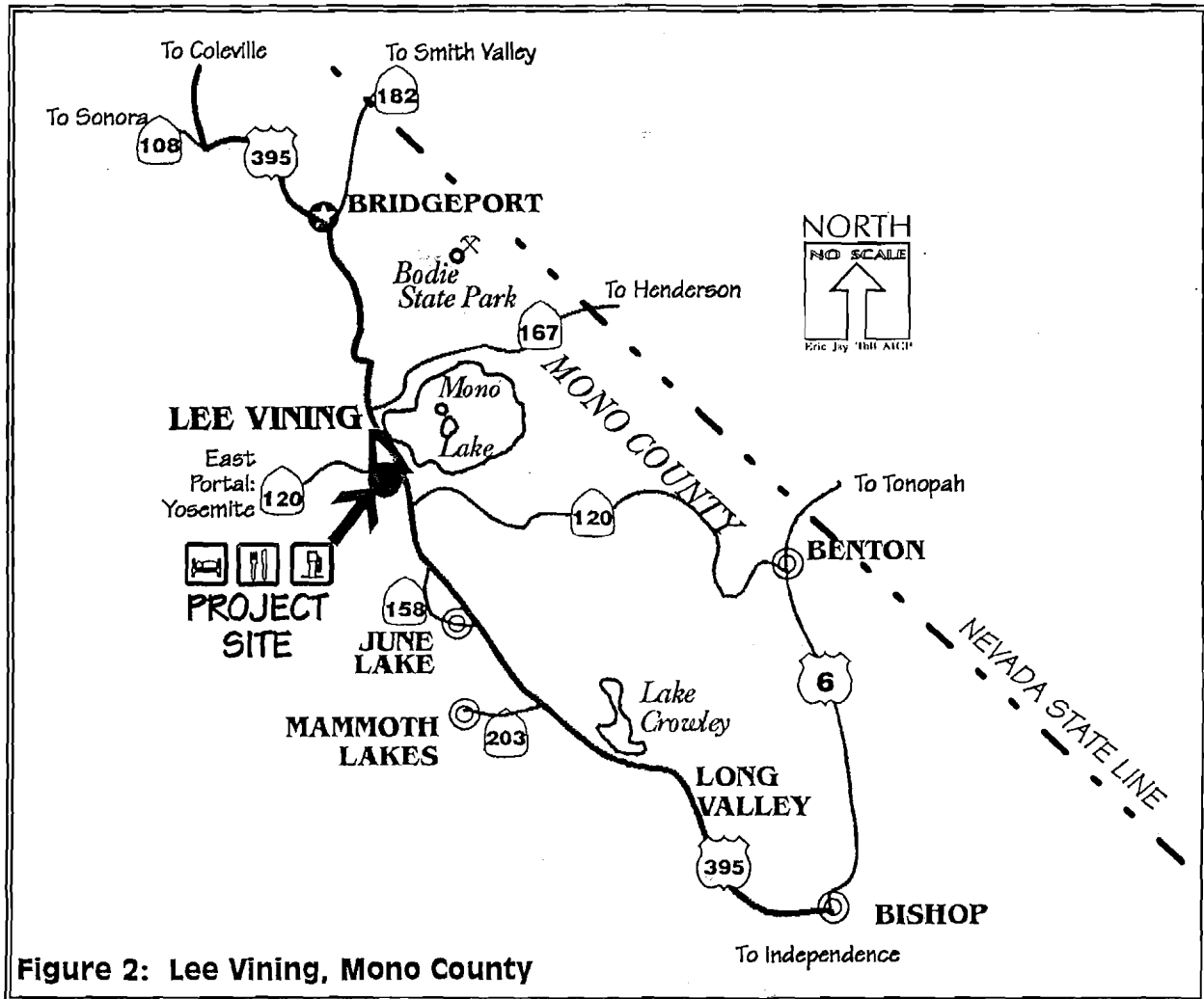
<sup>2</sup>Elements are the different topics or components of a General Plan that address land use, housing, circulation, and others.

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the General Plan. For those policies of the General Plan that are not called out in the Specific Plan, the provisions of the Mono County General Plan apply.<sup>3</sup>



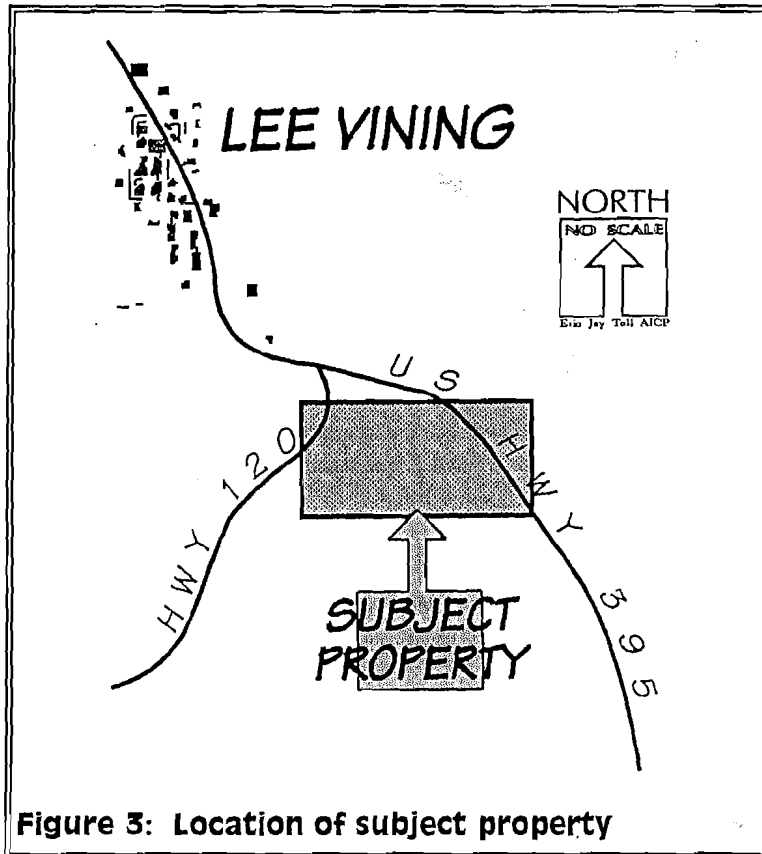
**Figure 2: Lee Vining, Mono County**

The General Plan identifies the subject property within the "SP," *Specific Plan*, land use designation on the Lee Vining Community Area map (General Plan Land Use Element, Figure 23). The Specific Plan must be consistent with other goals, policies, and implementing programs of the General Plan. Specific Plans are incorporated by reference into the General Plan.

<sup>3</sup>/This conforms to the requirement of Government Code §65451(b).

### 3. Relationship between the Specific Plan and the Environmental Impact Report<sup>4</sup>

The State *CEQA Guidelines* states "The requirements for preparing an EIR on a local ... plan ... will be satisfied by using the ... plan ... as the EIR and no separate EIR will be required..."<sup>5</sup>



**Figure 3: Location of subject property**

if the consolidated Plan and EIR contain all of the information required in the *CEQA Guidelines* along with a cover sheet or special section addressing where the points are listed. The cover sheet is a separate section of the table of contents on page iv under the section entitled *Environmental Impact Report Sections*. Additionally, there are notations in the appropriate section headings to identify the appropriate California Code of Regulations section of the *CEQA Guidelines* for which the text is applicable.

The approach in the Specific Plan is for *implementation measures* to serve as mitigation measures for impacts identified as significant or potentially significant in the environmental impact report analysis.

The implementation program in the Tioga Inn Specific Plan is tied to the proposed project by creating quantifiable implementation measures, or time-specific actions. This allows the implementing program to be incorporated into the mitigation monitoring and compliance program. In effect, the implementation measure serves as the blueprint for project conditions.

The implementation program in the Tioga Inn Specific Plan is

<sup>4</sup>/Specific Plan content requirements: Relationship of the specific plan to the General Plan [California Government Code (GC) §65451(b)]

<sup>5</sup>/14 CCR §15124. (Notation means *Title 14, California Code of Regulations, Section 15124*)

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**4. Project description<sup>6</sup>**

**a. Location of the project (14 CCR §15124(a))**

The Tioga Inn project site is located at the intersections of State Highway 120 and US Highway 395 at the southern edge of the Lee Vining area in Mono County. The project site is approximately two miles south of Mono Lake. It is located in a portion of the southeast quarter of the northwest quarter, and the southwest quarter of the northeast quarter of Section 14, Township 1 North, Range 26 East (MDBM). Figure 2 shows the general location in Mono County. Figure 3 shows the location in relation to the community of Lee Vining.

**b. Project objectives (14 CCR §15124(b))**

The objective of the project is to provide central Mono County with an inclusive resort facility that can draw upon north-south traffic traveling through Mono County as well as Yosemite-oriented visitor traffic traveling over Tioga Pass. The facility is to provide a complete range of services for the Mono Basin visitor including accommodations, meals, vehicle fuel, supplies, meeting/banquet rooms, and business center facilities. The resort hotel complex is designed to serve both the transient traveler and those whose destination includes the Mono Lake Basin or Yosemite National Park. The project is also intended to serve local residents with meeting facilities, a swimming pool that can be used by school swim teams and area swim clubs, and a full-service restaurant.

Implementation of the Specific Plan is intended to add to the area's economy through increased employment opportunities, provision of additional needed motel rooms during peak months, and provision of additional rental housing. Visually, the objective of the project is to blend into the natural setting through careful structure siting, and architecture and landscaping complementing the environment.

**c. Tioga Inn project description (14 CCR §15124(c))**

The Specific Plan area (refer to the site plan in Figure 5) is approximately seventy-four acres in gross land area. The proponent proposes to subdivide the property into four parcels of various sizes, as identified in Table A. The division of land requires a tentative parcel map, which is a part of the proposed Specific Plan project. Parcel Map 34-35 previously divided the property into two lots of 63.4 and 10.3 acres on each side of US 395.

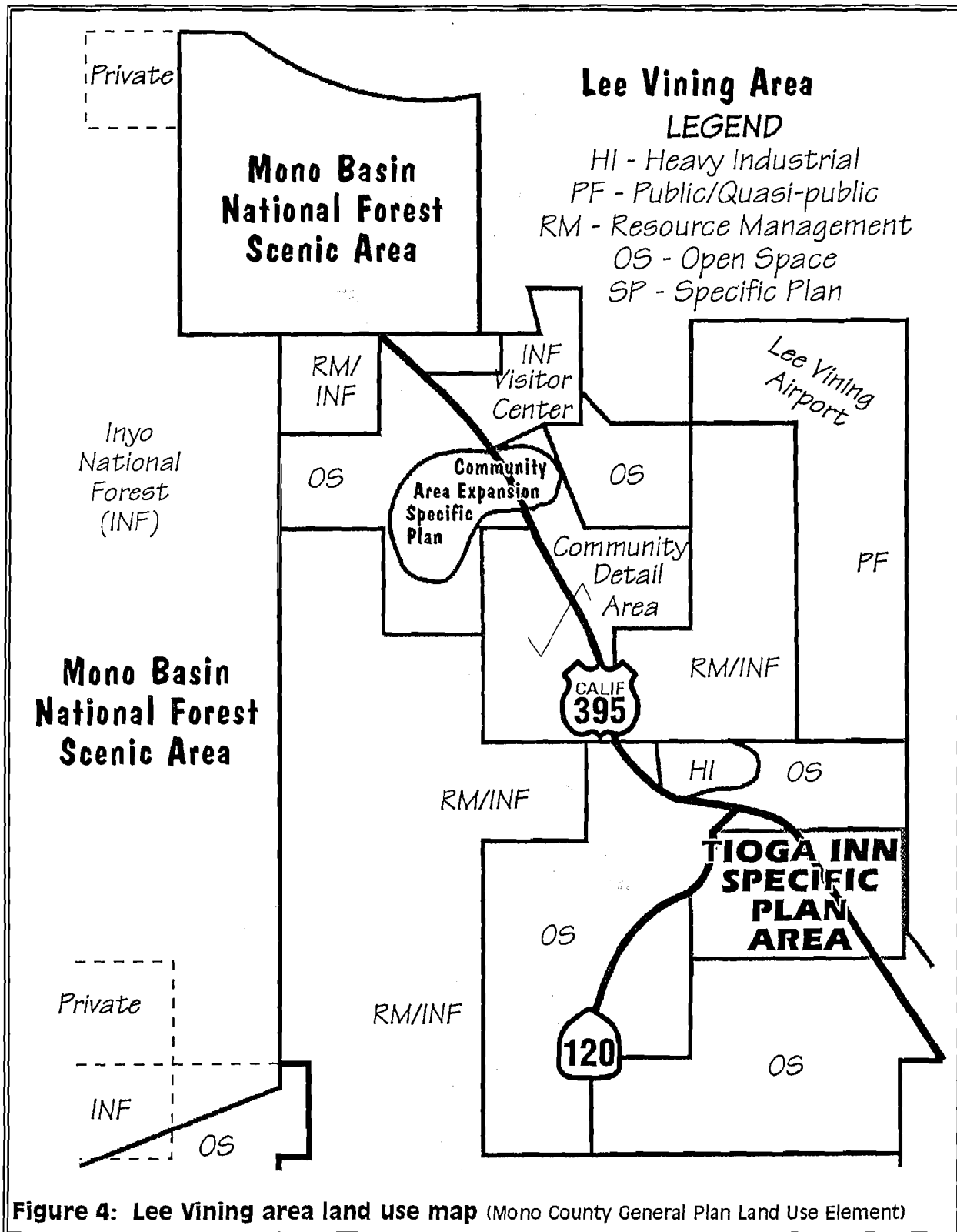
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<sup>6</sup>/This section of the Specific Plan conforms to the requirements of 14 CCR §15124, which describes the requirements for *Project descriptions* in the CEQA Guidelines. The CEQA Guidelines are the common name to the contents of Title 14 of the California Code of Regulations (14 CCR) beginning at §15000, which contains the administrative regulations for the implementation of the California Environmental Quality Act. Although there are books published called "The CEQA Guidelines" or similar title, the administrative California Code of Regulations are the "official" state guidelines. The California Environmental Quality Act begins in the Public Resources Code (PRC) at §21000. In this document, the Guidelines are cited as 14 CCR §15XXX, and CEQA is cited as PRC §21XXX.

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**Figure 4: Lee Vining area land use map** (Mono County General Plan Land Use Element)

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**Table A: Parcel sizes**

<i>Parcel</i>	<i>Size</i>
1-Hotel	30.3
2-Restaurant	36.0
3-Store	2.4
4-Residential	5.0
<i>Total</i>	<i>73.7</i>

Source: Applicant

**The Tioga Inn — hotel and accommodations**

The hotel (Refer to Figure 6, the pull-out) is to be located adjacent to Highway 120 on a relatively level bench about eight hundred feet south of the intersection with Highway 395. The hotel will contain 120 rooms, a coffee shop, banquet room, and a small retail gift shop primarily serving hotel guests. A swimming pool for hotel guests, with use by the local school and area swimming clubs, is also proposed. Parking for the hotel will be south of the structure, screened from view by the hotel building. Access from Highway 120 will be on a common drive located immediately south of the parking lot at the bottom of a steep north facing slope. The proposed two story hotel structure will be oriented in an east-west direction, presenting an end view to traffic on Highway 120 and taking advantage of hotel room views to the north and northeast toward Mono Lake, and west toward Tioga Pass.

**Full service restaurant**

A sit-down restaurant is proposed to be located at the top of a ridge line about five hundred feet east of the hotel. The difference in elevation between the location of the restaurant and Highway 395 offers an opportunity to provide views for patrons from the restaurant site while screening the structure from traffic on US 395. The restaurant will be triangular-shaped, conforming to the shape of the flat area on top of the ridge, with a parking lot screened by the terrain to the south and access from the same road as the hotel. An observation deck will flank the northwest and northeast faces of the restaurant taking advantage of the panorama of Mono Lake, Tioga Pass and Mono Craters visible from that location. The restaurant will include seating for one hundred persons in the restaurant and lounge and a small gift shop/information center.

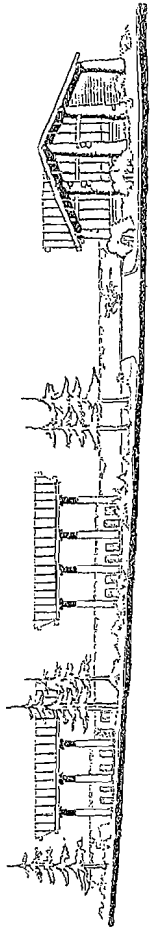
**Residential area**

A five acre parcel intended for ten residential rental housing units is proposed on the southwest corner of the subject property. This housing is proposed to consist of five, two-bedroom one-story duplexes. Access is proposed via a private road near the top of the main access road leading up to the restaurant. Flexibility is provided to also permit individual single family homes. The residential property is not proposed for further subdivision. These units will add to the County's rental housing stock. The Mono County Housing Element requires that development of this type provide opportunities for employee housing. With the inclusion of the residential units, it would be possible for project employees to live onsite, meeting the Housing Element requirements.

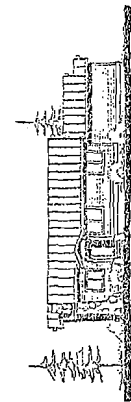
**Convenience store and gas station**

A smaller parcel immediately to the southwest of the hotel is proposed for a gas station/mini-mart. The gas station will have two gas pumping islands and a small 4,800 square

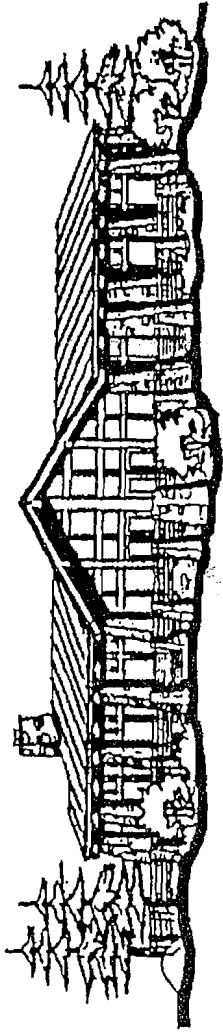
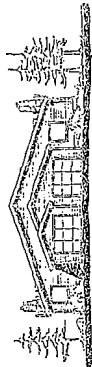




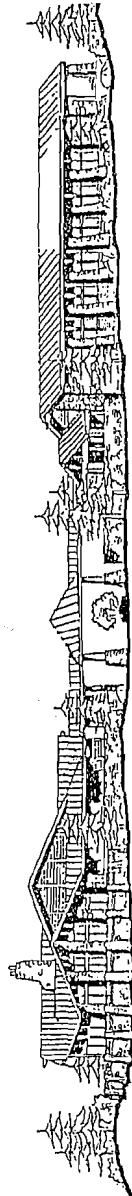
Convenience Store and Fuel Sales



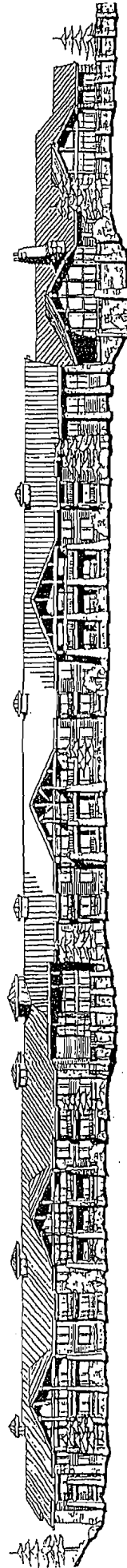
Residences



Full Service Restaurant



Tioga Inn Hotel - South/West Elevation



Tioga Inn Hotel - North Elevation

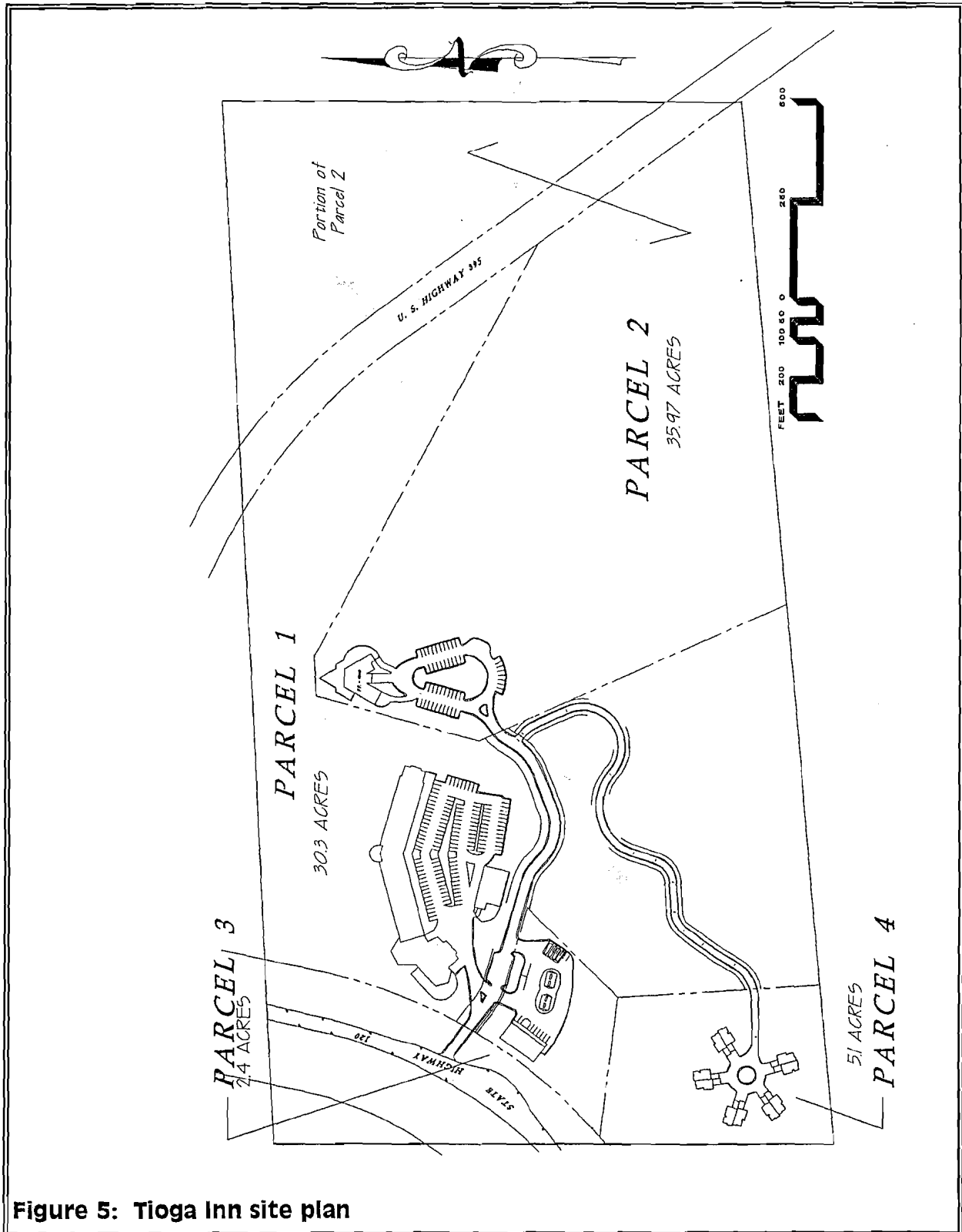
Drawings Not To Scale

Figure 6: Tioga Inn Resort -- Architectural renderings

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**Figure 5: Tioga Inn site plan**

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foot mini-mart. Parking areas will be screened from highway views by buildings, terrain, and landscaping.

