

**ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT FOR THE  
NORTHSTAR COMMUNITY SERVICES DISTRICT  
MASTER WATER PLAN UPDATE**



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Figure 1 Map to Accompany Addendum to 2004 Master Water Plan Update EIR

# 1 INTRODUCTION

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This document is an Addendum to the Northstar Community Services District (NCS D) Master Water Plan (MWP) Update/Environmental Impact Report (EIR) (State Clearinghouse No. 2003102044). NCS D, as the lead agency, certified and approved the final EIR (FEIR) for the MWP Update on July 20, 2004, and filed a Notice of Determination (NOD) with the California Office of Planning and Research on July 27, 2004. NCS D proposes changes to four water right permits associated with the NCS D water infrastructure facilities (the Water Right Permits), that are consistent with the planned development under the MWP Update but were not previously analyzed in the EIR.

In accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, §§ 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, §§ 15000 et seq.), this Addendum analyzes proposed minor changes to the Master Water Plan Update Project (the Modified Project) by discussing the Water Right Permits in greater detail and describing the currently pending petitions for change and petitions for extensions of time (the Petitions) before the State Water Resources Control Board (SWRCB). While the Modified Project includes some minor changes from that analyzed in the MWP Update EIR, none of these changes will result in an increase in projected water demand for the Project, nor will they substantially impact NCS D's ability to provide a sufficient water supply for the Project. (See Wat. Code, § 10910(h).) Likewise, no significant new information or changes to the circumstances surrounding the Project alter the conclusions and assumptions of the MWP Update EIR regarding the total amount of water to be diverted under the Project. This Addendum demonstrates that all the potential environmental impacts associated with the modifications requested in the pending Petitions fall within the planning assumptions and impacts already evaluated in the FEIR.

## 2 CEQA AUTHORITY FOR ADDENDUM

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CEQA establishes the type of environmental documentation required when changes to a project occur after an EIR is certified. Specifically, Section 15164(a) of the CEQA Guidelines states that:

*The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.*

Section 15162 of the CEQA Guidelines requires a Subsequent EIR when a mitigated negative declaration (“MND”) has already been adopted or an EIR has been certified and one or more of the following circumstances exist:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Likewise, California Public Resources Code Section 21166 states that unless one or more of the following events occur, no subsequent or supplemental environmental impact report shall be required by the lead agency or by and responsible agency:

- Substantial changes are proposed in the project which will require major revisions of the environmental impact report;
- Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or
- New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

The purpose of this addendum, therefore, is to provide the additional substantial evidence and CEQA analysis necessary to address the minor changes sought to the Approved Project and supplement the whole record for the Modified Project. When an individual project requires CEQA evaluation, analysis in that project's CEQA evaluation may incorporate previous overall water planning projections, assuming the individual project's demand was included in the overall water plan. (Wat. Code § 10910(c)(2); *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 434-35.) This Addendum incorporates the DEIR and the FEIR for the 2002 NCS D MWP Update, and the MWP Update itself. As demonstrated by the analysis herein, the Modified Project would not result in any new additional significant impacts, nor would it substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the Modified Project are within the envelope of impacts addressed in the FEIR and do not constitute a new or substantially increased significant impact. Based on this determination, the Modified Project does not meet the requirements for preparation of a Subsequent or Supplemental EIR pursuant to Section 15162 of the CEQA Guidelines.

## **3 PROJECT DESCRIPTION**

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### **3.1 Introduction**

A 2002 MWP Update was prepared for NCS D by ECO:LOGIC Engineering (ECO:LOGIC 2002). The MWP Update involved construction, operation and maintenance of water infrastructure facilities including wells, pipelines, water storage tanks (reservoirs), and updating of the existing water treatment plant. The described facilities provide water to existing and future customers in the NCS D service area at the Northstar-at-Tahoe ski resort (Northstar) in Placer County, California. On April 28, 2004, NCS D distributed to public agencies and the general public a DEIR under CEQA for the implementation of the 2002 MWP Update (EDAW 2004). After a 45-day public review period in accordance with CEQA Guidelines section 15105 NCS D considered and addressed all comments received in the FEIR. NCS D adopted the FEIR and associated Mitigation Monitoring and Reporting Program (MMRP), and approved the proposed project on July 20, 2004.

### **3.2 Project Area and Vicinity**

The NCS D service area and sphere of influence encompasses a large portion of the Northstar region. Land uses at Northstar include retail areas, commercial uses, parking and circulation, restaurants, residential uses, open space, recreation areas, and ski operations. Existing NCS D water infrastructure is concentrated in the areas of residential and commercial development in the vicinity of Northstar Village and the various residential subdivisions. The water system in this area includes a network of water mains, pumps, and distribution pipelines, and Reservoirs C and D (water storage tanks). To the south, and upslope from these developed areas, are a majority of the existing NCS D water supply features, including the Big Springs and Sawmill Flat spring collection systems, Reservoir A, a 180-acre-foot (AF) capacity surface water impoundment created by an earth fill dam, and the water treatment plant. The water treatment plant was constructed to treat raw water supplies from the Big Springs and Sawmill Flat spring collection systems and Reservoir A. NCS D operates the water infrastructure facilities in concert with Trimont Land Company (TLC) pursuant to an operational agreement and an aggregation provision in two of the Water Right Permits that are jointly owned by TLC and NCS D.

