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AUG 12 2019

STATE CLEARINGHOUSE

August 12, 2019

Mr. Michael Draper
Mono County Planning Division
P.O. Box 347
Mammoth Lakes, CA 93546-0347

File: Mno-120-11.8
DSEIR
SCH #: 1992012113

Tioga Inn Workforce Housing - Draft Subsequent Environmental Impact Report (DSEIR)

Dear Mr. Draper:

Thank you for giving the California Department of Transportation (Caltrans) District 9 the opportunity to review the DSEIR for the Tioga Inn project. We appreciate the information sharing during our Mono/Caltrans teleconference on June 27, 2019. We offer the following:

- As we discussed, even if labelled as "recommended" it would be clearer if items, which are not strictly CEQA triggered mitigation, not be included in Mitigation lists/sections. Such items might appropriately be discussed in document narrative or noted in section 2.3 as issues to be resolved, as they could become project features, Conditions of Approval (COA), or actions for assorted entities to consider independent of this proposal. Project proponents are responsible to mitigate project impacts, although they may need to work with Caltrans or other entities to fulfill obligations. It should not be implied that another entity is the responsible party. Please ensure changes are reflected in all related document sections. These items include:
 - Mitigation BIO 5.3 (d-5) Grant application for deer passage way
 - Recommendation (to Applicant TFFC/SVCS 5.9(a-1) shuttle passes
 - Caltrans Mitigation TFFC 5.9 (a-2) Vista Point Apron
 - Caltrans Mitigation TFFC 5.9 (a-3) Apron Parking
 - YARTS/Caltrans Mitigation TFFC 5.9 (a-4) (Relocation of YARTS Stop)
- Page 3-4, Site Context Map and elsewhere – The Owner's previous encroachments into the SR 120 right-of-way (R/W) easement has been addressed by the owner purchasing it and Caltrans recording a Director's Deed. It was not relinquished by Caltrans. Please correct the terminology on the Site Context Map and elsewhere.
- Page 3-8, Roads, Circulation and Access – It states, "Caltrans will continue to own the remaining SR 120 right of way, which includes an apron (east and west of the

entry) that is used heavily by motorists as a Mono Lake vista point, and also used as an overflow parking area by Tioga Mart patrons and YARTS customers." This additional use of the R/W can block intersection sight distance. Caltrans is currently considering solutions to remedy this issue.

- Pages 4-17, 5.3-22 – Update maps with the current SR 120 R/W line.
- Page 5.3-23, 24 and elsewhere – Please revise the following related to "Mitigation BIO 5.3 (d-5) (Deer Passage; Cumulative Impact Mitigation Measure)":
 - Remove "Caltrans has installed deer crossings at other streams along the migratory portion of US 395, with significant benefits." Caltrans, as part of the Eastern Sierra Wildlife Stewardship Team, is in the process of initiating a wildlife connectivity project; there is currently no deer under-crossing in Mono County.
 - Remove "Caltrans installation of a deer passage along the US 395 culvert at Lee Vining Creek would significantly reduce the frequency of unsafe deer crossings in the project area, and associated collision hazards to deer and to motorists." There is currently no nexus for a deer passage at the US 395, Lee Vining Creek culvert. Any mitigation for deer migration impacts because of the development would be the responsibility of the applicant. For further information on wildlife-vehicle collisions in Mono County, see the "2016 Wildlife Vehicle Collision Reduction Feasibility Study Report" at:

http://www.dot.ca.gov/d9/planning/docs/2016_deer_feasibility_study.pdf
 - The document states that the "applicant intends to collaborate with Mono County Community Development Department to submit a Sustainable Communities grant application under the Rural Innovation Project Area (RIPA)." This grant is administered by the California Department of Housing and Community Development and should not be confused with the Caltrans Sustainable Communities Grant Program. Please clarify all instances mentioning this "Sustainable Communities Grant" to read the "Affordable Housing and Sustainable Communities Program (AHSC)." (Perhaps also clarify how submission of grant application would be a viable mitigation measure.)
- Page 5.9-7, ESTA Short-Range Transit Plan – It states, "The 2009 plan is currently being updated by ESTA." is incorrect. The ESTA 2009 Short Range Transit Plan was updated in 2015 (on ESTA's website). It is due to be updated again in 2020.
- Page 5.9-8, first bullet, second paragraph – Please clarify the on-site Yosemite Area Regional Transit System (YARTS) stop, per the grant comment above. Caltrans is

supportive of relocating the YARTS stop onto project property, as an actual project feature. This would eliminate any awkward bus maneuvers on SR 120 and benefit traveler safety. The DSEIR contains no indication of interaction with YARTS regarding this topic. Primarily the project proponent and YARTS would need to work toward this end with County and Caltrans involvement.