### **Design concepts**

Architecturally, the hotel, restaurant, and gas station/mini-mart will carry the same theme. Exposed foundation areas will feature stone. The wall areas will be predominantly natural wood interfaced with stone. The roof areas will be earthtone or green metal.

Manicured and introduced landscaping (as proposed in the conceptual landscape plan described in Table F on page 42) for all sites will be minimal. The introduced plant species will be limited to primarily decorative landscaping in and around the buildings and parking lots. Planters adjacent to the hotel and gas station/mini-mart and immediate surrounding areas are also proposed. Landscaping around the residential housing will be native, low maintenance shrubs and small trees. The native sagebrush on the ridges and hillsides will be preserved and areas disturbed for installation of facilities or during construction will be revegetated with low profile indigenous plants. The exception to this will be the area viewing the pumice processing facility. This viewshed — located to the northeast of the hotel — will be planted with taller trees to block the view of the US Pumice facilities from the Tioga Inn.

### **Project facilities and services**

The Tioga Inn Specific Plan has no major components of public facilities and services. It has private systems designed to serve its immediate needs. The water delivery system and sewage disposal system are not designed to serve any projects other than the four components of the Tioga Inn Specific Plan.

The site plan on page 8 shows the location of the roads, driveways and parking areas. These are the "major" components of the public and private transportation system. The road system is described further in the Traffic element of the Specific Plan beginning on page 58. "Intensity and extent" means location and width. The element to conform to the Specific Plan requirements to identify the "distribution," "intensity and extent" of roads identified in California law.

Water supply is proposed to be derived from an existing well located east of Highway 395 which will be connected to a new storage tank near the south boundary of the 64 acre parcel. A portion of the reservoir will project approximately five feet above a natural berm and will not be seen from either the highways or town. The well produces a suitable volume of potable water. It is described in greater detail in Chapter VI.A.2. The water pipe will be designed to meet flow requirements established by the Mono County Health Department and Lee Vining Fire Protection District (See Figure 9 on page 39 in the Facilities Plan Element).<sup>7</sup>

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<sup>7</sup>/Specific Plans usually are prepared for large projects spanning multiple ownerships. The Specific Plan regulations call out for the location and siting of "distribution lines" for water supply and sewage disposal.  
(continued...)

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Development restrictions in the form of open space easements are proposed for the portion of the project located east of US 395 and the steep slope adjacent to and facing Highway 395. No development other than underground utility lines and appurtenances — such as a well house, electric equipment shed, or utility related facilities — will occur in these areas. A water main will be constructed under Highway 395 through existing pipe sleeves from the well site. Sewage disposal systems' expansion areas may cross under the highway to this site at some time in the future. Power and telephone service will most likely come from the east side of Highway 395, since no phone service is available north of Highway 120.

Sewage disposal will be by standard septic tank/leach field systems for each separate land use area in conformance with Mono County Health Department and Lahontan Regional Water Quality Control Board (RWQCB) standards. The project will comply with standards for sewage disposal leach fields including a one hundred percent expansion field area for all onsite facilities.

Solid waste will be stored in commercial dumpsters located within screened areas adjoining each of the project buildings, and at a separate screened area for refuse cans serving the residential development. Refuse will be collected by a commercial scavenger service recognized by Mono County for delivery of such service.

The property will utilize a controlled drainage system meeting accepted engineering practices. Run-off will be controlled and managed onsite through the use of dry wells meeting the requirements of the Lahontan Regional Water Quality Control Board. The locations proposed for the drywells are shown on Figure 9. California regulations, such as a waste discharge permit from the Regional Water Quality Control Board, require that there be controls so that during storm periods, the surge or peak of the storm run-off is retained onsite until offsite storm flow, velocity, and volume are reduced to levels that can be managed in the drainage system without flooding. Additionally, water that may be contaminated from surface exposure cannot be discharged.

Energy for the project will be provided by Southern California Edison for electricity and private contract for propane. All electrical utilities will be underground. Propane tanks will be sited in conformance with the Uniform Building Code and the Fire Code. Screening — such as designed fencing or landscaping — will be used to mitigate visual impacts of the tanks.

### **Open space lands and land designations**

Areas designated as "open space" are proposed to be retained in a natural condition. Three Open space designations are proposed. *Open Space — Preserve* designation will be for lands that cannot be developed as a part of the project. The *Open Space - Facilities* designation is

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<sup>7</sup>(...continued)

"Distribution lines" refers to pipelines more commonly called "water mains" or "sewer mains" that *distribute* the water supply from the treatment plant to the individual parcels. Specific Plans are not intended to show the precise location of onsite infrastructure, because these facilities must be sited and located by an engineer as part of the construction plans. Construction plans are not required to be a part of a Specific Plan.

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for lands on which no surface construction will take place, other than small structures to provide access to underground utilities. The Open Space - Facilities designation provides an open visual area, but does allow some surface disturbance. The third designation is *Open Space - Support Services*. This designation provides the locations certain above-ground facilities, such as the water tank and well house. It does not provide for construction of additional facilities.

No onsite natural resources are proposed to be developed or used.

**Phasing**

The project is proposed to be developed in phases. Each of the proposed components of the Specific Plan is dependent upon development of the infrastructure that is designed to serve the hotel and its related facilities. The Tioga Inn's primary infrastructure — road access, and water supply — is to be constructed in concert with the construction of the hotel. Sewage disposal systems may be constructed with the appropriate land uses because each use on the project has an independent disposal system. Some of the infrastructure components that are related only to one aspect of the project — for example, the road to the residences — may be constructed as a part of that phase. The Specific Plan provides that the project be developed in the following progression.<sup>8</sup>

**Table B: Project phasing**

<b>Phase and facility</b>	<b>What's included</b>
I. Hotel and accessory uses	Tioga Inn hotel, conference rooms, swimming pool and facilities, banquet room, coffee shop; water supply, septic system, improvements to Hwy 120 intersection with project; lighting, signage, landscaping; parking
II. Residences	A maximum of ten residential units; water supply, sewage disposal system, access, accessory structures such as garage, personal storage sheds, landscaping
III. Convenience store and gas pumps	Convenience market, fuel pumps, underground storage tanks, picnic area, restrooms, accessory facilities, lighting, signage, landscaping, parking, water supply, sewage disposal system

<sup>8</sup>/No timelines or time limits are established on when the phases occur, as long as the phases occur in this order.

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<b>Phase and facility</b>	<b>What's included</b>
IV. Full service restaurant	Restaurant, observation deck, signage, landscaping, accessory facilities, parking, water supply, sewage disposal system

**d. Use of the EIR and approvals required** (14 CCR §15124(d))

**Other agencies that may use the EIR**

The following agencies are expected to make use of the EIR when considering future permits for the project:

**Table C: Use of the Environmental Impact Report by other agencies**

<i>AGENCY</i>	<i>PERMIT OR USE OF THE EIR</i>
California Regional Water Quality Control Board — Lahontan Region	Responsible agency; Waste Discharge Permit, if required
California Department of Transportation	Responsible agency; Encroachment permit and modifications to the scenic turn-out on Highway 120
California Department of Fish and Game	Trustee agency; no permits required
California Department of Forestry	Trustee agency; review of plans for fire safety and wildfire protection
Mono County Department of Environmental Health	Responsible agency; permits are required for the sewage disposal systems; small water system permit; permits will be required for the restaurant kitchen, any kitchen in the hotel, the swimming pool, and spa.
Lee Vining Fire Protection District	Local public agency; inspection or review of plans for conformance with fire safety regulations.

**Approvals required**

Mono County will consider the following discretionary actions in processing the Tioga Inn project proposal:

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*Certification of the Environmental Impact Report.* The Specific Plan is consolidated with an environmental impact report. The EIR provides a range of mitigation measures that will eliminate or reduce potentially significant environmental impacts. These "conditions" or mitigation measures are incorporated into the Specific Plan as policy and implementation programs. The EIR must be certified by the Board of Supervisors prior to taking action on the Plan. Certification of the environmental impact report is a separate action from approval of the project.

*Action associated with the Specific Plan.* (1) The Specific Plan will be the subject of a hearing and recommendation from the Planning Commission and a hearing and action by the Board of Supervisors. The County may deny approval of the Specific Plan, it may approve the Plan as submitted, or it may approve a modified version of the Specific Plan. If the County takes an action to approve the Plan or a modified version of the Plan, and if all proposed mitigation measures are not incorporated into the Specific Plan, the Board must then adopt a *Statement of Overriding Consideration* explaining why those mitigation measures were not included in the approval.

(2) Concurrently with the consideration of the Specific Plan, a change of zoning district into the *Specific Plan* district must be recommended by the Planning Commission and enacted by the Board of Supervisors.

(3) A tentative parcel map creating four parcels must be approved by the Planning Commission.

*Approval of a Mitigation Monitoring and Compliance Program (MMCP) with assignment of enforcement responsibility in conformance with the Mono County Environmental Handbook.* If the environmental impact report identifies mitigation measures, the approval of the Specific Plan may incorporate some or all of those measures. If the mitigation measures are a part of the project approval, the County and proponent must enter into a program that provides for monitoring of the adopted measures. The program must also assign compliance responsibility.

**B. Environmental setting** (14 CCR §15125)

**1. The County** (14 CCR §15125)

Mono County is located in eastern California between the Sierra Nevada mountains and the State of Nevada. The County is relatively isolated from most major metropolitan areas in California. Reno, Nevada, approximately 120 miles to the north on US Highway 395, is the closest major city.

The Mono County economy is predominantly recreation-oriented. The County offers skiing, camping, hunting, fishing, and other visitor-activities. In 1992, the County had an estimated population of 10,403, an increase of 4.5 percent over the 1990 Census population of 9,956 full

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time residents.<sup>9</sup> Nearly half the population resides in the County's only incorporated community, Mammoth Lakes.

Lee Vining, the unincorporated community where the project is located, had a 1990 population of 285 full time residents, an increase of fourteen percent from 1980.<sup>10</sup> Lee Vining is a summer staging area for visitors to Yosemite National Park; the east gate to the Park on Highway 120 is closed in the winter. The community overlooks Mono Lake. Most visitors to the Lee Vining area are from southern California and are visiting Mono Lake, Bodie State Historic Park, and in the summer Yosemite National Park.

**2. Consistency with plans** (14  
CCR §15125(b))

The Mono County General Plan includes land use policies for the Mono Basin communities of Lee Vining and Mono City. These policies are intended to direct private development into patterns that prevent sprawl, serve visitors and tourists to the County, and protect scenic resources. The proposed Tioga Inn Specific Plan conforms to these requirements.

The subject property is an orderly extension of the Lee Vining community area. Although surrounded by lands in public ownership, it is one of the larger privately owned parcels that can be developed with the services and facilities needed to provide additional visitor services to the Mono Basin area.

Other regional plans include the Inyo National Forest Land and Resource Management Plan — which proposes concentrated recreation activities on parcels adjacent to the project — and the Mono Basin Scenic Area Comprehensive Management Plan, which protects the scenic values of that area.

**Table D: Lee Vining area  
census data**

<i>Data</i>	<i>1980</i>	<i>1990</i>
Population	250	285
Households	102	120
Average age	29.3	33.9
Ave HH Income	\$20,498	\$35,000
Persons/HH	2.45	2.38

**Population distribution by age**

<i>Age groups</i>	<i>Percent</i>
Under 18	21.4
18-21	6.0
21-29	12.3
30-44	37.5
45-54	10.9
55-64	6.3
65+	6.0

Note: "HH" means "household"  
Source: 1990 Census, "93541 Zip Code." Refer to Footnote 10.

<sup>9</sup>/California Department of Finance, Population Research Bureau, 1992.

<sup>10</sup>/CACI, Inc., 1990 *Neighborhood Demographics Report for the 93541 Zip Code: Mono County, California* (Arlington, VA: CompuServe, October, 1992).



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**3. Site characteristics** (14 CCR §15125(c))

The terrain is gently to steeply sloping over the east-west course of the property. There are several natural benches on the property upon which all development is proposed. The area is generally scrub vegetation with a predominance of sagebrush. Several scattered pine trees are onsite as well.

Access to the subject property can be derived from either State Highway 120 or US Highway 395. The proponent proposes to limit general vehicle access to Highway 120 as previously negotiated with the California Department of Transportation (Caltrans).

The subject property had been used for sheep grazing in the past. This activity has resulted in a reduction of some cover vegetation in the area. The agricultural use of the area has been terminated in anticipation of the proposed Specific Plan being implemented.

**4. Rare and unique environmental resources** (14 CCR §15123(a))

The Tioga Inn and its facilities are proposed to be developed on a small parcel that is a part of the Mono Basin. The general area contains numerous rare and endangered plant and animal species. Some of California's unique geologic formations are accessible to area visitors. There is an abundance of wildlife and fisheries in the general vicinity. The Lee Vining area expresses extraordinary pride in the unique and significant views of the natural scenery. Analysis prepared for the Specific Plan and its Environmental Impact Report determined that none of the unique, rare, or endangered resources are located on or in close proximity to the Tioga Inn parcel.

## **II. Specific Plan goals, policies, and implementation programs<sup>11</sup>**

### **1. Land use<sup>12</sup>**

**Goal 1:** Enhance visitor-oriented services in the Lee Vining area.

*Policy 1a:* Provide flexibility in the project to accommodate multiple uses on Specific Plan parcels.

*Implementation measure 1a(1):* Permit the land use designations "Hotel," "Full Service Restaurant," "Residential," "Convenience Store/Fuel Sales," "Open Space—Preserve," "Open Space—Facilities," and "Open Space—Support" to be the land use designations of the Tioga Inn Specific Plan.

*Implementation measure 1a(2):* Limit the siting of the land uses to the parcel designations and locations on Figure 7.

*Policy 1b:* The Hotel land use designation shall permit the following land uses:

*Implementation measure 1b(1):* The Hotel land use permits a facility with a maximum of one hundred and twenty rooms for overnight guests. The Hotel facility land use allows the following accessory uses:

- Banquet, meeting room facilities with dividers for a maximum of 250 persons
- A coffee shop with a maximum capacity of 50 persons
- Kitchen and food preparation facilities
- Retail shop containing items typically needed or desired by guests at a hotel facility — including and not limited to toiletries, reading materials, souvenirs, and prepackaged snack items
- Swimming pool and spa (indoor or outdoor). The pool may be made available for use by local schools and swimming clubs
- Parking facilities, uncovered
- Appurtenant service and delivery bays, storage areas, and enclosed trash receptacle area. These include offices, storage areas, and loading dock
- Resident manager's apartment
- Guest-oriented business center
- Outdoor kennel for pet control
- Laundry room with coin operated machines for guest convenience

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<sup>11</sup>/Specific Plan content requirements: Program of implementation measures [GC §65451(a)(4)]

<sup>12</sup>/Specific Plan content requirements: Distribution and extent of land use [GC §65451(a)(1)]

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- Other uses that are similar in nature, typically associated with the primary land use, and equal to or less in intensity — subject to individual review and approval by the Planning Director.

*Implementation measure 1b(2):* Site development standards for the **Hotel** land use designation shall be:<sup>13</sup>

- Maximum building height: thirty feet from the top of the stem wall to the top of the roof line. Chimneys, gables, and snow control devices shall not be counted in the height calculation.
- Building envelope: The hotel and parking lot shall be sited in substantial conformance with the location of the facility as shown in Figure 7.
- Waste disposal containers: Shall be located within a screened and gated area.
- Parking requirements: A minimum of one standard-sized vehicle parking space for each guest room, plus two spaces for resident manager's quarters. A minimum of two bus or recreation vehicle-sized parking spaces. A minimum of one parking space for each two projected employees. Parking shall be paved and striped in conformance with the Mono County Code prior to the use or occupancy of the hotel.
- Location of mechanical equipment, telecommunications antennae: All mechanical equipment (heating, ventilation, air conditioning and similar exterior mechanical equipment) located outside of the structure shall be sited so that the equipment cannot be seen from Highway 120 or US 395. No roof-mounted antennae shall be permitted to be higher than the roofline.
- Signs shall be coordinated in design and concept with all other facility signs. Directional signs for registration, parking, office, or deliveries shall be permitted with a maximum area of three square feet per sign facing. Illumination shall be indirect in conformance with the Mono County code. On-structure or on-hotel-site signs identifying the hotel property, name, ownership, and amenities shall be limited to a maximum of one hundred square feet.

*Policy 1c:* The **Full Service Restaurant** land use designation shall permit the following land uses:

*Implementation measure 1c(1):* The designation permits a freestanding full service restaurant with a maximum five thousand square foot interior dining area, not including offices, kitchen, preparation, or storage areas. The restaurant facility shall be entitled to include both an interior sit-down eating area and an exterior sit-down eating area on the observation deck,

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<sup>13</sup>/Specific Plan content requirements: Standards and criteria for development [GC §65451(a)(3)]

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- and interior and exterior areas serving as a cocktail lounge. Accessory uses permitted shall include:
- Retail gift shop and information center. The gift shop shall be limited to items typically needed or desired by restaurant guests such as packaged snacks and candies, maps, area information, and souvenirs
  - Parking, including parking spaces for recreation vehicles, vehicles towing trailers, and tour busses
  - Public observation deck
  - Appurtenant service and delivery bays, storage areas, and enclosed trash receptacle area
  - Other uses that are similar in nature, typically associated with the primary land use, and equal to or less in intensity — subject to individual review and approval by the Planning Director.

*Implementation measure 1c(2):* Site development standards for the **Full Service Restaurant** land use designation shall be (Refer to Footnote 13):

- Maximum building height: twenty feet from the top of the stem wall to the top of the roof line. Chimneys, gables, and snow control devices shall not be counted in the height calculation.
- Building envelope: The restaurant and parking lot shall be sited in substantial conformance with the location of the facility as shown in Figure 7.
- Waste disposal containers: Shall be located within a screened and gated area.
- Parking requirements: A minimum of fifty standard-sized vehicle parking space. A minimum of two bus or recreation vehicle-sized parking spaces, and a minimum of five spaces for vehicles towing trailers shall be provided. Parking shall be paved and striped in conformance with the Mono County Code prior to the use or occupancy of the restaurant.
- Location of mechanical equipment, telecommunications antennae: All mechanical equipment (heating, ventilation, air conditioning and similar exterior mechanical equipment) located outside of the structure shall be sited so that the equipment cannot be seen from Highway 120 or US 395. No roof-mounted antennae shall be permitted to be higher than the roofline.
- Signs shall be coordinated in design and concept with all other facility signs. Directional signs for observation deck, parking, office, or deliveries shall be permitted with a maximum area of three square feet per sign facing. Illumination shall be indirect in conformance with the Mono County code. Signs on the restaurant parcel identifying the restaurant name, ownership, and amenities shall be limited to a maximum of sixty-four square feet.

*Policy 1d:* The **Convenience Store/Fuel Sales** land use designation shall permit the following land uses:

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*Implementation measure 1d(1):* The Convenience Store/Fuel Sales shall include the following land uses:

- A retail store and fuel purchase facility not exceeding 4,800 square feet of gross floor area.
- A maximum of two fuel islands with four multi-grade dispensing stations per island for a total of eight pumping stations
- Picnic area sited in conjunction with the scenic turn-out
- Public restrooms
- Parking areas, including spaces for recreation vehicles, vehicles towing trailers, and tour busses
- Appurtenant service (not including vehicle service or repair) and delivery bays, storage areas, publicly accessible air supply, vehicle water supply, enclosed trash receptacle area
- Facility for the disposal of sewage from recreational vehicles (an RV "dump" station)
- Underground fuel tanks
- Other uses that are similar in nature, typically associated with the primary land use, and equal to or less in intensity — subject to individual review and approval by the Planning Director.