The locations of proposed infrastructure improvements included in the MWP Update range from the ski area in the south, through the developed Northstar Village and residential areas, to the northern portion of the Northstar Golf Course near SR 267.

### **3.3 Overview of Approved Project**

The Approved Project was the implementation of the 2002 MWP Update. The primary components of the MWP Update were conclusions regarding water supply and demand at Northstar; an evaluation of methods to best fulfill existing and future water demands; and a recommended set of water supply, storage, treatment, and delivery infrastructure improvements to best address future demands and plan objectives.

The infrastructure improvements evaluated were divided into two categories, “Project Level” and “Program Level.” Seven infrastructure elements were included in the Project Level category and

were analyzed at a project level of detail. Information regarding the location, design, and operation of these seven facilities was available in sufficient detail to allow an evaluation of environmental impacts that met the requirements of a project EIR as defined in Section 15161 of the CEQA Guidelines.

Four infrastructure elements were included at the Program Level analysis category. These facilities were anticipated to be among the last to be developed (if ultimately needed) and were not designed to the same level of detail as the Project Level facilities. In some cases, the size, location, or other design features for these facilities were not confirmed. The analysis of the impacts of the Program Level elements used the best available information.

The Approved Project listed estimates of minimum reliable water supply from existing water sources at Northstar. The MWP Update stated that the spring collection system surface water sources are adversely affected during critically dry periods and can vary greatly in wet, average and dry years. The minimum dependable flows in dry years from the springs are estimated at 485 acre feet per year, with the minimum flow of 250 gpm occurring in September (2002 MWP Update, Section 2, page 2-1). Normal annual production from the spring collection system is in the range of 900- 1,100 AFY. Reservoir A has 180 AF of storage capacity. The Reservoir can reliably fill every year and was considered to have a reliable production. (EDAW 2004 Section 3.7.1 Summary of Master Water Plan Update Water Supply and Demand Analysis, p. 3.0-11.) The average year surface water supplies (sum of spring collection system and Reservoir A capacity) were estimated to be 1,080 AFY to 1,280 AFY.

### **3.4 Proposed Modifications to Approved Project**

As described above, the MWP Update listed a summary of the existing NCSD water supply sources and features, specifically the Big Springs and Sawmill Flat spring collection systems and Reservoir A. The use of these water sources is authorized through the four Water Right Permits that were originally issued by the California State Water Resources Control Board (SWRCB) to the predecessors in interest of NCSD and TLC.

The modifications included in this Addendum are a more detailed description of the Water Right Permits and the proposed changes to the Water Right Permits sought in the pending Petitions which were not expressly described in the EIR. The EIR's description and evaluation of water sources and use of water and the volumes of water available from those sources consider the same facilities and water described in the Water Right Permits and the pending Petitions.

In the time that has passed since the EIR was certified, NCSD and TLC filed petitions with the SWRCB to make changes to their water right permits and for a ten-year extension of time to complete full beneficial use of the surface water under those permits.

The minor modifications to the Approved Project contained in this Addendum are:

- A description of the NCSD and TLC Water Right Permits to provide historical context and additional information about the water supply sources NCSD is relying upon in its MWP Update; and

- Analysis of the Petitions filed by NCSD and TLC for their existing water rights.

### **3.4.1 Historical Timeline of NCSD and TLC Water Rights**

TLC holds Permit 15905 (Application 22822), NCSD holds Permit 15906 (Application 22823), and TLC and NCSD jointly hold Permits 16618 (Application 238551) and 16618 (Application 23849) to divert water from unnamed springs and streams, Sawmill Flat Springs, and West Martis Creek, tributary to the Truckee River, for direct diversion and diversion to storage. NCSD and TLC collectively manage and use water to operate the diversion, treatment, storage, and distribution works for Northstar, which is a 3,000-acre ski resort and residential community located in Placer County. NCSD's service area includes a portion of the Northstar ski resort service area; approximately 1,855 acres and 916 service connections to single-family residences and multiple-residence buildings. The place of use is approximately the same for all four permits and encompasses a total area of approximately 16,532 acres.

