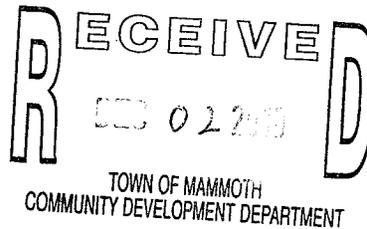


NOP Comment Letters

DEPARTMENT OF TRANSPORTATION

District 9
 500 South Main Street
 Bishop, CA 93514
 PHONE (760) 872-0785
 FAX (760) 872-0754
 TTY 711 (760) 872-0785



*Flex your power!
 Be energy efficient!*

November 30, 2010

Ellen Clark
 Town of Mammoth Lakes
 P.O. Box 1609
 Mammoth Lakes, California 93546

File: 09-MNO
 NOP DEIR
 SCH #: 2010111013

Dear Ms. Clark:

Mammoth Lakes Trails System Master Plan Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR)

The California Department of Transportation (Caltrans) appreciates the opportunity to comment during the NOP phase for the Trails System Master Plan DEIR. Please consider the following while preparing the Traffic Study portion of the document:

- In general, use of terms such as “hazardous” (e.g. last sentence beginning at bottom of page A-5) should be avoided.
- The video detection systems at traffic signals on State Route 203 are bicycle/motorcycle friendly. This should supersede the need for diagonal crossings and additional bicycle specific hardware.
- Locations proposed for roundabouts, should be analyzed both with and without the roundabout.
- Analyze impacts of trail crossing geometry at roadways (e.g. staggered ‘T’s, direct alignment).
- Address the interface between the trail system and transit system.
- Consider safety issues, including probable behavior of trail system users and collision history.
- Address vehicle parking needs for trail system users (e.g. staging areas, trail heads).
- Address wayfinding signage for trail system users.
- Ensure snow removal and storage is adequately addressed.
- Ensure facilities meet the Americans with Disabilities Act, where appropriate.

Ellen Clark
November 30, 2010
Page 2

- Consider other planning documents and studies (e.g. Mobility Plan, Main Street Signal Feasibility Study, Caltrans State Route 203 Traffic Concept Report, Minaret Alignment Study, South Side (Main Street) Path Plan, private development proposals, etc.). Address inconsistencies as appropriate.

We value our cooperative working relationship with the Town concerning multi-modal transportation issues. If you have any questions, please call me at (760) 872-0785.

Sincerely,



GAYLE J. ROSANDER
IGR/CEQA Coordinator

c: State Clearinghouse
Steve Wisniewski, Caltrans



State of California - The Resources Agency

DEPARTMENT OF FISH AND GAME

Inland Deserts Region (IDR)
407 West Line Street
Bishop, CA 93514
(760) 872-1171
(760) 872-1284 FAX

Arnold Schwarzenegger, Governor



December 6, 2010

Ms. Ellen Clark
Town of Mammoth Lakes
Community Development Department
P.O. Box 1609
Mammoth Lakes, CA 93546

**Subject: Draft Initial Study & Notice of Preparation of an Environmental Impact Report
Town of Mammoth Lakes Trails System Master Plan Project
State Clearinghouse Number: 2010111013**

Dear Ms. Clark:

The Department of Fish and Game (Department) has reviewed the Draft Initial Study and subsequent Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the above mentioned project relative to impacts to biological resources. The proposed project (Project) is part of the Town of Mammoth Lakes Trails System Master Plan (TSMP) which is a comprehensive trails and public access plan in urbanized areas, undeveloped opens space, and recreational lands, within and outside of the town limits. Specific project components include new trails, paved pathways, soft-surface trails, signage and wayfinding, improved sidewalks, crosswalks, bus stops, bike lands, bicycle parking, summer maintenance and snow removal. The Project also proposes to integrate and adopt the Sherwins Area Recreation Plan (SHARP) as a component of the TSMP. SHARP components are similar to TSMP components.

