# CHAPTER 9
Visual Resources

# CHAPTER 9
# VISUAL RESOURCES

This chapter addresses the potential impacts of the project with respect to visual quality, scenic resources, scenic views, and relevant visual resource policies of adopted plans. Visual quality refers to the overall appearance of an area as influenced by the singular or combined contribution of different scenic resources or features. Scenic resources often consist of natural or man-made attributes or several small features that, when viewed together, create a whole that is visually interesting or appealing. Adverse effects on visual quality can include the removal of, or change in, scenic resources or the introduction of contrasting features that could contribute to a decline in overall visual quality.

A scenic view resource is a valued vista or panoramic setting that can be seen along a travel corridor or from a particular vantage point. Generally, public views, protected scenic views, and scenic views from public gathering areas or along roadway and trail corridors have heightened importance. The focus of the view analysis is the potential for the project to obstruct or degrade scenic or panoramic views.

Regulations and plan policies pertaining to visual resources are also taken into consideration in the visual resources analysis. Applicable federal or state legislation and statutes, general plan policies, and other regulations recognize the importance of the preservation or enhancement of the natural environment for residents and visitors to a region. This analysis evaluates the effects of the project and its consistency with regulations and adopted plans and policies related to visual resources. Inconsistency with such plans may be an indication of a potentially significant visual resources impact.

## 9.1 ENVIRONMENTAL SETTING

The aesthetic character of the Mammoth Lakes region is of a dramatic mountain valley surrounded by mountain ranges and defined by the forests, mountains, streams and meadows in and around the Town of Mammoth Lakes and U.S. Highway 395. As viewed regionally and from the Town of Mammoth Lakes, the forest and woodland vegetation weave through portions of the valley and along the basin of Mammoth Creek to create a unique, forested, rustic environment, even within the Town's residential neighborhoods.

Existing view resources (vistas and panoramic views) within the Mammoth Lakes region include the Sierra Nevada Mountains, which form the backdrop of views to the west, north, and south. Scenic views to the east include the Sherwin Range, White Mountains, the high desert, and the westerly edge of the Great Basin. In addition to these features, view resources from the Town of Mammoth Lakes include views of Mammoth Crest, Crystal Crag, Mammoth Mountain, the Mammoth Creek corridor, and panoramic views of forest and riparian vegetation along mountain canyons and washes. The rugged terrain of the area provides both excellent viewpoints and view restriction, depending upon the viewer's location. Vantage points in the Project Area are Lake Mary Road, Twin Lakes Road, Old Mammoth Road south of Mammoth Creek, Mammoth Creek Road, U.S. Highway 395 along its entire length in the Project Area, Old Highway 395, local streets, bike/multi-use paths, bridges, and trails and areas with footpaths along Mammoth Creek between Lake Mary and Hot Creek.

The visual setting of the Mammoth Creek basin varies widely due to changing elevations, gradient, and the density and type of vegetation and trees along the shores of the lakes and streams. Rock outcroppings, distant mountains, and forest settings add to the character of lake

surfaces and running water in Mammoth Creek, and contribute to the aesthetic value of the region. Existing riparian vegetation and the forest setting add texture and interest to the setting. Views in the area vary in character and may focus on a stand of trees or forested setting with no other background views, or may take in both a focused and broad vista, comprising a foreground stream bordered by riparian vegetation, a mid-ground montane meadow, and a mountain range backdrop. The following summarizes the visual quality, scenic resources and views of the areas along Lake Mary, Bodle Ditch, Twin Falls, and the Mammoth Creek basin downstream from Lake Mary.

### 9.1.1 LAKE MARY

Lake Mary is the largest of the Mammoth lakes, and at an altitude of 8,898 ft, it is the highest point of the study area. The lake, which is one mile long at its longest transect, is a natural (the lake has been artificially enlarged by a USFS dam) cirque lake created from a moraine depression left by receding glaciers. Surmounted by steep granite outcroppings, including Mammoth Crest and Crystal Crag, and surrounded by pine forest, Lake Mary is a prominent visual resource in the area. Valued visual features include the contrast of the shoreline trees to the open expanse of water, and various aspects of the water, which are influenced by weather conditions, seasons, and times of day. Vegetation surrounding Lake Mary frames and enhances the scenic quality of the lake. Surrounding vegetation consists largely of lodgepole pine forest, with pockets of montane riparian scrub along the south shore of the lake.

Seasonal drawdown of the lake occurs as the natural runoff in the watershed decreases in the summer and fall, combined with District diversions to the Lake Mary WTP. Maximum total seasonal drawdown is 5.7 ft, with an intermediate limit of 3.0 ft prior to September 15. This drawdown results in minor exposure of bare shoreline relative to the size of the mile-long lake. Such drawdown is typical of a natural, high mountain lake and, since the drawdown of Lake Mary comprises a very narrow edge along the shoreline and a small percentage of the lake's horizontal surface, it does not notably influence visual quality.

Visitation and viewer sensitivity (associated with higher numbers of viewers) begins to increase in April after Lake Mary Road is cleared of winter snow for vehicle access. During this period, snowmelt begins to expose the water surface of the lake, the water levels of the lake rise, coinciding with an increasing number of people who have the opportunity to view the lake. Lake Mary is viewed more frequently during the summer season when the water level in the lake is at maximum. Under the existing WOCs the lake must be full by June 1. During years of later snowmelt, adequate runoff to both meet fishery bypass flow requirements and fill the lake is not always available by June 1, because meeting the fishery bypass flow requirements takes priority over achieving the full lake level. Because Lake Mary is surrounded by pine trees, it is primarily visible from the Lake Mary Road loop and Lake Mary Campground (at the north end of the lake). However, panoramic views of the lake are available from mountain trails and USFS campgrounds in higher areas to the south of the lake.

### 9.1.2 BODLE DITCH CORRIDOR

Bodle Ditch is a man-made water course originally developed to provide water from Mammoth Creek to former mining settlements to the southwest of the Town of Mammoth Lakes. In recent years, the ditch served a pack station and supplied water to Twin Lakes Campground and several USFS permittees. In its history, Bodle Ditch also supported grazing meadows below the mining settlement. An aesthetic feature of Bodle Ditch is the typically narrow, and often poorly developed riparian vegetation community along the entire course of the ditch.

The ditch may be defined as three sections or upper, middle, and lower reaches. The upper reach of the ditch originates at the northeast edge of Lake Mary and generally follows Lake Mary Road to the proximity of Old Mammoth Road, a distance of approximately 0.5 mile. In the proximity of Old Mammoth Road, Bodle Ditch passes via a culvert under Lake Mary Road. To the east of Lake Mary Road, the middle and lower reaches flow in a gradually steepening descent approximately one mile to a montane meadow located southwest of the Old Mammoth and Snowcreek neighborhoods. Perennial springs and seeps occur along Bodle Ditch below Lake Mary Road, and support a denser riparian habitat along the ditch to the east of Lake Mary Road. Downstream from Lake Mary Road vegetation communities include a variety of mixed willow riparian woodland, aspen woodland, and montane meadow. During the winter, riparian vegetation along Bodle Ditch enters dormancy. At the same time, viewer sensitivity declines because of snow cover and limited public access to the ditch during road closure. Also in the vicinity of Lake Mary Road culvert, a seep originating in the vicinity of Bodle Ditch flows westerly toward Twin Lakes, forming a narrow riparian corridor between Lake Mary Road and Twin Lakes. This seepage is not related to diversions from Lake Mary.

Water is diverted from Lake Mary into the ditch from approximately May through November of each year, the amount and timing of which is dependent on lake levels and rainfall. The maximum possible diversion of water from Lake Mary into Bodle Ditch is limited to approximately 1.5 cfs due to the hydraulic capacity of the diversion pipe. However, based on data collected at the LADWP weir located approximately one-half mile downstream from the diversion point , summer season flows at this location average 1.0 cfs or less (see Chapter 7 - Wildlife and Botanical Resources).

The upper reach of the ditch flows through a mixed lodgepole pine/montane riparian scrub plant community. The middle and lower reaches, which are characterized by denser growth, flow through a mixed vegetation community of montane meadow, lodgepole pine, willow riparian woodland, and lodgepole pine. The ditch terminates in a montane meadow to the southwest of the Old Mammoth and Snowcreek neighborhoods.

As discussed in Chapter 7 – Wildlife and Botanical Resources, field observations indicate that the riparian vegetation and habitat found along Bodle Ditch appears to be supported primarily by inputs other than the discharge from Lake Mary. In the uppermost reach of the ditch, three culverts under Lake Mary Road collect and discharge rain and snow melt runoff from mountain slopes to the east. In addition, because the ditch begins at an elevation lower than Lake Mary, it is likely that ground water may be relatively high and available to riparian vegetation in this area. Further downstream, Bodle Ditch receives discharge from several springs, most notably the springs complex at the base of Red Mountain where a dense and well developed stand of willows is found. It is common for riparian and wetland vegetation to be growing in abundance at elevations above the ditch itself along its lower reach which is an indication that diversions from Lake Mary are not essential to maintaining such vegetation and habitat resources.

The lodgepole pine forest and riparian scrub vegetation along the edge of Bodle Ditch, as well as annual wildflowers, contribute to the aesthetic character of the region. Sections of the Town of Mammoth Lake's Lake Mary Road multi-use path will pass near Bodle Ditch's upper reach between the Lake Mary outlet and the Bodle Ditch culvert under Lake Mary Road. The construction of the multi-use path required clearance of pine trees in an approximately 10-foot-wide corridor; however care was taken to avoid riparian vegetation to the extent feasible. The relationship of the Lake Mary multi-use path and the Bodle Ditch corridor is illustrated in Figure 8.1, Chapter 8.0 - Recreational Resources, of this Draft EIR. The proximity of this path to the existing mixed riparian scrub increases viewer sensitivity (number of viewers) with respect

to this vegetation type. The USFS considers riparian vegetation important to the visual resource value of the Inyo National Forest and classifies visual resources along public roads and high use areas as Sensitivity Level 1 or 2. USFS policies call for the maintenance or enhancement of the size and diversity of all riparian zones, aspen stands, and meadows where such zones are visible from Sensitivity Level 1 and 2 roads and trails, or where these areas receive significant recreational use.

### 9.1.3 TWIN FALLS

Twin Falls is a water cascade in the upper Mammoth Creek basin between Lake Mamie and Twin Lakes. The falls drop 350 ft, 160 ft of which are nearly vertical and highly visible from trails and shoreline in and around Twin Lakes. The Twin Lakes area has several resorts, cabins and other summer uses that, coupled with the attractive high-altitude setting, generate a high level of summer recreational activity. The high activity is consistent with USFS Sensitivity Level 1 or 2, which adds greater value to natural scenic features. As such, Twin Falls is considered an important visual resource in the area.