On June 16, 1967, TLC's predecessor in interest, Trimont Water Company (TWC), filed water-right applications 22822 and 22823 to supply water for municipal and recreational needs within a proposed 15,000-acre planned land development to the north of Lake Tahoe, near Truckee, California. In 1969, the SWRCB issued Decision 1342, which permitted Applications 22822 and 22823 for appropriation of 1,206 AF per year. Decision 1342 required that the water be put to full beneficial use by December 1, 1985, and that no extensions of time be granted without a hearing before the SWRCB. Applications 23849 and 23851 were filed in 1971 and permitted in 1974 to add additional points of diversion for operational flexibility and to add additional storage capacity to Reservoir A. All four permits have the same hearing requirement. According to Decision 1342, the hearing requirement was imposed because approval of the applications was expected to increase the amount of water used in the Truckee River Basin to the full 10,000 AF limitation allocated to California in the proposed Nevada-California Compact (Decision 1342, p. 4.). Consequently, the SWRCB wanted to evaluate whether it was appropriate to grant any extensions of time, or whether the unused portion of the rights should be made available for appropriation by other persons seeking appropriative rights. (SWRCB 2020.)

On January 21, 1980, the TWC was dissolved and its assets, including its interest in Permits 15905 and 15906, which were then assigned to TLC in 1984. On July 23, 1985, TLC assigned and transferred to the County of Placer a partial interest in Permits 16618 and 16619, for the right to appropriate by direct diversion 600 AFY. In exchange, the County quitclaimed all interest in Permit 15905 previously assigned to it. In 1990, Placer County formed NCSD as an independent special district to assume responsibility for public services within the Northstar community and assigned its interests in the existing water system and Water Right Permits.

### **3.4.2 Settlement Act and the Truckee River Operating Agreement (TROA)**

The interstate waters of the Lake Tahoe, Truckee River, and Carson River Basins (Basins) were the subject of dispute, controversy, and litigation for well over a century. These conflicts were ultimately resolved with the 1990 federal Truckee-Carson-Pyramid Lake Water Rights Settlement Act (Settlement Act) (Pub. Law 101-618), and the negotiated Truckee River Operating Agreement (TROA).

The Settlement Act provides for the permanent allocation of water between the States of California and Nevada in the Basins. In the Truckee River Basin, the settlement Act allocates to California the right to divert or extract, or to utilize any combination thereof, the gross amount of 32,000 AFY from all natural sources, including both surface and groundwater, provided that the maximum annual diversion of surface supplies do not exceed 10,000 AFY.

With the implementation of TROA on December 1, 2015, the interstate allocations under the Settlement Act for the Basins took effect and processing of the pending applications and petitions in the basin were allowed to proceed for the first time since the 1980s. As of December 2017, there were more than 20 pending applications and more than 50 pending petitions on file with the SWRCB related to water rights actions in the Basins. TLC and NCSD have filed eight of those petitions, which were referred to the Administrative Hearings Office (AHO) for this hearing.

### **3.4.3 Permits and Pending Petitions**

Figure 1 shows the points of diversion, places of use, streams, water sources and storage facilities associated with the water rights as well as the change petitions. The permits and petitions are described in detail below.

#### **Permit 15905 (Application 22822)**

Application 22822 was filed on June 16, 1967. The SWRCB issued Water Right Decision 1342 on June 19, 1969, approving Application 22822. Following this decision, the SWRCB issued Permit 15905 on October 28, 1969 to TLC's predecessor in interest.

Source:

Unnamed Stream tributary to Martis Creek thence Truckee River.

Authorized Point of Diversion:

South 470 East, 3,200 feet from northwest corner of Section 2, T16N, R16E, MDB&M, being within the SE1/4 of NW1/4 of Section 2.

Authorized Diversion Rates:

1.33 cubic feet per second (cfs) by direct diversion, not to exceed 82 acre-feet per month. Diversions to storage not to exceed 530 acre-feet per year. Total appropriation not to exceed 890 acre-feet in any year.

Authorized Diversion Seasons:

January 1 to December 31 of each year for direct diversions.  
October 1 of each year to April 30 of the succeeding year for diversions to storage.

Authorized Purposes of Use:

Recreational and Municipal

Authorized Place of Use:

Includes all or portions of Sections 15, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35 and 36 of

T17N, R17E, MDB&M, Sections 2, 3, 4, 5, 6, 7, 8, 9 and 18 of T16N, R17E, MDB&M, and Sections 1, 2, 3, 11, 12, 13, 14 and 23, of T16N, R16E, MDB&M, a total of approximately 15,400 acres, as shown on the map dated June 17, 1967 that is in the Administrative Record for these petitions (described below).

Deadline for Completion of Application of Water to Proposed Uses: December 1, 1985

### **Permit 15906 (Application 22823)**

Application 22823 was filed on June 16, 1967. The State Water Board issued water-right Decision 1342 on June 19, 1969. This decision approved Application 22823. Following this decision, the Division issued Permit 15906 on October 28, 1969. On October 29, 1971, the Division issued an order changing the authorized points of diversion in this permit. NCSD is the current permittee under this water right permit.

