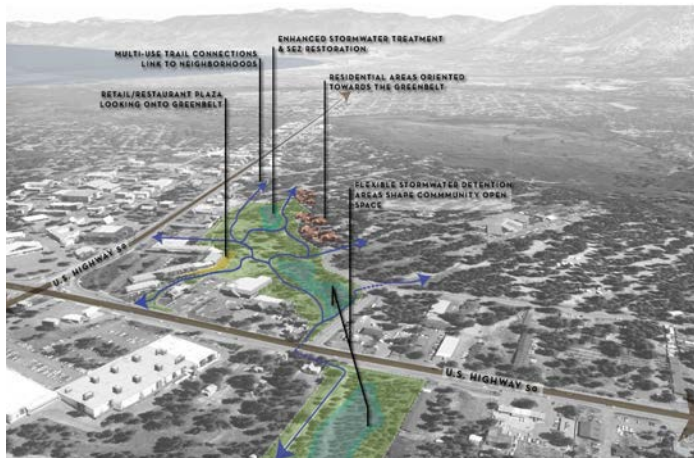


Tahoe Valley Area Plan Amendment Initial Study/Initial Environmental Checklist

March 2024



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1.0 INTRODUCTION

1.1 INITIAL STUDY/INITIAL ENVIRONMENTAL CHECKLIST

This Initial Study/Initial Environmental Checklist (IS/IEC) has been prepared to address the potential environmental effects of amendments to the Tahoe Valley Area Plan in South Lake Tahoe, California. The proposed project is an update to the Tahoe Valley Area Plan in which current goals, policies and implementation strategies for providing specific land use guidance within the plan's boundary are contained. The proposed amendments would expand the Area Plan boundary to incorporate parcels fronting US Highway 50 from the existing boundary line south to H Street, plus APNs 032-161-012, 032-161-013, 032-161-009, and 032-161-008 (previously PAS 114). The addition of these parcels as the Emerald Bay Connection Corridor District would increase opportunity for residential development near a town center and provide additional transit opportunities for residents. Second, seven parcels fronting Melba Drive would be added so that the area plan is contained in this corner by the intersection of E Street and Melba Drive (previously PAS 114). This area was identified as having high redevelopment potential, which may be incentivized by the benefits of being in an area plan Town Center. The third area of expansion is in the northeast corner of the Area Plan. All parcels east of Tahoe Keys Blvd between Eloise Ave and James Ave would be included up until the existing area plan boundary, in addition to 023-221-020 north of Eloise Ave (previously PAS 111). In addition to the boundary amendments described above, other changes are proposed as documented in Chapter 2.

An IS is a preliminary environmental analysis that is used by the lead agency as a basis for determining whether an Environmental Impact Report (EIR), a Mitigated Negative Declaration (MND), or a Negative Declaration is required for a project under California Environmental Quality Act (CEQA) guidelines. An IEC is a preliminary environmental analysis that is used for determining whether an Environmental Impact Statement (EIS), a Mitigated Finding of No Significant Effect, or a Finding of No Significant Effect (FONSE) is required for a project under TRPA guidelines. The IS and the IEC contain a project description, description of environmental setting, identification of environmental effects by checklist or other similar form, explanation of environmental effects, discussion of mitigation for significant environmental effects, evaluation of the project's consistency with existing, applicable land use controls, and the name of persons who prepared the study.

This IS/MND has been prepared pursuant to the California Environmental Quality Act of 1970, Cal. Pub. Res. Code §21000 et seq. The CEQA lead agency for this project is the City of South Lake Tahoe (City).

This document also serves as an IEC/FONSE prepared pursuant to the requirements of Article VI of the Tahoe Regional Planning Agency (TRPA) Rules of Procedure and Chapter 3 of TRPA's Code of Ordinances. TRPA serves as lead agency pursuant to its own regulations.

The Tahoe Valley Area Plan was adopted in 2015 by the City pursuant to Chapter 13 of the TRPA Code of Ordinances, which allows local governments to adopt conforming Area Plans that contain policies and development ordinances that are consistent with and further the goals and policies of the TRPA Regional Plan. This chapter also allows for amending of Area Plans through the same process as initial adoption. Chapter 13 established a conformity process that:

- Allows local governments to adopt and amend an Area Plan that supersedes TRPA plans and ordinances if the plan is found to be in conformance with the Regional Plan;
- Defines required content in an Area Plan that includes but is not limited to applicable policies, maps, ordinances and development and design standards; and

- Defines which development activities will not have a substantial effect on the natural resources in the Region and allows TRPA to transfer limited development permitting authority to local governments.

1.2 TIERING PROCESS

CEQA

The CEQA concept of "tiering" refers to the evaluation of general environmental matters in a broad program-level EIR, with subsequent focused environmental documents for individual projects that implement the program. This environmental document is specific to the 2023 updates of the Tahoe Valley Area Plan. It incorporates by reference the discussions in the 2010 City General Plan EIR (the Program EIR) and the 2015 Tahoe Valley Area Plan IS/IEC which was created for the area plan's initial adoption. CEQA and the CEQA Guidelines encourage the use of tiered environmental documents to reduce delays and excessive paperwork in the environmental review process. This is accomplished in tiered documents by eliminating repetitive analyses of issues that were adequately addressed in previous EIRs and by incorporating those analyses by reference.

Section 15168(d) of the State CEQA Guidelines provides for simplifying the preparation of environmental documents on individual parts of the program by incorporating by reference analyses and discussions that apply to the program as a whole. Where an EIR has been prepared or certified for a program or plan, the environmental review for a later activity consistent with the program or plan should be limited to effects that were not analyzed as significant in the prior EIR or that are susceptible to substantial reduction or avoidance (CEQA Guidelines Section 15152(d)).

This Initial Study is tiered from the City of South Lake Tahoe 2010 General Plan EIR and the 2015 Tahoe Valley Area Plan IS/IEC in accordance with Sections 15152 and 15168 of the CEQA Guidelines and Public Resources Code Section 21094.

The 2010 General Plan EIR is a Program EIR that was prepared pursuant to Section 15168 of the CEQA Guidelines. The 2011 General Plan (General Plan) is a comprehensive land use plan that guides physical development within the City of South Lake Tahoe through 2030. The 2010 General Plan EIR analyzes full implementation of uses and physical development proposed under the 2011 General Plan, and it identifies measures to mitigate the significant adverse program-level and cumulative impacts associated with that growth. The Tahoe Valley Area Plan is an element of change that was anticipated in the 2011 General Plan and evaluated in the 2010 General Plan EIR. By tiering from the 2010 General Plan EIR, this Initial Study will rely on the 2010 General Plan EIR for the following aspects that have remained consistent through these amendments:

- a discussion of general background and setting information for environmental topic areas;
- overall growth-related issues;
- issues that were evaluated in sufficient detail in the 2010 General Plan EIR for which there is no significant new information or change in circumstances that would require further analysis; and
- assessment of cumulative impacts.

This Initial Study will evaluate the potential environmental impacts of the proposed changes to the Tahoe Valley Area Plan with respect to the 2010 General Plan EIR and 2015 Tahoe Valley Area Plan IS/IEC to

determine what level of additional environmental review, if any, is appropriate. As shown in the Determination in Section 5.2 of this document and based on the analysis contained in this Initial Study, it has been determined that the proposed amendments to the Tahoe Valley Area Plan would not have significant effects on the environment that were not adequately addressed in the 2010 General Plan EIR, 2015 Tahoe Valley Area Plan IS/IEC, or cannot be mitigated to a level of insignificance; therefore, a Mitigated Negative Declaration will be prepared.

This Initial Study concludes that the many potentially significant impacts are addressed by the measures that have been adopted as part of the approval of the 2011 General Plan and subsequent approval of the 2015 Tahoe Valley Area Plan. Therefore, those General Plan EIR and Area Plan IS/IEC mitigation measures will reduce the impacts to a less than significant level. Since these mitigation measures are already being carried out as part of implementation of the 2011 General Plan and 2015 Area Plan, they will not be readopted. The impact analysis herein assumes implementation of the 2011 General Plan and 2015 Area Plan for purposes of determining the significance of any impact. The benefits of these mitigation measures will be achieved independently of considering them as specific mitigation measures of this Tahoe Valley Area Plan. Nothing in this Initial Study in any way alters the obligations of the City to implement the General Plan mitigation measures. Additional environmental review may be necessary as specific development projects and improvements are proposed for construction if potentially significant impacts associated with the construction of those projects have not been adequately addressed in this programmatic document.

TRPA

The TRPA concept of "tiering" refers to the coverage of general matters in broader EISs (Program EIS) and subsequent narrow environmental documents incorporating by reference the general discussions and concentrating solely on the issues specific to the document subsequently prepared. Therefore, when an EIS has been certified for a project or matter, TRPA should limit the analysis on a later related or consistent project or matter to effects which were not examined as significant effects in the prior EIS or which are susceptible to substantial reduction or avoidance by revisions in the project or matter through conditions of approval or mitigation. Tiering is limited to situations where a later project or matter is consistent with a program, plan, policy or ordinance for which an EIS was prepared, is consistent with applicable TRPA plans, and a supplemental EIS is not required.

This Initial Environmental Checklist is tiered from the TRPA 2012 Regional Plan Update ("RPU") Environmental Impact Statement ("EIS") and 2020 Linking Tahoe: Regional Transportation Plan and Sustainable Communities Strategy Initial Environmental Checklist and Mitigated Finding of No Significant Effect in accordance with Section 6.12 of the TRPA Rules of Procedure. The 2012 RPU EIS is a Program EIS that was prepared pursuant to Article VI of TRPA Rules of Procedure and Chapter 3 of the TRPA Code of Ordinances. The Regional Transportation Plan identifies a broad range of projects, programs, and strategies needed to comprehensively improve Tahoe's transportation system over the next 25 years. The 2012 RPU is a comprehensive land use plan that guides physical development within the Lake Tahoe Region through 2035. The 2012 RPU EIS analyzes full implementation of uses and physical development proposed under the 2012 RPU, and it identifies measures to mitigate the significant adverse program-level and cumulative impacts associated with that growth. The proposed project is an element of the growth that was anticipated in the 2012 RPU and evaluated in the 2012 RPU EIS. By tiering from the 2012 RPU EIS, this Initial Environmental Checklist will rely on the 2012 RPU EIS for the following:

- a discussion of general background and setting information for environmental topic areas;
- overall growth-related issues;

- issues that were evaluated in sufficient detail in the 2012 RPU EIS for which there is no significant new information or change in circumstances that would require further analysis; and
- assessment of cumulative impacts.

This Initial Environmental Checklist will evaluate the potential environmental impacts of the proposed project with respect to the 2012 RPU EIS to determine what level of additional environmental review, if any, is appropriate. As shown in the Determination in Section 6.3 of this document, and based on the analysis contained in this Initial Environmental Checklist, it has been determined that the proposed project would not have a significant effects on the environment that were not previously addressed or adequately addressed in the 2012 RPU EIS, or that cannot be mitigated to a level of insignificance, therefore, a Mitigated Finding of No Significant Effect will be prepared.

This Initial Environmental Checklist concludes that the potentially significant project impacts are addressed by the measures that have been adopted as part of the approval of the 2012 RPU. Therefore, those 2012 RPU EIS mitigation measures that may reduce the impacts of this project will be identified in this Initial Environmental Checklist. Since these mitigation measures are already being carried out as part of implementation of the 2012 RPU, they will not be readopted, but rather are incorporated as part of the project and the impact analysis assumes implementation for purposes of determining the significance of any project impact. The benefits of these mitigation measures will be achieved independently of considering them as specific mitigation measures of this project. Nothing in this Initial Environmental Checklist in any way alters the obligations of TRPA to implement the RPU mitigation measures.

1.3 BACKGROUND

Chapter 13: *Area Plans* of the TRPA Code of Ordinances provides for the necessary implementation steps for the development, consideration, adoption, and amendment of an area plan. As provided for in Section 13.3 of the TRPA Code of Ordinances, an adopted area plan replaces the plan area statements for areas within the area plan boundary. Area plans are allowed to establish applicable goals, policies, maps, standards, and other related materials, which must demonstrate conformance with the TRPA Regional Plan (Regional Plan).

The initial Tahoe Valley Area Plan boundary adopted in 2015 was primarily contained in TRPA Plan Area Statement (PAS) 110, South Y, which recommended that the area be established as a community plan. The Tahoe Valley area was previously designated as a Community Plan area in the City's 2011 General Plan to establish a sense of community along the US 50 and SR 89 corridors. The community plan was adopted in 2006 by the City and remained in place until it was replaced with the Tahoe Valley Area Plan in 2015. With the adoption of the TRPA Regional Plan Update in 2012, the new process for the establishment of Area Plans was created. In the 2012 RPU, TRPA identified the area of the South Y as a town center, eligible for certain development allowances upon adoption of a conforming area plan. Thereafter, the City initiated the development of the Tahoe Valley Area Plan, utilizing information and public input collected through the original community plan process, the City's General Plan Update process, and the TRPA Regional Plan update process. The draft Tahoe Valley Area Plan was released for public review and comment on June 3, 2014.

For the first time since its adoption, the plan is being amended to allow for progress in housing availability and affordability, alternative transportation, and activation of town centers. The updates bring the Area Plan in better alignment with the City's goals, recent state laws, and TRPA policy and code updates.

The process of amending the Tahoe Valley Area Plan was initiated in October of 2022 with City staff identifying areas out of date and in need of general improvements to reflect the City and State's evolving goals and new laws. The City provided TRPA with an Intent to Amend notice and a general project description on January 11, 2023. At this time staff had not yet begun to draft amendments, as stakeholder, Planning Commission, and City Council input were needed to inform the changes. Stakeholders representing a variety of interest groups in the Tahoe Valley were invited to a workshop on February 1, 2023, to discuss the potential list of updates. During the months of February 2023 through May 2023, hearings were held to receive input on the proposed updates before the Planning Commission (February 23, 2023), City Council (May 16, 2023), and TRPA Regional Plan Implementation Committee (May 24, 2023). Throughout this process, City and TRPA staff met bimonthly to discuss the potential area plan amendments as well as concurrent changes to TRPA Code of Ordinances that may affect the final list of necessary updates.

All land within the Lake Tahoe Basin falls under the jurisdiction of the Tahoe Regional Planning Agency. This includes land under the local jurisdiction of the City. In order to be responsive to the unique needs and opportunities of the Region and local communities, the TRPA Regional Plan encourages and authorizes local jurisdictions to develop and adopt individual Area Plans that provide more specific development objectives and standards that are adapted to the needs of the specified area. Local jurisdictions are permitted to develop, adopt, and implement regulations so long as they are consistent with the TRPA Regional Plan. The 2030 South Lake Tahoe General Plan is the City's primary policy document guiding land use, transportation, infrastructure, community design, environmental, and other decisions in a manner consistent with the planning statutes for the State of California. The Tahoe Valley Area Plan is designed to supplement the City's General Plan by designating zoning districts and providing specific guidance for the area included within the Area Plan boundaries. The development standards and the specific policies referenced in this Area Plan are the land use standards intended to administer and regulate the land use for the Tahoe Valley.

1.4 PROJECT LOCATION, SETTING AND SURROUNDING LAND USES

The Tahoe Valley Area Plan is located in the southwestern portion of the City of South Lake Tahoe (see **Figure 1**). Regional access to the Tahoe Valley plan area is provided by US Highway 50 (US 50) and California State Route 89 (SR 89). The Tahoe Valley Area Plan serves as the gateway for the City of South Lake Tahoe for travelers heading south on SR 89 and east on US 50. The Tahoe Valley Area Plan, as initially adopted, was located within PAS 110, South Y, and the parcel located at 1117 Bonanza Avenue Emerald Bay Road (APN 032-141-18) within PAS 114, Bonanza, Special Area #1. The Area Plan Boundary shall be expanded to the southwest to include parcels fronting US Highway 50 from the existing boundary line south to H Street, plus APNs 032-161-012, 032-161-013, 032-161-009, and 032-161-008 (previously PAS 114). Seven parcel fronting Melba Drive shall be added so that the Area Plan is contained in this corner by the intersection of E Street and Melba Drive (previously PAS 114). The third area of expansion is in the northeast corner of the Area Plan. All parcels east of Tahoe Keys Blvd between Eloise Ave and James Ave shall be included up until the existing Area Plan boundary, in addition to 023-221-020 north of Eloise Ave (previously PAS 111). (See **Figure 3**).

The Area Plan consists of approximately 374 acres and includes 525 public and privately owned parcels that include residential, commercial, tourist accommodation, industrial, and public service land uses (see **Table 1** and **Figure 2**). Land uses to the west, north, and northeast of the Tahoe Valley Area Plan consist of residential subdivisions dating from earlier development of the area during the 1960s through the 1990s. Immediately adjacent to the Tahoe Valley Area Plan to the east lies a large open space area (stream environment zone [SEZ]) consisting of the floodplain for the Upper Truckee River, which is near the eastern boundary of the Tahoe Valley Area Plan. The Lake Tahoe Airport is located to the southeast of the Tahoe

Valley Area Plan. This single-runway airport serves the vicinity with charter flights, air tours (helicopters and fixed-wing aircraft), and general aviation. Portions of the noise, safety, and height restriction areas described in the Airport Land Use Compatibility Plan (ALUCP) overlay the Tahoe Valley Area Plan.

Table 1 provides an overview of existing land uses in the Tahoe Valley Area Plan.

Table 1
Existing Land Uses – Tahoe Valley Area Plan

Land Use	Acres	Percent of Acreage
Residential	47.1	12.6%
Tourist	13.0	3.5%
Commercial	145.3	38.9%
Public	19.2	5.1%
Quasi-Public	8.2	2.2%
Recreation	3.3	0.9%
Vacant Private	31.3	8.4%
Vacant Public	15.3	4.1%
Open Space	20.2	5.4%
Roads and Infrastructure	71.1	19.0%
TOTAL	374	100%
Source: TRPA GIS, March 2014.		

Source: City of South Lake Tahoe, 2023

As noted in **Table 1** (and further discussed in Section 6.4.12 Land Use and Planning), commercial uses are the primary land use in the Tahoe Valley plan area and include clothing stores, factory outlets, automotive supply stores and dealerships, drug and liquor stores, restaurants, and supermarkets. Buildings and other structures in the Tahoe Valley Area Plan range in age and physical condition from designated historic buildings to recent construction. The majority of buildings are provided in strip development along US 50 and SR 89. Barton Memorial Hospital and associated health care related facilities and offices also play a dominant role in the area. Identified issues for the Tahoe Valley plan area's historic form of development include multiple curb cuts, small and fragmented parcels, stand-alone structures, old motels, sprawling parking lots, and lack of coordinated sidewalks, bike paths, landscaping, and other related amenities. Lastly, several motels located within the Tahoe Valley Area Plan are currently poor generators of transient occupancy tax as a result of low occupancy rates.

There are approximately 46.6 acres (31.3 privately owned and 15.3 publicly owned) of vacant land in the Tahoe Valley Area Plan (**Figure 2**). The majority of the privately owned vacant land is concentrated in the Emerald Bay Connection Corridor District, while the public parcels are dispersed. The plan area contains 20.2 acres of open space. These properties are owned and managed by the federal government, the state, and the City. The area contains urban-altered Jeffrey pine forest. Commercial and residential areas are interspersed throughout the forest stands. The reader is referred to Section 6.4.6, Biological Resources, for a further discussion on natural communities and habitat in the Tahoe Valley plan area.



Figure 1
Tahoe Valley Area Plan Location Map
April 2023

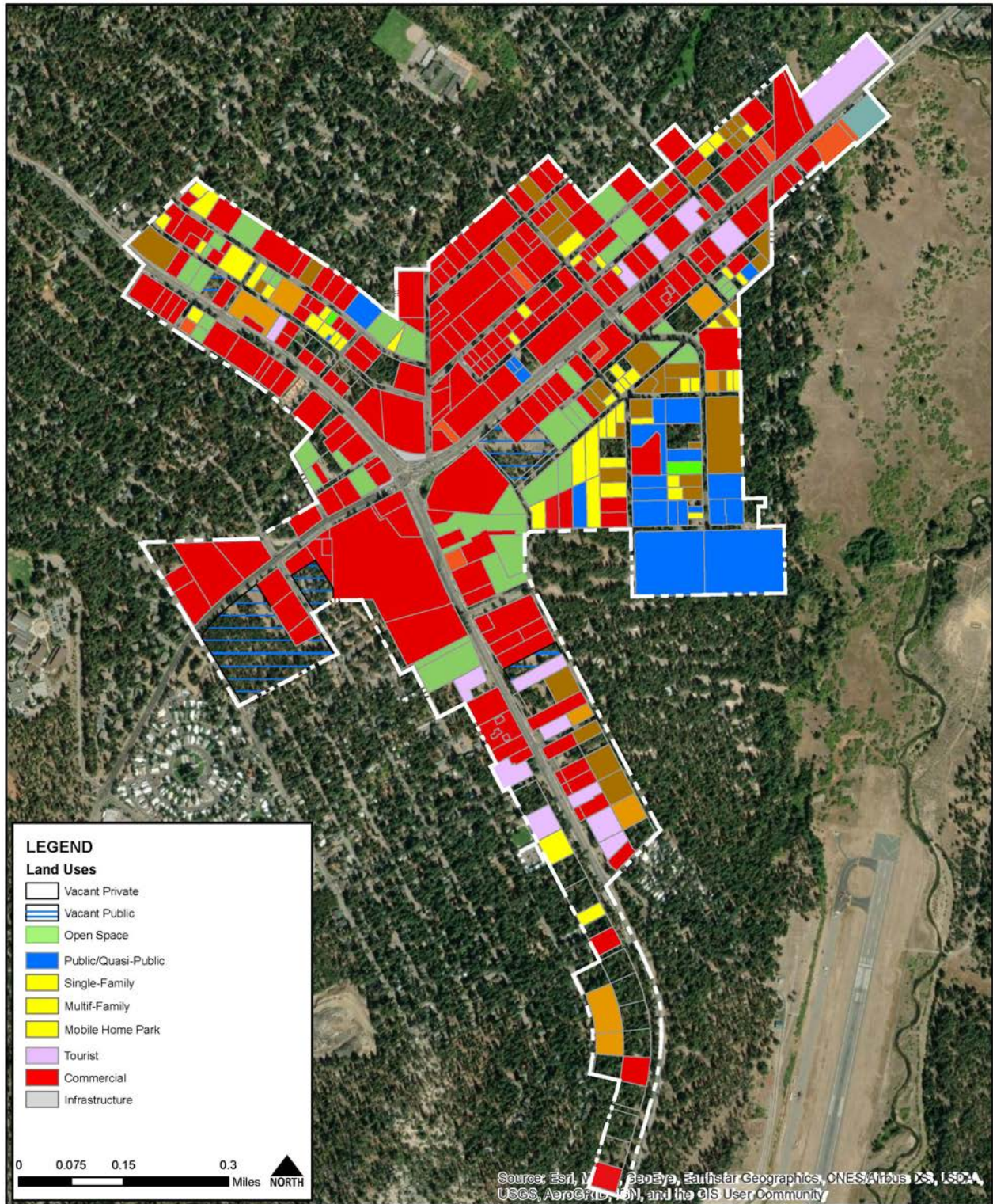


Figure 2
Existing Land Uses
April 2023

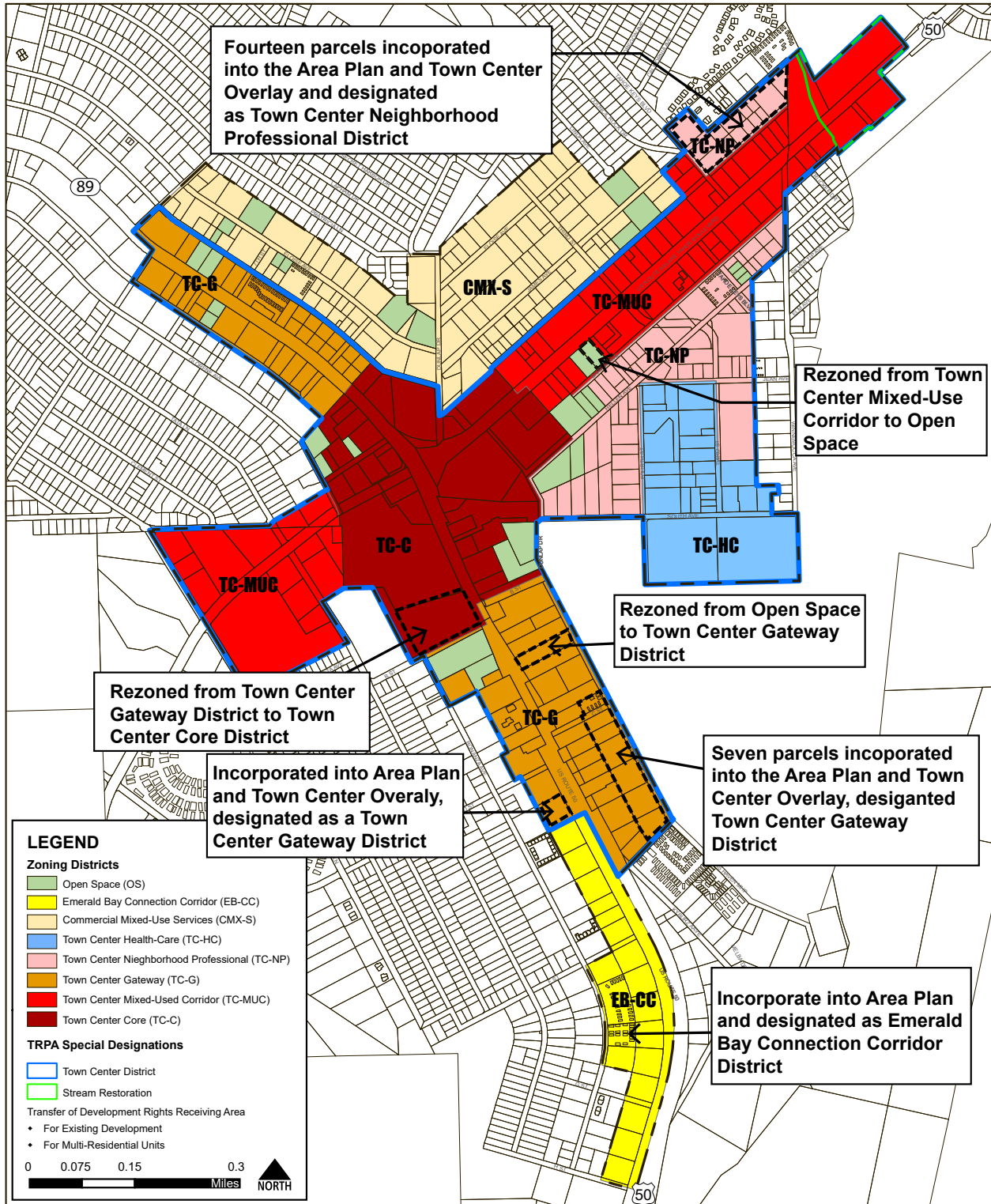


Figure 3
 Tahoe Valley Area Plan: Zoning Changes and Areas of Expansion
 February 2024

1.5 PROJECT OBJECTIVES/PURPOSE AND NEED

As identified above, the purpose of the Tahoe Valley Area Plan is to facilitate implementation of a land use plan to further the goals and policies of the City General Plan and TRPA Regional Plan. The Tahoe Valley Area Plan helps to realize the community's vision, assist in achieving and maintaining TRPA's Environmental Threshold Carrying Capacities, implement the City of South Lake Tahoe Sustainability Plan, implement the Tahoe Metropolitan Planning Organization's Sustainable Communities Strategy, and implement the TRPA Regional Plan and City's General Plan. The City developed the Area Plan to integrate these plans to the extent practical, while providing more detailed direction, in order to simplify compliance with local and regional requirements, and improve the efficiency of plan administration.

The plan is being amended to keep pace with changes that have been made to California law, TRPA Regional Plan and Code of Ordinances, the City's General Plan Housing Element, and City strategic goals. At the forefront of these changes is the goal of increasing housing opportunities with an emphasis on affordable housing. The Area Plan's existing density limits (25 units per acre) are a large barrier for affordable housing developments as they cannot be competitive for grants or financing at the current density; meanwhile, the lack of a minimum density prevents parcels central to transportation and amenities from being utilized to their highest potential. In accordance with California law, workforce and co-living housing opportunities shall be expanded through modifications to use definitions and zoning designations.

Another key element of the updates is to enhance the "Y" intersection area (intersection of Lake Tahoe Boulevard [US 50] and Emerald Bay Road [SR 89]) as a focal point of mixed-use development and activity of the area. As a result of slower redevelopment, this area receives less economic activity and attention than the midtown and tourist centers. The primary change intended to address this is reducing barriers to expansion of eating and drinking uses by reducing the Commercial Floor Area requirement for limited outdoor eating and dining spaces.

The following project objectives are identified for the Tahoe Valley Area Plan updates:

- Expand the boundary of the Area Plan to add parcels that will benefit from greater density, height and land coverage and help promote residential development near services and transit facilities.
- Improve the effectiveness of Housing Element policies and achievement of Housing Element goals.
- Update residential design standards to allow ministerial approval of purely residential developments, including ADUs.
- Modify permissible use definitions to create better compatibility between uses and zoning districts.
- Better activate town centers by expanding opportunity for events and establishing design criteria for outdoor dining.
- Create objective design standards for commercial and mixed-use developments that complement the natural environment, promote the mountain theme architecture, and create walkable and bikeable streetscapes.
- Transition to a less auto-centric town center by creating opportunities for reduced parking and project contribution to alternative transportation methods.
- Implement zoning, boundary, and district changes where appropriate to better integrate existing development and incentivize key redevelopment opportunities.

1.6 DOCUMENT ORGANIZATION

This IS/IEC follows the standard content for environmental documents under CEQA and TRPA Code of Ordinances and Rules of Procedure. An EIR/EIS was determined to be unnecessary, as there are not potentially significant environmental effects associated with the proposed amendment of this Area Plan.

This IS/IEC is a full disclosure document, describing the plan and its environmental effects in sufficient detail to aid decision-making.

Chapter 5 contains a summary of the environmental effects and necessary mitigation measures if applicable.

1.7 PUBLIC INVOLVEMENT

Opportunities for public participation in the development of the Area Plan amendments were provided in February through May of 2023 as documented in Section 1.2. Opportunities for public participation in the environmental document review process are provided to promote open communication and better decision-making. All persons and organizations having a potential interest in the proposed Area Plan amendments are invited to provide comments during the thirty-day comment period for the IS/IEC ending on April 30, 2024.

Pursuant to the requirements of CEQA, this IS/IEC will be sent, along with a Notice of Completion, to the California State Clearinghouse. In addition, copies of this document will be distributed to other Lake Tahoe Basin reviewing agencies and interested individuals and entities for review. After closure of the public review period, City staff will respond to all comments. City staff will then prepare an agenda item for the City Planning Commission's recommendation and City Council action that include the IS/IEC, the comments, and responses to the comments. If the Council determines that the proposed Area Plan would not have significant adverse impacts after mitigation, the City Council would certify the environmental document and adopt the plan. Following Council approval, the Notice of Determination would be filed with the county recorder-clerk.

Pursuant to the TRPA's Rules of Procedure and Chapter 3 of the TRPA Code of Ordinances, this IS/IEC will be made available for public review to those people who request copies. TRPA staff will prepare an agenda item for the Advisory Planning Commission's recommendation and Governing Board action. If it is determined that significant adverse impacts would not result from the proposed project after mitigation, the Governing Board would issue a Mitigated Finding of No Significant Effect, certify the environmental document and adopt the Area Plan.

1.8 RELATIONSHIP TO LAND USE PLANS, POLICIES AND REGULATIONS

The Tahoe Valley Area Plan falls under the direct jurisdiction of both the City of South Lake Tahoe and the Tahoe Regional Planning Agency. In addition, Federal and State agencies exercise varying levels of control concerning specific parcels or resources. This section identifies each agency's responsibility relative to the proposed Area Plan; it also identified the plans and policies to which the Area Plan must show compliance.

Federal: The US Environmental Protection Agency (EPA) has designated Lake Tahoe an Outstanding National Resource Water (ONRW). ONRWs are provided the highest level of protection under EPA's Anti-degradation Policy, stipulating that states may allow some limited activities that result in temporary and short-term changes to water quality, but that such changes should not adversely affect existing uses or alter the essential character or special uses for which the water was designated on ONRW. Although the Area Plan does not require approval from EPA, the incentives related to coverage are dependent upon EPA certifying TRPA's updated Water Quality Management Plan for the Tahoe Region (208 Plan). The Updated 208 Plan was certified on June 19, 2013.

Regional: TRPA is a bi-state planning agency with authority to regulate growth and development within

the Lake Tahoe Region. TRPA implements that authority through its Regional Plan. The Regional Plan Goals and Policies establish an overall framework for development and environmental conservation in the Lake Tahoe Region.

In December 2012, the TRPA Governing Board adopted an updated Regional Plan. Priorities of the updated Regional Plan that apply to this Area Plan include:

- Accelerating water quality restoration and other threshold gains by supporting environmental redevelopment opportunities, restoration of disturbed lands and Environmental Improvement Program (EIP) investments.
- Transitioning to more permitting by local governments to create one-stop-shopping for homeowner improvements in order to return TRPA to the more regional role the Compact originally intended.
- Creating walkable communities and increasing alternative transportation options.

Important policies addressed in the Regional Plan include:

- Retaining the established regional growth control system. Under this system, rampant overdevelopment was stopped and open spaces preserved. Most of the policies from the 1987 Regional Plan stayed in place.
- Creating a more efficient planning system that integrates TRPA requirements into the plans and permits of other government agencies.
- Encouraging property owners to transfer development rights from sensitive or outlying areas to Town Centers with the goal of restoring these lands.
- Eliminating regulatory barriers to the environmental redevelopment of rundown buildings.
- Simplifying burdensome regulations for homeowners while achieving threshold gain.
- Integrating with the Regional Transportation Plan to support sidewalk and bike trail projects that reduce automobile dependency and increase walkability and safety.
- Continuing to deliver restoration projects under the EIP that achieve erosion control on roadways and restore forests and wetlands.

The TRPA Code of Ordinances allows for the creation and maintenance of Area Plans to refine and implement the Regional Plan policies appropriate to specific areas. Chapter 13, *Area Plans*, includes provisions that allow for local, state, and federal agencies, in coordination with TRPA staff, to prepare coordinated Area Plans for the implementation of land use goals, policies, and ordinances. The Area Plans, which include implementing ordinances and zoning, are required to be consistent with the Regional Plan. Under a conforming area plan, a local jurisdiction may assume permitting authority by Memorandum of Understanding (MOU) with TRPA. In 2014 a MOU was created that expanded permitting authority of the City within the Tahoe Valley Area Plan.

State of California: Several State agencies may play a role in development decisions within the Tahoe Region. As such, these State agencies must grant permits or other forms of permission prior to physical development. Affected agency staff will review the proposed Area Plan for consistency with adopted plans and policies. The Area Plan does not require State agency approval.

State agencies that may have a responsible agency role in projects that may be implemented in the Area Plan include:

California Tahoe Conservancy: The mission of the California Tahoe Conservancy (CTC) is to protect and restore the natural environment of Lake Tahoe, including the lake's exceptional clarity and diversity of wildlife habitat in the basin. The CTC implements a comprehensive set of programs to affirmatively address resource needs in the Tahoe Basin, including the protection and restoration of the natural environment, especially water quality; enhancement of wildlife habitat; provision of public access and recreation opportunities; and management of acquired public land at Lake Tahoe.

The CTC has developed and initiated implementation of a number of programs involving acquisitions, site improvements, and land management activities, and involving direct activities as well as grants, which require capital funding. Program areas include:

- Water Quality and Watersheds
- Forest Habitat Enhancement
- Recreation and Public Access
- Land Management and Acquisition
- Coverage and Marketable Rights
- Climate Change and Sustainability

With the proposed expansion of the area plan boundary, the California Tahoe Conservancy will own seven (7) parcels, totaling 16.9 acres, in the plan area that are considered "asset lands" and may be available for development. Within the CTC's overall land inventory of 4,890 parcels totaling more than 6,500 acres, there are just over 300 Conservancy-owned properties throughout the basin that are regarded as "*asset lands*." Asset lands are parcels which are not essential to carrying out Conservancy goals, which could have significant market value, and which are not otherwise restricted from disposal by law or Board policy. In fact, some asset lands, at the time of acquisition, were identified for possible future transfer or sale. The CTC defines these classes of lands as "Area Plan or Town Center Asset Lands." These area plan asset lands are considered to be developable lands, or portions thereof, in highly urbanized areas that could support sustainable, compact development or other uses consistent with the Goals and Policies of the Regional Plan and local area plans (CTC, 2014). There are a total of 17 area plan asset land parcels located basin-wide with 7 of those located within the boundaries of the Tahoe Valley Area Plan. The Tahoe Valley Area Plan asset lands account for approximately 16.9 acres and each of the parcels are vacant except for two along Tata Lane (approximately 11.6 acres) that are being developed as the Sugar Pine Village Affordable Housing project.

The CTC also manages a Land Bank Program that is designed to facilitate a number of natural resource objectives, assist the needs of the general public and environmental projects, and provide funding benefits. An MOU signed with TRPA in early 1988, enables the Conservancy to sell rights from the Land Bank on the open market.

The retirement of the development potential on properties can generate a wide range of development rights or credits, depending on what existed or was credited to the property at the time of acquisition (either land coverage or other marketable rights). The Conservancy periodically acquires these other rights, including those for tourist accommodations, sewer connections, residential units, and commercial floor area. Such rights are usually sold to parties building or remodeling a commercial site or a multi-family unit(s). The rights are recognized by the various regulatory agencies within the Basin and can therefore be sold or transferred under the proper circumstances. The use of these rights is reserved for projects in the areas where the rights originated in order to maintain the economic base of those communities.

Lahontan Regional Water Quality Control Board: Lahontan has water quality responsibilities including the California-side of the Lake Tahoe Basin. This agency establishes water quality standards, subject to the approval of the State Water Quality Control Board, and has broader enforcement power than TRPA. By issuing waste discharge permits and requiring monitoring to show compliance, among other activities, Lahontan actively enforces attainment of standards.

Any party responsible for construction activity over one acre must obtain a National Pollution Discharge Elimination System Permit (NPDES Permit) from Lahontan to eliminate or reduce pollutants in storm water discharged to surface waters, which include riparian zones, from area of construction activity.

Lahontan is also responsible for incorporating the Lake Tahoe Daily Maximum (TMDL) pollutant load reduction targets into the NPDES permit for California municipalities in the Tahoe Basin. This permit regulates stormwater discharge from the City’s stormwater management infrastructure and Federal rules require the City to implement programs to control pollutant runoff.

The NPDES permit issued to the City stipulates a September 30, 2016, deadline to reduce estimated 2004 baseline jurisdictional pollutant loads of fine sediment particles by 10%, total nitrogen by 8% and total phosphorus by 7%. In 2016, the City submitted to Lahontan the City’s Lake Tahoe TMDL Baseline Pollutant Load Update Report which was subsequently incorporated into the City’s NPDES permit. The City’s load reduction requirement through 2026 under the NPDES permit is shown in the table below. Lahontan continues to update the NPDES permit every five years to include additional load reduction targets. Attainment of the 2026 target, termed the Clarity Challenge, is estimated to return Lake Tahoe to an average annual transparency of 80 feet (Lahontan 2010).

CSLT 2026 LOAD REDUCTION REQUIREMENTS				
Parameter	Baseline Load (lbs./year)	Required Percent Reduction	Required Load Reduction (lbs./year)	Allowable Load (lbs./year)
Fine Sediment Particle (mass)	176,450	34%	14,650	158,800
Fine Sediment Particles (# of particles)	2.38E+19	34%	1.58E+19	1.57E+19
Total Phosphorus	2,020	21%	55	1,596
Total Nitrogen	8,034	19%	269	6,508

Source: Lahontan Lake Tahoe Municipal NPDES Permit, Board Order R6T-2022-0046, NPCEA NO. CAG616001

The City completed development of a Pollutant Load Reduction Plan (PLRP) to define a path to compliance with the requirements to reduce pollutant loading to Lake Tahoe from urban stormwater runoff. The goal of the Load Reduction Report was to identify feasible and cost-effective actions to meet anticipated targets. In September 2021, the City Council received a draft of the 2021 City of South Lake Tahoe PLRP which documents the City’s proposed approach and timeline for meeting the 2026 load reduction targets set forth in the City’s NPDES permit, which was then submitted to Lahontan in October, 2021. Proposed strategies outlined in the Load Reduction Plan for meeting the load reduction targets are incorporated in the Area Plan and are discussed in detail in Section 10, Natural and Cultural Resources.

The PLRP estimates the City's pollutant load reduction from water quality projects and enhanced operations and maintenance activities by using the same Pollutant Load Reduction Model (PLRM) which was used in establishing the City's 2004 baseline pollutant load. Estimated load reductions for specific projects and operational improvements are shown in the PLRP. Pollutant load reductions will be credited to the City as

catchments (subwatersheds) with projects and/or operational improvements registered with Lahontan pursuant to the Lake Clarity Crediting Program.

California Department of Transportation (Caltrans): Caltrans is responsible for planning, designing, constructing, and maintaining all state highways. The jurisdictional interest of Caltrans extends to improvements to roadways on the state highway system (including roadways designated as U.S. highways). Any federally funded transportation improvements would be subject to review by Caltrans staff and the California Transportation Commission, either on or off of the state highway system.

California Trustee Agencies: State agencies with trustee responsibility in the Tahoe Valley area include: California Division of Forestry (tree removal and forest resource concerns), State Office of Historic Preservation (cultural resources), California Department of Fish and Wildlife (wildlife resources), and State Lands Commission with regard to state-owned “sovereign” lands such as the bed of Lake Tahoe.

City of South Lake Tahoe: The City of South Lake Tahoe is the only incorporated city within the Lake Tahoe Region. The City implements its regulatory authority through its General Plan and City Code. The City’s 1999 General Plan adopted TRPA’s Plan Area Statements (PAS) to replace its previous local zoning. In the City’s 2011 General Plan update, the City adopted new land use designations for PASs located within the City’s jurisdiction but retained the PASs and Community Plans as its zoning system. The PASs will remain in effect until superseded by an Area Plan.

Federal: The US EPA has designated Lake Tahoe an Outstanding National Resource Water (ONRW). ONRWs are provided the highest level of protection under EPA’s Anti-degradation Policy, stipulating that states may allow some limited activities that result in temporary and short-term changes to water quality, but that such changes should not adversely affect existing uses or alter the essential character or special uses for which the water was designated on ONRW. Although the Area Plan does not require approval from EPA, the incentives related to coverage is dependent upon EPA’ certifying TRPA’s updated Water Quality Management Plan for the Tahoe Region (208 Plan). The Updated 208 Plan was certified on June 19, 2013.

2.0 PROJECT DESCRIPTION

2.1 AREA PLAN UPDATES OVERVIEW

The proposed project is an update to the Tahoe Valley Area Plan in which current goals, policies and implementation strategies for providing specific land use guidance within the plan's boundary are contained. The updated Tahoe Valley Area Plan includes the following changes to the plan boundary and zoning:

- Incorporate 19 parcels fronting US Highway 50 on the west side of the centerline from the existing southern boundary line south to H Street, including four APNs (032-161-012, 032-161-013, 032-161-009, and 032-161-008) located west of the fronting parcels and south of F Street. The addition of these former Plan Area 114 Special Area #1 parcels (totaling 17.5 acres) within the newly created Emerald Bay Connection Corridor (EB-CC) District is intended to increase opportunity for residential development and include potential sites for a future transit center. Permissible uses are consistent with the previous PAS of this area; however, as part of the area plan these parcels are allowed greater density, making future housing development more feasible. In addition, several low intensity commercial uses are added to support the development of a transit center, encouraging an active streetscape and providing interest for individuals when going to and from the Town Center Gateway and Core Districts.
- Incorporate one parcel west of US Highway 50 at the southern plan boundary and seven parcels fronting Melba Drive to the existing Town Center Gateway (TC-G) District so that the Area Plan is contained in this corner by the intersection of E Street and Melba Drive. The addition of these former Plan Area 114 Special Area #1 parcels (totaling 6.2 acres) is a benefit because of their high redevelopment potential, which may be incentivized by the benefits of being in an area plan Town Center.
- Incorporate 15 parcels east of Tahoe Keys Blvd between Eloise Ave and James Ave including one APN (023-221-020) north of Eloise Ave to the existing Town Center Neighborhood Professional (TC-NP) District (previously located within Plan Area 111 Special Area #2). These parcels (totaling 5.3 acres) were previously part of a PAS special area recognizing the legal, but nonconforming nature of the subject parcels. With the incorporation of these parcels into the Area Plan, various existing land uses (e.g., realty offices, professional offices) will become conforming, while giving the existing multi-family residential properties in this area the opportunity to be redeveloped at higher densities within a Town Center.
- Rezone two open space parcels. The first APN (032-191-004), recently identified as asset land between US Highway 50 and Melba Drive, would be rezoned from open space to Town Center Gateway (TC-G). A second APN (023-241-022) recently acquired by the California Tahoe Conservancy at the southwest corner of US Highway 50 and 4th Street would be rezoned from Town Center Mixed-Use Corridor (TC-MUC) to open space.
- Move one APN (023-081-011) from Town Center Gateway (TC-G) to Tourist Center Core (TC-C) south of the Raley's shopping center. This parcel was previously the location of the Barton Ranch House and has a high redevelopment potential for creating public gathering places with a high density multi-family residential component.

The Area Plan includes changes necessary to opt in to the TRPA Phase 2 Housing Code Amendments adopted in December 2023 for the areas within and outside of the Town Center – these amendments are

included in the proposed changes to density, height and land coverage limits applicable to deed restricted affordable housing as documented in Appendix C.

In addition to the changes to area plan boundaries and zoning districts described above, changes are proposed to various area plan sections: land use, community design and housing; revitalization and economic development; development/design standards; and general changes to improve consistency with state laws and other existing plans. These amendments are summarized below – the detailed list of the proposed amendments are documented using track changes (strike out and underline) in the Area Plan chapters and Appendices on the City’s website (<https://cityofslt.us/2290/Area-Plan-Proposals-and-Updates>).

Residential Density – increase multi-family dwelling density to 65 units per acre in the Town Center Core, Town Center Mixed-Use Corridor, and Town Center Gateway Districts, and to 65 units in the Commercial Mixed-Use Services District but only as part of a mixed-use project. Set a minimum multi-family dwelling density of 12 units per acre in each District, though certain mixed-use projects may be exempt from the minimum density in the CMX-S District.

Retention of Housing – each existing residential unit of use located within the area plan that is proposed for demolition must be rebuilt on the same parcel or elsewhere within the area plan boundary. In addition, the replacement unit must be equivalent in size and number of bedrooms, and will be prohibited from obtaining a vacation home rental permit. Further, new condominiums built after adoption of the amendments shall be prohibited from obtaining a vacation home rental permit.

Consistency with California state law – design standards have been updated to clarify accessory dwelling unit (ADU) applicability. Multi-person dwellings, nursing and personal care uses, and residential care uses have been expanded and are now allowed in all area plan Districts where multi-family dwellings are allowed (except CMX-S where multi-family dwellings are only allowed as part of a mixed-use project).

Residential Design Standards – Area Plan Appendix C has been updated to allow 100 percent residential projects in the Healthcare and Neighborhood Professional Districts to utilize standards in City Code 6.85 (Residential Development and Design Standards), adopted in compliance with California SB 35 and SB 330, rather than existing area plan standards that were adopted with commercial and mixed-use projects in mind.

Permissible Uses – Employee housing has been eliminated from the land use matrix as a stand alone category. Employee housing shall be classified as single family, multiple family, or multiple person dwellings based on the design and organization of accommodations.

The public owned assembly and entertainment use has been removed and is now included with local public assembly facilities. The amusement and recreation and privately owned assembly and entertainment uses have been consolidated under amusement, recreation, and entertainment facilities. The general retail and personal service use definition has been expanded to explicitly include health and athletic clubs; gymnasiums; day spas that perform massages, manicures, etc.; and funeral parlors and related services. Tree farms, which were erroneously left out of the use matrix at the time of the area plan’s initial adoption, has been added.

Commercial Floor Area and Outdoor Dining - To reduce barriers associated with establishing outdoor dining, 20 outdoor dining seats will be allowed by right for eating and drinking uses, without the need to obtain additional commercial floor area (CFA). The 20 seats of outdoor dining was selected based on a determination by the South Tahoe Public Utility District that restaurants may have up to 20 outdoor dining seats without an increase to the business’ usage fee. TRPA Code (Section 50.6.1.B.2) also allows for

additions to, or expansions of, legally existing CFA of up to 500 square feet which supports the proposed amendment to allow outdoor dining up to 20 seats. Outdoor dining and seating create more active streetscapes and do not have the same impacts as indoor seating due to their seasonal nature.

Advertising for Accessory Uses - accessory uses may advertise separately from the primary use; however, they are still subject to the signage area allowed per SLTCC Chapter 6.40.

Commercial Design Standards - Building articulation and modulation standards were previously included for commercial projects, but were unclear and subjective. Objective design standards have been added to Appendix C for new construction and major façade improvements. These standards draw heavily from the South Lake Tahoe Design Guidelines (2016), which are now included in the TVAP as Appendix B.

The roof height requirement and building height limitation applicable to the maximum number of stories has been eliminated, and the minimum roof pitch reduced from 5:12 to 3:12. Exceptions to the corner build area standard have been added for parcels where SEZ or other natural features are present and should be retained. Exceptions have been added for additional height when required for public safety and transportation uses, as well as flexibility in building placement and orientation.

Parking - A recent California law prohibits local governments from enforcing minimum parking requirements for residential and commercial projects within one-half mile of a major transit stop. While the City of South Lake Tahoe does not have major transit stops as defined by the California Public Resource Code Section 21064.3, in anticipation of improved transit services, parking standards have been adjusted to be in alignment with the intention of this state law. The update includes an automatic but optional 25 percent reduction in parking when the project site is within a half mile of a transit stop. Parking may be further reduced when the project includes contributions to alternative transportation. While most businesses wish to reduce onsite parking, some require additional parking due to seasonal demands and popularity. The plan offers flexibility for an applicant to provide a parking demand analysis, for review and approval by the Planning Commission, to build more parking than otherwise allowed. Bicycle parking has been adjusted so that it is no longer based on the number of automobile spaces.

General Code Corrections and Consistency Improvements - General improvements include correcting City Code and TRPA Code references, incorporating amendments implemented by TRPA through Ordinance 2021-01, and referencing new TRPA policies that support the proposed amendments. TRPA Code of Ordinances 31.4.6 will be referenced to ensure that legal, non-conforming tourist and residential densities can be maintained and managed pursuant to that section. The TVAP includes the TRPA interpretation that commercial and residential/tourist mixed-use projects are allowed to use the full parcel area in determining density, regardless of the amount of commercial floor area on the parcel. Commercial floor area shall also be the maximum allowable in that district.

Right of Way Improvements and Complete Streets Consistency - Transportation and Circulation Policies have been amended to reflect current areas of focus, and align with and progress the City's Complete Streets Program. Recent mobility improvement concepts from TRPA's Active Transportation Plan and Lake Tahoe Unified School District's Safe Routes to School Master Plan have been incorporated. Implementation efforts have been updated to account for completed projects, and identify new areas of support, such as implementation of TRPA's SR 89 Recreation Corridor Management Plan.

Table 2 provides an overview of the plan, maps, and ordinances that are relevant to the Tahoe Valley Area Plan, a synopsis of the proposed changes, and a brief description of those changes.