To enable Department staff to adequately review and comment on the proposed project, we recommend the following information be included in the DEIR, as applicable:

1. A complete assessment of the flora and fauna within and adjacent to the project area should be conducted, with particular emphasis upon identifying special-status species including rare, threatened, and endangered species. This assessment should also address locally unique species and rare natural communities.
 - a. The DEIR should include survey methods, dates, and results; and should list all plant and animal species detected within the project study area. Emphasis should be directed toward describing the status of rare, threatened, and endangered species in all areas potentially

*Ms. Ellen Clark
Town of Mammoth Lakes
Trails System Master Plan Project
December 6, 2010
Page 2 of 7*

affected by the project. All necessary biological surveys should be conducted in advance of DEIR circulation, and should not be deferred.

- b. Rare, threatened, and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, § 15380).
- c. Species of Special Concern status applies to animals generally not listed under the federal Endangered Species Act or the California Endangered Species Act, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. At a minimum, Species of Special Concern are considered to be "rare" under CEQA.
- d. A thorough assessment of rare plants and rare natural communities, following the Department's November 2009 Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities (Attachment 1) should be included.
- e. A detailed vegetation map should be prepared, preferably overlaid on an aerial photograph. The map should be of sufficient resolution to depict the locations of the project site's major vegetation communities. The vegetation classification used to name the polygons should be described.
- f. A complete assessment of rare, threatened, and endangered invertebrate, fish, wildlife, reptile, and amphibian species should be developed. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.
- g. The Department's California Natural Diversity Data Base (CNDDDB) should be searched to obtain current information on previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code. In order to provide an adequate assessment of special-status species potentially occurring within the project vicinity, the search area for CNDDDB occurrences should include all U.S.G.S 7.5-minute topographic quadrangles with project activities, and all adjoining 7.5-minute topographic quadrangles. The DEIR should discuss how and when the CNDDDB search was conducted, including the names of each quadrangle queried.

*Ms. Ellen Clark
Town of Mammoth Lakes
Trails System Master Plan Project
December 6, 2010
Page 3 of 7*

2. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, should be included.
 - a. The DEIR should present clear thresholds of significance to be used by the Lead Agency in its determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect.
 - b. CEQA Guidelines, § 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that emphasis should be placed on resources that are rare or unique to the region.
 - c. Impacts associated with initial project implementation as well as long-term operation and maintenance of a project should be addressed in the DEIR.
 - d. In evaluating the significance of the environmental effect of a project, the Lead Agency should consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project. Expected impacts should be quantified (e.g., acres, linear feet, number of individuals taken, volume or rate of water extracted, etc...) to the extent feasible.
 - e. Project impacts should be analyzed relative to their effects on off-site habitats. Specifically, this may include public lands, open space, downstream aquatic habitats, or any other natural habitat that could be affected by the project.
 - f. Impacts to and maintenance of wildlife corridor/movement areas and other key seasonal use areas should be fully evaluated and provided.
 - g. A discussion of impacts associated with increased lighting, noise, human activity, changes in drainage patterns, changes in water volume, velocity, quantity, and quality, soil erosion, and/or sedimentation in streams and water courses on or near the project site, with mitigation measures proposed to alleviate such impacts should be included. Consideration applicable to linear project components include ground disturbance that may facilitate infestations by exotic and other invasive species over a great distance.

Ms. Ellen Clark
Town of Mammoth Lakes
Trails System Master Plan Project
December 6, 2010
Page 5 of 7

contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for long-term conservation of the mitigation site.