*Implementation measure 1d(2):* Site development standards for the Convenience Store/Fuel Sales land use designation shall be (Refer to Footnote 13):

- Maximum building height: twenty feet from the top of the stem wall to the top of the roof line. Chimneys, gables, and snow control devices shall not be counted in the height calculation.
- Building envelope: The convenience store, fuel islands, and site parking lot shall be sited in substantial conformance with the location of the facility as shown in Figure 7.
- Waste disposal containers: Shall be located within a screened and gated area.
- Parking requirements: A minimum of ten standard-sized vehicle parking spaces. A minimum of two bus or recreation vehicle-sized parking spaces. A minimum of two parking spaces for vehicles towing trailers. Parking shall be paved and striped in conformance with the Mono County Code prior to the use or occupancy of the facility.
- Location of mechanical equipment, telecommunications antennae: All mechanical equipment (heating, ventilation, air conditioning and similar exterior mechanical equipment) located outside of the structure shall be sited so that the equipment cannot be seen from Highway 120 or US 395. No roof-mounted antennae shall be permitted to be higher than the roofline.
- Signs shall be coordinated in design and concept with all other facility signs. Directional signs for fuel islands, parking, air and water, or deliveries shall be permitted with a maximum area of three square feet per sign facing. Illumination shall be indirect in conformance with the Mono County code. Signs identifying the convenience store property,

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name, ownership, and amenities shall be limited to a maximum of forty-eight square feet. One monument style fuel brand name logo identification sign with a maximum of twenty square feet per facing shall be permitted at a height of no greater than permitted by the Mono County Code.

*Policy 1e:* The **Residential** land use designation shall be implemented as permitting the following land uses:

*Implementation measure 1e(1):* The **Residential** land use permits a maximum of ten residential dwelling units. The units may be constructed in a configuration of either single family residences or five structures with two dwelling units (duplex).

- Accessory uses shall be limited to one storage building of not more than two hundred square feet per dwelling unit. Accessory buildings shall be constructed in a compatible architectural style to the main building if the accessory structure is visible from Highway 120 or US 395.
- Attached private garage or covered parking shall be permitted
- Home businesses in conformance with the single family residential zoning district provisions of the Mono County Code shall be permitted.
- One or more of the residential units may be made available as employee housing
- No signs shall be permitted.
- Other uses that are similar in nature, typically associated with the primary land use, and equal to or less in intensity — subject to individual review and approval by the Planning Director.

*Implementation measure 1e(2):* Site development standards for the **Residential** land use designation shall conform to the requirements of the Mono County Code for the Two-Family Residential (Duplex) zoning district. The residential units shall be constructed within the building envelopes identified on the Site Plan whether the units are attached duplexes or detached single family homes. Private kennel facilities or fenced areas for pets shall be permitted in the residential area, provided that those residents caring for pets have fenced yards or fenced areas to restrain the pets from reaching deer foraging areas (Refer to Footnote 13).

*Implementation measure 1e(3):* The area on which residences are sited shall not be further subdivided.

*Policy 1f:* The **Open Space—Preserve** designation shall permit the following uses. Improved landscaped areas and native or undisturbed areas retained as landscaping shall be a part of the open space group (Refer to Footnote 13).

*Implementation measure 1f(1):* Physical development within **Open Space—Preserve** areas is limited to underground utilities. New

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overhead utilities shall be classified as surface structures, and are not permitted in this classification.<sup>14</sup> Snow storage shall be permitted.

*Implementation measure 1f(2):* Underground leach fields shall be permitted. The partially buried water storage tanks may be placed within an **Open Space—Preserve** area, provided that introduced landscape screening is planted around the view-sides of the tanks.

*Implementation measure 1f(3):* No above ground structures of any type shall be permitted in the **Open Space—Preserve** designation as shown on Figure 7.

*Policy 1g:* The **Open Space—Facilities** designation shall permit the following uses:

*Implementation measure 1g(1):* The **Open Space—Facilities** land use is intended to provide a land area for private utility service development. All of the uses permitted within open space are permitted in the Facilities designation. In addition, above ground appurtenance structures, such as the well house, buildings or storage areas for propane tanks, and other similar uses are also permitted. The land use shall also permit an on-site nursery for the purpose of growing and cultivating replacement landscaping, increasing transplant capacity of native species, and growing flowers or other landscape amenity storage.

*Policy 1h:* The **Open Space—Support** designation shall permit the following uses:

*Implementation measure 1h(1):* The **Open Space—Support** designation is intended for accessory type buildings that are used for storage of supplies and equipment, a kennel for guests' pets, stable or horse corral, and parking area expansion when and if needed. Examples of accessory buildings include the buildings for storing snow removal equipment, amendments and nutrients for introduced landscaping, and irrigation supplies. These identified sites would permit construction of small utility structures and storage sheds, provided that the facilities are not generally visible within the scenic view corridors from Highway 120 and US 395. The land use shall also permit an on-site nursery for the purpose of growing and cultivating replacement landscaping, increasing transplant capacity of native species, and growing flowers or other ornamentals.

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<sup>14</sup>/Existing overhead utility lines may be retained.

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**2. Facilities and services<sup>15</sup>**

**Goal 2:** Ensure adequate facilities for the Specific Plan development.

*Policy 2a:* All applicable permits shall be obtained for water and wastewater facilities.

*Implementation measure 2a(1):* Prior to the issuance of any building permits, the Planning Director shall receive verification from the Mono County Health Department that the proponent has received applicable water and wastewater permits. This measure shall not apply to the construction of onsite storage buildings for security of supplies and materials.

*Implementation measure 2a(2):* Prior to the issuance of a certificate of occupancy for any development facilities, with the exception of storage facilities, the Planning Director shall receive a letter from the Mono County Health Department indicating all water and wastewater facilities have been constructed to the satisfaction of the department.

*Policy 2b:* Ensure that there is an adequate fire prevention management program.

*Implementation measure 2b(1):* Prior to the issuance of any building or grading permits, the Planning Director shall receive a letter from the Lee Vining Fire Protection District and the California Department of Forestry indicating that the design and siting of roads and structures conforms to the California Fire Safe regulations and Lee Vining Fire Protection District requirements.

*Implementation measure 2b(2):* Prior to the use or occupancy of any structures, the Planning Director shall receive a letter from the Lee Vining Fire Protection District indicating that the buildings conform to fire safety and prevention requirements.

*Implementation measure 2b(3):* All fire suppression systems and facilities, locations of hydrants, sprinklers, valves, emergency water access, and fire doors shall be written into text and diagrams for a facilities fire management plan approved by the Lee Vining Fire Protection District.

*Implementation measure 2b(4):* All fire prevention systems shall be maintained in a usable and safe condition in perpetuity. An inspection shall be required on a periodic basis meeting the reasonable requirements of the Lee Vining Fire Protection District.

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<sup>15</sup>/Specific Plan content requirements: Location and extent of major facilities [GC §65451(a)(2)]



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**3. Design**

**Goal 3:** Strive to reduce the project's visual intrusiveness in the area.

*Policy 3a:* Minimize site disturbance.

*Implementation measure 3a(1):* Prior to the issuance of a certificate of occupancy for any of the site facilities, the planning director shall approve a revegetation plan for areas within the open space designations disturbed during construction of underground facilities.

*Implementation measure 3a(2):* The revegetation plan shall be submitted in a form conforming to the requirements of the Mono County's *Landscape and Revegetation Plans* application form. The plan shall identify the range of vegetation to be replaced in the disturbed areas in conformance with the conceptual landscape standards in Table F.

*Policy 3b:* Maximize the use of indigenous species.

*Implementation measure 3b(1):* The landscaping plan shall identify the location of areas disturbed during construction that shall be revegetated with native species. The native species are to be used to the greatest extent possible throughout the project area.

*Policy 3c:* Utilize introduced landscaping that provides additional screening at maturity to aid in the visual blending of the project into the natural landscape.

*Implementation measure 3c(1):* Utilize the provisions of Table F on page 42 as the general guideline for landscaping.

*Implementation measure 3c(2):* Prior to issuance of any building or grading permits, the project proponent shall submit for the review and approval of the Mono County Planning Department a detailed landscape plan which specifies design, location, and species of vegetation and that is in substantial conformance with the conceptual landscape standards contained in Table F. The landscape plan shall show existing trees on the project site which shall be maintained on site and incorporated into landscape plans. The plants specified shall be of appropriate age and size to reach a mature screening height or bulk in the Mono Basin climate within three to seven years.

*Implementation measure 3c(3):* The landscape plan shall focus placement on the visually prominent areas identified in Figure 11. In these identified areas, mature, indigenous, drought-resistant species shall be planted in a manner which maximizes visual screening quality. Landscape tech-

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niques designed to screen or block the view of passenger vehicles from Highways 120 and 395 shall be employed in the restaurant parking area and on the ridge line where homes are proposed.

*Policy 3d:* Ensure that introduced landscaping is maintained, fertilized, weeded, and irrigated as necessary to prevent plantings from becoming diseased or dying.

*Implementation measure 3d(1):* All landscaping shall be maintained in a vigorous and healthy condition in perpetuity. Some flexibility is needed in case of extreme drought situations, but for the most part the intent of the Plan is to ensure that if introduced landscaping does not survive, it is replaced and as closely as possible to age or maturity.

*Policy 3e:* Provide landscaped areas for picnicking, walking, and relaxation.

*Implementation measure 3e(1):* The picnic and walking areas within developed portions of the project shall be designed for water conservation, visual attractiveness, and as a visual complement to the area. The final plans shall be submitted for the approval of the planning director prior to the use or occupancy Convenience Store/Fuel Sales component.

*Policy 3f:* Ensure a visually attractive development.

*Implementation measure 3f(1):* All structures — including residences — shall be constructed in conformance with the appearance of the structures and architectural elevations that are a part of the Specific Plan.

*Implementation measure 3f(2):* All exterior materials shall be in harmony with the theme of a rustic, alpine appearance.

*Implementation measure 3f(3):* The roof materials shall be subtle colors, such as and not limited to "earthtone" or "green." Visible chimney materials shall be limited to stone or wood in conformance with appropriate fire codes. Tones shall be muted or earthtone in theme.

*Policy 3g:* Strive to reduce the reflective glare from the development once in operation.

*Implementation measure 3g(1):* The proponent shall shield, aim, and direct lighting to provide illumination of target areas with minimal offsite visibility. The Planning Department may require indirect or offset lighting at ground level in lieu of overhead illumination. Prior to the commencement of use or occupancy of any individual structures or facilities, the Mono County Planning Department shall conduct a night-time visual inspection of lighting.

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**4. Natural environment**

**Goal 4:** Conserve the potential for forage in the Plan area.

*Policy 4a:* Maintain areas for deer feeding and gathering within the open space areas of the project site.

*Implementation measure 4a(1):* The construction plans shall clearly identify areas of the project that shall not be disturbed or developed. All reasonable efforts shall be undertaken to avoid the habitat having the greatest value to deer. These areas shall be retained in native vegetation to provide for forage for the deer herd.

*Policy 4b:* Protect the general habitat through retention of naturally vegetated areas.

*Implementation measure 4b(1):* The final landscape plan shall incorporate developed paths that are designed to avoid deer foraging areas. Controls may be implemented to ensure that path users are constrained to the paths and do not wander into wildlife areas. The Planning Director, at his option, may accept other methods for control and protection of habitat areas. Informational or interpretive signs explaining the purpose of the path system and the need to protect deer foraging areas shall be placed at strategic points along the pathways.

*Implementation measure 4b(2):* Livestock grazing shall continue to be precluded from the site.

*Policy 4c:* Avoid construction during peak migration periods or times.

*Implementation measure 4c(1):* Construction activities shall be scheduled during daytime hours. When possible, construction equipment — such as earth moving equipment — shall be used sparingly during critical migration periods. Implementation may be accomplished by establishing appropriate zones or areas in which activities can take place during critical migration times.

*Policy 4d:* Prohibit unauthorized off road vehicle activity.

*Implementation measure 4d(1):* Road construction shall be limited to the areas identified on the approved land use plan (Figure 7). Public vehicle access within the project area shall not be permitted off of paved roads. Appropriate fences or gates shall be employed.

*Policy 4e:* Provide facilities for pets to prevent domestic animals from wandering loose on the property.

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*Implementation measure 4e(1):* Place limitations on the ability of pets belonging to facility customers or guests to range on the property. Outdoor kennels and designated pet areas serving customers and guests shall be provided within the appropriate land use designation. The designated pet areas shall be fenced, and facility guests shall be required to restrict pets to the fenced areas.

*Implementation measure 4e(2):* Leases for tenants at the residential units shall include a requirement that pets be contained within an enclosed area or kept on leashes when not in a kennel.

## **5. Traffic and circulation<sup>16</sup>**

**Goal 5:** Maintain safe traffic access.

*Policy 5a:* Conform to the requirements of the California Department of Transportation for project access.

*Implementation measure 5a(1):* Prior to the issuance of any permits for use or occupancy, the Planning Department shall receive a copy of the approved encroachment permit issued by the California Department of Transportation indicating that the proponent has satisfied its requirements for construction of the encroachment and connection between the project area and Highway 120.

*Implementation measure 5a(2):* Other than access for authorized personnel to the parcel east of US 395, there shall be no access to the project from US 395.

*Policy 5b:* Internal traffic circulation shall conform to County and fire safe requirements.

*Implementation measure 5b(1):* Roads shall be constructed in conformance with the standards identified in Table G.

*Implementation measure 5b(2):* All publicly-accessible roads shall be paved in conformance with the requirements of the Mono County Code for parking areas and parking access.

*Implementation measure 5b(3):* Parking shall be provided in accordance with the Mono County Code. Additional parking may be allowed in appropriate locations following review and approval of the Planning Director in order to accommodate future demand.

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<sup>16</sup>/Specific Plan content requirements: Location and extent of transportation system [GS §65451(a)(2)]

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**6. Financing the Specific Plan<sup>17</sup>**

The Specific Plan represents a private project for which no public monies are proposed. The proponent is responsible for obtaining all funds for development. The implementation program contains components that tie use and occupancy of the project to completion of the various infrastructure, landscaping, and mitigation programs. This ensures that the project will not proceed without completion of the construction.

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<sup>17</sup>/Specific Plan content requirements: Program of financing measures [GC §65451(a)(4)]

### **III. Summary of environmental effects and mitigation** (14 CCR §15123)

#### **A. Environmental review**

A notice of preparation was filed in early 1992. The County conducted a scoping meeting in Lee Vining. Environmental issues raised at the scoping meeting, including impacts on groundwater quantity and quality, surface water quality, impacts to Lee Vining Creek, wildlife, botanical, seismic safety, traffic, and visual/aesthetics, are addressed in the environmental impact report and specific plan. Economic issues are addressed in a separate report contained in *Volume II — Technical Appendices*. This document is available separately from the Mono County Planning Department.

The Draft Environmental Impact Report was released on March 8, 1993. The forty-five day public review period started on March 10, 1993 and concluded on April 30, 1993. The comments received during review period begin on page 62.

When considering the project for approval, the decision-makers can require that the mitigation measures be incorporated into the project as conditions of approval. In addition, if the mitigation measures are part of the project approval, a program called a *Mitigation monitoring and compliance program* must also be adopted to ensure that the mitigation programs are carried out.

With a policy document like the Tioga Inn Specific Plan, the mitigation programs must be incorporated into the specific plan in order to be carried out. This means that the project itself may be changed by requiring that identified mitigation measures be a fixed part of the project. This method, which is much stronger in terms of enforcement than mere project conditions, adopts mitigation programs as part of the Specific Plan document.

#### **B. Summary of environmental effects and mitigation** (14 CCR §15123)

The California Environmental Quality Act provides EIR preparers and reviewers with a list of issues which are considered to be minimal thresholds for determining whether environmental impacts are significant.<sup>18</sup> This summary will identify which of the CEQA-inspired impacts are significant and summarize the threshold used in reaching the conclusion. This list encompasses all of the issues that were raised in the scoping meeting. Of the environmental effects identified in the initial study and the scoping meeting, only the visual impacts remain as a significant effect for which no mitigation is feasible.

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<sup>18</sup>/OPR CEQA *Guidelines*, Appendix G, page 194.

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**Table E: Summary of impacts, conclusions, and mitigation**

<i>CEQA Issue</i>	<i>Conclusion</i>	<i>Summary</i>	<i>Mitigation</i>
Conflict with adopted environmental plans and goals of the community where it is located	The proposed project will not conflict with adopted and proposed General Plan goals and policies. <i>Source: Mono County Planning Department.</i>	Not a significant impact	No mitigation required
Have a substantial, demonstrable negative aesthetic effect	The project is in a generally visible location. With the subjective thresholds for determining aesthetic impacts, the project's impact is potentially significant. The development takes place adjoining an area designated as "Retention" using USFS visual resource quality objectives. <sup>19</sup> <i>Source: Earthmetrics Visual Impact Analysis<sup>20</sup> (Appendix) and Master Environmental Assessment.</i>	Significant impact. Reduced to insignificant levels by mitigation.	Design and development standards are proposed for the construction, operation, and ongoing maintenance of the project.
Substantially affect a rare or endangered species of animal or plant or the habitat of the species; or interfere substantially with the movement of any resident or migratory fish or wildlife species; or substantially diminish habitat for fish, wildlife or plants	The project is not within any of the foraging or migration ranges of the mule deer, a Department of Fish and Game species of special concern. There are no rare or endangered plant or wildlife species onsite. <sup>21</sup> <i>Source: Plant and Wildlife Report (Appendix).</i>	Not a significant effect	No mitigation measures are required
Breach published national, state, or local standards related to solid waste or litter control.	The project will not result in any waste management generation that breaches adopted waste management plans. <i>Source: Mono County Department of Public Works</i>	Not a significant effect	Mitigation is not required

<sup>19</sup>/Retention refers to a scenic quality rating established by the United States Forest Service (USFS) that defines views or viewsheds worthy of being retained or protected.

<sup>20</sup>/Certified/Earthmetrics, Inc., *Visual Impact Analysis for the Tioga Inn Specific Plan EIR*, (Brisbane: Certified/Earthmetrics, July and September, 1992). Incorporated by reference as Report 2 in the Volume II - Technical Appendix.

<sup>21</sup>/ Timothy J. Taylor, *Tioga Inn Vegetation and Wildlife Assessment Study Final Report* (June Lake, CA: Timothy J. Taylor Consulting Biologist, June, 1992); and

Mark Bagley, *Rare Plant and Vegetation Survey of the Tioga Inn Project Area* (Bishop, CA: Mark Bagley Consulting Biologist, October, 1992). Both reports are in the Volume II - Technical Appendix as Report 3.

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<i>CEQA Issue</i>	<i>Conclusion</i>	<i>Summary</i>	<i>Mitigation</i>
Substantially degrade water quality	The project has incorporated into its design appropriate drainage control standards to retain excess stormwater onsite. The sewage disposal system will conform to State and local health standards, which prohibit discharge of contaminated water into ground or surface water supplies. <sup>22</sup> <i>Source: Kleinfelder report (Appendix), applicant</i>	Potentially significant effect. Reduced to levels that are not significant by mitigation measures	Mitigation requires engineering design for water, wastewater, and drainage systems to be approved by Regional Water Quality Control Board and Mono County Health Department.
Contaminate a public water supply	The project will not have discharges that have the potential to contaminate public water supplies. <i>Source: Kleinfelder Report</i>	Not a significant effect	No mitigation required
Substantially degrade or deplete groundwater resources; or interfere substantially with groundwater recharge.	During the scoping process, there was a fair argument that the water supply requirements for the project would result in a reduction of available groundwater and interfere with the flows in Lee Vining Creek. Well water draw-down tests determined that this concern is not likely to occur. <i>Source: Kleinfelder report (Appendix)</i>	Not a significant effect	No mitigation required
Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scientific study	There are no important archaeological resources onsite. <i>Source: Master Environmental Assessment</i>	Not a significant effect	No mitigation required. If cultural resources are discovered during construction, standard procedures for contact and site assessment apply, even though not specifically called out.

<sup>22</sup>/Michael W. Fies and Ray H. Davis, *Modified Phase I Groundwater Resources Assessment and Review of a Fault Investigation Report for the Tioga Inn Specific Plan, Lee Vining, California* (Reno, NV: Kleinfelder, Inc., August 21, 1993). Incorporated by reference and contained in Volume II — Technical Appendix, as Report 1.