<p align="center">Table 2 Elements of the Tahoe Valley Area Plan</p>		
Tahoe Valley Area Plan Element/ Section	Proposed Change from Existing Plans, Maps, and Ordinances	Summary Description
Land Use, and Land Use Map	<p>Update maps to include newly incorporated parcels in existing Town Center Zoning Districts.</p> <p>Add the Emerald Bay Connection Corridor District (EB-CC).</p> <p>Expand on existing policy.</p>	<ul style="list-style-type: none"> ▪ Elaborate Policy LU-2.1 to encourage mixed-use projects in the Town Center – Core District. ▪ Establish a vision for the newly formed Emerald Bay Connection Corridor District
Existing Conditions	<p>Modified to reflect changes since area plan initial adoption.</p> <p>Updated maps.</p>	<ul style="list-style-type: none"> ▪ Existing land use table modified to reflect plan area expansion. ▪ The Airport Land Use Compatibility Plan section was updated to reflect the Airport Land Use Compatibility Plan which replaced the Comprehensive Land Use Plan. ▪ Updated Total Daily Maximum Load standards and compliance.
Zoning Map Amendment (Zoning map)	<p>Change zoning for newly incorporated parcels.</p>	<ul style="list-style-type: none"> ▪ One (1) parcel from the TC-G (Town Center Gateway) rezoned as TC-C (Town Center Core). ▪ Eight (8) parcels from PAS 114, Special Area #1 rezoned as TC-G. ▪ Fifteen (15) parcels from PAS 111, Special Area #2 rezoned as TC-NP (Town Center Neighborhood Professional). ▪ Nineteen (19) parcels from PAS 114 and PAS 114, Special Area #2 included as Emerald Bay Connection Corridor District. <ul style="list-style-type: none"> ○ The Emerald Bay Connection Corridor District was created to allow for high-density residential development adjacent to the town center as well as to provide potential sites for a transit center. This is a transitional area of mixed uses limited to those compatible with scenic restoration, the intensity of Highway 50/89, and the background residential areas. Permissible uses are drawn from to those allowed in the adjacent Bonanza Plan Area Statement (114), in which these parcels were previously included. These uses consist of residential, tourist accommodation, neighborhood compatible commercial uses, and public service.
Land Use and Community Design	<p>Modification to existing policy</p>	<ul style="list-style-type: none"> ▪ Modified Policy LU-8.1 to acknowledge the increase of residential uses in the Commercial Mixed-Use Service District. Recognize the need to maintain industrial services in a manner that is compatible with residential uses.

Economic Development	Include new economic development policies and modification of existing policies.	<ul style="list-style-type: none"> ▪ Create consistency between Policy ED-1.3 and Resolution 2023-051 regarding commercial floor area incentives. ▪ Addition of Policy ED-1.6 to clarify when Commercial Floor Area (CFA) is needed. ▪ Addition of Policy ED-1.7 indicating the City’s intent to pursue a special event designation for the Tahoe Valley. ▪ Modify Policy ED-3.1 to encourage neighborhood compatible industrial uses.
Housing	Modify and add to policies.	<ul style="list-style-type: none"> ▪ Modify Policy H-1.2 to reflect current City housing incentives and include density bonuses per AB 682. ▪ Addition of Goal H-2 and associated policies (H-2.1 and H-2.2) to maintain long term housing.
Transportation and Circulation	<p>Modifications to existing policies and addition of new policies regarding reduced parking strategies.</p> <p>Updates to Transportation and Circulation Strategies table to indicate progress and completion.</p>	<ul style="list-style-type: none"> ▪ Update Policy T-2.5 to allow projects to offset parking demand through additional parking management, contributions to shared parking facilities, public transportation and/or right of way improvements. ▪ Addition of Policy T-2.6 establishing reduced parking requirements for affordable housing projects that are not exempt from parking requirements by state law. ▪ Addition of Policies T-2.7 and T-2.8 to explore a parking benefit district and parking hub. ▪ Various other policy modifications to reflect evolved goals of pedestrian and bicycle circulation. ▪ Completed implementation strategies have been moved to a new table with completion dates. Strategies in progress have been updated to reflect current stages based on City or other agency action.
Natural and Cultural Resources	Updates to reflect completed and progressed scenic quality improvements, stream zone restoration, and water quality improvement strategies.	<ul style="list-style-type: none"> ▪ Completed implementation strategies have been moved to a new table with completion dates.
Incentive and Mitigation Programs	<p>Update CFA allocation, Tourist Accommodation Bonus Units, and Residential Bonus Units sections to remove outdated numbers.</p> <p>Include Accessory Dwelling Unit and Multi-family development right incentives.</p>	<ul style="list-style-type: none"> ▪ The count of CFA, Tourist Accommodation Bonus Units, and Residential Bonus Units was removed to avoid having outdated numbers in the Area Plan. ▪ Secondary units have been replaced with accessory dwelling units. ▪ The City incentive of RUUs at no cost for ADUs and multi-family developments has been included. ▪ The Change in Use section was removed as it is no longer contained in the South Lake Tahoe City Code or TRPA Code of Ordinances. ▪ The Conversion of Use section was updated to reflect the current Chapter 51 of TRPA Code of Ordinances.
Appendix B,	Replaced with Commercial Design Guidelines	<ul style="list-style-type: none"> ▪ TRPA height findings were removed from this appendix. The findings are applicable through reference to TRPA Code of Ordinances. ▪ The South Lake Tahoe Commercial Design Guidelines have been included as Appendix B to provide visual

		representations of the intent of design standards in Appendix C.
Appendix C, Development and Design Standards	<p>Modify existing use matrix for clarity and consistency.</p> <p>Modification of existing standards for clarity.</p>	<ul style="list-style-type: none"> ▪ Permissible use matrix and definitions have been modified for consistency and simplification. ▪ All items previously included in the Substitute Design Standards have been relocated to the main standards section.
Appendix D, CSLT Green Building Program	Include more recent sustainable building certification programs.	<ul style="list-style-type: none"> ▪ Additional green building certifications are being added to the Green Building Program to make projects eligible for development incentives. Development incentives are no longer tiered and shall be based on the discretion of the decision-making authority.

As part of the Tahoe Valley Area Plan, the City of South Lake Tahoe will maintain compliance with all mitigation measures from the Regional Plan Update EIS certified by the TRPA Governing Board on December 12, 2012. The adoption of these measures includes compliance with measures that have already been incorporated into the TRPA Code, adopted on December 12, 2012, and effective on February 9, 2013.

Also part of the Tahoe Valley Area Plan is the City of South Lake Tahoe’s continued compliance with all mitigation measures from the General Plan EIR certified by the City on May 17, 2011.

The following is a description of proposed updates to land use zoning districts identified in **Figure 3**.

Town Center Core District

This district is the heart of the Tahoe Valley area and intended to become a place of public gathering and retail activity meeting the needs of both area residents and tourists. This district allows for mixed-use projects with a focus on ground-level active storefronts and pedestrian- and transit-oriented development that encourages pedestrian activity and supports multi-modal transportation. Allowable uses include tourist accommodation, retail, commercial, entertainment, and office uses, as well as mixed-use residential development.

Table 3 summarizes changes to development standards that apply to this district (refer to Appendix C of the draft Tahoe Valley Area Plan for more detail):

Table 3 Development Standards for the Town Center Core District			
Development Standard		Existing Core	Proposed Core
Density	Multiple Family Dwelling	25 units/acre	12-65 units/acre
	Multi-Person Dwelling	Not permitted	65 persons/acre, no minimum
	Nursing and Personal Care	Not permitted	65 persons/acre, no minimum
	Residential Care	Not permitted	65 persons/acre, no minimum
	Single Family Dwelling	Condos only	Condos only. 12-65 units/acre
	Employee Housing	As per the limitations set forth for multi-family residential uses above	Removed as own category. Is now included in Single family, Multiple Family, or Multi-Person Dwellings
Uses	Nursing and Personal Care	Not permitted	Allowed by right
	Residential Care	Not permitted	Allowed by right
	Multi-Person Dwelling	Not permitted	Allowed by right
	Nursery	Not permitted	Requires special use permit
	Membership Organization	Not permitted	Allowed by right
	Religious Assembly	Allowed by right	This category has been eliminated and is now included in the definition of Membership Organization, which is allowed by right.
	Amusement, Recreation, & Entertainment Facilities	Amusement & Recreation (A) Privately Owned Assembly & Entertainment (A) Public Owned Assembly & Entertainment (A)	New use category made from combining previous uses: Amusement & Recreation, Privately Owned Assembly & Entertainment, Public Owned Assembly & Entertainment Allowed by right. Facilities with capacity for 200 persons or more require a special use permit.
	Small Scale Manufacturing	Requires a special use permit.	Allowed by right
	Local Public Assembly Facilities	Local Assembly & Entertainment (A)	New use category, previously Local Assembly & Entertainment Allowed by right. Facilities with capacity for 200 persons or more require a special use permit.
	Range Management	Not permitted	Allowed by right. This use was erroneously left out of the use matrix previously.
Height and Roof Standards	Roof Height	The height of the sloped roof must be a minimum 40% of the height of the building	This standard was removed.
	Roof Slope	5:12 to 12:12	3:12 to 12:12

Town Center Gateway District

The Gateway District, which includes properties surrounding the “Y” intersection and properties along Lake Tahoe Boulevard and Emerald Bay Road, is a key arrival area for travelers to South Lake Tahoe. This district is intended to create an attractive mixed-use commercial corridor that provides a welcoming gateway to South Lake Tahoe. The physical form varies to reflect the commercial mixed-use character of

the gateway corridor and to transition from surrounding, lower-density districts to the Town Center Core. Allowable uses include tourist accommodation, retail, commercial, recreation, office uses, as well as mixed-use residential development. **Table 4** summarizes development standards that apply to this district (refer to Appendix C of the draft Tahoe Valley Area Plan for more detail):

Table 4 Development Standards for the Town Center Gateway District				
Development Standard		PAS 114 Special Area #1	Existing Gateway	Proposed Gateway
Density	Multiple Family Dwelling	15 units/acre	25 units/acre	12-65 units/acre
	Multi-Person Dwelling	Not permitted	Not permitted	65 persons/acre, no minimum
	Nursing and Personal Care	25 persons/acre	Not permitted	65 persons/acre, no minimum
	Residential Care	25 persons/acre	Not permitted	65 persons/acre, no minimum
	Single Family Dwelling	1 unit per parcel	Condos only	Condos only, 12-65 units/acre
	Employee Housing	Not permitted	Not permitted	Removed as own category. Is now included in Single family, Multiple Family, or Multi-Person Dwellings
Uses	Multi-Person Dwelling	Allowed by right	Not permitted	Allowed by right
	Nursing and Personal Care	Allowed by right	Not permitted	Allowed by right
	Residential Care	Allowed by right	Not permitted	Allowed by right
	Amusement, Recreation, & Entertainment Facilities	Amusement & Recreation (Not permitted) Privately Owned Assembly & Entertainment (Not permitted) Public Owned Assembly & Entertainment (S)	Amusement & Recreation (A) Privately Owned Assembly & Entertainment (S) Public Owned Assembly & Entertainment (A)	New use category made from combining previous uses: Amusement & Recreation, Privately Owned Assembly & Entertainment, Public Owned Assembly & Entertainment Allowed by right. Facilities with capacity for 200 persons or more require a special use permit.
	Local Public Assembly Facilities	Local Assembly & Entertainment (Not permitted)	Local Assembly & Entertainment (A)	New use category, previously Local Assembly & Entertainment Allowed by right. Facilities with capacity for 200 persons or more require a special use permit.
	Religious Assembly	Not permitted	Allowed by right	This category has been eliminated and is now included in the definition of Membership Organization, which is allowed by right.
	Range Management	Not permitted	Not permitted	Allowed by right. This use was erroneously left out of the use matrix previously.
Height and Roof Standards	Roof Height	No applicable	The height of the sloped roof must be a minimum 40% of the height of the building	This standard was removed
	Roof Slope	TRPA Code Chapter 37.3.4	5:12 to 12:12	3:12 to 12:12

Town Center Mixed-Use Corridor

This district is intended to facilitate the transformation of the eastern and western portions of Lake Tahoe Boulevard into a multi-modal, mixed-use corridor. Allowable uses include a rich mixture of retail, service, public facility, recreation, entertainment, and housing organized in a compact development pattern, creating an aesthetically-pleasing and safe environment for pedestrians, cyclists, and automobile drivers. **Table 5** summarizes development standards that apply to this district (refer to Appendix C of the Tahoe Valley Area Plan for more detail):

Table 5 Development Standards for the Town Center Mixed-Use Corridor District			
Development Standard		Existing TC-MUC	Proposed TC-MUC
Density	Multiple Family Dwelling	25 units/acre	12-65 units/acre
	Multi-Person Dwelling	Not permitted	65 persons/acre, no minimum
	Nursing and Personal Care	Not permitted	65 persons/acre, no minimum
	Residential Care	Not permitted	65 persons/acre, no minimum
	Single Family Dwelling	Condos only	Condos only, 12 – 65 units/acre
	Employee Housing	As per the limitations set forth for multi-family residential uses above	Removed as own category. Is now included in Single family, Multiple Family, or Multi-Person Dwellings
Uses	Multi-Person Dwelling	Not permitted	Allowed by right
	Nursing and Personal Care	Not permitted	Allowed by right
	Residential Care	Not permitted	Allowed by right
	Amusement, Recreation, & Entertainment Facilities	Amusement & Recreation (A) Privately Owned Assembly & Entertainment (S) Public Owned Assembly & Entertainment (A)	New use category made from combining previous uses: Amusement & Recreation, Privately Owned Assembly & Entertainment, Public Owned Assembly & Entertainment Allowed by right. Facilities with capacity for 200 persons or more require a special use permit.
	Local Public Assembly Facilities	Local Assembly & Entertainment (A)	New use category, previously Local Assembly & Entertainment Allowed by right. Facilities with capacity for 200 persons or more require a special use permit.
	Auto Repair and Service	Not permitted	Requires special use permit
	Religious Assembly	Allowed by right	This category has been eliminated and is now included in the definition of Membership Organization, which is allowed by right.
	Range Management	Not permitted	Allowed by right. This use was erroneously left out of the use matrix previously
Small Scale Manufacturing	Requires a special use permit.	Allowed by right. Previously required a special use permit.	
Height and Roof Standards	Roof Slope	5:12 to 12:12	3:12 to 12:12
	Roof Height	The height of the sloped roof must be a minimum 40% of the height of the building	This standard was removed.

Town Center Neighborhood Professional

This district is intended to allow a variety of residential and non-residential uses to encourage a greater mix and intensity of uses in a pedestrian and bikeable environment at a scale and form that is appropriate to its neighborhood context and adjacent residential uses. Allowable uses include commercial, public service, healthcare, and office uses, social services, neighborhood parks, as well as all types of residential development. **Table 6** summarizes development standards that apply to this district (refer to Appendix C of the Tahoe Valley Area Plan for more detail):

Table 6 Development Standards for the Town Center Neighborhood Professional District				
Development Standard		PAS 111 Special Area #2	Existing TC-NP	Proposed TC-NP
Density	Multiple Family Dwelling	8 units/acre	25 units/acre	12-65 units/acre
	Multi-Person Dwelling	Not permitted	25 persons/acre	65 persons/acre, no minimum
	Nursing and Personal Care	25 persons/acre	25 persons/acre	65 persons/acre, no minimum
	Residential Care	25 persons/acre	25 persons/acre	65 persons/acre, no minimum
	Single Family Dwelling	1 unit per parcel	2 units per parcel, provide one is an authorized secondary residence	1 unit per parcel, excluding ADUs
	Employee Housing	Not permitted	As per the limitations set forth for the multi-family residential uses above	Removed as own category. Is now included in Single family, Multiple Family, or Multi-Person Dwellings
Uses	General Retail and Personal Service	Not permitted	Not permitted	Allowed by right
	Nursery	Requires a special use permit	Not permitted	Allowed by right
	Religious Assembly	Not permitted	Allowed by right	This category has been eliminated and is now included in the definition of Membership Organization, which is allowed by right.
	Range Management	Not permitted	Not permitted	Allowed by right. This use was erroneously left out of the use matrix previously.
Height and Roof Standards	Roof Height	Not applicable	Not applicable	Not applicable
	Roof Slope	TRPA Code Chapter 37.3.4	5:12 to 12:12	3:12 to 12:12

Town Center Healthcare District

The Healthcare District contains the area within the immediate vicinity of Barton Hospital, north and south of South Avenue and between Third Street and Winnemucca Avenue. Despite the upcoming relocation of Barton Hospital out of this district, it is intended to remain a core area for healthcare services and shall be expanded to include a broader range of commercial services related to and independent from healthcare. **Table 7** summarizes development standards that apply to this district (refer to Appendix C of the Tahoe Valley Area Plan for more detail):

<p align="center">Table 7 Development Standards for the Town Center Health-Care District</p>			
Development Standard	Existing TC-HC	Proposed TC-HC	
Density	Multiple Family Dwelling	25 units/acre	12-65 units/acre
	Multi-Person Dwelling	25 persons/acre	65 persons/acre, no minimum
	Nursing and Personal Care	25 persons/acre	65 persons/acre, no minimum
	Residential Care	25 persons/acre	65 persons/acre, no minimum
	Single Family Dwelling	1 unit per parcel	1 unit per parcel, excluding ADUs
	Employee Housing	As per the limitations set forth for multi-family residential uses above	Removed as own category. Is now included in Single family, Multiple Family, or Multi-Person Dwellings
Uses	Single Family Dwelling (includes condominiums)	Requires a special use permit	Allowed by right
	General Retail and Personal Service	Not permitted	Allowed by right
	Nursery	Not permitted	Allowed by right
	Animal Services	Not permitted	Allowed by right
	Professional Offices	Not permitted	Allowed by right
	Business Support Services	Not permitted	Allowed by right
	Local Public Assembly Facilities	Not permitted	Requires a special use permit
	Membership Organizations	Not permitted	Allowed by right
	Religious assembly	Allowed by right	This category has been eliminated and is now included in the definition of Membership Organization, which is allowed by right.
	Schools - College	Not permitted	Requires a special use permit
	Schools – Kindergarten through Secondary	Not permitted	Requires a special use permit
	Threshold Related Research Facilities	Not permitted	Allowed by right
	Cultural Facilities	Requires a special use permit	Allowed by right
	Range Management	Not permitted	Allowed by right. This use was erroneously left out of the use matrix previously
Small Scale Manufacturing	Not permitted	Requires a special use permit.	
Height and Roof Standards	Roof Slope	5:12 to 12:12	3:12 to 12:12
	Roof Height	Not applicable	Not applicable

Commercial Mixed-Use Service District

This district is intended to provide for a mix of small- and medium-scale commercial, support services, and light industrial uses to meet local and regional demand. **Table 8** summarizes development standards that apply to this district (refer to Appendix C of the draft Tahoe Valley Area Plan for more detail):

<p align="center">Table 8 Development Standards for the Commercial Mixed-Use Services District</p>			
Development Standard		Existing CMX-S	Proposed CMX-S
Density	Multiple Family Dwelling	25 units/acre	12-65 units/acre, allowed only as part of a mixed-use project. Certain mixed-use projects may be exempt from the minimum density standard.
	Multi-Person Dwelling	Not permitted	255 persons/acre, allowed only as part of a mixed-use project. No minimum
	Single Family Dwelling	1 unit per parcel	1 unit per parcel, allowed only as part of a mixed-use project.
	Employee Housing	As per the limitations set forth for multi-family residential uses above	Removed as own category. Is now included in Single family, Multiple Family, or Multi-Person Dwellings
	Uses	Multi-Family Dwelling	Requires a special use permit
Multi-Person Dwelling		Requires a special use permit	Allowed by right as part of mixed-use project
Single Family Dwellings (includes condos)		Requires a special use permit	Allowed by right as part of mixed-use project
Amusement, Recreation, & Entertainment Facilities		Amusement & Recreation (A) Privately Owned Assembly & Entertainment (Not permitted) Public Owned Assembly & Entertainment (Not permitted)	New use category made from combining previous uses: Amusement & Recreation, Privately Owned Assembly & Entertainment, Public Owned Assembly & Entertainment Allowed by right. Facilities with capacity for 200 persons or more require a special use permit.
Religious Assembly		Requires special use permit	This category has been eliminated and is now included in the definition of Membership Organization, which is allowed by right.
Range Management		Not permitted	Allowed by right. This use was erroneously left out of the use matrix previously
Height and Roof Standards	Roof Slope	5:12 to 12:12	3:12 to 12:12
	Roof Height	Not applicable	Not applicable

Emerald Bay Connection Corridor District

The Emerald Bay Connection Corridor District is proposed to allow for higher-density residential development adjacent to the town center. This is a transitional area of mixed uses limited to those compatible with scenic restoration, the intensity of Highway 50/89, and the background residential areas. The City sees within this district a potential opportunity for a transit center close to high density development and along a major travel way. Permissible uses are drawn from those allowed in the adjacent Bonanza Plan Area Statement (114), in which these parcels were previously included. Permissible uses include residential, tourist accommodation, neighborhood compatible commercial uses, and public service and are listed below. Developments within this district shall meet all applicable standards of the TVAP. **Table 9** summarizes development standards that apply to this district (refer to Appendix C of the draft Tahoe Valley Area Plan for more detail):

**Table 9
Development Standards for the Emerald Bay Connection Corridor District**

Table 9 Development Standards for the Emerald Bay Connection Corridor District			
Development Standard	PAS 114 Special Area #1	Proposed EB-CC	
Density	Mobile Home Dwelling	8 units/acre, special use permit required	8 units/acre, requires a special use permit
	Multiple Family Dwelling	15 units/acre, allowed by right	12-25 units/acre, allowed by right
	Multi-Person Dwelling	Not permitted	25 persons/acre, allowed by right
	Nursing and Personal Care	25 persons/acre, allowed by right	25 persons/acre, allowed by right
	Residential Care	25 persons/acre, allowed by right	25 persons/acre, allowed by right
	Single Family Dwelling	1 unit per parcel	Condominiums only, allowed by right. See multi-family density.
	Bed & Breakfast Facilities	10 units/acre, special use permit required	10 units/acre, requires a special use permit
	Hotel, Motel, and Other Transient Dwelling Units	40 units/acre, special use permit required	40 units/acre, requires a special use permit
	Employee Housing	Not permitted	Removed as own category. Is now included in Single family, Multiple Family, or Multi-Person Dwellings
Uses	Eating and Drinking	Not permitted	Requires a special use permit
	General Retail and Personal Service	Not permitted	Requires a special use permit
	Nursery	Requires a special use permit	Requires a special use permit
	Professional Offices	Requires a special use permit	Requires a special use permit
	Schools – Business & Vocational	Requires a special use permit	Requires a special use permit
	Parking Lots	Not permitted	Requires a special use permit
	Cultural Facilities	Requires a special use permit	Allowed by right
	Daycare Centers/Preschool	Requires a special use permit	Requires a special use permit
	Government Offices	Requires a special use permit	Requires a special use permit
	Local Public Assembly Facilities	Requires a special use permit	Requires a special use permit
	Local Public Health and Safety Facilities	Requires a special use permit	Allowed by right
	Membership Organizations	Requires a special use permit	Allowed by right
	Religious Assembly (churches)	Requires a special use permit	This category has been eliminated and is now included in the definition of Membership Organization, which is allowed by right.
	Social Service Organization	Requires a special use permit	Requires a special use permit
	Pipelines & Power Transmission	Requires a special use permit	Requires a special use permit
	Transit Stations & Terminals	Requires a special use permit	Requires a special use permit
	Transmission & Receiving Facilities	Requires a special use permit	Requires a special use permit
	Transportation Routes	Requires a special use permit	Allowed by right
Day Use Areas	Allowed by right	Allowed by right	

	Outdoor Recreation Concessions	Not permitted	Requires a special use permit
	Participant Sport Facilities	Requires a special use permit	Requires a special use permit
	Riding and Hiking Trails	Allowed by right	Allowed by right
	Visitor Information Centers	Not permitted	Requires a special use permit
	Forest and Timber Resource Management	Allowed by right	Allowed by right
	Tree Farms	Not permitted	Allowed by right
	Vegetation Resource Management	Allowed by right	Allowed by right
	Water Quality Improvements and Watershed Management	Allowed by right	Allowed by right
	Wildlife and Fisheries Resource Management	Allowed by right	Allowed by right
	Range Management	Not permitted	Allowed by right
	Open Space	Allowed by right	Allowed by right
	Small Scale Manufacturing	Not permitted	Requires a special use permit
	Height and Roof Standards	Roof Slope	5:12 to 12:12
Roof Height		Not applicable	Not applicable

Open Space

This district is intended to preserve land in its present use that would: 1) conserve and enhance natural or scenic resources; 2) protect streams environment zones, sensitive lands, water quality or water supply; 3) promote soil and habitat conservation; 4) enhance recreation opportunities; and/or 5) preserve visual quality along highways, roads, and street corridors or scenic vistas. The land is predominantly open, undeveloped, or lightly developed with trails or water quality projects, and is suitable for any of the following: natural areas, wildlife and native plant habitat; erosion control facilities, stream environment zones, stream corridors; passive parks; and/or trails for non-motorized activities. One CTC parcel identified as an asset land, APN 032-191-004, was rezoned from open space to TC-G and one parcel recently acquired by the CTC (023-241-022) was rezoned from TC-MUC to open space. No changes to the development standards of the Open Space District were made.

TRPA Town Center Overlay

This overlay contains much of the region’s non-residential services and has been identified as a significant source of sediments and other contaminants that continue to enter Lake Tahoe. Town Centers are targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern, and provides economic opportunities in the region. The overlay designation also establishes areas of the region that qualify for additional land coverage, height, and density incentives to encourage redevelopment activity and provide capacity for transfers of development from sensitive and outlying areas. These amendments propose to expand the TRPA Town Center Overlay by 11.5 acres to include additions to the TC-NP and TC-G Zones (see Figure 3).

Permissible Use List

The Tahoe Valley Area Plan updates propose modifications to the existing permissible use list to consolidate multiple similar uses under one category, to create more succinct criteria, and to increase compatibility within categories. “Employee Housing” has been eliminated as an independent use and shall be included in other residential uses where occupant organization is the defining criteria rather than ownership. Health and athletic clubs, day spas, and funeral parlors are now included under General Retail and Personal Service as they are consistent with the existing criteria of the category in that they are “non-medical services involving the care of persons.” Categories in which there was overlap of criteria have been consolidated into one use encompassing amusement, recreation, assembly, and entertainment. Permissible uses in the Health Care District have been expanded to reflect those of the Neighborhood Professional District. This is a change made in anticipation of Barton Health downsizing their presence at this location.

Anticipated Development

By the year 2034, the Tahoe Valley Area Plan is anticipated to accommodate an additional 77,000 to 102,000 square feet of CFA that would consist of CFA allocated to the Area Plan by TRPA, CFA from the City Pool and the transfer of existing CFA that would be transferred from outside of the Area Plan. These projections are unchanged from the 2015 Area Plan adoption. Policy provisions in the Tahoe Valley Area Plan identify the desire for developing and repurposing existing commercial uses towards resident-serving and recreation-based retail uses, and turning Tahoe Valley into an entertainment and recreation center.

As analyzed for the 2015 Area Plan, residential development and redevelopment by 2034 would primarily occur as multi-family, live/work, and mixed-use units, and is anticipated to consist of 373 new dwelling units. The development and redevelopment would occur through a combination of the current City and TRPA allocation system, including provisions for bonus units for affordable, moderate, and market-rate housing, and the potential conversion of 100 tourist accommodation units in the Tahoe Valley plan area. This plan amendment identifies the need for additional housing in Tahoe Valley and expands the number of parcels that are eligible for residential development incentives under Area Plan Section 7 – Housing policies H-1.2 (Housing Incentives), H-1.3 (Residential Improvement), H-1.5 (Redirection of Development), H-1.9 (Housing Needs), H-1.10 (Conversions) and H-2.2 (Housing in the Town Center Core District). The addition of 11.5 acres of new parcels to the Area Plan Town Center and 17.5 acres of parcels to the newly formed Emerald Bay Connection Corridor District (outside of the Town Center boundary) would help increase the rate of predicted residential buildout for the Area Plan. It is also possible that the addition of new parcels within the Town Center would increase the number of new dwelling units assumed for Tahoe Valley Area Plan buildout in the Regional Plan Update EIS. However, the Area Plan amendments do not propose any changes to the TRPA growth management system, so overall residential development limits would remain unchanged.

Design and Development Standards

The Tahoe Valley Area Plan includes development and design standards that are specific to the Plan Area and replace the City of South Lake Tahoe City Code Chapters 6.10 and 6.55 development standards, and portions of the TRPA Code of Ordinances Chapter 30, land coverage, Chapter 31 regarding density, Chapter 36 regarding design standards, and Chapter 37 regarding height standards. Standards for the Area Plan are contained in Appendix C of the Tahoe Valley Area Plan. Further design and development standards are housed in the South Lake Tahoe Design Guidelines (2016). This document has historically been used as a supplemental document to Appendix C. As part of the updates to the plan, this document

shall be included as Appendix B and shall be used in conjunction with Appendix C to provide examples of the standards. Specific standards that have been changed through this process include:

- Allowing roof pitches of 3:12 to 12:12 (previously the minimum roof pitch was 5:12) and the removal of the roof height requirement.
- Shifting to more objective building modulation and articulation standards.
- Increased flexibility in corner build and build to line requirements.
- Increased bicycle parking requirements
- Reducing residential parking requirements by right, for example, each multi-family residential unit is permitted one parking space and that number may be reduced further if a deed restriction is placed on the property making the property owner responsible for parking management.
- Allowing for a reduction in commercial parking spaces, for example, a 25% reduction in parking supply for projects located within ½ mile of a transit stop.

Significant changes were made to the organization of Appendix C by incorporating design standards previously designated as “substitute” into the primary standards. Purely residential projects in certain districts may now follow the residential design standards contained in the City of South Lake Tahoe City Code Chapter 6.85.

Maximum Transferred Land Coverage

No changes to the land coverage system of the Tahoe Valley Area Plan are being proposed. 11.5 acres would be added to the Town Center under the amendments, increasing the allowable land coverage therein to a maximum of 70 percent on high capability lands with transfer. The newly created Emerald Bay Connection Corridor District shall adhere to coverage limitations set forth in TRPA Code of Ordinances Chapter 30: Land Coverage.

Building Height and Design

The maximum building height and number of stories for each district shall remain the same for commercial and mixed-use projects. Purely residential developments in TC-NP and TC-HC and all projects in the Emerald Bay Connection Corridor District shall meet the height requirements of City Code Chapter 6.85 and TRPA Code of Ordinances Section 37.4. In order to increase the efficiency and feasibility of large buildings, a minimum roof pitch of 3:12 is being proposed (previously 5:12) as well as elimination of the requirement that a building’s roof be 40 percent of the building height.

Numerous other changes are being made for clarity and consistency, most notably the creation of objective design standards to achieve desired levels of building articulation.

Density

New density maximums and a minimum density standard are being proposed. For the first time the City is proposing a minimum density of 12 units per acre for multiple family dwellings in all Tahoe Valley area plan districts. Mixed-use projects meeting certain criteria may be exempt from the minimum density. The maximum density for multiple family dwellings in the TC-C, TC-MUC, and TC-G shall be increased from 25 to 65 units per acre. Residential projects in all other districts shall remain at 25 units per acre.

The Tahoe Valley Area Plan will incorporate the City’s accessory dwelling unit (ADU) ordinance; however, these units are not counted towards density.

Redevelopment Incentives

The Tahoe Valley Area Plan already provides several incentives for redevelopment of properties in the plan area. These incentives are described in the draft Tahoe Valley Area Plan and have not undergone changes. Refer to Resolution 2023-051 passed by City Council on June 6, 2023, for the City's policy on distributing TRPA commodities.

Transportation

The Tahoe Valley Area Plan calls for various improvements to vehicle, bike, and pedestrian routes. No specific projects are approved through the plan and all future projects would be subject to applicable environmental review and permitting requirements. Section 8 of TVAP provides summaries of transportation and circulation strategies proposed and completed in the Tahoe Valley. Some improvements that have been completed remain in the table of strategies to ensure maintenance.

Recreation and Open Space

No changes are being made to the Recreation and Open Space elements of the Tahoe Valley Area Plan, except for the rezoning of one parcel, 1123 Emerald Bay Road, from Open Space to Town Center Gateway District and another parcel near Third Street and Barton Avenue from TC-MUC to OS. The first change is being made to allow for development of housing, as the parcel has been identified as an Asset Land. The second change recognizes the CTC's acquisition of a formerly private parcel.

The Tahoe Valley Area Plan does not propose an allocation of People at One Time (PAOT) summer day recreation use. However, the Plan includes a Recreation Section that contains policies to promote a range of recreation uses (e.g., public open space areas with and without recreational improvements, green spaces, plazas and public gathering places, dog park, neighborhood pocket parks/playgrounds, bike and pedestrian opportunities, and establishment of a "recreation hub" near the "Y" intersection area).

A major component maintained in the Tahoe Valley Area Plan is construction of the Tahoe Valley Greenbelt. The project calls for construction of a unique recreation and open space community amenity located just southeast of the Y intersection. The project will serve as an enhanced area-wide stormwater treatment system that includes SEZ restoration, installation of pedestrian-bicycle paths, pedestrian amenities, and interpretive signage. The Greenbelt will serve as a visual amenity for adjacent residential and commercial uses and provide a bicycle and pedestrian linkage connecting the commercial core to adjacent residential uses.

Public Services

The Tahoe Valley Area Plan includes policy provisions that support upgrading the Lukins Brothers Water System (though no specific improvements have been identified), encouraging new and remodeled structures to design for solar orientation and solar panels, and incorporating a greater variety of green technology design techniques to reduce energy consumption, and promoting access to broadband.

Conservation//Natural and Cultural Resources

In the Tahoe Valley Area Plan the City identifies natural and cultural resource goals, policies and implementation strategies to implement provisions of the Regional Plan and General Plan. The following is a summary of improvements identified in the initial Tahoe Valley Area Plan, which have not been modified:

- Zoning SEZ restoration sites and stormwater drainage basins as open space.
- Designate the view of Tahoe Mountain and the distant ridgeline views of Monument Peak as new scenic resources.
- Incorporate design standards to ensure that the built environment is compatible with the natural scenic qualities of the Lake Tahoe Basin.
- Complete construction of the US 50 and SR 89 Water Quality Improvement Project.
- Restore disturbed SEZs located within the Tahoe Valley Greenbelt.
- Coordinate with the California Tahoe Conservancy to prioritize the removal of development and land coverage from delineated SEZs and the TRPA designated Stream Restoration Plan Area.
- Amend the 1987 Bailey Mapped Land Capability Map to adopt an updated map that more accurately delineate the boundaries of the SEZs located within the Tahoe Valley plan area.
- Implement the area-wide stormwater system for the Tahoe Valley Water Quality Improvement Project.
- Implement the City's Pollutant Load Reduction Plan by registering the Glorene and 8th Street Water Quality Improvement Project.
- Promote the transfer of coverage from disturbed SEZs by creating a bonus coverage transfer match for transfers from the TRPA designated Stream Restoration Plan Area, the Tahoe Valley Greenbelt, and from the Upper Truckee River Hydrologically Related Area.

3.0 BASELINE

As specified in Section 13.3.1 of the TRPA Code, all plans, policies, and regulations in the Regional Plan and the TRPA Code shall remain in effect unless superseded by the provisions of an area plan. Thus, existing baseline conditions for the purposes of this IS/IEC reflect current 2023 environmental conditions (the time of writing of this IS/IEC) with the updated Regional Plan, TRPA Code, City General Plan and Code in effect, and the existing plans (PAS 111 and PAS 114), maps, and ordinances also in effect. The Tahoe Valley Area Plan has an approximate 20-year planning horizon.

The proposed project evaluated in this IS/IEC are the proposed amendments to the Tahoe Valley Area Plan, which was adopted on July 22, 2015 .

4.0 METHODOLOGY AND ASSUMPTIONS

This IS/EIC was prepared to evaluate the potential environmental effects of changes proposed to the Tahoe Valley Area Plan using CEQA and TRPA checklist questions, responses, and supporting narrative. The analysis tiers and incorporates by reference specific analyses contained in the following environmental review documents, as appropriate:

- TRPA, *Regional Plan Update EIS*, certified by the TRPA Governing Board on December 12, 2012 (RPU EIS).
- TRPA/Rincon Consultants, Inc., *2020 Linking Tahoe: Regional Transportation Plan & Sustainable Communities Strategy IS/ND/IEC/FONSE*, April 2021.
- CSLT, *General Plan Update EIR*, certified by the City Council on May 17, 2011 (CSLT EIR).
- City of South Lake Tahoe, *Tahoe Valley Area Plan IS/MND/IEC/FONSE*, certified by the City Council on June 2, 2015 and adopted by the TRPA on July 22, 2015.

These program-level environmental documents include a regional scale analysis and a framework of mitigation measures that provide a foundation for subsequent environmental review at an area plan level. These documents serve as first-tier documents for the TRPA and City review of the proposed Tahoe Valley Area Plan. To the extent that the Tahoe Valley Area Plan is consistent with the City General Plan, the TRPA Regional Plan and the RTP, for which the program documents were prepared, the Tahoe Valley Area Plan could be found to be “within the scope” of the program documents.

This Tahoe Valley Area Plan Amendments IS/IEC is also a program-level environmental document. No specific development projects are proposed at this time or analyzed herein. All future projects within the Tahoe Valley area would be subject to project-level environmental review and permitting by City and/or TRPA, with the permitting agency determined based on the size, nature, and location of the project (Section 13.7.3 of the TRPA Code). Project-level environmental documents would identify and describe mitigation for any potentially significant environmental impacts.

TRPA has prepared an Area Plan Environmental Analysis Guidelines flowchart intended to assist local jurisdictions in considering environmental review requirements associated with the land uses proposed in area plans. The guidance poses the following questions:

- Does a land use district in the area plan allow a use that has a greater potential impact than the corresponding land use in the Regional Plan? This includes any community plans and/or PASs that would be wholly or partially replaced by the area plan.
- Does a zoning district in the area plan allow a use that has a greater potential impact than the corresponding land use district in the PAS?
- Does the project have a greater potential impact than the use allowed by the existing zoning district/PAS?

These questions contemplate whether land use changes resulting from adoption of amendments would result in new uses that could result in potential environmental impacts not previously contemplated by the community plans, PASs, and Regional Plan.

To address these questions, the proposed amendments to the Tahoe Valley Area Plan Land Use Map and Zoning Map, and TRPA Conceptual Land Use Map were carefully reviewed. The adopted 2015 land use and zoning map are consistent with the TRPA Conceptual Land Use Map adopted as part of the 2012 Regional Plan and the City General Plan which was adopted in 2011. Proposed additions to the town center boundary (Town Center Gateway and Town Center Neighborhood Professional Districts) in these amendments would expand town center areas envisioned in TRPA's Regional Plan Conceptual Land Use Map which classifies Tahoe Valley as mixed-use. As a result, amendments to expand the Town Center and the TRPA regional plan maps will need to comply with TRPA Code Section 13.5.3.G (Modification to Centers) and be adopted by the TRPA Governing Board following City adoption of the Area Plan amendments.

The tables included in Chapter 2 of this IS/IEC compares the existing permissible uses allowed within PAS 111 and 114 with those uses that would be allowed with the Tahoe Valley Area Plan, as specified in the Development and Design Standards of the Tahoe Valley Area Plan.. Generally, the types of land uses that would be permissible in the TC-G, TC-C, TC-MUC, TC-NP, TC-HC and CMX-S zoning districts are consistent with the mix of uses (commercial, public service, light industrial, office, tourist accommodation, and residential) envisioned for community centers in the Regional Plan (TRPA 2012a, p. 2-33) and the General Plan (CSLT 2011, pp. LU-3 and LU-10); the uses that would be permissible within these zoning districts reflect the mix of uses envisioned for recreation areas in the Regional Plan (TRPA 2012a, p. 2-19); and the uses within the OS zoning district would be limited to passive recreation uses, storm water facilities, and restoration activities.

Because the proposed new uses would be consistent with the uses envisioned in the Regional Plan, the analysis herein focuses on the unique characteristics of the allowed uses, new district, and potential environmental impacts associated with their implementation (e.g., land use compatibility, water quality, scenic resources, and traffic).

The checklist responses include cross-referencing to other checklist items to reduce redundancy, where appropriate.

5.0 ENVIRONMENTAL CHECKLIST AND IMPACT ANALYSIS

1. Project title: Tahoe Valley Area Plan Amendments

2. Lead agency name and address:

The City of South Lake Tahoe is the California Environmental Quality Act (CEQA) lead agency responsible for preparing an Initial Study/Negative Declaration (IS/ND) and the Tahoe Regional Planning Agency (TRPA) will serve as the lead agency for the Initial Environmental Checklist (IEC) under the Tahoe Regional Planning Compact.

City of South Lake Tahoe
1052 Tata Lane
South Lake Tahoe, California 96150

Tahoe Regional Planning Agency
P.O. Box 5310
Stateline, Nevada 89449

3. Contact person and phone number

City of South Lake Tahoe: Anna Kashuba, Assistant Planner, (530) 542-7405

Tahoe Regional Planning Agency: Alyssa Bettinger, Senior Planner, (775) 589-5301

4. Project location:

The Tahoe Valley Area Plan is in the southwestern portion of the City of South Lake Tahoe (see **Figure 1**). Regional access to the Tahoe Valley plan area is provided by US Highway 50 (US 50) and California State Route 89 (SR 89). The Tahoe Valley plan area serves as the gateway for the City of South Lake Tahoe for travelers heading south on SR 89 and east on US 50. The initial Tahoe Valley plan area encompassed PAS 110, South Y, and the parcel located at 1117 Bonanza Avenue Emerald Bay Road (APN 032-141-18) within PAS 114, Bonanza, Special Area #1 (see **Figure 3**). The amendments expand the plan area in three locations. To the southwest, parcels fronting US Highway 50 from the existing boundary line south to H Street, plus APNs 032-161-012, 032-161-013, 032-161-009, and 032-161-008 (previously PAS 114) were incorporated. Seven parcels fronting Melba Drive were added so that the Area Plan is contained in this corner by the intersection of E Street and Melba Drive (previously PAS 114). The third area of expansion is the northeast corner of the Area Plan. All parcels east of Tahoe Keys Blvd between Eloise Ave and James Ave shall be included up until the existing Area Plan boundary, in addition to 023-221-020 north of Eloise Ave (previously PAS 111). The Area Plan consists of approximately 374 acres and includes 525 public and privately owned parcels that include residential, commercial, tourist accommodation, industrial, and public service land uses (see **Table 1** and **Figure 2**).

5. Project sponsor's name and address

City of South Lake Tahoe
1052 Tata Lane
South Lake Tahoe, California 96150

6. General Plan designation:

The City's General Plan designates the Tahoe Valley area as Mixed-Use and TRPA's Conceptual Town Center.

7. Zoning

The Tahoe Valley Area Plan contains multiple zoning designations within the 374-acre area.

8. Description of project:

The proposed project is an update to the Tahoe Valley Area Plan in which current goals, policies and implementation strategies for providing specific land use guidance within the plan's boundary are contained. Chapter 2 provides a detailed summary of the proposed amendments. The exact language of the proposed amendments is provided on the City's website (<https://cityofslt.us/2290/Area-Plan-Proposals-and-Updates>). The updated Tahoe Valley Area Plan proposes to incorporate parcels fronting US Highway 50 from the existing boundary line south to H Street, plus APNs 032-161-012, 032-161-013, 032-161-009, and 032-161-008 (previously PAS 114). The addition of these parcels as the Emerald Bay Connection Corridor District is specifically to increase opportunity for residential development near a town center and provide additional transit opportunities for residents. Permissible uses are consistent with the previous PAS of this area; and several low intensity commercial uses have been incorporated as well to support a potential mobility hub. As part of the area plan these parcels are allowed greater density and coverage, making additional housing and transit facilities more feasible. Seven parcels fronting Melba Drive shall be added so that the area plan is contained in this corner by the intersection of E Street and Melba Drive (previously PAS 114). This area was identified as having high redevelopment potential, which may be incentivized by the benefits of being in an area plan as mentioned above. The third area of expansion is in the northeast corner of the Area Plan. All parcels east of Tahoe Keys Blvd between Eloise Ave and James Ave shall be included up until the existing area plan boundary, in addition to 023-221-020 north of Eloise Ave (previously PAS 111). These parcels were previously part of a PAS special area recognizing the legal, but nonconforming natural of multiple parcels. With the incorporation of these parcels into the Area Plan, various uses will become conforming, while giving the existing residential properties in this area the opportunity to be redeveloped at higher densities.

9. Surrounding land uses and setting:

Land uses to the west, north, and northeast of the Tahoe Valley Area Plan boundaries consist of residential subdivisions dating from earlier development of the area during the 1960s through the 1990s. Immediately adjacent to the Tahoe Valley Area Plan to the east lies a large open space area (stream environment zone [SEZ]) consisting of the floodplain for the Upper Truckee River, which is near the eastern boundary of the Tahoe Valley Area Plan. The Lake Tahoe Airport is located to the southeast of the Tahoe Valley Area Plan. This single-runway airport serves the vicinity with charter flights, air tours (helicopters and fixed-wing aircraft), and general aviation. The noise, safety, and height restriction areas described in the Airport Land Use Compatibility Plan overlay portions of the Tahoe Valley area.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

Adoption and approval of the Tahoe Valley Area Plan amendments are only required by the City of South Lake Tahoe City Council and the TRPA Governing Board; however, any projects that may move forward as a result of the implementation of this Area Plan may also require approval by the California Department of Fish and Wildlife, the California Regional Water Quality Control Board, State Water Resources Control Board, El Dorado County Air Pollution Control District, California State Lands Commission, and/or the California Department of Transportation (Caltrans).

5.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

If environmental factors are checked below, there would be at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture/Forest Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Energy
<input type="checkbox"/> Geology Resources	<input type="checkbox"/> Greenhouse Gas Emissions	<input checked="" type="checkbox"/> Hazards/Hazardous Materials
<input checked="" type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Wildfire	<input type="checkbox"/> Mandatory Findings of Significance
	<input type="checkbox"/> None	<input checked="" type="checkbox"/> None with Mitigation Incorporated

5.2 CEQA ENVIRONMENTAL DETERMINATION

On the basis of this Initial Study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.



John Hitchcock, Planning Manager
City of South Lake Tahoe

March 27, 2024

Date

5.3 TRPA ENVIRONMENTAL DETERMINATION (TO BE COMPLETED BY TRPA)

On the basis of this TRPA Initial Environmental Checklist:

- a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA’s Rules of Procedures Yes No

- b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA’s Rules of Procedures. Yes No

- c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and TRPA’s Rules of Procedures. Yes No

Signature of Evaluator

Date

Title of Evaluator

5.4 EVALUATION OF ENVIRONMENTAL IMPACTS

The following environmental analysis has been prepared using the CEQA Guidelines Appendix G: Environmental Checklist Form to complete an Initial Study. This checklist also includes analysis of environmental impacts required in the TRPA Initial Environmental Checklist found at: http://www.trpa.org/wp-content/uploads/Initial_Environmental_Checklist.pdf.

5.4.1 CEQA

CEQA requires a brief explanation for answers to the Appendix G Environmental Checklist except “No Impact” responses that are adequately supported by noted information sources. Answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project- level, indirect as well as direct, and construction as well as operational impacts.

Table 10: CEQA Defined Levels of Impact Significance	
Impact Severity	Definition
No Impact	A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
Less than Significant Impact	“Less than Significant Impact” applies where the Project’s impact creates no significant impacts based on the criterion or criteria that sets the level of impact to a resource and require no mitigation to avoid or reduce impacts.
Less than Significant Impact after Mitigation	“Less than Significant Impact after Mitigation” applies where the incorporation of mitigation measures has reduced an effect from potentially "Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
Significant Impact	"Significant Impact" is appropriate if there is substantial evidence that an effect is potentially significant, as based on the criterion or criteria that sets the level of impact to a resource. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
Source: CEQA Appendix G Environmental Checklist Form 2010	

5.4.2 TRPA

Article VI of the TRPA Rules of Procedure presents the rules governing the preparation and processing of environmental documents pursuant to Article VII of the Compact and Chapter 3 of the Revised TRPA Code of Ordinances.

TRPA uses an IEC, in conjunction with other available information, to determine whether an EIS will be prepared for a project or other matter. This could include preparation of an Environmental Assessment, in accordance with Section 3.4 of the TRPA revised Code, when TRPA determines that an IEC will not provide sufficient information to make the necessary findings for a project.

The IEC includes a series of questions categorized by and pertaining to resources regulated by TRPA. Each checklist item requires a checked response of “Yes,” “No,” “No, with Mitigation,” or “Data Insufficient.” A checked response of “Data Insufficient” or a determination that a project may have a significant effect on the environment (Section 3.3.2 of the TRPA Code) indicates that additional environmental

review in the form of an Environmental Assessment (EA) or Environmental Impact Statement (EIS) would be required. The IEC form indicates that all “Yes” and “No, with Mitigation” responses require written explanations. This IEC provides supporting narrative for all responses. Where a checked response may not be intuitive or easily understood by the reader, that response has been marked with an asterisk (*) and a brief clarifying statement supporting the rationale for the checked response is included. Based on an initial review of the Project, TRPA staff determined that an IEC would provide sufficient information regarding the Project to make one of the findings below. As set forth in Code Subsection 3.3.1, based on the information submitted in the IEC, and other information known to TRPA, TRPA shall make one of the following findings and take the identified action:

- 5.4.2.1 The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA’s Rules of Procedure.
- 5.4.2.2 The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA’s Rules of Procedure.
- 5.4.2.3 The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this Chapter and TRPA’s Rules of Procedure.

When completed, TRPA reviews the IEC to determine the adequacy and objectivity of the responses. When appropriate, TRPA consults informally with federal, state, or local agencies with jurisdiction over the project or with special expertise on applicable environmental impacts.