### 9.1.4 MAMMOTH CREEK

The lower Mammoth Creek sub-basin, which extends from the outlet of Twin Lakes to Hot Creek, is a contributing element to the area's visual environment. The variety of scenic elements along Mammoth Creek, including canyons, exposed boulders or bedrock, riparian vegetation, pedestrian/ bicycle bridges, stream braiding or meandering, among other features contribute to the aesthetic character of the Mammoth area. Mammoth Creek flows are dependent upon precipitation and vary widely from year to year and seasonally. Total annual discharge has ranged from about 2,500 AF of water during the driest runoff year on record to nearly 45,000 AF of water during the wettest runoff year on record. As a result of the variation in seasonal and year to year precipitation and runoff, Mammoth Creek presents a variety of visual aspects based on water levels and velocity. In steep areas, Mammoth Creek may appear as an active cascade weaving through exposed boulders and bedrock strata, with pockets of sparse riparian along the sides of the canyon. Through flat terrain, such as Snowcreek Meadow, the stream may be slower and braided, with occasional bank overflow due to the shallowness of the stream bed and flat shoreline. In the Sherwin Creek campground area, Mammoth Creek is enclosed in a pine forest canopy; and at Chance Meadow to the east of U.S. Highway 395, the stream can be seen meandering slowly through a broad, flat grazing meadow. Although extremely variable, water in Mammoth Creek follows in a seasonal pattern with maximum flows during the early summer and the lowest levels occurring during the winter andearly spring.

To protect Mammoth Creek as an important environmental and scenic corridor from encroachment by urban uses, the Town of Mammoth Lakes has secured easements along most of Mammoth Creek within the Town's Urban Growth Boundary (UGB). A mitigation measure to protect the scenic value of the creek under the buildout of the Town of Mammoth Lakes General Plan requires setbacks along Mammoth Creek for the town's remaining undeveloped parcels. The Town anticipates that additional easements would be secured as the remaining parcels develop.

Based on gradient, tributaries, riparian vegetation, and surrounding topography, Mammoth Creek has been characterized as five distinct reaches between the outlet below Twin Lakes to Hot Creek to the east of U.S. Highway 395 (see Chapter 6 - Fisheries and Aquatic Resources). From the outlet below Twin Lakes, at an elevation of approximately 8,556 ft, the first reach (Reach A) extends approximately 1.4 mile through the Valentine Reserve to Sherwin Street,

located within the Town of Mammoth Lakes UGB. Reach A, which flows through the Valentine Reserve, is characterized by a cascade-plunge pool sequence with an average gradient of approximately 12.3%. Large bedrock features and boulder streambed elements are visible. The upper area of the reach (an area approximately 0.9 mile in length) is the steepest. This area contains two waterfalls with vertical drops of approximately 25 ft below Twin Lakes. Throughout, Reach A features cascades and runs, with low to moderate amounts of overhead cover provided by low-growing alders and willows along the stream margins. At the bottom of the steep canyon section, and nearing the urban area within the Town of Mammoth Lakes, the stream channel flattens considerably and flows through a forested area with dense riparian cover. The stream features riffles, runs, and pools that are visually interesting.

Reach B extends from the Sherwin Street crossing, at an elevation of approximately 8,000 ft, and passes through the south edge of the Town of Mammoth Lakes to a point located approximately 1,300 ft to the east of the Old Mammoth Road crossing. The upper portion of the reach has a relatively low gradient, and numerous small pools created by man-made rock dams. The reach passes through riparian and forest habitat consisting largely of Sierran mixed conifer forest/aspen woodland, and mountain alder scrub (see Chapter 7 - Wildlife and Botanical Resources). At many locations, these form a canopy over the streambed. The mid-portion of the reach extends from approximately Waterford Avenue to Minaret Road, at an elevation of approximately 7,900 ft. The area to the west of Minaret Road is characterized by low gradient, braided channeling and broad montane meadow, with aspen woodland/ mixed willow riparian habitat along the immediate streambed. A wide meadow habitat forms a border between the streambed and existing condominium complexes to the north and south of the stream. The creek in the remainder of the reach is somewhat larger due to consolidation of braided channels, and contains some riparian vegetation but very little canopy coverage. Mammoth Creek Park, located at the east and west sides of Old Mammoth Road, offers public access to the water and two pedestrian/bicycle bridges across the creek.

Reach C, beginning at an elevation of approximately 7,800 ft, extends from the downstream terminus of Reach B to the footbridge below the Sherwin Creek campground (approximately 2,100 ft downstream of the confluence of Mammoth and Sherwin creeks) at an elevation of approximately 7,480 ft. The upper portion of Reach C, to the west of Sherwin Creek campground, exhibits a relatively open, high gradient. In this area, Mammoth Creek forms a single channel characterized by a cascade-plunge pool sequence and large boulders and bedrock elements. The stream channel is lined by sparser, primarily aspen forest vegetation. The lower portion of the reach in the vicinity of Sherwin Creek campground is characterized by a low channel gradient and dense canopy of willow scrub and aspen woodland/aspen forest/and Jeffrey pine forest along the streambed. Numerous debris dams produced by fallen trees and accumulated woody material encourage braiding of the stream channel throughout a large segment of the lower portion of Reach C.

Reach D extends from the lower boundary of Reach C downstream from the Sherwin Creek campground to the crossing of U.S. Highway 395. Similar to the upper section of Reach C, the upper section of Reach D is restricted to a single channel contained in a relatively steep canyon. The streambed substrate material is composed primarily of bedrock and large boulders, and sparser aspen forest/Jeffrey pine forest and montane riparian scrub. The lower section of Reach D is characterized by a relatively low gradient and a heavy growth and canopy of primarily mixed willow riparian woodland. Extensive braiding of the stream channel occurs in the lower section of Reach D, particularly in an approximately 2,800-foot-long segment of the stream located immediately upstream of U.S. Highway 395. The elevation at U.S. Highway 395 is

approximately 7,200 ft. Reach D is located within the viewshed of U.S. Highway 395, which is a designated as a State and County Scenic Highway in the proximity of Mammoth Creek, between Benton Crossing Road and S.R. 203.

Reach E extends from U.S. Highway 395 to the confluence of Mammoth Creek and Hot Creek. The first segment of the reach runs parallel along Old Highway 395 in a narrow, low gradient wetland and, from the old sheriff's substation to Hot Creek, the creek meanders through Chance Meadow, a wide pasture owned by LADWP and leased to Dave Wood Ranches. Vegetation along the Mammoth Creek streambed in the vicinity of U.S. Highway 395 and Old Highway 395 is primarily mixed willow riparian woodland, with the absence of trees and boulders. In the meadow, the streambed is sharply cut and closely edged by meadow grasses. Because of the low gradient, the stream channel allows for low velocity glides and pools, while meandering extensively. The confluence of Mammoth Creek and Hot Creek occurs at the southeast edge of Chance Meadow. Hot Creek begins to the south of the meadow area as a series of thermal springs in a broad flat area at the Hot Creek Fish Hatchery. The elevation of Mammoth Creek at the Hot Creek confluence is approximately 7,060 ft, which represents a drop of approximately 1,660 ft from Lake Mary. The distance between Lake Mary and the Hot Creek Fish Hatchery is approximately 10.4 miles.

## 9.2 REGULATORY SETTING

### 9.2.1 NATIONAL ENVIRONMENTAL POLICY ACT

A portion of the Mammoth Creek corridor is located in the vicinity of U.S. Highway 395. Although the proposed project is not subject to the requirements of NEPA (1969, as amended), NEPA policies apply to U.S. Highway 395 and to the surrounding Inyo National Forest, and are represented in the state's "scenic highway" designation along this route. NEPA is concerned with the protection of existing visual appearance of the following:

- Scenic highways
- Section 4(f) lands (including public parks, recreation areas, wildlife and waterfowl refuges)
- Lands managed by the USFS (in general, lands with high visual quality)
- Significant cultural and historical resources

### 9.2.2 CALIFORNIA SCENIC HIGHWAY REGULATIONS

U.S. Highway 395, between Benton Crossing Road and the intersection with S.R. 203, is designated by the State of California as a "scenic highway." Consistent with the requirements of NEPA, the State of California recognizes the value of access to and quality of visual resources through regulations that designate, preserve, and enhance public views. California's official Scenic Highway designation was created by the Legislature in 1963 for the purpose of preserving and protecting scenic highway corridors from change that would diminish the aesthetic values of land adjacent to highways. Under Streets and Highway Code Section 260, the intent of the program is to protect and enhance California's natural beauty and to protect the social and economic values provided by the state's scenic resources. A scenic highway designation may also promote tourism that is consistent with the community's scenic values. A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which a potential change

affects the traveler's enjoyment of the view. A scenic corridor is the land generally adjacent to and visible from the highway and is identified using a motorist's line of vision. A reasonable boundary is selected when the view extends to the distant horizon.

### 9.2.3 TOWN OF MAMMOTH LAKES GENERAL PLAN

The Town of Mammoth Lakes General Plan (2007) serves as a blueprint for the physical development of the community and a foundation for making land use decisions based on goals and policies related to open space, resource preservation and utilization, air and water quality, noise, public safety, infrastructure and other related physical, social and economic factors. With regard to visual resources, the intention of the General Plan is to preserve the sense of scale and strong aesthetic of the Town of Mammoth Lakes, including the Town's topography, vegetation, existing buildings and open spaces; to develop as a village in the trees; and to plan development to visually connect with the natural surroundings by accentuating the existing Jeffrey pine forest and manzanita/sage scrub and meadows. Critical environmental areas and open space are to be protected. The community strongly supports the retention of major landscape characteristics and unique natural features such as large trees, Mammoth Mountain, Mammoth Rock, Crystal Crag, the Bluffs, the Sherwin Range, Mammoth Knolls, and Mammoth Crest. Under the General Plan, public views of these features would be maintained and enhanced.

The Town of Mammoth Lakes General Plan includes several policies to protect the Town's visual resources and scenic vistas. These are as follows:

- C.2.J. Policy: Be stewards in preserving public views of surrounding mountains, ridgelines and knolls.
- C.4. A.2. Policy: Development shall be designed to provide stewardship for significant features and natural resources of the site.
- C.4.A.2. Action: Maintain conservation overlays such as the Mammoth Creek Open Space Stream Corridor, Bluffs Special Conservation Planning Area and additional considerations for structures built at or above 8,250 ft elevation.
- C.4.C. Policy: Limited tree thinning, and upper story limbing may be permitted where needed to maintain public safety and the health of the forest but not for the enhancement of views.
- C.4.E.1. Action: Adopt tree preservation and restoration standards.
- R.1. GOAL: Be stewards of habitat, wildlife, fisheries, forests and vegetation resources of significant biological, ecological, aesthetic and recreational value.
- R.1.B.1. Action: Plan development to minimize removal of native vegetation and trees and destruction of wildlife habitat.
- R.1.B.2. Action: Reflect the high value the community places on existing mature trees by updating the formula to calculate value in the tree replacement ordinance.