6. A California Endangered Species Act (CESA) Permit must be obtained, if a project has the potential to result in take of species of plants or animals listed under CESA, either during construction or over the life of the project. CESA Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to a project and mitigation measures may be required in order to obtain a CESA Permit. The Department's issuance of a CESA Permit for a project that is subject to CEQA will require CEQA compliance actions by the Department as a responsible agency. The Department as a responsible agency under CEQA may consider the local jurisdiction's (lead agency) Negative Declaration or Environmental Impact Report for the project. Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of a CESA Permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA Permit. Information requirements for a CESA application may be found at 14 CCR s 783.2. For these reasons, the following information is requested:
 - a. Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.
 - b. A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.
7. The Department has responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. We oppose any development or conversion which would result in a reduction of wetland acreage or wetland habitat values, unless, at a minimum, project mitigation assures there will be "no net loss" of either wetland habitat values or acreage. The DEIR should demonstrate that the project will not result in a net loss of wetland habitat values or acreage.
 - a. If the project site has the potential to support aquatic, riparian, or wetland habitat, a jurisdictional delineation of lakes, streams, and associated riparian habitats potentially affected by the project should be provided for agency and public review. This report should include a jurisdictional delineation that includes wetlands identification pursuant

Ms. Ellen Clark
Town of Mammoth Lakes
Trails System Master Plan Project
December 6, 2010
Page 6 of 7

to the U. S. Fish and Wildlife Service wetland definition¹ as adopted by the Department². Please note that some wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers.

- b. The jurisdictional delineation should also include mapping of ephemeral, intermittent, and perennial stream courses potentially impacted by the project. In addition to federally protected wetlands, the Department considers impacts to wetlands (as defined by the Department) potentially significant.
- c. The project may require a Lake or Streambed Alteration Agreement, pursuant to Section 1600 *et seq.* of the Fish and Game Code prior to commencement of any activity that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank (which may include associated riparian resources) of a river, stream or lake, or use material from a streambed. The Department's issuance of a Lake or Streambed Alteration Agreement for a project that is subject to CEQA will require CEQA compliance actions by the Department as a responsible agency. The Department as a responsible agency under CEQA may consider the local jurisdiction's (lead agency) Negative Declaration or Environmental Impact Report for the project. To minimize additional requirements by the Department pursuant to Section 1600 *et seq.* and/or under CEQA, the document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the agreement.

Beyond the information identified above, the Department has identified the following environmental issues that need to be explored in the DEIR:

The Project may affect trees used for nesting by a wide variety of birds. Section 3503 of the Fish and Game Code states that "it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation adopted pursuant thereto [usually requiring a license or permit]." Section 3503.5 of the Fish and Game Code further says that "it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provide by this code or any regulation adopted pursuant thereto [usually requiring a

¹ Cowardin, Lewis M., et al. 1979. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior, Fish and Wildlife Service.

² California Fish and Game Commission Policies: Wetlands Resources Policy; Wetland Definition, Mitigation Strategies, and Habitat Value Assessment Strategy; Amended 1994

Ms. Ellen Clark
Town of Mammoth Lakes
Trails System Master Plan Project
December 6, 2010
Page 7 of 7

license or permit].” The Project should acknowledge the potential for nesting birds on the site. An adequate analysis of potential impacts due to Project implementation as well as mitigation for potential impacts should be prepared. Following is an example of appropriate mitigation.

“Proposed project activities (including disturbances to native and non-native vegetation and man-made nesting substrates) should take place outside of the breeding bird season which generally runs from March 1- September 15 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young).”

If Project activities cannot feasibly avoid the breeding bird season, the Department recommends that beginning thirty days prior to the disturbance of suitable nesting habitat, the Project proponent should arrange for weekly bird surveys to detect protected birds in habitat that would be disturbed or removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors). The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey conducted no more than three days prior to the initiation of construction. If a protected bird is observed, the project proponent should delay all construction activities in suitable nesting habitat or within 300 feet of nesting habitat (within 500 feet for raptor nesting habitat) until Sept. 15 or continue the surveys in order to locate any nests. If an active nest is located, activity within 300 feet of the nest (within 500 feet for raptor nests) shall be postponed until the nest is vacated, juveniles have fledged and there is no evidence of a second nesting attempt. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing. Construction personnel should be instructed on the sensitivity of the area. The Project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

Thank you for this opportunity to provide input for the proposed Project DEIR. Questions regarding this letter and further coordination on these issues should be directed to Ms. Debra Hawk, Environmental Scientist, at (760) 872-1126.