5.4.3 Aesthetics (CEQA), Scenic Resources/Community Design and Light and Glare (TRPA)

This section presents the analyses for potential impacts to aesthetics, scenic resources/community design and light and glare. **Table 11** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 11				
Aesthetics, Scenic Resources/Community Design and Light and Glare				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (CEQA Ia)			X	
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (CEQA Ib)			X	
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (CEQA Ic)			X	
4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (CEQA Id)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe? (TRPA item 18a)	X, LTS			
6. Be visible from any public recreation area or TRPA designated bicycle trail? (TRPA item 18b)	X, LTS			
7. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area? (TRPA item 18c)				X
8. Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan? (TRPA item 18d)				X

9. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines? (TRPA item 18e)				X
10. Include new or modified sources of exterior lighting? (TRPA item 7a)	X, LTS			
11. Create new illumination which is more substantial than other lighting, if any, within the surrounding area? (TRPA item 7b)				X
12. Cause light from exterior sources to be cast off-site or onto public lands? (TRPA item 7c)				X
13. Create new sources of glare through the siting of the improvements or through the use of reflective materials? (TRPA item 7d)				X

1. Would the Project have a substantial adverse effect on a scenic vista? (CEQA Ia)

The existing visual landscape characteristics of the Tahoe Valley plan area consist of urban development intermixed with forest conditions. Existing urban development transitions into natural and forest conditions at the southern boundary along the US 50/SR 89 corridor as well as at the northern boundary along SR 89 (as noted in the SQIP for the description of Roadway Unit 1 – Tahoe Valley). The Tahoe Valley Area Plan’s eastern boundary transitions to the open stream environment zone area associated with the Upper Truckee River. There are two designated scenic resource located within the planning area. Scenic Resource #35.1 is a view of the natural landscape as seen from US 50 looking north toward the “Y” intersection. The resource is currently in attainment but is rated low because of the dominance of the surrounding built environment. Scenic Resource #35.2 is a natural landscape view of the Truckee Marsh. This resource is in attainment and has a moderate rating. In addition, there are the following non-designated prominent scenic views from within the planning area:

- Distant scenic views in the planning area include forest conditions in the background;
- The open stream environment zone associated with the Upper Truckee River and Freel Peak in the background view;
- Scenic resource 35.3 with views from US 50 (from “Y” intersection) of the mountains looking east towards Monument Peak and Heavenly Mountain Ski Resort (Gun barrel ski run is visible). These views of the mountains are obscured in some areas by buildings and forest vegetation in the foreground; and
- Scenic resource 35.3 with views from US 50 (from “Y” intersection) of Tahoe Mountain looking west along Lake Tahoe Boulevard. The background view of Tahoe Mountain is framed by mature conifers and the foreground view is dominated by Lake Tahoe Boulevard. (See **Figures 4 and 5.**)

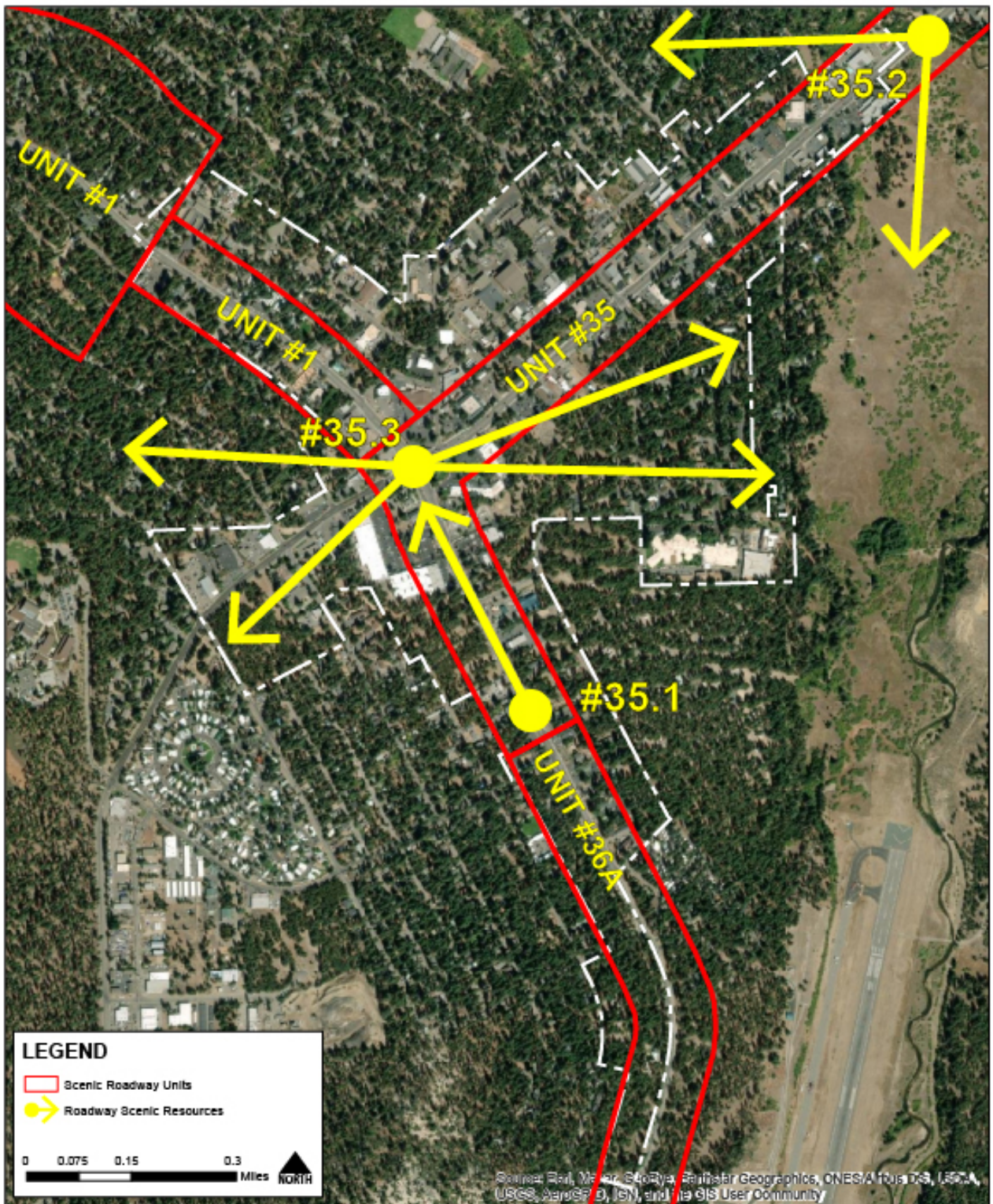


Figure 4
Scenic Resources
April 2023





View of Upper Truckee River Marsh and Freel Peak from US 50



View of Heavenly Ski Resort from the "Y" Intersection



View of Tahoe Mountain from the "Y" Intersection

Source: Google Maps 2014; adapted by City of South Lake Tahoe.



Figure 5
Existing Scenic Resources
Tahoe Valley Area Plan EIR/EIS

As depicted in **Figure 4** the planning area includes three scenic roadway units (1 – Tahoe Valley, 35 – Al Tahoe and 36A – Airport Area) along SR 89 and US 50 identified in the Lake Tahoe Basin Scenic Resource Inventory (1982) by TRPA. The TRPA 2019 Scenic Resources Threshold Evaluation for Roadway Units, identifies that while these roadway units are still in non-attainment, they have had some improvements associated with recent development. Recent installation of curbs & gutters with sidewalks, new road pavement, and renovation of shopping centers at the “Y” has improved the score for Roadway Units 35 and 1.

Amending the Tahoe Valley Area Plan boundary and multi-family density limits would allow for changes in the built environment that would be visible from US 50 and SR 89 scenic roadway corridors. Each of the parcels proposed for inclusion in the area plan boundary are either immediately adjacent to US 50 or immediately adjacent parcels that are contiguous to US 50. While redevelopment of an existing commercial corridor often results in improvement in the scenic quality of scenic roadway corridors, changes in the built environment could have undesirable consequences on scenic quality if they adversely affect views or vistas, damage or remove scenic resources, or result in development that is incompatible with the scenic values of the Region. The Tahoe Valley Area Plan amendments (Appendices B and C) improve upon existing standards for site, building, landscaping, and development design that are intended to preserve the basin scenic resources and enhance the built environment to emphasize a mountain identity. Subsequent development under the Tahoe Valley Area Plan would be subject to the updated standards and would alter the overall built environment to be consistent with the vision and principles of the Tahoe Valley Area Plan and improve scenic quality of the US 50 and SR 89 scenic roadway corridors. This impact is considered **beneficial** for the proposed Tahoe Valley Area Plan.

US 50 and SR 89 have been identified by TRPA as not meeting scenic threshold targets and improvement of these roadway corridors has been identified. In addition, development within other portions of the Tahoe Valley plan area outside of the SR 89 and US 50 roadway corridors could also result in localized scenic impacts to existing residents, businesses, and recreationalists using bikeways or passing through the area. The Tahoe Valley Area Plan has established specific site, building, and landscaping standards to improve the visual characteristic of the US 50 and SR 89 roadway corridors. These standards would result in positive improvements consistent with TRPA’s Scenic Resource/Community Design goals and policies, recommendations identified in the TRPA Scenic Quality Improvement Program (SQIP) and the goals and policies of the Natural and Cultural Resource Element of the City General Plan. The following standards are currently required for the area plan and shall remain:

- Design Quality – Design standards promote a mountain architecture theme, building materials and colors that would be more compatible with the natural environment, and improvements that contribute to the character and quality of the built environment as viewed from the scenic roadway corridors.
- Building Setbacks and Site Design – Development visible from the roadway corridor and adjacent to residential areas require step-backs for any structures with a third story to reduce visual mass, maintain sun angle planes, and minimize impacts on existing scenic views. In the “Y” intersection area, the four corner parcels are required to maintain a deeper setback to maintain visual open space.
- Parking – The standards reduce the visual impact of parking lots by requiring parking lots to be located in the rear or side of lots.
- Landscaping – Design standards require the incorporation of landscaping and pedestrian sidewalks in the setback area to soften the urban appearance of the roadway corridors.

- Building Height – The Tahoe Valley Area Plan has varying building heights to promote visual interest and character. The maximum height of 45 feet is only be permitted in the Town Center Core District around the “Y” intersection. The two Gateway Districts that serve as entrances to the City and Neighborhood Professional District are restricted to 36 feet of height, which is more restrictive than existing height standards for Town Centers, to promote open spaces and preserve views. The existing maximum height standard of 42 feet would apply to the remaining districts (Healthcare, Commercial Mixed-Use, Mixed-Use Corridor and new Emerald Bay Connection Corridor). As discussed above, any structure with a third story is required to be stepped back. The new Emerald Bay Connection Corridor District would continue to utilize TRPA Code Section 37.4 to determine maximum building height.

The potential impact on scenic quality of views along US 50 and SR 89 associated with the additional development and height was previously analyzed in the RPU EIS (TRPA 2012a, Impact 3.9-1) and the General Plan EIR (CSLT 2011, Impact 4.13.1). The General Plan EIR analyzed the potential effects of allowing up to 75 feet of height (30 feet more than permissible in the Tahoe Valley Area Plan) and concluded that the impact was significant, requiring mitigation measures. The General FEIR recommended mitigation measure MM 4.13.1a and MM 4.13.1b (CSLT 2011, pp. 4.0-8 through 4.0-11) to reduce impacts to a less than significant level. The mitigation measure established a maximum height of 45 feet for the Tahoe Valley node, required step-backs for structures in excess of 36 feet, and required building and siting design not to obstruct mountain views, lake views, or stream environment zones as viewed from the arterial roadways and or public recreation areas. These mitigation measures are incorporated in the Tahoe Valley Area Plan Development and Design Standards (Appendix C), which includes a maximum height of 45 feet in the Town Center Core District, setbacks from the scenic highway corridor, and step-back siting and building design standards. No changes to these standards are being proposed in the current amendments.

The RPU EIS also analyzed the effects of 56 feet in designated Town Centers and concluded that the additional height was potentially significant, requiring mitigation (TRPA 2012a, p. 3.9-17). The mitigation measures were codified in Sections 37.7.16 and 37.7.17 of the TRPA Code and are incorporated in the Tahoe Valley Area Plan Development and Design Standards. The Tahoe Valley Area Plan proposed design standards require any buildings that consist of three or more stories to not project above the forest canopy, ridgelines or otherwise detract from the viewshed. In addition, it requires that TRPA Scenic Quality Findings 1, 3, 5 and 9 as described in Section 37.7.16 of the TRPA Code be made. The findings are as follows:

- When viewed from major arterials, scenic turnouts, public recreation areas, or the waters of Lake Tahoe, from a distance of 300 feet, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline. For height greater than that set forth in Table 37.4.1-1 for a 5:12 roof pitch, the additional height shall not increase the visual magnitude beyond that permitted for structures in the shoreland as set forth in subsection 66.3.7, Additional Visual Magnitude, or Appendix H, Visual Assessment Tool, of the Design Review Guidelines.
- With respect to that portion of the building that is permitted the additional height, the building has been designed to minimize interference with existing views within the area to the extent practicable.
- The portion of the building that is permitted additional building height is adequately screened, as seen from major arterials, the waters of lakes, and other public areas from which the building is frequently viewed. In determining the adequacy of screening, consideration shall be given to the degree to which a combination of the following features causes the building to blend or merge with the background.

- The horizontal distance from which the building is viewed;
 - The extent of screening; and
 - Proposed exterior colors and building materials.
- When viewed from a TRPA scenic threshold travel route, the additional building height granted shall not result in the net loss of views to a scenic resource identified in the 1982 Lake Tahoe Basin Scenic Resource Inventory. TRPA shall specify the method used to evaluate potential view loss. (TRPA 2012a, p. 3.9-17.)

Incorporating the scenic quality findings of Section 37.7 of the TRPA Code of Ordinances in the Tahoe Valley Area Plan design standards, which prohibit buildings from protruding above the forest canopy or ridgeline and require site-specific design features to install landscaping, to minimizing ground disturbance, and to use natural materials and earth-tone colors, would not impact the scenic quality views along US 50 and SR 89.

Subsequent development as a result of implementing the Tahoe Valley Area Plan amendments would be subject to the updated design standards that protect existing viewsheds, improve the existing built environment, improve the visual quality of the scenic roadway corridors, avoid further degradation of the visual quality of the Tahoe Valley Area, and minimize impacts to existing views and identified scenic resource. Thus, this impact is considered **beneficial**.

Environmental Analysis: *Beneficial Impact*.

Required Mitigation: **None**.

2. Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (CEQA Ib)

The area does not contain any trees, rock outcroppings or historic buildings that are unique or contribute to the visual resources of the area.

As set forth above, incorporating the scenic quality findings of Section 37.7 of the TRPA Code of Ordinances in the Tahoe Valley Area Plan design standards, which prohibit buildings from protruding above the forest canopy or ridgeline and require site-specific design features to install landscaping, to minimizing ground disturbance, and to use natural materials and earth-tone colors, would not impact the scenic quality views along US 50 and SR 89.

Subsequent development as a result of implementing the Tahoe Valley Area Plan would be subject to the design standards that would protect existing viewsheds, improve the existing built environment, improve the visual quality of the scenic roadway corridors, avoid further degradation of the visual quality of the Tahoe Valley plan area, and minimize impacts to existing views and identified scenic resource. Thus, this impact is considered **beneficial**.

Environmental Analysis: *Beneficial Impact*.

Required Mitigation: **None**.

3. Would the Project substantially degrade the existing visual character or quality of the site and its surroundings? (CEQA Ic)

The Area Plan includes detailed design standards that are intended to ensure that the built environment complements the natural appearance of the landscape in the Tahoe Region while improving the quality of life and promoting livability, sustainability and walkability. The Area Plan specifically regulates building form, materials and colors, including the following:

- Buildings shall provide adequate architectural articulation and detail to avoid a bulky and “box-like” appearance;
- A unified palette of quality materials shall be used on all sides of buildings;
- Colors shall be used to help delineate windows and other architectural features to increase architectural interest;
- A variety of natural-appearing materials should provide contrast on building facades and use of stucco shall be limited;
- Colors should be chosen to blend in with the setting and to minimize reflectivity. Bright colors should be used for accent only and should be applied to a maximum of 10 percent of the building façade; and
- Roofs, including mechanical equipment and skylights, shall be constructed of nonglare finishes and earth tone colors that minimize reflectivity.

For buildings that are located adjacent to residential areas, the Area Plan includes provisions to minimize the potential impact on the visual character and quality of the residential land uses. Buildings are required to step back within a daylight plane along street frontages and adjacent to residential areas to address massing, protect viewsheds, allow light and air, and limit winter shading in public areas.

The Area Plan promotes a denser land use pattern to promote pedestrian- and transit-oriented development. Pursuant to TRPA’s Code of Ordinances, the Area Plan provides additional height and increased density incentives to ensure adequate capacity for redevelopment and transfers of development. The change in amount, distribution and type of development since the plan’s initial adoption has not had a significant impact on the visual character or quality of the Tahoe Valley area or its surroundings. The character and quality have improved as a result of the design standards discussed above and additional height granted to structures has not impacted existing viewsheds as discussed in Question 1 (CEQA Checklist Ia) above. Furthermore, improvements in the visual character and quality of this Area Plan have been documented in numerous TRPA Threshold Evaluations as projects implemented many of the design standards that are incorporated in this Area Plan. Addition of the new Emerald Bay Connection Corridor District and expansion of the Gateway and Neighborhood Professional Districts to the area plan boundary are anticipated to result in similar visual quality improvements as parcels develop or redevelop in the future. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

4. Would the Project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (CEQA Id)

All development is subject to City lighting standards in Chapter 6.10 and Chapter 6.85 of the City Code and Chapter 36 of the TRPA Code. These standards include the following provisions that would ensure that

subsequent development would not result in adverse lighting impacts:

These standards include the following provisions that would ensure that subsequent development would not result in adverse lighting impacts:

- Lights shall not blink, flash, change intensity, or give the illusion of movement.
- Parking lot, walkway, and building lights shall be directed downward to avoid light pollution. The use of cutoff shields on light fixtures is required, light sources shall not be visible, and parking garages may not use fluorescent lighting.
- The maximum height of exterior architectural building lighting shall be limited to 26 feet.
- Use of outdoor lighting is restricted to illumination purposes only and not for advertisement or for building/landscape treatment.

As previously discussed in Question 3 (CEQA Checklist Ic) and the exterior lighting discussion above, the Tahoe Valley Area Plan requires the use of a variety of natural-appearing materials and colors that blend in with the natural setting and prohibits the use of flood lighting, reflective materials, or lighting strips, including neon/fluorescent tubing to minimize reflectivity and glare. Therefore, no substantial glare or reflectivity of a project proposed under the Tahoe Valley Area Plan is expected to affect day or nighttime views in the area. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

5. Would the Project be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe? (TRPA 18a)

Development located in the Tahoe Valley plan area as amended may be visible from US Highway 50 and SR 89.

Amendments to the Tahoe Valley Area Plan would allow for changes in the built environment that would be visible from US 50 and SR 89 scenic roadway corridors. While redevelopment of an existing commercial corridor often results in improvement in the scenic quality of scenic roadway corridors, changes in the built environment could have undesirable consequences on scenic quality if they adversely affect views or vistas, damage or remove scenic resources, or result in development of vacant parcels that is incompatible with the scenic values of the Region. The Tahoe Valley Area Plan implements specific standards for site, building, landscaping, and development that are intended to preserve the basin scenic resources and enhance the built environment to emphasize a mountain identity. Subsequent development under the Tahoe Valley Area Plan would be subject to the standards and would alter the overall built environment to be consistent with the vision and principles of the Tahoe Valley Area Plan and improve scenic quality of the US 50 and SR 89 scenic roadway corridors.

The Tahoe Valley plan area contains a portion of TRPA Scenic Roadway Travel Unit #1 – Tahoe Valley (within 0.40 miles of “Y” Intersection); Scenic Roadway Travel Unit #35 – Al Tahoe; and Scenic Roadway Travel Unit #36A – Airport Area. There are no views of Scenic Shoreline Travel Units within the Tahoe Valley Area Plan.

The following is a summary of issues and recommendations drafted for the initial adoption of the plan for

improving scenic quality:

Roadway Unit 1 – Tahoe Valley (within 0.40 miles of “Y” Intersection)

The SQIP identifies that within 0.40 miles of the “Y” intersection along the SR 89 corridor that commercial uses become larger, signage is larger and becomes more distracting, and un-landscaped paved parking areas adjacent to the roadway dominate the view. The SQIP makes the following recommendations:

- Landscaping – Provision of native and naturalized landscaping and landscape buffers along the edges of the roadway to reduce the dominance of the parking areas. Landscaping should be an extension of the natural forest cover and be integrated with the existing forest background.
- Signs – Bring signs into compliance. Use of coordinated system of signs that minimizes competition of between signs and their contrast with the natural environment.
- Parking Areas – Limited and clearly defined access drives and parking areas should be provided. Landscape should be provided along roadways and parking areas as identified above under “Landscaping”.
- Utility Lines – Underground overhead utility lines where possible.
- Building Materials and Colors – Building designs and materials should be complementary with the surrounding and man-made and natural environments (e.g., use of wood-siding, wood shakes, stone, bricks, etc.). Color hues should fall within a range of natural vegetation and earth tones.

Roadway Unit 35 – Al Tahoe

The SQIP identifies long stretches of heavy commercial development along US 50 (consisting of the US 50 corridor within the Tahoe Valley planning area) reduce the area’s natural scenic quality by blocking most foreground or mid-distance views of the natural surroundings while creating numerous distracting elements. The SQIP makes the following recommendations:

- Design Quality – The architectural style should consist of design solutions that are compatible with the natural environment and contribute to the character and quality of the built environment. Building materials and colors should be complementary with the surrounding and man-made and natural environments (e.g., use of wood-siding, wood shakes, stone, bricks, etc.). Color should be subdued and not garish, with natural colors being preferable. Building heights should not exceed the height of the existing forest cover, should not interfere with views of significant scenic features, and should be compatible with the scale of surrounding buildings.
- Building Setbacks and Site Design – Increase building setbacks as well as vary setback distances to avoid tunnel-like effect of strip development and reduce the sense of sameness of development. Coordination in site design of the roadway corridor should be done to avoid haphazard and cluttered development.
- Circulation – Modification of the roadway corridor to remove the continuous left-turn center lane and provide a landscaped center median with limited left-turn pockets. This

would also include landscaping of the islands at the “Y” intersection.

- Driveways – Reduce the number of driveways on US 50 and encourage the use of shared driveways, parking areas and pedestrian plazas. Provide driveway access on side streets where feasible.
- Parking Area Landscaping – Provision of native and naturalized landscaping and landscape buffers to reduce the dominance of the parking areas pursuant to Chapter 30 of the TRPA Code of Ordinances. Landscaping should break up large expanses of pavement and parked cars. Parking should be provided in rear or side yards of buildings where feasible.
- Signs – Bring signs into compliance with Chapter 38 of the TRPA Code of Ordinances. Use of coordinated system of signs that minimizes competition of between signs and their contrast with the natural environment.
- Landscaping – Provide substantial landscape treatments around all structures to soften building contours, reduce the amount of paved or bare dirt areas, and provide visual transition. Landscape should be provided to eliminate building frontages that abut sidewalk or roadway that currently have no landscape treatment.
- Satellite Dish Antennae – Site satellite dish antennae so that they are not visible from public rights-of-way or screened as required under Chapter 36 of the TRPA Code of Ordinances.
- Lighting – Night lighting should be done in a selective fashion and not exceed the amount of light actually required by users and viewers.

Roadway Unit 36A – Airport Area

The SQIP identifies that development along US 50 in the southern portion of the Tahoe Valley plan area needs to be improved by upgrading the architectural quality, compatibility with the natural surroundings and upgrading existing signs. The SQIP makes the following recommendations:

- Design Quality – The architectural style should consist of design solutions that are compatible with the natural environment and contribute to the character and quality of the built environment. Building materials and colors should be complementary with the surrounding and man-made and natural environments (e.g., use of wood-siding, wood shakes, stone, bricks, etc.). Color should be subdued and not garish, with natural colors being preferable.
- Parking Area and Landscaping – Encourage the use of shared driveways, parking areas and limit the extent of parking. Provision of native and naturalized landscaping and landscape buffers to reduce the dominance of the parking areas pursuant to Chapter 36 of the TRPA Code of Ordinances. Landscaping should break up large expanses of pavement and parked cars.
- Signs – Bring signs into compliance. Use of coordinated system of signs that minimizes competition of between signs and their contrast with the natural environment.
- Utility Lines – Underground overhead utility lines where possible.
- Landscaping – Provide substantial landscape treatments around all structures to soften

building contours, reduce the amount of paved or bare dirt areas, and provide visual transition. Landscape should be provided to eliminate building frontages that abut sidewalk or roadway that currently have no landscape treatment.

- Satellite Dish Antennae – Site satellite dish antennae so that they are not visible from public rights-of-way or screened as required under Chapter 36 of the TRPA Code of Ordinances.

As described in Question 3 (CEQA Checklist IC) above, the Tahoe Valley Area Plan includes detailed design standards that ensure that the built environment complements the natural appearing landscape in the Tahoe Region while improving the quality of life, promoting livability, sustainability and walkability. The Area Plan specifically regulates building form, materials and colors to avoid bulky and “box-like appearance, to promote materials and colors that blend with the natural setting, to reduce glare and reflectivity, and preserve views of the lake, ridgelines and meadows. Application of these standards for redevelopment of dilapidated structures, for the development of new structures, in conjunction with site design standards to protect viewsheds and minimize impact on adjacent residential areas, is expected to improve the visual quality and character of the Tahoe Valley plan area. This change in visual quality and character is not expected to adversely affect the scenic quality ratings for individual resources but would improve scenic conditions resulting in threshold gains in the three roadway units along SR 89 and US 50 identified for scenic quality improvement by the TRPA. The TRPA 2019 Thresholds Report identifies that while these roadway units are in non-attainment they have had some improvements associated with recent development improvements along SR 89 in Roadway Unit 1, including new curbs, sidewalks, and bike paths have resulting in a score increase of one point for the unit’s road structure. Roadway Unit 35 (US 50 south and east of the “Y”) also increased by one point due to new sidewalks, natural rock walls, building upgrades, and redevelopment. Roadway Unit 36A, along US 50 south of Unit 35, did not change. TRPA’s threshold analysis notes recent, but limited redevelopment in this area of the Tahoe Valley area plan.

Thus, implementation of specific projects within the new boundaries of the Tahoe Valley Area Plan is not likely to result in adverse impacts on views from any state or federal highway, and will have **less than significant impact** on views from Pioneer Trail or Lake Tahoe.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

6. Would the Project be visible from any public recreation area or TRPA designated bicycle trail? (TRPA 18b)

A review of the 1993 Lake Tahoe Basin Scenic Resource Evaluation indicates that there are two designated bicycle trails in the Tahoe Valley plan area. The Tahoe Valley Route and the Tahoe Valley to City of South Lake Tahoe City Limits.

The Tahoe Valley Route serves uses located south and east of US 50. The route is a bike lane along Helen Avenue from Winnemucca Street southwest to Fourth Street. This route passes through a wooded residential neighborhood area and connects to the Factory Store at the Y intersection, then south along Melba Street to C Street. The scenic quality of the route overall is relatively low and natural views are primarily of scattered forest vegetation, and a few views southwest to the mountain backdrops (1993 Scenic Resource Evaluation, p. 391).

The Tahoe Valley to City of South Lake Tahoe City Limits is a Class II lane that runs from the Y intersection along SR 89 north to the city limits. This lane travels through intense commercial development located within the area plan that reduces the scenic quality of the segment. The only scenic views are of

scattered forest vegetation interspersed between buildings and parking lots.

As set forth in detail above (CEQA Checklist item 1a through 1d), any proposed project within the Area Plan is not likely to affect scenic views from recreation areas or from designated bike paths or contribute to their degradation as a result of protective standards incorporated into the Tahoe Valley Area Plan to prohibit structures from protruding above the existing forest canopy and implementation of design standards to promote building design that complement the natural setting.

Projects resulting from implementation of the Tahoe Valley Area Plan would involve development and redevelopment consistent with the Area Plan's Development and Design Standards and Chapter 66 of the TRPA Code that would prohibit buildings to protrude above the forest canopy or ridgeline, include site-specific design features that minimize ground disturbance, incorporate screening, use of earth tone colors, materials and architectural style that complements the Tahoe landscape. Thus, implementation of specific projects under the Tahoe Valley Area Plan is not likely to result in impacts to views from any public recreation area or TRPA designated bicycle trails. All projects would comply with TRPA Code provisions and the Tahoe Valley Development and Design Standards, which would result in generally improved scenic conditions in the Tahoe Valley plan area. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

7. Would the Project block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area? (TRPA 18c)

As discussed above in Question 1 (CEQA Checklist 1a) and 6, the project area contains scenic vistas from the public roadway and is also visible from offsite public recreation areas. The design standards included in the Tahoe Valley Area Plan apply to the construction of new development and redevelopment projects. These projects could include new structures and introduce new massing that would modify views of existing scenic vistas. However, there will be no changes to design standards that would allow development to block or modify an existing resource or result in a significant impact. The current Area Plan includes protective measures prohibiting buildings from projecting above the forest canopy, ridge lines, or otherwise detracting from the view shed and the scenic quality findings of the TRPA Code of Ordinances must be made for any project granted additional height (see Question 1, CEQA Checklist 1a discussion). Moreover, as discussed in Question 3 (CEQA Checklist 1c), projects are required to implement the Area Plan's design standards to ensure compatibility with the natural environment. Thus, implementation of specific projects under the amended Tahoe Valley Area Plan is not likely to result in obstructed views to and from scenic resources, recreation areas, bike trails, and public roadways. All projects would comply with TRPA Code provisions and the Tahoe Valley Development and Design Standards, which would result in generally improved scenic conditions in the Tahoe Valley plan area. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**

8. Would the Project be inconsistent with the height and design standards required by the applicable ordinance or Community Plan? (TRPA 18d)

Height: The Tahoe Valley Area Plan Amendments include several changes to the existing adopted maximum building height standards of the area plan, including new parcels added to several existing zoning

districts and elimination of the maximum building story limits. One parcel (APN 023-081-011) is proposed to be relocated from the Town Center Gateway District to the Town Center Core District and thus would qualify for additional height from 36 feet to 45 feet. However, the increase in height is not expected to have new impacts given the small area and the application of the Tahoe Valley Area Plan Design and Development Standards that prohibit buildings from protruding above the forest canopy or ridgeline, and require site-specific design features that minimize ground disturbance, screening, use of earth tone colors, materials and architectural style that complements the Tahoe landscape. Thus, this impact is **less than significant**.

Density: The Tahoe Valley Area Plan Amendments would incorporate parcels currently located in PAS 111 and PAS 114 and would permit a maximum of 25 units per acre for multi-dwelling residential uses. In the Core, Mixed Use Corridor, and Gateway Town Center Districts, the maximum density for multiple family dwellings shall be increased from 25 to 65 units per acre. Each of these parcels are either immediately adjacent to US 50 or immediately adjacent to parcels contiguous to US 50. The increase in density standards may result in increased bulk and mass visible from the scenic roadway corridor and from adjacent residential plan areas. However, as described in Impact 5.12.2-2 above, the Tahoe Valley Area Plan incorporates design standards such as setbacks from the scenic roadway corridor and from property lines, step-backs for structures over two stories, and architectural treatment to ensure that scenic views and vista, and community character are not impacted. Application of these design standards would serve to reduce the overall impact of massing that may result from the proposed increase in density. Specifically, the Tahoe Valley Area Plan standards require structures fronting along the US 50 and SR 89 to be set back 25 feet from the edge of curb and for third stories to be setback 10 feet from the second story facade. For structures that are located adjacent to residential areas, the Tahoe Valley Area Plan standards require any portion of a structure exceeding 25 feet to be stepped-back at a ratio of 1:1. Other standards to reduce the impact of increased bulk and mass include building design and articulation standards to avoid bulky and “box-like” appearance and building materials that mimic the natural mountain setting. This includes incorporating natural, and natural-appearing materials and colors, using earth-tone colors, and incorporating building facade articulation such as projections, recesses, dormers, or cornices to create visual interest. The design standards are consistent with TRPA’s scenic quality and community design goals to enhance the natural features of the region while enhancing the quality of the built environment and are not in conflict with City or TRPA design standards. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

9. Would the Project be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines? (TRPA 18e)

The TRPA Scenic Quality Improvement Program has been developed as a part of the TRPA Regional Plan to provide a program for implementing physical improvements to the built environment in the Tahoe Basin in order to assist in the attainment of scenic quality thresholds. The program specifically addresses scenic resources for the 23 roadway and 4 shoreline landscape units that do not meet scenic quality thresholds. This includes roadway units 1 (Tahoe Valley), 35 (Al Tahoe), and 36 (Airport Area) that are within the Tahoe Valley plan area.

All three segments are in need of improvement and have been designated as restoration areas by the SQIP. The SQIP promotes restoration of disturbed areas and requires that visual quality ratings be maintained and that non-attainment areas improve. Therefore, future area plan development applications that degrade existing scenic quality ratings would constitute a significant impact.

The evaluation presented above for Questions 1 through 7 (CEAQ Checklist 1a through 1d) concludes that while implementation the Tahoe Valley Area Plan would allow for construction of new development and redevelopment projects and result in visibility of new or redeveloped man-made features, the changes would not exceed significance standards when the design standards and protective measures of the Area Plan are implemented.

Due to the fact that the three roadway units are in still in need of improvement (TRPA Threshold Evaluation 2019), the SQIP planning recommendations for improving the scenic quality in the roadway segments are required during project review by the TRPA Code of Ordinances (Section 36.4). Recommendations are set forth in detail above. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

10. Would the Project include new or modified sources of exterior lighting? (TRPA 7a)

See discussion and analysis for Question 4, which concludes the level of impact is **less than significant**.

Environmental Analysis: *Less than a Significant Impact*.

Required Mitigation: **None**.

11. Would the Project create new illumination, which is more substantial than other lighting, if any, within the surrounding area? (TRPA 7b)

See discussions and analyses and for Question 4 and Question 8 above, which concludes the level of impact is **less than significant**.

Environmental Analysis: *Less than a Significant Impact*.

Required Mitigation: **None**.

12. Would the Project cause light from exterior sources to be cast off-site or onto public lands? (TRPA 7c)

See discussions and analyses for Question 4 and Question 8, which concludes the level of impact is **less than significant**.

Environmental Analysis: *Less than a Significant Impact*.

Required Mitigation: **None**.

13. Would the Project create new sources of glare through the siting of the improvements or through the use of reflective materials? (TRPA 7d)

See discussion and analysis for Question 4, which concludes the level of impact is **less than significant**.

Environmental Analysis: *Less than a Significant Impact*.

Required Mitigation: **None**.

5.4.4 Agriculture and Forestry Resources

This section presents the analyses for potential impacts to agriculture and forestry resources. Some TRPA checklist items concern impacts to vegetation, which are addressed in Section 5.4.6, Biological Resources. **Table 12** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 12 Agriculture and Forestry Resources				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
14. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA Resources Agency, to a non-agricultural use? (CEQA IIa)				X
15. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (CEQA IIb)				X
16. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g), timberland (as defined by Public Resource Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (CEQA IIc)				X
17. Result in the loss of forest land or conversion of forest land to non-forest use? (CEQA IId)				X
18. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (CEQA IIE)				X

14. Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use? (CEQA IIa)

The Tahoe Valley Area Plan primarily consist of already developed land and is not located in an area identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, and therefore poses **no impact** to such lands.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

15. Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract? (CEQA IIb)

The Tahoe Valley Area Plan creates no conflicts with zoning for agricultural use or a Williamson Act contract because no contracts exist within the project area. Thus, there is **no impact**.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

16. Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)), timberland (as defined by Public Resource Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (CEQA IIc)

The Tahoe Valley Area Plan conflicts with no zoning of and causes no rezoning of forest land, timberland or timberland zoned Timberland Production. Thus, there is **no impact**.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

17. Would the Project result in the loss of forest land or conversion of forest land to non-forest use? (CEQA II d)

The loss of substantial forest land, defined above for Question 16, or conversion of forest land to non- forest use creates a significant impact if appropriate permits are not obtained.

See discussion and analysis for Question 16 which concludes **no impacts** to forest land are anticipated with implementation of the Tahoe Valley Area Plan.

Environmental Analysis: *No Impact*

Required Mitigation: **None.**

18. Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (CEQA IIe)

See discussions and analyses for Questions 15, 16 and 17, which conclude **no impacts** to farmland and forest land.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.5 Air Quality

This section presents the analyses for potential impacts to air quality. **Table 13** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 13 Air Quality				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
19. Conflict with or obstruct implementation of the applicable air quality plan? (CEQA IIIa)				X
20. Violate any air quality standards or contribute substantially to an existing or projected air quality violation? (CEQA IIIb)			X	
21. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (CEQA IIIc)			X	
22. Expose sensitive receptors to substantial pollutant concentrations? (CEQA IIIId)			X	
23. Create objectionable odors affecting a substantial number of people? (CEQA IIIe)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
24. Substantial air pollutant emissions? (TRPA 2a)				X
25. Deterioration of ambient (existing) air quality? (TRPA 2b)				X
26. Creation of objectionable odors? (TRPA 2c)				X

27. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? (TRPA 2d)	X, LTS			
28. Increased use of diesel fuel? (TRPA 2e)	X, LTS			

19. Would the Project conflict with or obstruct implementation of the applicable air quality plan? (CEQA IIIa)

The Tahoe Valley Area Plan Amendments would not alter, revise, conflict with or obstruct the regulations pertaining to air quality. Consistent with existing conditions, subsequent projects that could occur under the Tahoe Valley Area Plan would be subject to subsequent environmental review and permitting, and would be required to comply with Chapter 65 of the TRPA Code. Chapter 65 includes provisions that apply to direct sources of air pollution in the Tahoe region, including certain motor vehicles registered in the region, combustion heaters installed in the region, open burning, stationary sources of air pollution, and idling combustion engines.

TRPA’s Regional Transportation Plan 2020 Linking Tahoe (RTP) includes an analysis of its conformity with the California State Implementation Plan in to ensure that the RTP remains consistent with State and local air quality planning efforts to achieve and/or maintain the National Ambient Air Quality Standards (NAAQS). Also see response to Question 20 below.

The El Dorado County Air Quality Management District (AQMD) is the agency primarily responsible for ensuring that national and state air quality standards are not exceeded and that air quality conditions are maintained through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean air strategy of the AQMD includes, but is not limited to, preparing plans for the attainment of ambient air quality standards, adopting and enforcing rules and regulations concerning sources of air pollution, issuing permits for stationary sources of air pollution, inspecting stationary sources of air pollution and responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and implementing programs and regulations required by the federal Clean Air Act and the California Clean Air Act. The Tahoe Valley Area Plan Amendments would not alter, conflict or obstruct implementation of the AQMD rules, regulations, or permitting requirements.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

20. Would the Project violate any air quality standards or contribute substantially to an existing or projected air quality violation? (CEQA IIIb)

The Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to air quality. Consistent with existing conditions, subsequent projects that could occur under the Tahoe Valley Area Plan would be subject to subsequent environmental review and permitting, and would be required to comply with Chapter 65 of the TRPA Code. Chapter 65 includes provisions that apply to direct sources of air pollution in the Tahoe region, including certain motor vehicles registered in the region, combustion heaters

installed in the region, open burning, stationary sources of air pollution, and idling combustion engines.

The Lake Tahoe Air Basin is in attainment or designated unclassified for all National Ambient Air Quality Standards (NAAQS) and is in attainment or designated unclassified for all California ambient air quality standards (CAAQS) except ozone and PM10 (**Table 15**). Implementation of subsequent projects under the Tahoe Valley Area Plan has the potential to produce substantial air pollutant emissions during project construction and operation, as discussed below.

Short-Term Construction Emissions

Subsequent development and redevelopment projects that could occur under the Tahoe Valley Area Plan would involve construction and construction emissions. Construction emissions are described as short-term or temporary in duration. ROG and NOx (ozone precursors) emissions are primarily associated with gas and diesel equipment exhaust and the application of architectural coatings. Fugitive dust emissions (PM10 and PM2.5) are primarily associated with site preparation and vary as a function of such parameters as soil silt content, soil moisture, wind speed, acreage or disturbance area, and vehicle travel by construction vehicles on- and off-site.

Although the details of projects are not known at this time, implementation of subsequent projects under the Tahoe Valley Area Plan would involve construction that would result in the temporary generation of ozone precursor and fugitive dust emissions from site preparation; off-road equipment, material import/export, worker commute exhaust emissions; paving; and other miscellaneous activities. Typical construction equipment associated with development and redevelopment projects includes dozers, graders, excavators, loaders, and trucks. Construction emissions associated with subsequent projects under the Tahoe Valley Area Plan have the potential to be substantial such that they could violate or contribute substantially to an existing or projected air quality violation, and/or expose sensitive receptors to substantial pollutant concentrations.

As part of mitigation from the City General Plan EIR (CSLT 2010, p. 4.5-33), the City adopted Policy NCR-5.10 as part of the General Plan (CSLT 2011, p. NCR-9) to address short-term construction emissions. Furthermore, the Area Plan also incorporates Policy NCR-8.1 to address short-term construction emissions (Tahoe Valley Area Plan 2015, Natural and Cultural Resources Section), which includes measures to reduce construction-generated emissions to the extent feasible on a project-specific basis. Such measures may include, but are not limited to, the following:

- Implement measures recommended by the El Dorado County Air Quality Management District;
- Prohibit open burning of debris from site clearing unless involved with fuels reduction project;
- Restriction of idling of construction equipment and vehicles;
- Apply water to control dust as needed to prevent dust impacts offsite; and
- Utilize low emission construction equipment and/or fuels and use existing power sources (e.g., power poles), wherever feasible.

Long-Term Operational Emissions

Subsequent development and redevelopment projects that could occur under the Tahoe Valley Area Plan could affect regional air quality and could create localized exposure to carbon monoxide (CO) emissions.

Consistent with the Regional Plan and the General Plan, the Area Plan seeks to accommodate the expected growth in a way that improves traffic flow and mobility of residents and visitors to the Tahoe Valley area, and reduces localized traffic congestion and related CO concentrations. Based on the traffic analysis in the Regional Plan (TRPA 2012a, p. 3.4-22 through 3.4-26) and the General Plan (CSLT 2010, p. 4.5-42 through 4.5-43), estimated mobile-source CO emissions associated with the Regional Plan and the General Plan would not conflict with or obstruct regional CO maintenance efforts. Similarly, because the Tahoe Valley Area Plan expected growth and estimated mobile-source CO emission falls within that estimated for the General Plan and the Regional Plan, it too would not impede CO maintenance efforts.

With respect to localized CO impacts, the Transportation Project-Level Carbon Monoxide Protocol (Garza et al. 1997) states that signalized intersections that operate at an unacceptable level of service (LOS) represent a potential for a CO violation, also known as a “hot spot.” Thus, an analysis of CO concentrations is typically recommended for receptors located near signalized intersections that are projected to operate at LOS E or F. According to the traffic analysis prepared for the RPU EIS, signalized intersections in the Basin under the Regional Plan, including those within the Tahoe Valley Area Plan, measured in 2035 would operate at an acceptable LOS (i.e., LOS D or better) (TRPA 2012a, p. 3.4-37). According to the traffic analysis prepared for the General Plan EIR, signalized intersections within the City limits under the General Plan, including those within the Tahoe Valley area measured in 2030 would operate at an acceptable LOS of D or better (CSLT 2010, p. 4.4-13).

Primarily affected intersections are not projected to operate at unacceptable levels of service (i.e., LOS E or worse) (LSC 2014) with implementation of the Tahoe Valley Area Plan. Given that the project would not contribute to unacceptable levels of service at primarily affected intersections, a detailed analysis of the project’s contribution to localized mobile source CO concentrations would not be required. The project’s contribution to localized CO concentrations would be considered less than significant. The Tahoe Valley Area Plan would not result in a substantial increase in the severity of air quality impacts beyond that associated with the development potential under both the City General Plan and TRPA Regional Plan and what was disclosed in and analyzed in their associated environmental documents. (TRPA 2012c, pgs. 3.4-36 – 3.4-38 and CSLT 2010, pgs. 4.5-42 – 4.5-43.)

Because the Tahoe Valley Area Plan is within the scope of what was envisioned in the General Plan and the Regional Plan, it too would not cause signalized intersections to operate at unacceptable levels. Therefore, traffic volumes would not be heavy enough to result in a CO “hot spot”. For this reason, and based on the fact that CO emission factors would be reduced substantially (due to increasingly cleaner fuels and vehicles) over the planning period, the Tahoe Valley Area Plan would not result in congestion at intersections that would result in a violation of a CO air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. Moreover, a traffic analysis was specifically prepared for the 2015 Tahoe Valley Area Plan. The resulting intersection volumes were evaluated using the Synchro (version 8.0) software package, which is based upon the Highway Capacity Manual methodologies (Transportation Research Board, 2010). The analysis concluded that all signalized intersections are found to attain LOS standards as follows:

1. US 50/SR 89 Y: LOS C
2. US 50/Third St: LOS B
3. US 50/Tahoe Keys Blvd: LOS B

With respect to other regional criteria air pollutants (ozone precursors, PM₁₀, and PM_{2.5}), consistent with the Regional Plan, subsequent projects that may occur under the Tahoe Valley Area Plan may include development and redevelopment projects that could generate long-term operational emissions, including mobile and area source emissions.

Based on the results of the emissions modeling conducted in support of the RPU EIS, RTP EIR/EIS, and the 2015 Tahoe Valley Area Plan (see **Table 14**), emissions of ozone precursors, CO in the Basin would be expected to decrease substantially by 2035. This can be explained by the fact that vehicle emissions standards would be improved substantially over the next 20 years, the increased use of electric vehicles, and limited development could occur within the Tahoe Basin. Any additional population growth and associated increase in operational ozone precursor emissions in the Basin would be more than offset by more stringent vehicle emissions standards, fuel economy standards, and truck and bus emission rules, over the planning period (TRPA 2012a, p. 3.4-33).

Emissions of PM₁₀ and PM_{2.5} were projected to increase slightly by 2035 (approximately 4 tons per year (TPY) or 21 lb/day and 3 TPY or 14 lb/day, respectively). However, Section 65.1.4 of the TRPA Code requires that only wood stoves that meet EPA emissions standards would be installed and would allow air quality mitigation fees to be used for regional projects, which could include incentives to remove non-conforming stoves. These proposed changes would be expected to continue the existing trend of decreasing PM emissions in the Region over the planning period.

Table 14						
Predicted Tahoe Valley Area Plan Operations-Related Criteria Pollutant and Precursor Emissions (lbs/day)						
Operational Activities	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO₂)	Coarse Particulate Matter (PM₁₀)	Fine Particulate Matter (PM_{2.5})
Summer Emissions – Pounds per Day (Maximum)						
Area Source	13.46	0.35	30.91	0.00	0.62	0.61
Energy	0.08	0.69	0.31	0.00	0.05	0.05
Mobile Source	25.88	17.34	92.81	0.18	11.88	3.31
<i>Subtotal</i>	<i>39.43</i>	<i>18.40</i>	<i>124.04</i>	<i>0.18</i>	<i>12.47</i>	<i>3.98</i>
Removal of Existing Lodging Units ¹	-22.40	-11.37	-54.07	-0.11	-6.63	-1.95
Total	17.03	7.03	69.97	0.07	5.84	2.03
Winter Emissions – Pounds per Day (Maximum)						
Area Source	13.46	0.35	30.91	0.00	0.62	0.61
Energy	0.08	0.69	0.31	0.00	0.05	0.05
Mobile Source	33.35	19.25	121.79	0.18	11.80	3.31
<i>Subtotal</i>	<i>46.90</i>	<i>20.30</i>	<i>153.02</i>	<i>0.18</i>	<i>12.47</i>	<i>3.98</i>
Removal of Existing Lodging Units ¹	-26.55	-12.44	-71.15	-0.11	-6.63	-1.95
Total	20.35	7.86	81.87	0.07	5.84	2.03
EDCAQMD Potentially Significant Impact Threshold ²	82 pounds/day	82 pounds/day	—	—	—	—
TRPA Potentially Significant Impact Threshold ³	125.7 pounds/day	24.2 pounds/day	220.5 pounds/day	13.2 pounds/day	22.0 pounds/day	—
Exceed EDCAQMD Threshold?	No	No	No	No	No	No
Exceed TRPA Threshold?	No	No	No	No	No	No

Source: CalEEMod version 2013.2.2.

Because the Tahoe Valley Area Plan Amendment is required to be consistent with the Regional Plan, continued implementation of the Tahoe Valley Area Plan, as amended would also be expected to result in a substantial long-term reduction in emissions of ozone precursors and CO. Because the increase in emissions of PM associated with build-out of the entire Regional Plan would be below the project-level increment considered significant by TRPA (82 lb/day), the Tahoe Valley Area Plan would not be anticipated to lead to nonattainment of national standards. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

21. Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (CEQA IIIc)

The Region is designated by CAAQS as non-attainment for Ozone and PM₁₀, as presented in **Table 15**. A significant cumulative impact results if the Project causes an increase in PM₁₀ and Ozone.

Table 15 Attainment Status of Criteria Pollutants in the Lake Tahoe Air Basin					
Pollutant	National Designation¹	State Designation²	Threshold Reporting Category³	Indicator	TRPA Designation³
Ozone	Unclassified/ Attainment	Nonattainment	Highest 1-Hour Concentration	Average	At or somewhat better than target
			Highest 8-Hour Concentration	Average	Somewhat worse than target
			3-Year Average of 4 th Highest Concentration		At or somewhat better than target
			Oxides of Nitrogen Emissions		At or somewhat better than target
Particulate Matter – Coarse (PM ₁₀)	Unclassified	Nonattainment	Highest 24-Hour Concentration	Average PM ₁₀	Somewhat worse than target
			Annual Concentration	Average PM ₁₀	Unknown
Particulate Matter – Fine (PM _{2.5})	Unclassified/ Attainment	Attainment	3-Year Average of 98 th Percentile Concentration	24-Hour PM _{2.5}	Considerably better than target
			Annual Concentration	Average PM _{2.5}	Considerably better than target

Carbon Monoxide	Unclassified/Attainment	Attainment	1-Hour Carbon Monoxide Standard	Considerably better than target
			8-Hour Carbon Monoxide Standard	Considerably better than target
			Winter Traffic Volumes	Considerably better than target
Nitrogen Dioxide	Unclassified/Attainment	Attainment	Nitrate Deposition	Implemented
			Vehicle Miles Traveled	Insufficient Data
Sulfur Dioxide	Unclassified/Attainment	Attainment	No Standard	No Designation
Odor	No Designation	No Designation	Non-Numerical Standard	Implemented
Visibility Reducing Particles	No Designation	Unclassified	Regional Visibility 50 th Percentile	Considerably better than target
			Regional Visibility 90 th Percentile	At or somewhat better than target
			Subregional Visibility 50 th Percentile	Considerably better than target
			Subregional Visibility 90 th Percentile	Considerably better than target
Lead	Unclassified/Attainment	Attainment	No Designation	
Hydrogen Sulfide	No Designation	Unclassified	No Designation	
Sulfates	No Designation	Attainment	No Designation	

Sources: ¹CARB 2022b; ²CARB 2022a; ³TRPA 2019 Threshold Dashboard
<https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations>

In the Lake Tahoe Region, these pollutants relate to automobile use and potential impacts measured with VMT calculations. No single project is sufficient in size to, by itself; result in nonattainment of ambient air

quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts.

With respect to ozone precursors and PM₁₀, consistent with the Regional Plan, subsequent projects that may occur under the Tahoe Valley Area Plan may include development and redevelopment projects that could generate long-term operational emissions, including mobile and area source emissions.

Based on the results of the emissions modeling conducted in support of the RPU EIS and RTP EIR/EIS, emissions of ozone precursors in the Basin would be expected to decrease substantially by 2035. This can be explained by the fact that vehicle emissions standards would be improved substantially over the next 20 years, and limited development could occur within the Tahoe Basin. Any additional population growth and associated increase in operational ozone precursor emissions in the Basin would be more than offset by more stringent vehicle emissions standards, fuel economy standards, and truck and bus emission rules, over the planning period (TRPA 2012a, p. 3.4-33 and TMPO 2012, p. 3.4-331).

Emissions of PM₁₀ and PM_{2.5} were projected to increase slightly by 2035 (approximately 4 tons per year (TPY) or 21 lb/day). However, Section 65.1.4 of the TRPA Code requires that only wood stoves that meet EPA emissions standards would be installed and would allow air quality mitigation fees to be used for regional projects, which could include incentives to remove non-conforming stoves. Furthermore, the City General Plan Policy NCR-8.11 requires that all feasible El Dorado County Air Quality Municipal District (EDCAQMD) recommended measures to reduce operational emissions of criteria pollutants be incorporated into project design and that all projects demonstrate compliance with TRPA's air quality mitigation program at the time of project consideration. These requirements would be expected to continue the existing trend of decreasing PM emissions in the Region over the planning period.

Because the Tahoe Valley Area Plan is required to be consistent with the Regional Plan, continued implementation of the Tahoe Valley Area Plan as amended would also be expected to result in a substantial long-term reduction in emissions of ozone precursors. Because the increase in emissions of PM associated with build-out of the entire Tahoe Valley area would be below the project-level increment considered significant by TRPA (82 lb/day), the Tahoe Valley Area Plan would not be anticipated to lead to nonattainment of national standards, and so will have a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

22. Would the Project expose sensitive receptors to substantial pollutant concentrations? (CEQA III d)

Typical sensitive receptors include residences, hospitals, and schools. There are three schools within a mile of the Tahoe Valley area (South Tahoe High School, Tahoe Valley Elem School and South Tahoe Middle School), and there is one hospital within the Tahoe Valley Area Plan. The Area Plan is surrounded on the west, north and northeast by residential neighborhoods.

Short-Term Construction Emissions

Subsequent development and redevelopment projects that could occur under the Tahoe Valley Area Plan would involve construction and construction emissions. Construction emissions are described as short-term or temporary in duration. ROG and NO_x (ozone precursors) emissions are primarily associated with gas and diesel equipment exhaust and the application of architectural coatings. Fugitive dust emissions (PM₁₀ and PM_{2.5}) are primarily associated with site preparation and vary as a function of such parameters

as soil silt content, soil moisture, wind speed, acreage or disturbance area, and vehicle travel by construction vehicles on- and off-site.

Although the details of projects are not known at this time, continued implementation of subsequent projects under the Tahoe Valley Area Plan as amended would involve construction that would result in the temporary generation of ozone precursor and fugitive dust emissions from site preparation; off-road equipment, material import/export, worker commute exhaust emissions; paving; and other miscellaneous activities. Typical construction equipment associated with development and redevelopment projects includes dozers, graders, excavators, loaders, and trucks. Construction emissions associated with subsequent projects under the Tahoe Valley Area Plan have the potential to be substantial such that they could violate or contribute substantially to an existing or projected air quality violation, and/or expose sensitive receptors to substantial pollutant concentrations.

As part of mitigation from the City General Plan EIR (CSLT 2010, p. 4.5-33), the City adopted Policy NCR-5.10 as part of the General Plan (CSLT 2011, p. NCR-9) to address short-term construction emissions. Furthermore, the Area Plan also incorporates Policy NCR-8.1 to address short-term construction emissions (Tahoe Valley Area Plan 2015, p. 71), which includes measures to reduce construction-generated emissions to the extent feasible on a project-specific basis. Such measures may include, but are not limited to, the following:

- Implement measures recommended by the El Dorado County Air Quality Management District;
- Prohibit open burning of debris from site clearing unless involved with fuels reduction project;
- Restriction of idling of construction equipment and vehicles;
- Apply water to control dust as needed to prevent dust impacts offsite; and
- Utilize low emission construction equipment and/or fuels and use existing power sources (e.g., power poles), wherever feasible.