### 9.2.4 MONO COUNTY GENERAL PLAN 2009 LAND USE ELEMENT

A portion of Mammoth Creek Reach B and Reaches C, D and E are located in unincorporated Mono County. Reaches D and E are located in the vicinity of U.S. Highway 395. Under the Mono County General Plan, the visual corridor along U.S. Highway 395 is designated as an important viewshed for the traveling public. In this regard, the Mono County General Plan contains policies and actions that could apply to the Proposed Project Alternative:

- Policy 2: Future development shall be sited and designed in a manner that preserves the scenic vistas presently viewed from U.S. Highway 395.
- Action 2.1: Assign Scenic Combining designations along U.S. Highway 395 in order to minimize the impacts of development in the U.S. Highway 395 viewshed.
- Action 2.2: Designate undeveloped LADWP lands as "Open Space" in order to protect the scenic resources on those lands.
- Action 2.4: Require any expansion of existing visually offensive land uses within the U.S. Highway 395 viewshed to be adequately landscaped or otherwise screened.
- Policy 3: Restore visually degraded areas when possible.
- Action 3.1: Work with agencies and organizations owning or managing existing uses in the U.S. Highway 395 viewshed to mitigate the adverse visual impacts of those uses; e.g., by painting, landscaping, or otherwise screening the use.
- Action 3.2: Investigate the potential of relocating existing visually incompatible uses in the U.S. Highway 395 viewshed.

### 9.2.5 INYO NATIONAL FOREST LAND AND RESOURCE MANAGEMENT PLAN

The 1988 Inyo National Forest Land and Resource Management Plan (LRMP) prescribes management direction for the multiple use and sustained yield of public benefits for the Inyo National Forest, and responds to major public issues and management concerns. The LRMP was developed to provide an "integrated, multiple resource management direction for all Forest resources" and thereby contributes to defining the area's land use and visual policy context. The Forest Standards and Guidelines set the stage for management of visual resources. Each management prescription includes an assigned Visual Quality Objective (VQO). For visual resources, the following list of concerns is provided in Chapter 2 of the LRMP:

- Maintain and manage for visual quality
- Resolve conflicts between visual quality and other resources
- Maintain or enhance current visual resources and scenic attractions

According to the USFS's Inyo National Forest LRMP, the Inyo National Forest has extraordinary visual resources, and a high level of demand for scenic beauty. The LRMP states that it is important to maintain visual resource values on the Inyo and, as scenic resources are given importance according to sensitivity levels that relate to the quality of the resource and how much a resource is viewed, the LRMP finds that the Mammoth area is an area of high sensitivity. The LRMP also recognizes the aesthetic importance of riparian vegetation to the area and states that riparian vegetation provides scenic variety, as its lush green color contrasts with the surrounding grays and browns of the natural hillsides.

The LRMP emphasizes a continued high level of visual quality for its economic and social benefits to local communities and to millions of annual recreation visitors. The visual resources goal of the LRMP is to maintain or enhance the quality of the scenic resource and view opportunities (page 68). LRMP visual resources policies are as follows:

- Obtain the Forest Supervisor's approval through the environmental analysis process for any deviations from Visual Quality Objectives assigned in Prescriptions.

- Maintain or enhance the size and diversity of all riparian zones, aspen stands, meadows, and alpine tundra vegetation zones where such zones are visible from Sensitivity Level 1 and 2 roads and trails, or where they receive significant recreational use.
- Rehabilitate and/or enhance the visual resource when implementing projects, where appropriate as follows:
    1. Rehabilitate the visua1 resource where the existing visual condition fails to meet the assigned visual quality objective (VQO).
    2. Enhance the resource where the existing visual condition appears monotonous, and where there is an opportunity to create visual variety in the landscape through planting, vegetative manipulation, or other accepted means.
    3. Base priorities for rehabilitation and enhancement projects upon the VQO assigned to the project area, corridor viewshed plans, and on the following considerations:
        - The relative importance of the area and the amount of deviation from the VQO.
        - The length of time it would take natural processes to reduce the visual impacts so that they meet the adopted VQO.
        - The length of time it would take rehabilitation measures to meet the adopted VQO.
        - The coordination with the resources necessary to rehabilitate the project area.
- Maintain foregrounds and middle grounds of the scenic corridors of the following travel routes to Retention and/or Partial Retention VQOs as inventoried, but not less than Partial Retention:
    1. Highways officially designated by the state as California State and County Scenic Highways.
    2. California State Scenic Highway System, including U.S. Highway 395.
- Meet the Retention VQO in all foreground zones of other Sensitivity Level 1 roads and trails, recreation sites, and within all concentrated recreation areas.

The Project Area, which extends from Lake Mary to Hot Creek, is located within two LRMP Management Areas including Management Area #8, the Mammoth Escarpment, and Management Area # 9, Mammoth. Management Area # 8 incorporates the Mammoth Lakes Basin (including Lake Mary, Lake Mamie, Twin Lakes, and the headwater of Mammoth Creek), San Joaquin Mountain, Minaret Summit, Bloody Mountain, Mammoth Mountain, Mammoth Rock, the Mammoth Crest, and a small portion of the John Muir Wilderness along the south edge of the Management Area. Topography in Management Area #8 rises from gentle slopes along the lower reach of Sherwin Creek to very steep, often precipitous terrain along Mammoth Crest. Elevations range from 7,200 ft at the eastern tip of the area to 12,544 ft at the crest of Bloody Mountain. According to the LRMP, the land forms a spectacular and important scenic backdrop as viewed from U.S. Highway 395, a designated scenic highway. According to the LRMP, vegetation in Management Area #8 is characterized by sage/bitterbrush and mountain mahogany in the southern portion of the escarpment, and mixed fir and stands of lodgepole pine in the north. The LRMP also recognizes riparian areas around the Mammoth Lakes Basin that support stands of aspen, water birch, and willows.

Management Area #9 contains private land within the Town of Mammoth Lakes, National Forest System land within and to the east of the Town of Mammoth Lakes, and land owned by the City of Los Angeles. Hot Creek Fish Hatchery, Hot Creek, and Sherwin Creek Campground are important features in this Management Area. Topography is predominantly moderately rolling terrain in the Mammoth Creek drainage. According to the LRMP, the western portion of the area contains red fir and Jeffrey pine forest, with the eastern portion containing primarily grass/bitterbrush/sage vegetation.

The LRMP sets forth policies for the management of designated Management Areas, including the objective of management and the area's resource emphasis. Visual resources policies that are applicable Management Areas #8 and #9 include the following:

- Develop a corridor viewshed analysis and plan that includes State Route 203 and Lake Mary Road.
- Encourage and work with the Town of Mammoth Lakes and Mono County to develop a scenic resource element, an architectural element, guidelines, and mitigation measures as a part of any local planning effort.
- Develop a corridor viewshed analysis and plans that include U.S. Highway 395.

## 9.3 ENVIRONMENTAL CONSEQUENCES

### 9.3.1 IMPACT ASSESSMENT METHODS

The evaluation of visual resources provides a comparative analysis of four project alternatives. These include three action alternatives, consisting of the Proposed Project Alternative, the Bypass Flow Requirements Alternative No. 2, and the Permit 17332 Bypass Flow Requirements Alternative. The fourth alternative is the No Project Alternative under which no action or implementation of the objectives set forth in Chapter 2 – Proposed Project and Alternatives would occur. The evaluation of the Proposed Project Alternative reflects the evaluation of the Bypass Flow Requirements Alternative No. 2 and the Permit 17332 Bypass Flow Requirements Alternative since the three action alternatives are substantially the same with respect to impacts to visual resources. The evaluation of the No Project Alternative is divided into the evaluation of the No Project Alternative under the existing level of demand and the No Project under the future level of demand.

The visual character analysis considers the visual quality of the surrounding environment and the impacts of the project alternatives with respect to the existing aesthetic environment. The analysis is based on field survey and evaluation of photographs showing existing conditions along the Project's component locations, including Lake Mary, Bodle Ditch, Twin Falls and the Mammoth Creek corridor. The intent of the analysis is to determine if valued scenic views or enjoyment of scenic resources would be blocked or degraded as a result of the project alternatives. The evaluation focuses on valued scenic views from public gathering areas or along roadway and trail corridors. Protected scenic views, such as those along designated scenic highways, have heightened importance.

The analysis of visual character is guided by the following four-step process:

- Describe the changes in visual conditions that could occur within and along the edges of Lake Mary, Bodle Ditch, Twin Falls, and Mammoth Creek based on the evaluation of the Project's impacts on aquatic resources and biological resources in other chapters of this Draft EIR.

- Determine whether and/or to what extent visual quality, views, or the scenic resources of the area would be adversely affected. The potential for impacts will focus on changes in shoreline vegetation, montane meadows, streambed strata, rock outcroppings, natural shoreline configuration and features, water movement patterns and cascades, lakeside marinas, and the context of these features in the surrounding setting.
- Evaluate potential impacts on scenic views from public gathering areas, public viewpoints and trails, and from designated scenic highways.
- Determine if any features or consequences of the Alternative are inconsistent with the visual resources goals and policies of applicable land use and resource management plans and regulations.

CEQA Guidelines §15125(d) requires that an EIR discuss inconsistencies with adopted local and regional plans. The analysis of potential impacts considers consistency of the alternatives with adopted plans and policies relative to visual resources. Projects are considered consistent with regulatory plans if they are compatible with the general intent of the plans and would not preclude the attainment of the primary goals of the plan. Since the implementation of regulations and plans is, of itself, administrative in nature, the intent of the evaluation of consistency with adopted plans is to determine if non-compliance would result in a significant physical impact. This is particularly true if a plan were adopted to avoid a physical environmental impact, such as a substantial degradation of a natural resource.

The Visual Resources analysis does not include an evaluation of project components that would not have physical aesthetic aspects or the ability to cause a physical effect on the visual environment, such as the proposal to continue, on a long-term basis, the point of measurement for the fishery bypass flow requirements at the OMR Gage with the addition of a point of measurement at the OLD395 Gage, the proposed amendments to the WOCs relative to flow monitoring and reporting, and identification of a specific measurement location for the required bypass flow of 1.5 cfs in the stream portion between Lake Mary and Lake Mamie.

#### *9.3.1.1 FEATURES OF THE PROPOSED PROJECT ALTERNATIVE*

**LAKE MARY**

The Proposed Project Alternative would change a watershed operations constraint (WOC) by moving the required filling of Lake Mary from June 1 of each year to June 30 of each year. This will account for variations in the annual snowmelt. The proposed change would not affect the maximum annual drawdown of 5.7 ft or the September 15 maximum drawdown of 3 ft. Regarding other lakes in the Mammoth Basin, the Proposed Project Alternative would remove WOCs that require the District to maintain water levels in Lake George, Lake Mamie, and Twin Lakes. Since the District has no authority to store water in or regulate flow from these lakes and has not sought water rights to store water in any of these lakes, it cannot comply with existing WOCs to maintain water levels in these bodies. The USFS has applied to the SWRCB to confirm the installation of dams and its long-standing storage of water in Lake Mamie and Twin Lakes. The USFS intends to continue to manage Lake Mamie and Twin Lakes as flow-through systems with no regular drawdown of these lakes. Any necessary diversion to storage by the USFS would be pursuant to established fishery bypass flow requirements.

**BODLE DITCH CORRIDOR**

The Proposed Project Alternative would eliminate diversions to Bodle Ditch from Lake Mary. Although the actual average diversion to Bodle Ditch is not precisely known, the District estimates that, prior to 2009, an average of about 1 cfs was diverted from Lake Mary during the May 1 to November 1 period. The WOCs specify that minimum daily diversions should be 2.5 cfs from May 1 through June 30, 1.5 cfs from July 1 through July 31, 1.0 cfs from August 1 through August 15, 0.5 cfs from August 16 through September 15, and 0.3 cfs between September 16 and November 1. The District does not have the ability to divert sufficient flow from Lake Mary into the Bodle Ditch to meet the current requirements during periods of lowered Lake Mary storage.