Sincerely,



Brad Henderson
Acting Deputy Regional Manager

CC: CHRON File
State Clearinghouse



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board Lahontan Region



Arnold Schwarzenegger
Governor

Victorville Office

14440 Civic Drive, Suite 200, Victorville, California 92392
(760) 241-6583 • Fax (760) 241-7308
<http://www.waterboards.ca.gov/lahontan>

December 6, 2010

File: Environmental Doc Review
Mono County

Ellen Clark, Senior Planner
Town of Mammoth Lakes
Community Development Department
P.O. Box 1609
Mammoth Lakes, CA 93546
Email: eclark@ci.mammoth-lakes.ca.us

COMMENTS ON THE NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT, TOWN OF MAMMOTH LAKES TRAILS SYSTEM MASTER PLAN PROJECT, STATE CLEARINGHOUSE NO. 2010111013

California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received the Notice of Preparation (NOP) of a draft Environmental Impact Report (EIR) for the above-referenced project (Project) on November 4, 2010. The NOP, dated October 29, 2010, was prepared by the Town of Mammoth Lakes Community Development Department (Town) and included a draft Initial Study checklist. The Town of Mammoth Lakes Trails System Master Plan (TSMP) is a comprehensive trails and public access plan that will provide for new trails and paved multi-use pathways, include recommendations for improvements to existing public access and transportation facilities, and provide guidelines for direct implementation and management of the plan. The TSMP will supersede the 1991 Trails System Plan and be applicable to the area within the Town's Municipal Boundary. The resulting environmental document will be a Program EIR (PEIR) and will include focused project-level analyses for nine priority projects. Subsequent environmental reviews will be tiered off the PEIR as future project-specific development proposals are initiated.

Pursuant to CEQA guidelines, California Code of Regulations (CCR), title 14, section 15096, responsible agencies must specify the scope and content of the environmental information germane to their statutory responsibilities. Water Board staff, acting as a responsible agency, has reviewed the above-referenced document in context as to how well the proposed project protects water quality, and ultimately, the beneficial use of waters of the State. There are a number of potentially significant impacts to water quality and hydrology resources that must be adequately addressed in the environmental review. Without adequate mitigation, Project implementation could result in significant adverse impacts to water quality and may result in cumulative impacts that have the potential to permanently alter the hydrological and ecological function of the aquatic resources within the Project area, thereby adversely affecting beneficial uses. We trust that the Town will consider our comments and value our position with respect to protecting and maintaining water quality within the Lahontan region.

California Environmental Protection Agency



Recycled Paper

PROJECT OVERVIEW

The TSMP will serve to update the Town's 1991 Trails System Plan. The Sherwins Area Recreation Plan will be adopted and integrated as a component of the TSMP. A primary goal of the TSMP is to create an integrated year-round trail network within the Town's Municipal Boundary that provides a seamless transition between the urbanized area, the Mammoth Mountain ski area, and the adjacent National Forest lands. The TSMP contains proposals for a network of trails and public access links to serve that goal. Nine priority projects have already been targeted for near-term implementation and will be evaluated at the project-level in the PEIR. As future project-specific development proposals are initiated, subsequent focused project-level environmental review will occur. We are encouraged that the NOP recognizes the need that the PEIR must identify and address any direct, indirect, or cumulative effects on the ecological resources as a result of Project implementation.

AUTHORITY

State law assigns responsibility for protection of water quality in the Lahontan region to the Lahontan Water Board. The *Water Quality Control Plan for the Lahontan Region* (Basin Plan) contains policies that the Water Board uses with other laws and regulations to protect water quality within the region. All surface waters are considered waters of the State, which include, but are not limited to, drainages, streams, washes, ponds, pools, or wetlands, and may be permanent or intermittent. All waters of the State are protected under California law. Additional protection is provided for waters of the United States (U.S.) under the Federal Clean Water Act (CWA). Based on Water Board staff review of the NOP, project components may involve alteration, dredging, filling, and/or excavating activities in waters of the State. Such activities constitute a discharge of waste¹, as defined in California Water Code (CWC), section 13050, and could affect the quality of waters of the State.