#### Sources:

- (1) West Martis Creek tributary to Martis Creek thence Truckee River
- (2) Sawmill Flat Springs tributary to West Martis Creek

#### Authorized Points of Diversion (as amended by October 29, 1971 order):

- (1) North 580 feet and West 1,750 feet from southeast corner of Section 5, T16N, R17E, MDB&M, being within the SW1/4 of SE1/4 of Section 5.
- (2) South 2,200 feet and West 2,880 feet from northeast corner of Section 8, T16N, R17E, MDB&M, being within the SE1/4 of NW1/4 of Section 8.

#### Authorized Diversion Rates:

0.3 cfs by direct diversion, not to exceed 19 acre-feet per month. Diversions to storage not to exceed 88 acre-feet per year. The maximum rate of diversion to offstream storage shall not exceed 1.35 cfs.

#### Authorized Diversion Seasons:

January 1 to December 31 of each year for direct diversions.  
October 1 of each year to April 30 of the succeeding year for diversions to storage.

#### Authorized Purposes of Use:

Recreational and Municipal

#### Authorized Place of Use:

Includes all or portions of Sections 31, 32 and 33, T17N, R17E, MDB&M: Sections 4, 5, 6, 7, 8 and 9, T16N, R17E, MDB&M, a total of approximately 4,000 acres, as shown on the map dated June 17, 1967 that is in the Administrative Record for these petitions.

Deadline for Completion of Application of Water to Proposed Uses: December 1, 1985

### **Permit 16619 (Application 23849)**

Application 23849 was filed on August 19, 1971. The SWRCB issued Permit 16619 on February 21, 1974. Permit 16619 is jointly held by TLC and NCSD.

Sources:

- (1) Unnamed Stream tributary to West Martis Creek
- (2) West Martis Creek thence Martis Creek thence Truckee River

Authorized Points of Diversion:

- (1) South 2,200 feet and West 2,880 feet from the northeast corner of Section 8, T16N, R17E, MDB&M, being within the SE1/4 of NW1/4 of Section 8.
- (2) North 580 feet and West 1,750 feet from the southeast corner of Section 5, T16N, R17E, MDB&M, being within the SW1/4 of SE1/4 of Section 5.

Authorized Diversion Rates:

2.2 cfs by direct diversion. 180 acre-feet per year by storage. The maximum amount diverted under this permit, together with that diverted under Permits 15905, 15906 and 16618 shall not exceed 2.5 cfs by direct diversion, 710 acre-feet per year for diversions to storage, and a total combined amount by direct diversion and storage of 1,206 acre-feet per October 1 to September 30 water year.

Authorized Seasons:

January 1 to December 31 of each year for direct diversions.  
October 1 of each year to May 31 of the succeeding year for diversions to storage.

Authorized Purposes of Use:

Recreational and Municipal

Authorized Places of Use:

Recreational use at Reservoir A located within SW1/4 of SE1/4 of Section 5, T16N, R17E, MDB&M. Municipal use within all or portions of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10 and 15-21, T16N, R17E, MDB&M, Sections 15, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, T17N, R17E, MDB&M, and Sections 1, 2, 3, 11, 12, 13, 14, 23 and 24, T16N, R16E, MDB&M, a total of approximately 16,352 acres, as shown on the two maps dated September 17, 1971 that are in the Administrative Record for these petitions.

Deadline for Completion of Application of Water to Proposed Uses: December 1, 1985

**Permit 16618 (Application 23851)**

Application 23851 was filed on August 19, 1971. A permit was issued on February 21, 1974. The current permittees are TLC and NCSD. The purpose of Permits 16618 and 16619 was to add additional points of diversion and operational flexibility to TLC and NCSD's separately held permits without adding to the total aggregate water diversion.

Source:

Unnamed springs tributary to unnamed stream thence West Martis Creek thence Martis Creek thence Truckee River

Authorized Point of Diversion:

North 2,470 feet and West 90 feet from the southeast corner of Section 6, T16N, R17E, MDB&M, being within NE1/4 of SE1/4 of Section 6.

Authorized Diversion Rates:

2.5 cfs by direct diversion. The maximum amount diverted under this permit, together with that diverted under Permits 15905, 15906 and 16619 shall not exceed 2.5 cfs by direct diversion, 710 acre-feet per year for diversions to storage, and a total combined amount by direct diversion and storage of 1,206 acre-feet per October 1 to September 30 water year.

Authorized Diversion Seasons:

January 1 to December 31 of each year for direct diversions.

October 1 of each year to May 31 of the succeeding year for diversions to storage.

Authorized Purpose of Use:

Municipal

Authorized Place of Use:

Includes all or portions of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10 and 15-21, T16N, R17E, MDB&M, Sections 15, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, T17N, R17E, MDB&M, and Sections 1, 2, 3, 11, 12, 13, 14, 23 and 24, T16N, R16E, MDB&M, a total of 16,352, acres, as shown on the map dated August 3, 1972 that is in the Administrative Record for these petitions.