The WOCs also contain provisions for diverting water to Bodle Ditch from Mammoth Creek above Lake Mary. This diversion has been closed since approximately 1977 following a decision by the USFS.

**TWIN FALLS**

Twin Falls is a visual resource along Mammoth Creek basin at the outlet of Lake Mamie. Since the District does not regulate Lake Mamie and has no authority to do so, the Proposed Project Alternative would amend the WOCs to eliminate existing flow requirements at Twin Falls of 3.0 cfs from June 1 through August 10, and 2.0 cfs from August 11 through October 31 (no minimum flows are required from November 1 through June 1. The District would comply with the bypass flow requirements as measured at the USFS diversion and flume from Lake Mamie, and other WOCs. Therefore, the flows out of Lake Mamie to Twin Falls, given similar hydrologic conditions and District diversions to the Lake Mary WTP, would not be significantly different from what has occurred under the Existing Condition.

In addition to Twin Falls, other visual resources in the Lakes Basin, include Lake Mamie, Twin Lakes, Lake George, and others. The District has no authority over these resources, and the Proposed Project Alternative would have no impact on these resources. The Proposed Project Alternative would include a bypass flow requirement at the Twin Lakes outlet of 3.0 cfs, which would influence flow conditions through the Valentine Reserve. However, since Valentine Reserve is not accessible to the public, the visual resource impacts within the Reserve are not addressed in this Draft EIR.

**MAMMOTH CREEK**

The Proposed Project Alternative would, on a long-term basis, maintain the existing fishery bypass flow requirements for Mammoth Creek measured at the OMR Gage, plus add an additional requirement of 4 cfs (mean daily flow) at the OLD395 Gage. See Chapter 2 – Proposed Project and Alternatives for details on the fishery bypass flow requirements and other WOC's influencing Mammoth Creek.

### *9.3.1.2 FEATURES OF THE BYPASS FLOW REQUIREMENTS ALTERNATIVE NO. 2*

The features of the Bypass Flow Requirements Alternative No. 2 are the same as those of the Proposed Project Alternative, except that for the months of September through February, the fishery bypass flow requirements are somewhat higher. The projected impacts to resource values under the Bypass Flow Requirements Alternative No. 2 would be no different from those under the Proposed Project Alternative; and such alternative would have the same consistency with applicable regulations, policies and plans as does the Proposed Project Alternative.

Therefore, the impact evaluation of the Proposed Project Alternative would apply to the Bypass Flow Requirements Alternative No. 2 and would be applied to this alternative by reference.

#### *9.3.1.3 FEATURES OF THE PERMIT 17332 BYPASS FLOW REQUIREMENTS ALTERNATIVE*

The features of the Permit 17332 Bypass Flow Requirements Alternative are the same as those of the Proposed Project Alternative, except that the fishery bypass flow requirements differ. The Permit 17332 Bypass Flow Requirements Alternative has somewhat higher fishery bypass flow requirements during some months of the year than those of the Proposed Project Alternative. These differences would not cause any differences in the effects on visual resources between the two project alternatives. There also would be no differences between the two alternatives in terms of their consistency with applicable regulations, policies and plans concerning visual resources. Therefore, the impact evaluation of the Proposed Project Alternative would apply to the Permit 17332 Bypass Flow Requirements Alternative and would be applied to this alternative by reference.

#### *9.3.1.4 FEATURES OF THE NO PROJECT ALTERNATIVE*

The No Project Alternative would not change the existing fishery bypass flow requirements ("Beak Fishery Bypass Flow Requirements") that were implemented in 1997. Lake Mary water levels, including maximum surface level, maximum drawdown (5.7 ft), and maximum drawdown prior to September 15 (3.0 ft) would be retained. As with the other project alternatives, the existing year-round bypass flow requirement of 3.0 cfs at the Twin Lakes outlet would be retained. The existing WOCs requiring diversions to Bodle Ditch from Lake Mary would be in effect. The WOC bypass flow requirements from Lake Mamie to Twin Falls would be in effect.

The No Project Alternative is analyzed at the existing level of demand (i.e., current utilization of permitted surface water supplies) and at a future level of demand outlined in Chapter 2 - Proposed Project and Alternatives. The potential impacts would be identical to the Existing Condition except that, under the No Project Alternative at the future level of demand, District operations represent the projected utilization of permitted surface water supplies at maximum buildout. This could mean reduced flows in Mammoth Creek and a drawdown of Lake Mary that could reach the 3.0-foot and 5.7-foot maximum drawdown levels earlier in the respective seasons.

### 9.3.2 IMPACT INDICATORS AND SIGNIFICANCE CRITERIA FOR VISUAL RESOURCES

Appendix G of the State CEQA Guidelines presents the following questions to assist in determining potential adverse visual impacts of a project. As an affirmative response to any of the following questions would result in a potentially significant environmental impact, these questions are regarded as the thresholds by which the determination of significance is based.

- Would the Alternative have a substantial adverse effect on a scenic vista?
- Would the Alternative substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings in proximity to a state scenic highway?
- Would the Alternative substantially degrade the existing visual character or quality of the site and its surroundings?

In addition, the consistency of the project with applicable regulations and policies of adopted plans and policies is considered in the determination of significance. Therefore, an affirmative response to the following question would be a further determinant of significance:

- Would the Alternative be inconsistent with adopted plans, policies, and programs to the extent that it would result in a significant impact to visual resources that would have been avoided under the plan or policy?

## 9.3.3 ANALYSIS OF ALTERNATIVE COMPARISONS

### *9.3.3.1 ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT ALTERNATIVE COMPARED TO THE EXISTING CONDITION*

**Impact Consideration 9.3.3.1-1. Would the Alternative substantially degrade the existing visual character or quality of the site and its surroundings?**

#### LAKE MARY

Visual resources associated with the scenic character of Lake Mary include the contrast of the shoreline and shoreline vegetation to the expanse of open water, the dramatic mountain backdrop, and the variety of the aesthetic properties of the water under daily and seasonal changes. The Proposed Project Alternative would amend the WOCs to change the mandatory date for the filling of the lake from June 1 to June 30. As discussed in Chapter 4 - Hydrology, maximum levels over a 20-year period resulting from snowmelt have occurred prior to June 1 80% of the time and prior to July 1 95% of the time (see Appendix F). The average date on which the full pool occurs is May 21 compared to May 9 under the Proposed Project Alternative. Lake Mary drawdown would reach 3.0 ft prior to September 15 in only one of the 20 years (for one day) under the Proposed Project Alternative, compared to only two years (one day each) under the Existing Condition. Timing of the filling of the lake will not be substantially different under the Proposed Project Alternative.

The Proposed Project Alternative would not change the District's existing authorized storage volume or the existing 5.7 ft maximum annual drawdown level of the lake, or the existing maximum drawdown by September 15 of 3.0 ft. The existing authorized drawdowns do not affect the visual character of the lake and its setting. Because the authorized drawdowns under the Existing Condition do not substantially affect the visual character of Lake Mary during the summer season when the lake is viewed by a greater number of visitors, and the Proposed Alternative) would not exceed authorized drawdown constraints, this alternative have a less than significant impact on Lake Mary as a visual resource.

#### BODLE DITCH CORRIDOR

The Proposed Project Alternative would eliminate the requirement for the diversion of water to Bodle Ditch from Lake Mary. Water not diverted into Bodle Ditch will remain in the Mammoth Creek system. As discussed above, Bodle Ditch comprises three reaches including the upper reach and middle and lower reaches. Bodle Ditch flows through a mixed lodgepole pine forest/montane riparian scrub plant community along its upper reach and through a varied montane meadow/mixed willow riparian woodland/and lodgepole pine forest along its middle and lower reaches.

Upon its completion in late 2010, sections of the 5.3-mile Lake Mary Road multi-use path would parallel and be in close proximity to the upper reach of Bodle Ditch for a total of approximately 0.35 mile. However, of the total combined sections, the lodgepole pine forest/mixed riparian scrub is best developed and more visible from the multi-use path for a distance of approximately 750 ft (0.l4 mile) in the vicinity of the District's water treatment plant. To the north of this area, the configuration of the ditch and general gradient is less conducive of riparian vegetation. The relationship of the multi-use path to the Bodle Ditch corridor is illustrated in Chapter 8, Figure 8.1. The multi-use path has the potential to be heavily used by visitors to resorts and campgrounds in the Lakes Basin as well as by hikers and cyclists from the Mammoth Lakes town center. In the area of the water treatment plant, the mixed lodgepole pine forest/montane riparian scrub along the ditch is expected to contribute to the recreational enjoyment of the path. Annual wildflowers that are supported by snowmelt and rainfall are also located along the multi-use path in this area.

Although also near Lake Mary Road in this area, the 750-foot stretch of lodgepole pine forest/mixed riparian scrub near the water treatment plant is less visible from Lake Mary Road due to the typical speed along the roadway and the under-story aspect of the riparian vegetation within the lodgepole pine forest.

A varied community of montane meadow scrub, mixed willow riparian woodland, and lodgepole pine forest is located in the middle and lower reaches of Bodle Ditch to the east side of Lake Mary Road. At the mouth of the Bodle Ditch culvert under Lake Mary Road, Bodle Ditch turns easterly and follows an increasingly steep descent to a montane meadow approximately one mile below Lake Mary Road. Mixed montane meadow and mixed willow riparian woodland along the middle reach of Bodle Ditch to the east of Lake Mary Road are visible from Lake Mary Road at the mouth of the culvert. The middle reach of the Bodle Ditch corridor parallels Old Mammoth Road, beginning at the culvert under Lake Mary Road near Old Mammoth Road. Although much of the riparian vegetation is obscured from view from the road by existing pine trees in the foreground, vistas of the riparian corridor are available along sections of this road. This route also includes a historic site and public parking lot which have views of the riparian corridor. From these areas, the riparian elements along the middle Bodle Ditch corridor contribute to the visual character of the natural setting. The riparian vegetation visually contrasts with and complements sparser growth on the hillside and scree field rising to the west and south of Bodle Ditch. The riparian vegetation also provides a range of seasonal color when the use of Old Mammoth Road is greatest (summer and fall months). Wildflower elements in the riparian corridor may also be present and visible from Old Mammoth Road.

The USFS considers riparian vegetation important to the visual resource value of the Inyo National Forest and classifies visual resources along public roads and high use areas as Sensitivity Level 1 or 2. USFS policies call for the maintenance or enhancement of the size and diversity of all riparian zones, aspen stands, and meadows where such zones are visible from Sensitivity Level 1 and 2 roads and trails, or where these areas receive significant recreational use.