The State Water Resources Control Board (State Water Board) and the Lahontan Water Board regulate discharges in order to protect the water quality and, ultimately, the beneficial uses of waters of the State. The Basin Plan provides guidance regarding water quality and how the Lahontan Water Board may regulate activities that have the potential to affect water quality within the region. The Basin Plan includes prohibitions, water quality standards, and policies for implementation of standards. The Basin Plan can be accessed via the Water Board's web site at

http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml.

The Project is located within the Owens Hydrologic Unit. Water Quality Objectives for certain water bodies within the Owens Hydrologic Unit are outlined in Chapter 3 of the Basin Plan. Specifically, water quality objectives are listed for total dissolved solids,

¹"Waste" is defined in the Basin Plan to include any waste or deleterious material including, but not limited to, waste earthen materials (such as soil, silt, sand, clay, rock, or other organic or mineral material) and any other waste as defined in the California Water Code, section 13050(d).



chloride, nitrate, total nitrogen, and phosphate. Water Board staff request that the PEIR reference the Basin Plan in the hydrology and water quality analyses and require that the Project proponent comply with all applicable water quality standards and prohibitions, including provisions of the Basin Plan.

POTENTIAL IMPACTS TO WATERS OF THE STATE

Watersheds are complex natural systems in which physical, chemical, and biological components interact to create the beneficial uses of water. Poorly planned development and redevelopment upsets these natural interactions and degrades water quality through a network of interrelated effects. The primary impacts of poorly planned development and redevelopment projects on water quality are:

- Direct, indirect, and cumulative impacts – plans must include a comprehensive analysis of the direct, indirect, and cumulative physical impacts of filling and excavation of wetlands, riparian areas, and other waters of the State, performed from the site to the watershed level;
- Pollutants – the generation of pollutants during and after construction;
- Hydrologic modification – the alteration of flow regimes and groundwater; and
- Watershed-level effects – the disruption of watershed-level aquatic function, including pollutant removal, floodwater retention, and habitat connectivity.

These impacts have the potential to degrade water quality and impair a number of beneficial uses by reducing the available riparian habitat and eliminating the natural buffer system to filter runoff and enhance water quality. These impacts typically result in hydrologic changes by decreasing water storage capacity and increasing water flow velocity, which in turn leads to increases in the severity of peak discharges. These hydrologic changes tend to exacerbate flooding, erosion, scouring, sedimentation and may ultimately lead to near-total loss of natural functions and values, resulting in the increased need for engineered solutions to re-establish the disrupted flow patterns. Many examples of such degradation exist in California and elsewhere. The Water Boards are mandated to prevent such degradation.

The PEIR for TSMP should attempt to characterize all project-specific, cumulative, direct, and indirect impacts of Project components on the quality of waters of the State, and identify alternatives and specific mitigation measures that, when implemented, reduce and/or eliminate such impacts. The analysis should be tiered and evaluate the Projects potential impacts at the: 1) individual project level; 2) the regional or sub-watershed area; and 3) at the watershed level. The analysis should include the following components.

Identification of Affected Waters and Beneficial Uses

The surface waters located within the Project area include Mammoth Creek and Sherwin Creek, numerous lakes, wetlands, springs and seeps, and other surface waters, which are identified in the Basin Plan as lakes, perennial and intermittent streams, springs, wetlands, minor surface waters, and minor wetlands. Beneficial uses associated with these

waterbodies include municipal and domestic supply (MUN), agricultural supply (AGR), groundwater recharge (GWR), freshwater replenishment (FRESH), navigation (NAV), rare threatened and endangered species (RARE), water contact recreation (REC-1), non-contact water recreation (REC-2), commercial and sportfishing (COMM), warm freshwater habitat (WARM), cold fresh water habitat (COLD), wildlife habitat (WILD), water quality enhancement (WQE), and flood peak attenuation/flood water storage (FLD). Truncation, realignment, channelization, lining, and/or infilling of these surface waters will result in changes in hydrologic function and may adversely affect these beneficial uses, particularly GWR, RARE, WQE, FLD, and WILD.

