

**ADDENDUM TO THE  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
FOR THE  
NORTH TAHOE SHARED-USE TRAIL – SEGMENT 1**

SCH NO. 2022030427

December 14, 2023

**PREPARED BY RESPONSIBLE AGENCY:**

California Tahoe Conservancy  
1061 Third Street  
South Lake Tahoe, CA 96150

## I. INTRODUCTION

The North Tahoe Shared-Use Trail – Segment 1 Project (Project) is located in the North Lake Tahoe area of eastern Placer County (County). The County, as the project sponsor and lead agency, prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the Project. The County adopted the IS/MND on June 14, 2022, and filed a notice of determination on June 15, 2022.

As described in detail in Section 3 of the IS/MND, the Project involves the construction of 2.52 miles of paved shared-use trail connecting the North Tahoe Regional Park to the community of Carnelian Bay. The trail would measure a minimum of 10 feet and a maximum of 12 feet in width, with one-foot aggregate base shoulders on either side. It could be used by bicyclists, hikers, commuters, and other recreationalists, and is a segment link within the larger regional trail system.

The California Tahoe Conservancy (Conservancy) has prepared this Addendum in its role as a responsible agency.

## II. DESCRIPTION OF CHANGES AND RATIONALE FOR ADDENDUM

Since adoption of the IS/MND, minor technical changes/additions have arisen for which preparation of an addendum is appropriate. Specifically, the changes are:

1. Inclusion of the Conservancy in the list of responsible agencies in Section 2.3.2.
2. Modification of Mitigation Measure TCR-1 to read as follows (additions are shown in underline format): “**Continue Consultation with Shingle Springs Band of Miwok Indians (SSBMI) Tribe and Washoe Tribe of Nevada and California (Washoe Tribe)**. Construction shall cease if a potential cultural resource is inadvertently discovered during construction, and the SSBMI Tribe and Washoe Tribe shall be contacted to continue consultation. Construction shall not resume until consultation with each tribe is considered concluded when either of the following occurs, pursuant to Public Resource Code (PRC) 21080.3.2(b)(1): “The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource,” or PRC 21080.3.2(b)(2): “A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.”
3. Addition of new Mitigation Measure TCR-2 to read as follows: “**Cultural Monitoring**. Prior to construction, the County shall retain a qualified cultural monitor from or approved by the Washoe Tribe to monitor Project construction. On-site monitoring shall end when construction at the Project site is completed, or may be reduced or eliminated prior to completion of construction if the monitor

determines that activities have a low potential for impacting tribal cultural resources.”

The Conservancy prepared this Addendum to the IS/MND to address the changes identified above. The preparation of an addendum is appropriate pursuant to CEQA Guidelines section 15164.

CEQA Guidelines sections 15162 and 15164 allow a lead or responsible agency to prepare an addendum to a previously adopted MND if minor technical changes or additions are necessary, but none of the following occurs:

1. Substantial changes are proposed in the project, which will require major revisions to the MND due to the involvement of new significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions to the previous MND due to involvement of new significant environmental effects or 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 MND was adopted, shows any of the following:
  - a. The project will have one or more significant effect not discussed in the MND;
  - b. Significant effects previously examined will be substantially more severe than shown;
  - 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 measures or alternatives; or
  - d. Mitigation measures or alternatives, which are considerably different from those analyzed in the previous MND, would substantially reduce one or more significant effect on the environments, but the project proponents decline to adopt the mitigation measure or alternative.

The revisions documented herein are minor technical changes to the IS/MND that do not trigger any of the conditions described above. Therefore, a subsequent MND is not required.

### **III. ENVIRONMENTAL ANALYSIS**

This section evaluates whether the changes identified above would result in new or substantially more severe environmental impacts than described in the IS/MND.

#### **TOPICS TO BE DISMISSED FROM FURTHER ANALYSIS**

The analysis in the IS/MND adequately addresses potential impacts for the following topics because the changes identified herein do not affect the topic, or there has not

been a substantial change in the circumstances involving the topic or in the surrounding local environment: aesthetics, air quality, agriculture and forestry resources, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, and utilities and services. Therefore, these topics are not analyzed further in this Addendum.

## **ANALYSIS**

### **Cultural Resources and Tribal Cultural Resources**

To prepare the IS/MND, the County conducted an investigation within a 39-acre Project area to locate, describe, and evaluate cultural and historic resources that may be present. The investigation included a records search and field surveys conducted in October 2019 and October 2020. A full accounting of the methods and findings can be found in the Heritage Resource Inventory Report provided as Appendix G to the IS/MND. The Heritage Resource Inventory Report and Section 4.18.2 of the IS/MND also describe the County's Assembly Bill (AB 52) process.