Long-Term Operational Emissions

Subsequent development and redevelopment projects that could occur under the Tahoe Valley Area Plan could affect regional air quality and could create localized exposure to carbon monoxide (CO) emissions.

Consistent with the Regional Plan and the General Plan, the Area Plan seeks to accommodate the expected growth in a way that improves traffic flow and mobility of residents and visitors to the Tahoe Valley area, and reduces localized traffic congestion and related CO concentrations. Based on the traffic analysis in the Regional Plan (TRPA 2012a, pp. 3.4-22 through 3.4-26) and the General Plan (CSLT 2010, pp. 4.5-42 through 4.5-43), estimated mobile-source CO emissions associated with the Regional Plan and the General Plan would not conflict with or obstruct regional CO maintenance efforts. Similarly, because the Tahoe Valley Area Plan expected growth and estimated mobile-source CO emission falls within that estimated for the General Plan and the Regional Plan, it too would not impede CO maintenance efforts.

With respect to localized CO impacts, the Transportation Project-Level Carbon Monoxide Protocol (Garza et al. 1997) states that signalized intersections that operate at an unacceptable level of service (LOS) represent a potential for a CO violation, also known as a “hot spot.” Thus, an analysis of CO concentrations is typically recommended for receptors located near signalized intersections that are projected to operate at LOS E or F. According to the traffic analysis prepared for the RPU EIS, signalized intersections in the Basin under the Regional Plan, including those within the Tahoe Valley Area Plan, measured in 2035 would

operate at an acceptable LOS (i.e., LOS D or better) (TRPA 2012a, p. 3.4-37). According to the traffic analysis prepared for the General Plan EIR, signalized intersections within the City limits under the General Plan, including those within the Tahoe Valley area measured in 2030 would operate at an acceptable LOS of D or better (CSLT 2010, p. 4.4-13).

Primarily affected intersections are not projected to operate at unacceptable levels of service (i.e., LOS E or worse) (LSC 2014) with implementation of the Tahoe Valley Area Plan. Given that the project would not contribute to unacceptable levels of service at primarily affected intersections, a detailed analysis of the project's contribution to localized mobile source CO concentrations would not be required. The project's contribution to localized CO concentrations would be considered less than significant. The Tahoe Valley Area Plan would not result in a substantial increase in the severity of air quality impacts beyond that associated with the development potential under both the City General Plan and TRPA Regional Plan and what was disclosed in and analyzed in their associated environmental documents. (TRPA 2012c, pgs. 3.4-36 – 3.4-38 and CSLT 2010, pgs. 4.5-42 – 4.5-43.)

Because the Tahoe Valley Area Plan, as proposed in the amendments, seeks to implement and is within the scope of what was envisioned in the General Plan and the Regional Plan, it too would not cause signalized intersections to operate at unacceptable levels (see Question 20 above). Therefore, traffic volumes would not be heavy enough to result in a CO "hot spot". For this reason, and based on the fact that CO emission factors would be reduced substantially (due to increasingly cleaner fuels and vehicles) over the planning period, the Tahoe Valley Area Plan would not result in congestion at intersections that would result in a violation of a CO air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations.

With respect to other regional criteria air pollutants (ozone precursors, PM₁₀, and PM_{2.5}), consistent with the Regional Plan, subsequent projects that may occur under the Tahoe Valley Area Plan may include development and redevelopment projects that could generate long-term operational emissions, including mobile and area source emissions.

Based on the results of the emissions modeling conducted in support of the RPU EIS and RTP EIR/EIS, emissions of ozone precursors, CO in the Basin would be expected to decrease substantially by 2035. This can be explained by the fact that vehicle emissions standards would be improved substantially over the next 20 years, and limited development could occur within the Tahoe Basin. Any additional population growth and associated increase in operational ozone precursor emissions in the Basin would be more than offset by more stringent vehicle emissions standards, fuel economy standards, and truck and bus emission rules, over the planning period (TRPA 2012a, p. 3.4-33).

Emissions of PM₁₀ and PM_{2.5} were projected to increase slightly by 2035 (approximately 4 tons per year (TPY) or 21 lb/day and 3 TPY or 14 lb/day, respectively). However, Section 65.1.4 of the TRPA Code requires that only wood stoves that meet EPA emissions standards would be installed and would allow air quality mitigation fees to be used for regional projects, which could include incentives to remove non-conforming stoves. These proposed changes would be expected to continue the existing trend of decreasing PM emissions in the Region over the planning period.

Because the Tahoe Valley Area Plan is required to be consistent with the Regional Plan, implementation of the Tahoe Valley Area Plan, as amended would also be expected to result in a substantial long-term reduction in emissions of ozone precursors and CO. Because the increase in emissions of PM associated with build-out of the entire Regional Plan would be below the project-level increment considered significant by TRPA (82 lb/day), the Tahoe Valley Area Plan is not anticipated to expose sensitive receptors to substantial pollutant concentrations, and so would have a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

23. Would the Project create objectionable odors affecting a substantial number of people? (CEQA IIIe)

The occurrence and severity of odor effects depend on the nature, frequency, and intensity of the odor source, wind speed and direction, and the presence of sensitive receptors. Offensive odors rarely cause physical harm, but odors can be unpleasant and generate citizen complaints to regulatory agencies and local governments. Typical sensitive receptors include residences, hospitals, and schools. There is one hospital within the Tahoe Valley Area Plan and residences can be found within the boundary of the Area Plan and located in adjacent neighborhoods.

As a general matter, the types of land use development that pose potential odor problems include wastewater treatment plants, refineries, landfills, composting facilities and transfer stations. No such uses occupy the project area. The proposed uses in the Area Plan as listed in Appendix C of the Tahoe Valley Area Plan, are not characteristic of the types of uses that would result in the development of a major source of objectionable odor.

In the short-term, odor impacts occur from the use of diesel engines and asphalt concrete paving during construction. As stated in the discussion of short-term impacts to sensitive receptors under Question 22 above, these odors are both temporary and localized, affecting only the area immediately adjacent to the active construction area. Diesel exhaust emissions and asphalt concrete paving odors dissipate rapidly away from the source and cease upon completion of construction activities and would be addressed by the Chapter 65 of the TRPA Code idling restrictions and General Plan Policy NCR-5.10 and Tahoe Valley Area Plan Policy NCR-5-8.1. Thus, the implementation of the Tahoe Valley Area Plan does not result in substantial direct or indirect exposure of sensitive receptors to offensive odors, and so would have a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

24. Would the Project result in substantial air pollutant emissions? (TRPA 2a)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore the analysis is tiered from and is consistent with the RPU EIS. The Tahoe Valley Area Plan would not alter or revise the regulations pertaining to air quality. Consistent with existing conditions, subsequent projects that could occur under the Tahoe Valley Area Plan would be subject to subsequent environmental review and permitting, and would be required to comply with Chapter 65 of the TRPA Code. Chapter 65 includes provisions that apply to direct sources of air pollution in the Tahoe region, including certain motor vehicles registered in the region, combustion heaters installed in the region, open burning, stationary sources of air pollution, and idling combustion engines.

The Lake Tahoe Air Basin is in attainment or designated unclassified for all national ambient air quality standards (NAAQS) and is designated a nonattainment area for the ozone and PM10 California ambient air quality standards (CAAQS). Because the Tahoe Valley Area Plan incorporates measures similar to TRPA's Mitigation Measure 3.4-2 to reduce emissions to the extent feasible, subsequent projects under the Tahoe Valley Area Plan amendments would not result in substantial air pollutant emissions during project construction and operation, as discussed below.

See analyses for Questions 20 through 22 which concludes a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

25. Would the Project result in deterioration of ambient (existing) air quality? (TRPA 2b)

See analyses for Questions 20 and 21 which concludes a **less than significant** impact and Questions 24, which concludes a **less than significant** to ambient air quality.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

26. Would the Project result in creation of objectionable odors? (TRPA 2c)

See discussion and analysis for Question 23, which addresses the creation of objectionable odors and concludes a **less than significant** odor impact to short-term and long-term effects to sensitive receptors.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

27. Would the Project result in alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? (TRPA 2d)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore the analysis is tiered from and is consistent with the RPU EIS. (TRPA 2012a, Chapter 3.5)

Construction GHG Emissions

Subsequent development proposed within the Tahoe Valley Area Plan amendments would result in direct emissions of GHGs from construction. As noted in Section 6.4.5, Air Quality, the quantification of emissions resulting from future construction activities in the Tahoe Valley plan area is not possible due to project-level variability and uncertainties related to future individual projects. However, all construction projects can produce GHG emissions and all future development projects would be subject to various emission-reducing rules and regulations in effect at the time of construction. For example, City of South Lake Tahoe General Plan Policy NCR-5.10 and the Tahoe Valley Area Plan Policy NCR-8.1 requires that most discretionary projects implement all emission-reducing measures recommended by the EDCAQMD, prohibit the open burning of debris from site clearing, use low-emission construction equipment and/or fuels, and restrict idling of construction equipment or vehicles. Furthermore, all future development projects in the Tahoe Valley Area Plan would be required to analyze and mitigate of GHG emissions during development project review, pursuant to CEQA.

The City of South Lake Tahoe adopted policies for sustainable development and green buildings in the Land Use Element of the General Plan. Policies call for creating a sustainable and energy-efficient built environment as a key vision of the City. The same policy is also incorporated in the Tahoe Valley Area Plan (see Natural and Cultural Resources Policy NCR-2.1). The policies provide direction on strategies to achieve sustainable development practices. For instance, South Lake Tahoe General Plan Policy LU-9.1

states that the City will promote the use of sustainable construction in new housing units, commercial developments, and mixed-use centers, and Policy LU-9.2 states that the City will provide clear incentive for sustainable building practices.

As described above, TRPA has also implemented Mitigation Measure 3.4-2 of the TRPA Regional Plan Update EIS implementing construction best practices for air quality to reduce construction related GHG emission. Construction best practices are incorporated as standard conditions of approval for project permitting. For project review delegated to local jurisdictions, the local jurisdictions must also require the TRPA standard conditions of approval.

Construction-related GHG exhaust emissions would be generated by sources such as heavy-duty, off-road equipment, trucks hauling materials to the site, and worker commutes. Over the time span in which the Tahoe Valley Area Plan is redeveloped, exhaust emission rates of the construction equipment fleet in California are expected to decrease over time due to advancements in engine technology, retrofits, and turnover in the equipment fleet, which would result in increased fuel efficiency, potentially more alternatively fueled equipment, and lower levels of GHG emissions. In addition, existing programs to improve air quality in California, such as the Diesel Risk Reduction Plan, will result in cleaner technology for virtually all of California’s diesel engine fleets, including construction equipment. Measures implemented under these plans are likely to result in future fleets of construction equipment that are more efficient than existing fleets. For these reasons, levels of GHG emissions associated with construction activity are expected to decrease over time as new regulations are developed in response to AB 32.

Construction activities are temporary only. Future potential impacts from construction would be required to be analyzed and mitigated during development project review, pursuant to CEQA. Standards currently exist that reduce construction-generated GHG emissions. Therefore, the generation of construction GHG emissions is a **less than significant** impact.

Operational GHG Emissions

The Tahoe Valley Area Plan would also result in long-term regional GHG emissions associated with new vehicular trips and indirect source emissions, such as electricity usage for lighting. **Table 16** presents estimated GHG emissions resultant from the 2015 Tahoe Valley Area Plan. Pursuant to City General Plan Policy NCR-5.11, the installation of wood-burning hearth devices in proposed residential dwelling units is prohibited. Therefore, the emissions projections presented in **Table 16** account for the prohibition against wood-burning hearths.

Table 16 Operational Greenhouse Gas Emissions for Tahoe Valley Area Plan – Metric Tons per Year						
	CO₂e (Metric Tons per Year)					
	Area Source	Energy	Mobile	Solid Waste	Water	Total
Tahoe Valley Area Plan	271	1,420	2,329	90	153	4,263

Source: Emissions modeled by PMC in 2015 using the CalEEMod computer program.

Notes: Emission estimates account for no residential hearths. Mobile source emissions derived from traffic

analysis prepared for the 2015 Tahoe Valley Area Plan.

As part of the 2015 Tahoe Valley Area Plan buildout assumptions, up to 193 existing lodging units were expected to be removed. The GHG emissions offsets projected from the removal of 193 existing lodging units equals 3,042 metric tons of CO₂e.

As previously described, Mitigation Measure 3.5-1 of the TRPA Regional Plan Update EIS mandates TRPA to require, through TRPA-approved plans, project permitting, or projects/programs developed in coordination with local or other governments, that GHG emissions from project-specific construction and operational activities permitted pursuant to and in accordance with the Regional Plan are reduced to the maximum extent feasible. Therefore, it is anticipated that this process would be effective in substantially reducing GHG emissions.

TRPA is requiring each local jurisdiction to develop a GHG reduction strategy, using the Lake Tahoe Sustainability Action Plan as a guide in order to attain a 15 percent reduction below the existing emissions inventory for Area Plans. Accounting for the GHG emissions reduction associated with the removal of existing lodging units for operation would result in a 71 percent reduction under the proposed Tahoe Valley Area Plan. Therefore, the Tahoe Valley Area Plan would offset the contribution of GHG emissions greater than 15 percent. Other strategies included in the Tahoe Valley Area Plan that are intended to reduce GHG emission include the following:

- Sustainable Communities Strategy (TVAP Policies LU-8.1, T-6.1)
- Green Building Standards (TVAP Policies NCR-2.1, H-3.2)
- Green Building Incentives (TVAP Policy ED-1.3)
- Energy Efficiency (TVAP Policy H-3.1)
- Mobility and Connectivity (TVAP Policies LU-1.2, LU-1.5, LU-5.1, LU-5.2)
- Pedestrian Facilities (TVAP Policies T-3.1, T-3.4, T-3.6, T-3.7)
- Bicycle Facilities (TVAP Policies T-4.1, T-4.2)
- Transit Service (TVAP Policies T-5.1, T-5.2, T-5.3, T-5.4, T-5.6)
- Recreation Access (TVAP Policy T-5.5)
- Redirection of Development (TVAP Policy H-1.5)
- Mixed-Use Development (TVAP Policies LU-2.1, LU-5.1, H-1.6, H-2.1, H-2.2)

In addition, the City has adopted the Figtree PACE Financing Program to allow property owners in the City to voluntarily place assessment liens on their property for the purpose of installing renewable energy, energy efficiency, and water conservation improvements. The Figtree PACE Financing Program uses private capital to provide property owners with funding. By enrolling in the Figtree PACE Financing Program the City can offer PACE financing to property owners without impacting the City's budget.

TRPA has targeted the removal and replacement of woodstoves that do not meet current EPA Phase II certification requirements. A rebate program is projected to result in the replacement of 126 woodstoves. Other actions taken include revising the Chapter 37, Design Standards of the TRPA Code of Ordinances to

remove unintended barriers to GHG-reducing projects such as roof top solar panels and vegetated roofs. Impacts from buildout of the Tahoe Valley Area Plan, as amended, are considered to be **less than significant** as the Tahoe Valley Area Plan would not result in an increase in the severity of greenhouse gas-related impacts beyond that associated with the development potential assumed under both the City General Plan and TRPA Regional Plan and what was disclosed and analyzed in their associated environmental documents. (TRPA 2012c, 3.5-15 – 3.5-25 and CSLT 2010, pp. 4.5-47 – 4.5-56.)

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

28. Would the Project result in increased use of diesel fuel? (TRPA 2e)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis is tiered from and is consistent with the RPU EIS. (TRPA 2012a, Chapter 3.13.)

Construction associated with subsequent projects under the Tahoe Valley Area Plan would require the use of diesel fuel for the operation of construction equipment. Certain specific projects that involve on-going truck deliveries or motorized vehicle use (such as snowmobile courses) as part of their operations could also increase gasoline and diesel fuel consumption relative to existing conditions.

From an air quality perspective, one of the primary concerns related to diesel fuel consumption is the resultant exposure of sensitive receptors to emissions of toxic air contaminants (TACs) that can occur during both the construction and operational phases of a project.

The construction of subsequent projects under the Tahoe Valley Area Plan could result in short-term diesel exhaust emissions, including diesel particulate matter (PM), from the use of off-road diesel equipment required for site grading and excavation, paving, and other construction activities. Diesel PM was identified as a TAC in 1998. The potential cancer risk from the inhalation of diesel PM is a more serious risk than the potential non-cancer health impacts (TRPA 2012a, p. 3.4-39). Consistent with the findings in the RPU EIS, the proximity of heavy-duty diesel-fueled construction equipment to existing sensitive receptors within or adjacent to the Tahoe Valley Area Plan during construction activities resulting from implementation of the Tahoe Valley Area Plan may result in exposure of sensitive receptors to TACs.

Short-Term Construction Emissions

Subsequent development and redevelopment projects that could occur under the Tahoe Valley Area Plan would involve construction and construction emissions. Construction emissions are described as short-term or temporary in duration. ROG and NOx (ozone precursors) emissions are primarily associated with gas and diesel equipment exhaust and the application of architectural coatings. Fugitive dust emissions (PM10 and PM2.5) are primarily associated with site preparation and vary as a function of such parameters as soil silt content, soil moisture, wind speed, acreage or disturbance area, and vehicle travel by construction vehicles on- and off-site.

Although the details of projects are not known at this time, implementation of subsequent projects under the Tahoe Valley Area Plan would involve construction that would result in the temporary generation of ozone precursor and fugitive dust emissions from site preparation; off-road equipment, material import/export, worker commute exhaust emissions; paving; and other miscellaneous activities. Typical construction equipment associated with development and redevelopment projects includes dozers, graders, excavators, loaders, and trucks. Construction emissions associated with subsequent projects under the Tahoe Valley Area Plan have the potential to be substantial such that they could violate or contribute

substantially to an existing or projected air quality violation, and/or expose sensitive receptors to substantial pollutant concentrations.

As part of mitigation from the City General Plan EIR (CSLT 2010, p. 4.5-33), the City adopted Policy NCR-5.10 as part of the General Plan (CSLT 2011, p. NCR-9) to address short-term construction emissions. Furthermore, the Area Plan also incorporates Policy NCR-5.1 to address short-term construction emissions (Tahoe Valley Area Plan 2015, p. 71), which includes measures to reduce construction-generated emissions to the extent feasible on a project-specific basis. Such measures may include, but are not limited to, the following:

- Implement measures recommended by the El Dorado County Air Quality Management District;
- Prohibit open burning of debris from site clearing unless involved with fuels reduction project;
- Restriction of idling of construction equipment and vehicles;
- Apply water to control dust as needed to prevent dust impacts offsite; and
- Utilize low emission construction equipment and/or fuels and use existing power sources (e.g., power poles), wherever feasible.

As part of a Mitigation Measure 4.5.5 from the General Plan EIR (CSLT 2010, p. 4.5-47) the City also adopted Land Use Policy LU-8.18 (CSLT 2011, p. LU-19) to reduce exposure of TACs by requiring that all new or relocated discretionary development that would be a source of TACs near residences or sensitive receptors to either provide an adequate buffer, or filters, or other equipment, or incorporate mitigation measures to reduce potential exposure to acceptable levels.

Therefore, because measured identified in the RPU EIS and General Plan EIR that would reduce construction-related TAC emission to the extent feasible have been incorporated into the Tahoe Valley Area Plan, subsequent projects under the Tahoe Valley Area Plan involving the use of heavy-duty diesel- fueled construction equipment would not result in the exposure of sensitive receptors to TACs.

Finally, based on a review of the proposed permissible uses in the Tahoe Valley Area Plan amendments, the Tahoe Valley Area Plan would not include the construction or operation of any major sources of TAC emissions such as power-generating plants or other heavy industrial uses. The land use strategy of the Tahoe Valley Area Plan, the City General Plan, as well as the Regional Plan, would include incentivizing development in the in the town and regional centers, which are located along the Basin's main transportation corridors (US Highway 50). The ARB recommends a minimum setback distance of 500 feet from urban roads with 100,000 vehicles per day or rural roads with 50,000 vehicles per day to minimize the health risk of sensitive receptors to mobile-source TACs (TRPA 2012a, p. 3.4-39). US Highway 50 cannot accommodate more than 50,000 vehicles per day (TRPA 2012a, p. 3.4-40). Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.6 Biological Resources (Stream Environment Zones, Wetlands, Wildlife and Vegetation)

This section presents the analyses for potential impacts to biological resources, including impacts to SEZs, wetlands, wildlife and vegetation. **Table 17** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 17 Biological Resources				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
29. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (CEQA IVa)			X	
30. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (CEQA IVb)			X	
31. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (CEQA IVc)			X	
32. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (CEQA IVd)			X	
33. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance? (CEQA IVe)			X	
34. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (CEQA IVf)				X

TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
35. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system? (TRPA 4a)				X
36. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table? (TRPA 4b)				X
37. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species? (TRPA 4c)				X
38. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora and aquatic plants)? (TRPA 4d)				X
39. Reduction of the numbers of any unique, rare or endangered species of plants? (TRPA 4e)				X
40. Removal of streambank and/or backshore vegetation, including woody vegetation such as willows? (TRPA 4f)				X
41. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications? (TRPA 4g)				X
42. A change in the natural functioning of an old growth ecosystem? (TRPA 4h)				X
43. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)? (TRPA 5a)				X
44. Reduction of the number of any unique, rare or endangered species of animals? (TRPA 5b)				X
45. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? (TRPA 5c)				X
46. Deterioration of existing fish or wildlife habitat quantity or quality? (TRPA 5d)				X

29. Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (CEQA IVa)

This potential effect is the same as those analyzed in the City General Plan Update and therefore the analysis is tiered from and is consistent with the General Plan EIR. (CSLT 2010, Chapter 4.9.)

The Tahoe Valley Area Plan amendments would not alter or revise any regulations that adversely affect any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Special Status Plant Species

Special-status plant species with the potential to occur in the Tahoe Valley plan area include broad-nerved hump-moss (CNPS List 2, LBTMU-S), water bulrush (CNPS List 2), and marsh skullcap (CNPS List 2). Subsequent development could directly impact these species by direct take during construction or destruction or degradation of these species' habitat(s). A majority of the development and increases in land coverage are anticipated to occur in the existing developed urban lands and disturbed areas along US 50 and SR 89, and the "Y" intersection which is highly disturbed, and not in SEZs, with which these species are associated with. However, there is still limited potential for these species to be impacted.

This potential effect is the same as that analyzed in Impact 3.10-1 (TRPA 2012a, p. 3.10-34 to 3.10-41) of the TRPA RPU EIS, and therefore that analysis is incorporated herein by this reference. The RPU EIS concluded that with existing regulatory measures in place this impact would have a less than significant effect. Any new development or redevelopment project under the Tahoe Valley Area Plan would be required to comply with existing TRPA, federal, and state regulations, permitting requirements, and environmental review procedures that protect SEZs, wetlands, and other sensitive habitats. These regulations and procedures address potential construction-related impacts to SEZs and other sensitive habitats through site-specific environmental review; require development and implementation of project-specific measures to minimize or avoid impacts through the design and permitting process; and require compensatory or other mitigation for any significant effects as a condition of project approval and permitting. Specifically, existing regulations and permitting requirements would minimize the loss of sensitive habitats during construction and provide habitat compensation for the loss of riparian, wetland, and other sensitive habitats through CWA Section 404, TRPA, and other permitting/review processes.

Specifically the following regulatory measure would be applicable to any project proposed in the Tahoe Valley plan area. Chapter 33 of the TRPA Code (Vegetation Protection During Construction) outlines measures that must be taken during construction to protect vegetation. In addition, Chapter 61 of the TRPA Code (Vegetation Protection and Management) further protects vegetation by managing and maintaining vegetation health and diversity including common, rare and sensitive plant species. Chapter 61 of the TRPA Code (Sensitive and Uncommon Plant Protection and Fire Hazard Reduction) also sets forth standards to preserve and manage sensitive plant species and specifically projects and activities that may impact sensitive plans to fully mitigate their significant adverse effects. Section 61.4.5 of the TRPA Code (Revegetation) sets forth standards for revegetation. Therefore, construction of approved development under the Tahoe Valley Area Plan would have a less than significant impact on special- status plant species.

The Tahoe Valley Area Plan amendments would allow coverage up to 70 percent on high capability land within newly added town center areas in the Gateway and Neighborhood Professional Districts, provided that coverage is transferred at a ratio of one-to-one from SEZs and sensitive lands. As described in Section 5.4.8, Geology and Soils, the Tahoe Valley Area Plan could potentially result in the transfer and

restoration of 43.5 acres of sensitive lands, thus restoring additional special-status plant species habitat within the Tahoe Valley plan area and the Upper Truckee Hydrologically Related Area. The Tahoe Valley Area Plan has also identified approximately 1.02 acres of disturbed SEZs within the boundary of the Tahoe Valley Area Plan that are targeted for restoration, thus increasing and improving habitat within the Tahoe Valley plan area.

Specific policies of the Tahoe Valley Area Plan that would benefit habitat improvement include the following.

- **Policy NCR-4.1 – Stream Environment Zones** Increase the area of naturally functioning SEZ by preserving existing SEZ and restoring/rehabilitating disturbed SEZ in the Tahoe Valley area, prioritizing the Greenbelt area.
- **Policy NCR-4.2 – Redirection and Transfer of Development** Direct new development away from SEZs and encourage the removal and transfer of existing development from disturbed SEZs that can be feasibly restored. Encourage property owners to use TRPA’s transfer incentives available in Chapter 51 of the TRPA Code. Development rights and existing development that are transferred from SEZs and other sensitive lands are eligible to earn residential bonus units, commercial floor area, and tourist accommodation bonus units, when transferred to Centers.

Moreover, the City General Plan also includes policies that contain specific, enforceable requirements and/or restrictions and corresponding performance standards that address potential impacts on special-status plant species or create opportunities for habitat improvement.

- **Policy NCR-3.1: Natural Habitat Preservation** The City shall protect, maintain, and restore key riparian areas, natural open space meadows, and Stream Environment Zones for the preservation of natural habitats.
- **Policy NCR-3.2: Large Scale Development Adjacent to Stream Environment Zones** The City shall minimize the impacts to Stream Environment Zones (SEZ) and sensitive habitat areas from adjacent new large- scale developments.
- **Policy NCR-3.3: Vegetation Preservation** The City shall preserve as much vegetation as possible on site and require revegetation for all proposed development as a condition of approval, so long as it does not conflict with adequate fire abatement.
- **Policy NCR-3.4: Natural Growth Protection** The City shall limit the extent of construction to provide a natural growth zone for vegetation.
- **Policy NCR-3.6: Stream Environment Zone (SEZ) Restoration and Enhancement** The City shall increase the area of naturally functioning SEZs by preserving existing SEZ and restoring/rehabilitating disturbed SEZ.
- **Policy NCR-3.10: Stream Environment Zone Management** The City shall consider stream stability, water quality objectives, fisheries and wildlife, open space, and public health and safety in maintaining or managing Stream Environment Zone (SEZ) restoration projects.
- **Policy NCR-3.11: Natural Habitat and Open Space Management:** The City shall encourage and support public agencies formed to acquire and manage important natural habitat areas, and other open space lands.

- **Policy ROS-2.1: Open Space and Critical Environmental Area Protection** The City shall use the best “un-biased” science and engineering technologies to protect and preserve open space and critical environmental areas allowing public usage if deemed reasonable.
- **Policy ROS-2.2: Riparian Area Preservation and Restoration** The City shall protect and restore key riparian areas and natural features.
- **Policy ROS-2.6: Connecting Surrounding Forests to Urban Open Spaces** The City shall connect surrounding forests to urban open spaces, parks, natural areas and SEZs when appropriate to further biodiversity and habitat.
- **Policy ROS-2.8: Restoration Effort Protection** The City shall ensure that public access does not jeopardize restoration activities and water quality treatment projects on publicly-owned open space lands.
- **Policy ROS-2.9: Permanent Open Space Protection** The City shall permanently protect as open space areas of natural resource value, including forests, wetlands, stream and riparian corridors, and floodplains.
- **Policy ROS-2.10: Sufficient Size Open Space and Natural Areas** The City shall maintain open space and natural areas that are interconnected and of sufficient size to protect biodiversity, accommodate wildlife movement, and provide more sustainable ecosystems.
- **Policy ROS-2.11: Open Space Funding** The City should continue to seek and obtain local, State, and Federal funding for beach, meadow, and open space acquisition.

Implementation of the Tahoe Valley Area Plan and General Plan policies to ensure that SEZs and other open space and natural areas are created, protected, and connected to further biodiversity and improve special-status plant species habitats would result in a beneficial impact.

Special Status Wildlife Species

Habitat conditions of the Tahoe Valley Area Plan have been substantially altered as a result of historic development. There is, however, some suitable habitat for wildlife species listed as endangered, threatened, rare, proposed, candidate, or listed as “fully protected” in the Fish and Game Code of California (Section 3511, 4700, 5050, 5515), referred to as “listed species.” A majority of the development (anticipated to be up to an additional 102,000 square feet of CFA and 373 dwelling units by the year 2034) and increase in land coverage is anticipated to occur in the existing developed urban lands which is already highly disturbed. The majority of land disturbance would occur in sagebrush and Jeffrey pine forest lands. Most direct impacts could occur from development of vacant parcels or undeveloped portions of the Tahoe Valley plan area. **Table 18** lists the listed special-status wildlife species that may utilize the habitat within the Tahoe Valley plan area. It should be noted that there are no recorded occurrences of these species in the Tahoe Valley plan area.

Table 18 Listed Special-Status Species			
Common Name	Status		
	Federal	State	Regional
Birds			
Bald eagle	FD; MNBMC	SE; CFP	LBTMU (MIS) TRPA (SI)
Little willow flycatcher	MNBMC	SE	LBTMU (MIS, S)
Mammals			
Sierra Nevada red fox	~	ST	LBTMU (S)

Source: USFWS, 2014 and CDFG, 2014

Bald eagles may be impacted if construction activities occur within 500 feet of the nest (though no active nests have been identified in the area).

The little willow flycatcher nests and forages in riparian habitat. Approximately 0.44 acres of riparian habitat occur within the Tahoe Valley plan area (City GIS, 2014; USFS, 1991). Riparian areas occur in the immediate vicinity of the Tahoe Valley plan area are primarily associated with the Upper Truckee River. This species may be directly impacted if construction activities occur within 100 feet of the nest or if riparian habitat is disturbed or removed.

The Sierra Nevada red fox may be directly impacted by subsequent development, if this species is found within or adjacent to construction activities. During the breeding season or during hibernation, the species may be rearing young or otherwise unable to relocate from the den, burrow, or other shelter where they are currently residing. If the species is present within a construction zone, construction activities could result in direct mortality of this species.

This potential effect is the same as those analyzed in Impact 3.10-4 (TRPA 2012a, pp. 3.10-50 to 3.10-55) of the TRPA RPU EIS, and therefore that analysis is incorporated herein. The RPU EIS, Impact 3.10-4, concluded that impacts to special-status wildlife species would be less than significant. The Tahoe Valley Area Plan would result in some construction and other projects that could affect special status wildlife species, depending on the specific locations, presence of suitable habitat, and the type, timing, and specific nature of the project actions. During project-level planning and evaluation, impacts on species with potential to be affected would be determined based on the species’ distribution and known occurrences relative to the project area, the presence of suitable habitat for the species in or near the project area, and preconstruction surveys. TRPA’s existing policies and Code provisions address potential impacts to special-status species through site-specific environmental review, require development and implementation of project-specific measures to minimize or avoid impacts through the design process, and require compensatory or other mitigation for any significant effects on special-status species as a condition of project approval. For any TRPA special interest wildlife species that could be affected, compliance with the TRPA Code of Ordinances requires that projects or land uses within TRPA non-degradation zones

will not significantly affect the habitat or cause the displacement or extirpation of the population; and TRPA will not permit a project that would degrade habitat without compensatory mitigation to avoid a significant effect. For other special-status species, project-level planning and environmental analysis would identify potentially significant effects, minimize or avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval. Therefore this impact is considered less than significant.

Specifically, the following regulatory measure would be applicable to any project proposed in the Tahoe Valley plan area. Chapter 62 (Wildlife Resources) of the TRPA Code contains regulations to protect and enhance the existing diverse wildlife habitats, with special emphasis on protecting or increasing habitats of special significance, such as deciduous trees, wetlands, meadows, and riparian areas. Chapter 61 of the TRPA Code (Tree Removal) outlines measures to protect existing trees. In addition, Chapters 33 and 61 of the TRPA Code would further mitigate impacts to listed wildlife species and their habitats. Therefore, construction of approved development under the Tahoe Valley Area Plan would have a less than significant impact on special status wildlife species.

Furthermore, Implementation of the General Plan Policies NCR-3.1 – NCR-3.4, NCR-3.6, NCR-3.10, NCR-3.11, ROS-2.1, ROS-2.2, ROS-2.6, and ROS-2.8 – ROS-2.11, and the following policy listed below, would also address potential impacts on listed special-status wildlife species:

- **Policy NCR-3.13: Improving Wildlife Habitat:** The City shall encourage the use of native or compatible non-native, non-invasive plant species as part of project landscaping to improve wildlife habitat values.

Implementation of the General policies listed above to improve habitat values would result in a beneficial impact.

While the Tahoe Valley Area Plan would include the potential for taller buildings (up to 45 feet in height at the “Y” intersection), this additional height would not exceed the height of trees in the Tahoe Valley Area Plan and therefore would not obstruct bird or raptor flight (bird strikes). It is expected that these buildings would be quite visible to birds and raptors passing through the Tahoe Valley plan area and they would have ample area to maneuver around the buildings. In addition, the majority of migratory bird movement along the Pacific Flyway is to the east and west of the Sierra Nevada mountain range rather than directly over it. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

30. Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (CEQA IVb)

The potential effects are the same as those analyzed in the City General Plan Update and therefore the analysis is tiered from and is consistent with the General Plan EIR.

Subsequent development may result in the loss or degradation of sensitive natural communities, such as riparian habitat and wetland features, and tree removal. Since the exact nature and location of development is not known at this time, the exact amount of acreage lost cannot be verified.

The TRPA Code of Ordinances Chapter 62 (Wildlife Resources) protects and enhances the existing diverse

wildlife habitats, with special emphasis on protecting or increasing habitats of special significance, such as deciduous trees, wetlands, meadows, and riparian areas. Section 61.1 (Tree Removal) of the TRPA Code of Ordinances outlines measures to protect existing trees. In addition, Section 33.6 (Vegetation Protection During Construction) and Chapter 61 (Vegetation and Forest Health) of the TRPA Code of Ordinances would further mitigate impacts to sensitive natural communities. Furthermore, the buildout of the Tahoe Valley plan area could result in the restoration of 44.5 acres of sensitive lands, thus providing an opportunity for expansion of natural habitats for these species. Consistency with the TRPA Code of Ordinances and implementation of General Plan policies listed in response to Question 29 above would mitigate direct or indirect impacts to sensitive natural communities in the Tahoe Valley plan area; therefore, impacts to vegetation and habitat from subsequent development would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

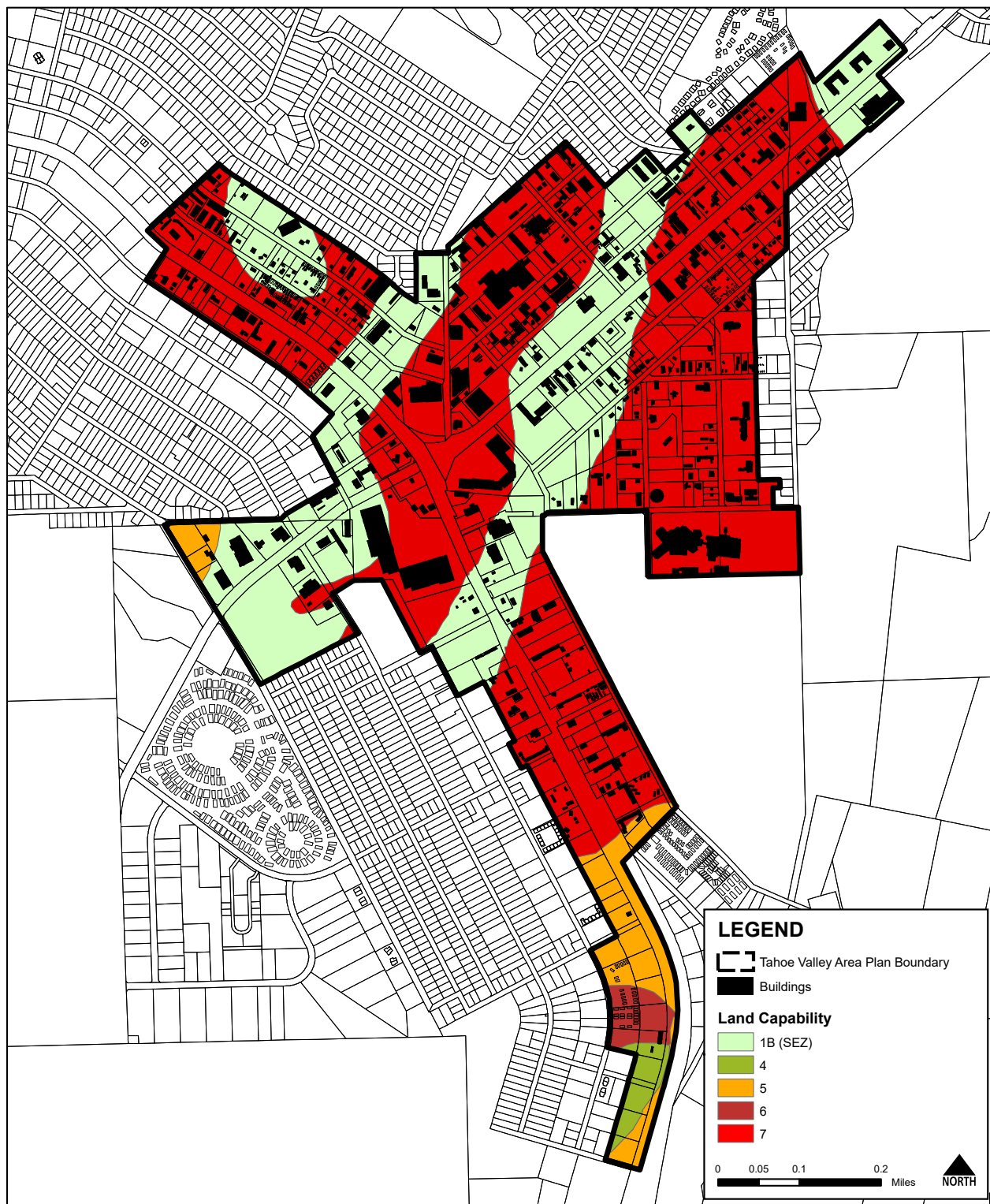
31. Would the Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (CEQA IVc)

Habitats within the Tahoe Valley plan area include stream environment zones (SEZs), riparian habitat, and potential jurisdictional wetlands and waters of the U.S., as regulated under Section 404 of the CWA. SEZs and related hydrologic zones are a sensitive resource that is protected pursuant to TRPA's Regional Plan and the Code of Ordinances. These areas consist of the natural marsh and meadowlands, watercourses and drainage ways, and floodplains which provide surface water conveyance from upland areas into Lake Tahoe and its tributaries. SEZs are determined by the presence of riparian vegetation, alluvial soil, minimum buffer strips, water influence areas, and floodplains (TRPA, 1986). According to a recent soils study (see Section 6.4.8, Geology and Soils and see discussion of updated SEZ delineation below), there are 50.7 acres of SEZ within the Tahoe Valley plan area (based on updated SEZ delineation), although these are historic occurrences of SEZs based on soils and historical data. These stream conditions have been largely disturbed through historic development of the Tahoe Valley plan area and the underground piping and channelization of these SEZs. There are no streams currently running through the Tahoe Valley plan area.

There has been extensive disturbance of SEZs in the planning area. The opportunities to implement area-wide BMPs, improve drainage systems, and increase SEZ restoration to benefit stream environment zone function exist in the planning area, but are dependent upon verifying and delineating accurate SEZ boundaries. Accordingly, as part of the effort in preparing the Tahoe Valley Area Plan, the SEZ map for the plan area was updated.

Updated SEZ Delineation

In drafting the original 2015 Area Plan, the City hired Cardno/Entrix and Terra Sciences, experts in the field of soil science and hydrology, to review the existing mapped SEZs and verify the land capability districts for the Tahoe Valley Area Plan. The consultants analyzed previous land capability verifications, site assessments and land capability challenges that have occurred in the planning area, conducted a visual inspection of SEZs (reviewing vegetation, landforms, topography and aerial photography, and examined soil samples to closely examine near-surface soil conditions). In July 2014, Terra Science, Inc. completed a Stream Environment Zone Report for the Tahoe Valley Area Plan. The report includes an SEZ map for the Tahoe Valley plan area that updates the map prepared in 1974. The historic and current SEZ are shown in **Figures 6 and 7** for the revised Area Plan boundary.



Source: TRPA GIS 2024, adapted by the City



Figure 6
1987 Bailey Land Capability Map
Tahoe Valley Area Plan Initial Study
March 2024

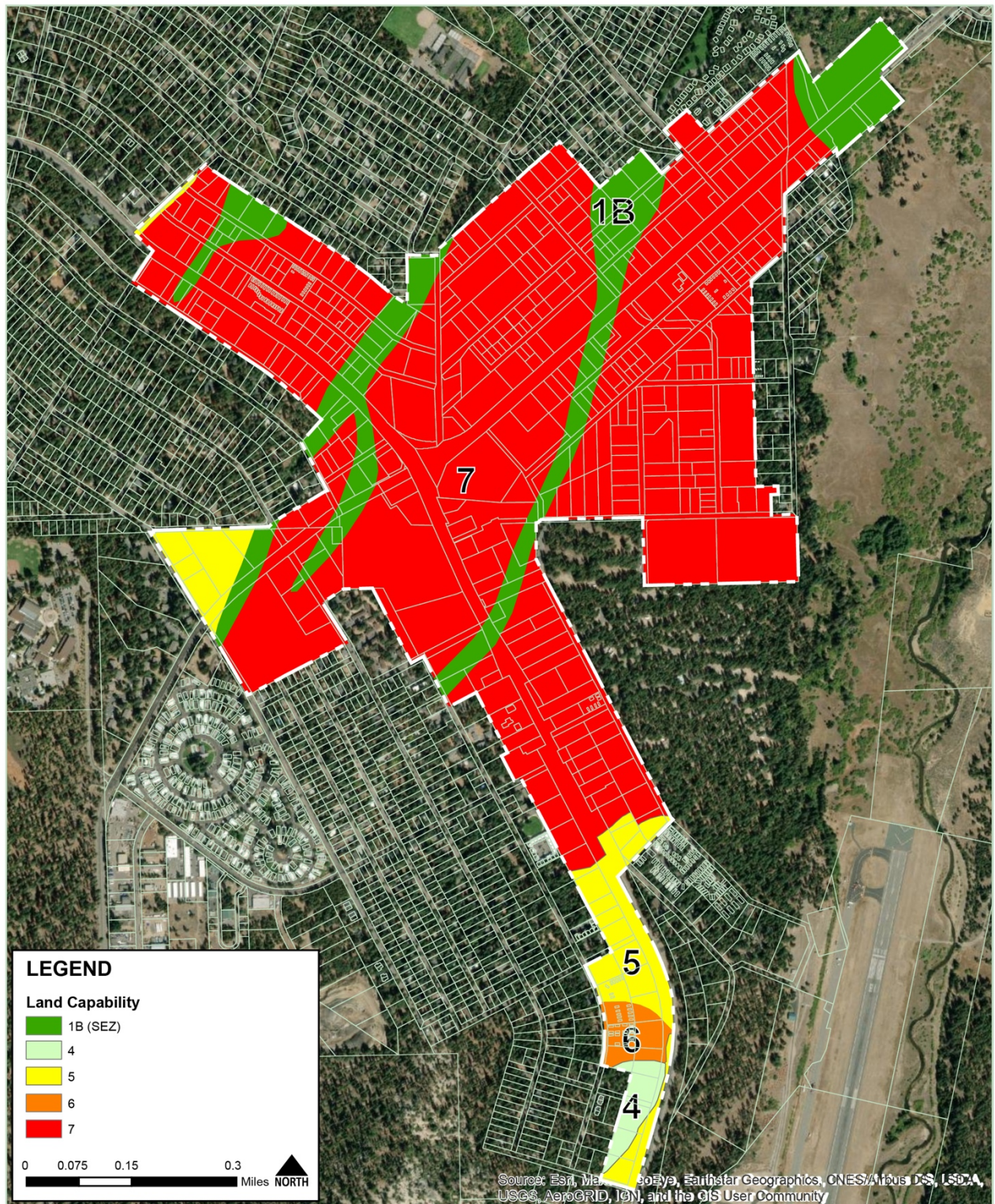


Figure 7
Amended Mapped Land Capability Districts
April 2023



The 2014 mapping efforts resulted in the SEZ and land capability district map (Terra Science Inc., 2014) included above as Figure 7. It should also be noted that even with an updated land capability map, property owners are still required to obtain parcel level site assessments and/or land capability verifications from TRPA prior to project submittal.

In response to Question 31, this potential effect is the same as that analyzed in Impact 3.10-1 of the TRPA RPU EIS (TRPA 2012a, pp. 3.10-34 to 3.10-41), and therefore that analysis is incorporated herein. The RPU EIS concluded that with existing regulatory measures in place this impact would have a less than significant effect. Any new development or redevelopment project under the Tahoe Valley Area Plan, as amended would be required to comply with existing TRPA, federal, and state regulations, permitting requirements, and environmental review procedures that protect SEZs, wetlands, and other sensitive habitats. These regulations and procedures address potential construction-related impacts to SEZs and other sensitive habitats through site-specific environmental review; require development and implementation of project-specific measures to minimize or avoid impacts through the design and permitting process; and require compensatory or other mitigation for any significant effects as a condition of project approval and permitting. Specifically, existing regulations and permitting requirements would minimize the loss of sensitive habitats during construction and provide habitat compensation for the loss of riparian, wetland, and other sensitive habitats through CWA Section 404, TRPA, and other permitting/review processes.

Riparian habitat is considered a sensitive natural community by CDFW and TRPA. There are approximately 0.44 acres of riparian habitat within the Tahoe Valley plan area (USFS, 1991). This sensitive habitat is not located within the areas of proposed Area Plan amendment. Wet meadow and aspen are CDFW-designated sensitive natural communities that occur in the region surrounding the Tahoe Valley plan area. Although aspen groves occur in moist habitats within the vicinity of the Tahoe Valley plan area, according to recent aspen mapping, no aspen stands occur within the Tahoe Valley plan area (LTBMU, 2003). There are no identified wet meadow habitats within the Tahoe Valley plan area (USFS, 1991). Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

32. Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (CEQA IVd)

This potential effect is the same as those analyzed in the City General Plan Update and therefore the analysis is tiered from and is consistent with the General Plan EIR.

Wildlife movement corridors are routes frequently utilized by wildlife that provide shelter and sufficient food supplies to support wildlife species during migration. Movement corridors generally consist of riparian, woodland, or forested habitats that span contiguous acres of undisturbed habitat. Wildlife movement corridors are an important element of resident species home ranges, including black bear, deer, and coyote. The majority of the Tahoe Valley plan area is developed and surrounded by urban development as well as bisected by two highways (US 50 and SR 89) that substantially hinder movement through the area. Therefore, there is very little access from the Tahoe Valley plan area to undisturbed areas outside the project vicinity. In addition, no valuable resources occur in the vicinity to attract any significant movement to the Tahoe Valley plan area as a destination or through the area to an adjacent destination. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

33. Would the Project conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance? (CEQA IVe)

This potential effect is the same as those analyzed in the City General Plan Update and therefore the analysis is tiered from and is consistent with the General Plan EIR.

The Tahoe Valley Area Plan amendments would not alter or revise the regulations pertaining to the protection of biological resources such as tree preservation policies. Consistent with existing conditions, development or redevelopment projects associated with the Tahoe Valley Area Plan could result in removal of trees and vegetation depending on the type, timing, and specific nature of proposed actions. However, any such projects would be subject to subsequent project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations in Chapter 62 and 63 of the TRPA Code.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

34. Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (CEQA IVf)

The Project does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan because no such plans exist for the project area. Thus, there will be **no impact.**

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

35. Would the Project result in removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system? (TRPA 4a)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

The Tahoe Valley Area Plan amendments would not alter or revise regulations pertaining to native vegetation protection during construction. Consistent with existing conditions, vegetation surrounding the construction site of any project permitted by the Tahoe Valley Area Plan would be required to comply Section 33.6, Vegetation Protection During Construction, of the TRPA Code. Protective requirements include installation of temporary construction fencing, standards for tree removal and tree protection, standards for soil and vegetation protection, and revegetation of disturbed areas. Additionally, the Citywide design standards and the proposed landscaping standards of the Tahoe Valley Area Plan requires the use of lawn and landscaping species listed in the TRPA-recommended and approved Native and Adapted Plants for the Tahoe Basin, with the exception of accent plantings. Thus, there would be **no impact.**

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

36. Would the Project result in removal of riparian vegetation other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table? (TRPA 4b)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS. (TRPA 2012, p. 3.10-34 through 3.10-60)

The Tahoe Valley Area Plan amendments would not alter or revise the regulations pertaining to vegetation removal and groundwater management. Water supply within the Tahoe Valley Area Plan is primarily obtained from groundwater sources. Consistent with existing conditions, any project permitted through the Tahoe Valley Area Plan would be required to meet TRPA requirements for water supply. TRPA regulations prohibit the approval of any development requiring water unless there is adequate water supply within an existing water right (Section 32.4.1 of the TRPA Code). Additionally, Section 33.3.6 of the TRPA Code prohibits excavation that intercepts or interferes with groundwater except under specific circumstances and with prior approval by TRPA (Section 33.3.6.A.2). For these reasons, consistent with existing conditions, projects approved under the Tahoe Valley Area Plan would not directly or indirectly lower the groundwater table.

Further, consistent with existing conditions, vegetation removal associated with projects that could occur under the Tahoe Valley Area Plan with subsequent approval would be required to comply with existing TRPA, federal, and state regulations, permitting requirements, and environmental review procedures that protect habitat that supports riparian vegetation and critical wildlife. Specifically, riparian vegetation and wildlife habitat are protected by Sections 61.1.6 (Management Standards for Tree Removal), 61.3.3 (Protection of Stream Environment Zones), and 63.3 (Fish Habitat Protection), and Chapter 62 (Wildlife Resources) of the TRPA Code. For these reasons, development associated with the Tahoe Valley Area Plan is not expected to result in the removal of riparian or other vegetation associated with critical wildlife habitat, and so there will be **no impact**.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

37. Would the Project result in introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species? (TRPA 4c)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS. (TRPA 2012, p. 3.10-34 through 3.10-60)

The Tahoe Valley Area Plan amendments would not alter or revise the regulations pertaining to new vegetation. Consistent with existing conditions, implementation of new development or redevelopment projects associated with the Tahoe Valley Area Plan would be required to comply with the TRPA Code provisions (e.g., Section 61.4, Revegetation) and Goals and Policies that prohibit the release of non-native species in the Tahoe Region. Generally, native species require less fertilizer and water than non-native species. In addition, the existing Water Efficient Landscape Ordinance requires vegetation maintenance plans to provide the appropriate amount of water to support the long-term growth of landscape, using efficient watering methods which are incorporated in the Tahoe Valley Area Plan. Provisions for fertilizer management and preparation of fertilizer management plans that address the type, quantity, and frequency of use of fertilizers are included in Section 60.1.8 of the TRPA Code. Projects associated with implementation of the Tahoe Valley Area Plan would be subject to subsequent project-level environmental review and permitting, and at that time they would be required to demonstrate that any proposed new

vegetation would not require excessive fertilizer or water, or provide a barrier to the normal replenishment of existing species. Thus, there would be **no impact**.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

38. Would the Project result in change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora and aquatic plants)? (TRPA 4d)

See discussion and analyses in Questions 35 through 37, and 39 through 42, concluding a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact*.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

39. Would the Project result in reduction of the numbers of any unique, rare or endangered species of plants? (TRPA 4e)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis is tiered from the RPU EIS.