As discussed in Chapter 7 - Wildlife and Botanical Resources, based on field observations of existing vegetation and hydrologic conditions, the riparian vegetation and habitat found along Bodle Ditch appear to be supported primarily by inputs from other than the diversions from Lake Mary. In addition to water diverted from Lake Mary, other water supplies in the upper reach of the ditch in the vicinity of the well-defined lodgepole pine forest/mixed riparian scrub corridor (the approximately 750-foot section near the water treatment plant), include snowmelt runoff from the ridge to the east of Lake Mary Road, which passes through three culverts to this

area; the flatter topography of this area which would tend to collect runoff; and the elevation of this area below and adjacent to Lake Mary, which appears to contribute to seepage sources.

In the middle and lower reaches, active springs are located to the east of Lake Mary Road at the Bodle Ditch's Lake Mary Road culvert and at the base of Red Mountain. Since lush riparian vegetation to the east of Lake Mary Road occurs above the elevation of Bodle Ditch, these indicate other water sources in this area than the Lake Mary diversion. As stated in Chapter 7 – Wildlife and Botanical Resources, data collected from a gage at the LADWP weir between May and October, from 1988 and 2006, indicate that Existing Condition flows in Bodle Ditch have been 1.0 cfs or less, with the average monthly discharge in this area of 0.9 cfs, 1.0 cfs, and 0.8 cfs for June, July, and August, respectively.

Although natural hydrology sources contribute to the flow in Bodle Ditch, with the cessation of diversions into Bodle Ditch from Lake Mary, the unlikely possibility of loss or reduction in abundance and vigor of riparian species along the upper reach of the ditch, as a "worse case" assumption, cannot be ruled out. The lodgepole pine forest and annual wildflowers in the vicinity of Bodle Ditch would not be affected under any circumstance since these are entirely dependent on snowmelt. Monitoring of riparian species in the vicinity of Bodle Ditch would be required under the Riparian and Wetland Monitoring and Adaptive Management Program (RWMAMP), a feature of the Proposed Project Alternative (see Chapter 2 - Proposed Project and Alternatives). In the assumed "worse-case" event that monitoring indicates the degradation of riparian species, responsive measures will be undertaken pursuant to the RWMAMP.

The determination of impact significance associated with a potential worst-case scenario where loss or reduction of riparian species would occur along upper Bodle Ditch is based on whether there would be a substantial adverse effect on a scenic vista or substantial degradation of the existing visual character or quality of a site and its surroundings, as viewed from a public road or trail. With regard to the visual value of the well-developed lodgepole pine forest/mixed riparian scrub in the vicinity of the water treatment plant, a combination of several factors indicates that any resource impact would not cause a substantial change in the visual character of the area or in the area's visual resources. These include the following: (1) the relative short distance (0.14 mile) in which riparian vegetation is pronounced and assumed to contribute to the visual character of the Lakes Basin as viewed from the multi-use path and Lake Mary Road; (2) the remaining, unaffected lodgepole pine forest in this same section that would continue to contribute to the visual character of this area; (3) the remaining unaffected annual wildflower communities in this same section that contribute to the visual character of this area; (4) the under-story character of the riparian vegetation in this section which does not contribute to any broad vistas in the Lakes Basin; (5) the abundance of riparian vegetation around the lakes near or adjacent to Lake Mary Road that would not be affected; and (6) implementation of any needed responsive measures under the RWMAMP would consider placing a priority on enhancing the quality of public views and the enjoyment of trail experiences by the public. Taking into consideration the combined total of all these factors, the reduction or loss of mixed riparian scrub in this area under a "worst-case" scenario would not substantially degrade the existing visual character of the site and its surroundings. As such, impacts to visual resources in the upper reach of Bodle Ditch would be less than significant.

The middle and lower reaches of Bodle Ditch are characterized by different conditions, including broad vistas of the area from Old Mammoth Road and denser riparian growth. However, several factors also indicate that the Proposed Project Alternative would not significantly impact the visual character of this area. As discussed in Chapter 7, the middle and lower reaches of Bodle Ditch receive discharge from several springs, as evidenced by the spring

complex at the base of Red Mountain where a dense and well-developed stand of willows is found. In this area, it is also common for riparian and wetland vegetation to be growing in abundance at elevations above the ditch itself as an indication that diversions from Lake Mary are not essential to maintaining such vegetation and habitat resources. Since natural water sources are known to be present in this area, a substantial loss of riparian vegetation is unlikely. Under the "worst-case" assumption that riparian vegetation would be affected along the middle and lower reaches of Bodle Ditch, responsive measures under the RWMAMP would be implemented which would consider placing a priority on enhancing the quality of public views in the Mammoth Creek Basin through a vegetation replacement program. Although this would not directly address public views of riparian vegetation along the middle and lower reaches of Bodle Ditch, it would address the overall quality and character of the Mammoth Creek Basin, which includes Bodle Ditch. Taking into consideration the combination of the RWMAMP and the existing natural water sources in the middle and lower reaches of Bodle Ditch, impacts to visual resources in this area would be less than significant.

### TWIN FALLS

Twin Falls is a visual resource within the Mammoth Creek basin that forms the outlet of Lake Mamie, downstream from Lake Mary. Water would be present at Twin Falls since the falls represent the Mammoth Creek stream flow between the outlet of Lake Mamie and Twin Lakes. The District has no authority to regulate flows out of Lake Mamie to Twin Falls. Under the Proposed Project Alternative, the District would comply with the fishery bypass flows, Lake Mary outlet flows measured at the Twin Falls flume, and other WOCs. The Proposed Project Alternative would discontinue the minimum flow requirements to Twin Falls; however, there would be a year-round bypass flow requirement of 3.0 cfs in Mammoth Creek from Twin Lakes. Therefore, the flows out of Lake Mamie to Twin Falls under the Proposed Project Alternative, given similar hydrologic conditions and District diversions to the Lake Mary WTP, would be not be significantly different from what has occurred under the Existing Condition (see Chapter 4 - Hydrology, of this Draft EIR). This alternative would have no impact on the value of Twin Falls as a visual resource.

### MAMMOTH CREEK

The Proposed Project Alternative would maintain the fishery bypass flow requirements for Mammoth Creek that have been in place since 1997 with the addition of an annual mean daily 4 cfs fishery bypass flow requirement at the OLD395 Gage. The fishery bypass flow requirements have not altered the high visual character associated with the water flow in Mammoth Creek (cascades, pools, rivulets), and associated features such as exposed boulders and bedrock and adjacent riparian vegetation. The Mammoth Creek corridor is recognized as a scenic resource in the recent Town of Mammoth Lakes General Plan, and the visual character of the creek has not been degraded under current fishery bypass flow requirements. Because the Proposed Project Alternative would continue the fishery bypass flow requirements in existing practice with the additional requirement, it would not significantly change or reduce the value of scenic resources along Mammoth Creek. The Proposed Project Alternative would not substantially degrade the existing visual character or quality of the site and its surroundings and, therefore, impacts on the visual character of Mammoth Creek under this alternative would be less than significant.

Impact Determination 9.3.3.1-1 - Less than Significant

Mitigation Measure 9.3.3.1-1 – None Required

**Impact Consideration 9.3.3.1-2. Would the Alternative substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings in proximity to a state scenic highway?**

The lower reaches of Mammoth Creek are in close proximity to U.S. Highway 395, a designated scenic highway. The water flow, stream bank, and meandering aspect of Mammoth Creek in the vicinity of U.S. Highway 395 currently contribute to the aesthetic value of the natural setting visible from U.S. Highway 395. Such has occurred since 1997 under the existing fishery bypass flow requirements which essentially will be continued on a long-term basis under the Proposed Project Alternative. As such, the Proposed Project Alternative would retain the integrity of scenic resources as viewed from this highway. Therefore, the Proposed Project Alternative would have a no impact with respect to scenic resources in proximity to a state scenic highway.

Impact Determination 9.3.3.1-2 - Less than Significant

Mitigation Measure 9.3.3.1-2 – None Required

**Impact Consideration 9.3.3.1-3. Would the Alternative have a substantial adverse effect on a scenic vista?**

The Proposed Project Alternative would not require the development of any structures or other built features that could impede scenic vistas or panorama views in the Project Area. Water levels in Lake Mary would be adequate to maintain the lake as a scenic foreground feature in broad views of Mammoth Crest and Crystal Crag, which form a background setting for the lake. Although the potential exists for near views of riparian vegetation to be impacted by reduced water in Bodle Ditch along Lake Mary Road, riparian habitat along the ditch is not intrinsic to panoramic views of Mammoth Crest, Crystal Crag, Mammoth Mountain, the Sherwin Range, White Mountains or other broad wilderness vistas available from public roads, highways, parks, and other public vantage points. The Proposed Project Alternative would not impede panoramic views and vistas or have a substantial effect on a scenic vista. Therefore, the Proposed Project Alternative would have no impact with respect to scenic vistas.

Impact Determination 9.3.3.1-3 - Less than Significant

Mitigation Measure 9.3.3.1-3 – None Required

**Impact Consideration 9.3.3.1-4. Would the Alternative conflict with applicable plans, policies and programs to the extent that it would result in a significant impact to visual resources that would have been avoided under the plan or policy?**

**CALIFORNIA SCENIC HIGHWAY REGULATIONS**

The lower reaches of Mammoth Creek and the section of Hot Creek between the confluence of Mammoth Creek and the Hot Creek Flume Gage are in close proximity to U.S. Highway 395, a designated California Scenic Highway between Benton Crossing Road and S.R. 203. The water flow, adjacent riparian vegetation, and meandering aspect of Mammoth Creek and Hot Creek currently contribute to the aesthetic value of the natural setting visible from U.S. Highway 395. Such will not change under the Proposed Project Alternative as it proposes to continue, on a long-term basis, the fishery bypass flow requirements which have been in place since 1997, with the addition of one requirement. The Proposed Project Alternative, therefore, would not alter the visual character of natural resources as viewed from U.S. Highway 395. In addition, the Proposed Project Alternative would not require the construction of any buildings or structures

that would alter or impede views from this highway. Therefore, the Proposed Project Alternative would not contravene the intent of the State of California Streets and Highway Code Section 260 to protect and enhance California's natural beauty and to protect the social and economic values provided by the state's scenic resources. The Proposed Project Alternative would comply with applicable visual resources requirements of the California Scenic Highway regulations and would not result in a significant impact that would have been avoided under these regulations.

## TOWN OF MAMMOTH LAKES GENERAL PLAN

Visual resource policies of the Town of Mammoth Lakes General Plan focus on preserving the aesthetics of the Town's topography, vegetation, and open spaces. The General Plan reflects the community's desire to maintain and enhance views of Mammoth Mountain, Mammoth Rock, Crystal Crag, the Bluffs, the Sherwin Range, Mammoth Knolls, Mammoth Crest, and other prominent backdrop features cited in the General Plan. The Proposed Project Alternative would not conflict with the visual resources policies and actions of the General Plan to preserve public views of mountains and aesthetic resources in the Mammoth Creek corridor (Policy C.2.J). As explained above, the Proposed Project Alternative would retain the visual quality of Mammoth Creek. The Proposed Project Alternative would not be inconsistent with applicable visual resources policies of the Town of Mammoth Lakes General Plan and would not result in a significant impact that would have been avoided under this plan.