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CEQA Issue	Conclusion	Summary	Mitigation
Induce substantial growth or concentration of population.	The project will result in the hiring of more than one hundred employees. It is likely that these people will be hired from the existing labor pool in Mono County. Only ten dwelling units are proposed. The change in population within Lee Vining will not be significant. The anticipated population increase would be 25 persons, an insignificant quantity increase. <i>Source: Applicant, Economic Impact Analysis prepared for the Tioga Inn Specific Plan,<sup>23</sup> Master Environmental Assessment, 1990 Census.</i>	Not a significant effect	No mitigation required
Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system	The project will generate traffic during the "peak hour" equal to less than ten percent of the total peak hour volume. This threshold will not change level of service and is not a substantial increase in traffic volume. <i>Source: Caltrans, ITE Trip Generation Manual - Fifth Edition<sup>24</sup></i>	Not a significant effect	No mitigation required
Displace a large number of people	The project site is undeveloped. There is no displacement. <i>Source: Field observation</i>	Not a significant effect	No mitigation required
Encourage activities which result in the use of large amounts of fuel, water, or energy	The project will contribute incrementally to the use of nonrenewable energy sources. <i>Source: Southern California Edison</i>	Not a significant effect	No mitigation required
Use fuel, water, or energy in a wasteful manner	The applicant proposes to utilize low-flow fixtures and other energy and water conservation devices in the design of the project. Landscaping will be irrigated in a conservation-based manner. <i>Source: Applicant</i>	Not a significant effect	No mitigation required

<sup>23</sup>/Certified/Earthmetrics, Inc., *Final Economic Impact and Fiscal Analysis for the Tioga Inn Specific Plan and EIR*, (Brisbane: Certified/Earthmetrics, December, 1992). Incorporated by reference as Report 4 in the Volume II - Technical Appendix.

<sup>24</sup>/Institute of Traffic Engineers, *Trip General Manual*, (Washington: ITE, 1991), Fifth Edition.

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CEQA Issue	Conclusion	Summary	Mitigation
Increase substantially the ambient noise levels for adjoining areas	The project will result in the generation of new noise in an area in which there is little or no ambient noise. Generally accepted noise studies of similar types of projects finds that noise levels will be within Mono County standards. <i>Source: telephone conversation with Jim Brennan of Brown Buntin Associates, acoustical engineering consultants, Roseville, California</i>	Not a significant effect	No mitigation required
Cause substantial flooding, erosion or siltation	A fair argument was raised during the scoping period that siltation from project run-off may reach Lee Vining Creek. The engineering work for the project has found that siltation and sediment will be trapped onsite. <i>Source: Applicant.</i>	Not a significant effect	No mitigation required
Expose people or structures to major geologic hazards	There are no earthquake faults or impacts through the project area. <i>Source: Kleinfelder Report</i>	Not a significant effect	No mitigation required
Extend a sewer trunk line with capacity to serve new development	Not applicable.	Not a significant effect	No mitigation required
Disrupt or divide the physical arrangement of an established community	Not applicable.	Not a significant effect	No mitigation required
Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected	Under the provisions of California law, the various project facilities may utilize and store common commercial products classified as hazardous or toxic materials as a result of the enactment of Proposition 65. Proper notification, conformance to regulations for the storage, use, and disposal of the materials conforms to regulations. <i>Source: Applicant</i>	Not a significant effect	Conforms to the requirements of the Mono County Hazardous Waste Management Plan
Conflict with established recreational, educational, religious or scientific uses of the area	Project supports recreation use of the area; consistent with local and federal policies	Not a significant effect	No mitigation required
Violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations	The Mono Basin is an attainment area. The project will result in incremental increases in air pollutants, but will not cause the project to exceed acceptable individual or cumulative thresholds.	Not a significant effect	No mitigation required

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<i>CEQA Issue</i>	<i>Conclusion</i>	<i>Summary</i>	<i>Mitigation</i>
Convert prime agricultural land to non-agricultural use or impair the agricultural productivity of prime agricultural land	Not applicable.	Not a significant effect	No mitigation required
Interfere with emergency response plans or emergency evacuation plans	Not applicable	Not a significant effect	No mitigation required

## **IV. Land use components**

### **A. Land uses**

#### **1. Land use designations**

Land use designations are assigned to portions of the parcels property as shown on Figure 7. This approach provides flexibility for final siting of a facility within the identified land use designation. The Plan defines seven land use designations: *Hotel, Full Service Restaurant, Convenience Store/Fuel Sales, Residential, Open Space—Preserve, Open Space—Facilities, and Open Space—Support*. This component of the Plan identifies the permitted scope of uses within each of these land use designations. Siting must be in "substantial conformance" with the land use map.

#### **2. Analysis of environmental effects**

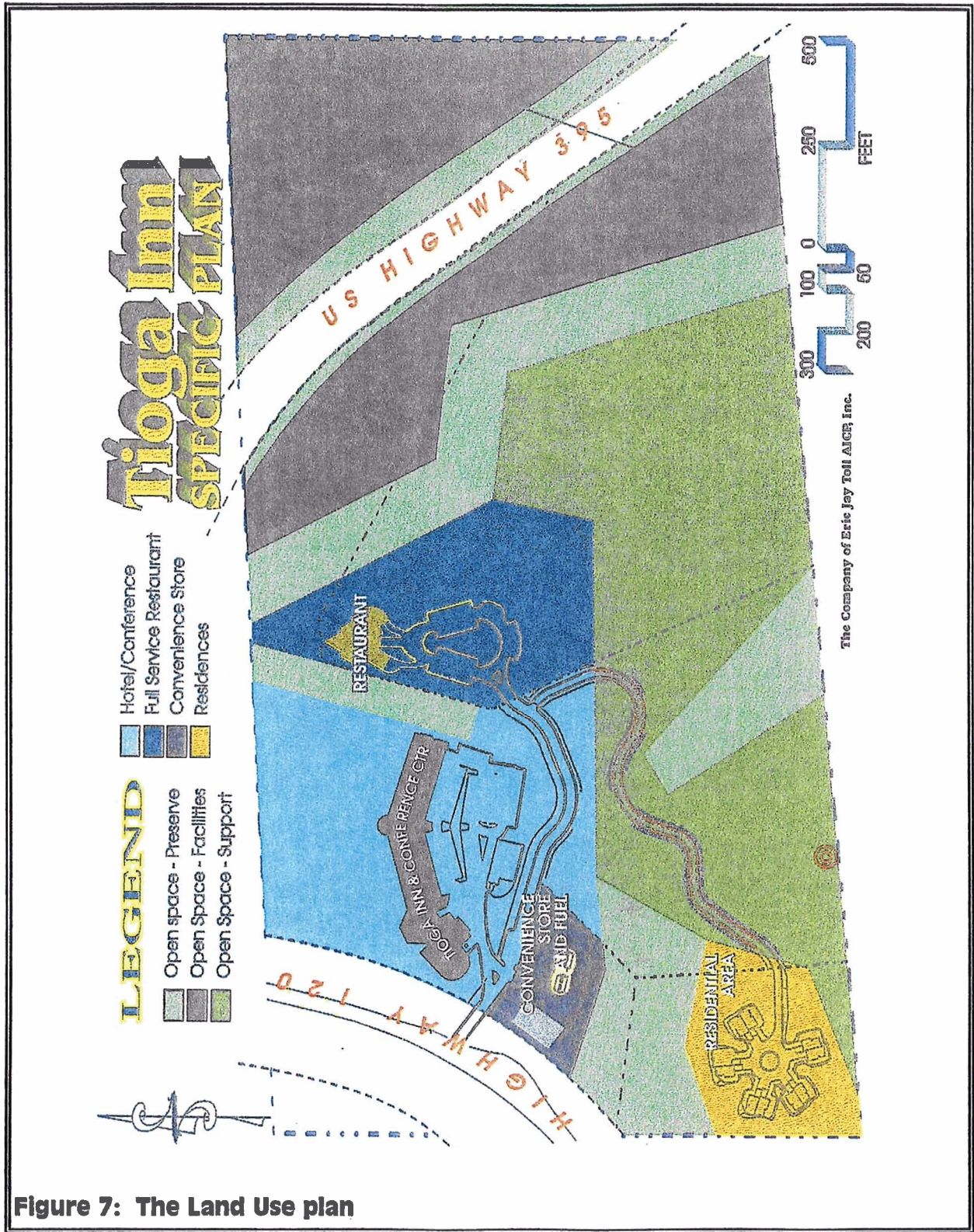
The proposed project is consistent with the goals, policies, and general land uses of the Mono County General Plan. The Specific Plan conforms to traffic and circulation policies through limitation of access to and from US 395. It supports Housing Element goals by providing onsite housing which may be available for employees of the project. The project has no significant adverse impact resulting from the application of the land use designations to the property.

The project does have effects as a result of a change in the use of the land. The subject property has generally been used for agriculture in the past. It is now fallow, with a revegetation process occurring as plant species that survived grazing are regenerating. The project will convert undeveloped land to a visitor-commercial use. This will result in other direct impacts described in the environmental impact report. Mono County has anticipated the conversion as the subject property is the only large private parcel in the general vicinity, and is identified for precise planning and development as a Specific Plan parcel in the Land Use Element. The change of land use impact is not considered to be significant. The land use designations for of the project will assist in conserving critical viewsheds and provide in excess of sixty acres of open space on the parcel.

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**Figure 7: The Land Use plan**

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**3. Mitigation measures**

None proposed. No significant effects remain after the implementation program is put into effect. Refer to Goal 1 on page 87 for the implementation programs.

**B. Location of services for the Tioga Inn**

**1. Summary of major findings**

The Specific Plan area is within the Lee Vining Fire Protection District, a volunteer fire department. The entire project must conform to all applicable State, County, and District fire-safe standards. These standards apply to building construction, onsite fire prevention management, and road widths and grades. All roads are proposed to conform to the standards with no slopes in excess of ten percent and widths adequate for two lanes of traffic. The buildings are to be constructed in conformance with building, fire, and County code requirements.

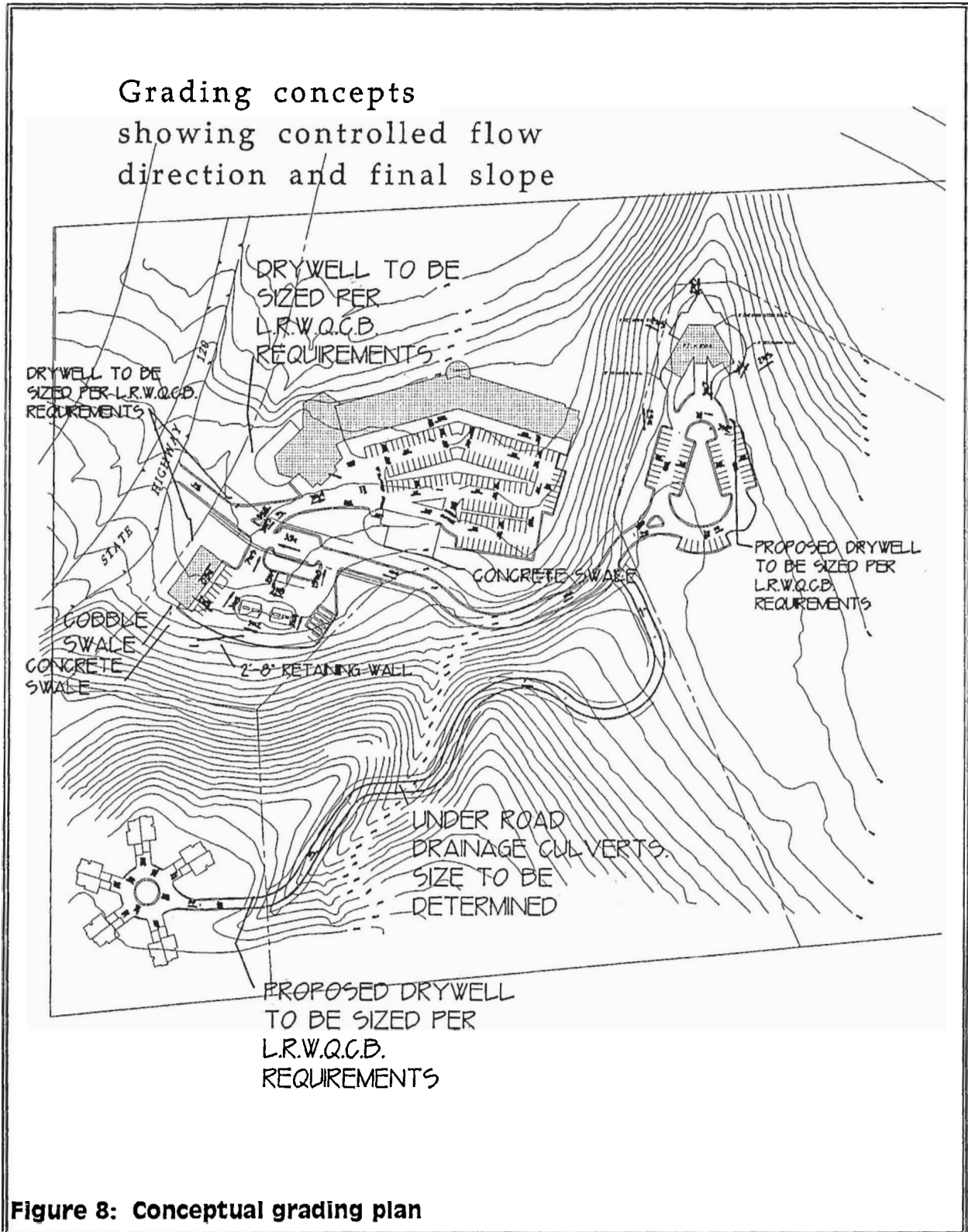
The project proposes to develop an onsite water supply from a well on the parcel east of US 395. The water will be piped under the highway to a storage reservoir between the restaurant and residential areas. The water supply will be regulated as a small water system, which requires a permit from the Mono County Health Department.

Sewage disposal is also proposed for an onsite system meeting Lahontan Regional Water Quality Control Board (RWQCB) standards and the requirements of the Mono County Health Department. The formal system needs to be designed, but preliminary work developed for a previous use permit and parcel map showed that the potential exists for suitable sites and expansion areas.

The proposed tentative parcel map includes a parcel, Parcel 2, with land area on both sides of US 395. While this is an unusual configuration, the Tioga Inn restaurant facility may need the additional land area located across US 395 to serve as the expansion area for its sewage disposal system. All other parcels have adequate expansion areas on the specific plan.

Access will be developed in conformance with Mono County Road Standards on the project site. All roads are proposed as privately-owned, privately maintained roads. The encroachment with Highway 120 will be designed in conformance with Caltrans standards and requirements. Other than a service road to the parcel east of US 395, no access will be derived from US 395.

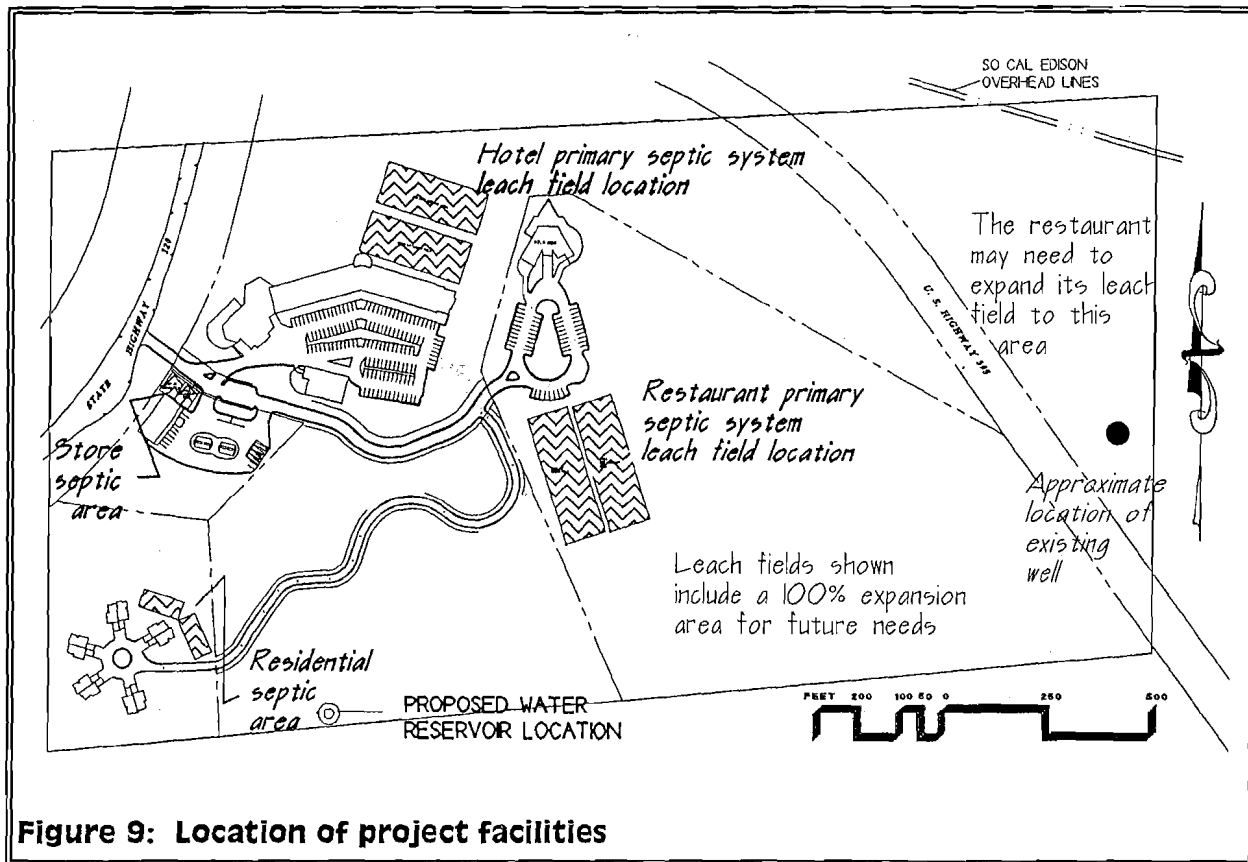
Power to the property will be provided by Southern California Edison. Utility service lines are located on the east side of US 395. The connecting service will be brought across US 395 onto the main portion of the property. Telecommunications from Continental Telephone (Contel) are available on a connection east of US 395. All onsite utilities are proposed to be developed underground. The Mono County Sheriff provides police protection when needed in the Lee Vining area. Students from the residences will attend Lee Vining schools. Waste



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**Figure 9: Location of project facilities**

disposal will be in conformance with the Mono County Integrated Waste Management Plan and Source Reduction and Recycling Element. The County's waste disposal and recycling planning programs project increases in overall County waste disposal volume as part of development of the long-term waste management plans and programs. The volume of waste generated by the Tioga Inn complex is included in the projected future volumes of waste that the County anticipates disposing or recycling. The volume of waste to be generated by a complex of this size will not significantly impact the waste disposal system.

Drainage facilities will be constructed in conformance with the requirements of the Mono County Grading ordinance, Uniform Building Code, and Regional Water Quality Control Board standards. Figure 8 shows the proposed drainage control system. This design is subject to final engineering.

## 2. Analysis of environmental effects

Project development requires adherence to certain accepted standards for public health and safety, engineering, and building construction. The proposed project will be developing its own self-contained infrastructure. The impact to public facilities will focus primarily on ensuring that the water supply will not reduce and degrade groundwater used by others, and that the waste disposal system will not result in water contamination.



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The Mono County Master Environmental Assessment identifies that the subject property is not within an area of high groundwater. The project has a well onsite that has been tested for production, recharge, and quality. This is more thoroughly discussed in chapter VI.A.2 beginning on page 56 and in the Kleinfelder Report that is a part of the technical appendix.<sup>25</sup>

In order to ensure that there is appropriate protection of water from wastewater contamination, each development component of the Specific Plan will be required to obtain a *waste discharge* permit from the Lahontan Regional Water Quality Control Board. In addition, the Mono County Health Department must review the plans and engineering for the wastewater system.

Drinking water is subject to a permit from the Mono County Health Department for a *small water system permit*. Small water systems are water supplies that serve four or fewer parcels.

School district impacts are considered minimal. With ten dwelling units, the project may result in the addition of seven elementary school students and one high school student to the Lee Vining Schools. The impact from increased enrollment is compensated through the payment of a school impact fee tied to the building permit.

Impacts on the fire protection district can be mitigated through compliance with the Fire Safe regulations, Uniform Fire Code, and other appropriate fire protection measures. The height of the structures is within the range of the fire fighting equipment of the Lee Vining Fire Protection District.

Impacts on facilities and services is not a significant effect.

### **3. Mitigation measures**

None proposed. No significant effects remain after the implementation program is put into effect. Refer to Goal 2 on page 87 for the implementation program.

## **C. Design**

### **1. Summary of major findings**

The Tioga Inn will be subject to strict interpretation of the design standards incorporated into the Specific Plan. The visual impact is the most critical environmental issue identified with the project.

The facility is to be predominantly natural wood and stone exterior. Siting and building height are integrated to maintain a low profile on the subject property. The purpose of this approach is to conserve views from Lee Vining and Mono Lake of the Tioga Pass area and south

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<sup>25</sup>/Fies and Davis.

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towards the June Lake area. This section describes the design and siting of the structures. The next section, beginning on page 41, details the visual impacts of the project.

The design of the various structures as shown in the artist renderings is intended (refer to Figure 6 on page 9) to provide complementary designs and harmonious features. Landscaping is to be used for screening and decoration immediately around developed areas. The intent is to utilize drought-resistant, indigenous, and low-maintenance shrubs and trees. Native sagebrush and other native vegetation will be retained to the greatest extent possible. Landscaping surrounding the hotel, restaurant, convenience store and vicinity is also intended to serve as an attraction to the facility. Table F on page 42 identifies general objectives and guidelines for landscaping.

The residential units will not be readily visible from Highway 120 or US 395, however, landscaping will be included for each unit so that the overall effect is coordinated and retains the natural appearance of the area. In the chapter on Visual Impacts, there is a photo-simulation Figure 10 of the new structures on the subject property.

Landscape standards are divided into two designations: *formal landscaping* and *natural landscaping*. Formal landscaping involves plantings that are selected and designed to blend and highlight the structures and developed areas of the project. The natural landscaping is intended to provide an appearance that the areas have had little or no disturbance following construction activities. Table F on page 42 lists the conceptual landscape standards.