The Tahoe Valley Area Plan amendments would not alter or revise the regulations pertaining to unique, rare, or endangered species of plants. The natural resource protection provisions of Chapters 61 and 62 of the TRPA Code are still applicable to the Tahoe Valley Area Plan. Consistent with existing conditions, construction activities associated with implementation of the Tahoe Valley Area Plan could affect special-status plant species and the presence of suitable habitat, depending on the type, timing, and specific nature of any proposed actions. All projects associated with the Tahoe Valley Area Plan would be subject to subsequent project-level environmental review and permitting. At a project-level, potential effects on plant species would be determined based on the species' distribution and known occurrences relative to the project area, the presence of suitable habitat for the species in or near the project area, and preconstruction surveys. TRPA's existing policies and Code provisions address potential impacts to special-status species through site-specific environmental review, require development and implementation of project-specific measures to minimize or avoid impacts through the design process, and require compensatory or other mitigation for any adverse effects on special-status species as a condition of project approval (Sections 61.3.6 and 62.4 of the TRPA Code). Project-level planning and environmental analysis would identify potentially significant effects, minimize or avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval. Therefore, implementation of the Tahoe Valley Area Plan would not result in the reduction in the number of any unique, rare, or endangered species of plants, and so would have **no impact**.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**

40. Would the Project result in removal of streambank and/or backshore vegetation, including woody vegetation such as willows? (TRPA 4f)

See discussion and analysis for Question 36 above, concluding **no impact**.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

41. Would the Project result in removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications? (TRPA 4g)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis is tiered from the RPU EIS.

TRPA regulates the management of forest resources in the Lake Tahoe Basin to achieve and maintain the environmental thresholds for species and structural diversity, to promote the long-term health of the resources, and to create and maintain suitable habitats for diverse wildlife species. Provisions for tree removal are provided in the TRPA Code (Chapter 36, and 71), and tree removal requires the review and approval of TRPA.

Per TRPA Code, Sections 61.1.4, within lands classified by TRPA as conservation or recreation land use or SEZs, any live, dead or dying tree greater than or equal to 30 inches diameter at breast height (dbh) in westside forest types shall not be cut, and any live, dead or dying tree greater than or equal to 24 inches dbh in eastside forest types shall not be cut. Within the non-SEZ urban area, individual trees larger than 30 inches dbh that are healthy and sound shall be retained as desirable specimen trees having aesthetic and wildlife value. For trees within the SEZ and non-SEZ areas, there are the following exceptions: (1) all reasonable alternatives are not feasible to retain the tree, including reduction of parking areas or modification of the original design; or (2) if TRPA determines that they would contribute to a fire hazard, pose an unacceptable risk to occupied or substantial structures or areas of high human use, or if removal of severely insect-infested or diseased trees is warranted to help control an outbreak. In addition, trees and vegetation not scheduled to be removed must be protected during construction in accordance with TRPA Code, Chapter 33. Thus, there would be **no impact.**

Environmental Analysis: *No Impact.*

Required Mitigation: **None**

42. Would the Project result in a change in the natural functioning of an old growth ecosystem? (TRPA 4h)

See discussion and analysis for Question 41 above, concluding **no impact.**

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

43. Would the Project result in change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)? (TRPA 5a)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

The Tahoe Valley Area Plan amendments would not alter the regulations pertaining to the protection of

animal species. The resource management provisions contained in Chapters 60 through 68 of the TRPA Code are still applicable to the Tahoe Valley Area Plan. Any subsequent projects allowed within the Tahoe Valley Area Plan would be subject to subsequent project-level environmental review and permitting. Consistent with existing conditions, permit applicants would be required to demonstrate that any proposals would occur consistent with TRPA Code provisions related to resource management, including specifically the provisions of Chapters 62 and 63 that address protection of wildlife and fish resources, respectively. For these reasons, adoption of the Tahoe Valley Area Plan would not result in the change in the diversity or distribution of species, or numbers of any species or animals. Thus, there would be **no impact**.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

44. Would the Project result in reduction of the number of any unique, rare or endangered species of animals? (TRPA 5b)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS. See also, discussion and analysis for Question 29 above.

The Tahoe Valley Area Plan amendments would not alter or revise the regulations pertaining to special-status or listed species of animals. Consistent with existing conditions, development or redevelopment projects associated with the Tahoe Valley Area Plan could affect unique, rare, or endangered species depending on the type, timing, and specific nature of proposed actions. However, any such projects would be subject to subsequent project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of animal species. The protections for rare and special-status species contained in Sections 61.3.6 and 62.4 of the TRPA Code are still applicable to the Tahoe Valley Area Plan. At a project-level, potential effects on animal species would be determined based on the species' distribution and known occurrences relative to the project area, the presence of suitable habitat for the species in or near the project area, and preconstruction surveys. TRPA's existing policies and Code provisions address potential impacts to special-status species through site-specific environmental review, require development and implementation of project-specific measures to minimize or avoid impacts through the design process, and require compensatory or other mitigation for any adverse effects on special-status species as a condition of project approval (Sections 61.3.6 and 62.4 of the TRPA Code). Project-level planning and environmental analysis would identify potentially significant effects, minimize or avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval. Therefore, implementation of the Tahoe Valley Area Plan would not result in the reduction in the number of any unique, rare, or endangered species of animals. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**

45. Would the Project result in introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? (TRPA 5c)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS. See also discussion and analysis for Question 32 above.

The Tahoe Valley Area Plan amendments would not alter or revise the regulations pertaining to the introduction of new species and barriers to the migration or movement of animals. The types of uses that

would be permitted in the Tahoe Valley Area Plan are not of the nature that would be expected to introduce any new animal species into the area. Consistent with existing conditions, development or redevelopment projects associated with the Tahoe Valley Area Plan could result in a barrier to the migration or movement of animals depending on the type, timing, and specific nature of proposed actions. However, any such projects would be subject to subsequent project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to maintenance of migration routes and movement of animals. The protections for movement and migration corridors contained in Section 62.3.2 of the TRPA Code are applicable to the Tahoe Valley Area Plan. Project-level planning and environmental analysis would identify potentially significant effects, minimize or avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval.

Wildlife movement corridors are routes frequently utilized by wildlife that provide shelter and sufficient food supplies to support wildlife species during migration. Movement corridors generally consist of riparian, woodland, or forested habitats that span contiguous acres of undisturbed habitat. Wildlife movement corridors are an important element of resident species home ranges, including black bear, deer, and coyote. The majority of the Tahoe Valley plan area is developed and surrounded by urban development as well as bisected by two highways (US 50 and SR 89) that substantially hinder movement through the area. Therefore, there is very little access from the Tahoe Valley plan area to undisturbed areas outside the project vicinity. In addition, no valuable resources occur in the vicinity to attract any significant movement to the Tahoe Valley plan area as a destination or through the area to an adjacent destination. Therefore, implementation of the Tahoe Valley Area Plan would not result in a barrier to the migration or movement of animals, and this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

46. Would the Project result in deterioration of existing fish or wildlife habitat quantity or quality? (TRPA 5d)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS. See also discussion and analysis for Questions 29 through 31 above.

The Tahoe Valley Area Plan amendments would not alter or revise the regulations pertaining to existing fish or wildlife habitat quantity or quality. Consistent with existing conditions, development or redevelopment projects associated with the Tahoe Valley Area Plan could affect fish and wildlife depending on the type, timing, and specific nature of proposed actions. However, any such projects would be subject to subsequent project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of fish and wildlife contained in Chapters 62 and 63 of the TRPA Code. Project-level planning and environmental analysis would identify potentially significant effects, minimize or avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval. Therefore, implementation of the Tahoe Valley Area Plan would not result in the deterioration of existing fish or wildlife habitat quantity. Moreover, the Tahoe Valley Area Plan specifically identifies priority areas for SEZ restoration that would directly benefit water quality, scenic, recreation and habitat quantity and quality. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

5.4.7 Cultural Resources (CEQA) and Archaeological/Historical (TRPA)

This section presents the analyses for potential impacts to cultural, archaeological and historical resources, discussing the Project impacts on cultural resources related to the disturbance of archaeological, historical, architectural, and Native American/traditional heritage resources. The section also addresses disturbance of unknown archaeological resources, as well as paleontological resources (fossils). **Table 19** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 19 Cultural Resources and Archaeological/Historical				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
47. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (CEQA 5a)			X	
48. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (CEQA 5b)			X	
49. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (CEQA 5c)			X	
50. Disturb any human remains, including those interred outside of formal cemeteries? (CEQA 5d)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
51. Will the proposal result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building? (TRPA 20a)				X
52. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records? (TRPA 20b)	X, LTS			

53. Is the property associated with any historically significant events and/or sites or persons? (TRPA 20c)	X, LTS			
54. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? (TRPA 20d)				X
55. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area? (TRPA 20e)				X

47. Would the Project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (CEQA 5a)

This potential effect is the same as those analyzed in the City General Plan Update and therefore the analysis is tiered from and is consistent with the General Plan EIR.

The 2015 Tahoe Valley Area Plan contains historic sites CA-Eld-721-H and CA-Eld-2240-H as identified by archaeological and historical investigations. These sites are associated with Pony Express and historic roadway along US Highway 50 and located in adjacent to US Highway 50. No additional cultural or historic sites are known to exist within the parcels proposed for inclusion in the Area Plan boundary amendments. Previous cultural resources studies within the Tahoe Valley plan area suggest that it is sensitive for the presence of undiscovered prehistoric sites, historic sites, and historic buildings and structures (e.g., given the location of the former Barton Ranch complex, motels/auto courts). Therefore, known and undiscovered prehistoric and historic resources and human remains could be impacted by implementation of the Tahoe Valley Area Plan, which would result in the construction of approximately 373 additional dwelling units as well as an additional 102,000 square feet of commercial floor area (CFA).

The City and TRPA have historic resource protection policies and standards in place that are designed to ensure that known and undiscovered prehistoric resources, historic resources and human remains are not impacted as a result of a project, activity, or soil disturbance.

The Tahoe Valley Area Plan includes Policy NCR-6.1 that requires that identified historic and cultural resources be preserved where feasible. Where it is found that a resource has no economically viable future use, mitigation for the loss of the resource that would preserve public access to its historic or cultural significance shall be required.

General Plan Policy NCR-4.1 and NCR-4.2 directs the City to designate and preserve sites of historical, cultural, and architectural significance within the City and Section 67.3.4 of the TRPA Code of Ordinances prohibits soil disturbance in areas where designated historic resources are present.

General Plan Policy NCR-4.3 requires archeological investigations for all applicable discretionary projects, in accordance with CEQA regulations, for areas not previously surveyed and/or that are determined sensitive for cultural resources. The City requires the preservation of discovered archeologically significant resources in place if feasible, or provide mitigation prior to further disturbance. Section 67.3.1 requires projects and activities to cease all operations if a potential archeological, cultural, or historical resource is discovered, and a site survey to be performed by a qualified archaeologist to evaluate the potential for

significance of the resource.

General Plan Policy NCR-4.5 requires applicants and contractors for projects and other ground disturbing activities to notify the City if human remains are discovered and for all work to halt. The County Coroner shall be notified pursuant to California's Public Resources Code and Health and Safety Code Section 7050.5. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.

Section 67.3.2 of the TRPA Code of Ordinances requires a site survey to be performed by a qualified archaeologist within a project area of known or newly discovered sites of cultural and/or historic significance prior to TRPA project approval. The standard also requires consultation with the Washoe Tribe of California and Nevada for the presence of Washoe sites. If resources are discovered and deemed significant, then soil disturbance activity is prohibited until a resource protection plan is prepared that includes measures to protect the resource.

Implementation of the policies and standards listed above would ensure that cultural and ethnic values of known and undiscovered prehistoric resources, historic resources and human remains would not be impacted. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

48. Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (CEQA 5b)

See discussion and analysis for Question 47 above, concluding a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

49. Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (CEQA 5c)

This potential effect is the same as those analyzed in the City General Plan Update and therefore the analysis is tiered from and is consistent with the General Plan EIR.

A search of the University of California, Berkeley Museum of Paleontology collections database did not identify any evidence of paleontological resources within the Tahoe Valley plan area. Paleontological resources, however, have been identified in El Dorado County. Therefore, it is possible that implementation of any ground-disturbing activities as a result of the Tahoe Valley Area Plan could uncover previously unknown paleontological resources and could result in physical impacts to resources as a result of the construction of approximately 373 additional dwelling units as well as an additional 102,000 square feet of commercial floor area (CFA) that would be transferred from outside of the Tahoe Valley plan area.

The City has adopted General Plan Policy NCR-4.4 that requires paleontological resource evaluations be prepared, and measures to mitigate impacts to paleontological resources be identified, when fossils are discovered during ground-disturbing activities (CSLT 2011, p. NCR-7).

In addition, federal and state regulations, and TRPA Code (Chapter 67) address protection of

paleontological resources and provide processes to avoid or minimize impacts to identified and discovered resources. Because any development associated with the Tahoe Valley Area Plan would be required to comply with these requirements during project specific review and construction activity, it would not alter or adversely affect paleontological resources. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

50. Would the Project disturb any human remains, including those interred outside of formal cemeteries? (CEQA 5d)

The State, City and TRPA have historic resource protection policies and standards in place that are designed to ensure that known and undiscovered prehistoric resources, historic resources, and human remains are not impacted as a result of a project, activity, or soil disturbance.

General Plan Policy NCR-4.1 and NCR-4.2 directs the City to designate and preserve sites of historical, cultural, and architectural significance within the City and Section 67.3.4 of the TRPA Code of Ordinances prohibits soil disturbance in areas where designated historic resources are present.

General Plan Policy NCR-4.3 requires archeological investigations for all applicable discretionary projects, in accordance with CEQA regulations, for areas not previously surveyed and/or that are determined sensitive for cultural resources. The City requires the preservation of discovered archeologically-significant resources in place if feasible, or provide mitigation prior to further disturbance. Section 67.3.1 requires projects and activities to cease all operations if a potential archeological, cultural, or historical resource is discovered, and a site survey to be performed by a qualified archaeologist to evaluate the potential for significance of the resource.

General Plan Policy NCR-4.5 and Tahoe Valley Area Plan Policy NCR-6.3 requires applicants and contractors for projects and other ground disturbance activities to notify the City if human remains are discovered and for all work to halt. The County Coroner shall be notified pursuant to State Public Resources Code and California's Health and Safety Code Section 7050.5. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.

Section 67.3.2 of the TRPA Code of Ordinances requires a site survey to be performed by a qualified archaeologist within a project area of known or newly discovered sites of cultural and/or historic significance prior to TRPA project approval. The standard also requires consultation with the Washoe Tribe of California and Nevada for the presence of Washoe sites. If resources are discovered and deemed significant, then soil disturbance activity is prohibited until a resource protection plan is prepared that includes measures to protect the resource.

Implementation of the policies and standards listed above would ensure that cultural and ethnic values of known and undiscovered prehistoric resources, historic resources and human remains would not be impacted. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

51. Will the Project result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building? (TRPA 20a)

This potential effect is the same as those analyzed in the City General Plan Update and therefore the analysis is tiered from and is consistent with the General Plan EIR. Also see discussion and analysis for Question 47 above.

The Tahoe Valley Area Plan amendments would not alter or revise the regulations pertaining to the protection of archaeological and historical resources.

The Tahoe Valley Area Plan contains historic sites CA-Eld-721-H and CA-Eld-2240-H as identified by archaeological and historical investigations. These sites are associated with the Pony Express Trail and an historic roadway near the Upper Truckee River and Marsh and are located nearby the existing US Highway 50 alignment where no changes are proposed to the Area Plan boundary. No additional cultural or historic sites are known to exist within the parcels proposed for inclusion in the amendments. Previous cultural resources studies within the Tahoe Valley plan area suggest that it is sensitive for the presence of undiscovered prehistoric sites, historic sites, and historic buildings and structures (e.g., given the location of the former Barton Ranch complex, motels/auto courts). Therefore, known and undiscovered prehistoric and historic resources and human remains could be impacted by the Tahoe Valley Area Plan, which would result in the construction of approximately 373 additional dwelling units as well as an additional 102,000 square feet of commercial floor area (CFA).

The potential exists within the Tahoe Valley plan area, like elsewhere in the Tahoe Basin and consistent with existing conditions, for previously undiscovered archaeological or historic resources to be discovered during any earth-moving activities.

The Tahoe Valley Area Plan would accommodate development, which could occur on properties that include known historical or archaeological resources; be associated with historically significant events or individuals; or result in adverse physical or aesthetic effects to a significant historical or archaeological site, structure, object, or building. Additionally, development permitted within the Tahoe Valley area could result in physical changes that would affect unique ethnic cultural values or restrict historic or prehistoric religious or sacred uses. However, federal and state regulations, TRPA Code (Chapter 67) and General Plan policies address protection of these resources and provide processes to avoid or minimize impacts to historic and archaeological resources. Because any development associated with the Tahoe Valley Area Plan would be required to comply with these regulations, consistent with existing practices, it would not alter or adversely affect archeological or historical resources. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

52. Is the Project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records? (TRPA 20b)

See discussion in Question 51 above that identified two mapped resources on TRPA's official maps. Because any development associated with the Tahoe Valley Area Plan amendments would be required to comply with TRPA regulations (Chapter 67) that prohibits grading, operation of equipment, or other soil disturbance in areas where a designated historic resource is present, except in accordance with a TRPA-approved resource protection plan, it would not alter or adversely affect cultural, historical, and/or archaeological resources identified on TRPA's or other regulatory maps. Thus, this would be a **less than**

significant impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

53. Is the Project associated with any historically significant events and/or sites or persons? (TRPA 20c)

See discussions and analyses discussions for Questions 47 through 52 above, concluding a **less than significant** impact..

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

54. Does the Project have the potential to cause a physical change which would affect unique ethnic cultural values? (TRPA 20d)

See discussions and analyses for Question 51 and 52 above. Implementation of, federal and state regulations, TRPA Code (Chapter 67) and General Plan policies address protection of historic, cultural, archaeological and paleontological resources and provide processes to avoid or minimize impacts to these resources. Therefore any development associated with the Tahoe Valley Area Plan would not result in a physical change which would affect unique ethnic cultural values. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

55. Will the Project restrict historic or pre-historic religious or sacred uses within the potential impact area? (TRPA 20e)

See discussion and analysis for Question 51 above, concluding a **less than significant** impact..

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

5.4.8 Geology and Soils (CEQA) and Land (TRPA)

This section presents the analyses for potential impacts to geology, soils and land. **Table 20** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 20 Geology and Soils and Land				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
56. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides? (CEQA VIa)			X	
57. Result in substantial soil erosion or the loss of topsoil? (CEQA VIb)			X	
58. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (CEQA VIc)			X	

59. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (CEQA VI d)			X	
60. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (CEQA VI e)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
61. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)? (TRPA 1a)				X
62. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions? (TRPA 1b)				X
63. Unstable soil conditions during or after completion of the proposal? (TRPA 1c)				X
64. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet? (TRPA 1d)				X
65. The continuation of or increase in wind or water erosion of soils, either on or off the site? (TRPA 1e)				X
66. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake? (TRPA 1f)				X
67. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards? (TRPA 1g)				X

56. Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

56.i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? (CEQA VIa).

This potential effect is the same as those analyzed in the City General Plan EIR and therefore this analysis tiers from the General Plan EIR. (CSLT 2010, p. 4.8-28.)

The Tahoe Valley Area Plan is located in the Sierra Nevada geomorphic province, which is a block mountain range tilting west approximately 400 miles long and 50 to 80 miles wide. Its east face is a high, rugged multiple scarp, while the gentle western slope is overlapped by sedimentary rocks of the Great Valley geomorphic province. Volcanic sheets are found to the north, extending south from the Cascade Range. Elevations of the peaks within the province range from 1,000 to 14,495 feet (300 to 4,407 meters). The province is composed of Mesozoic granitic and ultramafic rocks, Paleozoic and Mesozoic strongly metamorphosed sedimentary and volcanic rocks, and Cenozoic volcanic rocks.

The Tahoe Valley Area Plan is located in UBC Seismic Hazard Zone 3. This designation indicates that earthquakes in the region have the potential to make standing difficult and to cause stucco and some masonry walls to fall. Structures in this zone must be designed to meet the regulations and standards associated with Zone 3 hazards set forth in the UBC and CBC. The Tahoe Valley plan area is located in a region of California characterized by historical seismic activity. However, the UBC recognizes no active seismic source in the Tahoe Valley plan area vicinity.

The Basin is located in a region of active and potentially active faults as evidenced by historical seismic data and certain topographical features. Specifically, recent fault activity has been identified along the major north-south fault zone that lies along the eastern edge of the Sierra Nevada. There are no active faults within the City; however, there are several known faults within 10 miles of the Tahoe Valley plan area including the active, class B, Genoa Fault.⁶ **Table 21** identifies all known faults in the vicinity of the Tahoe Valley plan area.

Name	Approximate Distance and Direction from Planning Area	Time of Most Recent Deformation	Active or Potentially Active?
West Tahoe-Dollar Point Fault Zone	5 miles northwest	Quaternary (<2.0 Ma)	Potentially Active
Genoa Fault Zone	8 miles east	Latest Quaternary (<15 ka)	Active
Tahoe Valley Fault Zone	<1 mile west, south and east	Tertiary or Earlier	
East Tahoe Fault Zone	2 miles north	Quaternary (1.6 Ma)	Potentially Active
Tahoe-Sierra Frontal Fault Zone	4 miles northwest	Tertiary of Earlier	

Source: USGS Quaternary Fault Database; CGS, 2023

The risk of fault-related ground rupture is low within the Tahoe Valley plan area, but faults in the greater vicinity could create the potential for seismic-related ground shaking and ground failure, such as liquefaction. In addition, due to the high groundwater levels in the Tahoe Valley plan area, excavations and construction of below-ground structures have the potential to intercept or interfere with groundwater and may contribute to the potential for ground failure. However, all future development within the Tahoe Valley Area Plan will be designed and constructed according to UBC Seismic Zone 3 requirements, thereby minimizing risks associated with ground shaking. Future development in the area would also be subject to the restrictions contained in Section 33.3.6 of the TRPA Code or Ordinances related to excavation. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

56.ii) Strong seismic ground shaking?

See discussion and analysis for Question 56.i above.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

56.iii) Seismic-related ground failure, including liquefaction?

See discussion and analysis for Question 56.i above.

The potential for seismic-related ground shaking in the Region could also contribute to public safety risks and property damage associated with ground failure including liquefaction, lateral spreading, collapse, and settlement. In addition, portions of the Tahoe Valley Area Plan have relatively high ground water levels that can contribute to the potential for ground failure, particularly during excavation and construction of below-grade structures (CSLT 2010, pp, 4.8-28 to 4.8-29). Hazards associated with seismic-related ground failure are also regulated by the CBC standards which are adopted in Chapter 6.15 of the City Code to ensure that structures are properly designed and constructed to withstand anticipated ground failure. Therefore, the risk of injury or property damage from strong ground shaking or resulting ground failure would not be substantially increased from implementation of the Tahoe Valley Area Plan and therefore a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

56.iv) Landslides?

The varied topography within the Lake Tahoe Basin makes many areas susceptible to landslide hazards, however, the Tahoe Valley plan area is located in a relatively alluvial fan with slopes that range from 0 to 5 percent. It is not anticipated that the Tahoe Valley Area Plan will not expose people or structures to landslides.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

57. Would the Project result in substantial soil erosion or the loss of topsoil? (CEQA VIb)

See discussions and analyses for Questions 62, 63 and 64 below.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

58. Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (CEQA VIc)

See discussions and analyses for Questions 56i through iv above and Question 59 below.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

59. Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (CEQA VI d)

According to the Swelling Clays Map of The Conterminous United State, the Tahoe Basin falls within an area that is underlain with little to no clays with swelling potential (USGS 1989). However, soil units mapped within the Basin contain soils with low to high shrink/swell potential (NRCS 2007).

The Tahoe Valley plan area is located within the Upper Truckee Hydrologically Related Area. Soil map units within the Tahoe Valley plan area are predominantly coarse-textured and are not expansive. Additionally, through adherence to existing regulation, projects implemented within the Tahoe Valley Area Plan would be required to undergo site-specific environmental review and, as appropriate, geotechnical analysis (TRPA Code Section 33.4 and City Code Title 6 and Title 7) to determine the design, grading, and construction practices required to avoid or reduce geologic hazards including those associated with unstable, expansive soils and slope failure. Absence of expansive soils and adherence to existing regulations would ensure impacts would be less than significant.

Environmental Analysis: *Less than Significant Impact.*

Required mitigation: **None.**

60. Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (CEQA VIe)

Development of septic systems or alternative wastewater disposal systems in areas of soils that are inadequate to support such a use results in a significant impact. However, the Porter-Cologne Water Quality Act requires all sewage and wastewater to be disposed of outside the Lake Tahoe Basin. Therefore, the use of septic tanks or alternative wastewater disposal are prohibited in the Lake Tahoe Basin.

Environmental Analysis: *No Impact.*

Required mitigation: **None.**

61. Would the Project result in compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)? (TRPA 1a)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore the analysis is tiered from and is consistent with the RPU EIS. As discussed in Impact 3.7-1 of the DEIS (TRPA 2012a, pp. 3.7-18 to 3.7-19), the analysis concluded that increased coverage allowances up to 70 percent in conforming area plans would have a less than significant effect provided that it's located on high capability lands and the increased coverage comes from the transfer and retirement of existing coverage.

The following maximum allowable coverage provisions (base allowable plus transferred) would apply in the Tahoe Valley Area Plan:

For new development and redevelopment of all use types in the Town Center Core, Town Center Gateway, Town Center Mixed-Use Corridor, Town Center Neighborhood Professional, and Town Center Health Care districts, the maximum coverage is 70 percent of the project area located in high capability lands. Under the proposed amendment, 23 parcels (11.5 acres) would be added to the Town Center boundary and therefore eligible for additional land coverage up to 70 percent with transfer. In addition, the adoption of TRPA Phase 2 Housing Amendments would increase land coverage limits for 100 percent deed restricted affordable housing projects within Town Centers and areas zoned for multi-family housing nearby to Town Centers. However, TRPA amendments that permit increased land coverage for deed restricted affordable housing also require that the housing developments connect to a public stormwater treatment system, or that the project stormwater treatment system be maintained and operated by a responsible public entity.

In the proposed Tahoe Valley Emerald Bay Connection Corridor Residential district, the maximum allowed coverage is unchanged and is based on either the Individual Parcel Evaluation System (IPES) for single-family dwellings, or Bailey land capability classification for multi-family dwellings.

The existing transfer provisions of the TRPA Code of Ordinances would apply to the Tahoe Valley Area Plan with one modification to incentivize the relocation of land coverage from SEZs and retirement of land coverage from non-sensitive lands. Pursuant to Section 30.3.3 of the TRPA Code of Ordinances, development proposing coverage in excess of the base allowable is required to transfer coverage up to the maximum permitted as follows:

In the Town Center Gateway, Town Center Mixed-Use Corridor, Town Center Neighborhood Professional, Town Center Healthcare, and the Commercial Mixed-Use districts, coverage shall be transferred at a ratio of 1:1 from sensitive land up to the maximum land coverage of 70 percent. Pursuant to TRPA Code Section 30.4.2, coverage from non-sensitive land shall be transferred at a ratio of 1:1 up to 50 percent, then on an increasing sliding scale based on the total resulting coverage on the receiving parcel up to maximum land coverage of 70 percent, which is transferred at 2:1.

Coverage transferred to the Tahoe Valley plan area can earn bonus coverage from the City's coverage pool as follows: Coverage transferred from the TRPA designated Stream Restoration Plan Area can earn 1 square foot of bonus coverage for every 1 square foot of SEZ coverage transferred; coverage transferred from the Tahoe Valley Greenbelt project area may earn 1 square foot of bonus coverage for every 1 square foot of SEZ coverage transferred; and coverage transferred from the Upper Truckee River HRA may earn one-half square foot of bonus coverage for every 1 square foot of SEZ coverage transferred.

For two parcels within the Tahoe Valley Area Plan where Barton Hospital is currently located (El Dorado County APNs 023-081-03 and 023-081-09), coverage shall be transferred pursuant to following transfer provisions:

- Coverage transferred up to 70 percent shall be transferred pursuant to section 30.4.3 of the TRPA Code.
- Coverage greater than 70 percent shall be transferred at a ratio of 1:1 from sensitive lands and at a ratio of 2.5:1 from non-sensitive lands up the minimum amount needed.
- Coverage transferred shall be transferred from parcels that have not installed permanent BMPs. (TVAP, Exhibit C, p. C-18, Linear Public Facilities and Public Health and Safety Facilities.)

For the Barton Hospital parcels, coverage would be transferred pursuant to Table 30.4.4-1 of the TRPA Code using the existing sliding scale up to 70 percent, and between 70 percent and 90 percent coverage shall be transferred at a ratio of 2.5:1.

Implementation of the Tahoe Valley Area Plan could potentially result in an increase in coverage on vacant and under covered parcels containing high capability land as a result of constructing 373 residential units and up to 102,000 square feet of commercial floor area. The Tahoe Valley Area Plan would implement the existing land coverage standards of Chapter 30 of the TRPA Code of Ordinances which would allow development to exceed the base allowable coverage through transfer of coverage, and pursuant to Chapter 13 of the TRPA Code of Ordinances. Proposed coverage limits, when combined with transfer incentives can potentially result in coverage reduction on sensitive land and retirement of coverage on other high capability land as shown in **Table 22**.

Table 22 Coverage Reduction as a Result of Updated Mapping, Proposed Coverage Standards, and Transfer Incentive	
	2015 Tahoe Valley Area Plan
Coverage Reduction from Transfers from Sensitive Lands	43.5
Coverage Reductions from Transfers from Non-Sensitive Lands	72.4
Coverage Retirement from Transfers	28.9

Source: TRPA, Aerial LiDAR 2010, TRPA GIS, 2014; adapted by City of South Lake Tahoe.

Under the Tahoe Valley Area Plan, development would continue to occur on a project-by-project basis. Future development projects would be assessed on an individual basis and would be required to conform to the existing land coverage requirements under Chapters 30 and 53 of the TRPA Code of Ordinances and the proposed alternative land coverage management system of the Tahoe Valley Area Plan. Continuation of existing coverage policies in the Tahoe Valley Area Plan would focus on limiting coverage outside the plan area boundaries, by providing incentives for concentrating coverage on high capability lands in the town center and promoting the removal and transfer of coverage from SEZs and sensitive lands by allowing a maximum of 70 percent coverage. As depicted in **Table 23**, buildout of the 2015 Tahoe Valley Area Plan would result in an increase of 13.6 acres of additional base allowable coverage as a result of updated 2015 land capability mapping, and 43.5 acres of transferred coverage for a total net increase of 57.0 acres in coverage on vacant or under covered parcels containing high capability land in the Tahoe Valley plan area. To achieve this increased coverage, restoration and transfers of existing coverage would be required. Applying the existing transfer provisions, implementation of the Tahoe Valley Area Plan could result in the reduction of 43.5 acres of coverage in sensitive land, or a reduction and relocation of 72.4 acres of coverage and permanent retirement of 28.9 acres of coverage in non-sensitive land. Since the 2015 Area Plan adoption the construction of the Barton Center of Excellence resulted in the transfer of 49,669 square feet (1.14 acres) of SEZ coverage from the South Upper Truckee HRA to the project site and the permanent retirement of 30,663 (0.7 acres) of SEZ coverage. Further buildout of the Tahoe Valley Area Plan would result in the decrease of land coverage within the Upper Truckee HRA and sensitive land, while increasing coverage within high capability lands as development is further concentrated in the expanded town center to promote a compact land use pattern.

Table 23
Estimated Land Coverage – 2015 Tahoe Valley Area Plan Buildout

Existing Coverage	127.1
New Base Allowable Coverage ¹	13.6
Transferred of Coverage up to 50%	15.9
Transferred Coverage up to 70%	25.0
Transferred Coverage up to 90%	2.6
Total Maximum Coverage (Base + Transferred)	57.0

Source: TRPA, Aerial LiDAR 2010, TRPA GIS, 2014; adapted by City of South Lake Tahoe.

1. New base allowable coverage is based on individual parcels and does not include the US 50, SR 89 or City streets.

Although the proposed Tahoe Valley Area Plan would allow new base coverage and relocate existing coverage to parcels in the Tahoe Valley plan area, all new impervious base coverage and transferred coverage would still fall within the limits established by the Bailey Land Capability Classification System. Although it is not possible to be certain where coverage transfers will come from (other than the Upper Truckee River HRA), it is feasible to assume that existing and proposed land coverage policies and regulations of the Tahoe Valley Area Plan, which established maximum allowable coverage, prohibits additional coverage in sensitive lands (with few exceptions allowed by TRPA Code), and establishes transfer ratios that incentivize coverage removal will result in either restoration of sensitive lands or the permanent retirement of coverage. Therefore, the Tahoe Valley Area Plan would result in additional coverage that would be limited such that the total coverage permitted by the Bailey system is not exceeded, and in many cases would result in a reduction of coverage. Thus, coverage impacts under the proposed Tahoe Valley Area Plan would be **less than significant**.

In addition to the above analysis concluding a less than significant impact, the Tahoe Valley Area Plan also adopts the following policies to ensure that land coverage limitations are not exceeded and incentives are provided for the relocation of coverage from sensitive lands:

Policy NCR-7.1 – Land Coverage Provide redevelopment incentives in centers that promote reduction, relocation and transfer of land coverage to reduce onsite land coverage. The City will endeavor to reduce overall coverage in order to benefit the objectives of the Tahoe Valley Area Plan.

Policy NCR-7.2 – Land Coverage Transfer Incentives To promote SEZ restoration in the Tahoe Valley plan area and the Upper Truckee Hydrologic watershed, all projects transferring and removing coverage from designated sending areas to offset existing excess coverage pursuant to Section 30.6 of the TRPA Code or to go up to the maximum coverage of 70 percent within land capability districts 4-7, inclusive, may be awarded coverage from the City's coverage pool, subject to availability. Bonus coverage from the City may be earned pursuant to the transfer ratios in the following table:

Sending Area	Bonus Coverage Earned (per sq. ft.)
TRPA Designated Stream Restoration Plan Area	1
Tahoe Valley Greenbelt and Associated SEZs	1
Other SEZs in the Upper Truckee Watershed Hydrologically Related Area Located within the City Limits	0.5

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

62. Will the Project result in a change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions? (TRPA 1b)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore the analysis is tiered from and is consistent with the RPU EIS. (TRPA 2012a, pp. 3.7-47 to 3.7-48.)

The Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to grading. Consistent with existing requirements, grading and construction activities associated with projects that could occur under the Tahoe Valley Area Plan with subsequent approval would be required to comply with the provisions of Chapter 33, “Grading and Construction,” of the TRPA Code and Chapters 7.15 and 7.20 of the City Code. Chapter 33 includes specific provisions for timing of grading, winterization of construction sites, specifications for cut and fills areas, protection of vegetation during construction, and preparation of a Slope Stabilization Plan for projects at the request of TRPA.

Additionally, in accordance with Section 7.15.100 of the City Code, all projects are required to implement temporary best management practices (BMPs) in accordance with the *Handbook of Best Management Practices* and maintained throughout the construction period until winterization and installation of permanent BMPs once construction has been finalized.

Any subsequent projects allowed within the Tahoe Valley Area Plan would be subject to permitting by the City and/or TRPA. Consistent with existing requirements, permit applicants would be required to demonstrate that any proposed grading would occur consistent with TRPA Code and City Code provisions that are protective of topography and ground surface relief features and are intended to retain natural conditions. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required mitigation: **None.**

63. Will the Project result in unstable soil conditions during or after completion of the proposal? (TRPA 1c)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore the analysis is tiered from and is consistent with the RPU EIS. (TRPA 2012a, pp. 3.7-47 to 3.7-48.)

The Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to BMPs for soil erosion. Consistent with existing requirements, soil disturbance associated with projects that could occur under the Tahoe Valley Area Plan with subsequent approval would be required to comply with

Chapters 33 and 60 through 68 of the TRPA Code and Chapter 7.20 of the City Code. See discussion under Question 62 above.

Any subsequent projects allowed within the Tahoe Valley Area Plan would be subject to permitting by the City and/or TRPA. Consistent with existing requirements, permit applicants would be required to demonstrate that any proposed soil disturbance would occur consistent with TRPA and City Code provisions related to BMPs. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required mitigation: **None.**

64. Will the Project result in changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet? (TRPA 1d)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore the analysis is tiered from and is consistent with the RPU EIS. (TRPA 2012a, pp. 3.7-47 to 3.7-53.)

The Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to grading, excavation, and new disturbance. Consistent with existing requirements, projects that could occur under the Tahoe Valley Area Plan with subsequent approval could result in new soil disturbance, changes to native geologic substructures, and grading in excess of 5 feet. However, all projects would be required to comply with the provisions of Chapter 30 of the TRPA Code and Chapter 7.20 of the City Code regarding permanent disturbance and Section 33.3.6 of the TRPA Code regarding excavation depths that protect subsurface groundwater. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required mitigation: **None.**

65. Will the Project result in the continuation of or increase in wind or water erosion of soils, either on or off the site? (TRPA 1e)

See discussion and analysis for Question 62 above, concluding a **less than significant** impact..

Environmental Analysis: *Less than Significant Impact.*

Required mitigation: **None.**

66. Will the Project result in changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake? (TRPA 1f)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore the analysis is tiered from and is consistent with the RPU EIS. (TRPA 2012a, pp. 3.7-47 to 3.7-53.)

The Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to the deposition of beach sand, or changes in siltation, deposition, or erosion, including natural littoral processes, and the Tahoe Valley Area Plan does not contain any lakes, streams or rivers. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required mitigation: **None.**

67. Will the Project result in exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mudslides, ground failure, or similar hazards? (TRPA 1g)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore the analysis is tiered from and is consistent with the RPU EIS. (TRPA 2012a, pp. 3.7-47 to 3.7-53.) See also, discussion and analyses for Questions 56i through 56iv above.

The Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to geologic hazards. Chapter 35, Natural Hazard Standards, of the TRPA Code includes provisions addressing avalanche, floodplains, and wildfire and Chapter 6.15 of the City Code which addresses CBC and IBC building standards, which includes protections for persons and property from seismic and geologic hazards. Consistent with existing conditions, any subsequent project allowed within the Tahoe Valley Area Plan would be subject to project-level permitting and environmental review by the City and/or TRPA. Such projects would be required to meet all applicable building codes and standards and would be required to undergo site-specific geotechnical analysis as specified by Section 33.4 of the TRPA Code and Title 6 and Title 7 of the City Code. Therefore, the Tahoe Valley Area Plan would not expose people or property to geologic hazards. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required mitigation: **None.**

5.4.9 Greenhouse Gas Emissions

This section presents the analyses for potential impacts to greenhouse gas (GHG) emissions. **Table 24** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 24 Greenhouse Gas Emissions				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
68. Greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (CEQA VIIa)			X	
69. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (CEQA VIIb)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
Same as Question 27: Will the Project significantly alter climate, air movement, moisture, or temperature? (TRPA 2d)	X, LTS			

Certain gases in the earth’s atmosphere, classified as greenhouse gases (GHGs), play a critical role in determining the earth’s surface temperature. Solar radiation enters the earth’s atmosphere from space. A portion of the radiation is absorbed by the earth’s surface and a smaller portion of this radiation is reflected toward space. This absorbed radiation is then emitted from the earth a low-frequency infrared radiation. The frequencies at which bodies emit radiation are proportional to temperature. The earth has a much lower temperature than the sun; therefore, the earth emits lower frequency radiation. Most solar radiation passes through GHGs; however, infrared radiation is absorbed by these gases. As a result, radiation that otherwise would have escaped back into space is instead trapped, resulting in a warming atmosphere. The phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on earth. Prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO₂), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Human-caused emissions of GHGs in excess of natural ambient concentrations are believed to be responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the earth’s climate, known as global climate change or global warming. It is “extremely likely” that more than half of the observed increase in global average surface temperature from 1951 to 2010 was caused by the anthropogenic increase in GHG concentrations and other anthropogenic forcing (IPCC 2014:3, 5).

Climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one to several thousand years). GHGs persist in the atmosphere for long enough time periods to be dispersed around the globe. Although the exact lifetime of any particular GHG molecule is dependent on multiple variables and cannot be pinpointed, it is understood that more CO₂ is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, and other forms of sequestration. Of the total annual human-caused CO₂ emissions, approximately 55 percent is sequestered through ocean and land uptakes every year, averaged over the last 50 years, whereas the remaining 45 percent of human-caused CO₂ emissions remains stored in the atmosphere (IPCC 2013:467). The quantity of GHGs that ultimately result in climate change is not precisely known; but is enormous; no single project alone would measurably contribute to an incremental change in the global average temperature, or to global, local, or microclimates. From the standpoint of CEQA, GHG impacts to global climate change are inherently cumulative.

GHG emissions are attributable in large part to human activities associated with the transportation, industrial/manufacturing, utility, residential, commercial, and agricultural emissions sectors (CARB 2017a).

In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation (CARB 2017a). Emissions of CO₂ are byproducts of fossil fuel combustion. Methane, a highly potent GHG, primarily results from off gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. Nitrous oxide is also largely attributable to agricultural practices and soil management. CO₂ sinks, or reservoirs, include vegetation and the ocean, which absorb CO₂ through sequestration and dissolution (CO₂ dissolving into the water), respectively, two of the most common processes for removing CO₂ from the atmosphere.

Assembly Bill 32, the California Global Warming Solutions Act of 2006

In September 2006, the California Global Warming Solutions Act of 2006, Assembly Bill (AB) 32, was signed into law. AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and a cap on statewide GHG emissions. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. AB 32 also requires that (a) the statewide greenhouse gas emissions limit remain in effect unless otherwise amended or repealed, (b) the statewide greenhouse gas emissions limit continue in existence and be used to maintain and continue reductions in emissions of greenhouse gases beyond 2020, and (c) [CARB] shall make recommendations to the Governor and the Legislature on how to continue reductions of greenhouse gas emissions beyond 2020 [California Health and Safety Code, Division 25.5, Part 3, Section 38551]. For the purposes of AB 32 and other legislation in California, GHGs are expressed in carbon-dioxide-equivalent (CO₂e). CO₂e is a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. This potential, known as the global warming potential of a GHG, is dependent on the lifetime, or persistence, of the gas molecule in the atmosphere.

Executive Order B-30-15

On April 20, 2015, EO B-30-15 established a California GHG reduction target of 40 percent below 1990 levels by 2030. The EO aligns California's GHG reduction targets with those of leading international governments such as the 28-nation European Union, which adopted the same target in October 2014. California is on track to meet or exceed the target of reducing GHG emissions to 1990 levels by 2020, as established in the California Global Warming Solutions Act of 2006 (Assembly Bill 32, discussed above). California's new emission reduction target of 40 percent below 1990 levels by 2030 sets the next interim step in the State's continuing efforts to pursue the long-term target expressed under Executive Order S-3-05 to reach the ultimate goal of reducing emissions 80 percent below 1990 levels by 2050. This is in line

with the scientifically established levels needed in the U.S. to limit global warming below 2 degrees Celsius, the warming threshold at which major climate disruptions are projected, such as super droughts and rising sea levels.

Senate Bill 32 and Assembly Bill 197 of 2016

In August 2016, SB 32 and AB 197 were signed into law, which serve to extend California's GHG reduction programs beyond 2020. SB 32 amended the Health and Safety Code to include Section 38566, which contains language to authorize CARB to achieve a statewide GHG emission reduction of at least 40 percent below 1990 levels by no later than December 31, 2030. SB 32 codified the targets established by EO B-30-15 for 2030, which set the next interim step in the State's continuing efforts to pursue the long-term target expressed in EOs S-3-05 and B-30-15 of 80 percent below 1990 emissions levels by 2050.

Climate Change Scoping Plan and Updates

In December 2008, CARB adopted its first version of its Climate Change Scoping Plan, which contained the main strategies California will implement to achieve the mandate of AB 32 (2006) to reduce statewide GHG emissions to 1990 levels by 2020. In May 2014, CARB released and subsequently adopted the First Update to the Climate Change Scoping Plan to identify the next steps in reaching the goals of AB 32 (2006) and evaluate the progress made between 2000 and 2012 (CARB 2014). After releasing multiple versions of proposed updates in 2017, CARB adopted the next version titled California's 2017 Climate Change Scoping Plan (2017 Scoping Plan) in December of that same year (CARB 2017b). The 2017 Scoping Plan indicates that California is on track to achieve the 2020 statewide GHG target mandated by AB 32 of 2006 (CARB 2017b:9). It also lays out the framework for achieving the mandate of SB 32 of 2016 to reduce statewide GHG emissions to at least 40 percent below 1990 levels by the end of 2030 (CARB 2017b). The 2017 Scoping Plan identifies the GHG reductions needed by each emissions sector.

The 2017 Scoping Plan also identifies how GHGs associated with proposed projects could be evaluated under CEQA (CARB 2017b:101-102). Specifically, it states that achieving "no net increase" in GHG emissions is an appropriate overall objective of projects evaluated under CEQA if conformity with an applicable local GHG reduction plan cannot be demonstrated. CARB recognizes that it may not be appropriate or feasible for every development project to mitigate its GHG emissions to zero and that an increase in GHG emissions because of a project may not necessarily imply a substantial contribution to the cumulatively significant environmental impact of climate change. The latest 2022 Scoping Plan Update aims to assess progress towards achieving the Senate Bill 32 2030 target and lay out a path to achieve carbon neutrality by no later than 2045.

Senate Bill X1-2, the California Renewable Energy Resources Act of 2011 and Senate Bill 350, the Clean Energy and Pollution Reduction Act of 2015

SB X1-2 of 2011 requires all California utilities to generate 33 percent of their electricity from renewables by 2020. SB X1-2 sets a three-stage compliance period requiring all California utilities, including independently owned utilities, energy service providers, and community choice aggregators, to generate 20 percent of their electricity from renewables by December 31, 2013; 25 percent by December 31, 2016; and 33 percent by December 31, 2020. SB X1-2 also requires the renewable electricity standard to be met increasingly with renewable energy that is supplied to the California grid from sources within, or directly proximate to, California. SB X1-2 mandates that renewables from these sources make up at least 50 percent of the total renewable energy for the 2011-2013 compliance period, at least 65 percent for the 2014-2016 compliance period, and at least 75 percent for 2016 and beyond. In October 2015, SB 350 was signed into law, which requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable resources by 2030.

El Dorado County Air Quality Management District

The El Dorado County Air Quality Management District (EDCAQMD) has not adopted specific thresholds of significance for analyzing GHG emissions under CEQA. At present, the Sacramento Metropolitan Air Quality Management District (SMAQMD) along with a committee of EDCAQMD and other regional air districts (i.e., Placer County Air Pollution Control District [PCAPCD], Feather River Air Quality Management District, and Yolo-Solano Air Quality Management District) use guidance from the California Air Pollution Control Officers Association to develop draft threshold concepts for evaluating project-level GHG emissions. The goal of the thresholds is to capture at least 90 percent of GHG emissions from new stationary sources and land development projects. The nearby PCAPCD has developed thresholds of significance for analyzing climate change impacts in consideration of this strategy. PCAPCD has adopted a 10,000 and 1,100 metric tons of carbon dioxide equivalent (MTCO₂e) bright-line thresholds of significance for analyzing construction and operational emissions, respectively. In lieu of adopted thresholds of significance governed by EDCAQMD and Tahoe Regional Planning Agency (TRPA), these thresholds of significance were applied to the project.

City of South Lake Tahoe Climate Action Plan

In 2017, the City passed Resolution 2017-26, Establishing Renewable Energy and Carbon Emissions Reduction Goals. These goals include achieving 50 percent of municipal energy sources from renewable energy by 2025, 100 percent of municipal energy sources from renewable energy by 2032, and 100 percent of community energy sources from renewable electricity by 2032. The resolution additionally outlines the emissions reduction targets of a 50 percent reduction in community-wide emissions by 2030 and an 80 percent reduction in community-wide emissions by 2040. After establishing these reduction targets, the City completed a community-wide GHG emissions inventory to identify the emissions-generating sources in the community. This inventory was used as the foundation for developing the City's first Climate Action Plan, and City Council adopted it on October 20, 2020. It serves as a long-term plan to reduce GHG emissions from community activities and prepare for the impacts of climate change.

68. Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (CEQA VIIa)

This potential effect is the same as those analyzed in the City General Plan Update EIR. (Cite 4.5-47 to 4.5-56.) Also see discussion and analysis for Question 27 above.

Implementation of the Tahoe Valley Area Plan amendment would result in some level of development and population growth anticipated during the plan horizon. In addition, the amendments would permit restaurants to add up to 20 seats of outdoor dining with no requirement for obtaining additional CFA. This amendment is considered to have a less than significant impact on greenhouse gas emissions given STPUD and TRPA determinations that this level of restaurant expansion would not require a change to sewer allocations or require new CFA for the business. Although many of the sustainability- and conservation-oriented land use and transportation policies of the Regional Plan and General Plan would reduce VMT, increase opportunities for transit and non-motor vehicle travel, and allow or encourage redevelopment that would improve energy efficiency, the combined influence of development and population growth occurring during the planning horizon of the City General Plan and the TRPA Regional Plan would result in an increase in overall greenhouse gas (GHG) emissions that would make a cumulative contribution to global climate change.

Increases of GHG emissions attributable to the General Plan and the Tahoe Valley Area Plan amendment would consist primarily of CO₂. To a lesser extent, emissions of CH₄ and N₂O would also contribute to overall increases in GHG emissions. Mobile-source emissions account for a majority of the increase in GHG emissions, representing roughly 85 percent of the total GHG emissions increase. To a lesser extent,

electricity and natural gas consumption and use of wood-burning hearth devices also contribute to increased GHG emissions, accounting for a majority of the remaining GHG emissions. While substantial increases in total GHG emissions are anticipated, the General Plan would have substantially reduced GHG emissions per new service population (i.e., total number of new residents and employees in the Planning Area) as compared to development under the existing General Plan and 1987 TRPA Regional Plan (13.54 versus 23.57 MTCO_{2e} per year) (CSLT 2010, pp. 4.85-47 through 4.5-56).

An increase in greenhouse gas emissions would be considered significant if the project would obstruct implementation of any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions. This standard of significance approach for analysis of climate change impacts is generally supported by the California Air Resources Control Board (Preliminary Draft Staff Proposal - Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act, October 2008). As previously discussed, AB 32 requires total statewide GHG emissions to be reduced to 1990 emissions level by year 2020, which represents an approximate 15 percent reduction, in comparison to current GHG emissions.

As discussed in Question 27 above, TRPA is requiring each local jurisdiction to develop a GHG reduction strategy, using the Lake Tahoe Sustainability Action Plan as a guide in order to attain a 15 percent reduction below the existing emissions inventory for Area Plans. As shown in **Table 16** above in the air quality analysis, accounting for the GHG emissions reduction associated with the removal of existing lodging units for operation would result in a 71 percent reduction under the Tahoe Valley Area Plan. Therefore, anticipated buildout of the Tahoe Valley Area Plan, as amended would offset the contribution of GHG emissions greater than 15 percent.

In addition, the proposed Area Plan would be considered to have a significant impact from global climate change if it would result in the exposure of residents to hazards associated with climate change.

The General Plan Update contains numerous policies that include specific, enforceable requirements and/or restrictions and corresponding performance standards that would apply in the Tahoe Valley Area Plan and would reduce VMT and air quality emissions, including construction-related and operational-related GHG emissions. These policies include actions that would promote the use of alternative fuels, alternative means of transportation, energy conservation, integrating land use and transportation strategies to reduce travel demand, and promoting sustainable development (CSLT 2010, pp. 4.5-49 through 4.5-55).

The following mitigation measure from the General Plan EIR are also adopted as goals and policies in the General Plan to reduce GHG emission:

Goal NCR-5: To incorporate air quality improvements and emission reductions directly with land use and transportation planning.

- Policy NCR-5.12: Support local, TRPA, and statewide efforts to reduce emission of greenhouse gases linked to climate change.
- Policy NCR-5.13: Develop a citywide greenhouse gas emission inventory and establish regular time frames for updating the inventory.
- Policy NCR-5.14: Establish a greenhouse gas emission reduction target consistent with AB 32 and SB 375 reduction efforts.
- Policy NCR-5.15: Analyze and mitigate significant increases in carbon emissions during project review pursuant to the California Environmental Quality Act.

