

August 25, 2013

Ted Schade, APCO
Great Basin Air Pollution Control District
Bishop, CA
RE: Final EIR CD4

Dear Mr. Schade,

These are my comments relative to your consideration of certification for the CD4 project and EIR located near Mammoth Lakes, California.

My main request is that the EIR should not be certified until two issues are resolved. The first is the issue of ground water monitoring as requested by the Mammoth Community Water District. I will not elaborate on this subject as they have covered it quite adequately in separate communication with you. It is my position that mitigation should definitely include a groundwater monitoring program which satisfies the MCWD's concerns.

The second issue involves the findings in the EIR relative to the proposed production well located 160' from Shady Rest Community Park. Summarizing, I strongly urge the elimination or relocation of this well as it has unnecessary and unmitigable environmental effects on the sensitive environment at Shady Rest Park.

My main concern is with the visual effects of a well site proposed just 160 feet, about 10 car lengths, from the park. In contrast to the statements made by one APCD Board member (who indicated he had "walked in the area," the "site was in a hole," and it was "screened by dense trees"), the site is clearly and distinctly visible and intrusive as documented herein.

First, let me inform you of my qualifications with regard to visual quality analysis. I regard myself as an expert in this field, having worked professionally with the CEQA documentation for almost 40 years, since 1973. I have prepared hundreds of environmental documents including 40 or 50 major project documents, primarily EIRs. In the 1990s, my consulting firm helped pioneer Photo-Realistic Simulation Analysis. One of our EIRs ("The Bluffs") received an Association of Environmental Professionals award for the "Best Environmental Document" in the state for that year, primarily based on the visual quality work therein. Most of my major EIRs included simulation analysis such as both Cero Coso Community College campuses (Bishop and Mammoth), the K-Mart Shopping Center in Bishop, the Juniper Springs project in Mammoth, and the visual quality analysis for the Lakes Basin bike project. I am proud of the fact that none of the environmental documents I worked on or prepared have ever been the subject of a lawsuit. With regard to my knowledge of Shady Rest Park, I have worked extensively on trails and bikeway planning in the park and vicinity, including funding and layout of the Shady Rest Bike Path. I also participated in the planning of the Shady Rest ball-field expansion project, the cross-

country ski trails, and the snowmobile staging areas. In addition, my many years as a little league coach and league president have made me even more familiar with the park as most of the league games were played there. So I know the area quite well.

To this end, I have conducted a “preliminary visual analysis” for the subject well site. A preliminary inquiry like this can lead to actual photo-simulations but is normally used as a starting point to verify present conditions, to ascertain Key Viewpoints for more in-depth analysis, and in this case, to help verify the analysis in the EIR and statements made in regard of same.

The first task I undertook was to field locate by triangulation the approximate well site in relation to the park and dirt roadway which leads easterly from the park. This was completed using maps and measurements contained in the EIR (for an in-depth analysis, this is accomplished by actual survey by a land surveyor). I completed these field measurements using a metal 100’ tape on August 20, 2013. I targeted the northwest corner of the well site and marked it with a 10’ high, 3’ x 3’ yellow “Bike” sign. The attached photo shows this point looking southeast 160’ from the edge of the Shady Rest parking area. A second photo of the sign located 100’ from the parking area is also attached. (Note: no field markings by others were present.)

As the photos indicate, the first major finding is that not only is the site not in a hole, it is actually on an ascending hillside leading up from the park. This hillside ridge runs nearly the entire south boundary of the park. Placing the well site on the slope of this ridge will make it highly visible, especially given the fact that 2.5 acres will need to be completely cleared for well-site construction (EIR).

The second major finding is that, although the site is forested, it is not dense in the foreground or middleground. This is because the area was thinned for fire-safe purposes some years ago (many stumps and old burn piles are still evident as shown in the attached photo.)

Because of the upward slope of the site and the thinned forest, the site will be significantly visible from the park. As mentioned above, the sloping landscape will have to have a well site pad created by grading and clearing 2.5 acres (per the EIR document) of forested land, making it even more visible. Also a roadway will have to be graded to access the site, which has not been accounted for in the present EIR analysis.

Mitigation proposed in the EIR is not only inadequate (“fence the site and paint it green”), but it is misleading. The photo of the existing well installation farther east of the subject site is misleading because the photo has not been adjusted for actual visual content – that is, the photo shows an incorrect scale, i.e., it is smaller than actual. This is a common mistake of untrained personnel who attempt visual analysis. The attached photo of this existing well site has been “field adjusted” to approximate actual scale (if more in-depth analysis were being conducted this

adjustment would be made on a computer using trigonometric methods). Although I did not carry out an actual in-depth simulation for the new site, the scale of the existing facility superimposed on the present site would be significant and clearly unmitigable. Further, if the existing well site represents in any way the final mitigation, it is wholly unacceptable in that revegetation of disturbed areas outside the fence has either not been required or has not been implemented. I also note overhead utilities present at the existing site. For any new site these should be undergrounded. Moreover, I did not evaluate nighttime lighting of the well site.

To meet county and town dark sky requirements, nighttime lighting must be avoided, have shielded fixtures, low wattages, and preferably operated on a motion sensor arrangement. (In addition, the present geothermal plant has many unshielded fixtures, and if this represents the new facility mitigation, it does not meet dark-sky ordinances of the town and county.)

A third major finding (and one that was not mentioned in the EIR or by the APCD Board member) is that the well site intersects an existing recreational trail used by mountain bikers, runners and walkers (several runners and two mountain bikers utilized this pathway while I was present). This trail can be seen in the attached photo right in the way of the proposed well. If walking around the area in the correct location, it is nearly impossible to not notice this pathway. Interfering with this trail (and the potential winter cross country trail in the same location) is an unnecessary and significant impact of the project.

A fourth major finding is that the well will be unacceptably audible to users of the park. This was noticed when photographing the existing well site. Noise from the well can be heard some 500 feet away as witnessed. Clearly, having such a noise source in proximity to the otherwise quiet surroundings of the park is unacceptable.

In my opinion and experience, to mitigate this well site to less-than significance is not possible in such close proximity to the park. However, there is a nearby location about 300 feet south of the well site that appears to be much more suitable. It also is located along an existing dirt road (see photo showing this existing forest road). This alternate site is not on sloping terrain and is relatively flat. In contrast to the proposed well site, much less grading would be required. Lastly, this alternative site is out of view of the park since it is over and above the ridge that borders Shady Rest Park on its south boundary.

Thank you for the opportunity to comment on this important project.

Sincerely,

Larry K. Johnston
P.O. Box 1903
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