## **2. Environmental analysis: Visual impacts**

### **a. Setting and background**

Mono County offers some of the most diverse terrain features and scenic resources to be found in any area of the country. The proposed project site is situated in the Mono Basin at the intersection of US 395 and Highway 120. The site borders the federally designated Mono Basin National Forest Scenic Area, a nationally recognized visual resource. The basin's wide-panorama visual resources include Mono Lake and a diverse spectrum of dramatic land forms such as tufa towers, glacial moraines, and young volcanic features. Within a twenty mile radius of the site a number of visually significant resources attract the area's many visitors, including Yosemite National Park, Inyo National Forest, June Lake, Mammoth Lakes, Topaz Lake, Bodie State Historic Park, and Devil's Postpile National Monument.

Many different architectural styles can be found in Lee Vining, ranging from trailer parks to an "alpine lodge" style to "old west" styles.

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**Table F: Conceptual landscaping standards**

<i>Formal landscaping</i>	<i>Natural landscaping</i>
<p><i>Lawn areas:</i> Areas planted with lawns or grasses shall be limited to grasses requiring reduced or limited irrigation needs. The preference shall be for using annual grasses that would not result in introduced seeds into the area. Lawns shall be irrigated and maintained in a firesafe manner. Selection of species should involve consultation with both the California Department of Forestry and the Department of Fish and Game. The objective is to avoid introducing unwanted grasses that could spread and increase grassland fire danger.</p>	<p><i>Shrublands:</i> In consultation with a qualified landscape professional, areas disturbed during construction that are intended to remain as natural landscape areas are to be revegetated utilizing healthy species that can be transplanted as a preference to replanting. The objective is to try and maintain an appearance in the areas that may be subject to ground disturbance with mature vegetation and indigenous species or transplants as opposed to seedlings. This technique is to be used when feasible.</p>
<p><i>Shrubs, flowers, and screening:</i> The formal gardens and landscape areas around structures are intended to provide color, special attractions, and a degree of limited contrast to the colors of the natural environment. The intent is to have an attractive facility that would encourage walking, picnicking, and relaxation once a visitor reaches the project area. Screening shall be planted to provide a visual break of the views of the facilities from the Highway. The objective is to reduce the appearance of height and bulk as seen from the scenic highways.</p>	<p><i>Other vegetation:</i> Whenever feasible, utilize similar species or specimen vegetation to replace or replant in the area. Conifers of similar species to existing trees may be introduced in a random pattern to provide a view of extending the forest. The objective is to provide a "blended" appearance from the scenic highways.</p>

The project site consists of a gently sloping grade trending north to south with a ridge line running through the center, forming two upper "plateaus."<sup>26</sup> The plateaus are visible in the photosimulation shown in Figure 10). The site's varied terrain is vegetated with a dense cover

<sup>26</sup>/Certified/Earthmetrics, Inc., *Visual Impact Assessment for the Tioga Inn Specific Plan EIR* (Brisbane: Certified/Earthmetrics, November, 1992). Incorporated by reference as Report 2 in the Volume II - Technical Appendix.

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of sagebrush, white thorn and other low lying shrubs, as well as a sparse covering of Jeffrey and Pinion pines. The chaparral landscape is characteristic of the Mono Basin environment.

There are a number of methods for assessing visual impacts. One method deals with analysis of the "view opportunities." View opportunities are views available from the project site. The Tioga Inn property affords scenic vistas of Mono Lake, Paoha Island, and Mono Basin to the north, Williams Butte and the Ansel Adams Wilderness to the south, and Crater Mountain to the east. View opportunities are more dramatic from the site's upper elevations due to increased elevation of the viewer's vantage point.

**Explanation 2: View  
corridor**

"View corridor" means a vantage point which offers aesthetically pleasing views or panoramas to a substantial number of people.

The project site is visible from two "view corridors." First, the subject property is located to the immediate right of views from eastbound traffic on Highway 120 when stopped at the scenic turnout. This view, the Highway 120-Mono Lake corridor view is northwards towards Mono Lake and Mono Basin from this point. Second, the site is visible from the vicinity of the intersection of Highway 120 and US 395 looking south up Tioga Pass (US 395-Tioga Pass corridor). The Highway 120-Mono Lake corridor is significant in that it marks an important first view to Mono Lake for motorists traveling down Tioga Pass. There is currently a scenic turnout with an information sign on Highway 120 adjacent to the project site. The US 395--Tioga Pass corridor is significant because it marks the intersection of two highways which experience a high volume of vehicle traffic, and it offers aesthetically pleasing views to the dramatic peaks of the eastern Sierra.

Other view corridors which would be potentially impacted by the proposed project are views from the community of Lee Vining and views from across Mono Basin (Black Point, Mono County Park).

The road segments of US 395 and Highway 120 running adjacent to the project area have been designated as part of the Mono County Scenic Highway System. These road segments are managed through goals, policies and implementation measures contained in the Conservation/Open Space Element of the General Plan.

Highway 120 through Lee Vining Canyon has been designated as a *National Scenic Byway* by the Forest Service. This program designates highways that traverse scenic areas in public lands. It highlights an area's special scenic and recreational values and further serves to increase public awareness of those lands and resources. The byway program further highlights a variety of resources, management opportunities, and activities. The U.S. Forest Service is currently in the process of developing an interpretive program for the Highway 120 scenic byway.

**b. Environmental effects**

Based on CEQA Guidelines, the adverse visual impacts of a project are determined to be significant if there is a "...substantial, demonstrative negative visual or aesthetic impact."<sup>27</sup>

**Explanation 3: Examples of substantial demonstrable negative aesthetic effects**

- o Reflective materials.
- o Excessive height and/or bulk.
- o Standardized designs which are utilized to promote specific commercial activities and which are not in harmony with the community atmosphere.
- o Architectural designs and features which are incongruous to the community or area and/or which significantly detract from the natural attractiveness of the community or its surroundings.

Mono County General Plan Conservation/Open Space Element Objective C, Action 1.1

To make this conclusion, several criteria must be utilized to define thresholds, including (1) observer position, (2) views, (3) view corridors, (4) existing and proposed screening, (5) backdrop, (6) the characteristics and building materials of the proposed development, and (7) the existing visual character of the surrounding area. Judging significance of visual impacts is subjective.

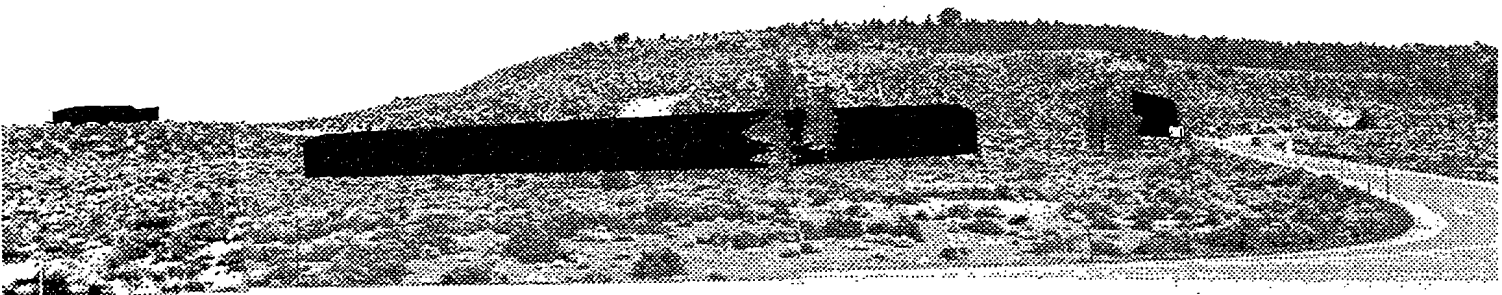
The proposed project would transform the existing natural landscape into a multi-use development. The criteria in the visual resource section Conservation/Open Space element (refer to Explanation 3) are used to measure the thresholds and impacts. Different components of the potential impacts of the proposed development are addressed in this section. The mitigation measures or design components of the project are discussed as mitigation measures. The standards for the

project's development are written as implementation measures in Chapter II of the Specific Plan beginning on page 17. The implementation measures serve as conditions of project approval — similar to those that would be imposed on a use permit. The development standards are established in the implementation measures following Goal 3 on page 87.

*Reflective materials.* Use of reflective materials is identified in the General Plan as a potential adverse visual impact. The proposed project will be constructed with glare resistant glass and roofing materials. This impact is not considered significant on the basis of project design. No mitigation is required.

*Standardized design, congruity with the community area, excessive height and bulk.* Although the hotel and restaurant portions of the proposed project call for harmonious design and building materials, the project is not considered a "standardized" design as identified in the element. The "alpine style" architecture in the proposed siting will blend with the environment. The design concept is compatible with other structures in Lee Vining. All structures are to retain the Alpine theme so that there are no conventional commercial-looking designs

<sup>27</sup>/State CEQA Guidelines (14 CCR §15000 et seq), Appendix G.



**RESTAURANT**

**HOTEL and CONFERENCE CENTER**

**STORE**

*This view reflects the placement of the structures from the east side of US 395 at Hwy 120 intersection*

Residences are on the hill above the store, and are not visible in this view.

**Figure 10: Photosimulation of the Tioga Inn project**

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with the buildings. The approach using the rustic theme results in no significant aesthetic impacts. This impact is not significant. No mitigation is required.

The proposed architectural design and use of natural and naturally colored building materials such as stone walls, wood beams, earhttone roof, and other features will increase blending with the existing surrounding natural terrain. The proposed project design would not cause significant aesthetic impacts relating to its architectural design. This impact is not significant. No mitigation is required.

*Visual screening.* Visual screening for the proposed project remains to be finalized. Some formal landscaping and other visual buffers are of vital importance to develop an adequate transition between the human environment and the undisturbed natural environment. Landscape designs have the potential to temper a constructed feature and minimize its visual prominence. Inadequate designs reduce natural blending and cause potentially significant visual and aesthetic impacts. To avoid this impact project design needs to include well-planned visual screening and landscaping so that project facilities blend with the natural environment. Without mitigation, this impact is significant.

*Signage.* The type and design of the proposed signage at the project site have not been included as part of the project application. Signs which do not blend with the natural environment or cause excessive light and glare would not be compatible with the stated goals, policies, and actions of the Conservation/Open Space Element or the Mono County Sign Ordinance. Improper sign design is identified as a potentially significant impact. Use of nonreflective signage which blends with the natural environment would avoid this impact. Without mitigation, this impact is significant. However, the County has performance standards for sign design that are a part of the project whether or not the sign design schemes have been prepared. As a result of County requirements, these impacts are reduced to levels of insignificance.

*Lighting.* Nighttime lighting on the project site will be consistent with the Visual Resource policies' Objective C, Action 2.1 of the Conservation/Open Space element. This policy and action program call for lighting to be shielded and direct. The potential significance of this impact will be avoided by including lighting materials in the project design which meet the General Plan standards (refer to Implementation Measure 3g(1)). County standards reduce this impact to levels of insignificance through the mandates of screening and aiming the lighting.

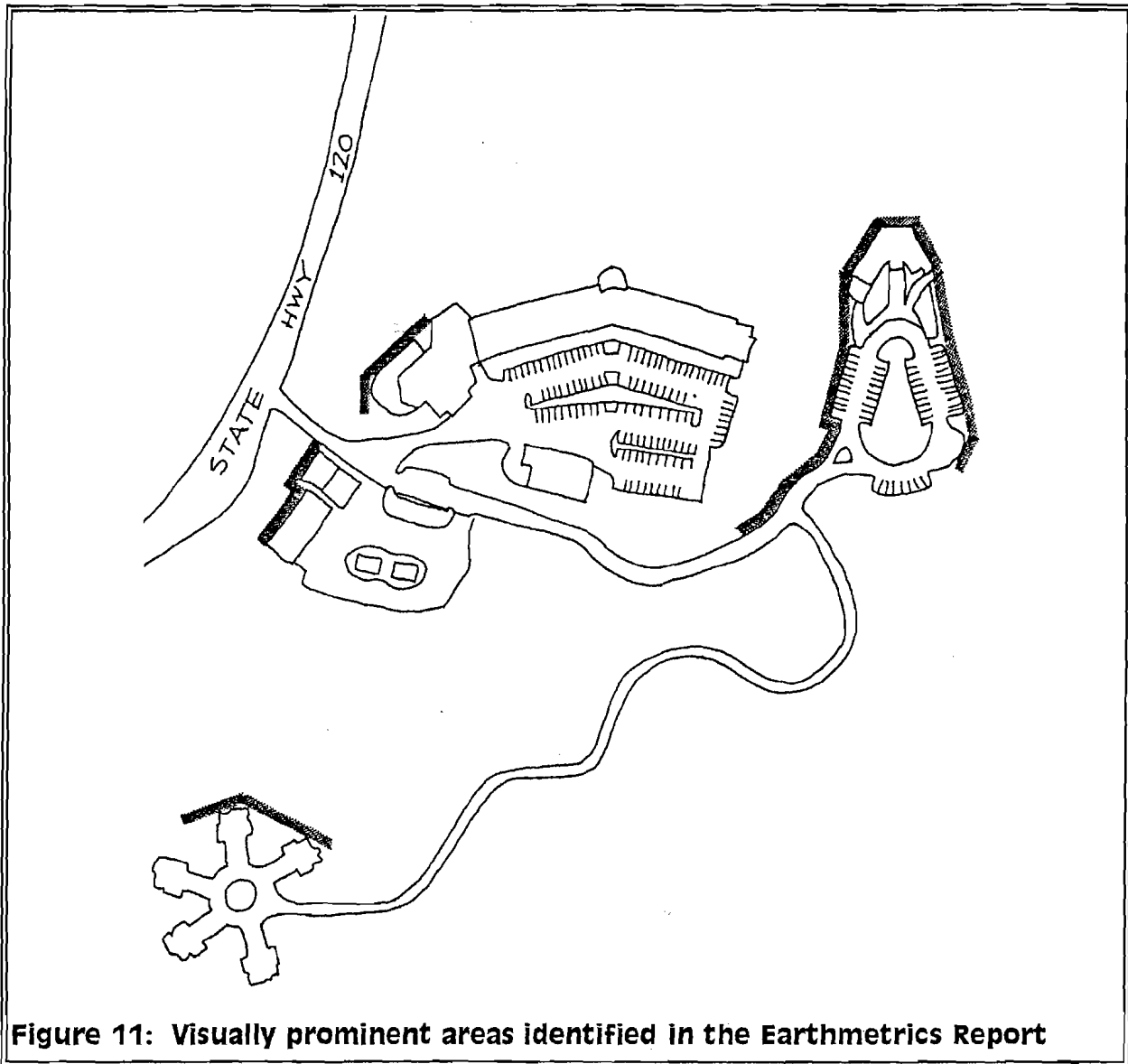
*Views and opportunities.* The proposed project would allow privately owned land to become available for public use. Due to the view opportunities on the project site, aesthetically pleasing views would become available to a larger number of people. View opportunities are increased from the proposed restaurant due to its elevated position on the site and proposed observation deck. Enhanced public access to view opportunities can be considered a beneficial impact.

The proposed project would cause existing unobstructed view corridors to become partially obstructed. As the photo simulation in Figure 10 shows, the foreground views of the US 395-Tioga Pass corridor would be disrupted from its existing natural setting. Distant views to the peaks surrounding Tioga Pass would not be disrupted by the proposed project. Similarly,

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views from the Hwy 120-Mono Basin corridor have the potential to be partially obstructed by the project. The proposed building sites minimize obstructed views of Mono Lake as a result of adequate setback for the hotel portion of the project. The mini-mart is also set back sufficiently to avoid obstruction of Mono Basin views from this corridor. With the proposed project siting, and height and bulk, no significant impacts relating to obstruction of view corridors are anticipated. This impact is not significant, and no mitigation is required.

Visually prominent areas of the proposed project site in relation to significant view corridors are identified in Figure 11. The proposed service station/mini-mart and western side of the hotel would be visually prominent because of their proximity to Highway 120. The proposed restaurant and parking area would also be visually prominent because of their elevated position on the project site. The restaurant would "daylight" above the existing ridge line and



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be prominent from both US 395 and Highway 120. The northern-most portion of the proposed housing would be visible from US 395, though not as prominent as the restaurant due to proposed setbacks from the ridge top. With adequate landscape buffering and the use of naturally colored building materials as planned, the proposed structures in these areas would not be visually intrusive.

The proposed project site is within the Mono County designated one thousand foot scenic corridor of both Highway 120 and US 395. The proposed project is generally compatible with the Visual Resource policies of the Conservation/Open Space Element of the Mono County General Plan. Potentially significant impacts which have been identified can be avoided or reduced to insignificant levels through project design.

The main entrance of the project is proposed to be near the location of the existing "scenic turnout" along Highway 120. If the scenic turnout were to be eliminated by the project, this action would conflict with Visual Resource policies of the Conservation/Open Space element, Objective D, Policy 1, Action 1.1 which calls for the construction of such turnouts. This is identified as a significant environmental impact which can be avoided through project design that will ensure that the scenic turnout remains.

### **3. Mitigation measures**

*Impact:* Without screening, the project may be obtrusive in its setting.

*Mitigation measure:* Prior to issuance of any building or grading permits, the project proponent shall submit for the review and approval of the Mono County Planning Department a detailed landscape plan which specifies design, location, and species of vegetation. The landscape plan shall show existing trees on the project site which shall be maintained on site and incorporated into landscape plans. The objective of this Plan shall be to utilize introduced landscaping that provides additional screening at maturity to aid in the visual blending of the project into the natural landscape. The plants shall be specified of appropriate age and size to reach a mature screening height or bulk in the Mono Basin climate within three to seven years.

In developing the landscape plan, the applicant shall focus placement on the visually prominent areas identified in Figure 11. In these identified areas, mature, indigenous, drought-resistant species shall be planted in a manner which maximizes visual screening quality.

All landscaping shall be maintained in a vigorous and healthy condition in perpetuity. The objective of this requirement is to ensure that the introduced landscaping is to be maintained, fertilized, weeded, and irrigated as necessary to prevent plantings from becoming diseased or dying. Some flexibility is needed in case of extreme drought situations, but for the most part the intent of the Plan is to ensure that if introduced landscaping does not survive, it is replaced and is as close as possible to age or maturity.

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This mitigation measure is implemented through the implementation measures following Goal 3. Specifically, the incorporation of Table F and the requirements in Implementation Measure 3c(3) achieve these objectives. The program begins on page 24.

*Monitoring and compliance.* The Planning Department is responsible for ensuring that no building or grading permits are issued until the landscape plan has been received and approved. The Planning Director may enlist the assistance of a professional qualified in reviewing landscape plans. The cost of this mitigation measure shall be borne by the proponent.

**Impact:** If lighting is not shielded or aimed, it can provide glare or impairment of night-time views in the project area.

*Mitigation measure:* The proponent shall shield, aim, and direct lighting to provide illumination of target areas with minimal offsite visibility. The objective of this measure is to reduce the reflective glare from the development once in operation. Specifically, this impact is mitigated through Implementation measure 3g(1) which is on page 25.

*Monitoring and compliance.* Prior to the commencement of use or occupancy of any individual structures or facilities, the Mono County Planning Department shall conduct a night-time visual inspection of lighting. The Planning Department may require indirect or offset lighting at ground level in lieu of overhead illumination. The Planning Department shall be responsible for conducting night-time inspection prior to the use or occupancy of any structure or facility to visually observe light shielding, aim, and illuminated target areas both on the subject property and from offsite view areas. The Department may require, following inspection, changes as needed to ensure that glare is reduced to an acceptable minimum. The proponent shall be required to bear any costs associated with the inspection.

## **V. Natural ecology: wildlife habitat and vegetation**

### **A. Summary of major findings**

During the scoping period for the preparation of the environmental impact report, the California Department Fish and Game and members of the interested public raised issues about the subject property's importance in relation to wildlife and plant species. A report was prepared on behalf of the County by Timothy J. Taylor with assistance from Mark Bagley. The two biologists addressed issues concerning wildlife and related habitat, the diversity of plant species, and the overall ecosystem as it may be impacted by the project. This chapter of the Specific Plan and Environmental Impact Report condenses the Taylor Report. Mr. Bagley's work was prepared for inclusion in the Taylor Report.<sup>28</sup>

The Taylor report was prepared as a supplement to field work undertaken in the area in 1984. Mr. Taylor utilized information continuously gathered by the California Department of Fish and Game between 1986 and 1992. The full methodology — using practices accepted by the California Department of Fish and Game — is detailed in Mr. Taylor's report. The detailed information about the mule deer herd was gathered from radio-telemetry studies, aerial observation, and field track counts.

#### **1. Environmental setting**

The general area in and around the Tioga Inn property is subject to use by the area's mule deer population. The Taylor Report indicates that this is confirmed through studies by the California Department of Fish and Game of the Casa Diablo herd between 1986 and 1992. According to track count data, it is estimated that the general project vicinity and adjacent lands in the Mono Basin receive approximately 113 deer days of use during the spring migration period. About 75% of this deer use, equal to 63 to 88 deer, is concentrated to the immediate south of the project area. There were only 25 deer days of use within the subject property. This is the equivalent of approximately 17 migrant deer and one to eight non-migrant deer.

**Explanation 4: Definition of "one deer day."**

"One deer day" means the use of an area of land by one migrant deer anytime during the year.