Goal NCR-6: To encourage energy conservation in new and existing development in order to reduce greenhouse gas emissions, limit their effect on global warming, and to create a more sustainable environment.

- Policy NCR-6.1: Shift away from reliance on non-renewable sources, should emerging research show net environmental benefits in the use of biofuels.
- Policy NCR-6.2: Develop a comprehensive strategy to reduce GHG emissions and climate impacts.
- Policy NCR-6.20: Develop strategies to protect the City from the impacts of climate change, such as reduced snowpack, lower lake levels, and natural disasters.

In addition to the measures described above, the Area Plan incorporates General Plan Policy NCR-5.10 (CSLT 2011, p. NCR-9) in Policy NCR-8.1 of the Area Plan to address short-term construction emissions (Tahoe Valley Area Plan, p. 71), which include incorporating measures to reduce construction-related GHG emissions to the extent feasible on a project-specific basis. Such measures may include, but are not limited to, the following:

- Implement measures recommended by the El Dorado County Air Quality Management District;
- Prohibit open burning of debris from site clearing unless involved with fuels reduction project;
- Restriction of idling of construction equipment and vehicles;
- Apply water to control dust as needed to prevent dust impacts offsite; and
- Utilize low emission construction equipment and/or fuels and use existing power sources (e.g., power poles), wherever feasible.

In May 2008, the California Office of the Attorney General issued a paper for use by local agencies in carrying out their duties under CEQA as they relate to global warming, which include the measures adopted in the General Plan Update. In addition, these measures are consistent with the recently adopted Climate Change Scoping Plan associated with emission reduction measures for energy efficiency, regional transportation-related greenhouse gas targets, and green building strategy (CARB, 2008). It is also important to note that the City has adopted a Climate Action Plan, which includes many of the same measures adopted in the General Plan Update. The City's General Plan Update policies and the Climate Action Plan are consistent with efforts by the State of California. Reductions in VMT attributable to the proposed policies and action items would account for a reduction in mobile-source GHG emissions (higher density standards in town centers and multi-family zones). Additional reductions would also occur associated with implementation of proposed policies that would decrease emissions from area sources, such as measures that would promote green building, energy conservation, and sustainable development.

Moreover, the Tahoe Valley Area Plan Amendments would increase the density to 65 units per acre to incentivize residential development within town centers and multi-family zones, closer to employment and service centers, with better connections to transit, sidewalks, and bicycle trails. On average, there is 11 percent less MVT per capita in these town center and multi-family areas; thus, reducing VMTs and the associated GHG emissions compared to traditional residential districts farther from town centers.

Implementation of relevant policies from the General Plan, the City's Climate Action Plan (which calls for

development of a GHG inventory and reduction target), and associated mitigation measure MM 4.5.6 are anticipated to mitigate GHG emissions in a manner consistent with current state efforts to reduce GHG emissions under AB 32 and SB 375. Specifically implementation of IMP-8.6 (Greenhouse Gas Emission Reduction Strategy in the years 2013-2015) in combination with implementation of Mitigation Measure MM 4.5.6 that would require coordination with future TRPA GHG reduction efforts, and the establishment of an emission reduction target consistent with AB 32 and SB 375 reduction efforts, would ensure that City GHG emissions are mitigated. Thus, this impact is considered less than significant (CSLT 2011a, p. 4.0-4 through 4.0-5). Because the Tahoe Valley Area Plan is consistent with and implements the General Plan and is consistent with the General Plan EIR, development and population growth anticipated during the Tahoe Valley Area Plan horizon is not expected to make a considerable contribution to global climate change. Thus this impact is considered **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

69. Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (CEQA VIIb)

The Tahoe Valley Area Plan Amendments is consistent with applicable plan, policies and regulations adopted in the TRPA Regional Plan, Sustainable Communities Strategy, and the City General Plan to reduce emissions of greenhouse gases. As discussed in Question 68 above, the City and/or TRPA would continue to implement existing practices described in Mitigation Measure 3.5-1 of the RPU EIS, General Plan Policy NCR-5.10, and Tahoe Valley Area Plan Policy NCR-8.1 which includes developing GHG reduction measures on a project-specific basis within the Tahoe Valley Area Plan. Moreover, the Tahoe Valley Area Plan would implement policies of the TRPA Regional Plan and the City General Plan which— among others—calls for concentrating development and redevelopment in town centers at higher densities (e.g., the TC-C, TC-G, TC-MUC, TC-G, TC-NP, and TC-HC zoning districts) in a pedestrian- and transit-oriented environment that focuses on enhancing non-auto modes such as walking, biking, and transit as a strategy to reduce greenhouse gas emissions. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

Refer to Question 27. Will the Project significantly alter climate, air movement, moisture, or temperature? (TRPA 2d)

See discussion and analysis for Question 27 above, concluding a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

5.4.10 Hazards and Hazardous Materials (CEQA) and Risk of Upset and Human Health (TRPA)

This section presents the analyses for potential impacts to hazards and hazardous materials and risk of upset and human health. **Table 25** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 25 Hazards and Hazardous Materials and Risk of Upset and Human Health				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
70. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (CEQA VIIIa)			X	
71. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (CEQA VIIIb)			X	
72. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (CEQA VIIIc)		X		
73. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (CEQA VIId)		X		

74. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (CEQA VIIIe)				X
75. For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the project area? (CEQA VIII f)				X
76. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (CEQA VIII g)		X		
77. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (CEQA VIII h)		X		
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
78. Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions? (TRPA 10a)		X		
79. Involve possible interference with an emergency evacuation plan? (TRPA 10b)		X		
80. Creation of any health hazard or potential health hazard (excluding mental health)? (TRPA 17a)		X		
81. Exposure of people to potential health hazards? (TRPA 17b)		X		

70. Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (CEQA VIIIa)

This potential effect is the same as those analyzed in the City General Plan Update, and therefore this analysis tiers from the General Plan EIR. (CSLT 2010, pp. 4.3-36 to 4.3-38.)

The primary source for the impact would occur as a direct result of demolition, update, or construction of land uses within the Tahoe Valley plan area. The Tahoe Valley Area Plan Amendments is expected to result in some increase in land uses within the project area. Increased density, development of new land uses, and updates of previously constructed land uses may result in the need for transportation, storage, use, and disposal of normal hazardous materials used during construction. However all development would be required to adhere to federal, state, and local regulations regarding the handling, transportation, and disposal of hazardous materials.

The Tahoe Valley Area Plan may result in 373 new dwelling units and 77,000 to 102,000 square feet of commercial floor area (CFA). Construction of new homes and commercial improvements would require the routine transportation and use of hazardous materials including paints, adhesives, solvents, fuel, lubricants, and other commonly used materials. The transportation of hazardous materials on area roadways is regulated by the California Highway Patrol (CHP), U.S. Department of Transportation (Hazardous Materials Transportation Act), and Caltrans. Use of these materials is regulated by the DTSC (22 Cal. Code Regs §§66001, et seq.). The use, storage, and transport of hazardous materials by developers, contractors, business owners, and others are required to be in compliance with local, state, and federal regulations during project construction and operation. Facilities that use hazardous materials are required to obtain permits and comply with appropriate regulatory agency standards and regulations designed to avoid hazardous material releases. All existing and future development in the Tahoe Valley plan area would be required to comply with federal, state, and local regulations regarding the handling and transportation, disposal, and cleanup of hazardous materials.

The El Dorado County Department of Environmental Management is responsible for consolidating, coordinating and making consistent the administration requirements, permits, inspection, and enforcement activities of state standards regarding the transportation, use, and disposal of hazardous materials in the County and the Tahoe Valley plan area. The City has incorporated specific, enforceable requirements and/or restrictions and corresponding performance standards that address hazardous materials. General Plan Policy HS-6.4 would require private waste collectors to provide household hazardous waste collection programs and Policy HS-6.5 requires private waste collectors to transport hazardous waste during non-peak hours (CSLT 2011, p. HS-7).

All existing and new development in the Tahoe Valley plan area would be required to comply with federal, state, and local regulations regarding the handling and transportation, disposal, and cleanup of hazardous materials. Therefore, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

71. Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (CEQA VIIIb)

This potential effect is the same as those analyzed in the City General Plan Update, and therefore this analysis tiers from the General Plan EIR. (CSLT 2010, pp. 4.3-38 to 4.3-39.)

The General Plan EIR (2010) identified that development and redevelopment within the City limits could result in the release of hazardous materials into the environment under reasonably foreseeable upset or accident conditions. Exposure to such materials could occur either through routine use or due to accidental release and concluded that this was a potentially significant impact requiring mitigation (CSLT 2010, pp. 4.3-38-39). The General Plan EIR identified two mitigation measures that were incorporated into the final adopted General Plan (2011). Policy HS-6.1 requires existing and new commercial and industrial uses involving the use, handling, transport, or disposal of hazardous materials within the city to disclose their activities in accordance with El Dorado County guidelines and the requirements of state law. Policy HS-6.2 requires that all construction activity cease if contamination is discovered on construction projects. Remediation is required to the satisfaction of the appropriate responsible agency (i.e., El Dorado County Department of Environmental Management, Lahontan Regional Water Quality Control Board, Department of Toxic Substances Control, or the City of South Lake Tahoe) (CSLT 2011, p. HS-7).

All existing and new development in the Tahoe Valley plan area is required to and will implement and is consistent with regional, federal, state, and local regulations regarding the release of hazardous materials into the environment due to reasonably foreseeable upset and accident conditions. Therefore, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

72. Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (CEQA VIIIc)

This potential effect is the same as those analyzed in the City General Plan Update, and therefore this analysis tiers from the General Plan EIR. (CSLT 2010, pp. 4.3-40 to 4.3-41.)

Locations where existing or past hazardous material leaks may exist in the Tahoe Valley plan area are shown in **Table 26** below as well as other undiscovered or unregistered locations. Several other sites were indicated in the database search but these other sites have been remediated and closed by the Regional Water Quality Control Board.

Table 26			
Active Hazardous Materials Release Sites in the Tahoe Valley Area Plan			
Site/Facility Name	Regulatory Database	Status	Address Description
Former Swiss Mart Gas Station	LUST	Decommission wells associated with the subject site. Open – Eligible for Closure	913 Emerald Bay Road
Tahoe Suds Laundromat (previously Lake Tahoe Laundry Works)	SLIC	PCE release to groundwater. Open – Remediation	1024 Emerald Bay Road
Former Big O Tires	SLIC	VOC and PCE released to groundwater. Open	1961 Lake Tahoe Boulevard
Former Norma’s Cleaners	SLIC	PCE released to groundwater. Open -Site Assessment	961 Emerald Bay Road

Source: LRWQCB, online Geotracker Database, May 23, 2023, <http://geotracker.waterboards.ca.gov>; Environmental Protection Agency, Enviromapper, May 12, 2008, <http://www.epa.gov/enviro/html/em/>

Note: Portions of Lake Tahoe Boulevard and Emerald Bay Road coincide with US 50 and SR 89, respectively. Also, while the EPA Enviromapper is cited, no active toxic releases were indicated in the EPA's databases.

Figure 8 displays all of the known hazardous material contaminating activities/sites within the Tahoe Valley plan area.

Due to the fact that much of the Tahoe Valley plan area was developed prior to the ban on polychlorinated biphenyls (PCBs), it is conceivable that electrical transformers and industrial products currently located within the area could contain PCBs and other heavy metals. Persistent residential chemicals may also be present in the form of pesticides, herbicides, and fertilizers used in typical landscaping efforts by property owners in the past. Accidental release of these materials could occur as a result of demolition, development, or update of land uses within the Tahoe Valley plan area, further exposing people to toxic emissions. Sensitive receptors such as children, the elderly, or hospital patients can be significantly affected by these emissions. As schools are located in close proximity and both a hospital and housing typically utilized by senior citizens are located within the Tahoe Valley plan area, this is a primary concern.

As discussed under Question 71 above, the transportation of hazardous materials is regulated by the CHP, U.S. Department of Transportation, and Caltrans. Use, storage, and disposal of hazardous materials is regulated by DTSC as well as local, state, and federal regulations. This is true for both demolition/construction and operation of projects. Facilities that use hazardous materials are required to obtain permits and comply with appropriate regulatory agency standards designed to avoid hazardous waste releases.

In regard to schools, there are four public schools located within two miles of the Tahoe Valley plan area: South Tahoe High School (which includes the Mount Tallac Continuation School and Transitional Learning Center on the campus), Tahoe Valley Elementary School, South Tahoe Middle School, and Sierra House Elementary School. All four schools are located outside the Tahoe Valley plan area, with South Tahoe High School and Tahoe Valley Elementary School being located closest to the Tahoe Valley plan area – approximately 0.16 miles and 0.13 miles, respectively.

In order to site and construct a state-funded school, a public school district must complete an extensive and independent statutory review process in accordance with the siting requirements of the California Department of Education. In addition to CEQA review and in order to ensure that each new school site is safe from toxic hazards, new school sites may be subject to review from the following agencies: DTSC, the State Allocation Board, which administers and allocates funding requests, and the Division of the State Architect, which reviews the design, plans, and construction of public-funded schools. These review processes are most typically done on a site-specific basis. The selection of new public school sites must comply with the California Education Code (including Section 17521, requiring the governing board of the school district to adopt a resolution in connection with consideration of a proposal for occupancy of a building to be constructed on its property, and to conduct a public meeting), and the California Code of Regulations (CCR), Title 5, Sections 14001 through 14012, which outlines the powers and duties and establishes standards with which the California Department of Education and all public school districts must comply in the selection of new school sites. Furthermore, no new schools are planned and the number of students located within the City has declined. Therefore, impacts resulting from the construction of new schools are expected to be less than significant.



Figure 8
Active Hazardous Materials Sites
March 2024

The proposed Tahoe Valley Area Plan would result in an additional 373 dwelling units and 77,000 to 102,000 square feet CFA. Construction of these additional uses is not expected to require the use of any unusual amounts of construction-based hazardous materials, such as gasoline fuels, demolition materials, asphalt, lubricants, toxic solvents, and other related materials. In addition, certain commercial uses store, use, and routinely transport hazardous material to and from their facilities which could pose a potential hazard to the environment and the public, such as the use of above and below ground storage tanks. All existing and future development in the Tahoe Valley Area Plan would be required to comply with federal, state, and local regulations regarding the handling, transportation, disposal, and cleanup of hazardous materials. However, subsequent development could expose construction workers and future residents to hazards associated with previous land uses and future land uses. This impact is **potentially significant**.

Mitigation Measures

The following mitigation measures would apply to the proposed Tahoe Valley Area Plan:

Mitigation Measure HAZ-1 Require all subsequent projects that would be located on sites suspected or known to contain hazardous materials and/or are identified in a hazardous material/waste search to be reviewed, tested, and remediated for potential hazardous materials in accordance with all local, state, and federal regulations. The City and TRPA shall require written confirmation from applicable local, regional, state, and federal agencies that known contaminated sites have been deemed remediated to a level appropriate for land uses proposed prior to the City and TRPA approving site development or provide an approved remediation plan that demonstrates how contamination will be remediated prior to site occupancy. This documentation will specify the extent of development allowed on the remediated site as well as any special conditions and/or restrictions on future land uses.

Mitigation Measure HAZ-2 Subsequent projects that meet the definition of a “Possible Contaminating Activity” under Section 60.3.5 of the TRPA Code of Ordinances shall demonstrate compliance with the findings and requirements under Section 60.3.3.D of the TRPA Code of Ordinances and demonstrate that adequate protections are in place to avoid soil and groundwater contamination and protect public health of area residents. This demonstration shall be required prior to subsequent project approvals and implemented as part of project design.

Implementation of the above mitigation measures would ensure that site-specific hazardous material contamination and potential exposure from previous, current, or future land uses are addressed prior to development in order to protect public health. Thus, implementation of these mitigation measures would mitigate this impact to **less than significant**.

Environmental Analysis: *Less than Significant Impact after Mitigation.*

Required Mitigation: **MM HAZ-1 and MM HAZ-2.**

73. Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (CEQA VIII d)

This section addresses potentially adverse environmental, health, and safety hazards in the Tahoe Valley Area Plan associated with hazardous or regulated material/waste. The State of California Hazardous Waste and Substances Site List (also known as the “Cortese List”) is a planning document used by state and local agencies and developers to comply with California Environmental Quality Act (CEQA) requirements for providing information about the location of hazardous materials sites. Government Code Section 65962.5 requires the California Environmental Protection Agency (Cal-EPA) to annually update the Cortese List.

The Department of Toxic Substances Control (DTSC) is responsible for providing a portion of the information that comprises the Cortese List. Other state and local government agencies are required to provide additional hazardous material release information that is part of the complete list. The CAL-SITES Abandoned Sites Program Information System (ASPIS) Database is compiled by the California Environmental Protection Agency to identify and track potential hazardous waste sites. Searches of the above resources and records identified 30 hazardous material sites within the Tahoe Valley Area Plan known to handle and store hazardous materials and/or sites associated with a hazardous material-related release or occurrence. The terms “release” or “occurrence” include any means by which a substance could harm the environment by spilling, leaking, discharging, dumping, injecting, or escaping.

Material hazards indicated in the vicinity of the Tahoe Valley Area Plan primarily concern gasoline, diesel fuel oil, methyl tertiary-butyl ether (MTBE), and perchloroethylene (PCE). Both gasoline and diesel fuels by themselves can be inhalant and ingestion hazards to people and damaging to both animals and plants. MTBE was a common gasoline additive, commonly added to fuel as an oxygenate. MTBE was developed as a replacement for lead additives used prior to 1979. MTBE has been shown to be a carcinogen when inhaled, but limited data is available concerning MTBE’s cancer-causing potential in groundwater. Regardless, it is considered hazardous and several groundwater wells in the City have shown MTBE contamination. PCE is a common chlorofluorocarbon (CFC) used most often in dry cleaning operations. Exposure to PCE usually occurs through inhalation. Depending on the length and severity of exposure, PCE can cause effects such as dizziness, fatigue, headaches, and sweating and in higher exposures can lead to unconsciousness. Contact with PCE can cause skin, eye, nose, and throat irritation. Long-term, low-dose exposure has been shown to cause kidney and liver damage and in some cases cancer in study animals.

Table 26 and Figure 8 display all of the known hazardous material contaminating activities/sites within the Tahoe Valley plan area. These known sites were identified through the California GeoTracker database as well as the Landfill Database, which lists active but not necessarily polluting landfills. Several records were listed in the Tahoe Valley plan area in the GeoTracker databases that are not included in this table as those records were closed and remediated. **Table 26** only includes active records.

Future development or redevelopment within the Tahoe Valley Area Plan may be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, this impact is **potentially significant**.

Mitigation Measures

The following mitigation measures would apply to the proposed Tahoe Valley Area Plan:

Mitigation Measures HAZ-1 and HAZ-2 as set forth in the discussion and analysis of Question 73 above.

Implementation of the above mitigation measures would ensure that site-specific hazardous material contamination and potential exposure from previous, current, or future land uses are addressed prior to development in order to protect public health. Thus, implementation of these mitigation measures would mitigate this impact to **less than significant**.

Environmental Analysis: *Less than Significant Impact after Mitigation.*

Required Mitigation: **MM HAZ-1 and MM HAZ-2.**

74. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the project area? (CEQA VIIIe)

As stated above, the Tahoe Valley Area Plan Amendments would result in additional dwelling units and CFA. Additional structures and residents within the plan area could potentially expose those people and structures to typical hazards associated with general aviation aircraft overflights and approach to and departure from the Lake Tahoe Airport.

Hazards associated with airport operations are generally associated with aircraft accidents. Aircraft accidents of most concern occur during takeoff and landing operations during which aircraft are operated close to the ground and within close proximity to one another. Potential hazards around an airport can be increased due to many external factors such as incompatible land uses in the vicinity of the airport, installation of power transmission lines, wildlife hazards (i.e., bird strikes, migrating wildlife, etc.), and construction of tall structures.

Lake Tahoe Airport Land Use Comprehensive Plan

As part of the land use planning process mandated by the Division of Aeronautics and the California Airport Land Use Planning Handbook, several Airport Land Use Commissions (ALUCs) have been formed throughout the state to prepare and administer Airport Land Use Compatibility Plans (ALUCPs) for each public-use airport in the state. El Dorado County has an operating ALUC that has prepared ALUCPs for many of the airports in the county. However, the City of South Lake Tahoe has been designated as the administrator of the Lake Tahoe Airport by Caltrans' Division of Aeronautics. As such, the City operates as its own ALUC and the City has developed the Lake Tahoe Airport ALUCP.

The Lake Tahoe Airport ALUCP provides land use compatibility guidelines on which compatibility of land uses in the vicinity of the airport is determined. The primary action of the ALUCP is to establish three planning boundaries around the airport concerning height of ground structures, noise, and safety. The most recent Lake Tahoe Airport ALUCP was adopted by the ALUC 2019.

It is important to note that while ALUCPs have been developed, ALUCs do not have the power to mandate land uses in the vicinity of the airport under state law. The Division of Aeronautics allows for non-conforming land uses within the ALUCP boundaries. For a jurisdiction to adopt such non-conforming uses, however, a specific process must be conducted that allows for full disclosure of the discrepancy to the public.

City of South Lake Tahoe Airport Ordinance

Section 6.55.200 of the South Lake Tahoe City Code is considered the Airport Ordinance. This ordinance is enacted to protect the health, safety, and peace and to promote the welfare and convenience of the general public making use of the Lake Tahoe Airport by providing regulations for the orderly flow of traffic of aircraft, motor vehicles, and persons and the orderly and safe conduct of business thereon.

The Overflight Zone of the Lake Tahoe Airport is located over the southern portion of the proposed Tahoe Valley Area Plan, generally the area south of US 50 as it travels eastward from the "Y" intersection. As such, certain land uses are not allowed within this area, including privately owned assembly and entertainment, collection stations, and sport assemblies. Development of these uses within the plan area could represent elevated hazards to people on the ground during use of these types of structures. The City's General Plan includes Policy HS-7.1 which stipulates that land uses within the ALUCP boundaries adhere to the requirements of the ALUCP.

Additional concern for flight safety, and thus the safety of people and structures on the ground, concerns tall structures that may impede flights over the plan area. The portions of the plan area within the ALUCP boundaries lie under the horizontal imaginary surface, located 6,414 feet above mean sea level (msl). The highest point within the proposed plan area is located at approximately 6,319 feet msl, resulting in a minimum height restriction over the Tahoe Valley plan area of approximately 100 feet or approximately 10 stories. The maximum structure height proposed in the Tahoe Valley Area Plan is 45 feet. Therefore, it is unlikely that any new structures would be constructed high enough to pierce the horizontal surface.

According to the current City General Plan, Policy HS-7.1 will implement the land use restrictions stated in the ALUCP. As such, development of the above land uses within the southern portion of the Tahoe Valley plan area would not be allowed, regardless of the status of the Tahoe Valley Area Plan. In addition to the requirements of the General Plan, the Tahoe Valley Area Plan specifically includes HNS- 1.1, which requires that land use development within the area be measured against both the requirements of the Tahoe Valley Area Plan and the ALUCP, ensuring that the safety and height requirements of the CLUP are upheld. Implementation of this action item as well as required consistency with height restrictions would ensure that the proposed Tahoe Valley Area Plan would result in a less than significant impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

75. For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the project area? (CEQA VIII f)

The Project is not located within the vicinity of a private airstrip and therefore has no impact on public safety in the vicinity of a private airstrip.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

76. Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (CEQA VIII g)

The City of South Lake Tahoe is responsible for emergency operations within the city limits. The City has adopted a Local Hazard Mitigation Plan (adopted October 2022) which has been approved by the Federal Emergency Management Agency (FEMA). This plan provides guidance to the City for the development of pre-mitigation and post-mitigation recovery for disasters in all hazard classification.

Chapter 1.15 of the City Code provides for the preparation and carrying out of plans for the protection of persons and property within the City in the event of an emergency and the coordination of the emergency functions of the City with all other public agencies, corporations, organizations, and affected private persons. The City Manager, or his designee, serves as the director of emergency services and is empowered to proclaim or threatened existing of an “emergency”, or to issue such as proclamation. The City has adopted General Plan policies in the Health and Safety Element: Policy HS-1.1 requires the City to periodically review and update the City’s Local Emergency Operations Plan; Policy HS-1.3 requires the City to maintain a reverse 911 system; and HS- 1.4 requires the City to identify pre-planned areas for disaster staging and evacuations (CSLT 2011, p. HS-2).

As described above, the Tahoe Valley Area Plan is expected to result in an increase in dwelling units and

CFA within the plan area. Increased density has the potential to adversely affect emergency response described in local, regional, and state emergency response and/or evacuation plans, including but not limited to the County Emergency Operations Plan, the City's Emergency Operations Plan, and the SLTFD Fire Planning Process. Increased density can result in greater numbers of residents and employees within an area that would need to be protected and potentially evacuated. Increased square footage of homes and CFA area represent greater resources that require protection and, in the event of an emergency, response. As such, the Tahoe Valley Area Plan Amendments is expected to result in an incremental impact on emergency plans in plan area. However, existing roadways provide multiple options for evacuation of the area and no roadway closures are expected as a result of the Tahoe Valley Area Plan Amendments.

Indirect effects to emergency response occur when construction and roadway improvements result in temporary and permanent changes in circulation patterns and individual site access. Construction can often disrupt emergency response and thus adversely affect response coordinated through local emergency plans. Construction-related impacts would be temporary in nature – lasting only as long as construction – and overall traffic improvements are expected to improve circulation within the Tahoe Valley plan area, resulting in a net decrease in response times.

While temporary, construction-related impacts are not expected to be significant. The permanent effect of additional residents, employees, and structures within the Tahoe Valley plan area could significantly increase the amount and severity of emergency response required in the area, affecting emergency response and evacuation plans. **Therefore, this impact is potentially significant.**

Mitigation Measures

Mitigation Measure HAZ-3 Subsequent projects shall incorporate all fire protection and design provisions identified by the South Lake Tahoe Fire Department intended to improve access point(s) and circulation of the subsequent project sites and the overall area in combination with other fire protection requirements (defensible space, fire flow improvements, fire resistant building materials, landscape treatments, placement of hydrants, and installation of sprinklers). The South Lake Tahoe Fire Department shall review and approve the subsequent project site design prior to commencement of project construction.

Mitigation Measure HAZ-4 Subsequent projects shall be required to prepare and receive approval of a Traffic Management Plan (TMP) in accordance with local and state guidelines and standards, including Caltrans Guidelines for Projects Located on the California State Highways in the Lake Tahoe Basin (as applicable). Approval of the TMP shall be obtained from the City and Caltrans (if TMP impacts US 50 or SR 89) prior to site disturbance. Provisions in the TMP shall include, but are not limited to:

- Reduction, to the extent feasible, the number of vehicles (construction and other) on the roadways adjacent to construction sites during project construction.
- Reduction, to the extent feasible, the interaction between construction equipment and other vehicles.
- Improvement and maintenance of public safety aimed at driver and roadway safety.
- Establishment and/or maintenance of safe routes through the project area for bicycles and pedestrians.
- Establishment and/or maintenance of adequate emergency access for police, fire, ambulance, and other emergency service vehicles – as determined through direct consultation with those service providers.

Implementation of the above mitigation measures will ensure that future projects within the Tahoe Valley plan area will not adversely impact emergency response or emergency response plans, resulting in a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact after Mitigation.*

Required Mitigation: **MM HAZ-3, MM HAZ-4.**

77. Would the Project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (CEQA VIIIh)

The risk of wildfire through the City and the Tahoe Valley plan area is high due to both the extent and nature of the forested area. A network of federal, state, and local agencies has been established with responsibility for fire and emergency response. Primary response to the Tahoe Valley plan area would be the responsibility of the SLTFD, but additional response is possible from adjacent departments, the County, CAL-FIRE, and the U.S. Forest Service.

Development anticipated under the Tahoe Valley Area Plan Amendments may increase the number of dwellings and amount of CFA within the planning area. As such, additional resources and people in need of protection would be located in the area, potentially exposing those structures and people to risks of wildland fire. Following the Angora Fire, several efforts have been undertaken that will improve both land management (fuel reduction) and fire response within the Tahoe Valley plan area. Furthermore, recent changes to the allowed permits for removal and management of landscaping and vegetation around structures (agreed between TRPA and SLTFD) will further decrease the risk of wildland fire.

The Tahoe Valley Area Plan contains Policy HNS-1.3 which requires any new structure or addition to implement fire prevention techniques consistent with current California Building and Fire Codes.

Application and enforcement of TRPA Regional Plan policies, portions of the TRPA Code of Ordinances, Area Plan policies, SLTFD permitting process, and local fire codes and guidelines and required consistency with the Fire Planning Process for the City, the Lake Tahoe Basin Wildland Urban Interface Plan, and various other plans and requirements already enforced within the Tahoe Valley plan area will further reduce the risk of wildland fire to residents, employees, visitors, and structures within the area. **This impact, however, is considered to be potentially significant.**

Mitigation Measures

Implementation of mitigation measures HAZ-3 and HAZ-4 would mitigate increases to potential exposure to wildlife hazards to less than significant.

Environmental Analysis: *Less than Significant Impact after Mitigation.*

Required Mitigation: **MM HAZ-3, MM HAZ-4.**

78. Will the Project involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions? (TRPA 10a)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis tiers from the General Plan EIR. (CSLT 2010, pp. 4.3-40 to 4.3-41.)

The risk of explosion or release of hazardous substances is discussed and analyzed in detail for Question 72 above and the impact is potentially significant. With the adoption of mitigation measures HAZ-1 and HAZ-2, this impact is reduced to a less than significant level.

Environmental Analysis: *Less than Significant Impact after Mitigation.*

Required Mitigation: **MM HAZ-1 and MM HAZ-2.**

79. Will the Project involve possible interference with an emergency evacuation plan? (TRPA 10b)

See discussion and analysis for Question 76 above that concludes that implementation of the Tahoe Valley Area Plan will have a **potentially significant** impact on existing emergency evacuation plans.

Environmental Analysis: *Less than Significant Impact after Mitigation.*

Required Mitigation: **MM HAZ-3, MM HAZ-4.**

80. Will the Project result in creation of any health hazard or potential health hazard (excluding mental health)? (TRPA 17a)

See discussions and analyses for Questions 70 through 73 above.

Environmental Analysis: *Less than Significant Impact after Mitigation.*

Required Mitigation: **MM HAZ-1 and MM HAZ-2.**

81. Will the Project result in exposure of people to potential health hazards? (TRPA 17b)

See discussions and analyses for Questions 70 through 73 above

Environmental Analysis: *Less than Significant Impact after Mitigation.*

Required Mitigation: **MM HAZ-1 and MM HAZ-2.**

5.4.11 Hydrology and Water Quality

This section presents the analyses for potential impacts to hydrology and water quality. **Table 27** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 27				
Hydrology and Water Quality				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
82. Violate any water quality standards or waste discharge requirements? (CEQA IXa)		X		
83. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (CEQA IXb)			X	
84. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (CEQA IXc)			X	
85. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (CEQA IXd)				X
86. Create or contribute runoff water which would exceed the			X	

capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (CEQA IXe)				
87. Otherwise substantially degrade water quality? (CEQA IXf)		X		
88. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (CEQA IXg)				X
89. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (CEQA IXh)				X
90. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (CEQA IXi)			X	
91. Inundation by seiche, tsunami, or mudflow? (CEQA IXj)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
92. Changes in currents, or the course or direction of water movements? (TRPA 3a)				X
93. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site? (TRPA 3b)				X
94. Alterations to the course or flow of 100-year flood waters? (TRPA 3c)				X
95. Change in the amount of surface water in any water body? (TRPA 3d)				X
96. Discharge into surface waters, or in any alteration of surface water quality, including but		X		

not limited to temperature, dissolved oxygen or turbidity? (TRPA 3e)				
97. Alteration of the direction or rate of flow of ground water? (TRPA 3f)				X
98. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? (TRPA 3g)				X
99. Substantial reduction in the amount of water otherwise available for public water supplies? (TRPA 3h)				X
100. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches? (TRPA 3i)				X
101. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality? (TRPA 3j)		X		
102. Is the Project located within 600 feet of a drinking water source? (TRPA 3k)	X, LTS			

82. Would the Project violate any water quality standards or waste discharge requirements? (CEQA IXa)

Subsequent development under the Tahoe Valley Area Plan amendment could result in temporary and permanent water quality impacts to surface runoff from construction and increases in impervious coverage. However, the Tahoe Valley Area Plan would continue to promote and implement existing policies related to (1) construction of best management practices and permitting requirements; (2) reducing land coverage impacts in low capability lands by transferring coverage to high capability lands and installing BMPs; (3) promoting retrofit of existing development with BMPs through existing and proposed Tahoe Valley Area Plan policies; and (4) implementing area-wide treatment systems. Application of existing transfer and restoration provisions of the TRPA Code, and proposed Tahoe Valley Area Plan policies for SEZ restoration, BMP implementation, and area-wide treatment would allow continued compliance with water quality standards and waste discharge requirements. Moreover, as discussed below in the Water Quality Impacts of Concentrated Coverage and results of pollutant load modeling, implementation of the Tahoe Valley Plan would result in a net reduction of pollutant loads to Lake Tahoe when compared to the baseline conditions.

Water Quality Impacts of Concentration of Coverage

The 2015 Area Plan IS/IEC analyzed the potential impacts to water quality from increased land coverage allowances for Town Centers included in the 2012 TRPA RPU. The proposed expansion of the Area Plan boundary will result in potential for additional coverage on 23 parcels (11.5 acres) within the Gateway and Neighborhood Professional districts. With their inclusion in the area plan boundary, these parcels shall be added to a TRPA designated Town Center where maximum allowed land coverage equals 70 percent of the project area. These parcels all contain high capability soils that previously could not exceed 30 percent coverage. Increasing the allowable coverage to 70 percent creates the potential for approximately 200,000 square feet (4.6 acres) of additional impervious area in the TVAP Town Center with transfer from offsite locations.

Transfers of this additional coverage shall be subject to TRPA Code of Ordinances 30.4: Land Coverage Limitations. All coverage beyond the base allowed comes from the transfer and retirement of existing coverage so that there is no net increase within the basin.

This potential effect is largely the same as that analyzed in the General Plan EIR, and therefore the analysis is tiered from and is consistent with the General Plan EIR. (CLST 2010, p. 4.7-48 to 4.7-62.) The potential effect is also the same as that analyzed in the RPU EIS. As discussed in Impact 3.8-4 of the DEIS (TRPA 2012a, p. 3.8-32), the analysis concluded that increased coverage allowances up to 70 percent in conforming area plans would have a less than significant effect on surface water runoff, provided that it's located on high capability lands and the increased coverage comes from the transfer and retirement of existing coverage.

To achieve this increased coverage, restoration and transfers of existing coverage would be required. Applying the existing transfer provisions, implementation of the 2015 Tahoe Valley Area Plan would result in the reduction of up to 57.0 acres of coverage in sensitive land, or a reduction and relocation of 72.4 acres of coverage and permanent retirement of 28.9 acres of coverage in non-sensitive land. The Tahoe Valley Area Plan would result in the decrease of land coverage within the Upper Truckee HRA and sensitive land, while increasing coverage within high capability lands as development is further concentrated in the town center to promote a compact land use pattern (see Section 6.4.8 Geology, Soils, Land Capability, and Coverage for analysis of potential changes in coverage). While coverage in Town Centers would increase, the additional coverage would still be limited to high capability lands and would be required to meet existing BMP standards to control potential increases in stormwater runoff and pollutant loading from the additional coverage, including maintenance requirements.

The potential effects of concentrated coverage on water quality in the 2015 Tahoe Valley Area Plan was analyzed using the Pollutant Load Reduction Model (PLRM) – a publicly available computer model used to evaluate and compare alternatives for storm water quality improvement projects in the Lake Tahoe Basin. The PLRM is a tool to compare urban stormwater quality improvement alternatives in an urban catchment based on the predicted load reductions of the pollutants of concern.

The PLRM summarizes output as average annual runoff volumes and pollutant loads for each modeled scenario. The PLRM quantifies pollutant generation from an urban land use and associated land use condition. Urban land use types include single family residential, multi-family residential, commercial, primary roads, and secondary roads, etc. Condition is defined as the existing state of a land use relative to the pollutant generation risk during a subsequent storm and is the integration of physiographic characteristics, pollutant source controls, and the effectiveness of pollutant recovery efforts.

As discussed above and depicted in **Table 28**, a PLRM model run of the net effect of increased coverage resulting from the Tahoe Valley Area Plan estimates that pollutant loadings to surface waters would be reduced overall when compared to the baseline conditions that existed in the Tahoe Valley plan area in

2015.

Overall, analysis conducted for the 2015 Tahoe Valley Area Plan predicted reductions of: runoff volumes by 27%; Total Suspended Sediment (TSS) by 23%; FSP by 25 %; Total Phosphorus (TP) by 20%; Soluble Reactive Phosphorus (SRP) by 41%; Total Nitrogen (TN) by 21%; and Dissolved Inorganic Nitrogen (DIN) by 24%. The decrease in the pollutant load is the result of a number of factors including implementation of BMPs on existing developed parcels that qualify for additional coverage. Currently, the compliance rate for BMP installation in the Tahoe Valley plan area is approximately 32 percent. As existing parcels with no BMPs are redeveloped, and BMPs are installed, pollutant loads are captured and treated. Furthermore, implementation of the Tahoe Valley Area Plan would facilitate the construction of the Tahoe Valley Stormwater System which would treat runoff from city streets and function as an area-wide treatment system that adjacent commercial projects will plumb into. Because the stormwater system will be maintained by the City, the area-wide treatment system is expected to be more effective in treating pollutant loads than parcel-level BMPs.

Additionally, it can be assumed that some portion of the coverage transferred to the area plan will come from properties that are not in compliance with TRPA BMP standards, thus the net effect of coverage reduction and transfer to high capability lands in the Town Center would result in reduced pollutant loads. Thus, the water quality impacts of concentrated coverage in Town Centers will be **beneficial**.

**Table 28
Pollutant Load Reduction Model Results For the Tahoe Valley Area Plan**

	Runoff Volume		TSS ¹		FSP ²		TP ³		SRP ⁴		TN ⁵		DIN ⁶	
	Ac Ft/Yr	+/-	Lbs/Yr	+/-	Lbs/Yr	+/-	Lbs/Yr	+/-	Lbs/Yr	+/-	Lbs/Yr	+/-	Lbs/yr	+/-
Baseline	120.8	-	57,619.2	-	35,960.8	-	133.6	-	34.1	-	586.6	-	67.1	-
Tahoe Valley Plan	88.7	32.1 (26.6%)	44,271.5	13,347.7 (23.2%)	27,126.5	8,834.3 (24.6%)	107.2	26.4 (19.8%)	20.0	14.1 (41.4%)	464.6	122.0 (20.8%)	51.0	16.1 (23.9%)

1. Total Suspended Sediment
2. Fine Sediment Particles
3. Total Phosphorus
4. Soluble Reactive Phosphorus
5. Total Nitrogen
6. Dissolved Inorganic Nitrogen

Construction Impacts

This potential effect is the same as that analyzed in the General Plan EIR, and therefore the analysis is tiered from and is consistent with the General Plan EIR. (CLST 2010, p. 4.7-57 to 4.7-62.) This analysis addresses the specific circumstance of the project and considers the identified level of potential development within the Tahoe Valley Area Plan.

The 2015 Tahoe Valley Area Plan may result in the construction of 373 new dwelling units and 77,000 to 102,000 square feet of commercial floor area, potentially generating runoff containing various pollutants that could contaminate surface and/or groundwater supplies (if not properly treated with water quality controls) as runoff percolates into the soil. However, the statewide NPDES permits for construction runoff, dewatering and other low-threat releases to surface water, and discharges from municipal storm drain systems (MS4s) require the provision of water quality control measures that would protect groundwater quality from future development activities. In addition, numerous other regulations at the state, regional, and local levels are currently in place to protect and improve water quality in the region. (CSLT 2010, p.

4.7-57.)

The Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to discharge into surface waters and surface water quality. Chapter 60 of the TRPA Code, which includes standards for discharge limits to surface and ground waters and Chapter 7.15 of the City Code which regulates urban runoff and stormwater quality. Additionally, consistent with existing conditions, all development, redevelopment, and infrastructure improvements within the Tahoe Valley Area Plan would be required to meet the discharge standards of the Lahontan Regional Water Control Board and the City's municipal stormwater discharge permit. All projects that would create more than one acre of disturbance are required to prepare a Storm Water Pollution Prevention Plan (SWPPP) in accordance with The City's Stormwater Management Plan (2007).

Because all existing state and local protections for surface water would remain in place, and water quality BMPs (in accordance with Chapter 60 of the TRPA Code Chapter 7.15 of the City Code) would continue to be required for all properties within the Tahoe Valley Area Plan, construction activities within the Tahoe Valley Area Plan would not result in discharges to surface waters or alteration of surface water quality. This impact would be **less than significant**.

Groundwater Impacts

This potential effect is the same as that analyzed in the General Plan EIR, and therefore the analysis is tiered from and is consistent with the General Plan EIR. (CSLT 2010, p. 4.7-37 to 4.7-43.) This analysis addresses the specific circumstance of the Tahoe Valley planning area and considers the groundwater elevations and areas of existing soil and/or groundwater contamination identified in the Tahoe Valley plan area.

The Tahoe Valley plan area includes areas of known high groundwater elevations, and areas of existing soils and/or groundwater contamination, that could be intercepted by excavations from subsequent development activities and/or altered through infiltration of surface water into the ground. Interception of groundwater could result in alteration of the direction of groundwater flow, alteration of the rate of flow, and could contaminate groundwater quality.

Groundwater interception or interference is prohibited under Section 33.3.6 of the TRPA Code, except under certain circumstances, described as follows:

1. Excavation is prohibited that interferes with or intercepts the seasonal high water table by:

- a. Altering the direction of groundwater flow;*
- b. Altering the rate of flow of ground water;*
- c. Intercepting ground water;*
- d. Adding or withdrawing ground water; or*
- e. Raising or lowering the water table.*

2. TRPA may approve exceptions to the prohibition of groundwater interception or interference if TRPA finds that:

- a. Excavation is required by the International Building Code (IBC) or local building code for minimum depth below natural ground for above ground structures;*

- b. Retaining walls are necessary to stabilize an existing unstable cut or fill slope;*
- c. Drainage structures are necessary to protect the structural integrity of an existing structure;*
- d. It is necessary for the public safety and health;*
- e. It is a necessary measure for the protection or improvement of water quality;*
- f. It is for a water well;*
- g. There are no feasible alternatives for locating mechanical equipment, and measures are included in the project to prevent groundwater from leaving the project area as surface flow, and any groundwater that is interfered with is rerouted in the ground water flow to avoid adverse impacts to riparian vegetation;*
- h. It is necessary to provide two off-street parking spaces, there is no less environmentally harmful alternative, and measures are taken to prevent groundwater from leaving the project area as surface flow;*
- i. It is necessary to provide below grade parking for projects that qualify for additional height under subsection 37.5.4 or 37.5.9 to achieve environmental goals, including scenic improvements, land coverage reduction, and area-wide drainage systems. Measures shall also be included in the project to prevent ground water from leaving the project area as surface flow and that any groundwater, that is interfered with is rerouted into the groundwater flow to avoid adverse impacts to hydrologic conditions, SEZ vegetation, and mature trees; or*
- j. It is necessary for a marina expansion approved pursuant to Chapter 14: Specific and Master Plans, and the environmental documentation demonstrates that there will be no adverse effect on water quality.*

Where active hazardous materials release sites are located (See Question 72, **Table 26**) there is the potential for surface water infiltration associated with BMPs to disturb and/or distribute the pollutants further prior to remediation. The EPA recommends keeping non-contaminated stormwater separate from contaminated soils and water to prevent leaching and spreading of contaminants. Direct infiltration in these locations may introduce additional pollutant loads to groundwater and nearby surface waters (EPA, *Design Principles for Stormwater Management on Compacted, Contaminated Soils in Dense Urban Areas, April 2008*). Although both parcel-specific BMP systems and area-wide systems have the potential to create this adverse impact by infiltrating stormwater, area-wide systems are typically implemented by government entities and their scale requires detailed site reconnaissance and environmental analysis, including evaluation of Source Water Protection Maps in accordance with TRPA Code section 60.3. Therefore, it is more likely that the potential for this impact would be identified and mitigated through an area-wide system than a parcel-specific BMP system implemented by a private property owner. The possibility of surface water infiltration where active release sites are located is a **potentially significant** impact.

Mitigation Measures

Mitigation Measure HYD-1 As part of soil/hydrologic investigations for subsequent development and activities in the Tahoe Valley plan area, TRPA and the City will require that a determination of the potential to encounter groundwater from site development may occur. Subsequent project stormwater pollution prevention plans (SWPPP) will include a dewatering program and measures to mitigate potential contamination of groundwater as well as design provisions to allow groundwater to flow through or around

underground structures. Measures to control water quality may include use of settling tanks and Active Treatment Systems (ATS) for treatment of dewatering as well as contamination prevention measures such as proper material storage, secondary containment systems, vehicle fluid drip pans, temporary berms or dikes to isolate construction activities, use of vacuum trucks, and other measures to capture contamination releases.

Mitigation Measure HYD-2 The City and TRPA shall consult with the Lahontan Regional Water Quality Control Board and online Geotracker Database to determine the potential for hazardous material releases on property where BMP installation is proposed prior to issuance of permits, approving the installation of BMPs. Where City and/or TRPA staff determines a potential to exist, the property is required to tie in to an existing area-wide system if one is available in lieu of parcel specific BMPs. Where an area-wide system is not available, the site shall be deemed constrained, per TRPA Code 60.4.8.B, until the time that an area-wide system is available or the site has been remediated and closed by the Water Quality Control Board.

MM HAZ-1 and MM HAZ-2 (see Question 72 above).

Significance after Mitigation

Implementation of mitigation measures **HYD-1 and HYD-2** as well as the TRPA Code would mitigate potential groundwater impacts to **less than significant**. The reader is referred to Question 72 above, Hazards and Hazardous Materials, for potential groundwater impacts associated with future land uses, which would be mitigated through implementation of **MM HAZ-1 and MM HAZ-2**.

Environmental Analysis: *Less than Significant Impact after Mitigation.*

Required Mitigation: **MM HYD-1, MM HYD-2, MM HAZ-1 and MM HAZ-2.**

83. Would the Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (CEQA IXb)

This potential effect is the same as that analyzed in the City General Plan EIR, and so this analysis is tiered from the General Plan EIR. (CLST 2010, 4.7-37 to 4.7-43.)

The Tahoe Valley Area Plan would not alter or revise the regulations pertaining to surface water management. Surface water and water rights in California are managed by the California State Water Resources Board. Consistent with existing conditions, projects that could occur under the Tahoe Valley Area Plan with subsequent approval that would require additional water supply affecting the amount of surface water in Lake Tahoe or another water body would be required to comply with Chapters 32 and 60 of the TRPA Code. These regulations pertain to the provision of basic services to projects and the protection of source water.

The potential impact of development and redevelopment within the Tahoe Region, including development within the Tahoe Valley plan area, on the availability of public water supplies was analyzed in the RPU EIS (TRPA 2012a, p. 3.13-11) and in the General Plan EIR (CLST 2010, 4.7-37 to 4.7-43 and 4.12-12 to 4.12-13). Because the regional water demand at build-out would be less than the regional surface water allocation, and because TRPA Code Section 32.4 requires demonstration of adequate available water supply within an existing water right prior to permit approval, implementation of the Tourist Core Area Plan would not result in a substantial reduction in the amount of surface water or the water available for public water

supplies. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

84. Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (CEQA IXc)

This potential effect is the same as those analyzed in Impact 4.7.6 (CSLT 2010, pp. 4.7-62 to 4.7-65) of the City General Plan Update EIR, and therefore the analysis is tiered from and is consistent with the General Plan EIR. Impact 4.7.6 concluded that development within the City limits would not have a significant effect on drainage flows or result in increased flood hazards.

The Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to the course or direction of water movements. In accordance with Section 13.7.3 of the TRPA Code, TRPA would retain responsibility for enforcing and implementing Chapter 93 of the TRPA Code. Stream modifications are limited by the provisions of Chapter 63 which requires protection of fish resources, and Sections 61.3.3 and 30.5, which requires protection of SEZ areas, thereby protecting streams as well. Consistent with existing requirements, projects that could occur within the Tahoe Valley Area Plan that could alter the course or direction of water movements would be subject to subsequent permitting and environmental review, and TRPA Code sections described above as well as all other federal, state, and local regulations pertaining to the course or direction of water movements. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

85. Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (CEQA IXd)

A small area within the Tahoe Valley plan area is within Special Flood Hazard Areas designated on the NFIP Flood Insurance Rate Maps. This area is located where the Upper Truckee River passes under US Hwy 50 and the 100-year flood zone includes properties adjacent to Hwy 50 and the river. No areas proposed for expansion of the Tahoe Valley Area Plan are located within the Special Flood Hazard Areas. Thus, there is **no impact** from the proposed amendments.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

86. Would the Project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (CEQA IXe)

This potential effect is the same as those analyzed in Impact 4.7.6 (CSLT 2010, pp. 4.7-62 to 4.7-65) of the City General Plan Update EIR, and therefore the analysis is tiered from and is consistent with the General Plan EIR. Impact 4.7.6 concluded that development within the City limits would not have a significant

effect on drainage flows or result in increased flood hazards. Also see discussion and analysis for Questions 82, 84 and 85 above, concluding **no impact** or a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

87. Would the Project otherwise substantially degrade water quality? (CEQA IXf)

This potential effect is the same as those analyzed in Impact 4.7.6 (CSLT 2010, pp. 4.7-62 to 4.7-65) of the City General Plan Update EIS, and therefore the analysis is tiered from and is consistent with the GP EIS. Impact 4.7.6 concluded that development within the City limits would not have a significant effect on drainage flows or result in increased flood hazards. Also see discussion and analysis for Questions 82, 84 and 85 above.

Because all existing state and local protections for surface water would remain in place, and water quality BMPs (in accordance with Chapter 60 of the TRPA Code Chapter 7.15 of the City Code) would continue to be required for all properties within the Tahoe Valley plan area, any potential development or redevelopment of amendment parcels would not result in discharges to surface waters or alteration of surface water quality. Potential water quality impacts relating to identified active release sites set forth above in Question 82 will be **less than significant** after mitigation.

Environmental Analysis: *Less than Significant Impact after Mitigation.*

Required Mitigation: **MM HYD-1, MM HYD-2, MM HAZ-1 and MM HAZ-2.**

88. Would the Project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (CEQA IXg)

See discussion and analysis for Question 85 above

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

89. Would the Project place within a 100-year flood hazard area structures which would impede or redirect flood flows? (CEQA IXh)

See discussion and analysis for Question 85 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

90. Would the Project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (CEQA IXi)

No levees or dams are located within the boundaries of or upstream from the Tahoe Valley Area Plan, therefore no person or structures would be at a significant risk of loss, injury or death involving flood as a result of the dam or levee failure. Therefore this is a **less than significant** impact.

Flooding of the Tahoe Valley as a result of wave action from 100-year storm occurrence or seiches is discussed and analyzed in Question 91 below.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

91. Would the Project cause inundation by seiche, tsunami, or mudflow? (CEQA IXj)

This potential effect is the same as those analyzed in Impact 4.7.8 (CSLT 2010, pp. 4.7-66 to 4.7-69) of the City General Plan Update EIR, and therefore the analysis is tiered from and is consistent with the General Plan EIR. Impact 4.7.8 concluded that after adoption of Mitigation Measure 4.7.8 requiring the City to update the Local Emergency Operations Plan and Emergency Management Plan to include planning and response provisions for seiche wave hazards, the impact would be **less than significant**. Also see discussion and analysis for Question 84 above.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

92. Will the Project result in changes in currents, or the course or direction of water movements? (TRPA 3a)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the General Plan EIR. (CSLT 2010, pp. 4.7-34 through 4.7-37.) The Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to the course or direction of water movements. Stream modifications are limited by the provisions of Chapter 63 of the TRPA Code, which requires protection of fish resources, and Sections 61.3.3 and 30.5, which requires protection of SEZ areas, thereby protecting streams as well. Consistent with existing requirements, projects that could occur under the Tahoe Valley Area Plan that could alter the course or direction of water movements would be subject to subsequent permitting and environmental review, and TRPA Code sections described above as well as all other federal, state, and local regulations pertaining to the course or direction of water movements. Thus, this would be a **less than significant** impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

93. Will the Project result in changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site? (TRPA 3b)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis tiers from the RPU EIR. (TRPA 2012a, pp. 3.8-31 to 3.8-53.) The General Plan EIR also analyzed this impact, and this analysis therefore incorporates by reference the General Plan EIR. (CSLT 2010, pp. 4.7-62 through 4.7-64.) Also see discussion and analyses for Question 84-86 above.

The Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to surface water runoff. All projects within the Tahoe Valley plan area must demonstrate compliance with the land capability and coverage provisions of Chapter 30 of the TRPA Code which is incorporated into the Tahoe Valley Area Plan Development and Design Standards.

The potential effects of these changes related to water quality were analyzed in the RPU EIS (TRPA 2012a, pp. 3.8-32 to 3.8-53) and in response to Question 82 above. Coverage increases on high capability land would be achieved through restoration and transfer of existing land coverage. Additionally, all development within the Tahoe Valley Area Plan would be required to meet existing BMP standards to control potential increases in stormwater runoff and pollutant loading from the additional BMP coverage. As specified in Section 60.4.6 of the TRPA Code, except where special conditions exist and are approved by TRPA, infiltration facilities designed to accommodate the volume of runoff generated by a 20-year 1-hour storm are required for approval of all projects within the Tahoe Basin, including the Tahoe Valley plan area. Moreover, the pollutant load modeling and analysis discussed in Question 82 above, concluded that implementation of the Tahoe Valley Plan would reduce pollutant loads when compared to the baseline conditions. Therefore, future projects that may occur within the Tahoe Valley plan area would not inhibit the ability to infiltrate surface water runoff from a 20-year 1-hour storm event. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

94. Will the Project result in alterations to the course or flow of 100-year floodwaters? (TRPA 3c)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS. (TRPA 2012a, p. 3.14-13.) Also see discussion and analyses for Question 84-86 above. The Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to floodplains in Section 35.4 of the TRPA Code or Chapter 6.65 of the City Code. Portions of the Tahoe Valley Area Plan are located within the 100-year floodplain. All future development within the Tahoe Valley Area Plan would be required to meet both the requirements of Chapter 35 of the TRPA Code and Chapter 6.65 of the City Code related to floodplain management. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

95. Will the Project result in change in the amount of surface water in any water body? (TRPA 3d)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS. (TRPA 2012a, pp. 3.13-11 to 3.13-15.)

Also see discussion and analyses for Question 84-86 above concluding that the Tahoe Valley Area Plan would not result in significant increases in surface water in any water body.

The Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to surface water management. Surface water and water rights in California are managed by the California State Water Resources Control Board. Consistent with existing conditions, projects that could occur under the Tahoe Valley Area Plan that would require additional water supply affecting the amount of surface water in Lake Tahoe or another water body would be required to comply with Chapters 32 and 60 of the TRPA Code. These regulations pertain to the provision of basic services to projects and the protection of source water.

The potential impact of development and redevelopment within the Tahoe Region, including development

within the Tahoe Valley plan area, on the availability of public water supplies was analyzed in the RPU EIS (TRPA 2012a, pp. 3.13-11 to 3.13-15) and discussed in detail in Questions 156 and 164 below. Because the regional water demand at build-out would be less than the regional surface water allocation, and because TRPA Code Section 32.4 requires demonstration of adequate available water supply within an existing water right prior to permit approval, implementation of the Tahoe Valley Area Plan would not result in a substantial reduction in the amount of surface water or the water available for public water supplies. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

96. Will the Project result in discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? (TRPA 3e)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS. (TRPA 2012a, p. 3.8-24 to 3.8-31.) Also see discussion and analyses for Questions 82-87 above.

The Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to discharge into surface waters and surface water quality. Chapter 60 of the TRPA Code, which includes standards for discharge limits to surface and ground waters and Chapter 7.15 of the City Code which regulates urban runoff and stormwater quality. Additionally, consistent with existing conditions, all development, redevelopment, and infrastructure improvements within the Tahoe Valley Area Plan would be required to meet the discharge standards of the Lahontan Regional Water Control Board and the City's municipal stormwater discharge permit. All projects that would create more than one acre of disturbance are required to prepare a Storm Water Pollution Prevention Plan (SWPPP) in accordance with The City's Stormwater Management Plan (2007).

Because all existing state and local protections for surface water would remain in place, and water quality BMPs (in accordance with Chapter 60 of the TRPA Code Chapter 7.15 of the City Code) would continue to be required for all properties within the Tahoe Valley Area Plan, the Tahoe Valley Area Plan would not result in discharges to surface waters or alteration of surface water quality. Potential water quality impacts relating to identified active release sites set forth above in Question 82 will be **less than significant** after mitigation.

Environmental Analysis: *Less than Significant Impact after Mitigation*.

Required Mitigation: **MM HYD-1, MM HYD-2, MM HAZ-1 and MM HAZ-2**.

97. Will the Project result in alteration of the direction or rate of flow of ground water? (TRPA 3f)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis tiers from the RPU EIS. (TRPA 2012a, Chapters 3.8 and 3.13.) See also discussion and analysis for Question 83 above.

The Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to excavations that could intercept or otherwise interfere with groundwater. Section 33.3 of the TRPA Code prohibits excavations, except under certain defined and permitted conditions, that interfere with or intercept the high water table by: altering the direction of groundwater flow; altering the rate of flow of groundwater;

intercepting groundwater; adding or withdrawing groundwater; or raising or lowering the groundwater table. Additionally, excavation in excess of 5 feet below ground surface (or less in areas of known high groundwater) is generally prohibited because of the potential to intercept or interfere with groundwater is prohibited. Such excavations may be permitted under certain defined conditions (Section 3.3.6.B of the TRPA Code), and in such cases it must be demonstrated in a soils/hydrologic report that no interference or interception of groundwater would occur as a result of the excavation. Therefore, consistent with existing conditions, future projects that may occur within the Tahoe Valley plan area are subject to subsequent environmental review and permitting by the City and/or TRPA, which would require the project applicant to demonstrate compliance with Chapter 33 of the TRPA Code and the protection of groundwater. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

98. Will the Project result in change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? (TRPA 3g)

See discussions and analyses for Questions 95 through 97 above, concluding that this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

99. Will the Project result in substantial reduction in the amount of water otherwise available for public water supplies? (TRPA 3h)

See discussion and analysis in Question 95 above and analyses in Questions 156 and 164 below which conclude that potential impact of development and redevelopment within the Tahoe Region on the availability of public water supplies, including development within the Tahoe Valley plan area, would have a **less than significant** impact

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

100. Will the Project result in exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches? (TRPA 3i)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis tiers from the RPU EIS. (TRPA 2012a, p. 3.14-13 to 3.14-14.) Also see discussion and analysis for Question 91 above, concluding that this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

101. Will the Project result in potential discharge of contaminants to the groundwater or any alteration of groundwater quality? (TRPA 3j)

See discussions and analyses for Questions 95 through 97 above.

Because all existing state and local protections for surface water would remain in place, and water quality BMPs (in accordance with Chapter 60 of the TRPA Code Chapter 7.15 of the City Code) would continue to be required for all properties within the Tahoe Valley Area Plan. The Tahoe Valley Area Plan Amendments would not result in discharges to surface waters or alteration of surface water quality. As discussed in detail above, however, where active hazardous materials release sites are located (See Question 72, **Table 26**) there is the potential for surface water infiltration associated with BMPs to disturb and/or distribute the pollutants further prior to remediation. Potential water quality impacts relating to identified active release sites set forth above in Question 82 will be **less than significant** after mitigation.

Environmental Analysis: *Less than Significant Impact after Mitigation.*

Required Mitigation: **MM HYD-1, MM HYD-2, MM HAZ-1 and MM HAZ-2.**

102. Is the Project located within 600 feet of a drinking water source? (TRPA 3k)

Sources of drinking water are located within 600 feet of the project area, however, the Tahoe Valley Area Plan Amendments would not alter or revise the regulations pertaining to source water protection and is therefore consistent with the goals of the Regional Plan and the RPU EIS. Chapter 60 of the TRPA Code includes protections for drinking water sources. Specifically, Section 60.3.3.C.1 of the TRPA Code identifies a Source Water Protection Zone that includes a 600-foot radius around wells, lake intakes, and springs assessed by TRPA. In total, TRPA's Source Water Assessment Map identifies 12 active wells located in the boundary of the Tahoe Valley Area Plan. All development within Source Water Protection Zones is subject to the requirements of Section 60.3.3.D, including installation of water quality BMPs and development of a spill control plan. Any subsequent projects allowed within the Tahoe Valley plan area would be subject to permitting by the City and/or TRPA. Consistent with existing conditions, permit applicants within 600 feet of a drinking water source would be required to demonstrate compliance with the source water protection provisions in Chapter 60 of the TRPA Code. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.12 Land Use and Planning

This section presents the analyses for potential impacts to land use and planning. **Table 29** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 29: Land Use and Planning				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
103. Physically divide an established community? (CEQA Xa)				X
104. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (CEQA Xb)			X	
105. Conflict with any applicable habitat conservation plan or natural community conservation plan? (CEQA Xc)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
106. Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan? (TRPA 8a)				X
107. Expand or intensify an existing non-conforming use? (TRPA 8b)	X, LTS			

103. Would the Project physically divide an established community? (CEQA Xa)

Division of an established community commonly occurs as a result of development and construction of physical features that constitute a barrier to easy and frequent travel between two or more constituent parts of a community. For example, a large freeway structure with few crossings could effectively split a

community. Likewise, geographic features could similarly affect the community, such as the development of a large residential project on the opposite side of a river from the existing community. The Tahoe Valley Area Plan Amendments would not include any features that would have the potential to divide the community. Moreover, the Tahoe Valley Area Plan would include planned improvements along US 50 and SR 89, including signalization upgrades, specific roadway, pedestrian, and bicycle facility improvements which would have a net benefit to circulation within the Tahoe Valley plan area, providing for greater connectivity between land uses and between the Tahoe Valley plan area and the rest of the south shore community.

Tahoe Valley Area Plan Amendments would not include any features that would have the potential to divide the community. Furthermore, by allowing for circulation to travel more than one route through the area plan, interconnectivity between land uses is increased rather than impeded. As such, the proposed Tahoe Valley Area Plan Amendments would result in a **beneficial impact**.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

104. Would the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (CEQA Xb)

The Tahoe Valley Area Plan Amendments proposes to amend the Area Plan boundary, Town Center Overlay boundary as follows (see Figure 3):

- Incorporate seven parcels abutting Melba Avenue into the area plan and Town Center Overlay for the purposes of incentivizing high-density housing.. The parcels are a mix of privately owned vacant and developed multi-family parcels totaling approximately 5.2 acres in size. One parcel is public owned and is currently vacant. The parcels are located in Plan Area Statement (PAS) 114 Special Area #1, and are zoned residential and designated as high-density residential in the City General Plan. The parcels would be rezoned as Town Center Gateway District and added to the Town Center overlay.
- Incorporate one tourist accommodation developed parcel located at 1220 Emerald Bay Road (APN 032-151-002) into the area plan and Town Center Overlay and rezone the property from PAS 114, Special Area #1 residential to Town Center Gateway District. The approximately one acre parcel is designated high-density residential in the City General Plan.
- Incorporate 15 parcels located between James Avenue and Eloise Avenue into the Town Center and rezone the parcels from PAS 111 Special Area #2, residential to Town Center Neighborhood Professional for the purpose of incentivizing high-density housing and redevelopment of existing commercial properties. The parcels include a mix of multi-family, commercial, and public service uses. The parcels are designated high-density residential in the City General Plan.
- Amend the Town Center Core District to incorporate one parcel located at 1080 Emerald Bay Road (APN 023-081-011), immediately south of the Raley's Shopping Center, for the development of high-density housing by allowing an increase in height from 36 feet to 42 feet. The parcel is currently zoned Town Center Gateway District.
- Incorporate 19 residential parcels located south of the Tahoe Valley Area Plan and between Emerald Bay Road and Bonanza Avenue into the area plan and create a new Residential (Emerald

Bay Connection Corridor) District to promote high-density housing. The parcels are currently located in PAS 114, Special Area #1, residential. The proposed amendment would not substantially change the use list but would allow an increase in density from 15 units per acre to 25 units per acre. The parcels are primarily private undeveloped parcels with two properties operating as active mobile home parks. The area is designated High-Density Residential and Low-Density Residential in the City General Plan.

Pursuant to Chapter 13 of the TRPA Code (Section 13.5.3.G), modifications to a Town Center Overlay boundary to incorporate an undeveloped parcel are permitted if they comply with the following:

1. At least three sides of the parcel to be included are adjacent to developed parcels.
2. Properties included in a Town Center are less than ¼ mile from existing commercial and Public Service uses.
3. Properties included in a Town Center shall encourage and facilitate the use of existing or planned transit stops and transit system.

The parcels along Melba Avenue in the south and adjacent to James and Eloise Avenues in the north are generally surrounded by development on at least three sides given the predominance of development along the US Highway 50 corridor. The Melba Avenue parcels are located directly adjacent to the existing Town Center Gateway District and are immediately adjacent to commercial establishments fronting US Highway 50 including Ernie's Coffee Shop and Blue Granite Climbing Gym and tourist accommodation units such as the High Country Lodge. The James and Eloise Avenue parcels are immediately adjacent to commercial establishments fronting US Highway 50 including O'Reilly Auto Parts, several restaurants, and other general retail establishments. Each of the proposed Town Center parcels are close to existing transit facilities at the "Y" intersection or walkways and trails located along US Highway 50. The proposed modification is consistent with Regional Plan and General Plan land use and housing policies to create additional housing choices in the Tahoe Valley area, and to locate future growth in Town Centers and within close proximity to commercial uses, public services, employment centers, transit service, and bike and pedestrian infrastructure. Development of any future multi-family housing would be subject to TRPA's growth management system requiring the allocation of residential bonus units. Moreover, the development of multi-family housing within close proximity to a service and employment center is consistent with existing land use and sustainability policies and strategies to reduce vehicle miles travelled, daily vehicle trips ends, and greenhouse gas emissions.

The incorporation of the parcels listed above into the TRPA Town Center Overlay would not conflict with a plan or regulation adopted to avoid or reduce environmental impacts. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

105. Would the Project conflict with any applicable habitat conservation plan or natural community conservation plan? (CEQA Xc)

The Tahoe Valley Area Plan Amendments does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan because no such plans exist for the project area. Thus, there would be **no impact**.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

106. Will the Project include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan? (TRPA 8a)

The Tahoe Valley Area Plan Amendments proposes modifications to the land use mix of the parcels that will be moved from Plan Area Statement 111, Special Area #2 and Plan Area Statement 114, Special Area #1 to improve the concentration and the mixing of commercial, tourist and residential uses. These adjustments to the permissible use list would result in permitting uses that are currently prohibited in those portions of plan areas 111 and 114. The amendments also modify the permissible uses and allowable densities in existing Districts. The modifications are outlined in Tables 3 through 9 in Chapter 2 and are summarized in Table 2.

The modifications promote an expansion of the current land use pattern that allows for residential uses in close proximity to commercial and employment centers and the mixing of residential, commercial, and tourist uses to promote live/work units as part of a mixed-use project, thus increasing housing options in the Tahoe Valley plan area and providing opportunities to live near potential employers and services.

The modifications to the uses are intended to make the Tahoe Valley Area Plan consistent with the types of uses envisioned for areas designated as “Mixed-Use” by the TRPA Regional Plan and “Town Center” by the City General Plan. Areas with these designations are intended to provide a mix of commercial, public services, light industrial, office, and residential uses in a concentrated, higher density land use pattern for public convenience, and enhanced sustainability. The proposed uses and higher densities are consistent with the types of uses envisioned for these areas, thus would not result in any land use inconsistency. The expansion of the applicability of some uses to other areas of the Tahoe Valley plan area is not expected to have any significant impact because the proposed uses would be consistent with the uses envisioned in the Regional Plan and General Plan designated Town Centers.

The more concentrated land use pattern is expected to reduce automobile reliance, reduce emissions, and increase feasibility of transit, decrease environmental impacts, and increase the availability of housing in close proximity to employment and commercial service. The Tahoe Valley Area Plan includes provisions to concentrate development in the Town Center which would result in greater opportunity for alternative transportation options, reduced VMT, reduce air pollutant emissions, increase preservation and restoration of open space as a result of transfer of development. Furthermore, any subsequent projects allowed within the Tahoe Valley Area Plan would be subject to permitting by the City and/or TRPA. Consistent with existing conditions, permit applicants would be required to demonstrate that any proposed project would not have a significant effect on the environment including but not limited to traffic, land coverage, scenic resources, air quality, water quality, etc. Thus this impact is considered **less than significant**.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

107. Will the Project expand or intensify an existing non-conforming use? (TRPA 8b)

The amendments would expand the existing Town Center Neighborhood Professional District to include 15 existing parcels located in Plan Area 111, Special Area #2 and the Town Center Gateway District to include 7 existing parcels located in Plan Area 114, Special Area #1. The amendment area of Plan Area 111 currently contains a number of professional office land uses (e.g., 965 Tahoe Keys and 2265 Eloise - Realty

World) and membership organizations (e.g., South Tahoe Association of Realtors) that are non-conforming uses in Special Area #2. The amendment area of Plan Area 114 currently contains a number of land uses that conform to the permissible uses in Special Area #1. The reason for the boundary amendment here is that many of these parcels are large and contain aging residential uses. Should they be redeveloped in the future, there will be opportunity to take advantage of additional coverage and density to provide more housing units. Consistent with the policies of the Regional Plan and General Plan, promoting the concentration and mixing of uses, the Tahoe Valley Area Plan amendments would change the permissible use list for these two areas to allow existing non-residential uses (professional office, membership organizations, storage) in the former special areas of residential plan areas.

The changes to the permissible use list would make existing non-residential uses a conforming use and allow for new residential uses (i.e., employee housing and multi-person dwelling) at higher densities. However, as discussed above, the adjustment to the land use mix is in line with the policies of the Regional Plan and General Plan, promoting the concentration of and mixing of uses within close proximity to service and employment centers such as Tahoe Valley. The proposed land use changes promote the concentration of multi-residential uses and single-family live/work units within close proximity to the town center, thus reducing the need for vehicle trips and reducing air pollutant emissions. Development of residential units would continue to be subject to the TRPA growth management and allocation system and must meet the requirements of the City building and design standards for parking, setbacks and noise attenuation. Therefore, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

5.4.13 Mineral Resources (CEQA) and Natural Resources (TRPA)

This section presents the analyses for potential impacts to mineral resources and natural resources. **Table 30** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 30: Mineral Resources and Natural Resources				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
108.Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (CEQA XIa)				X
109.Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (CEQA XIb)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
110.A substantial increase in the rate of use of any natural resources? (TRPA 9a)				X
111.Substantial depletion of any non-renewable natural resource? (TRPA 9b)				X

108. Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (CEQA XIa)

There are no mapped mineral resources within the Tahoe Valley plan area, nor does the City General Plan, nor any specific plan or other plan, such as the TRPA Regional Plan and Plan Area Statement, identify any sites within the Tahoe Valley plan area as an important mineral recovery site. Thus, there would be **no impact**.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

109. Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (CEQA XIb)

See discussion and analysis for Question 108 above, concluding **no impact**.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

110. Will the Project result in a substantial increase in the rate of use of any natural resources? (TRPA 9a)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis tiers from the RPU EIS. (TRPA 2012a, 5-3.)

The use of natural resources, such as construction wood or metals, or gasoline would increase incrementally as more commercial, tourist, and residential developments are constructed as envisioned in the Tahoe Valley Area Plan. The RPU EIS (TRPA 2012a, p. 5-3) acknowledged the potential increase in the use of natural resources resulting from increased development and redevelopment within the Tahoe Region, however any project permitted through the Tahoe Valley Area Plan would be subject to project level environmental review and site-specific mitigation measures if necessary. Therefore, any increase in the rate of use of natural resources would not be substantial and would not be in quantities that would result in a significant effect. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

111. Will the Project result in a substantial depletion of any non-renewable natural resource? (TRPA 9b)

Non-renewable natural resources such as gasoline and diesel would be consumed during the construction of development projects; however, the potential for new development would be limited through restrictions to TRPA regulated commodities (see project description) such as commercial floor area, residential allocations and tourist accommodation units. Because construction would be limited and would not require quantities of non-renewable resources beyond those of typical residential and commercial construction, projects associated with the Tahoe Valley Area Plan would not result in substantial depletion of any non-renewable natural resource. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

5.4.14 Noise

This section presents the analyses for potential impacts related to noise. **Table 31** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 31 Noise				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
112.Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (CEQA XIIa)			X	
113.Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (CEQA XIIb)			X	
114.A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project? (CEQA XIIc)			X	
115.A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project? (CEQA XII d)			X	
116.For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? (CEQA XIIe)			X	
117.For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the project area to excessive noise levels? (CEQA XII f)				X

TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
118.Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan? (TRPA 6a)				X
119.Exposure of people to severe noise levels? (TRPA 6b)				X
120.Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold? (TRPA 6c)				X

112. Would the Project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (CEQA XIIa)

This potential effect is the same as those analyzed in the General Plan Update, and therefore the analysis is tiered from and is consistent with the General Plan EIR. (CSLT 2010, Chapter 4.6.)

The potential for noise conflicts from development, including construction of additional residential, commercial floor area, industrial facilities, recreational facilities, and infrastructure such as roadway improvements, water and sewer lines that is expected to occur under the Tahoe Valley Area Plan amendments, includes conflicts as a result of adjacent land uses and their operational aspects. Parcels located along Melba Drive are currently within Plan Area 114 which has a maximum community noise equivalent level of 50 CNEL for areas outside of the US Highway 50 corridor (which has a 65 CNEL limit). These parcels would be added to the Town Center Gateway District, which has a 65 CNEL limit for all locations within the District. The Tahoe Valley Area Plan addresses these potential conflicts through the land use designation, zoning identification, and development standard process, however, the potential exists for some development allowed under amended land use designations and zoning to have operational aspects that could create noise impacts on other adjacent land uses. Thus, the Tahoe Valley Area Plan incorporates noise protection policies to maintain the CNEL standards, to mitigate new transportation noise sources, to require acoustical analysis during project review, to mitigate ground-borne vibration, and to ensure land use compatibility through appropriate site design. The Tahoe Valley Area Plan noise policies are:

- Poly HNS-2.1, Maximum Community Noise Equivalent Level
- Policy HNS-2.2, Transportation Noise
- Policy HNS-2.3, Project Review
- Policy HNS-2.4, Construction Noise
- Policy HNS-2.5, Land Use Compatibility

In addition, this potential effect is the same as that analyzed in the City General Plan DEIR (CSLT 2010, p. 4.6-24 to 4.6-27) in Impact 4.6.1, and therefore this analysis tiers from and is consistent with the DEIR. The DEIR concluded that application of the General Plan (CSLT 2011a, p. HS-9 through HS-13) noise policies was adequate to mitigate any potential noise impacts. The City’s noise policies provide expanded protection for ambient conditions, which are designed toward eliminating land use conflicts with respect to

noise. Policies include specific numeric noise level standards for new projects affected by or including both transportation and non-transportation noise sources, as well as guidance in evaluating noise impacts and for identification of noise mitigation measures. The applicable General Plan noise policies are:

- HS-8.1, Annoying and Excessive Non-Transportation Noise Protection
- HS-8.2, Annoying and Excessive Non-Transportation Noise Mitigation
- HS-8.3, Overall Background Noise Mitigation
- HS-8.4, Annoying and Excessive Transportation Noise Protection
- HS-8.5, New Transportation Noise Source Mitigation
- HS-8.6, Acoustical Analysis Preparation
- HS-8.7, California State Building Code Title 24 Consistency
- HS-8.8, Lake Tahoe Airport Comprehensive Land Use Plan Compliance
- HS-8.9, Airport Noise Mitigation for Adjacent Residential Projects
- HS-8.10, Airport Noise Level Compatibility

It should also be noted that existing noise standards set forth in Chapter 68 of the TRPA Code of Ordinances are applicable to any future development in the Tahoe Valley area. Thus, application of the Tahoe Valley Area Plan and General Plan noise policies and Chapter 68 of the TRPA Code of Ordinances would reduce this impact to a **less than significant** level.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

113. Would the Project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (CEQA XIIb)

The effects of ground-borne vibration can vary from no perceptible effects at the lowest levels, low rumbling sounds and detectable vibrations at moderate levels, and slight damage to nearby structures at the highest levels. At the highest levels of vibration, damage to structures is primarily architectural (e.g., loosening and cracking of plaster or stucco coatings) and rarely results in structural damage. The effects of ground-borne vibration are influenced by the duration of the vibration and the distance from the vibration source.

There are no federal, state, or local regulatory standards for vibration. However, various criteria have been established to assist in the evaluation of vibration impacts. For instance, Caltrans has developed vibration criteria based on human perception and structural damage risks. For most structures, Caltrans considers a peak-particle velocity (ppv) threshold of 0.2 inches per second (in/sec) to be the level at which architectural damage (i.e., minor cracking of plaster walls and ceilings) to normal structures may occur. Below 0.10 in/sec there is “virtually no risk of ‘architectural’ damage to normal buildings.” Damage to historic or ancient buildings could occur at levels of 0.08 in/sec ppv. In terms of human annoyance, continuous vibrations in excess of 0.1 in/sec ppv are identified by Caltrans as the minimum level perceptible for ground-borne vibration. Short periods of ground-borne vibration in excess of 0.2 in/sec ppv can be expected to result in increased levels of annoyance to people in buildings (Caltrans, 2002).

Construction activities are expected to continue to occur within the amended Tahoe Valley plan area resulting in ground-borne vibration. However, the Tahoe Valley Area Plan incorporates Policy HNS-2.4

requiring an analysis of potential vibration impact be conducted for all construction activities that include impact equipment and activities such as pile driving, soil compaction, or vibratory hammers that occur within 200 feet of existing structures. The analysis will address the potential for adverse vibration levels based on the criteria contained in **Table 32** below. The City will ensure that construction operations are designed to avoid or mitigate for vibrations above 0.02 in/second (0.5 mm/second). Thus, this impact is **less than significant**.

Table 32 Effects of Vibration on People and Buildings			
Peak Particle Velocity inches/second	Peak Particle Velocity mm/second	Human Reaction	Effect on Buildings
0 -.006	0.15	Imperceptible by people	Vibrations unlikely to cause damage of any type
0..6 - .02	0.5	Range of threshold of perception	Vibrations unlikely to cause damage of any type
0.8	2.0	Vibrations clearly perceptible	Recommended upper level of which ruins and ancient monuments should be subjected
0.1	2.54	Level at which continuous vibrations begin to annoy people	Virtually no risk of architectural damage to normal buildings
0.2	5.0	Vibrations annoying to people and buildings	Threshold at which there is a risk of architectural damage to normal dwellings
1.0	25.4		Architectural damage
2.0	50.45		Structural damage to residential buildings
6.0	151.0		Structural damage to commercial buildings

Source: Caltrans, 1976

It should also be noted that TRPA Standard Conditions of Approval for Grading Projects and Standard Conditions of Approval for Residential Projects require projects to utilize sonic pile driving wherever feasible, and pre-drill pile driving holes to the extent feasible when approved by a design engineer.

Future projects are subject to Policy HSN-2.4 and TRPA standard conditions of approval to reduce ground-borne vibration; thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

114. Would the Project result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project? (CEQA XIIC)

See discussion and analysis for Question 112 above, concluding that this impact would be **less than significant.**

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

115. Would the Project result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project? (CEQA XIId)

See discussion and analysis for Question 112 above, concluding that this impact would be **less than significant.**

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

116. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? (CEQA XIIE)

Helicopter Noise Associated with Barton Hospital

Helicopter noise occurs due to emergency operations associated with the day-to-day operations of Barton Hospital. Section 68.9 (Exemptions to Noise Limitations) in Chapter 68 of the TRPA Code of Ordinances provides exemptions from noise limitations for activities associated with emergency work to protect life or property. In addition, the project does not result in an increase in these noise levels when compared to CEQA standards.

Table 33 Significance of Changes in Noise Exposure (Based Upon CEQA)	
Ambient Noise Level Without Project, CNEL/L _{dn}	Increase Required for Significant Impact
<60 dB	+5.0 dB or more
60-65 dB	+3.0 dB or more
>65 dB	+1.5 dB or more

Source: Federal Interagency Committee on Noise (FICON)

Lake Tahoe Airport

Pursuant to the City Code Chapter 2.65.100, the Lake Tahoe Airport is closed to all operations between the hours of 8:00 p.m. and 8:00 a.m., except for emergency and mercy flights, military and government owned aircraft, and aircraft operations that will not result in a Single Event Noise Exposure Level reading exceeding 77.1. Thus, no nighttime noise impacts are expected from airport operations. In addition, consistent with General Plan Policy HS-8.8, the City requires all projects located in the airport flight safety overlay zone to comply with the Lake Tahoe Airport Comprehensive Land Use Plan. Concurrently,

General Plan Policy HS 8.9 and City Code Chapter 6.55.200, requires all new residential projects within the Lake Tahoe Airport's 55 dB and 60 dB CNEL contours, as defined in the Lake Tahoe Airport Land Use Compatibility Plan, to be designed to limit intruding noise such that the interior noise levels shall not exceed 45 dB CNEL in any habitable room. If the 45 dB CNEL standard is only achieved with the windows and doors in the closed position, a mechanical air exchange will need to be provided as a part of the project design. Future projects within the amended Tahoe Valley Area Plan would also comply with the General Plan and TRPA policies and standards, and so this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

117. For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the project area to excessive noise levels? (CEQA XII f)

The project area is not within the vicinity of a private airstrip and therefore does not expose people working in the project area to excessive noise levels from aircrafts. Thus, there would be **no impact**.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

118. Would the Project result in increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan? (TRPA 6a)

See discussion and analysis for Question 112 above, concluding that this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**

119. Would the Project result in exposure of people to severe noise levels? (TRPA 6b)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis tiers from and is consistent with the RPU EIS. (TRPA 2012a, p. 3.6-11.)

Increased Traffic Noise

Based upon a comparison of **Tables 34 and 35 prepared for** the 2015 Tahoe Valley Area Plan IS/IEC, Area Plan buildout will result in an increase in traffic noise levels between 0 dB and 1 dB CNEL. Amendment of the Area Plan boundary would not result in a measurable increase to the predicted CNEL levels given the small size of the expanded boundary. This is not considered to be a significant increase in noise levels under CEQA. Projects would be required to comply with the Tahoe Valley Area Plan CNEL noise standards and policies to reduce excessive transportation noise levels and other provisions of Chapter 68 of the TRPA Code of Ordinances including Section 68.8.3 that requires major roadway projects on roadway segments that are not meeting CNEL standards to incorporate noise mitigating design features. Furthermore, as analyzed in Section 6.4.18, Transportation, the implementation of the 2015 Tahoe Valley Area Plan would reduce region-wide vehicle miles traveled (VMT) by 10,702 below the region-wide modeled total of 1,932,441 (see discussion and analyses for Question 142 below). In addition, planned improvements associated with pedestrian, bicycling, and transit improvements are further expected to reduce vehicle trips, thereby reducing overall noise levels associated with traffic. Thus, people would not be exposed to severe

noise levels.

Table 34 Predicted Existing No Project and Existing plus 2015 Tahoe Valley Area Plan Traffic Noise Levels											
Roadway	Segment	Traffic Noise Levels (CNEL, dB)				Distance to Noise Level Contours (feet)					
		Distance (feet)	2014 No Project	2014 + ALT 3	Δ Change	2014 No Project (CNEL, dB)			2014 + Proposed Tahoe Valley Area Plan (CNEL, dB)		
						65	60	55	65	60	55
Lake Tahoe Blvd	SR 89/US50 to Julie Lane	100	61	61	0	56	121	260	57	123	265
US 50	Lake Tahoe Blvd to 3rd Street	100	66	66	0	113	244	525	114	245	528
US 50	3rd St to Tahoe Keys Blvd	100	66	66	0	116	251	541	119	256	552
US 50	Tahoe Keys Blvd to River Drive	100	66	67	1	126	271	584	128	275	592
SR89	US50 to 10th St	100	60	60	0	46	100	216	47	101	218
SR89	US50 to E St	100	64	64	0	81	173	374	81	175	377
3rd St	US50 to Washington Ave	100	53	54	1	17	37	79	17	37	80
3rd St	US50 to South Ave	100	50	51	1	10	22	48	12	25	54
Tahoe Keys Blvd	US50 to Eloise Ave	100	57	57	0	31	66	143	31	67	144
Tahoe Keys Blvd	South of US50 into Parking Area	100	37	37	0	1	3	6	1	3	6

¹ Distances to traffic noise contours are measured in feet from the centerlines of the Roadways.
² Traffic noise levels do not account for shielding from existing noise barriers or intervening structures. Traffic noise levels may vary depending on actual setback distances and localized shielding.
 Source: LSC Transportation Consultants, Inc. and JC Brennan & Associates

Table 35 Predicted 2035 No Project and 2035 plus 2015 Tahoe Valley Area Plan Traffic Noise Levels											
Roadway	Segment	Traffic Noise Levels (CNEL, dB)				Distance to Noise Level Contours (feet)					
		Distance (feet)	2035 No Project	2035 + Proposed Tahoe Valley Area Plan	Δ Change	2035 No Project (CNEL, dB)			2035 + Proposed Tahoe Valley Area Plan (CNEL, dB)		
						65	60	55	65	60	55
Lake Tahoe Blvd	SR 89/US50 to Julie Lane	100	62	62	0	65	139	300	66	141	305
US 50	Lake Tahoe Blvd to 3rd Street	100	66	66	0	123	264	569	123	266	573
US 50	3rd St to Tahoe Keys Blvd	100	67	67	0	126	271	584	128	276	595
US 50	Tahoe Keys Blvd to River Drive	100	67	67	0	135	291	628	137	295	635
SR89	US50 to 10th St	100	60	60	0	48	104	223	49	105	226
SR89	US50 to E St	100	64	64	0	82	176	380	83	178	384
3rd St	US50 to Washington Ave	100	53	54	1	17	37	79	17	37	80

3rd St	US 50 to South Ave	100	50	51	1	10	22	48	12	25	54
Tahoe Keys Blvd	US 50 to Eloise Ave	100	57	57	0	31	68	145	31	68	146
Tahoe Keys Blvd	South of US50 into Parking Area	100	37	37	0	1	3	6	1	3	6

¹ Distances to traffic noise contours are measured in feet from the centerlines of the Roadways.
² Traffic noise levels do not account for shielding from existing noise barriers or intervening structures. Traffic noise levels may vary depending on actual setback distances and localized shielding.
 Source: LSC Transportation Consultants, Inc. and JC Brennan & Associates

Increased Noise from Additional Light Industrial, Public Service and Commercial Uses

The Tahoe Valley Area Plan could include development of additional commercial or light industrial uses that contain noise sources, but it is not expected to exceed the Tahoe Valley Area Plan’s noise level standards of 55dB and 65dB. The Tahoe Valley Area Plan incorporates two noise protection policies. Policy HNS-2.3 requires acoustical analysis as part of the environmental review process for when noise-sensitive land uses are proposed, and Policy HNS-2.5 requires the incorporation of noise reducing measures on a project specific basis. Such measure may include but are not limited to:

- Construction of barriers, berms, and/or acoustical shielding;
- Establishment of setbacks;
- Noise reducing acoustical treatment; or
- Use of building layout.

Additional policies in the General Plan would also be applicable to future development in the Tahoe Valley plan area. General Plan Policy HS-8.1 requires that annoying and excessive non-transportation noise not exceed the exterior noise level standards shown in Table HS-1 of the General Plan. In addition, Policy HS-8.2 requires appropriate mitigation to be incorporated in a project’s design to achieve the noise standards. City site design standards also require projects (industrial and stationary sources) that may potentially exceed a plan area noise standard to include a noise analysis as part of the environmental review process and incorporate design features and self-monitoring components to ensure compliance with noise standards.

Application of the Tahoe Valley Area Plan and General Plan policies would ensure that people would not be exposed to severe noise levels.

Construction Noise

Construction activities are expected to occur within the Tahoe Valley plan area. Construction activities associated with new development and redevelopment include site preparation (e.g., demolition, clearing, excavation, grading), foundation work, paving, building construction, utility installation, finishing, and cleanup. These activities typically involve the use of noise-generating equipment such as cranes, excavators, dozers, graders, dump trucks, generators, backhoes, compactors, and loaders. Noise levels associated with these types of equipment are typically between 70 and 85 dBA Lmax at 50 feet. In unique circumstances, specialized construction equipment (such as pile drivers) or techniques (such as blasting) that are inherently louder than typical construction equipment (typically between 94 and 101 dBA Lmax at 50 feet) may be required. This noise increase would be of short duration and would likely occur primarily during daytime hours. Construction noise impacts are not considered significant under CEQA if the construction activity is temporary, the use of heavy equipment and noise activities is limited to daytime

hours, and all feasible noise abatement measures are used for noise-producing equipment. All construction activities are not considered to be adverse noise sources as long as construction occurs between the hours of 8:00 a.m. and 6:30 p.m. pursuant to Chapter 68 Noise Limitations, of the TRPA Code of Ordinances. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

120. Will the Project result in single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold? (TRPA 6c)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS. (TRPA 2012a, Chapter 3.6.)

Single-event noise standards are set for in Section 68.3.1 of the TRPA Code for aircraft, watercraft, motor vehicles, motorcycles, off-road vehicles, and over-snow vehicles. The Regional Plan also sets forth single event numerical standards as set forth in **Table 36**.

Table 36. Single Event Numerical Noise Standards				
Source	Overall	Less than 35 Mph	Greater than 35 MPH	Monitoring Distances
Aircraft	80	--	--	6,500m – start of takeoff roll 2,000m – runway threshold approach
	77.1 ²	--	--	6,500m – start of takeoff roll 2,000m – runway threshold approach
Watercrafts				
1. Pass-By Test	82 L _{max}	-	-	50 ft. – engine at 3,000 rpm
2. Shoreline Test	75 L _{max}	-	-	Microphone 5 ft. above water, 2 ft. above curve of shore, dock or platform. Watercraft in Lake, no minimum distance.
3. Stationary Test	88 dBA L _{max} for boats manufactured before January 1, 1993 90 dBA L _{max} for boats manufactured after January 1, 1993	-	-	Microphone 3.3 ft. from exhaust outlet – 5 ft. above water
Motor Vehicles <i>Less than 6,000 GVW</i>	--	76	82	50 ft.
<i>Greater than 6,000 GVW</i>	--	82	86	50 ft.
Motorcycles	--	77	86	50 ft.
Off-road Vehicles	--	72	86	50 ft.
Snowmobiles	--	82	--	50 ft.

² Between the hours of 8:00 p.m. and 8:00 a.m.

The TRPA Regional Plan Goals and Policies also contain applicable goals and policies in the Noise Subelement, as described below:

- **Goal N-1: Single Event Noise Standards Shall Be Attained and Maintained.** People can be annoyed by a specific noise source. Thresholds have been adopted that apply to aircraft, boats, motor vehicles, off-road vehicles, and snowmobiles to reduce impacts associated with single noise events.
- **Policy N-1.1.** Unless superseded by an update to the 1996 Airport Master Plan, an ordinance and enforcement program shall permit only aircraft that meet the single event noise thresholds to use the airport.
- **Policy N-1.2.** Boats will only be allowed on Lake Tahoe if in compliance with the single-event threshold.
- **Policy N-1.3.** Motor vehicles and motorcycles shall comply with the appropriate noise thresholds.
- **Policy N-1.4.** Off-road vehicle use is prohibited in the Lake Tahoe Region except on specified roads, trails, or designated areas where the impacts can be mitigated.
- **Policy N-1.5.** The use of snowmobiles will be restricted to designated areas.
- **Policy N-1.6.** Permit uses only if they are consistent with the noise standards. Noise mitigation measures may be required on all structures containing uses that would otherwise adversely impact the prescribed noise levels.

Development within the Tahoe Valley Area Plan could involve uses that include these types of motorized vehicles. As is the case under existing conditions, new uses involving over-snow or other vehicles would be required to meet the TRPA Code provisions pertaining to single-event noise. Thus, this impact would be **less than significant**.

With respect to possible single event noise arising from construction, see discussion and analyses for Questions 112, 113 and 118.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**

5.4.15 Population and Housing

This section presents the analyses for potential impacts to population and housing. **Table 37** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 37 Population and Housing				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
121. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (CEQA XIIIa)			X	
122. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (CEQA XIIIb)			X	
123. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (CEQA XIIIc)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
124. Alter the location, distribution, density, or growth rate of the human population planned for the Region? (TRPA 11a)				X
125. Include or result in the temporary or permanent displacement of residents? (TRPA 11b)				X

<p>126. Affect existing housing, or create a demand for additional housing? To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions: (1) Will the proposal decrease the amount of housing in the Tahoe Region? (2) Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households? (TRPA 12a)</p>				<p>X</p>
<p>127. Will the proposal result in the loss of housing for lower-income and very-low-income households? (TRPA 12b)</p>				<p>X</p>

121. Would the Project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (CEQA XIIIa)

This potential effect is the same as those analyzed in the City General Plan EIR and therefore this analysis tiers from the General Plan EIR (CSLT 2010, p. 4.2-12).

The Tahoe Valley Area Plan Amendments may result in an increase in dwelling units and CFA within the boundaries of the area plan as a result of demolition and construction of land uses. As documented in 2015 for the initial Area Plan adoption, the Tahoe Valley Area Plan is expected to result in 373 dwelling units (approximately 932 new residents) as well as 102,000 square feet of CFA transferred to the Tahoe Valley Area Plan (approximately 204 full-time equivalent employees) by the year 2034. The rate of growth is assumed to occur over 20 years as a result of residential allocations assignments, bonus unit assignments, conversion of tourist accommodation units, and transfer of existing development to the Tahoe Valley Area Plan. At build out, the 2015 Tahoe Valley Area Plan predicted the construction of 97 affordable residential units and 276 market rate units. Since adoption, the Sugar Pine Village affordable housing project was approved and will eventually construct 248 affordable housing units. The affordable units require a bonus unit assignment from TRPA which currently has approximately 950 available through 2032. The market rate units would require a residential allocation from the approximately 1,650 allocations currently remaining and forecasted to be constructed through the year 2045. Conversion of use and transfer of existing development into residential units of use are not considered additional growth by the TRPA Code of Ordinances.

The Tahoe Valley Area Plan would implement the mixed-use zoning concepts envisioned by the Regional Plan and the General and analyzed in the RPU EIS (TRPA 2012a) and the General Plan EIR (CSLT 2010, p. 4.2-12). The TRPA Regional Plan and the City General Plan would result in changes to the overall density and distribution of the region’s population and gradually increase the density of the population within

centers such as the Tahoe Valley plan area and simultaneously phase out lower-density uses outside these centers. Although this represents a change in the density and distribution of the region's population, such changes are not anticipated to result in environmental degradation. The transition to higher-density, compact, transit-oriented development is anticipated to reduce environmental impacts associated with traffic (vehicle miles traveled), air quality, land disturbance, infrastructure expansion, and other environmental issue areas and to provide opportunities for stream environment restoration and improved water quality control facilities which would be beneficial. Growth within the Tahoe Valley plan area would continue to be constrained to that which is allowed by the growth management system set forth in Chapter 50 of the TRPA Code. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

122. Would the Project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (CEQA XIIIb)

The Project does not displace housing or necessitate the construction of replacement housing elsewhere but rather incentivizes the transfer of existing residential uses located in sensitive land or distant from community centers to transfer to community mixed-use centers. The intent of the plan is promote higher density residential uses within the mixed-use centers to promote walkability and feasibility of alternative transportation options and adhere to statutory requirements of the Sustainable Communities Strategy to reduce passenger vehicle-related greenhouse gas emission in California. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

123. Would the Project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (CEQA XIIIc)

See discussions and analyses for Questions 121 and 122 above, concluding that this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

124. Will the Project alter the location, distribution, density, or growth rate of the human population planned for the Region? (TRPA 11a)

See discussions and analyses for Questions 121 and 122 above, concluding that this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

125. Will the Project include or result in the temporary or permanent displacement of residents? (TRPA 11b)

See discussions and analyses for Questions 121 and 122 above, concluding that this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

126. Will the Project affect existing housing, or create a demand for additional housing?

(1) Will the proposal decrease the amount of housing in the Tahoe Region? (2) Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households? (TRPA 12a)

- (1) The vision for the Tahoe Valley Area Plan is a central destination that provides full services for tourists and permanent residents. The potential development and redevelopment associated with the Tahoe Valley Area Plan is anticipated to create an increase in temporary and permanent jobs, which would result in a commensurate increase in the demand for housing.

The amount and timing of additional housing units within the Region and similarly the Tahoe Valley plan area is limited by TRPA's existing growth management provisions. The TRPA Code provides incentives for the development of affordable and moderate-income housing, as discussed below under Item 2. Also, the creation of workforce and affordable housing is a priority of the City of South Lake Tahoe. The Housing Element of the City's General Plan includes several goals and actions related to increasing housing opportunities within the City, including affordable housing units at Lake Tahoe (Goal HE-1 and Goal HE-2, CLST 2011). The City has programs in place to facilitate housing including reserving one-third of its annual allocation for multi-residential projects, collaborating with TRPA to convert illegal mother-in-law units to legal accessory dwelling units, and when funding is available supporting the First-Time Homebuyer and Moderate-Income Homebuyers Programs. The City also collaborates with TRPA and other local jurisdictions on the Living Working Group and implementing policies that are called for in TRPA's Goals and Policies (TRPA, 2012d, p. A5-1). Implementation of the Tahoe Valley Area Plan would not result in a decrease in the amount of housing available in the Tahoe Region, but would rather result in more housing options available for residents of the Tahoe Basin due to propose changes to require a minimum multi-family density, and standards that prohibit the replacement of existing housing with vacation homes within the area plan.

- (2) This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore tiers from the RPU EIS. (TRPA 2012a, 3.12-8 to 3.12-13.)

The Regional Housing Needs Assessment (RHNA) is mandated by State Housing Law as part of the periodic process of updating local housing elements of the General Plan. The RHNA quantifies the need for housing within each jurisdiction during specified planning periods. The total RHNA allocation for the projection period from January 1, 2006 to June 30, 2013 was a total of 218 units from very low to above moderate units (CSLT 2011, p. HE-53). The City met its obligation of 291 units for the 2006-2013 projection period. The total RHNA allocation for the June 2014-June 2022 projection period is 336 units. During this cycle, the City provided 408 housing units towards the RHNA obligation. The City recently adopted (June 2022) an updated Housing Element to provide direction on addressing housing issues and the RHNA allocation. The total RHNA allocations from

2022 through 2027 is 289 units. At this time (March 2024), 230 units have been permitted.

Additionally, Regional Plan Policy HS-1.2 requires local governments to assume their “fair share” of the responsibility to provide low and very low-income housing. The TRPA Code also provides incentives for the development of affordable and moderate-income housing, including increased density (Section 31.4.1 of the TRPA Code), height (Section 37.5.5 of the TRPA Code), and exemption from residential allocation requirements (Section 52.3.4 of the TRPA Code). Finally, in accordance with Regional Plan Goal HS-3 and Policy HS-3.1 (TRPA 2012d), TRPA is required to develop and implement a Regional Housing Needs Program. The Housing Needs Program will evaluate progress towards the adopted housing goals and recommend policy and ordinance changes necessary to achieve those goals. Changes may include, but are not limited to, the conversion of residential allocations to bonus units that would be available only for the construction of affordable and/or moderate-income housing, the creation of new bonus units for affordable housing and modification of development standards to promote housing affordability.

Additionally, the following Policies in the Tahoe Valley Area Plan will promote housing affordability:

Policy LU-2.11 designates the Tahoe Valley as a primary area in the City for resident-serving commercial uses, workforce housing and affordable housing. Furthermore, the policy encourages transforming the area into a contemporary, pedestrian-oriented, mixed-use, commercial service district served by a transit center and alternate transportation opportunities.

Policy LU-5.1 – Town Center Core Create a compact, mixed-use, vibrant Town Center Core district focused on the “Y” intersection that includes resident-serving commercial uses, retail and entertainment uses, and workforce and affordable housing.

Policy H-1.1 – Housing Options Provide for a range of housing options that include affordable, moderate-income, and workforce housing so that people can live and work in the City.

Policy H-1.7 – Tahoe Livable Communities Program Collaborate and support efforts of the California Tahoe Conservancy to remove blighted properties and repurpose associated development commodities. Encourage the use of residential commodities for affordable housing in Tahoe Valley area.

Policy H-1.8 – Regional Housing Needs Assessment Collaborate with TRPA on the Regional Housing Needs Assessment to develop updated policies and implementation strategies to remove barriers and facilitate the development of affordable housing. Regional housing policies and programs should complement and not conflict with or duplicate state or local housing policies and programs.

For these reasons implementation of the Tahoe Valley Area Plan and other housing programs implemented on a regional scale is likely to increase the number of affordable units within the Tahoe region. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

127. Will the Project result in the loss of housing for lower-income and very-low-income households? (TRPA 12b)

See discussion and analysis for Question 126 above, concluding that this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

5.4.16 Public Services

This section presents the analyses for potential impacts to public services. **Table 38** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 38 Public Services				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
128. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities? (CEQA XIVa)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas?				
129. Fire protection? (TRPA 14a)				X
130. Police protection? (TRPA 14b)				X

131. Schools? (TRPA 14c)				X
132. Parks or other recreational facilities? (TRPA 14d)				X
133. Maintenance of public facilities, including roads? (TRPA 14e)				X
134. Other governmental services? (TRPA 14f)				X

128. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection? Police protection? Schools? Parks? Other public facilities? (CEQA XIVa)

Schools

The Tahoe Valley Area Plan amendments could result in additional dwelling units based on increased density and land coverage limits for former Plan Area 111 and 114 parcels, generating approximately new students. The Lake Tahoe Unified School District has experienced a drop in student enrollment in the past several decades. As such, it is expected that any additional students generated as a result of the Tahoe Valley Area Plan amendments will be adequately served by existing educational facilities in the City, several of which are located in close proximity to the Tahoe Valley plan area. As the Tahoe Valley Area Plan would not require the provision of new or updated schools to serve students generated in Tahoe Valley plan area, there would not be an adverse impact to schools.

Police Services

Police service in the Tahoe Valley plan area is provided by the City of South Lake Tahoe Police Department. The South Lake Tahoe Police Department has a jurisdictional area of approximately 13 square miles, five of which include waters of Lake Tahoe. The department is located at 1352 Johnson Boulevard and currently has 42 full-time sworn officers. Supporting the 42 sworn positions are 20 civilian personnel. (Email Comm.; Chief David Stevenson, 2/26/2024)

As of February, 2024, the current staffing level at the South Lake Tahoe Police Department is approximately 1.9 officers per 1,000 residents, based on a Census population of 21,508 (CA Department of Finance, 2023). According to U.S. Bureau of Justice statistics (2008), Municipal and township police departments employed an average of 2.3 full-time officers per 1,000 residents.

Dispatch service is provided by the Operations Division of the police department. The dispatch center logs when a call is made to report a crime, when an officer is dispatched, when the officer arrives at the scene, and when the officer leaves the scene. An analysis of the of the dispatch logs indicates that the average response time for all calls (emergency and non-emergency) is approximately 9 minutes.

Fire Protection Services

The City of South Lake Tahoe Fire Department (SLTFD) consists of one Fire Chief, one administrative

Executive assistant, three shift commanders Battalion Chiefs, one Battalion Chief/Fire Marshal, one Fire Inspector II, nine captains, nine engineers, and sixteen firefighter paramedics of which fifteen are paramedics, and 13 reserve firefighters (Per Comm. Sallie Ross-Filgo, Administrative Executive Assistant to the Fire Chief, 2/27/2024).

Fire Station 1 is located within the Tourist Core and is located at 1252 Ski Run Boulevard at the intersection of Ski Run and Pioneer Trail. This is the Battalion Headquarters. Fire Station 2 is located at 2951 Lake Tahoe Boulevard.

Fire station 3 is located at 2101 Lake Tahoe Blvd and is located 2 blocks east of the Y intersection within the Tahoe Valley Area Plan boundary. This is the Administration Headquarters and staffed by one Type 1 Engine, one Type 3 Engine, an OES Type 6 Engine for back country rescue, 2 utility vehicles, a mobile air station, and a hazardous materials response trailer. Station 3 staff also operates Marine 17 (Rescue Boat) which is located in the Tahoe Keys.