Deadline for Completion of Application of Water to Proposed Use: December 1, 1985

**Requested Changes**

**Permit 15905 (Application 22822)**

Change Petitions

Petition for Change in Place of Use dated August 21, 1972: This petition seeks to change the authorized place of use for this permit to add 720 acres in portions of Sections 28, 29 and 30, T17N, R17E, MDB&M, as shown on a map dated August 22, 1972 that is in the Administrative Record for these petitions.

Petition for Changes in Point of Diversion, Place of Use and Purpose of Use dated May 1, 2018:

This petition seeks to change: (a) the authorized points of diversion in the permit by adding a new point of diversion at an unnamed spring tributary to West Martis Creek (AKA Big Springs tributary to West Martis Creek) in the NE1/4 of SE1/4 of Section 6, T16N, R17E, MDB&M; (b)

the authorized place of use by adding 3,827 acres, as shown on the map dated May 1, 2018, within Sections 1-3, 11-14 and 23-24 of T16N, R16E, MDB&M, Sections 23-26 and 35-36 of T17N, R16E, MDB&M, Sections 4-9 and 18 of T16N, R17E, MDB&M, and Sections 20-21 and 28-33 of T17N, R17E, MDB&M; and (c) the authorized purposes of use to add snowmaking.

#### Petitions for Extensions of Time

Permittee filed petitions for extensions of time on November 26, 1985, March 6, 1990 and May 1, 2018. Together, these petitions seek an extension of the current December 1, 1985 completion of construction and beneficial use deadline to December 31, 2028.

#### **Permit 15906 (Application 22823)**

##### Change Petitions

Petition for Change in Place of Use dated August 21, 1972: This petition seeks to change the authorized place of use in this permit to add 720 acres in portions of Sections 28, 29 and 30, T17N, R17E, MDB&M, as shown on a map dated August 22, 1972 that is in the Administrative Record for these petitions.

Petition for Change in Point of Diversion dated January 28, 1977: This petition seeks to change the authorized points of diversion for this permit to add the following new point of diversion: North 2,470 feet and West 90 feet from the southeast corner of Section 6, T16N, R17E, MDB&M, being within NE1/4 of SE1/4 of Section 6.

Petition for Changes in Point of Diversion, Place of Use and Purpose of Use dated May 1, 2018: This petition seeks to change: (a) the authorized points of diversion in the permit by adding a new point of diversion at an unnamed spring tributary to West Martis Creek (AKA Big Springs tributary to West Martis Creek) in the NE1/4 of the SE1/4 of Section 6, T16N, R17E MDB&M; (b) the authorized place of use by adding 3,827 acres, as shown on the map dated May 01, 2018, which are within Sections 1-3, 11-14, and 23-24 of T16N, R16E, MDB&M, Sections 23-26 and 35-36 of T17N, R16E, MDB&M, Sections 4-9 and 18 of T16N, R17E, MDB&M, and Sections 20-21 and 28-33 of T17N, R17E, MDB&M; and (c) the authorized purposes of use to add snowmaking.

#### Petitions for Extensions of Time

Permittee filed petitions for extensions of time on November 26, 1985, March 6, 1990 and May 1, 2018. Together, these petitions seek an extension of the current December 1, 1985 beneficial use deadline to December 31, 2028.

#### **Permit 16619 (Application 23849)**

##### Change Petitions

The following change petitions are pending for this permit:

Petition for Change in Point of Diversion dated January 31, 1977: This petition seeks to change the authorized points of diversion for this permit to add the following new point of diversion: North 2,470 feet and West 90 feet from the southeast corner of Section 6, T16N, R17E, MDB&M, being within NE1/4 of SE1/4 of Section 6.

Petition for Changes in Point of Diversion, Place of Use and Purpose of Use dated May 1, 2018: This petition seeks to change: (a) the authorized points of diversion in the permit by adding a new point of diversion at an unnamed spring tributary to West Martis Creek (AKA Big Springs tributary to West Martis Creek) in the NE1/4 of SE1/4 of Section 6, T16N, R17E, MDB&M; (b) the authorized place of use by adding 3,827 acres, as shown on the map dated May 1, 2018, within Sections 1-3, 11-14, and 23-24 of T16N, R16E, MDB&M, Sections 23-26 and 35-36 of T17N, R16E, MDB&M, Sections 4-9 and 18 of T16N, R17E, MDB&M, and Sections 20-21 and 28-33 of T17N, R17E, MDB&M; and (c) the authorized purposes of use to add snowmaking.

#### Petitions for Extensions of Time

Permittee filed petitions for extensions of time on November 26, 1985, March 6, 1990 and May 1, 2018. Together, these petitions seek an extension of the current December 1, 1985 beneficial use deadline to December 31, 2028.