Deer which use the project area and vicinity are from the Casa Diablo herd, a migratory mule deer herd that consists of approximately 1,500 animals wintering at lower elevations near Benton in eastern Mono County. The herd summers primarily on the east slope of the Sierra Nevada in a range from Mammoth Lakes north to Lundy Canyon. Approximately twenty-six percent of the deer wintering near Benton migrate west to the summer range located within and

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<sup>28</sup>/Taylor and Bagley.

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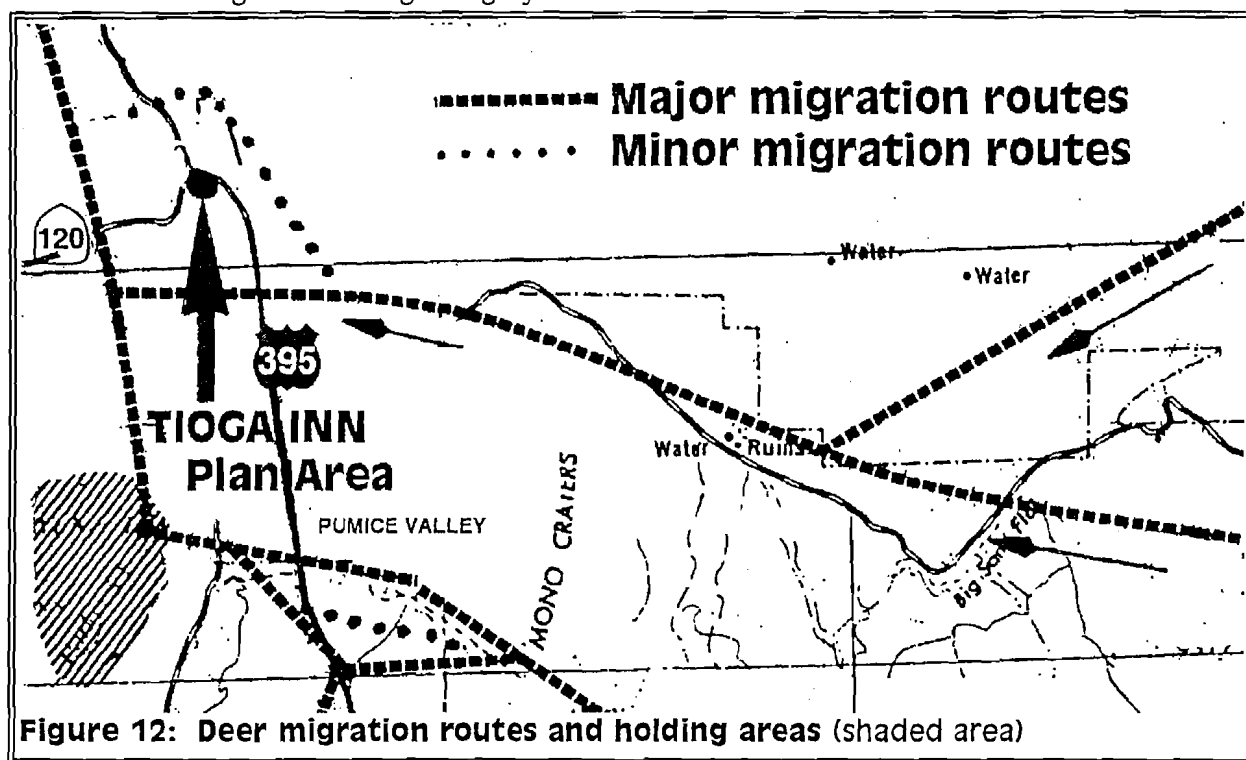
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adjacent to the Lee Vining Canyon area. Deer arrive on the summer range in May and June, produce fawns in July, and begin fall migration back to the winter range in October. In November and December, deer arrive on the winter range, breed in December and January, and begin the annual life-cycle again.

The Casa Diablo herd has experienced extremely poor reproduction rates over recent years. Reproductive studies of the herd suggest that poor fawn birth and survival rates may be related to high neonatal losses on the summer range. Several factors are believed to contribute to neonatal losses. These factors include (1) conflicts with land uses (such as livestock grazing or recreational activities) that are either physically detrimental to deer habitat or decrease the use of potentially productive deer habitat; (2) increased predation from mountain lions and other predators; and (3) the possible lack of adequate forage on spring and summer ranges due to seasonal drought and overgrazing by livestock.



The project area may also be used by a few summer resident deer. The direction and movement of tracks suggest that the project area, along with Lee Vining Creek and the ridge located to the immediate south of the Tioga Inn Plan area, compose a portion of the summer home range of these deer. Figure 12 shows the location of migration routes and one of the holding areas (shaded area) in the southwestern portion of the figure.

Habitual behavior, topographic features, security cover, and human intrusion are factors which likely govern deer distribution within the project area and surrounding vicinity. Hiding cover is a feature of habitat that provides an animal security or a means to escape predators or harassment. For mule deer, hiding cover is generally some form of vegetation such as brushy

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thicket but may also be a drainage corridor. The pinion pine forest on the lower north and west slopes of the ridge located just south of the project area likely provides migrant deer with adequate security cover as they move along the lower portion of the escarpment. With the exception of a few fragmented clumps of sagebrush scrub, the project area appears to be lacking adequate security cover for the deer.

The intersection of Highway 120 and US 395 results in rampant human intrusion — whether or not the project is developed. Visitors seeking an unobstructed view of Mono Lake often walk or drive on existing accessible dirt roads within and adjacent to the project area. This is especially true concerning the area proposed for siting the hotel. This parcel adjoins the existing Highway 120 scenic turnout. The high level of human intrusion, coupled with poor security cover and lack of habitat edge effect, likely makes the lower, more accessible portions of the project area unattractive to deer. Track count data indicate that the project area and vicinity was used by approximately one hundred deer during the 1992 spring migration.<sup>29</sup>

The seventy-four acre subject property, however, is surrounded by several thousand acres of federally owned national forest to the west and south. The major migration route shown in Figure 12 passes nearly one mile to the south of the subject property. A minor deer route passes approximately one-half mile to the north. The vegetation survey prepared by Bagley indicates that vegetation and nourishment for the deer is sparse on the subject property. The adjoining publicly owned lands provide substantial uninterrupted habitat for the deer.

There are no wetlands located on the subject property, or in an area affected by the project.

## **2. Environmental effects**

The project area itself appears to be of little importance to the Casa Diablo herd as a migration corridor, at least during the spring migration period. It may, however, be an important foraging area for a small number of summer resident and holdover deer.

The construction and operation of the Tioga Inn within the proposed project area could have a number of direct and indirect impacts on deer use of the project vicinity. Direct and indirect impacts that would occur adjacent to the project area as a result of habitat removal, habitat alteration, human intrusion, and direct mortality could adversely affect the part of the herd which migrates through the project area. Secondary impacts, for the most part, would be independent of the Tioga Inn and would occur outside the project area as a result of project-generated human activity such as deer-vehicle collisions and dog harassment. Potential significant impacts to the deer who use the project area and vicinity could adversely affect overall herd productivity by contributing to the poor recruitment rates currently experienced by the Casa Diablo herd.

Human intrusion refers to disturbances to deer behavior which would make the undisturbed habitat immediately adjacent to the project area unsuitable for deer without

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<sup>29</sup>/California Department of Fish and Game Casa Diablo herd study, Spring, 1992, cited by Taylor.

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physically impacting the habitat. Human intrusion could result from construction and maintenance activities, visual stimulus, noise, domestic dogs, increased human activity, and increased traffic.

Habitat removal reflects a permanent physical reduction in the amount of available habitat within the project area due to the placement of facilities. Outside the project area, habitat removal occurs due to increased community growth. Habitat removal is considered to be a significant environmental effect. Habitat alteration represents a change in the composition of plant species and structural characteristics due to growth-inducing effects.

Direct mortality refers to the loss of deer due to increased deer-vehicle collisions which occur when deer use an alternate migratory route because of construction activities. The Taylor Report concludes that effects associated with the Tioga Inn may contribute to a number of impacts on the deer herds in the area, such as:<sup>30</sup>

- Decreased deer numbers.
- Permanently decreased use or temporary desertion of traditional habitat.
- Increased use of habitats within and adjacent to the project area which are less suitable for migration, foraging and fawning. This could also create excessive crowding and increased competition for resources which could result in over-utilization of the adjacent habitats. This is potentially a significant cumulative environmental effect.
- Elimination or decline of forage or cover availability.
- Alteration/interference of migratory routes and the shift of home ranges for the one to eight deer that may range on the subject property.
- Increased stress and energy expenditure due to use of more nontraditional habitats for migration and summer range.
- Adverse physiological effects and reduced reproductive potential due to forage loss, alteration of migratory routes and over-utilization of habitats.
- Decreased prey base for predators, mainly coyotes and mountain lions if the deer herd continues to decrease in size.

The vegetation and rare plant survey determined that there are no rare or endangered plants, plants of special concern, or other significant plant communities impacted by the project. This impact is not significant, and no mitigation is required.

### **3. Mitigation measures**

Because large numbers of deer do not directly use the subject property, and with the abundance of adjoining quality replacement habitat, it would appear that while these are

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<sup>30</sup>/Taylor.

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environmental effects, the project's direct impacts are not significant. However, the effect on the deer herd may be a significant cumulative impact.<sup>31</sup>

**Impact:** Disturbance of natural habitat reduces the availability of forage.

*Mitigation measure:* The Specific Plan clearly identifies areas of the project that shall not be disturbed or developed. These areas shall be retained in native vegetation to provide for forage for the deer herd. The objective of this measure is to maintain areas for deer feeding and gathering within the open space areas of the project site. Livestock grazing shall continue to be prohibited from using the property. Refer to the implementation measures following Goal 4 on page 87.

*Monitoring and compliance:* The Planning Department shall be responsible for ensuring that grading plans conform to the approved Specific Plan site map for areas to be retained as not being developed.

**Impact:** Human intrusion into wildlife areas discourages wildlife use of the area because of the disturbance, scent, and disruption of the habitat ecosystem.

*Mitigation measure:* The final landscape plan shall incorporate developed paths that are designed to avoid deer foraging areas. Controls may be implemented to help ensure that path users are constrained to the paths and do not wander into wildlife areas. The objective of this mitigation measure is to discourage broad wandering by the public through wildlife areas. The Planning Director, at his option, may accept other methods for control and protection of deer habitat areas.

*Monitoring and compliance.* The Planning Department is responsible for ensuring that no building or grading permits are issued until the landscape plan has been received and approved. The Planning Director may enlist the assistance of a professional qualified in reviewing landscape plans. The cost of this mitigation measure shall be borne by the proponent.

**Impact:** Construction activities may scare or otherwise disrupt deer migration.

*Mitigation measure:* Construction activities shall be scheduled during daytime hours. When possible, construction equipment — such as earth moving equipment — shall be used sparingly during critical migration periods. The objective of this mitigation measure is to reduce noise and activities that would deter or detour deer from established migratory paths. Its implementation can be accomplished by establishing appropriate zones or areas in which activities can take place during critical migration times.

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<sup>31</sup>/Cumulative impacts refer to environmental impacts that may not be significant when reviewed in the perspective of just the proposed project, but when examined in conjunction with other proposed projects in the area may have significant impacts.

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*Monitoring and compliance.* The Building Department shall be responsible for enforcement of any constraints on timing of construction activities. The Building Official may call upon the assistance of a qualified professional recognized by the Department of Fish and Game to establish parameters or other measurements to determine when construction activities would be subject to controls or restrictions during which periods. The proponent shall be responsible for associated costs.

**Impact:** Public vehicle activity off of approved roads disturbs wildlife habitat area.

*Mitigation measures:* Road construction shall be limited to the areas identified on the approved land use plan (Figure 7). Public vehicle access within the project area shall not be permitted off of the paved facility roads. The objective is not to fence the developed areas, but to establish barriers to prevent public vehicles from leaving paved roads to drive on benches or dirt roads.

*Monitoring and compliance:* The County Planning Department shall be responsible for reviewing gate and fencing plans designed to constrain off-road vehicle movements and may consult with the Department of Fish and Game, if appropriate.

**Impact:** Pets belonging to visitors, guests, or permanent residents may chase, disturb, injure, or kill wildlife.

*Mitigation measures:* Place limitations on the ability of pets to range on the property. The proponent may be required, at the option of the County, to provide outdoor kennels or designated pet areas. The objective of this mitigation measure is to prevent free running dogs or cats in the wildlife areas. The objective may be accomplished by any means that the proponent and County believe will be effective. This constraint applies to both the transient visitors and customers of commercial enterprises on the site as well as the residents of the residential units.

*Monitoring and compliance:* Control of animals belonging to guests shall be the responsibility of the operator of the hotel and other facilities. The County may become involved on the basis of repeated and reliable complaints of domesticated animal attacks or interference with wildlife. Enforcement following complaints would be through the County Animal Control department.



## **VI. Physical resources**

### **A. Summary of major findings**

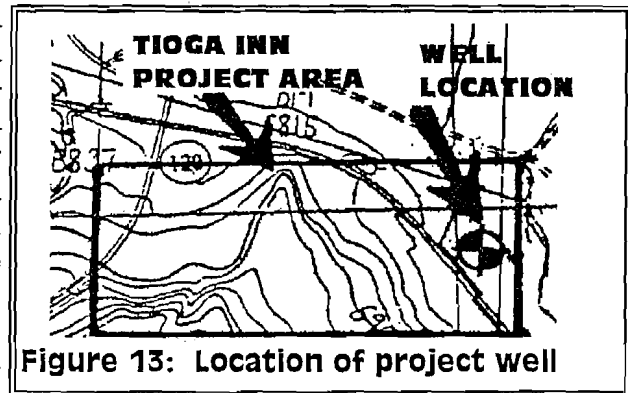
#### **1. Geologic and seismic**

The subject property is located in the Mono Basin, an area which may be subject to seismic activity. The Mammoth Lakes area to the south is a known location of potential volcanic activity, as well as active geothermal and seismic activities. The area is the transition between two major geologic provinces — the Sierra Nevada to the west and the Basin and Range to the east.<sup>32</sup>

Recent geologic literature prepared for the California Division of Mines and Geology indicates that there is a potential fault zone trending towards the project site. Two geologic studies were prepared for the project and both reports concluded that there is no potential of surface rupture or soil displacement on the project site.<sup>33</sup>

#### **2. Hydrologic**

The subject property will be served by an existing well with a depth of 580 feet below the ground surface. The static water level recorded during the 1992 drought year was 339 feet below the surface elevation. The issue of impacts on the quantity of groundwater and the effect of the drawdown for the project on area wells was raised during the scoping session. The well was drawn at a maximum volume of 132 gallons per minute. Recovery tests and models were based on this maximum draw. The well was concluded to achieve a sustained yield of 530 gallons per minute. The Kleinfelder Report provides the calculations and explanations showing that the well drawdown for regular and continuous use by the project will not impact the groundwater recharge of the project area. The project will not have an effect on groundwater levels or groundwater quality.



Approximately one half mile northwest of the site is Lee Vining Creek. The creek trends towards Mono Lake in a northerly direction. A review of topography and assessment of the depth to groundwater concluded that the project will not have an impact on the surface water supply to the creek.

<sup>32</sup>/Kleinfelder report.

<sup>33</sup>/Kleinfelder report.

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The general hydrologic setting for the project area is addressed in the Mono County Master Environmental Assessment. There are no areas of high groundwater or significant surface water movement that are located onsite or within close proximity of the subject property. Drainage flows from the property can be controlled in conformance with the final grading plan, waste discharge permit, and the Uniform Building Code.

**B. Environmental effects**

The geotechnical studies by both Kleinfelder and Geo Soils conclude that there are no impacts for the project associated with seismic activity or geologic hazards. The tests of the well and groundwater calculations show that there would be no impacts to the groundwater system — either to the quantity or the quality. The project's geologic and hydrologic impacts are not significant.

**C. Mitigation measures**

None required.

## VII. Traffic and circulation

### A. Environmental setting

The project site straddles the junction of Highway 120 and US 395. The two roads are heavily travelled, particularly in summer when the recreation usage is highest and the east portal at Yosemite is open. Present peak hour level of service at the intersection is level of service B.<sup>34</sup> Caltrans indicates that the summer peak hour volume to capacity ratio at the intersection of Highway 120 and US 395 is better than 0.6, indicating that the highest traffic flows through the intersection are less than sixty percent of the capacity of the intersection.<sup>35</sup>

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<sup>34</sup>/"Level of service" is a measure of the traffic flow through an intersection. LOS standards are designed for urban areas, and are generally meaningless for rural areas. Level of service, however, is still utilized as a measure of an intersection's capacity.

<sup>35</sup>The concept of "levels-of-service" is defined as a qualitative measure describing operational conditions within a traffic stream, and their perception by motorists or passengers. A level-of-service definition generally describes conditions in terms of such factors as speed and travel time, freedom to maneuver, traffic interruptions, comfort and convenience, and safety.

**Level-of-service A** represents free flow. Individual users are virtually unaffected by the presence of others in the traffic stream. Freedom to select desired speeds and to maneuver within the traffic stream is extremely high. The general level of comfort and convenience provided to the motorist, passenger, or pedestrian is excellent.

**Level-of-service B** is in the range of stable flow, but the presence of other users in the traffic stream begins to be noticeable. Freedom to select desired speeds is relatively unaffected, but there is a slight decline in the freedom to maneuver within the traffic stream from LOS A. The level of comfort and convenience provided is somewhat less than at LOS A, because the presence of others in the traffic stream begins to affect individual behavior.

**Level-of-service C** is in the range of stable flow, but marks the beginning of the range of flow in which the operation of individual users becomes significantly affected by interactions with others in the traffic stream. The selection of speed is now affected by the presence of others, and maneuvering within the traffic stream requires substantial vigilance on the part of the user. The general level of comfort and convenience declines noticeably at this level.

**Level-of-service D** represents high-density, but stable, flow. Speed and freedom to maneuver are severely restricted, and the driver or pedestrian experiences a generally poor level of comfort and convenience. Small increases in traffic flow will generally cause operational problems at this level.

**Level-of-service E** represents operating conditions at or near the capacity level. All speeds are reduced to a low, but relatively uniform value. Freedom to maneuver within the traffic stream is extremely difficult, and it is generally accomplished by forcing a vehicle or pedestrian to "give way" to accommodate such maneuvers. Comfort and convenience levels are extremely poor, and driver or pedestrian frustration is generally high. Operations at this level are usually unstable, because small increases in flow or minor perturbations within the traffic stream will cause breakdowns.

**Level-of-service F** is used to define forced or breakdown flow. This condition exists wherever the amount of traffic approaching a point exceeds the amount which can traverse the point. Queues form behind such locations. Operations within the queue are characterized by stop-and-go waves, and they are extremely unstable. Vehicles may progress at reasonable speeds for several hundred feet or more, then be required to stop in a cyclic fashion. Level-of-service F is used to describe the operating conditions within the queue, as well as the point of the breakdown. It should be noted, however, that in many cases operating conditions of vehicles or pedestrians discharged from the queue may be quite good. Nevertheless, it is the point at which arrival flow exceeds discharge flow which causes the queue to form, and level-of-service F is an appropriate designation for such points.

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Caltrans is proposing a major improvement to US 395, including the intersection with Hwy 120 beginning in Fiscal Year 1993-94.<sup>36</sup> The proposed improvements will increase the capacity and flow of traffic, which will result in an intersection level of service of A during summer peak hours.

The intersection of Highway 120 and US 395 will have an estimated peak hour capacity of 2,250 vehicles per hour when the improvements are completed. Table H shows that at maximum usage (a worst case scenario), the built-out Specific Plan with full hotel occupancy will generate less than ten percent of the peak hour volume. Under a worst case scenario, it is not anticipated that the project will result in a reduction of level of service. Level of service A is projected at 1,327 vehicles per hour.<sup>37</sup> Existing traffic is in the neighborhood of 900 peak hour vehicles. The proposed project will not result in additional traffic that would reduce the level of service from the improved intersection to B. Normally, level of service D, which is a vehicle capacity ratio of 0.90 (ninety percent capacity) is the minimum acceptable traffic service level.

The project proposes a private internal circulation system. Roads will be constructed to appropriate standards. The specifications are defined in the implementation program following Goal 5 on page 87. Basically, the project will have three classes of private roads and driveways:

**Table G: Private road standards**

<i>Private road classification</i>	<i>Easement</i>	<i>Pavement</i>	<i>Special notes</i>
<i>Main access road</i>	60 feet	24 feet	3 ft shoulder
<i>Residential access road</i>	40 feet	16 feet	10% grade
<i>Utility/facility access roads</i>	Driveway	12 feet <sup>38</sup>	No public use

Parking standards for conventional passenger vehicles are established in the Mono County Zoning code. For projects of this nature, parking needs to be included for busses, recreation vehicles, and vehicles towing trailers. The site development standards for each of the land uses following Goal 1 include requirements for this project. The Institute of Transportation Engineers and the County do not have specific standards for the additional parking needs.

## B. Environmental effects

The proposed project will generate under 1,300 vehicle trips per day on an annual average basis. The numbers are generated by the national standards established from studies prepared for the Institute of Transportation Engineers and published in the Fifth Edition of the Trip Generation Manual. An allowance is made for duplicate traffic, which is not uncommon in a multi-use visitor oriented facility. Visitors to the facility are likely to use onsite facilities rather

<sup>36</sup>/Fiscal years run from July 1 through June 30. Fiscal year 1993-94 means July 1, 1993 through June 30, 1994.