## MONO COUNTY GENERAL PLAN 2009 LAND USE ELEMENT

The Proposed Project Alternative would not conflict with the policies of the Mono County General Plan to preserve scenic vistas available from U.S. Highway 395. As set forth above, the Proposed Project Alternative would not alter the visual character of the Mammoth Creek basin, and would not change scenic vistas from U.S. Highway 395. The Proposed Project Alternative would not construct or cause the construction of any structures that would infringe upon or impede views along the designated section of U.S. Highway 395. The Proposed Project Alternative would not be inconsistent with applicable visual resources policies of the Mono County General Plan and would not result in a significant impact that would have been avoided under this plan.

## INYO NATIONAL FOREST LAND AND RESOURCE MANAGEMENT PLAN

The Proposed Project Alternative would be consistent with LRMP policies to maintain foreground and middle ground views from highways officially designated as California State and County Scenic Highways. As explained above, the Proposed Project Alternative would not change the visual quality of Mammoth Creek in the vicinity of U.S Highway 395. In addition, the Proposed Project Alternative would not conflict with the objective of the LRMP to maintain or enhance current visual resources and scenic attractions.

In addition, the Proposed Project Alternative would be consistent with the policy of the LRMP to maintain or enhance the size and diversity of all riparian zones, aspen stands, and meadows that are visible from Sensitivity Level 1 and 2 roads and trails, or where they receive significant recreational use. Although the Proposed Project Alternative would eliminate existing managed diversions to Bodle Ditch from Lake Mary, the implementation of monitoring and necessary responsive measures under the RWMAMP would address significant reduction or loss of riparian vegetation located within existing mixed montane riparian scrub, montane meadow, and mixed willow riparian woodland communities along the Bodle Ditch course. Because the

Proposed Project Alternative would be consistent with visual resource policies of the LRMP, it would have no impact with respect to this plan.

Impact Determination 9.3.3.1-4 - Less than Significant

Mitigation Measure 9.3.3.1-4 – None Required

### *9.3.3.2 Environmental Impacts of the Bypass Flow Requirements Alternative No. 2 Compared to the Existing Condition*

**Impact Consideration 9.3.3.2-1: Would the Alternative substantially degrade the existing visual character or quality of the site and its surroundings?**

The Bypass Flow Requirements Alternative No. 2 would be the same as the Proposed Project Alternative with respect to the Existing Condition, except that fishery bypass flow requirements would be somewhat higher during the months of September through February. As with the Proposed Project Alternative, this change would not affect the aesthetic value of Mammoth Creek or the consistency of this alternative with applicable regulations, policies and plans concerning visual resources along Mammoth Creek. Also, as with the Proposed Project Alternative, the Bypass Flow Requirements Alternative No. 2 would maintain water levels in Lake Mary as required under the existing WOC, amend the WOC to allow the mandatory refill of Lake Mary by June 30 instead of June 1, cease diversion to Bodle Ditch from Lake Mary, amend the WOC regarding bypass flow requirements to Twin Falls, and provide a year-round bypass flow requirement of 3.0 cfs in Mammoth Creek at the Twin Lakes outlet. Therefore, the analysis of the Proposed Project Alternative with regarding Mammoth Creek, Bodle Ditch, and consistency with applicable plans and policies would apply to this alternative. As with the Proposed Project Alternative, impacts with respect to Mammoth Creek, Bodle Ditch, and consistency with applicable plans and policies would be less than significant.

However, the Bypass Flow Requirements Alternative No. 2 would differ from the Proposed Project Alternative regarding Lake Mary storage. Under the Bypass Flow Requirements Alternative No. 2, the average date on which full pool occurs would be May 21, as under the Existing Condition, compared to May 9 under the Proposed Project Alternative. The lake would reach full pool during all 20 years of the evaluation period. Drawdown of Lake Mary would reach the seasonal constraint of 3.0 ft prior to September 15 in two of the 20 years, for one day each, as under the Existing Condition, compared to one day under the Proposed Project Alternative. The authorized drawdown maximums under the Existing Condition do not substantially affect the aesthetic value of Lake Mary or its contribution to the scenic quality of the area. Because the authorized drawdowns under the Existing Condition do not substantially affect the visual character of Lake Mary during the summer season when the lake is viewed by a greater number of visitors, and the Bypass Flow Requirements Alternative No. 2 would not exceed authorized drawdown constraints, this alternative would have a less than significant impact on Lake Mary as a visual resource.

Impact Determination 9.3.3.2-1 - Less than Significant

Mitigation Measure 9.3.3.2-1 - None Required

### *9.3.3.3 ENVIRONMENTAL IMPACTS OF THE PERMIT 17332 BYPASS FLOW REQUIREMENTS ALTERNATIVE COMPARED TO THE EXISTING CONDITION*

**Impact Consideration 9.3.3.3-1: Would the Alternative substantially degrade the existing visual character or quality of the site and its surroundings?**

The features of the Permit 17332 Bypass Flow Requirements Alternative are the same as those of the Proposed Project Alternative, except that the fishery bypass flow requirements would differ. The Permit 17332 Bypass Flow Requirements Alternative has somewhat lower fishery bypass flow requirements during September through March and somewhat higher fishery bypass flow requirements during April through August compared to those of the Proposed Project Alternative. As with the Proposed Project Alternative, this change would not affect the recreational value of Mammoth Creek or the consistency of this alternative with applicable regulations, policies and plans concerning visual resources along Mammoth Creek. Also, as with the Proposed Project Alternative, the Permit 17332 Bypass Flow Requirements Alternative would maintain water levels in Lake Mary as required under the existing WOC, amend the WOC to allow the mandatory refill of Lake Mary by June 30 instead of June 1, cease diversion to Bodle Ditch from Lake Mary, amend the WOC regarding bypass flow requirements to Twin Falls, and provide a year-round bypass flow requirement of 3.0 cfs in Mammoth Creek at the Twin Lakes outlet. Also, as with the Proposed Project Alternative, the Permit 17332 Bypass Flow Requirements Alternative would modify the District's authorized POU in order to continue providing water service to ten recreation-related uses within USFS lands. Therefore, the analysis of the Proposed Project Alternative regarding Mammoth Creek, Bodle Ditch, and consistency with applicable plans and policies would apply to this alternative. As with the Proposed Project Alternative, impacts with respect to Mammoth Creek, Bodle Ditch, and consistency with applicable plans and policies would be less than significant.

However, the Permit 17332 Bypass Flow Requirements Alternative would differ from the Proposed Project Alternative regarding Lake Mary storage. Based on the 20-year evaluation period described in Chapter 4 - Hydrology, the average date on which Lake Mary reaches its maximum volume would be May 14 (as under the Existing Condition) for 15 out of 20 years. However, Lake Mary does not reach full pool during the summer over the 5-year sequence of dry years under the Permit 17332 Bypass Flow Requirements Alternative. Drawdown of Lake Mary would reach the seasonal constraint of 3.0 ft prior to September 15 in seven of the 20 years. For these years, the duration (extending from April 1) ranges from 37 to 167 days, for an average of 68 days, compared to two of 20 years for a duration of one day under the Existing Condition.

Although the Permit 17332 Bypass Flow Requirements Alternative would not reach full pool during the summer season for one-fourth of the 20-year evaluation period, the alternative would not exceed the authorized drawdown of 3.0 ft prior to September 15. The authorized drawdown maximums under the Existing Condition do not substantially affect the aesthetic value of Lake Mary or its contribution to the scenic quality of the area. Because the authorized drawdowns do not substantially affect the visual character of Lake Mary, and the Permit 17332 Bypass Flow Requirements Alternative would not exceed authorized drawdown constraints, this alternative would have a less than significant impact on Lake Mary as a visual resource.

Impact Determination 9.3.3.3-1 – Less than Significant

Mitigation Measure 9.3.3.3-1 – None Required

### *9.3.3.4 Environmental Impacts of the No Project Alternative Compared to the Existing Condition*

The No Project Alternative is analyzed at the existing level of development (i.e., current utilization of permitted surface water supplies) and at a future level of development (i.e., projected utilization of permitted surface water supplies at maximum buildout in 2025) to address conditions that would reasonably be expected to occur in the foreseeable future if the proposed project were not approved. The No Project Alternative would retain the existing fishery bypass flow requirements that were implemented in 1997.

#### NO PROJECT ALTERNATIVE (EXISTING LEVEL OF DEMAND) COMPARED TO THE EXISTING CONDITION

**Impact Consideration 9.3.3.4-1. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?**

#### Lake Mary

The No Project Alternative (Existing Level of Demand) would retain existing WOCs regarding Lake Mary drawdown limitations and the required filling of Lake Mary by June 1. The No Project Alternative (Existing Level of Demand) would differ from the Existing Condition regarding Lake Mary storage. Based on the 20-year evaluation period described in Chapter 4 - Hydrology, the average date on which Lake Mary reaches its maximum volume would be May 20 for 90% of the time percent of the time, compared to the May 17 under the Existing Condition. The lake would reach full pool during all 20 years of the evaluation period. Drawdown of Lake Mary would reach the seasonal constraint of 3.0 ft prior to September 15 in two of the 20 years, for one day each, as under the Existing Condition. The authorized drawdown maximums under the Existing Condition do not substantially affect the aesthetic value of Lake Mary or its contribution to the scenic quality of the area. Because the authorized drawdowns under the Existing Condition do not substantially affect the visual character of Lake Mary during the summer season when the lake is viewed by a greater number of visitors, and the No Project Alternative (Existing Level of Demand) would not exceed authorized drawdown constraints, this alternative have a less than significant impact on Lake Mary as a visual resource.

#### Bodle Ditch Corridor

The No Project Alternative (Existing Level of Demand) would require adherence to the diversion requirements for Bodle Ditch in the WOCs. With the continued supply of water to Bodle Ditch, no assumed changes in the riparian corridor along Bodle Ditch are anticipated. Therefore, this alternative would have no potential or assumed impact on the visual value of the riparian corridor along Bodle Ditch as viewed from the Lake Mary Road multi-use path, Lake Mary Road, and Old Mammoth Road.

#### Twin Falls

The No Project Alternative (Existing Level of Demand) would not amend the existing WOCs that require certain bypass flows to Twin Falls. The District would comply with the bypass flow requirements as measured at the USFS diversion and flume from Lake Mamie, and other WOCs. Therefore the flows out of Lake Mamie to Twin Falls would not be significantly different from what has occurred under the Existing Condition. Therefore, this alternative would have no impact on Twin Falls as a visual resource.

**Mammoth Creek**

The No Project Alternative (Existing Level of Demand) would maintain the Beak Fishery Bypass Flow Requirements for Mammoth Creek and Hot Creek, between the Mammoth Creek confluence and the Hot Creek Gage. Because the No Project Alternative (Existing Level of Demand) would not change the visual character of the water flows in Mammoth Creek from what has occurred under the Existing Condition, it would have no impact on scenic resources associated with Mammoth Creek.

Impact Determination 9.3.3.4-1 - Less than Significant

Mitigation Measure 8.3.3.4-1 - None Required

### Impact Consideration 9.3.3.4-2. Would the project substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings in proximity to a state scenic highway?