#### **Permit 16618 (Application 23851)**

#### Change Petitions

The following change petition is pending for this permit:

Place of Use and Purpose of Use dated May 1, 2018: (a) the authorized place of use by adding 3,827 acres, as shown on the map dated May 1, 2018, within Sections 1-3, 11-14, and 23-24 of T16N, R16E, MDB&M, Sections 23-26 and 35-36 of T17N, R16E, MDB&M, Sections 4-9 and 18 of T16N, R17E, MDB&M, and Sections 20-21 and 28-33 of T17N, R17E, MDB&M; and (b) the authorized purposes of use to add snowmaking.

#### Petitions for Extensions of Time

Permittee filed petitions for extensions of time on November 26, 1985, March 6, 1990 and May 1, 2018. Together, these petitions seek an extension of the current December 1, 1985 beneficial-use deadline to December 31, 2028.

### **3.4.4 Analysis of Proposed Changes**

TLC and NCSD's pending change petitions request three changes: 1) amending place of use of the Permits so that they share a common place of use, 2) amending the purpose of use for the Permits, to specifically include snowmaking and irrigation, and 3) adding existing permitted points of diversion to the various permits consistent with the operation of the integrated water system.

#### Place of Use

The place of use boundaries in the existing Water Right Permits overlap in areas and have evolved over time from when the water right applications were originally filed in 1967 and as the Permits were amended prior to 1986. The current changes requested in the Petitions to the place of use consolidate the place of use so that it is the same in all four Permits to make them consistent, in line with the SWRCB's intended purpose of adding operational flexibility to NCS D and TLC's water distribution. The requested change will maximize flexibility for NCS D and TLC to make full beneficial use of water throughout the project area. The proposed place of use is within the existing permitted place of use under one or all the four existing Permits, except for NCS D Zone 4, lands described as: sections 23,24,25,25,35,36 of 17N, 16E and section 20 of 17N, 17E. These lands were developed as part of the Martis development and receive water through alternative sources. The addition of these lands to the existing permit provide NCS D flexibility to provide water primarily for snowmaking. Figure 1 shows the existing and also the additional Place of Use (shaded orange) if the petitions are approved.

*The Zone 4 Water System was originally operated by the Placer County Water Agency (PCWA). PCWA established the Zone 4 Water System in 1997 to provide water services to Placer County developments in the Martis Valley. The Zone 4 Water System is isolated from PCWA's Western Water System and its administrative offices, and in October 2009, the District contracted with PCWA to perform operation and maintenance at Zone 4. NCS D performed operation and maintenance at Zone 4 under contract for six years.*

*In September 2015, both PCWA and NCS D agreed that it was in the public's best interest for NCS D to become the service provider of potable water for Zone 4, and ownership of the Zone 4 Water System was transferred from PCWA to NCS D. The District annexed Zone 4 to provide water service only within the service territory. All assets, both physical and monetary, were transferred to NCS D from PCWA as part of the system transfer.*

*As of July 2018, the District provides water service to 902 single family residential connections, 629 undeveloped lots, and 26 commercial connections within the Zone 4 Water System (NCS D 2019).*

Expanding the NCS D sphere of influence and service boundary to include PCWA's Zone No. 4 and annexing this land will not cause direct or indirect physical effects on the environment, nor does it have the potential for causing a significant effect on the environment. A Notice of Exemption (NOE) was issued by Placer County in March 2015. (PCWA 2015).

The Approved Project and the Modifications to the Project discussed herein would not include the use of the permitted surface water to meet demands within Zone 4 or within the Martis development.

#### Purpose of Use

NCS D and TLC are requesting corrections to their permits to add snowmaking and irrigation (golf-course) to their Permits. These corrections are procedural and effectively sub-categories to their existing purpose of use: Municipal and Recreational. NCS D and TLC are amending their permits to ensure all uses are reflected in all Permits, so that the Permits reflect current operations and

allow for flexibility in managing their water resources to make full beneficial use of the water. The use of water for snowmaking was discussed and included as part of the Approved Project. The change to add, in this case, subcategories of uses, is not a physical change to the environment.

Adding Point of Diversion

NCSD and TLC are requesting to add a point of diversion (POD) to Permits 15905, 15906 and 16619. This point of diversion being requested is already an existing, permitted POD under Permit 16618. Adding this POD to the additional permits will allow flexibility in NCSD and TLC’s ability to manage their water resources to maximize full beneficial use. Permit 16618 was issued by the SWRCB for operational flexibility as outlined in SWRCB paperwork on file in this matter, therefore making the POD changes procedural. Adding this POD to the other Water Right Permits would allow the intended flexibility in managing the aggregate water resources already permitted to TLC and NCSD, and will not result in a physical change to the environment.

**3.5 Analysis**

This section provides the substantial evidence and CEQA analysis to verify that: (1) the minor technical changes to the Project described in the previous section and the resulting environmental impacts described below do not meet any of the criteria in Section 15162 of the CEQA Guidelines for preparing a subsequent EIR, and these changes do meet CEQA Guidelines Section 15164 for preparing an addendum to the adopted FEIR; and (2) the analysis in the EIR and this Addendum are sufficient to provide the substantial evidence necessary to support NCSD’s decision to prepare this Addendum.