Section 4.5.3 of the IS/MND made the following determination regarding the potential to disturb human remains:

- **“c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?**

#### ***Less than Significant Impact***

Based on the prehistoric and historic uses of the area and the prior ground disturbance within the APE, and minimal construction depths, human remains are not expected to be discovered during construction activities. Additionally, as stated in Construction Controls Section 3.7.3, Cultural Resources, the Project is required to comply with the following provisions, should human remains be encountered during construction:

*If cultural resources are discovered during Project implementation, Project personnel shall halt all activities in the immediate area and notify the Project Engineer, the Washoe Tribe, and a qualified archaeologist to determine the appropriate course of action. Archaeological resources are not to be moved or taken from the Project site and work should not resume until authorized. Should human remains be encountered while engaged in construction activities, work must cease in the immediate area and the contractor must immediately report the finding to the County Coroner, Washoe Tribe, California OHP, USFS, and other designated officials. The California OHP office will consult with the tribe on the disposition of the remains and any associated artifacts.*

The likelihood of disturbing human remains during construction are considered very low, and procedures are in place to protect remains if uncovered. Therefore, the potential for the Project to disturb human remains is less than significant.”

In addition, Section 4.18.4 of the MND determined the following with regard to tribal cultural resources:

- **“ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC § 5024.1. In applying the criteria set forth in subdivision (c) of PRC § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?**

***Less than Significant Impact with Mitigation Incorporated***

As discussed in the Environmental Setting, the SSBMI Tribe requested continued consultation regarding the Project during construction. In the event inadvertent cultural resources are discovered because of Project activities, Mitigation Measure TCR-1 will ensure the SSBMI Tribe is informed of findings and potential significant impacts to tribal cultural resources are avoided.”

This Addendum revises Mitigation Measure TCR-1 and adds Mitigation Measure TCR-2, as described above in Section II.

Conservancy staff determined that revisions to Mitigation Measure TCR-1 are necessary to clarify that the County must also contact the Washoe Tribe and continue consultation in the event a potential cultural resource is discovered. While the construction control measure in Section 4.5.3 also requires the Washoe Tribe to be notified if a cultural resource is discovered, the revision would clarify the need for continued consultation. In addition, Conservancy staff, in coordination with the Washoe Tribe, determined that the addition of Mitigation Measure TCR-2 for cultural monitoring during Project construction is necessary to ensure no significant impacts to tribal cultural resources.

There is no potential for any new significant environmental effects to result from these changes. Further, these changes do not involve 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 MND was adopted, and do not show that the Project would have a new significant effect or substantially more severe significant effect than previously analyzed.

## EXHIBIT 1A

NORTH TAHOE SHARED-USE TRAIL – SEGMENT 1  
SCH No. 2022030427

PREPARED BY CALIFORNIA TAHOE CONSERVANCY  
AS RESPONSIBLE AGENCY

### MITIGATION MONITORING AND REPORTING PLAN

Additions to the MMRP adopted by Placer County (County) are underlined.

Mitigation Measure	Mitigation Activities	Implemented By	Monitored By	Timing and Frequency	Compliance Verification
<b>AES-1</b>	<p><b><u>Incorporate Visual Impact Minimization Design Measures.</u></b> Final design of the rock retaining walls shall include natural or natural-appearing retaining wall materials, and colors consistent with the natural palette.</p> <p>Low-profile fence railing shall be constructed from natural materials, natural-appearing materials, and colors to match existing soil/vegetation.</p> <p>Existing boulders, groundcover, and shrubs in the trail vicinity shall be retained to ensure that the man-made linear trail will not be visually out-of-place with the adjacent landscape character.</p>	County and County’s Contractor	County	Prior to Construction	Verified by:  Date:

	Construction plan sheets shall be supplemented with additional details of building materials consistent with existing landscape.				
<b>FR-1</b>	<b>Develop Timber Harvesting Plan and Secure Timberland Conversion Permit from the California Department of Forestry and Fire Protection (CAL FIRE).</b> The County shall comply with the Operations Requiring Conversion Permit (California Code of Regulations [CCR] § 1104) requirements for conversion of Forestland for installation of public service projects. The County shall retain a Registered Professional Forester to develop a Timber Harvesting Plan. The County shall also obtain a Timberland Conversion Permit from CAL FIRE per CCR § 1103. Tree removal shall occur along the trail corridor and be completed within 1 year of filing with CAL FIRE by a Registered Professional Forester and a Licensed Timber Operator.	County or County's Consultant	CalFire	Prior to Construction; tree removal completed within 1 year of filing for permit	Verified by:  Date:
<b>BIO-1</b>	<b>Conduct Preconstruction Protocol-Level Survey for California Spotted Owl (CSO) in Home Range Core Area (HRCA).</b> Under the direction of the resource agency biologists, a protocol-level survey for CSO shall be conducted in the spring (i.e., March to May) prior to commencement of construction within the area of the Project boundary that overlaps with the HRCA.	County's Consultant – Qualified Biologist	USFS-LTBMU, CDFW, TRPA	Prior to and During Construction	Verified by:  Date:

	<p>A qualified biologist shall follow resource-agency-approved protocols and conduct protocol-level preconstruction surveys within suitable nesting habitat for California spotted owl within 0.5 miles of the Project area. Should CSO be discovered nesting within the Project area, the resource agencies shall be notified, and additional protection measures will be identified. These protection measures are intended to avoid and minimize significant effects to a nest and roosting individuals, which may include creation of a buffer zone, construction monitoring by a biologist, or similar protection measures to avoid impacts during construction activities.</p> <p>If an active nest is located, the biologist shall determine, depending on conditions specific to each nest and the relative location and rate of construction activities, if it may be feasible for construction to occur as planned without impacting the breeding effort. The resource agencies shall be consulted to determine if and when construction activities can be initiated.</p> <p>The nest(s) may be monitored by a qualified biologist during active construction, if deemed appropriate by resource agencies.</p>				
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	<p>If, in the professional opinion of the biologist, construction activities significantly affect the nest and roosting individuals, the biologist shall recommend additional remediation measures which may include stop work action. The biologist and resource agencies will determine any additional protection measures working with the Project Engineer. Construction activities may be halted within the buffer until either the nest is no longer active, or the Project receives approval from the resource agencies to resume work.</p>				
<b>BIO-2</b>	<p><b>Obtain and Comply with Conditions of U.S. Forest Service – Lake Tahoe Basin Management Unit (USFS-LTBMU) Special Use Permit (SUP).</b> Because the project will be constructed through USFS-LTBMU land, the County shall obtain a Special Use Permit from the USFS. Should the USFS-LTBMU determine additional protection measures are necessary, the SUP will outline mitigation and conservation requirements as a condition of approval. The County will be required to comply with any conditions identified within the SUP. Compliance with the SUP will ensure potential impacts to CSO will be mitigated to less than significant. Additional protection measures may include:</p>	<p>County or County’s Consultant</p>	<p>USFS-LTBMU</p>	<p>Prior to Construction</p>	<p>Verified by:  Date:</p>

	<ul style="list-style-type: none"> <li>• Biological monitoring during tree removal and trail construction within the HRCA</li> <li>• Identified tree protection and habitat avoidance measures</li> </ul>				
<b>BIO-3</b>	<p><b>Pre-Construction Avian Survey.</b> If any construction activities (e.g., grubbing or grading) are scheduled during the bird nesting season (typically defined by CDFW as February 1 to September 1), the City or approved construction contractor shall retain a qualified biologist to conduct a preconstruction survey of the Project area and a 100-foot buffer, as access is available, to locate active bird nests, identify measures to protect the nests, and locate any other special status species. The preconstruction survey shall be conducted no more than 14 days prior to land disturbance or tree removal (including staging and equipment storage). Any active nest should not be disturbed until young have fledged or under the direction provided by a qualified biologist. Any special status species shall not be disturbed without the direction of a qualified biologist. If an active nest is found during construction, disturbance shall not occur without direction from a qualified biologist.</p>	County's Consultant – Qualified Biologist	USFS-LTBMU, CDFW, TRPA	Prior to Construction	Verified by: Date:

