



July 1, 2009

Town of Mammoth Lakes Planning Commission
P.O. Box 1609
Mammoth Lakes, CA 93546

Subject: Snowcreek VIII Master Plan

Dear Town Council Members -

Thank you for the opportunity to comment on the proposed Snowcreek Master Plan and Environmental Impact Report. The project concept and design has come a long way over the last couple of years and we appreciate the applicant's responsiveness to community issues as well as the hard work performed by Town staff and the Planning Commission.

As stated in our comments to the Planning Commission on the Master Plan, MLTPA has three principle objectives for the Snowcreek Master Plan:

1. Formalization and continuation of public lands access
2. Preparation of a detailed project trails plan to assure successful integration of all modes of recreation use and access
3. Appropriate phasing and construction to assure that each phase of the project is connected to the Town trails system and public lands at the time of its occupancy.

The rationale for these objectives are as follows:

- To be a truly feet-first community, the town must look at connections to and from all destinations. The public lands to the south of the project area are an important recreation destination that are used by current Snowcreek owners and guests, the general public, and will be used by future owners and guests. The original Snowcreek VIII project concept cut off all access to the south. As modified, access is now being provided and our comments are refinements to assure maximum utility for the project, other Snowcreek phases, and the general public.
- A project trails plan for Snowcreek VIII developed early in the process is necessary to assure that the non-motorized circulation is fully integrated into the project design and that potential conflicts of uses are avoided. This will prevent the design conflicts and lack of pedestrian connectivity that occurred on the Lodestar/Sierra Star project. We suggest that the overall concept be further refined and easements or offers of dedication

be secured in conjunction with the first tentative map or use permit with construction specifics determined at the time of construction of each phase.

- As described in the Master Plan, individual trail segments would be constructed along with the phase that contains them. This could lead to development phases being denied safe non-motorized access to the Town trail system or National Forest land until the phases between them and the destinations are constructed. Appropriate phasing and construction will be necessary to ensure that these types of situations do not develop.

MLTPA Comments on the Snowcreek VIII Master Plan

Most of our prior comments as provided to the Planning Commission were addressed in the staff report and through Planning Commission action. After reviewing the final language from the Planning Commission action, however, we have identified some specific wording changes that we believe will help clarify the timing and intent of the Planning Commission's proposed actions. These changes should minimize ambiguity and simplify future decision-making.

We strongly support adoption of the Planning Commission conditions with the following amendments and additions:

NB: MLTPA suggested additions to the Planning Commission text are underlined, suggested deletions are struck through.

- 1) Planning Commission conditions 36 and 63.b.x. cover the same issue. We suggest combining and rewording the conditions and replacing the last paragraph on page II-11 and the second paragraph under Section 5.6 with the following text:

“When the USFS planning effort for land south and east of the project site (i.e. Sherwin area) is complete and if it is approved or other equivalent authorization is obtained, the project shall provide public access points and public connections from the project site to USFS lands, as generally shown on Figure 5.6 of the Snowcreek Master Plan Update (the Sherwin Range Egress point, identified by an asterisk, shall be moved to the west), subject to the review and approval of the USFS and the Town and consistent with the trails plans for the Snowcreek Master Plan and the USFS Sherwin area planning. Development that occurs on the project site prior to completion and approval of this USFS planning effort or other equivalent authorization shall be designed in consideration of future public access points and connections to USFS lands. In no event shall the project preclude the perpetual rights of public access through the project site to USFS lands

(General Plan Goal P.3, Policies P.3.A, P.3.B, P.3.C, and Parks and Recreation Element Policy 2C-5). “

2) MLTPA suggests inserting the following conditions on page 9-2 (or other location recommended by staff) of the Master Plan under a new heading, possibly, “Timing and Standards for Trails and Easements.”

a. Planning Commission Condition 35 should be revised and inserted in this new section. It should read:

“In conjunction with the use permit for the golf course, the applicant shall submit a trails system plan for the golf course, including year round public access to National Forest lands and winter trails. This plan shall be coordinated with the current trails planning effort of the Inyo National Forest for the Sherwin area and shall include the extension of the Sherwin Trail to the National Forest boundary.”

b. A new condition - that reads as follows - should be inserted in this new section:

“In conjunction with the first use permit or tentative map the applicant shall submit a conceptual year round trails system plan, including multi-use paths and consistent with Master Plan figures 5.5 and 5.6. This plan shall identify routes, trail types, and a phasing plan for the trails system and shall be used to identify the locations and widths of easements or offers of dedication for the trails. Subsequent more detailed trails designs shall be submitted for Town review and approval with each development phase. Design shall be consistent with Town standards in effect at the time of construction, but not less than AASHTO standards. Design must be approved by the Public Works Director. Phasing shall be included to assure that every development phase has efficient useable non-motorized access to the Town of Mammoth Lakes Trail system to the north and east and to the National Forest lands to the south. Easements or offers of dedication for each publicly accessible trail segment shall be provided on the final map(s).”

c. Condition 37. MLTPA suggests a few minor text changes to be consistent with existing National Forest access.

“An irrevocable offer of dedication or easement to the Town at the Applicant’s election shall be provided for the portion of the Sherwin Trail (The Sherwin Trail Multi-Use Path) within this project limits. This dedication or easement shall connect Old Mammoth Road at Minaret and at the project’s main entry near Sherwin Creek Road to the project’s southern boundary with USFS land (this dedication or

easement would not authorize improved access to USFS lands; USFS approval is required for improvements ~~this authorization~~). The width of the easement shall be sufficient for paved path, shoulders, and slopes. The irrevocable offer of dedication or easement shall be in a standard form acceptable to the Town and will provide for realignment and relocation as the development progresses, consistent with the USFS planning for the Sherwin area. The irrevocable offer of dedication or easement to the Town shall take place concurrently with the Planning Commission's approval of the first tentative or parcel map."