The 2004 MWP Update EIR evaluated the environmental impacts associated with anticipated water demand and supply calculations over a 10-year planning period that included the following factors: increased water demands for snowmaking; refining water requirement assumptions for golf course irrigation based on usage data; calculating water demands from commercial facilities based on development plans; revising water demand projections to allow for anticipated increases in residential occupancy from 46 percent to 75 percent build-out; up to 3,700 additional residential units consistent with the Master Plan; and balancing surface water supplies with available and potential groundwater sources. (DEIR, Section 3.0 Project Description.) Table 3-1 of the DEIR compared existing water demands to projected estimates at full buildout:

Table 3-1 Existing and Future Northstar Water Demand Estimates				
Water Demand	Golf Course Irrigation	Snowmaking	Residential and Commercial	Total
Existing	210 afy	183 afy	283 afy	686 afy
At Full Northstar Buildout	210 afy	594 afy	1,240 afy	2,044 afy

NCSD’s projected water demand at full buildout, including golf course irrigation, snowmaking, and residential and commercial municipal use, was estimated to total 2,044 afy of surface water and groundwater sources. (*Id.*)

The MWP Update EIR analyzed the changes to the environment that would occur as a result of project implementation, and examined all phases of the project (i.e. planning, construction, operation, and maintenance). The EIR contemplated the full range of effects to the physical environment. The changes to the Water Right Permits being considered by the Petitions will not result in changes to the physical environment or the resource categories previously analyzed. They are largely procedural changes, and corrections, to reflect actual operations by NCSD and TLC when collectively managing their water resources. For example, the addition of a POD to Permit 15906 will reflect how water is currently moved within existing conveyance facilities (from Big Springs to Reservoir A).

As described above, with the exception of Zone 4 lands, the proposed place of use is within the existing permitted place of use under one or all the four existing Water Right Permits. The proposed place of use will consolidate the place for all four Water Right Permits. The impacts to the physical environment resulting from actual operations (which include the use of water to meet municipal needs, recreation, snowmaking and golf course irrigation) at Northstar were fully evaluated in the MWP Update EIR.

The changes and extensions of time sought for the subject Water Right Permits would not materially change the analysis in the EIR, and would not change the nature, severity, or significance conclusions of impacts, on the following resource areas evaluated in Chapter 4.0 of the EIR:

- Land Use
- Population, Housing and Employment
- Human Health and Hazards
- Transportation and Circulation
- Noise
- Air Quality
- Geology and Soils
- Biological Resources
- Cultural and Paleontological Resources
- Visual Resources

Two resource areas warranted additional discussion in this Addendum: Hydrology and Water Quality, concerning the impacts of the Project on local hydrological conditions including surface water, groundwater, and changes in drainage flow rates; and Public Services and Utilities, relating to the effects the Project may have on the need for additional public services and overall utility demand, are analyzed below.

### **3.5.1 Hydrology and Water Quality**

The EIR evaluated the potential for conflict with applicable local, state, and/or federal policies and standards associated with water resources. In particular, whether the expanded development, improvements, and infrastructure would result in regional water demands that conflicted with regional water resource policies. The EIR concluded that because “NCSD has access to sufficient water to meet the projected water demand at full buildout of the Northstar resort community, and

the regional water supply is sufficient to meet future regional water demand, the impact of the proposed project on regional water supplies and consistency with water resource management policies and regulations would be less than significant.” (DEIR, Section 4.7.) Accordingly, this impact was considered less than significant.

The proposed Modified Project involves changes and extensions to the Water Right Permits that would all go to attaining the full buildout contemplated in the EIR. The requested changes in purpose of use and place of use are intended to bring all four Water Right Permits in line with each other to enable greater flexibility and more efficient management of water supplies that are already diverted. While the requested extension is intended to allow Permittees to divert a greater amount of surface water than they have done to date, there would be no change to the maximum permitted amount of 1,206 AFY. As noted in Table 3-1 of the EIR, that amount is well-within the Northstar community’s total projected water demand of 2,044 AFY at full buildout. Thus, the changes sought in the Modified Project will not result in changes to the water resources or relevant management policies already analyzed in the FEIR.

### **3.5.2 Public Services and Utilities**

The DEIR found with respect to the public services that “[d]emand for water in the project study area is anticipated to increase from an existing demand of 686 afy to a future demand of 2,044 afy at buildout of the Northstar resort community. The proposed project would construct the necessary facilities to withdraw, treat and convey water supplies to meet existing and future demand in the project study area. These facilities would not increase demand for water service. Because the development of the proposed project would allow NCSD to provide a reliable water supply to meet these future water demands, and would not increase water demand itself, this impact is considered less than significant.” (DEIR, Section 4.11.) “The Program Level elements of the proposed project would not, in and of themselves, increase demand for water in the project study area. Instead, the project would construct the necessary facilities to withdraw, treat, and convey water supplies to meet existing and future demand in the project study area. This impact is considered less than significant.” (*Id.*)

The proposed Modified Project would similarly have no effect on demands for water within the Project area. The changes and extensions to the Water Right Permits would merely allow NCSD and TLC to continue to meet existing and projected water demands. Here, because no construction or structural changes are being sought as part of the Modified Project, there would be no impact to this resource area.

