

RESOLUTION NO. 2021-92

**RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, MAKING
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS, AND
ADOPTING THE ADDENDUM TO THE CLEARWATER SPECIFIC PLAN
ENVIRONMENTAL IMPACT REPORT**

WHEREAS, the property owner, WH SN Mammoth, L.L.C, has requested approval of the Amended Phase One of the Clearwater Specific Plan (“Project”) and adoption of the Addendum to the Clearwater Specific Plan Environmental Impact Report (EIR), which was prepared to analyze the changes to the approved project; and

WHEREAS, the Addendum to the Clearwater Specific Plan EIR (State Clearinghouse No. 2006062154) was prepared pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq, and State Guidelines for the Implementation of CEQA, California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq. (the “State CEQA Guidelines”); and

WHEREAS, the Planning and Economic Development Commission conducted a duly noticed public hearing on the application request on October 27, 2021, at which times all those desiring to be heard were heard; and

WHEREAS, following the receipt of all oral and written testimony, the Planning and Economic Development Commission closed the public hearing on October 27, 2021 and adopted Resolution No. PEDC 2021-09 recommending adoption of the Addendum to the Clearwater Specific Plan Environmental Impact Report (EIR) and approval of the Amended Phase One of the Clearwater Specific Plan to the Town Council, with modifications; and

WHEREAS, the Planning and Economic Development Commission considered, without limitation, the staff report to the Planning and Economic Development Commission with all attachments and exhibits, the 2007 General Plan, the Clearwater Specific Plan, oral and written evidence submitted at the hearing, the Addendum to the Clearwater Specific Plan EIR along with the Clearwater Specific Plan EIR, and all other items listed in Planning and Economic Development Commission Resolution 2021-09; and

WHEREAS, the Town Council conducted a noticed public hearing on the application request on November 17, 2021, at which time all those desiring to be heard were heard; and

WHEREAS, following the receipt of all oral and written testimony, the Town Council closed the public hearing on the application on November, 17, 2021; and

WHEREAS, the Town Council considered, without limitation, the staff report dated November 17, 2021 with all attachments and exhibits to the Town Council, including the Addendum to the Clearwater Specific Plan EIR attached hereto as Exhibit “A”, and all oral and written testimony;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Mammoth Lakes, California, as follows:

1. That the Town Council finds the above recitations are true and correct.
2. The Town Council incorporates by reference all exhibits and attachments cited in this Resolution.
3. Pursuant to the requirements of the California Environmental Quality Act (CEQA), the Town Council has reviewed and hereby adopts the findings contained in Exhibit "B" attached hereto.
4. The documents and other materials that constitute the record of proceedings upon which the Town Council's decision is based are located in the Town Offices of the Town of Mammoth Lakes, at 437 Old Mammoth Road, Suite R, Mammoth Lakes, California 93546 and Jamie Gray, Town Clerk, is hereby designated as the custodian of these records.

APPROVED AND ADOPTED THIS 17th day of November, 2021

BILL SAUSER, Mayor

ATTEST:

JAMIE GRAY, Town Clerk

EXHIBIT "A"
Resolution No. 2021-92

**ADDENDUM TO THE CLEARWATER SPECIFIC PLAN
ENVIRONMENTAL IMPACT REPORT**

(STATES CLEARINGHOUSE NO. 2006062154)

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EXHIBIT “B”
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FINDINGS

CALIFORNIA ENVIRONMENTAL QUALITY ACT

(EIR Addendum – California Environmental Quality Act Guidelines Section 15164)

- a. The Town Council considered the Addendum to the Clearwater Specific Plan Environmental Impact Report (EIR) (State Clearinghouse No. 2006062154) together with the Clearwater Specific Plan EIR, any comments received, pursuant to the CEQA Guidelines, and finds that on the basis of the whole record, there is no substantial evidence that the proposed district zoning amendment will result in any new significant effects or a substantial increase in the severity of previously identified significant effects.
- b. The Town Council finds that the Addendum to the Clearwater Specific Plan EIR has been completed in compliance with CEQA and reflects the lead agency’s independent judgment and analysis.
- c. An addendum is adequate because the Addendum demonstrates that the environmental analysis and impacts identified in the Clearwater Specific Plan EIR remain substantively unchanged by the proposed district zoning amendment and supports the finding that the proposed district zoning amendment does not result in any new environmental effects and does not exceed the level of impacts identified in the EIR.
- d. The custodian and location of the documents and other material which constitute the record of proceedings upon which this decision is based is the Town Clerk at the Town of Mammoth Lakes Offices, 437 Old Mammoth Road, Suite 230, Mammoth Lakes, California 93546.
- e. The Town Council finds that the proposed district zoning amendment will not result in a safety hazard or noise problem for persons using the Mammoth Yosemite Airport or for persons residing or working in the Project area because the Project site is located approximately seven miles from the Mammoth Yosemite Airport.
- f. A program for reporting on or monitoring the required mitigation measures has been adopted and mitigation measures have been slightly modified for clarification for the purpose of the Addendum.
- g. All mitigation measures shall be conditions of Project approval.