The lower reaches of Mammoth Creek and Hot Creek, between its confluence with Mammoth Creek and the Hot Creek Flume Gage are in close proximity to U.S. Highway 395, a designated scenic highway. The water flow, stream bank, and meandering aspect of Mammoth Creek in the vicinity of U.S. Highway 395 currently contribute to the aesthetic value of the natural setting visible from U.S. Highway 395. As a result of highly variable annual precipitation in the Mammoth Creek basin, Mammoth Creek experiences considerable variability in flow under the Beak Fishery Bypass Flow Requirements, as under the unimpaired condition (see Chapter 4 - Hydrology). Since the No Project Alternative (Existing Level of Demand) would not change the visual character of Mammoth Creek and Hot Creek in the vicinity of U.S. Highway 395, compared to the Existing Condition, it would have no impact with respect to the visual character of natural resources in proximity to a state scenic highway.

Impact Determination 9.3.3.4-2 - Less than Significant

Mitigation Measure 9.3.3.4-2 - None Required

### Impact Consideration 9.3.3.4-3. Would the project have a substantial adverse effect on a scenic vista?

The No Project Alternative (Existing Level of Demand) would not require the development of any structures or other built features that could impede scenic vistas or panorama views in the Project Area. Therefore, the No Project Alternative (Existing Level of Demand) would have no impact with respect to scenic vistas.

Impact Determination 9.3.3.4-3 - Less than Significant

Mitigation Measure 9.3.3.4-3 - None Required

### Impact Consideration 9.3.3.4-4. Would the project conflict with applicable regulations and policies and programs to the extent that it would result in a significant impact to visual resources that would have been avoided under the plan or policy?

**California Scenic Highway Regulations**

Under the No Project Alternative (Existing Level of Demand), Mammoth Creek and Hot Creek would continue to experience flow variability that mimics the unimpaired condition and, thus,

would be consistent with the California Scenic Highway designation on U.S. Highway 395 to maintain the visual character of natural resources as viewed from U.S. Highway 395. The No Project Alternative (Existing Level of Demand) would be consistent with applicable visual resources requirements of the California Scenic Highway Regulations and would not result in a significant impact that would have been avoided under these regulations.

### Town of Mammoth Lakes General Plan

The No Project Alternative (Existing Level of Demand) would be consistent with visual resources policies and actions of the General Plan to preserve public views of mountains and aesthetic resources in the Mammoth Creek corridor. The No Project Alternative (Existing Level of Demand) would be consistent with applicable visual resources policies of the Town of Mammoth Lakes General Plan and would not result in a significant impact that would have been avoided under this plan.

### Mono County General Plan 2009 Land Use Element

Under the No Project Alternative (Existing Level of Demand) Mammoth Creek would continue to experience flow variability that mimics the unimpaired condition and would be consistent with the policies of the Mono County General Plan to maintain scenic vistas of Mammoth Creek available from U.S. Highway 395 and to preserve the visual quality of Mammoth Creek. The No Project Alternative (Existing Level of Demand) would be consistent with applicable visual resources policies of the Mono County General Plan and would not result in a significant impact that would have been avoided under this plan.

### Inyo National Forest Land and Resource Management Plan

The No Project Alternative (Existing Level of Demand) would not be inconsistent with the objective of the LRMP to maintain or enhance current visual resources and scenic attractions by maintaining existing, required water levels in Lake Mary, and Mammoth Creek would continue to experience flow variability. In addition, the No Project Alternative would be consistent with the policy of the Inyo National Forest LRMP to maintain or enhance the size and diversity of all riparian zones, aspen stands, and meadows that are visible from Sensitivity Level 1 and 2 roads and trails, or where they receive significant recreational use. The No Project Alternative (Existing Level of Demand) would be consistent with applicable visual resources policies of the Inyo National Forest LRMP and would not result in a significant impact that would have been avoided under this plan.

Impact Determination 9.3.3.4-4 - Less than Significant

Mitigation Measure 9.3.3.4-4 - None Required

## NO PROJECT ALTERNATIVE (FUTURE LEVEL OF DEMAND) COMPARED TO THE EXISTING CONDITION

### Impact Consideration 9.3.3.4-5. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

### Lake Mary

The No Project Alternative (Future Level of Demand) would not change the existing WOCs regarding Lake Mary drawdown limitations. The No Project Alternative (Existing Level of Demand) would retain existing WOCs regarding Lake Mary drawdown limitations and the

required filling of Lake Mary by June 1. The No Project Alternative (Future Level of Demand) would differ from the Existing Condition regarding Lake Mary storage. Based on the 20-year evaluation period described in Chapter 4 - Hydrology, the average date on which Lake Mary reaches its maximum volume would be June 10 for 90% of the time percent of the time, compared to the May 17 under the Existing Condition. The lake would reach full pool during all 20 years of the evaluation period. Drawdown of Lake Mary would reach the seasonal constraint of 3.0 ft prior to September 15 in two of the 20 years, for one day each, as under the Existing Condition.

The authorized drawdown maximums under the Existing Condition do not substantially affect the aesthetic value of Lake Mary or its contribution to the scenic quality of the area. Because the authorized drawdowns under the Existing Condition do not substantially affect the visual character of Lake Mary during the summer season when the lake is viewed by a greater number of visitors, and the No Project Alternative (Future Level of Demand) would not exceed authorized drawdown constraints, this alternative have a less than significant impact on the enjoyment of Lake Mary as a visual resource.

### Bodle Ditch Corridor

As is the case with the No Project Alternative (Existing Level of Demand), the No Project Alternative (Future Level of Demand) would require adherence to the diversion requirements for Bodle Ditch in the WOCs. With the continued supply of water to Bodle Ditch, no assumed changes in the riparian corridor along Bodle Ditch are anticipated. Therefore, this alternative would have no potential or assumed impact on the visual value of the riparian corridor along Bodle Ditch as viewed from the Lake Mary Road multi-use path, Lake Mary Road, and Old Mammoth Road.

### Twin Falls

As is the case with the No Project Alternative (Existing Level of Demand), the No Project Alternative (Future Level of Demand) would not amend the existing WOCs that require certain bypass flows to Twin Falls. The District would comply with the bypass flow requirements as measured at the USFS diversion and flume from Lake Mamie, and other WOCs. Therefore, the flows out of Lake Mamie to Twin Falls would not be significantly different from what has occurred under the Existing Condition. Therefore, this alternative would have no impact on Twin Falls as a visual resource.

### Mammoth Creek

The No Project Alternative (Future Level of Demand), compared to the Existing Condition, could result in a minor reduction of flow in Mammoth Creek and Hot Creek, between the Mammoth Creek confluence and the Hot Creek Flume Gage. However, as discussed in Chapter 4 - Hydrology, substantial differences would not occur between the No Project Alternative (Future Level of Demand) and the Existing Condition regarding the magnitude, frequency, duration, timing and rate of change of hydrologic conditions in Mammoth Creek at the OMR and OLD395 Gage, or in Hot Creek at the USGS Hot Creek Flume Gage. Because the No Project Alternative (Future Level of Demand) would not substantially change the flow in Mammoth Creek and Hot Creek compared to the Existing Condition, it would have a less than significant impact with respect to the visual character of these natural resources.

Impact Determination 9.3.3.4-5 - Less than Significant

Mitigation Measure 9.3.3.4-5 - None Required

### Impact Consideration 9.3.3.4-6. Would the project substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings in proximity to a state scenic highway?

The lower reaches of Mammoth Creek and Hot Creek, between the confluence with Mammoth Creek and the Hot Creek Flume Gage, are in close proximity to U.S. Highway 395, a designated scenic highway. The water flow, stream bank, and meandering aspect of these creeks in the vicinity of U.S. Highway 395 currently contribute to the aesthetic value of the natural setting visible from U.S. Highway 395. The No Project Alternative (Future Level of Demand), compared to the Existing Condition, could result in a minor reduction of flow in Mammoth Creek. However, as discussed in Chapter 4 - Hydrology, substantial differences would not occur between the No Project Alternative (Future Level of Demand) and the Existing Condition regarding the magnitude, frequency, duration, timing and rate of change of hydrologic conditions in Mammoth Creek at the OLD395 Gage or at the USGS Hot Creek Flume Gage. Since the No Project Alternative (Future Level of Demand) would not substantially change the flow in Mammoth Creek and Hot Creek, it would have no impact with respect to these scenic resources in proximity to a state scenic highway.

Impact Determination 9.3.3.4-6 - Less than Significant

Mitigation Measure 9.3.3.4-6 - None Required

### Impact Consideration 9.3.3.4-7. Would the project have a substantial adverse effect on a scenic vista?

The No Project Alternative (Future Level of Demand) would not require the development of any structures or other built features that could impede scenic vistas or panorama views in the Project Area. Therefore, the No Project Alternative (Existing Level of Demand) would have no impact with respect to scenic vistas.

Impact Determination 9.3.3.4-7 - Less than Significant

Mitigation Measure 9.3.3.4-7 - None Required

### Impact Consideration 9.3.3.4-8. Would the project conflict with applicable regulations and policies and programs to the extent that it would result in a significant impact to visual resources that would have been avoided under the plan or policy?

#### California Scenic Highway Regulations

The No Project Alternative (Future Level of Demand), compared to the Existing Condition, could result in a minor reduction of flow in Mammoth Creek. However, as discussed in Chapter 4 - Hydrology, substantial differences would not occur between the No Project Alternative (Future Level of Demand) and the Existing Condition regarding the magnitude, frequency, duration, timing and rate of change of hydrologic conditions in Mammoth Creek at the OLD395 Gage or at the USGS Hot Creek Flume Gage. Therefore, the No Project Alternative (Future Level of Demand) would allow Mammoth Creek to continue to experience flow variability that mimics the unimpaired condition and, thus, be consistent with the California Scenic Highway designation on U.S. Highway 395 to maintain the visual character of natural resources as viewed from U.S. Highway 395. The No Project Alternative would be consistent with applicable

visual resources requirements of the California Scenic Highway Regulations and would not result in a significant impact that would have been avoided under these regulations.

**Town of Mammoth Lakes General Plan**

The No Project Alternative (Future Level of Demand) could result in a minor reduction of flow in Mammoth Creek, compared to the Existing Condition. However, as discussed in Chapter 4 - Hydrology, substantial differences would not occur between the No Project Alternative (Future Level of Demand) and the Existing Condition regarding the magnitude, frequency, duration, timing and rate of change of hydrologic conditions in Mammoth Creek. Because only minor differences in hydrologic conditions would occur compared to the Existing Condition, the No Project Alternative (Future Level of Demand) would be consistent with visual resources policies and actions of the General Plan to preserve aesthetic resources associated with the visual value of Mammoth Creek. The No Project Alternative (Future Level of Demand) would be consistent with applicable visual resources policies of the Town of Mammoth Lakes General Plan and would not result in a significant impact that would have been avoided under this plan.

**Mono County General Plan 2009 Land Use Element**

The No Project Alternative (Future Level of Demand) could result in a minor reduction of flow in Mammoth Creek compared to the Existing Condition. However, as discussed in Chapter 4 - Hydrology, substantial differences would not occur between the No Project Alternative (Future Level of Demand) and the Existing Condition regarding the magnitude, frequency, duration, timing and rate of change of hydrologic conditions in Mammoth Creek at the OLD395 Gage or at the USGS Hot Creek Flume Gage. As such, Mammoth Creek and Hot Creek would continue to experience flow variability that mimics the unimpaired condition and would be consistent with the policies of the Mono County General Plan to maintain scenic vistas and to preserve the visual quality of natural resources visible from U.S. Highway 395. The No Project Alternative (Future Level of Demand) would be consistent with applicable visual resources policies of the Mono County General Plan and would not result in a significant impact that would have been avoided under this plan.