(As noted elsewhere in our comments, the National Forest Lands are not closed to public entry. National Forest actions would be required to create improvements on National Forest Lands or to close the public lands to public entry. This condition further highlights the need for a project trails plan and for coordination with the Sherwins area planning. While a fully developed "portal" with improved trails on the federal land might require Inyo NF approval, continuing the current "open" status would not.)

- d. Condition 38 should be reworded to as follows:

"Winter public access shall be provided to allow access to and from the Sherwin Range (USFS land) across the project site to a designated point the public easement at Ranch with access to Old Mammoth Road. Such access may be realigned at the Applicant's election, consistent with the USFS planning for the Sherwin area, when transit service to an alternate point is provided so that access is provided to both the Ranch Road public pedestrian easement and to transit service within Snowcreek VIII. This right of access shall be in a form that is recorded, runs with the land, and can only be modified or revoked with the concurrence of the Town of Mammoth Lakes."

- e. Condition 39. We suggest an edit for clarity.

"Public access shall be allowed on all multi-use paths, pedestrian paths, and all other publicly accessible areas of the project, including but not limited to the mini-park"

- f. All of condition 40 should be added to the Master Plan. In addition, Condition 40.b. be should be re-worded to:

"The sidewalk and bike lane or trail connecting the existing sidewalk and bike lane on the south side of Old Mammoth Road to the proposed multi-use path adjacent to the Resort Entry road (85

foot right of way) shall be constructed in conjunction with the construction of the Resort Entry road, unless other phasing is approved by the Public Works Director. This sidewalk shall be a minimum of six feet wide and five feet clear. The section of Old Mammoth Road from the resort entry to the north side of Mammoth Creek Park shall be evaluated for vehicular and non-vehicular circulation and access. Improvements shall provide A-safe, convenient, pedestrian and bicycle connections to Mammoth Creek Park (east and west) and the Old Mammoth Road commercial district. crossing shall be constructed from the Resort Entry road (south side of Old Mammoth Road) to the north side of Old Mammoth Road. The multi-use path will connect Old Mammoth Road to the public mini-park/market area before looping back to Old Mammoth Road at the Old Mammoth Road/Minaret Road intersection. The new intersection on Old Mammoth Road shall have street lighting in accordance with Town Standards.

- 3) Condition 63.b.iii appears to be intended to replace Planning Commission Staff report conditions 75.b.ii, iv, v, and any other reference to connections to National Forest land. If this is the intent, we support this condition noting our suggested changes above. Perhaps it should be reworded to read:

“Global change, please revise public access language related to trails or other access routes connecting to National Forest land or Town trails to be consistent with the language contained in these conditions of approval.”

- 4) Condition 63.b.viii. We suggest that the same bicycle storage and parking requirement be added to all land use categories in Tables 5-3 and 5-4.
- 5) Add a Condition 63.b.xxvii that adds under Public Transportation System #1 (page 7-8) the sentence “All bus stops shall be designed to accommodate buses with bicycle trailers.”
- 6) Finally, once the Master Plan is adopted, it should be edited and re-published to incorporate all of the conditions of approval for ease of future use.

MLTPA Comments on the Final draft of the Snowcreek VIII EIR

MLTPA’s suggested rewording to the FEIR was not recommended by the Planning Commission based on the consultant’s representation that it would not affect any findings of significance. While we agree with the consultant with regard to significance, we suggest that there should be consistency between the EIR language and the Master Plan language as amended by the Planning

Commission and above. Therefore, we request that the Council formally acknowledge the proposed change in its adoption language by adopting the recommended changes as errata.

The suggested change is on Page II-10, first paragraph. This paragraph describes “portals” for access to National Forest Land. While we understand that a formal staging area or portal may require further analysis, we disagree that public and project access to the National Forest should be closed. Currently, there are no closures along the any of the boundaries of the town and the National Forest lands around town are open for public recreational use. No federal or local policy document has proposed a closure. Closing the boundary would require additional environmental analysis and is not consistent with the Town of Mammoth Lakes GP. The use of the word “portal” has implications under the TSMP. All trail system nomenclature should be consistent with the definitions in the TSMP and we have edited for clarity. We recommend the following revised wording for this paragraph:

“In addition, the Project would provide the opportunity in the future for improved publicly accessible year-round access to the Inyo National Forest, pursuant to completion of planning for the Sherwin Area. A planning effort for the Sherwin are has been initiated by the USFS, is underway, and will consider portals or other developed access points between the Project Site and adjacent public land. Under the Revised Project Features, no improved access shall be constructed until the completion of the planning process and environmental compliance for the Sherwin Area. Any developed access points shall be of a type and at a location or locations identified through the Sherwin Area planning process and a detailed trails plan for the Snowcreek project. The Project Applicant anticipates that a minimum of two access points would be located on the Project site. One access point, for winter egress for skiers and snowboarders from the Sherwin Range would be on a designated path or paths at the southern edge of the Golf Course on the Project Site. Another access point, also on the Project site would be publicly accessible year-round, providing access to the south. The access points would remain accessible to project users and the public.”

Thank you for considering our comments.

Sincerely,



John Wentworth
Mammoth Lakes Trails and Public Access Foundation