### **3.5.3 Proposed Reservoir Construction under Permit 15905 (Application 22822)**

The facilities associated with Permit 15905 (Application 22822) have not been constructed. The changes requested in the petition(s) for Permit 15905 can be approved by the SWRCB without the facilities having been built. Because the four Water Right Permits contemplate a combined maximum use of 1,206 AF per year, and the MWP Update EIR evaluated the full use of water supplies under that level of build-out, the impacts associated with the water use have already been evaluated.

At the time of preparation of the MWP Update EIR, construction of Reservoir B (the reservoir associated with Permit 15905) was presented as an alternative to the Proposed Project. It was assumed that build-out water demands could be met with combined use of surface water sources and groundwater sources without Reservoir B. The EIR included a discussion of Reservoir B as an alternative and determined that at the time Reservoir B was not seen as a necessary component of the project due to the costs and regulatory and environmental constraints associated with construction of the dam and reservoir. (Section 7 DEIR EDAW 2004)

TLC, the owner of Permit 15905 is in the early phases of evaluating the feasibility of constructing Reservoir B. Prior to construction of Reservoir B, TLC and NCS D would comply with all pertinent regulations including but not limited to: site-specific CEQA evaluation, approval from the Division of Safety of Dams (DSOD), obtaining 401 Water Quality Certification from SWRCB, stream bed alteration agreement (California Department of Fish and Wildlife), as well as county and local approvals (as applicable). However, the current requested actions of extending time to complete construction and maximize beneficial use of the water under Permit 15905 will not result in any environmental impacts that were not already considered and analyzed in the FEIR.

### **3.6 Conclusion**

Based on the above, the Modified Project, which includes a description of the Water Right Permits which authorize the use of the water sources in the MWP Update, and the Petitions to these Permits, would result in none of the conditions described in Section 15162 of the CEQA Guidelines that would trigger the need to prepare a subsequent EIR or negative declaration. Most importantly, the proposed minor technical changes evaluated in this Addendum:

- Would not result in any new significant environmental effects;
- Would not substantially increase the severity of previously identified effects;
- would not result in mitigation measures or alternatives previously found to be infeasible becoming feasible; and
- Would not result in availability/implementation of mitigation measures or alternatives which are considerably different from those analyzed in the previous document that would substantially reduce one or more significant effects on the environment.

Thus, a new or substantially greater significant impact would not result from the proposed modifications. In addition, the mitigation measures included as part of the EIR would continue to be implemented. These conclusions confirm that a subsequent EIR is not required, and this addendum to the FEIR is the appropriate CEQA document under CEQA Guidelines Section 15164 to evaluate the minor technical changes and potential environmental impacts thereof.

## 4 REFERENCES

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### 4.1 Document Preparers

This Addendum was prepared by Wagner & Bonsignore, Consulting Civil Engineers for use by Northstar Community Services District. The following persons were involved in preparation of the of the Addendum:

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## 4.2 Acronyms/Abbreviations

AF	acre-feet
AFY	acre-feet per year
AHO	Administrative Hearing Office
Approved Project	Implementation of the 2002 Northstar Community Services District Master Water Plan Update
Basins	Lake Tahoe, Truckee River, and Carson River Basins
CEQA	California Environmental Quality Act
cfs	cubic feet per second
DEIR	Draft Environmental Impact Report
DSOD	California Division of Safety of Dams
EIR	Environmental Impact Report
FEIR	Northstar Community Services District Master Water Plan Update Final Environmental Impact Report
MWP	Master Water Plan
NCSD	Northstar Community Services District
NOE	Notice of Exemption
Northstar	Northstar-at-Tahoe ski resort (now called Northstar California)
POD	Point of Diversion
PRC	California Public Resources Code
Settlement Act	Truckee-Carson-Pyramid Lake Water Rights Settlement Act
SWRCB	State Water Resources Control Board
TLC	Trimont Land Company
TROA	Truckee River Operating Agreement

### 4.3 Documents Cited

ECO:LOGIC Engineering 2002. Northstar Community Services District Master Water Plan Update. August.

EDAW 2014. Northstar Community Services District Master Water Plan Update Draft Environmental Impact Report, State Clearinghouse No. 2003102044. April.

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Placer County Water Agency (PCWA) 2015. Annexation of PCWA Zone No. 4 and Transfer of Water Facilities to Northstar Community Services District. March.

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