The PEIR should provide a regional-scale map identifying all surface water resources potentially affected by the Project, and include a narrative discussion of the delineation methods used to discern those surface water features in the field. These resources should be tabulated and organized by waterbody type in the appropriate sections of the environmental document. The PEIR should list the beneficial uses of the identified surface water resources and evaluate the Project's potential impacts to water quality with respect to those beneficial uses. The PEIR must include alternatives to avoid those impacts or specific mitigation measures that, when implemented, minimize unavoidable impacts to a less than significant level.

Avoidance and Minimization

There are many ways a proposed project can degrade water quality, and avoiding or minimizing potential water quality degradation pathways will eliminate or reduce subsequent effects. Water Board staff strongly encourage avoidance as the primary strategy to address water quality concerns. The PEIR must evaluate specific measures to avoid or minimize each potential impact to water quality, and include a discussion of why any remaining impacts cannot be avoided or further minimized. All unavoidable impacts to waters of the State must be mitigated to ensure that no net loss of function and value will occur as a result of Project implementation.

Characterization of Impacts

As noted above, avoidance is the best strategy to managing potential water quality impacts. For all unavoidable impacts, the PEIR must describe the cause(s), nature, and magnitude of all proposed impacts, and identify whether those impacts are either permanent or temporary. For waterbodies expected to be directly affected, impacts must be quantified in acres and in linear feet for drainages or shoreline features, as well as the sum of the total affected acres and linear feet reported by waterbody type.

Hydrologic Analyses

A number of activities described in the NOP have the potential to hydrologically modify natural drainage systems. If impacts are unavoidable, then Water Board staff request that the impacts be minimized to the extent practical and that the Project be designed such that it would maintain existing hydrologic features and patterns to the extent feasible. Be advised that projects must be designed such that post-construction hydrologic conditions match pre-construction conditions to avoid erosion due to constrictions restricting the

passage of peak flows or the retention of flows that may adversely affect downstream reaches. To ensure that in-channel modifications are designed appropriately, we require that a professional engineer, registered in the State of California, perform analyses of different storm event flows up to the 100-year storm event and evaluate the project's potential impacts to the existing hydrologic systems. The results of these types of analyses must be considered in the design of a project to verify that the proposed in-channel modifications will not result in hydrologic changes that exacerbate flooding, erosion, scouring, sedimentation, and/or loss of either upstream or downstream flows.

Low Impact Development

Because development projects can individually and cumulatively cause major water quality impacts, Water Board staff encourage a low-impact planning approach. Low impact design (LID) provides opportunities to avoid and minimize impacts starting at the source at initial stages of planning and project design. The PEIR should include a low-impact approach and incorporate LID strategies wherever feasible.

Stormwater Management

Post-construction stormwater management must be considered a significant component in the environmental review process. Of particular concern is the collection of stormwater runoff into channels and the discharge of that stormwater to natural drainage systems. Without adequate design, the consequences of combining these flows will likely be aggradation and headcutting upstream of the confluence and channel incision, increased sediment transport, and eventual widening downstream of the confluence. The environmental document must evaluate all potential stormwater impacts, particularly potential post-construction hydrologic impacts, and describe specific best management practices that, when implemented, will reduce those potential impacts to a less than significant level. Where feasible, we request that design alternatives be considered that redirect these flows from surface waters to areas where they will dissipate by percolation into the landscape.