- Page 5.9-12, and elsewhere – It appears that the only CEQA triggered traffic mitigation is for the SR 120/US 395 intersection, labeled as "Caltrans Mitigation" 5.9 d-1 or d-2 for intersection signalization and a roundabout. This is triggered by the project and is the proponent's responsibility, not Caltrans as implied by the label. Please update the Traffic Analysis to calculate a fair share percent based on trip generation for the project's monetary contribution to mitigate an intersection improvement. The County (or Caltrans) could hold these funds for a future intersection project. The roundabout option is estimated at \$2.2 million in the May 2019 Project Initiation Report for US 395 in the Lee Vining area. (Even if warrants were met - road geometry, speed, and terrain grade would be challenges to provide a traffic signal at this location.)
- Page 5.9-12, Significance After Mitigation – The wording implies that the project impacts would be "unsafe" conditions or that perhaps existing transportation facilities are "unsafe." This might be somewhat subjective since collision data did not conclude such. Please reassess, and revise wording accordingly throughout.

The Traffic Analysis did not address pedestrians. "Anticipated increase in foot traffic" has not been quantified, but, has been concluded as a "significant and potentially unavoidable adverse project impact." Please update the Traffic Analysis to determine the percent of project generated pedestrian trips. Then mitigation in the form of a fair share fee could be applied toward pedestrian facilities to alter this conclusion. Revise here and elsewhere throughout.

- Traffic Analyses Appendix L, page 7-2 - It states "... this left-turn storage can be extended to provide additional storage capacity beyond the existing capacity by restriping within the existing right-of-way." Extending storage would likely require pavement widening, not just restriping.
- Page 5.12-1 ff, Aesthetics, Light & Glare, Scenic Resources – In general, the project's scenic impacts might be overestimated considering the project's scale within the rather vast view shed. The project is at the fringe of the Lee Vining community (an area omitted from Scenic Highway designation) and is subject to County requirements (including Scenic Combining District Regulations). The County and consultant might want to revisit this section.

- Page 5.12-13, Caltrans Scenic Highway Program – While not affecting project analysis, you may wish to clarify there is more to the designation process than just Caltrans action. Consider replacing: "Caltrans designates State Scenic Highways throughout California." with:

For Caltrans to designate a highway as scenic, a city or county must first nominate an eligible scenic highway (per list in Senate Bill 1467, Section 263 of the Streets and Highways Code) for official designation, and adopt ordinances, zoning and/or planning policies to preserve the scenic quality of the corridor or document such regulations that already exist in various portions of local codes. These ordinances and/or policies make up the Corridor Protection Program.

- Page 5.12-15 ff, Caltrans Scenic Highway Visual Impact System – It states, "Caltrans uses the Visual Impact Assessment (VIA) system to assess potential impacts..." This could be casually interpreted that Caltrans actually did this assessment. Consider rewording such as:

This environmental analysis is based upon Caltrans' Visual Impact Assessment (VIA) system to assess ...

- This segment of SR 120 is an access-controlled highway. Access rights were purchased by Caltrans with access openings (location/width) specifically defined. The project's defined driveway width is 30-ft. The project proposes to continue using the existing SR 120 driveway, but the paved driveway itself currently exceeds this 30-ft by approximately 6-ft (noted in our previous 2016 letter). The YARTS walkway, which is approximately 6-ft, also contributes to the width, making the current access opening width approximately 42-ft. The owner will need to work with Caltrans R/W to remedy this issue (which could not have been addressed with the R/W purchase/Director's Deed). Hence, please define a COA for the project to address access right widths with Caltrans. Interaction with YARTS would also be necessary, unless the YARTS stop is moved on-site.
- During our teleconference we discussed the possible need for another SR 120 access for site evacuation – perhaps utilizing an existing access (postmile 11.524, 30-ft defined access opening) through Southern CA Edison (SCE) land. The County will research further to verify. If merited, Caltrans would determine access requirements (i.e. apron paving, sight distance, etc.). The project proponent would be responsible to procure SCE permission and provide improvements, under the Caltrans encroachment permit process for the apron area within SR 120 R/W. (We find no record of an encroachment permit for this access.) This is potentially another COA.

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- Please define a COA for the project to replace the access control fence for the current R/W location. Consultation with Caltrans will be necessary.
- Please ensure that the final environmental document is updated so it addresses all project conditions and work within State right-of-way. For encroachment permit issuance, Caltrans needs to file a separate Notice of Determination, and reference the final document.

We value our positive working relationship with Mono County regarding development project impacts to the State Transportation System. Feel free to contact me at (760) 872-0785 or gayle.rosander@dot.ca.gov for any questions or if a meeting is merited.

Sincerely,



GAYLE J. ROSANDER
External Project Liaison

c: State Clearinghouse
Cynthia Kelly, YARTS
Phil Moores, ESTA
Mark Reistetter, Caltrans District 9