**Inyo National Forest Land and Resource Management Plan**

As is the case with the No Project Alternative (Existing Level of Demand), the No Project Alternative (Future Level of Demand) would not be inconsistent with the objective of the LRMP to maintain or enhance current visual resources and scenic attractions by maintaining existing, required water levels in Lake Mary. The potential diminishment in flow under this alternative compared to the Existing Condition would not be substantial, and Mammoth Creek would continue to experience flow variability. Therefore, as with the No Project Alternative (Existing Level of Demand), the No Project Alternative (Future Level of Demand) would be consistent with applicable visual resources policies of the Inyo National Forest LRMP and would not result in a significant impact that would have been avoided under this plan.

Impact Determination 9.3.3.4-8 - Less than Significant

Mitigation Measure 9.3.3.4-8 - None Required

## 9.4 MITIGATION MEASURES

No significant impacts to visual resources would occur under the Proposed Project Alternative. Therefore, no mitigation measures are required.

## 9.5 LEVEL OF SIGNIFICANCE AFTER MITIGATION

No significant impacts to visual resources would occur under the Proposed Project Alternative and no mitigation measures would be required that would change any of the evaluated impacts.

## 9.6 CUMULATIVE IMPACTS

### 9.6.1 QUALITATIVE AND QUANTITATIVE ASSESSMENT OF POTENTIAL CUMULATIVE IMPACTS

The assessment of cumulative impacts, including the direct and indirect effects of the Proposed Project Alternative or other Project alternative, focuses on those impacts that, when considered alone, would not be deemed a significant impact, but when considered in addition to the impacts of related projects in the area, would be considered "cumulatively considerable" and significant. Related projects are (recently) past, current, and probable future projects within the area of influence of the Proposed Project Alternative and other project alternatives. The Mammoth Creek Basin, including the Lakes Basin, the Mammoth Creek corridor, the Bodle Ditch corridor, and the terminus of Mammoth Creek at the Hot Creek Flume Gage provides the context for the cumulative impact analysis. Respective impacts on visual resources outside the Mammoth Creek Basin would not be considered cumulatively significant because of their distance from the area of influence. Cumulative impacts would derive from the combination of the impacts associated with the Proposed Project Alternative or other project alternatives and related projects. The Proposed Project Alternative under the future level of demand represents the Proposed Project Alternative at buildout (2025) and, as such, is considered a related project. Impacts on visual resources in the Mammoth Creek Basin would generally derive from the related projects involving the construction of buildings, bridges, trails, and other facilities in the Lakes Basin and along the Mammoth Creek corridor, as well as projects that could cumulatively contribute to the diminishment of visual resources identified in this chapter. Contributing activities would be regulated or encouraged through applicable plans and policies, which are, thus, considered related projects and include the following:

- Inyo National Forest Land and Resources Management Plan
- 2007 Town of Mammoth Lakes General Plan
- Town of Mammoth Lakes Draft Trail System Master Plan
- Town of Mammoth Lakes Draft Parks and Recreation Master Plan
- Mono County General Plan

**Cumulative Impact Consideration 9.6.1-1. Would the project alternatives, when combined with related projects, cause the diminishment of visual resources?**

#### *9.6.1.1 INYO NATIONAL FOREST LRMP*

The USFS Inyo National Forest LRMP contains policies that would encourage the preservation of visual resources in areas of high viewer sensitivity. Conversely, this plan does not contain any policies that would encourage development that could be detrimental to visual resources. Specific projects anticipated by the USFS include USFS applications for storage at Lake Mamie and Twin Lakes. These include applications for water right permits to confirm the installation of

dams that were installed in 1968 in Lake Mamie and 1953 in Twin Lakes. Since these applications are to confirm historic operations, they would have no impact on visual resources, or cumulative impact in combination with the Proposed Project Alternative or other project alternatives.

#### *9.6.1.2 TOWN OF MAMMOTH LAKES GENERAL PLAN*

The 2007 Town of Mammoth Lakes General Plan generally designates land along the Mammoth Creek corridor in the UGB as "resort," or low density residential. The General Plan anticipates development of existing parcels of vacant land and upgrading of existing parcels within these designations. However, the policies of the General Plan are to extend the existing easement along Mammoth Creek to protect the scenic resources along this corridor. Other areas along Mammoth Creek within the broader municipal boundary of the town are designated as Open Space and would not be open to general development. With the implementation of General Plan policies to protect scenic resources along Mammoth Creek, the combination of future development along the Mammoth Creek corridor with any project alternative (in which no impacts along the Mammoth Creek corridor are anticipated), is not expected to result in any cumulative impacts to scenic resources.

#### *9.6.1.3 TOWN OF MAMMOTH LAKES DRAFT TRAIL SYSTEM MASTER PLAN*

The Town of Mammoth Lakes Draft Trail System Master Plan proposes the development of the approximately 1.06-mile Mammoth Creek Path on or adjacent to Mammoth Creek Road in the proximity of Mammoth Creek. Since this alignment is located primarily within an unpaved public roadway, construction impacts on the visual character of Mammoth Creek corridor would be minimal. In combination with any project alternative (in which no impacts along the Mammoth Creek corridor are anticipated), impacts on the scenic character of the Mammoth Creek corridor would be less than significant.

The Draft Trails Master Plan provides for the 5.3-mile Lake Mary Road multi-use path, which intersects or parallels upper Bodle Ditch for a combined total of 0.35 mile. Preliminary construction of the path required clearing lodgepole pine forest and the avoidance of riparian vegetation to the extent feasible within an approximately 10-fooot-wide corridor in the vicinity of Bodle Ditch. As discussed above in Section 9.3, Environmental Consequences, the Proposed Project Alternative, the Bypass Flow Requirements Alternative No. 2, and the Permit 17332 Bypass Flow Requirements Alternative would eliminate the existing diversion of water to Bodle Ditch from Lake Mary. Under these project alternatives, monitoring of vegetation and the provision for responsive measures under the RWMAMP would address the possible loss or reduction of riparian vegetation. No impacts to lodgepole pine forest as a result of changing conditions are anticipated. In view of the RWMAMP and since no impacts to lodgepole pine forest are anticipated under any of the project alternatives, these project alternatives would not cumulatively impact the visual character of the plant communities along the Bodle Ditch corridor. No potential impacts or cumulative impacts to the riparian community would occur under the No Project Alternative.

The Draft Trail System Master Plan also anticipates the use of a low wooden boardwalk in the proximity of Mammoth Creek on the walking trail through Snowcreek Meadow to prevent trail braiding. In some sections close to the creek, the footpath occasionally fills with water and causes users to walk off the trail and create adjacent paths. Since the policy of the Trail System Master Plan is to prevent or reduce existing damage, the plan would improve the visual character along this section of the Mammoth Creek corridor. Because the project alternatives

would have no impact on the visual character of the corridor, no cumulative impacts on visual resources are anticipated.

#### *9.6.1.4 TOWN OF MAMMOTH LAKES DRAFT PARKS AND RECREATION PLAN*

Policies of the Town of Mammoth Lakes Draft Parks and Recreation Master Plan are to preserve open space in and adjacent to the town's municipal boundary and to address community concerns regarding the preservation and enhancement of the natural, scenic and recreational value of the Mammoth Creek corridor. The only development proposed under the Draft Parks and Recreation Master Plan in the Mammoth Creek corridor is associated with the expansion of uses and services at Mammoth Creek Park East and upgrading of existing play equipment at Mammoth Creek Park West. Expansion in Mammoth Creek Park East is associated with the use of the area for open space uses that would not require construction of buildings or other facilities that would affect views across the site or the visual character of the Mammoth Creek corridor. The implementation of these policies would result in the potential improvement of the visual character of the corridor and, in combination with any of the project alternatives, would have no cumulative impact on the scenic character of the Mammoth Creek corridor.

#### *9.6.1.5 MONO COUNTY GENERAL PLAN*

Reaches D and E of the Mammoth Creek basin and Hot Creek, between the confluence with Mammoth Creek and the Hot Creek Flume Gage, are located in unincorporated Mono County and subject to land use regulations of the Mono County General Plan. Mandatory General Plan actions include the designation of undeveloped LADWP lands as "Open Space" in order to protect the scenic resources on those lands, to require that any expansion of existing visually offensive land uses within the U.S. Highway 395 viewshed be adequately landscaped or otherwise screened, and to potentially relocate existing visually incompatible uses in the U.S. Highway 395 viewshed. These policies disallow the construction of new uses in the lower reaches of the Mammoth Creek corridor, which, in some areas is surrounded by LADWP land, and would prevent the development of uses that would impact visual resources. Since none of the project alternatives would impact visual resources in the portion of the Mammoth Creek corridor located in unincorporated Mono County, no cumulative impacts are anticipated in this area.

#### *9.6.1.6 PROPOSED PROJECT ALTERNATIVE FUTURE LEVEL OF DEMAND*

The Proposed Project Alternative Future Level of Demand relates to water demands at maximum buildout (2025). As discussed in Chapter 4 - Hydrology, projections extending to 2025 would not cause changes in the maximum level of Lake Mary, or maximum drawdown (prior to September 15, and year-round) of Lake Mary WSELs. Statistically significant differences would not occur for the date on which maximum storage is obtained during the spring (April – June). Therefore, the Proposed Project Alternative Future Level of Demand would not change scenic conditions at Lake Mary or contribute to cumulative impacts that would diminish the visual character of Lake Mary or the value of Lake Mary as a visual resource.

The Proposed Project Alternative Future Level of Demand would not change the less than significant impacts to the Bodle Ditch riparian corridor or change flows in Twin Falls that would be significantly different from what has occurred under the Existing Condition. Therefore, the Proposed Project Alternative Future Level of Demand would not cause a cumulative impact to these visual resources.

The Proposed Project Alternative Future Level of Demand would result in a minor reduction in water flows in Mammoth Creek and Hot Creek. Chapter 4 - Hydrology, concludes that substantial differences would not occur between the Proposed Project Alternative Future Level of Demand and the Existing Condition regarding the magnitude, frequency, duration, timing and rate of change of hydrologic conditions in Mammoth Creek at the OMR and OLD395 Gage, or in Hot Creek at the USGS Hot Creek Flume Gage. Because the Proposed Project Alternative Future Level of Demand would not substantially change the visual character of Mammoth Creek and Hot Creek, compared to the Existing Condition, the Proposed Project Alternative Future Level of Demand would not diminish the value of Mammoth Creek and Hot Creek as visual resources.

Cumulative Impact Determination 9.6.1-1 – Less than Significant

Mitigation Measure 9.6.1-1 – None Required

No potentially significant adverse impacts to visual resources would occur under any of the related projects or as a result of the combination of related projects. Thus, the Proposed Project Alternative would not have an incremental effect singularly or in combination with related projects that is "cumulatively considerable."