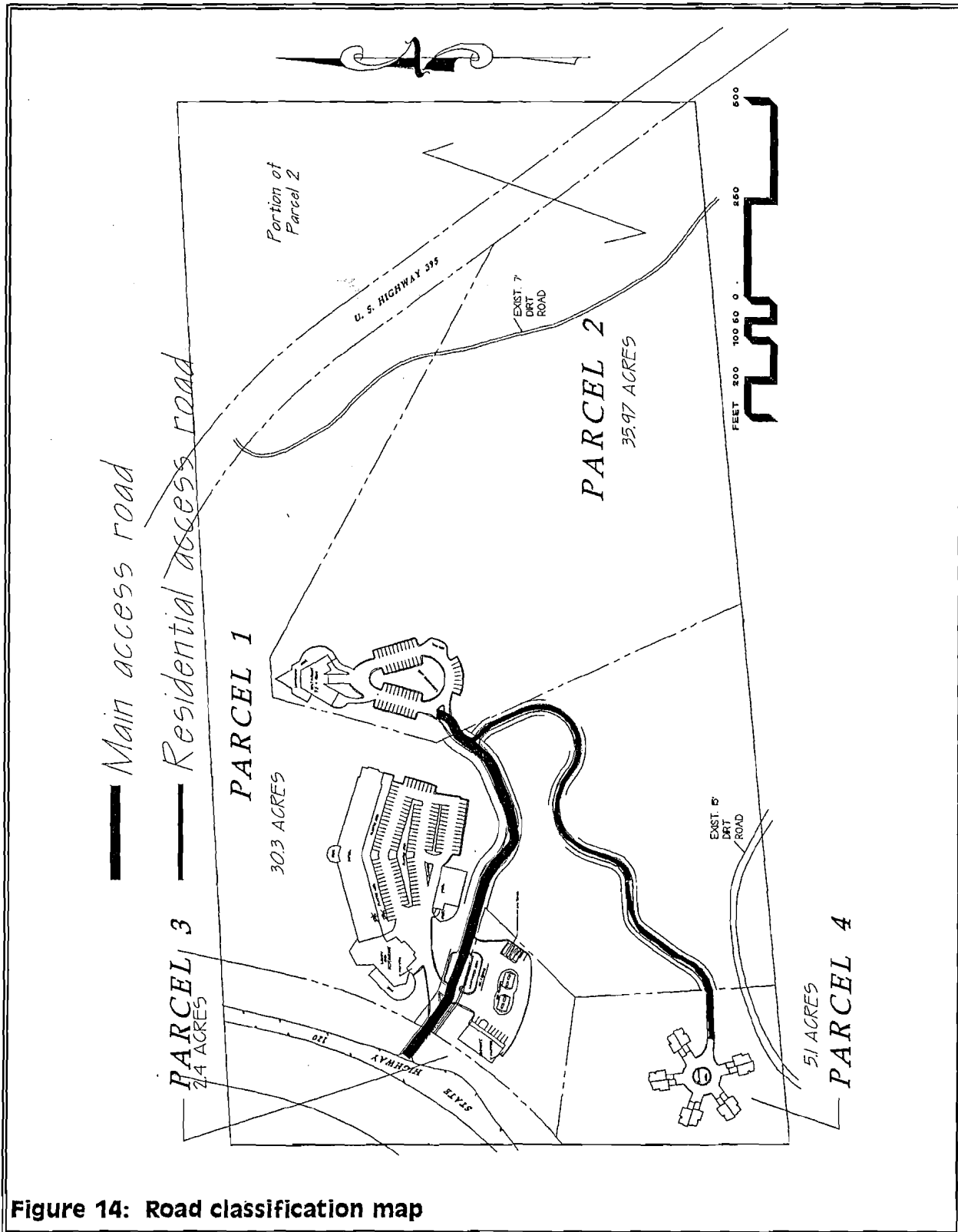
<sup>37</sup>/ITE, quoted from the *Boatyard/Todd Point Traffic Plan*, (Fort Bragg: City of Fort Bragg, July, 1992).

<sup>38</sup>/12 feet of surface width, no paving.

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**Figure 14: Road classification map**

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than travel offsite. ITE guidelines allow an estimate that as many as twenty-five percent of the vehicles coming to the site will use more than one of the site land uses. This percentage is a duplication factor deducted from the traffic estimates in Table H on page 61.

The proponent has worked closely with Caltrans to define the encroachment design on Highway 120. No access is proposed for US 395. An encroachment, including turnlanes and acceleration/deceleration lanes has been agreed upon between the agency and the proponent. There is a scenic turn-out located at the proposed main entrance and Highway 120. The scenic turnout will be reconfigured to better accommodate existing and future traffic. This will provide a more attractive area for an overlook of the Mono Basin area.

US 395 has an average of over 5,000 northbound and southbound vehicles during the year. State Route 120 has an average of 2,250 during the year.<sup>39</sup> The annual average is misleading for Hwy 120 in that the road is closed during the winter past the USFS ranger station. The projected volume of traffic is not considered significant when the improvements to the encroachment with Highway 120 are completed. These scheduled improvements will eliminate any impacts on the intersection from the project. There are no significant effects, and no mitigation measures are required.

**Table H: Traffic Projections**

Land use	Units	ADT <sup>40</sup>	AM Peak <sup>41</sup>	PM Peak
Duplex	10 units	63	4	5
Hotel	120 occupied rooms	917	55	54
Restaurant	100 seats	286	3	23
Store	4,800 sq. ft.	425	82	133
Adjustment	25% duplicate use	-422	-36	-54
<b>Totals</b>		<b>1,269</b>	<b>108</b>	<b>161</b>

No access is proposed from US 395, although maintenance personnel will need to have access to the well house and other service facilities that may be constructed onsite.

**C. Mitigation measures**

None proposed. Refer to the implementation measures following Goal 5 on page 87.

<sup>39</sup>/Telephone conversation with Glen Blancet at Caltrans in Bishop.

<sup>40</sup>/Average daily traffic (annual average based on 100% occupancy), credible occupancy is 74 units/night per year. This is an average extrapolated from existing occupancy rates in the area.

<sup>41</sup>/Annual average peak hour.

## **VIII. Unique EIR components**

### **A. Final Environmental Impact Report**

The Final EIR includes the following components:

- A revision of the draft.
- Comments and recommendations received on the draft EIR.
- A list of persons, organizations, and public agencies commenting on the draft EIR.
- Mono County's responses to points raised in the review process.<sup>42</sup>

The revisions to the draft EIR have been primarily editorial in nature, except for several changes to the Plan or EIR which were necessary to reflect the writer's points. These changes are noted in the responses to comments with the section and page number. There were no changes in the substance of the Draft EIR made in the Final EIR. The other required items in the Final EIR are discussed in the following sections. The list of persons and public agencies commenting is on page 62.

### **B. Comments and responses to comments**

#### **1. Comments about the project**

The Specific Plan and environmental impact report were circulated for public agency review from mid-March through the end of April. A total of six written comments were received.

#### *Comments received during the review period*

California Regional Water Quality Control Board, Lahontan Region .....	63
Letter from the California Department of Transportation .....	66
Letter from the California Department of Fish and Game .....	68
Letter from David and Susan Telliard .....	71
Letter from Shirley Oller .....	72
Letter from United States Pumice Company .....	74

#### **2. Responses to comments**

The California Environmental Quality Act requires that the County respond to each comment submitted concerning the issues addressed in the environmental impact report.

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<sup>42</sup>/14 CCR §15132, Contents of Final Environmental Impact Reports.

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**C. Comments and responses to the comments**

**1. California Regional Water Quality Control Board, Lahontan Region**

STATE OF CALIFORNIA

PETE WILSON, Governor

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**

**LAHONTAN REGION**

VICTORVILLE BRANCH OFFICE  
15428 CIVIC DRIVE, SUITE 100  
VICTORVILLE, CA 92382-2383  
(810) 241-6583  
FAX No. (619) 241-7308



Post-It™ brand fax transmittal memo 7671 # of pages = 2	
To <i>Steve Higa</i>	From <i>Tom RHEINER</i>
Co. <i>Mono Co.</i>	Co. <i>Lahontan</i>
Dept.	Phone <i>619 241 6583</i>
Fax # <i>619 934 3368</i>	Fax # <i>619 241 7308</i>

May 5, 1993

Laurie Mitchell  
Mono County Planning Department  
HCR 79 Box 221  
Mammoth Lakes, CA 93546

Dear <sup>*Laurie*</sup> Ms. Mitchell:

COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT, SCH 92012113 - TIOGA INN DRAFT SPECIFIC PLAN, MONO COUNTY

Regional Board staff has reviewed the draft Environmental Impact Report for the Tioga Inn, Mono County and submits the following comments:

1. To ensure the protection of water quality, proposed septic tank/leachfield systems must adhere to the criteria set forth in the Water Quality Control Plan for the South Lahontan Basin (Basin Plan). A complete Report of Waste Discharge (ROWD), accompanied by a fee, will be requested of the proponent to enable the Regional Board staff to evaluate the threat to water quality posed by this project. The proponent is advised to utilize the Basin Plan as a reference for guidelines regarding erosion control in the Mammoth Lakes area, criteria for Individual Waste Disposal Systems and a summary of beneficial uses of water in the region.

Since sewage is proposed to be disposed via standard septic tank/leach field systems for each separate land use area, project level design features should be provided in order to evaluate the adequacy of the system for its intended use. The Basin Plan sets forth specific criteria for maximum density requirements for individual waste disposal systems. Individual waste disposal systems associated with new developments which have a gross density greater than two (2) single family equivalent dwelling units (EDU) per acre will be required to have secondary-level treatment of wastewater. Equivalent Dwelling Units are defined as a unit of measure used for sizing a development based on the amount of waste generated from that development; the value used in implementation of these criteria is 250 gallons per day per EDU. Therefore, the final EIR should address expected sewage discharge rates as well as the proposed manner of treatment and disposal. Supporting these details, soil profile data and percolation rate information are required to determine the capacity of the soil material to receive the projected hydraulic load.

Mitigating measures which effectively offset the potential hazards to water quality due to the proposed project should be clearly identified utilizing both maps and text. Engineered design for drinking water supply, treatment of waste water, and drainage systems should be included in the final EIR.



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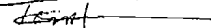
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Ms. Mitchell  
May 5, 1993  
Page 2

2. A detailed description of stormwater run-off facilities used to channel flows during peak events will be required to evaluate the proposed drainage control measures. The project proponent needs to determine if a construction stormwater permit is needed for this project. If needed, an application shall be submitted to the State Water Resources Control Board.
3. Erosion or siltation which may result from the proposed project should be addressed, including details of engineered measures to contain silt and sediment on-site.
4. The occurrence or presence of any surface water or wetlands in proximity to the proposed project should be identified. If appropriate, mitigation measures to preclude interference with these areas should be discussed.

If you have any questions regarding these comments, please contact me at the Regional Board's Victorville office.

Sincerely,



Tom Rheiner  
WRC Engineer

tr-2a/tioga.eir

**TIOGA INN SPECIFIC PLAN  
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**2. Response to the California Regional Water Quality Control Board** (This letter was received after the close of the comment period, and is included and responded to as a courtesy to the Board)

Issue 1: The permitting requirements for design and calculation are noted. The applicant has indicated that the water system for domestic use and the wastewater treatment facility will be designed to meet the requirements of the Board. The final engineering will be prepared to meet the specific standards of State law and health codes, as is required whether or not an environmental impact report is required. The Board was contacted and its representative indicated that the agency wanted to see the preliminary data to ensure that the basic assumptions and planning concepts appear to meet State standards. The applicant's engineer has forwarded this permit-related information to the Board. All of the issues in Item #1 are related to legal requirements and construction standards that are applicable to all permits, whether or not mitigation measures are identified in the environmental impact report.

Issue 2: The stormwater runoff facilities design will be engineered to acceptable standards, as required by the Regional Water Quality Control Board (RWQCB). This design will be reviewed by the Board prior to the issuance of any permits. The Board's standards must be achieved in order for the project to proceed. No further mitigation is required.

Issue 3: See issue 2.

Issue 4: The studies by Taylor and Bagley have found that there are no wetlands in the project area. A notation to this effect was added on page 52 in Chapter V.A.1.

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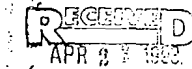
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**3. Letter from the California Department of Transportation**

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION  
500 SOUTH MAIN STREET  
BISHOP, CA 93514  
(619) 872-0689



April 1, 1993

Mno-120-12.056

Laurie Mitchell  
Associate Planner  
Mono County Planning Dept.  
Mammoth Lakes, CA 93546

PROJECT TITLE: Tioga Inn Specific Plan SCH #9012113<sup>2</sup><sub>1</sub>

We have reviewed the above referenced document and have the following comments:

Our Right-of-Way Branch is currently processing an access opening swap so that the developer can have access to Route 120 at the desired location. At this time there is no known obstacles to this process.

A minimum 24" culvert is required under the driveway approach at the flowline.

Any construction within the State highway right-of-way will require an Encroachment Permit issued by Caltrans.

If you have any questions regarding this requirement, please call Mr. Ralph Cones at 619-872-0674.

*Robert J. Ruhnke*  
ROBERT J. RUHNKE, Chief  
Transportation Planning  
Branch C

cc: SCH  
Russ Colliau

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**4. Response to the California Department of Transportation**

The Department's letter refers to development requirements added at the time an encroachment permit is issued. No additional response required.

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**5. Letter from the California Department of Fish and Game**

STATE OF CALIFORNIA—THE RESOURCES AGENCY

DEPARTMENT OF FISH AND GAME

RECEIVED

APR 30 1993

PETE WILSON, Governor

MONO COUNTY PLANNING DEPT.



Mono Wildlife Unit  
P.O. Box 70  
Coleville, CA 96107

April 30, 1993

Ms. Laurie Mitchell  
Mono County Planning Department  
HCR 79 Box 221  
Mammoth Lakes, CA 93546

Dear Laurie:

The Department of Fish and Game has reviewed the Draft Environmental Impact Report and Draft Specific Plan for the proposed Tioga Inn project near Lee Vining. The proposal would create a multiple use visitor commercial project at the intersection of California Highway 120 and US Highway 395 on 74 acres of land area. The project would consist of a 120 room hotel with coffee shop, banquet room, and gift shop; a swimming pool, a full service restaurant, a convenience store and gas station, and a five acre, ten unit residential rental complex.

The subject document includes a summary of the "Tioga Inn Vegetation and Wildlife Assessment Study Final Report" describing the environment setting, environmental effects, and a number of proposed mitigation measures to offset project impacts.

The primary concern of this Department has been the potential impact of the project on migratory mule deer which were found to use the area when telemetry research was conducted in 1986-88. The above-named resource assessment study commissioned by Mono County provides vital information to enable a reasoned decision on the project and associated mitigation measures.

This study has revealed relatively light deer use of the site and adjacent lands, totaling an estimated 113 deer day use. Only 25 deer days use occurred within the subject property. Accordingly, this Department sees the need for several limited, but specific, mitigation measures, aimed primarily at reducing impacts to those deer which migrate adjacent to the project site. A number of the needed measures are adequately described in the draft document. Several others should be included and/or described more thoroughly in language assuring mitigation of impacts to a level of insignificance. The following is a listing of DFG mitigation recommendations and our assessment of measures proposed in the document:

1. Human intrusion: We support this measure. We also recommend that signing of pathways should include educational aspects describing wildlife values of the area and the need to restrict disturbance during critical time periods. Depending on pathway locations, the need may exist to restrict use of portions within key wildlife areas during critical periods. Consultation with DGF or a qualified professional is recommended for assessment of these details.

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2. Construction timing: This measure should be strengthened. The phrase "when possible" creates uncertainty of measure implementation and effectiveness. We propose a firm restriction of heavy equipment operation during the September 15 through May 31 period. However, flexibility in this restriction is acceptable if variances are granted based on pressing need and on the assessment of deer activity by a qualified professional biologist in consultation with DFG. On page 53, the document describes such a process. We concur.

3. Vehicle access restrictions: We support this measure. We also strongly concur with the statement "the objective is not to fence the developed areas..." The document should clearly state the mitigation measure not to fence the project, with the exception of designated pet areas.

4. Pets: A major impact of a project such as Tioga Inn is the disturbance of wildlife by domestic pets, especially dogs. The draft document address this issue and we support the direction proposed. We also offer the following recommendations to strengthen the measure: a) Designated pet areas should be fenced, and the walking/exercizing of pets confined to those areas. b) Specific language to control dogs in parcel 4 (residential area) is needed. Fenced enclosure of this parcel is recommended to provide assured dog control and to prevent dog impacts in the adjacent deer use area. c) This project site and the surrounding lands should be added to the county's leash law areas. Further, the pressing need exists to strengthen the county leash law to provide better control on a county-wide basis.

5. Vegetative screening: On page 44, the document provides a generalized discussion of visual screening of the project. However, this measure is of importance is mitigating project impacts on wildlife, especially migrating mule deer which use the habitat adjacent to parcel 4. Accordingly, a mitigation measure specifying vegetative screening of parcel 4 is needed. Discussion with the project proponent indicate his willingness to include this specific measure.

It is the position of this Department that incorporation of the above measures will provide mitigation of impacts to wildlife to a level of insignificance. However, it is also apparent that the project will contribute to the incremental loss of California's wildlife habitats and is therefore subject to a filing fee pursuant to Fish and Game Code Section 711.4.

Thank you for the opportunity to provide comments on this proposal. Questions or comments should be directed to me at the above address/phone number.

Sincerely,  
  
Ron Thomas  
Associate Wildlife Biologist

cc: Environmental Services, Long Beach  
Vern Bleich, Field Supervisor, DFG  
Dano McGinn, Mule Deer Association  
Rick Rockel, Mono Wildlife Council

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**6. Response to the California Department of Fish and Game**

Issue #1: Implementation measure 4b(1) is amended to add the language "Informational or interpretive signs explaining the purpose of the path system and the need to protect deer foraging areas shall be placed at strategic points along the pathways." This is now located on page 26.

Issue #2: The concern of the Department of Fish and Game is noted. Implementation measure 4c(1) (on page 26) provides the necessary protection and flexibility.

Issue #3: The EIR clearly identifies the objective of not fencing the property. The effects of "general fencing" are identified in both the Plan and EIR. No further changes are needed.

Issue #4: Implementation 4e(1) has been amended with the suggestions of the Department related to the visitors and guests. The changes are on page 27. Implementation measure 4e(3) has been moved to become a part of Residential Land Use, Implementation Measure 1e(2) on page 21. The suggestion of the Department has been added to the site development standards.

Issue #5: The landscape plan is required in a series of implementation measures following Goal 3 beginning on page 24 that already include the Department's suggestions. No changes to the Plan/EIR are required.

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**7. Letter from David and Susan Telliard**

RECORDED  
APR 29 1993

April 26, 1993

Dear Ms. Mitchel,

On a recent ski trip to the Mammoth area I noticed a article in the Mammoth Times that caught my attention. In the article it mentioned that the Mono County Planning Dept. was considering approval of a hotel in the Lee Vinning area.

After several discouraging years of trying to get a reservation in Yosemite Valley, it will be nice to finally have access to a quality hotel nearby.

Imagine a hotel close to "the park" where we can rest while the kids swim after taking in a day of your area un-matched beauty! It will be so nice to dine while overlooking beautiful Mono Lake without standing in line on the sidewalk!

However, we are concerned about the added woodsmoke generated by the new houses. The fragile environment of the Mono Basin is already in jeopardy from the dust plumes generated by D.W.P. In the winter when the fog lingers in the basin, the pure air may be tainted if the cumulative impacts of more woodsmoke from all future developments in the Mono basin area not mitigated. Therefore, I would ask that Mono County require that any new woodstoves ever installed in the Mono Basin comply with the most stringent E.P.A. standards.

Sincerely,

*David Telliard*  
*Susan Telliard*  
David And Susan Telliard



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**8. Letter from Shirley Oller**

Shirley Oller  
P.O. Box 1348  
Columbia, CA 95310

Laurie Mitchell  
Mono County Planning Department  
HCR Box 221  
Mammoth Lakes, CA 93546

Every year as the snow melts we eagerly await the opening of Tioga and Sonora Pass. Perhaps there is no more glorious drive anywhere than the loop starting at Sonora, enjoying the magnificent scenery along the 103 to the beautiful valleys around Bridgeport. We look forward to the first glimpse of Mono Lake down Conway Summit, the unique beauty of Yosemite, and driving home through the restored gold towns of the foothills.

Over the years we have supported the efforts of the Mono Lake Committee to save this incredibly beautiful lake. We first learned about the plight of Mono Lake when we stopped in Lee Vining and visited the Committee information center. I believe that increased tourism and increased knowledge will insure the longevity of this lake.

The Mono Lake Visitor center is already drawing many new visitors to this area. We are in favor of increased lodging, as we know from experience it is often difficult to find good accommodations nearby. We look forward to spending more time in the Eastern Sierras, and hope to witness the full restoration of Mono Lake.

Sincerely,

*Shirley Oller*  
Shirley Oller

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**9. Response to the letters from the Telliards and Ms. Oller**

Woodstoves must meet standards of both the Environmental Protection Agency and the California Air Resources Board. The Planning Commission could consider requiring the use of "pellet stoves," which are considered to be environmentally safe. This is a permitting issue.

No other responses are necessary.

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**10. Letter from United States Pumice Company**



**United States Pumice Company**  
Specialty Products for the Consumer and Industry

RECEIVED

APR 28 1993

MONO COUNTY PLANNING DEPT.