<p><b>BIO-4</b></p>	<p><b>Avoid Vegetation Removal During Avian Breeding Season.</b> Tree or shrub removal shall occur during the non-breeding season (September 1 through January 31). If it is not possible to avoid tree removal or other disturbances during the breeding season (February 1 through August 31), a qualified biologist shall conduct a pre-disturbance survey for nesting birds in all trees within the operation footprint and within 250 feet of the Project area no more than 30 days prior to the onset of ground disturbance. If nesting birds are detected on the site during the survey, a suitable activity-free buffer should be established around all active nests. The precise dimension of the buffer (up to 250 ft.) would be determined in consultation with CDFW at that time and may vary depending on location and species. Buffers should remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents.</p>	<p>County's Contractor and Consultant – Qualified Biologist</p>	<p>USFS-LTBMU, CDFW, TRPA</p>	<p>Prior to and During Construction</p>	<p>Verified by:  Date:</p>
<p><b>GEO-1</b></p>	<p><b>Incorporate Geotechnical Study Design Criteria for Slope Stability.</b> <u>Site Preparation</u> Prior to placement of fill, the Contractor shall conduct localized deep removal of topsoil and organics (including root balls). Vegetation and organic debris shall be</p>	<p>County and County's Contractor</p>	<p>County and TRPA</p>	<p>Prior to and During Construction</p>	<p>Verified by:  Date:</p>

	<p>disposed of offsite or placed in designated non-structural areas as indicated by the Preliminary Geotechnical Report.</p> <p>Removal of oversized rock (greater than 6-inches) shall be backfilled with structural fill placed and compacted to at least 90-percent relative compaction (per ASTM D1557).</p> <p>Prior to receiving structural fills or loading, subgrade soils shall be moisture-conditioned to near optimum moisture content and compacted to not less than 90 percent of the soil's maximum density (ASTM D1557) for a maximum of 12 inches. The Contractor shall follow the additional compaction requirements of ASTM D1557 as indicated in the Preliminary Geotechnical Report.</p> <p>Any fill placed on a slope steeper than 5:1 shall be keyed and benched per the 'Slope Keying Detail' provided in the Preliminary Geotechnical Report.</p> <p><u>Grading and Filling</u>          Incorporate all grading and filling recommendations from the Preliminary Geotechnical Report, including requirements for rock fill, structural fill, non-structural fill, and soil compaction requirements pursuant to ASTM D1557.</p>				
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	<p>The exterior face of any embankment shall be constructed with an inclination of no steeper than 2:1. The surface of the slope shall be compacted to the same percent compaction as the body of the fill.</p> <p>The Contractor shall conduct density testing of all fills, subgrade, and structural fill in accordance with ASTM D6938 (Standard Test Methods for In-Place Density and Water Content of Soil and Soil Aggregate by Nuclear Methods) as instructed by the Preliminary Geotechnical Report.</p> <p><u>Retaining Walls</u> Clay soils or soils blended with organics shall not be placed in areas to be retained by or supporting retaining structures.</p> <p>Retaining wall structures shall be designed in accordance with recommendations in Table 2 of the Preliminary Geotechnical Report (Lateral Earth Pressures) and recommended bearing capacities.</p> <p><u>Slope Stability and Erosion Control</u> Hillside fill grading shall incorporate bench keying as previously described in Site Preparation.</p>				
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	<p>Due care shall be exercised by the Contractor to assure inclement weather and/or construction water during moisture conditions or dust control does not result in an excessively wet subgrade. Where encountered, pumping soils may be scarified and allowed to dry or be removed and replaced with a layer or compacted structural fill or rock fill.</p> <p>If required, the Contractor shall stabilize the subgrade by use of a geomembrane or other stabilization protocol consistent with available means and methods and approved by the County Engineering Department.</p>				
TCR-1	<p><b>Continue Consultation with Shingle Springs Band of Miwok Indians (SSBMI) Tribe and Washoe Tribe of Nevada and California (Washoe Tribe).</b> Construction shall cease if a potential cultural resource is inadvertently discovered during construction, and the SSBMI Tribe and Washoe Tribe shall be contacted to continue consultation. Construction shall not resume until consultation <u>with each tribe</u> is considered concluded when either of the following occurs, pursuant to Public Resource Code (PRC) 21080.3.2(b)(1): “The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource,” or PRC 21080.3.2(b)(2):</p>	County	County	Ongoing During Construction	Verified by:  Date:

	“A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.”				
<b><u>TCR-2</u></b>	<b><u>Cultural Monitoring.</u></b> <u>Prior to construction, the County shall retain a qualified cultural monitor from or approved by the Washoe Tribe to monitor Project construction. On-site monitoring shall end when construction at the Project site is completed, or may be reduced or eliminated prior to completion of construction if the monitor determines that activities have a low potential for impacting tribal cultural resources.</u>	<u>County</u>	<u>County</u>	<u>Prior to and During Construction</u>	<u>Verified by:</u>  <u>Date:</u>