PERMITTING

A number of activities described in the NOP may require permits issued by either the State Water Board or Lahontan Water Board because they have the potential to impact waters of the State. The required permits may include:

- Land disturbance of 1 acre or more may require a CWA, section 402(p) stormwater permit, including a National Pollutant Discharge Elimination System (NPDES) General Construction Stormwater Permit obtained from the State Water Board, or an individual stormwater permit obtained from the Lahontan Water Board;
- Discharge of low threat wastes to a surface water, including diverted stream flows, construction and/or dredge spoils dewatering, and well construction and hydrostatic testing discharge, may require an NPDES permit for Limited Threat Discharges to Surface Waters issued by the Lahontan Water Board;

- Discharge of low threat wastes to land, including clear water discharges, small dewatering projects, and inert wastes, may require General Waste Discharge Requirements (WDRs) for Discharges to Land with a Low Threat to Water Quality issued by the Lahontan Water Board; and
- Streambed alteration and/or discharge of fill material to a surface water may require a CWA, section 401 water quality certification (WQC) for impacts to federal waters (waters of the U.S.), or dredge and fill WDRs for impacts to non-federal waters, both issued by the Lahontan Water Board.

Some waters of the State are "isolated" from waters of the U.S.; determinations of the jurisdictional extent of the waters of the U.S. are made by the United States Army Corps of Engineers. Projects that have the potential to impact surface waters will require the appropriate jurisdictional determinations. These determinations are necessary to discern if the proposed surface water impacts will be regulated under section 401 of the CWA or through dredge and fill WDRs issued by the Water Board.

We request that the PEIR list the permits that may be required, as outlined above, and identify the specific activities that may trigger these permitting actions in the appropriate sections of the environmental document. Information regarding these permits, including application forms, can be downloaded from our web site at <http://www.waterboards.ca.gov/lahontan/>.

Thank you for the opportunity to comment on the NOP for the TSMP. Early consultation with Water Board staff is encouraged as Project modifications may be required to avoid and minimize impacts to waters of the State. If you have any questions regarding this letter, please contact me at (760) 241-7376 (jzimmerman@waterboards.ca.gov) or Patrice Copeland, Senior Engineering Geologist, at (760) 241-7404 (pcopeland@waterboards.ca.gov).

Sincerely,



Jan M. Zimmerman, PG
Engineering Geologist

cc: State Clearinghouse (SCH No. 2010111013)
Bruce Henderson, U.S. Army Corps of Engineers
Jorine Campopiano, Wetlands Regulatory Office, USEPA, Region 9
Bill Orme, State Water Resources Control Board

JZrcU:CEQA Review\MammothTrails_NOP.doc



Mammoth Community Water District
Post Office Box 597
1315 Meridian Blvd.
Mammoth Lakes, CA 93546
(760) 934-2596

December 6, 2010

Via E-mail

Town of Mammoth Lakes
Community Development Department
Ellen Clark, Senior Planner
P.O. Box 1609
Mammoth Lakes, CA 93546

Subject: Comments on the Scope of the CEQA Document for the Trails System Master Plan Project

Dear Ms Clark,

The Mammoth Community Water District (District) would like to take this opportunity to comment on the scope of the environmental document for the Trails System Master Plan Project. The District operates and maintains the water and wastewater infrastructure serving the community of Mammoth Lakes. For many years, District personnel have been accessing one of its groundwater production wells and several monitoring wells in the Mammoth Meadows from the southern end of Tamarack Street. The District would like consideration of restricted access for utility service vehicles to the Districts wells through the developed trail system in the plans. Well operations and maintenance should be considered a vital public service for the community. Lack of access to needed community facilities could create a need for the District to develop a new road through undeveloped, vegetated land rather than utilize planned multi-use trails.

Thank you for your consideration of our comment regarding the scope of the Trails System Master Plan CEQA document. District staff is available to discuss our comment, please call our office if you have any questions or wish to set up a meeting.

Sincerely,

A handwritten signature in cursive script, appearing to read "Irene Yamashita".

Irene Yamashita
Environmental Specialist and Public Affairs