April 26, 1993

Mr. Scott Burns  
Mono County Planning Department  
P.O. Box 8  
Bridgeport, CA 93517

RE: Tioga Inn Draft EIR and Specific Plan

Dear Mr. Burns:

This letter will serve as our comment on the Tioga Inn draft specific plan and draft EIR. Our Lee Vining facilities are located adjacent to the referenced site. We were not notified of this draft EIR. Our superintendant, Floyd Griffin, learned of the draft EIR through the Lee Vining Fire Department.

In our opinion the document is incomplete because it does not address the existance of our Lee Vining plant. U.S. Pumice is the closest neighbor to the proposed project and will impact the view. Our operations have been located adjacent to the project site since the early 1940's. The U.S. Pumice plant is well maintained but it is an industrial facility with industrial type buildings, stone storage piles, equipment maintenance facilities and heavy equipment. We are curious as to how the project proponent intends to mitigate a non-scenic view of our operations.

We are also concerned about a zoning change requested by the project proponent. The extension of a heavy industrial zone from the U.S. Pumice property line to the Lee Vining Airport (proposed by a community working group) is now proposed to end at the U.S.P. property line. We oppose this change. The designation of this area as heavy industrial was by concensus of the community general plan group as a possible site for the county yard. In our view, this is a correct use for this land.

UNITED STATES PUMICE COMPANY  
20219 BAHAMA STREET  
CHATSWORTH, CALIFORNIA 91311  
PHONE: (818) 862-0300

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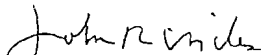
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It is not our intention to throw cold water on a project which will benefit our community. U.S. Pumice has been a part of the Lee Vining community for over fifty years. We intend to continue and must err on the side of caution when any threat, perceived or real, presents itself.

Yours very truly,

UNITED STATES PUMICE COMPANY



John R. Miles  
President

cc: Mono County Board of Supervisors  
Floyd Griffin, U.S. Pumice Co.

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**11. Response to United States Pumice Company**

Issue #1: The visual impacts of US Pumice on the proposed project are not an environmental effect. The view of the industrial facility is a legally existing, conforming land use. The proponent of the Tioga Inn has no basis from which a complaint or argument of impact from US Pumice can be initiated. There is no environmental reason for requiring the Tioga Inn project to mitigate the views of the US Pumice facility. This impact is not significant. The proponent, however, may want to provide screening if such an action suits the project's purposes.

Issue #2: The proposed project is already shown as "Specific Plan" on the Lee Vining Community Map. The rezoning into the SP district is required for mandatory Plan-zoning consistency. The "heavy industrial" zoning change is unrelated to this project.

Although no changes are being proposed in the Environmental Impact Report, it is noted as part of the record that US Pumice has been a long-standing member of the community and a significant employer in terms of payroll and numbers of persons employed.

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**D. Project alternatives** (14 CCR §15126(d))

Project alternatives are included in environmental impact reports as a means of providing decision makers with options for projects that meet the project objectives. The current standard calls for the lead agency to consider a "...range of reasonable alternatives to the proposed project, or to its location, that could feasibly attain the project's basic objectives..."<sup>43</sup> The focus is to examine alternatives that could reasonably reduce or otherwise mitigate significant effects of the proposed project. In addition to practical alternatives, CEQA is required to examine the "No project" alternative — "...a discussion of the conditions or programs preceding the project."<sup>44</sup> The detail in discussing alternatives varies by the complexity of the project and the scope of significant effects. The Tioga Inn Specific Plan has limited numbers of environmental effects that cannot be otherwise mitigated through acceptable design and construction standards. The one impact that is not reduced to an insignificant level relates to visual impacts. As a result, project alternatives focus on achieving project objectives as a means of options to visual impacts.

The purpose of project alternatives is to determine whether there are options and opportunities that will reduce to levels of insignificance or avoid entirely the adverse identified effects of the proposed project *while still achieving project objectives*. Alternatives are not intended to address the range of preferences and possibilities related to the project consideration process. In other words, the role of project alternatives is not to try to redesign the project in order to address speculative concepts (this is sometimes referred to as "what if you change this", or "what if you change that?" scenarios). Considering those types of changes is part of project review and hearings — not a role of the environmental impact report process.

**1. The NO PROJECT alternative**

The no project alternative retains the subject property as undeveloped land used for grazing. It will not achieve project objectives. The alternative will result in no visual environmental effects. While the no project alternative results in a project that avoids the visual impacts, it cannot achieve project objectives.

The "no project" alternative involves the following scenario: The land would remain subdivided. It would be possible to construct a single family home on the 74 acre parcel and reinstate the land for grazing use. In order to develop any other discretionary action a specific plan would be required on the basis of the General Plan land use designation. The no project alternative will assume that with the exception of a single residence, the land remains in its current state. It is obvious that this approach does not achieve project objectives as identified on page 5. However, the no project alternative is used as a comparison as to how it may provide mitigation for the significant adverse effects of the proposed project.

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<sup>43</sup>/Michael Remy, Tina A. Thomas, James G. Moose, et al, Guide to the California Environmental Quality Act (CEQA), 1993 Edition (Point Arena, CA: Solano Press, January, 1993), p. 206.

<sup>44</sup>/County of Inyo v. City of Los Angeles (3d Dist., 1977) 71 Cal.App.3d 185, 201 [139 Cal.Rptr. 396].

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In retaining the land area as generally agriculture, the significant visual impacts are avoided. The use of the land for grazing, as it had been used in the past, would reduce the potential to provide forage for deer and other wildlife. The no project alternative would have no effects on groundwater, drainage, or other issues.

The Specific Plan project — with the implementation and mitigation program addressed in the Plan and EIR — has only one adverse significant environmental impact for which mitigation does not reduce to insignificant levels. This is the visual impact. The no project alternative avoids any visual impact.

The no project alternative, however, does not achieve any of the defined project objectives. While this alternative avoids the visual impact, it may also result in adverse impacts in terms of the effect of grazing on forage for the mule deer herd.

The no project alternative avoids the visual impact by presuming that the development of the property will be largely rural or agricultural. These types of uses are able to better blend into the visual background. This alternative, while avoiding the impact, does not achieve project objectives.

Failure to achieve project objectives and failure to definitively establish a superior environmental agenda for the use of the land area are among the reasons that the no project alternative is not feasible.

## **2. The RESIDENTIAL USE alternative**

With this alternative, the County would consider limiting development to residential use on the subject property. Rural Residential development would not achieve project objectives. It has the potential to reduce or eliminate the visual impacts if building sites were limited to areas from which the structures would not be visible. One assumption is that there would be a density of one dwelling per five acres — a total of fifteen units on the property — each with an individual well and septic tank. The other assumption is a density of one dwelling per one acre, with a community water system and community leach fields.

One method of developing the site would be to preclude the recreationally-oriented commercial uses (hotel, restaurant, convenience store and fuel sales), and develop the property for residential use only. This approach is defined as Option A and Option B. Option A permits subdivision of the 74± acres on parcels averaging five acres in size — a total of fifteen units. Each residence would have its own well and septic tank. Option B is a higher density, sixty units, which would be served by a community water system and community sewage disposal system.<sup>45</sup>

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<sup>45</sup>/Only sixty units are proposed on the 74± acres in order to reflect land area required for roads and the community sewage disposal system.

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Either option assists in achieving General Plan goals calling for more housing opportunities in the Lee Vining area. With an average of 2.38 persons per household in the Lee Vining area,<sup>46</sup> Option A results in a population projection at build-out of 36 people. Option B results in a build-out projection of 143 persons. These projections increase the 1990 Lee Vining area population by thirteen and fifty percent respectively.

Permitting only residential use of the property results in visual impacts that may be more significant than the proposed project. There are two types of residential development that would likely be used in this area. One is the traditional dwelling on an individual parcel. The other is the clustered or planned unit development concept. Option A is realistically limited to the conventional development approach. The cost of developing a water system and sewage disposal system for that number of units would be excessive in relation to the market or sales value of the units. Fifteen individual dwellings would result in significant visual impacts through the lack of harmony in siting and the scattering of development throughout the subject property.

If Option B were developed in a clustered pattern, the visual impacts are still significant. The visual effect may be reduced through the reduction of the area in which buildings are sited by retaining open space. However, the approach may not result in any different overall visual impact from the project as proposed. Sixty dwelling units — even if clustered onto lots as small as 6,000 square feet — still result in an appearance of bulk on the landscape similar in nature to the hotel and restaurant.

Much like the no project alternative, the concept of rural residential development provides for opportunities to avoid visual impacts through the Homeowner Association to screen the visibility of the developments. However, it is difficult for the County to enforce strict design provisions intended to provide visual screening. Although this alternative provides needed housing in the Lee Vining area, it does not achieve project objectives.

The residential use alternative does not provide mitigation for visual impacts that are superior to the proposed project. The alternative does not achieve project objectives. The residential use alternative is not a feasible option for reducing the project's visual impacts.

### **3. The OPTIONAL SITING alternative**

With the visual effects remaining as the one unmitigated environmental effect, one option would be to site the structures differently in order to reduce the visual profile (See the photosimulation in Figure 10). The alternative would site the structures and utilize other landscaping features to reduce the profiles. In this alternative (refer to Figure 15 on page 81), the restaurant would be moved towards the northwest so that it is located behind the hotel. The hotel itself would have its location reversed with parking located in front of the hotel between Highway 395 and the structure. This would place the hotel further back into the hillside

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<sup>46</sup>/CACI, Inc.



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making it less obvious from the Highway 395-Tioga Pass view corridor. The convenience store would then be moved so that it would be visually located behind the hotel.

The site design, grading, and landscaping would be substantially revised to increase the use of berms and other methods of hiding the structures from the highway views. The alternative is superior to the proposed project for the visual impacts, in that it would conserve or retain the views by reducing the visual impact of the subject property's development making it less visible from the highway.

Revising the site plan provides several opportunities to reduce the visual impacts generated by the proposed project. First, the facilities can be moved higher up the hillside and sited towards the back of benches. Avoiding the ridge tops will assist in a greater reduction of the visibility of the project. Additionally, sculpted berms with indigenous landscaping can be added to reduce the height of the structures to an apparent ranch or one story style. This alternative provides greater levels of mitigation. It does not achieve project objectives, because increased screening would reduce the visibility from the site. One of the objectives is to provide opportunities to deliver outstanding views of Mono Lake and Mono Craters from the site. Re-siting the project loses that opportunity. Although site changes provide greater mitigation for visual impacts, the development would increase impacts from grading, soil disturbance, and require increased cut and fills in terrain to hide the structures.

Resiting, however, would result in reduced panoramic views on the subject property. While this option is environmentally superior to the proposed project, it does not achieve project objectives related to providing views from the site. The success of the project may result from the ability to provide customers and patrons with the attractive views from the site of Mono Lake and the Mono basin. Failing to provide the views would not achieve project objectives. This alternative may reduce visual effects, but it is not likely to reduce the impacts to levels that are no longer significant.

#### **4. DIFFERENT PROJECT MIX alternatives**

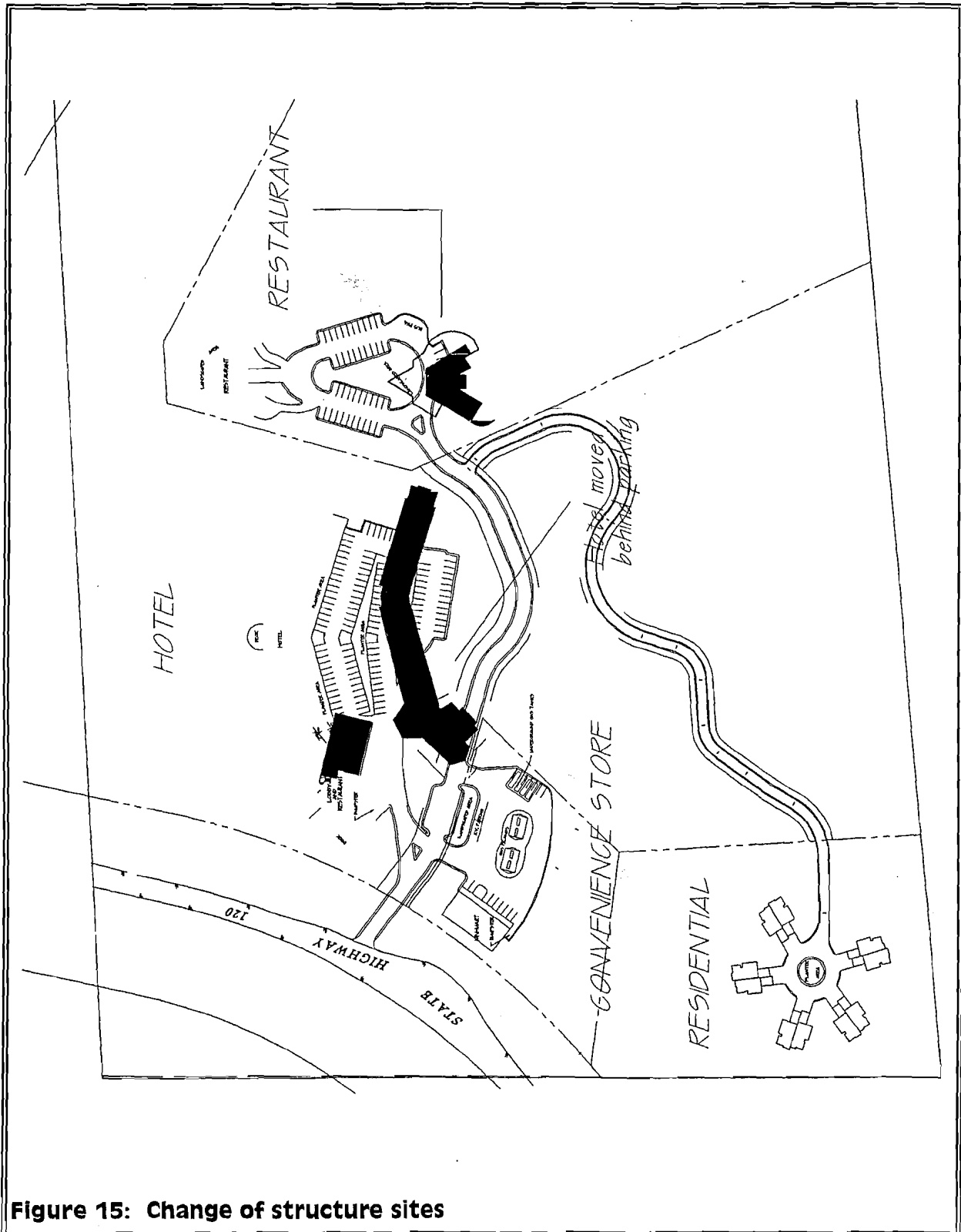
This option examines some of the impacts associated with the project by examining a different mix of the proposed land uses. The approach looks at impacts related to a mix of hotel-restaurant, hotel-convenience store, or similar permutations. The different combinations do not eliminate the significant visual impacts.

Changing the project mix may result in different opportunities for siting the structures. This may provide a method of mitigating visual impacts to a lesser extent than the proposed project. If the restaurant were eliminated, it would eliminate the component of the project with the highest visibility. The restaurant facility could still be accommodated by physically including it in the hotel. However, one of the objectives for the separate facility is to provide a location from which diners would be able to view the panorama of the valley from the dining room. It would be difficult to achieve this effect at the hotel facility site. This alternative may provide some opportunities to reduce the visual intrusiveness of the project, but would not eliminate the visual impacts.

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**Figure 15: Change of structure sites**

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Changing the project mix has the potential to increase traffic impacts. For example, if the restaurant were to be eliminated, it would result in an increase in peak hour traffic from the project site heading into Lee Vining. Most vehicle-based visitors would travel by car from the hotel into Lee Vining for meals increasing the number of critical lane movements (left turns) at the intersection of Highway 120 and US 395. The different mix alternative has impacts that would be worse than the proposed project.

The specific plan has a combination of four components. It is feasible to explore a number of permutations related to avoiding or eliminating significant adverse environmental effects. The most likely combinations would be hotel-convenience store-residential, restaurant-convenience store-residential, or hotel-restaurant-residences. Each of these options may result in a reduction of the visual impact, but none avoid it or reduce it to levels of insignificance. Changing the components that comprise the project do not result in any reduction in overall environmental effects. Because this option does not achieve overall project objectives, it is not considered to be a superior option.

## **5. Range of alternatives**

Various other alternatives were considered, but did not survive even cursory review for further consideration. The range of alternatives included:

- Different site. Project objectives and the lack of large parcels of privately owned lands of suitable size make this option infeasible. In addition, the property owner does not have control of any other parcels in the area. There were no alternative sites meeting project objectives.
- Restaurant only. It is economically infeasible to construct the infrastructure necessary to serve only the restaurant.
- Convenience store only. While this would be economically feasible, because the demand for water and wastewater generation could be contained onsite, the existing economy would not support a free-standing convenience store with gas pumps this far from the community cluster without other attractions on the site.
- Hotel only. This alternative would create significant traffic impacts, as the peak hour diners would be required to leave the subject property and go into town. The impacts to the intersection would be greater.

## **E. Relationship between short term use of the environment and the maintenance and enhancement of long-term productivity** (14 CCR §15126(e))

The Mono Basin is a unique and attractive visitor center. The area will continue to attract visitors to see Mono Lake, the Mono Craters, and Yosemite National Park. The area at present has an abundance of unique environmental resources. Increased visitors to the area may place

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greater pressures on those resources. The County recognizes that the tourism economy is critical to its economic well-being. The preferred development in the Mono Basin is development that serves the visitor economy. The proposed project achieves long-term goals related to recreation and tourism development. Its location south of Mono Lake provides the views and attractions without further pressuring the immediate lake vicinity.

**F. Significant irreversible environmental changes which would be involved in the proposed action should it be implemented** (14 CCR §15126(f))

The proposed project will result in a partial disruption of the area's visual quality. The facility is designed to blend and complement the natural landscape as much as possible, but it will still be visible on the landscape. The visual impact is irreversible and remains subjectively significant.

**G. Growth inducing impacts** (14 CCR §15126(g))

The proposed project has the potential to attract additional visitor traffic to the area. This impact is considered beneficial because of its conformance to the overall regional and local plans in the area. The project has the potential to increase the number of persons employed in the area and add to the area's housing stock. The project may result in a population increase of 25 persons, a percentage increase of eight percent.

**H. Effects found not to be significant** (14 CCR §15128)

The following impacts were found not to exceed significance thresholds or were not significant on the basis of information in the Mono County Master Environmental Assessment:

- Conflict with adopted and proposed plans. Not significant based on General Plan and Community Plan. Discussed in the Specific Plan.
- Plant and wildlife impacts. Not significant based on the conclusions of the Taylor and Bagley reports.
- Waste management standards. Not significant based on the volume of waste generated by similar projects, and mandated conformance to County waste management planning requirements.
- Public water supply contamination. Not significant based on the project location and distance from sources of water for public water supplies.
- Groundwater. Not significant based on the Kleinfelder report.
- Cultural resources. Not significant based on the Master Environmental Assessment.

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- Growth inducing. Not significant based the total number of persons and provisions of site facilities.
- Traffic. Not significant based on traffic counts and data in the Specific Plan.
- Displacement. Not significant because it does not apply to the project.
- Fuel and energy impact. Not a significant effect due to the project design, conformance to California energy codes.
- Noise. Not significant based on modeling of similar projects through discussions with Brown-Buntin Associates based on their library of noise data collected for similar projects.
- Flooding. Not significant, property not within a flood zone.
- Geologic hazards. Not significant based on the Geo-Soils and Kleinfelder reports.
- Sewer line extensions. Not applicable.
- Disrupt physical arrangement. Not applicable.
- Recreation goals. Project conforms to the County's recreation goals.
- Air quality. Not a significant or cumulative impact. Based on the Master Environmental Assessment.
- Prime agriculture land conversion. Not applicable.
- Emergency response plan interference. Not applicable.

**I. Cumulative impacts** (14 CCR §15130)

Cumulative impacts are environmental effects that fall into a unique niche in the process. A project may have impacts that on its own are not significant. A typical example of this is traffic or air quality. A project, such as the Tioga Inn, may result in a small increase in traffic volume that does not result in exceeding thresholds for level of service. However, the traffic from a project under review, when combined with other projects that are reasonably foreseeable, may result in a significant impact.

For the Tioga Inn Specific Plan, the project's traffic impacts are not adverse nor significant. This is calculated in the Specific Plan under traffic. The intersection of Highway 120 and US 395 is proposed for new construction in the near future. When it is improved, the worst-case scenario from the Tioga Inn will not result in a change in level of service from A to B. There are no other development projects proposed in the general vicinity that would

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contribute traffic volume resulting in a drop in level of service during peak hours. Conway Ranch has the potential to add traffic to the area, but this has been calculated in the total intersection volume. There are no other projects proposed that would significantly add to intersection traffic volume.

Air quality in the area is extremely good, although the California Environmental Protection Agency (Cal-EPA) is considering a designation of the Mono Basin as a non-attainment area for alkali dust generated by exposed lakebeds. The project may contribute particulate matter during construction. Normal operations, however, will not result in an increase to exceed acceptable thresholds in the project area. Woodstoves at the ten dwelling units, when combined with other woodstoves in the area, may affect visibility during certain weather conditions, but air quality thresholds will not be exceeded. Requirements of woodstoves to conform to US Environmental Protection Agency standards may reduce this contribution to cumulative impacts.

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