Stations 1, 2 and 3 are minimum staffed with 1 Captain, 1 Engineer and 1 Firefighter/Paramedic. In addition, the SLTFD maintains mutual aid agreements with other fire and emergency response agencies in the Tahoe Region, including the Tahoe Douglas Fire District, Lake Valley Fire Protection District, and the US Forest Service, providing for area-wide fire response services both in and outside the City limits.

The Tahoe Valley Area Plan amendments may result in a modest increase in residential dwelling units and CFA previously predicted for buildout within the Tahoe Valley plan area in 2015, resulting in an increased need for fire and emergency response. This impact would be potentially significant.

The 2015 Tahoe Valley Area Plan Initial Study predicted up to 373 additional dwelling units and 102,000 square feet of CFA within the plan area. The Tahoe Valley Area Plan incorporates supporting policies to ensure that the increase in development potential will not cause an increase in demand for fire and emergency response that would result in a significant impact. The following proposed policies related to fire protection are incorporated in the Safety and Noise Section of the Tahoe Valley Area Plan:

- **Policy HNS-1.3 Fire Protection** Require any new structure or any addition, alteration or repair, to implement fire prevention techniques consistent with the current California Building and Fire Codes in order to obtain a building permit.
- **Policy HNS-1.4 – Defensible Space and Fire-Safe Landscaping** Require property owners to maintain defensible space through annual landscape maintenance, including the removal of dead/dying material and pruning/thinning of flammable vegetation. Ensure that landscape plans for new and rehabilitated structures conform to defensible space requirements of Section 4291 of the California Public Resources Code.
- **Policy HNS-1.6 – Water Lines** Require all public water providers to maintain adequate water supply systems and flows to meet fire suppression needs throughout the City.
- **Policy HNS-1.7 – Minimum Fire Flow Requirements** Require that all new construction meet the minimum fire flow requirements as set forth in the current California Building and Fire Codes.
- **Policy HNS-1.8 – Healthcare Campus District** Collaborate with Barton Healthcare System to ensure adequate access is provided for emergency vehicles in any new construction or reconstruction of facilities in the Healthcare District.

In addition to the proposed policies of the Tahoe Valley Area Plan listed above, the City has adopted policy provisions in the General Plan (CSLT 2011, p. PQP-9) and fire protection standards in Title 5 of the City Code to ensure adequate fire protection services in the future. These provisions include maintaining adequate staffing levels, maintaining appropriate response times, requiring projects to install fire resistant

materials and interior sprinklers, incorporating fire safe landscaping and defensible space in all remodeled and new construction. Taken together with compliance with the California Fire Code, these existing provisions would help prevent and minimize the occurrence of fires. Prior to any project approval, the South Lake Tahoe Fire Department is consulted during project review to ensure that any subsequent project would not adversely affect the Fire Department's ability to provide fire and emergency response to a project within the Tahoe Valley plan area as a whole. The development within the Tahoe Valley Area Plan would concentrate development or commodities, including residential units of use, that could already be constructed in the City in a single area, thereby resulting in a gross, but not net, increase in population. The Tahoe Valley Area Plan also proposes economic redevelopment that would increase the property tax base and sales tax, thereby increasing City revenues available to pay for added services, including additional fire personnel.

Fire Flow

Water infrastructure located within the Tahoe Valley Area Plan may not support adequate fire flow to serve the needs of the South Lake Tahoe Fire Department. However, implementation of General Plan, Municipal Code, California Fire Code protection policies and standards, and Tahoe Valley Area Plan Health and Safety Policy HSN-1.3 would reduce this impact to a less than significant level.

According to Lukins Brothers Water Company (Lukins) Water System Rehabilitation and Replacement Design Report, adopted in 2009 (per comm: Jennifer Lukins, 3/10/2015), the water purveyor for the northwest portion of the Tahoe Valley plan area, some of the water lines underlying the Tahoe Valley plan area are smaller than eight inches in diameter, generally considered the minimum required to provide adequate fire flow to hydrants and risers. In the case of a significant fire event, adequate flow may not be maintained to firefighters responding to the blaze. Older, smaller diameter lines (e.g., 4 inches) within the Tahoe Valley plan area will require update in order to adequately provide fire flow to the area.

The Lukins system rehabilitation report identifies needed improvements and recommended improvements to bring the water system up to current fire flow standards. Phase 1 of the waterline replacement was completed in the spring of 2014 and involved the installation of a 12-inch main along 12th Street, the installation of fire hydrants, and upgrading residential service connection to 1-inch pipes to accommodate fire sprinkler requirements (Lukins 2014). Phase 2 extends the replacement of 4-inch water mains with 12-inch water mains, hydrants and meters in the James Avenue area. This project is pending funding from State of California Department of Water Resources, State Revolving Funding Program.

Although the Lukins system is not completely upgraded at this time, the requirement of existing policies and standards of the General Plan, City Municipal Building Code, Tahoe Valley Area Plan, and the California Fire Code, which requires all new construction meet the minimum fire flow requirements, installation of sprinklers and fire resistance materials, and incorporation of fire safe landscaping and defensible space, would help prevent and minimize the occurrence of fires. Implementation of these measures reflects the SLTFD's orientation toward preventing structural fires by incorporating these measures in projects, thus reducing the likelihood of a fire and reducing the need for additional staffing.

See discussion and analysis in Question 132 below for parks and recreation impacts.

With respect to other public facilities, the City has facilities located throughout the City of South Lake Tahoe, which are used for various purposes including social gathering and recreation uses. However, within the Tahoe Valley Area Plan there are no city-owned recreational facilities.

Implementation of the Tahoe Valley Area Plan may result in increased demand for community facilities and services as well as a need for new or physically altered governmental facilities. However, the changes

in demand to community services and facilities are not expected to result in substantial effects to the physical environment. However, as with other projects developed within the Tahoe Valley plan area and consistent with existing conditions, environmental review of specific projects would be required to ensure that physical impacts on the environment area fully mitigated.

Given current staffing levels, the proximity of existing police, fire, and emergency service facilities, implementation of City General Plan policies to minimize fire risk and reduce demand, as well as declining school enrollment, it is not anticipated that implementation of the Tahoe Valley Area Plan would create a need to construct new facilities that, in turn, could require new or improved facilities, the construction of which could result in adverse effects to the environment. However, as with other projects developed within the Tahoe Valley plan area and consistent with existing conditions, environmental review of specific projects would be required to ensure that staffing needs are identified and properly mitigated.

Health Services

Barton Memorial Hospital has served the South Lake Tahoe community since 1963 as a regional medical center. Since its inception, the hospital has been fully accredited by the Joint Commission on Accreditation of Health Care Organizations and the State of California. Part of the Barton HealthCare System, Barton Hospital, is South Lake Tahoe's largest medical facility and largest employer (900 employees).

The Barton HealthCare System facilities located within the Tahoe Valley plan area include:

Barton Memorial Hospital and Helicopter Landing Pad. Located at 2170 South Avenue, South Lake Tahoe.

Barton Center for Orthopedics and Wellness. Located at 2170 South Avenue, South Lake Tahoe.

Barton Community Clinic. Located at 2201 South Avenue, South Lake Tahoe.

Barton Administrative Building. Located at 2155 South Avenue, South Lake Tahoe.

Tahoe Medical Offices. Located at 2169 South Avenue, South Lake Tahoe.

Barton Physician Offices. Located at 2175 South Avenue, South Lake Tahoe.

Barton Physician Offices. Located at 1139 Third Street, South Lake Tahoe

Barton Physician Offices. Located at 1090 Third Street, South Lake Tahoe.

Barton Laboratory. Located at 1067 Fourth Street, South Lake Tahoe.

Barton Offices. Located at 1111-1113 Emerald Bay Road, South Lake Tahoe.

Barton Offices. Located at 2092 Lake Tahoe Boulevard, South Lake Tahoe.

The following facility is outside of the Tahoe Valley plan area but still may serve residents and visitors to the area:

Stateline Medical Center. Located at 155 Highway 50, Stateline, Nevada.

Lake Tahoe Surgery Center. Located at 212 Elks Point Road, Zephyr Cove, Nevada.

Tahoe Orthopedics & Sports Medicine. Located at 212 Elks Point Road, Zephyr Cove, Nevada.

As reported in 2015 at the time of adoption, the Tahoe Valley Area Plan could result in development of 373 additional dwelling units as well as 102,000 additional square feet of CFA, incrementally increasing demand for health services in the Tahoe Valley plan area. The 2015 Tahoe Valley Area Plan established a Town Center Healthcare District east of the “Y” intersection. Establishment of this district consolidated health services within the Tahoe Valley plan area and the City as a whole, increasing convenience for users, providing adequate access through improvements to circulation and pedestrian/bicycle facilities to and from the district, and other similar ancillary benefits of consolidation. At the request of Barton, the proposed amendments would add numerous land uses to the District as documented in Table 7 of Chapter 2. The Tahoe Valley Area Plan includes the following objective and policy regarding Health Care District:

- **Policy LU-6.2 – Barton Hospital Campus** Encourage Barton Healthcare to consolidate its facilities within the Town Center Hospital Campus District (TC-HC). This district would provide for healthcare services such as an orthopedic center, employee housing, temporary housing for patients’ family members, and a parking garage. Encourage Barton Healthcare to prepare a Campus Master Plan for the Town Center Healthcare District that provides a blueprint for future development and redevelopment that connects existing and future facilities through an integrated pedestrian and bike friendly system.
- **Policy LU-6.4 – Parking** The Campus Master Plan should include an analysis of parking needs in the Town Center Healthcare District and incorporate parking management strategies to centralize and consolidate parking to create a “park-once” environment that is efficient, convenient and accessible by all the facilities located within the district.
- **Policy ED-2.1 – Healthcare** Encourage additional healthcare-related facilities to locate in the Town Center Healthcare District.
- **Policy ED-2.2 – Barton Hospital Campus Master Plan** Encourage and collaborate with Barton Hospital to develop a Campus Master Plan for the Town Center Healthcare District that promotes connectivity, walkability, and bikeability. (See also Policies LU-6.2 and LU-6.3.)
- **Policy ED-2.3 – Barton Hospital Incentives** Provide flexibility for the Barton Hospital to engage in public-private ventures. Upon adoption of a Campus Master Plan, healthcare services in which Barton Hospital owns a majority interest and are located within the Town Center Healthcare District will be considered public services provided by a non-profit organization, and may be exempt from the requirements for CFA entitlements pursuant to TRPA Code Section 50.8.3.

Update of older structures and the construction of new health care facilities would result in typical construction- and operational-related concerns of such uses. These effects include, but are not limited to, air quality impacts from both construction and operation, traffic impacts related to greater vehicle trips, biological and hydrological resources impacts (site dependent), and other similar effects of construction and operation of new structures within the Tahoe Valley plan area. These effects are discussed in the pertinent technical sections of this IS/IEC. The Tahoe Valley Area Plan would increase demand but also increase the effectiveness of health services, as well as potentially creating additional health related services within the City.

The Tahoe Valley Area Plan could result in development of 373 additional dwelling units and 102,000 square feet of CFA, and thus an associated increase in demand for healthcare services within the City. Additionally, as described above, the amendment to the Town Center Healthcare District to add new land uses is expected to result in greater flexibility for future redevelopment of health care-related structures

within the Tahoe Valley plan area. The reader is referred to Question 104 regarding proposed Policy ED-2.2 that would exempt certain health care services from the requirements of CFA entitlements.

Implementation of the Tahoe Valley Area Plan will have a **less than significant** impact to governmental services.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

129. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services: fire protection? (TRPA 14a)

See discussion and analysis for Question 128 above.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

130. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services: police protection? (TRPA 14b)

See discussion and analysis for Question 128 above.

Environmental Analysis: *Less than Significant Impact*

Required Mitigation: **None.**

131. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services: schools? (TRPA 14c)

See discussion and analysis for Question 128 above.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

132. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services: parks or other recreational facilities? (TRPA 14d)

This effect was analyzed in the RPU EIS and therefore tiers from the RPU EIS. (TRPA 2012a, Chapter 3.11.) This effect was also analyzed in the General Plan EIR, and this incorporates by reference the analysis from the General Plan EIR. (CSLT 2010, pp. 4.14-9 to 4.14-9.)

Within the Tahoe Valley Area Plan there are no City-owned or City-operated recreational facilities. Informal recreational activities available within the Tahoe Valley Area Plan include dispersed recreation activities, such as bicycling, running, jogging, walking, skateboarding, and in-line skating.

The City of South Lake Tahoe Parks and Recreation Department maintains the following facilities outside of the Tahoe Valley Area Plan. **Table 39** provides a list of these facilities along with their location and a description of the amenities offered.

Table 39 Parks and Recreation Facilities within City of South Lake Tahoe		
Name	Address	Facilities
Recreation and Aquatics Center	Rufus Allen Blvd. near its intersection with US Highway 50	Construction on a new recreation and aquatics center is scheduled for 2024. The new facility includes a pool, lazy river, gym, elevated track, commercial grade kitchen, and meeting rooms.
Recreation and Swim Pool Complex	1180 Rufus Allen Blvd.	Pool, weight room, multi-purpose gym, BBQ, new outdoor playground, sand volleyball court, meeting and party room rentals, adult, youth and teen programs, snack bar, and swim shop.
Ice Arena	1176 Rufus Allen Blvd.	NHL size ice surface with public skating, classes and hockey programs. Café, video arcade, disc sales, party room rentals, and pro shop.
Campground by the Lake	1150 Rufus Allen Blvd.	Open April–October. Cabins, group sites, hook ups.
Bijou Municipal Golf Course	3464 Fairway Ave. & Johnson Blvd.	Open May–October. 9-hole executive golf course with pro shop, practice net, putting green, snack bar and rentals.
South Lake Tahoe Recreation Area, El Dorado Beach, Boat Ramp & Parking	On US 50 at Lakeview Ave.	Concessionaire, picnic and BBQ areas. Boat ramp availability depends on lake level.
Conolley Beach	Behind Timber Cove Lodge on US 50	Public beach.
Lakeview Commons and El Dorado Beach	On US 50 across from Campground by the Lake	Public beach.
Regan Beach	½ mile west of El Dorado Beach off Lakeview Avenue at Sacramento Avenue	Public beach, playground, volleyball court, concessions, and restrooms.
Bijou Community Park	1201 Al Tahoe Blvd.	Group picnic shelters, gazebo/bandstand, playground, game court area, sand volleyball courts, horseshoe pits, fitness trail, 27-hole disc golf course, skateboard park (helmets and pads required), and a central concession/restroom building.
South Lake Tahoe Community Play Fields	1300 Al Tahoe Blvd.	110,000 sq. ft. synthetic turf multi-use play fields with warm-up area, parking, and restrooms.
South Lake Tahoe Senior Center	3050 Lake Tahoe Blvd.	Facility with meeting rooms and programs.
Explore Tahoe — An Urban Trailhead	4114 Lake Tahoe Blvd.	Tahoe Visitor’s Center.

The Lake Tahoe Unified School District maintains South Tahoe High School (located east of the Tahoe Valley Area Plan), which has tennis courts, ball fields, and a gymnasium, and Tahoe Valley Elementary School (located north of the Tahoe Valley Area Plan), which has play areas. Forest lands managed by the U.S. Forest Service located near the Tahoe Valley Area Plan provide opportunities for active and passive outdoor recreation.

In addition, bike and pedestrian trails have been incorporated in some of the open spaces within the Tahoe Valley plan area providing connections to adjacent neighborhoods and to regional recreation amenities. Further, the City General Plan incorporates policies designed to meet any increase in demand for recreational opportunities. (CSLT 2010, pp. 4.14-9 to 4.14-9.)

Under the 2015 Tahoe Valley Area Plan buildout projections, it is assumed that approximately 373 new residential units will be developed in the Tahoe Valley plan over the next 20 years. Using the City's average household population of 2.5 persons, this new development would increase the area's population by about 932 persons. There would also be additional activity associated with the anticipated 102,000 square feet of commercial floor area. However, this minimal growth potential is not expected to have an impact on existing facilities. Moreover, the Tahoe Valley Area Plan would result in the development of a new open space greenbelt, and bike and pedestrian trails to serve the existing and future population of the Tahoe Valley plan area. Therefore, a substantial increase in the use of the existing parks and recreational facilities in the Tahoe Valley plan area and surrounding region is not anticipated based on the small amount of anticipated growth and no substantial physical deterioration of these facilities would occur as a result of implementing the Tahoe Valley Area Plan. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

133. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services in maintenance of public facilities, including roads? (TRPA 14e)

The Tahoe Valley Area Plan would not alter or revise policies and practices pertaining to maintenance of public facilities, including roads. The City General Plan, Public/Quasi-Public Facilities and Services Element (CSLT 2011, p. PQP-4) lists the following goal and policy:

- **Goal PQP-1.1** To ensure the timely maintenance, expansion, and upgrades of public facilities and services for the entire community.
- **Policy PQP-1.5** The City shall require that new development pay its fair share of the cost of providing new public services and/or the costs of expanding/upgrading existing facilities in services impacted by new development.
- **Policy PQP-1.8** The City shall identify operations and maintenance costs and priorities for existing infrastructure, and identify and develop a fair, equitable, and stable fiscal program to finance the ongoing maintenance of infrastructure.

Therefore, subsequent projects under the Tahoe Valley Area Plan would be required to pay all appropriate fees associated with the maintenance of public facilities. Any subsequent projects proposed within the Tahoe Valley plan area would be subject to permitting by City and/or TRPA. Consistent with existing requirements, permit applicants would be required to demonstrate how any additional public maintenance requirements would be accomplished. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

134. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services in other governmental services? (TRPA 14f)

There are no other known governmental services that would be directly affected by development associated with the Tahoe Valley Area Plan.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.17 Recreation

This section presents the analyses for potential impacts to recreation. **Table 40** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 40 Recreation				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
135. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (CEQA XVa)			X	
136. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (CEQA XVa)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
137. Create additional demand for recreation facilities? (TRPA 19a)				X
138. Create additional recreation capacity? TRPA 19b)				X
139. Have the potential to create conflicts between recreation uses, either existing or proposed? (TRPA 19c)				X
140. Result in a decrease or loss of public access to any lake, waterway, or public lands? (TRPA 19d)				X

135. Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (CEQA XVa)

See response to Question 132 above.

As described above, there are currently no City-owned or City-operated parks or active recreational facilities within the Tahoe Valley plan area; however, there are some recreational facilities provided at the public schools adjacent to the Tahoe Valley plan area as well as informal recreational activities available throughout the Tahoe Valley plan area including bicycling, running, jogging, walking, skateboarding, and in-line skating. In addition, bike and pedestrian trails have been incorporated in some of the open spaces within the Tahoe Valley plan area providing connections to adjacent neighborhoods and to regional recreation amenities.

Under the 2015 Tahoe Valley Area Plan buildout projections, it is assumed that approximately 373 new residential units will be developed in the Tahoe Valley plan over the next 20 years. Using the City's average household population of 2.5 persons, this new development would increase the area's population by about 932 persons. There would also be additional activity associated with the anticipated 102,000 square feet of commercial floor area. However, this minimal growth potential is not expected to have an impact on existing facilities. Moreover, the Tahoe Valley Area Plan would result in the development of a new open space greenbelt, and bike and pedestrian trails to serve the existing and future population of the Tahoe Valley plan area. Therefore, a substantial increase in the use of the existing parks and recreational facilities in the Tahoe Valley plan area and surrounding region is not anticipated based on the small amount of anticipated growth and no substantial physical deterioration of these facilities would occur as a result of implementing the Tahoe Valley Area Plan. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

136. Would the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (CEQA XVb)

The Tahoe Valley Area Plan includes recreation goals, policies and implementation strategies that would encourage the development of additional recreational improvements within the Tahoe Valley plan area. These improvements include the following:

- Creating additional public open spaces (limited or no development);
- Constructing the Tahoe Valley Greenbelt (public open space with recreation access and recreation amenities);
- Encouraging public plazas and gathering spaces in commercial nodes;
- Improving the safety, convenience and attractiveness of pedestrian facilities;
- Constructing Class I bike paths, Class II bike lanes, and Class III bike routes linkages;
- Improving bicycle route crossings at major streets, state highways and the "Y" intersection;
- Improving the bike way-finding signage program; and
- Promoting the Town Center Core District as a recreation "hub" at Highway 50/89 intersection.

Environmental impacts of development and operation of these additional recreation amenities and improvements cannot be directly quantified as none of these proposed improvements have been designed and no specific proposals for construction of these improvements has been received by either TRPA or the City. However, general impacts are expected to be largely similar to other construction expected within the

Tahoe Valley plan area (air quality impacts from both construction traffic/equipment; potential soils impacts from grading and ground development as well as additional public use of open space; traffic generated through maintenance and use of these amenities; etc.). The potential environmental effects of constructing these recreational facilities are addressed as part of overall development of the Tahoe Valley Area Plan throughout this document at a programmatic level and mitigation measures are provided where necessary to minimize project impacts. In addition, each improvement would be subject to its own environmental review at a project-specific level prior to construction. Implementation of the policies contained in the proposed Area Plan and the mitigation measures identified herein, and the completion of project-level environmental review for each improvement will reduce this impact to a **less than significant** level.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

137. Will the Project create additional demand for recreation facilities? (TRPA 19a)

See response to Question 132 above concluding that this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

138. Will the Project create additional recreation capacity? (TRPA 19b)

See discussions and analyses in Questions 136 through 137 above that concludes that any potential new demand that is created by development within the Tahoe Valley plan area is expected to be easily met. Furthermore, the Tahoe Valley Area Plan also proposes policies and implementing strategies to enhance public transit, biking and pedestrian linkages to recreation uses within and beyond the boundaries of the Tahoe Valley Area Plan. By providing access to a wider range of public recreation opportunities within and outside the boundary will limit the disproportional effect on any one recreation site or activity.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

139. Will the Project have the potential to create conflicts between recreation uses, either existing or proposed? (TRPA 19c)

Any projects permitted through the Tahoe Valley Area Plan would be subject to subsequent project-level environmental review and permitting. Goal R-5 of the Regional Plan specifically addresses incompatibility of recreational uses and the associated system for regulating PAOTs (Section 50.9 of the TRPA Code), which would preclude any conflicts between existing or proposed recreational uses (TRPA 2012d, pp. 5-7 and 5-8). Additionally, the potential for expanded land uses to create conflicts between existing land uses was analyzed in Impact 3.11-2 of the RPU EIS (TRPA 2012a, p. 3.11-21) and was found to be **less than significant** due to the existing protections in the goals and policies of the Regional Plan.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

140. Will the Project result in a decrease or loss of public access to any lake, waterway, or public lands? (TRPA 19d)

TRPA policy encourages the preservation and enhancement of the high-quality recreation experience through the preservation of high-quality undeveloped shorezone and other natural areas and through the provision of additional access to such areas. The Tahoe Valley plan area does not encompass any shorezone. However, a portion of the Tahoe Valley plan area (18.9 acres) is already preserved as publicly-owned open space.

The Tahoe Valley Area Plan includes recreation goals and policies that would result in better utilization of public land in the Tahoe Valley plan area for recommended recreation amenities and provide for additional public open space amenities that are linked to adjacent neighborhoods and regional recreation sites. Specific recreational improvements called for in the Tahoe Valley plan area include restoring two disturbed sites acquired by the California Tahoe Conservancy to open space, and developing the Tahoe Valley Greenbelt as an open space and recreation amenity that can be accessed from the commercial nodes and adjacent residential areas. Also called for in the Tahoe Valley Area Plan is increased safety, convenience, access and attractiveness of pedestrian facilities and trails, construction of Class I bike paths, Class II bike lanes, and Class III bike routes, improvements to bike crossings, and other transportation and recreation improvements integrating the trail system to other regional recreation facilities that provide access to natural areas and public lands.

The Tahoe Valley Area Plan would specifically implement the following policies related to recreation:

- **Policy REC-1.1 – Hierarchy and Interconnection** Develop an interconnected system of open spaces, community parks, plazas, bike and pedestrian trails, and other types of public and private spaces as part of new development and redevelopment of existing sites.
- **Policy REC-1.3 – Private Improvements** Encourage the private sector to make recreational improvements on their land. Improvements may include establishing community event areas, providing paths and walkways that connect to adjacent sidewalks and bike paths, establishing appropriate space for the outdoor display of for sale or rent recreation equipment.
- **Policy REC-1.4 – Access** Enhance the existing trail and bike system that connects the Tahoe Valley area to recreation opportunities in the south shore.
- **Policy REC-2.1 – Preservation** Preserve and maintain open spaces within the Tahoe Valley plan area that provide a visual break from the urban environment as well as views of surrounding mountains, forests, and stream environment zones. Depending upon their ecological sensitivity, open spaces may incorporate paths, boardwalks, pedestrian and bicycle trails, and benches.
- **Policy REC-2.2 – Public Access** Ensure that public access does not jeopardize restoration activities and water quality and stormwater treatment projects on publicly-owned open space lands.
- **Policy REC-2.3 – Multi-Use** Encourage the multi-use of open spaces in the Tahoe Valley area for storm water treatment, pedestrian and bicycle connectivity, passive recreation uses and as a visual break from the developed environment.
- **Policy REC-2.4 – Tahoe Valley Greenbelt** Construct the Tahoe Valley Greenbelt Project as multi-use area incorporating stormwater treatment facilities, pathways, and open space. Allow for the accommodation of active and passive recreation uses that include but are not limited to installing bike/pedestrian paths, pedestrian amenities, and interpretive signage.

- **Policy REC-2.5– Adjacent Uses** Encourage commercial uses located adjacent to the Tahoe Valley Greenbelt to provide direct access to the greenbelt and use it as a visual amenity.
- **Policy REC-3.1 – Recreation Hub** Promote the Town Center Core District as a recreation hub by allowing for a mix of uses that promote outdoor recreation concessionaires, recreation based commercial services, and temporary activities. Connect the recreation hub to recreation opportunities by upgrading existing bike and pedestrian trails, constructing new connections, and increasing transit service. Improve access to recreation opportunities by installing way-finding and interpretive signage within the Town Center Core District and improve access along bike trails.
- **Policy REC-3.3 – Neighborhood/Pocket Parks** Develop neighborhood/pocket parks within the Neighborhood Professional District and surrounding residential areas.

Therefore, implementation of the proposed policies above, creating and preserving additional open space, construction of additional bike trails, and constructing the Tahoe Valley Greenbelt are consistent with TRPA policies encouraging the preservation of natural areas. Providing access to public recreation lands will result in a **beneficial impact**.

Environmental Analysis: *Beneficial Impact*.

Required Mitigation: **None**.

5.4.18 Transportation and Traffic (CEQA) and Traffic and Circulation (TRPA)

This section presents the analyses for potential impacts to transportation, traffic and circulation. **Table 41** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 41 Transportation, Traffic and Circulation				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
141. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (CEQA XVIa)			X	
142. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (CEQA XVIb)			X	
143. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (CEQA XVIc)				X
144. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (CEQA XVI d)			X	
145. Result in inadequate emergency access? (CEQA			X	

XVIe)				
146. Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (CEQA XVI f)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
147. Generation of 650 or more new average daily Vehicle Miles Travelled? (TRPA 13a)	X, LTS			
148. Changes to existing parking facilities, or demand for new parking? (TRPA 13b)				X
149. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities? (TRPA 13c)				X
150. Alterations to present patterns of circulation or movement of people and/or goods? (TRPA 13d)				X
151. Alterations to waterborne, rail or air traffic? (TRPA 13e)				X
152. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? (TRPA 13f)				X

141. Would the Project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (CEQA XVIa)

The Tahoe Valley Area Plan amendments would not alter, revise or conflict with any applicable plan, ordinance or policy establishing the measures of effectiveness for the performance of the circulation system. Consistent with the Regional Plan, development and redevelopment associated with the Tahoe Valley Area Plan as a whole, and individual projects therein, that would generate a net increase of 1,300 vehicle miles traveled (VMT) or more would be required to prepare a project-level traffic analyses in accordance with Section 65.2.4.B of the TRPA Code. Under the proposed amendments, restaurants would be permitted to add up to 20 seats of outdoor dining with no requirement for obtaining additional CFA. This amendment is considered to have a less than significant impact on applicable transportation plans given STPUD and TRPA determinations that this level of restaurant expansion would not require a change to sewer allocations or require new CFA for the business. For any new VMT that are generated, TRPA requires an applicant to offset the potential regional traffic and air quality effects of the new VMT by requiring an applicant to meet the standards of significance listed in Table 65.2.3-1. In accordance with Section 65.2.4.C of the TRPA

Code, regional and cumulative mitigation measures may include, but not be limited to transit facility construction; transportation system management measures (such as bicycle and pedestrian facilities and use of alternative fuels in fleet vehicles); or transfer and retirement of offsite development rights. In order to offset regional and cumulative impacts, additional development, excepting deed-restricted affordable, moderate, and achievable housing development within areas eligible for Residential Bonus Units, shall contribute to the Mobility Mitigation Fund. The amount of contribution is established in Code subparagraph 65.2.4.D. Thus, this impact would be **less than significant**.

Also see discussion and analysis in Question 19 above which conclude that all signalized intersections are found to attain LOS standards and analysis in Question 142 below which concludes that the 2015 Tahoe Valley Area Plan is forecast to result in a reduction in region-wide VMT of 10,702 or 0.55 percent below the baseline region-wide modeled total of 1,932,441.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

142. Would the Project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (CEQA XVIIb)

The Tahoe Valley Area Plan amendments would not alter, revise or conflict with the applicable congestion management program including but not limited to, level of service standards and travel demand measures, or other standards established by the congestion management agency for designated roads or highways. TRPA is the designated Regional Transportation Planning Agency in the Tahoe Basin and has established Level of Service standards for roadways and intersections and Vehicle Miles of Travel (VMT) standards.

The potential effect is the same as those analyzed in the City General Plan Update EIR, which included an evaluation of LOS for key roadway segments intersections. At full build out under the General Plan the General Plan EIR concluded that all roadway segments and all intersections would achieve the LOS standards under year 2030 traffic conditions (CSLT 2010, pp. 4.4-30 through 4.4-40). The amount and location of potential development allowed in the Tahoe Valley Area Plan is consistent with the City General Plan. All intersections would provide adequate (D or better) LOS under current traffic control.

The RPU EIS also evaluated roadway LOS in 2035 along US 50 and SR 89. The assumptions regarding future development in the Tahoe Valley plan area are articulated in Appendix E.7 of the RPU EIS (2012a). These assumptions include an increase in residential, tourist accommodation, and commercial uses in the Tahoe Valley plan area, consistent with increases that could occur under implementation of the Regional Plan. The amount and location of potential development allowed in the Tahoe Valley Area Plan is consistent with the Regional Plan and the RPU EIS analysis. Therefore, based on this modeling, roadway and intersection LOS standards along roadway segments in the Tahoe Valley would be acceptable in 2035 (TRPA 2012a, pp. 3.3-42 to 3.3-44). Any subsequent project implemented under the Tahoe Valley Area Plan that would not meet screening criteria for VMT (Code Section 65.2.3.D) would be required to prepare a project-level traffic analyses in accordance with Sections 65.2.4.B of the TRPA Code. Any impacts that exceed VMT standards of significance (Table 65.2.3-1) would require mitigation at a project level.

The 2015 Tahoe Valley Area Plan is consistent with the Regional Plan and analysis of VMT contained in the Regional Plan EIS. The City of South Lake Tahoe is also subject to the residential allocation procedures established by the TRPA Code that phases the release of land use allocations contingent upon VMT Threshold being maintained. As shown in **Table 42** the 2015 Tahoe Valley Area Plan is forecast to result

in a reduction in region-wide VMT of 10,702 or 0.55 percent below the baseline region-wide modeled total of 1,932,441. This includes consideration of proposed VMT reduction measures and environmental improvements in the Tahoe Valley Area Plan. To the degree that adoption of the Area Plan results in expanded implementation, this is considered to be a **beneficial impact**. The addition of approximately 11.5 acres to the Area Plan Town Center in the Gateway and Neighborhood Professional Districts and establishment of the new Emerald Bay Connection Corridor District (17.5 acres) would not adversely effect the projected benefits to VMT, as the land uses and densities are consistent with the existing goals of the Area Plan to concentrate development within close proximity to services and transit facilities.

TABLE 42 IMPACT ON REGIONAL VEHICLE MILES OF TRAVEL AT BUILDOUT OF 2015 AREA PLAN						
	Model Regional Vehicle Miles of Travel	Model Change from Baseline Conditions	Additional Reductions in VMT		Total Impact on VMT	% Total Impact on Regional VMT
			Transit Improvements	Bicycle / Pedestrian Improvements		
WITH REGIONAL PLAN UPDATE LAND USE						
Baseline Conditions	1,932,331	0	0	0	-	-
2015 Tahoe Valley Area Plan	1,924,144	-8,297	-850	-1,555	-10,702	-0.55%

Source: TRPA Regional Transportation Model

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

143. Would the Project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (CEQA XVIc)

The Project does not change air traffic patterns or air traffic. With respect to air traffic safety risks, see response to Question 74 above. Thus, there would be **no impact**.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

144. Would the Project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (CEQA XVII d)

Consistent with the TRPA Regional Plan and City General Plan, implementation of the Tahoe Valley Area Plan is expected to enhance pedestrian and bicycle safety. Figure 13 of the Transportation and Circulation Element includes the existing and planned bicycle and pedestrian facilities within the Tahoe Valley Area Plan.

Further, Policy T-3.4 of the Transportation and Circulation Element requires sidewalks for all new and

expanded uses. The Tahoe Valley Area Plan amendment areas would also be required to include improvements that would separate pedestrian and bicycle travel from roadway travel lanes, thus reducing the potential for conflicts between motor vehicles, bicyclists, and pedestrians. Specifically, by virtue of adding sidewalks, dedicated bike paths, enhanced transit, and other amenities, safety conditions would be improved and the potential for conflict would be reduced. Furthermore, all transportation and traffic related facilities proposed in the Tahoe Valley Area Plan would conform to the appropriate federal, state and local roadway, sidewalk intersection design standards (e.g., ASHTOO, MUTCD, Caltrans Highway Design Manual and City Roadway Design Standards) for public health and safety reasons.

The Transportation Element of the proposed Tahoe Valley Area Plan includes policies that provide for minimizing through traffic on residential streets, Complete Street strategies on collector streets, and improvements to separate bicycle/pedestrian and vehicular traffic. It would also result in a net reduction in vehicle-miles of travel. To the degree that adoption of the Area Plan results in expanded implementation of these strategies, this impact would be **beneficial**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

145. Would the Project conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (CEQA XVI)

The implementation of the Tahoe Valley Area Plan would implement policies of the adopted TRPA Regional Plan and City General plan which encourages a land use pattern that promotes the use of alternative modes of transportation. Tahoe Valley Area Plan policies call for construction of pedestrian sidewalk, bike paths, bike lanes and expansion of transit routes to recreation sites. It is expected that the adding sidewalks, dedicated paths, and enhanced transit options will improve safety conditions and allow efficient movement of people in the Tahoe Valley plan area. To the degree that adoption of the Area Plan results in expanded implementation of these strategies, this impact would be **beneficial**.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

146. Would the Project conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (CEQA XVII)

The implementation of the Tahoe Valley Area Plan would implement policies of the adopted TRPA Regional Plan and City General plan which encourages a land use pattern that promotes the use of alternative modes of transportation. Tahoe Valley Area Plan policies call for construction of pedestrian sidewalk, bike paths, bike lanes and expansion of transit routes to recreation sites. It is expected that the adding sidewalks, dedicated paths, and enhanced transit options will improve safety conditions and allow efficient movement of people in the Tahoe Valley plan area. To the degree that adoption of the Area Plan results in expanded implementation of these strategies, this impact would be **beneficial**.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

147. Will the Project result in generation of 650 or more new average Daily Vehicle Miles Travelled? (TRPA 13a)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis tiers from and is consistent with the RPU EIS. (TRPA 2012a, Chapter 3.3.)

While the 2015 Tahoe Valley Area Plan as amended would permit additional development on newly added vacant lands which could result in generation of new VMT, this change in area plan boundary is still consistent with the increase in development envisioned in the Regional Plan and analyzed in the RPU EIS, which projected to result in a 10 percent reduction in VMT region wide. Further, the proposed amendment under consideration is not a single project (to which the standard of 650 or more VMT is applicable), but an Area Plan, the implementation of which would likely result in some level of traffic increase.

The Tahoe Valley Area Plan amendments would not alter or revise the regulations pertaining to trip generation. Consistent with the Regional Plan, development and redevelopment associated with the Tahoe Valley Area Plan as a whole, and individual projects therein, is likely to generate 650 or more new average daily VMT. TRPA's updated project assessment process replaces average daily vehicle trip ends with VMT to determine a project's impact to transportation. The updated process screens eventual Area Plan development projects from additional analysis depending on its location: less than 1,300 average daily VMT when a project is within, or within 1/2 mile of a town or regional center; less than 715 average daily VMT in all other areas in the Region. Any subsequent project implemented under the Tahoe Valley Area Plan that would generate a net increase of VMT over these standards would be required to prepare a project-level traffic analyses in accordance with Section 65.2.4.B of the TRPA Code. The amendments would permit restaurants to add up to 20 seats of outdoor dining with no requirement for obtaining additional CFA. This amendment is considered to have a less than significant impact on VMT given TRPA's determination (Code Section 50.6.1.B.2) that this level of restaurant expansion would not require new CFA for the business. The amendments would allow accessory land uses to advertise separately from the primary land use – this is a change from TRPA Code. This amendment may result in increased visitation to accessory land uses and increase VMT. However, based on other limitations such as accessory use signage area and floor area, the potential increase to VMT is considered to be less than significant (e.g., under 650 or more new average daily VMT). For any new VMT that are generated by unexempted Area Plan projects, TRPA requires an applicant to offset the potential regional traffic and air quality effects of the new VMT by requiring payment of the calculated Mobility Mitigation Fee. The mobility mitigation fee amount would be assessed in accordance with the current mitigation fee schedule in the TRPA Rules of Procedure. Thus, this impact would be **less than significant**.

See also response to Question 142 above.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

148. Will the Project result in changes to existing parking facilities, or demand for new parking? (TRPA 13b)

While the Tahoe Valley Area Plan amendments could result in changes to existing parking facilities, the changes would be consistent with the development envisioned in the Regional Plan and analyzed in the RPU EIS and this analysis tiers from the RPU EIS. (TRPA 2012a, Chapter 3.3.) Therefore, the potential changes to existing parking facilities would comply with the Regional Plan and would occur in compliance with the City and TRPA Codes.

The City Code (Chapter 6.10) and proposed amendments to the Tahoe Valley Area Plan design standards (Appendix C) require any subsequent development under the Area Plan to meet standards for parking supply and design. The proposed Area Plan amendments include possibilities for reductions to parking supply standards for multi-family residential and commercial projects located within 0.5 mile of transit stops or with contribution to alternative transportation measures. To utilize the reduced parking standards, an applicant must demonstrate that the alternative parking standards would not impact offsite parking facilities. As this would ensure the adequate design and provision of parking, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

149. Will the Project result in substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities? (TRPA 13c)

See discussions and analyses for Questions 147, 148, 150, 151 and 152.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

150. Will the Project result in alterations to present patterns of circulation or movement of people and/or goods? (TRPA 13d)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis is tiered from the RPU EIS. (TRPA 2012a, Chapter 3.3.)

The Tahoe Valley Area Plan would not alter or revise the regulations pertaining to roadway and intersection level of service (LOS). The total amount of new development in the Tahoe Valley plan area is constrained by the growth control system in the Regional Plan and the proposed new permissible uses in the Tahoe Valley Area Plan would be consistent with the types of uses envisioned in the Regional Plan (see project description of this IS/IEC). As such, the Tahoe Valley Area Plan is within the development potential envelope of the Regional Plan, and no additional information on potential future projects within the Tahoe Valley plan area is known. Therefore, there is no need to further analyze roadway and intersection LOS beyond what was contemplated for the Regional Plan.

The RPU EIS also evaluated roadway LOS in 2035 along US 50 and SR 89. The assumptions regarding future development in the Tahoe Valley plan area are articulated in Appendix E.7 of the RPU EIS (2012a). These assumptions include an increase in residential, tourist accommodation, and commercial uses in the Tahoe Valley plan area, consistent with increases that could occur under implementation of the Regional Plan. The amount and location of potential development allowed in the Tahoe Valley Area Plan is consistent with the Regional Plan and the RPU EIS analysis. Proposed amendments would add parcels to the Area Plan boundary, but buildout assumptions for residential units and commercial floor area are not substantially increased. Therefore, based on the TRPA RPU modeling, roadway and intersection LOS standards along roadway segments in the Tahoe Valley would be acceptable in 2035 (TRPA 2012a, pp. 3.3-42 and 3.3-44). Any subsequent project implemented under the Tahoe Valley Area Plan that would generate a net increase of VMT over the standards of significance (Code Section 65.2.3.D.2) would be required to prepare a project-level traffic analyses in accordance with Section 65.2.4.B of the TRPA Code. Any impacts on roadway or intersection LOS would require mitigation at a project level. Thus, this impact would be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

151. Will the Project result in alterations to waterborne, rail or air traffic? (TRPA 13e)

Implementation of the Tahoe Valley Area Plan will not result in alterations to waterborne, rail or air traffic. Thus, there would be **no impact**.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

152. Will the Project result in increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? (TRPA 13f)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis is tiered from the RPU EIS. (TRPA 2012a, Chapter 3.3.)

Consistent with the TRPA Regional Plan and City General Plan, implementation of the Tahoe Valley Area Plan is expected to enhance pedestrian and bicycle safety. Figure 8-1 of the Transportation and Circulation Element includes the existing and planned bicycle and pedestrian facilities within the Tahoe Valley plan area.

Further, Policy T-3.4 of the Transportation and Circulation Element requires sidewalks for all new and expanded uses. The proposed Tahoe Valley Area Plan improvements would separate pedestrian and bicycle travel from roadway travel lanes, thus reducing the potential for conflicts between motor vehicles, bicyclists, and pedestrians. Specifically, by virtue of adding sidewalks, dedicated bike paths, enhanced transit, and other amenities, safety conditions would be improved and the potential for conflict would be reduced. Furthermore, all transportation and traffic related facilities proposed in the Tahoe Valley Area Plan would conform to the appropriate federal, state and local roadway, sidewalk intersection design standards (e.g., ASHTOO, MUTCD, Caltrans Highway Design Manual and City Roadway Design Standards) for public health and safety reasons.

The Transportation Element of the proposed Tahoe Valley Area Plan includes policies that provide for minimizing through traffic on residential streets, Complete Street strategies on collector streets, and improvements to separate bicycle/pedestrian and vehicular traffic. It would also result in a net reduction in vehicle-miles of travel. To the degree that adoption of the Area Plan results in expanded implementation of these strategies, this impact would be **beneficial**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

5.4.19 Tribal Cultural Resources (CEQA)

This section provides analysis regarding the project’s potential for substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, as it applies to the following. **Table 43** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 43: Tribal Cultural Resources				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
153. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k) (CEQA XVIIIa)			X	
154. 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 Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (C) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe (CEQA XVIIIb).			X	

153. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? (CEQA XVIIIa)

The proposed amendment does not alter regulations pertaining to cultural resources.

There is no evidence of intact, potentially significant Washoe cultural sites within the existing TVAP or proposed amendment areas. Pursuant to AB 52, the City of South Lake Tahoe sent notification letters to the Ione Band of Miwok Indians, Washoe Tribe of California and Nevada, Shingle Springs Band of Miwok Indians, and the United Auburn Indian Community on March 13, 2023. To date, no response has been received.

Federal and state regulations, the TRPA Code (Chapter 67) and City General Plan policies address protection of tribal cultural resources and provide processes to avoid or minimize impacts to such resources. Included in the existing Codes and policies are measures to identify tribal cultural resources discovered during ground disturbing construction activities, and protect those deemed by the tribes to have unique ethnic values. Project development within the amendment area will be required compliant with federal and state regulations, TRPA Code and General Plan policies during project specific review, and therefore, would not alter or adversely affect tribal cultural resources.

See discussion and analysis for Questions 47 through 50 above. Implementation of federal and state regulations, TRPA Code (Chapter 67), and General Plan policies address protection of historic, cultural, archaeological and paleontological resources and provide processes to avoid or mitigate impacts to these resources. Therefore, any development associated with the proposed amendments would not result in a physical change that would affect unique ethnic cultural values. Thus, this impact is considered to be **less than significant**.

Environmental Analysis: *Less than Significant Impact*

Required Mitigation: **None**.

154. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is 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 Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? (CEQA XVIIIb).

See discussion and analysis for Question 153 above.

Environmental Analysis: *Less than Significant Impact*

Required Mitigation: **None**.

5.4.20 Utilities and Service Systems (CEQA) and Energy and Utilities (TRPA)

This section presents the analysis for potential impacts to utilities, service systems and energy. **Table 44** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 44: Utilities, Service Systems and Energy				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
155. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (CEQA XVIIa)			X	
156. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (CEQA XVIIb)			X	
157. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (CEQA XVIIc)			X	
158. Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed? (CEQA XVIIId)			X	
159. Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments? (CEQA XVIIe)			X	

160. Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs? (CEQA XVIIIf)			X	
161. Comply with federal, state, and local statutes and regulations related to solid waste? (CEQA XVIIIf)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
162. Use of substantial amounts of fuel or energy? (TRPA 15a)				X
163. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? (TRPA 15b)				X
Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:				
164. Power or natural gas? (TRPA 15a)				X
165. Communication systems? (TRPA 15b)				X
166. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider? (TRPA 15c)				X
167. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider? (TRPA 15d)				X
168. Storm water drainage? (TRPA 15e)				X
169. Solid waste and disposal? (TRPA 15f)				X

155. Would the Project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (CEQA XVIIIf)

STPUD currently quantifies expected and current wastewater generation in terms of sewer units. A sewer

unit represents a single point source for wastewater, such as a kitchen or bathroom. Each sewer unit is assumed to generate on average 80 gallons per day (gpd) during normal flows.

Under the adopted 2015 Tahoe Valley Area Plan, the Tahoe Valley area could experience development of 373 additional dwelling units by the year 2032. According to current generation rates provided by STPUD (STPUD assumes that new multi-family dwellings are likely to include three sewer units per dwelling unit), this would result in approximately 1,119 new sewer units, which equates to 89,520 gpd of additional wastewater or 0.089 million gallons per day (mgd). While exact commercial wastewater generation flows cannot be determined by STPUD until specific commercial uses are identified, it is estimated that 102,000 square feet of CFA could generate approximately 31,824 gallons per day or 0.031 mgd of wastewater flow. As the STPUD wastewater treatment plant currently exhibits excess capacity of 3.7 mgd on average dry days, the project is not expected to require additional treatment capacity at the wastewater treatment plant. Moreover, STPUD wastewater demand projections for 2028 were estimated to be 5.8 mgd, which is well within the maximum capacity of 7.7 mgd.

As described above, the wastewater generated by potential increases in development within the Tahoe Valley area would not require additional capacity or infrastructure. The proposed amendments would help facilitate development within the Area Plan, but would add little additional potential development potential at buildout given the existing TRPA growth management restrictions. Therefore, the Tahoe Valley Area Plan would have a **less than significant** impact on wastewater collection and treatment systems.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

156. Would the Project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (CEQA XVIIb)

This potential effect is the same as those analyzed in the City General Plan EIR and therefore this analysis tiers from the General Plan EIR. (CSLT 2010, pp. 4.12-12 to 4.12-16 and 4.12-26 to 4.12-27.)

See discussion and analysis for Question 155 above that concludes adequate wastewater capacity exists and therefore the construction of new water or wastewater treatment facilities or expansion of existing facilities is unlikely. With respect to water supply systems, the adopted 2011 Tahoe Valley Area Plan could result in an additional 373 dwelling units and 102,000 square feet of CFA within the Tahoe Valley plan area. The amendments would expand the area plan boundary and help facilitate completion of the proposed residential and commercial buildout. This development would result in the need for upgraded water delivery infrastructure in both the Lukins and STPUD service areas.

Updates of water supply infrastructure commonly involve typical construction impacts including, but not limited to, potential impacts to surface waters, air quality (from exhaust equipment and particulate matter or dust), biological resources, and soils issues. These specific types of impacts are addressed programmatically with overall implementation of the Tahoe Valley Area Plan in the appropriate sections herein. Future environmental review of individual water infrastructure improvement projects may require project-specific environmental documentation, likely to be prepared with STPUD acting as lead agency once specific projects are designed.

The following list includes those Tahoe Valley Area Plan and General Plan policies that contain specific, enforceable requirements and/or restrictions and corresponding performance standards that address these potential impacts.

Tahoe Valley Area Plan

- **Policy PS-2.1 – Lukins Brothers Water**
Coordinate with South Tahoe Public Utility District and Lukins Brothers Water in upgrading water system in the Tahoe Valley area.

General Plan

- **Policy PQP-1.1: Infrastructure Expansion in Under-Served Areas.** The City shall coordinate and prioritize infrastructure expansion and/or improvements in areas that are under-served.
- **Policy PQP-1.2: Provider Requirements.** The City shall work within available legal means to ensure statutory requirements are met by all providers.
- **Policy PQP-1.3: Utility Service Agency Coordination Meetings.** The City shall conduct periodic coordination meetings with utility service agencies.
- **Policy PQP-1.4: Public Facility Master Plans.** The City shall prepare and annually review and regularly update public facility master plans to ensure compliance with appropriate regional, State, and Federal laws, use of modern and cost effective technologies, and compatibility with current land use policy.
- **Policy PQP-1.5 Fair Share Costs on New Developments.** The City shall require that new development pay its fair share of the cost of providing new public services and/or the costs of expanding/upgrading existing facilities and services impacted by the new development.
- **Policy PQP-1.7 Ultimate Capacity Needs.** The City shall ensure, through the development review process, that public facilities and infrastructures are designed and constructed to meet ultimate capacity needs, pursuant to a master plan, to avoid the need for future replacement to achieve upsizing.
- **Policy PQP-2.2 Coordination with Urban Water Management Plan.** The City should coordinate with and support the planning efforts of the South Tahoe Public Utility District (STPUD), including all measures contained in the Urban Water Management Plan.
- **Policy PQP-2.4 Sustainable Water Use.** The City shall encourage efficient practices that ensure water is used in a sustainable manner.
- **Policy PQP-2.5 Sustainable Water Distribution.** The City shall support local water supply agencies in upgrading public water systems, as needed, to ensure efficient and sustainable water distribution.
- **Policy PQP-2.7 Water and Wastewater Management Strategy.** The City shall support water and wastewater agencies in developing an innovative water and wastewater management strategy that considers water supply and treatment systems.
- **Policy PQP-6.2** The City shall coordinate efforts with water providers to ensure that fire protection needs and adequate water flows are met throughout the community. The City shall also work with water providers to design systems and processes, and build infrastructure necessary to ensure fire protection.

- **Policy HS-2.4** The City shall require all public water providers to maintain adequate water supply systems and flows to meet fire suppression needs throughout the city.
- **Policy HS-2.5** The City shall require that all new construction meets the minimum fire flow requirements as set forth in the California Building and Fire Codes.

The existing General Plan and proposed Tahoe Valley Area Plan policies listed above would ensure that the City coordinates with STPUD and the other water purveyors in the Tahoe Valley plan area on the planning and construction of water supply infrastructure required by new development (Policy PQP-2.7). These policies would also ensure that the City requires new development to pay its fair share of the costs of expanding and upgrading existing facilities and services impacted by the new development as well as to meet minimum fire flow requirements (Policy HS-2.4 and HS-2.5). As such, this impact is considered to be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

157. Would the Project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (CEQA XVIIc)

This potential effect is the same as those analyzed in the City General Plan EIR and therefore this analysis tiers from the General Plan EIR. (CSLT 2010, Chapter 4.7.)

See also responses to Questions 82 and 84-86 above.

All development permitted through the Tahoe Valley Area Plan would be required to meet TRPA BMP standards to reduce runoff and pollutant loading from impervious cover as specified in Section 60.4.6 of the TRPA Code, except where special conditions exist and are approved by TRPA, infiltration facilities designed to accommodate the volume of runoff generated by a 20-year, 1-hour storm are required for approval of all projects. Therefore, there would be no unplanned alterations or changes to existing stormwater drainage systems associated with buildout of the Tahoe Valley Area Plan that are not first studied and approved by proper regulatory agencies. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

158. Would the Project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (CEQA XVIIId)

This potential effect is the same as those analyzed in the City General Plan EIR and therefore this analysis tiers from the General Plan EIR. (CSLT 2010, Chapter 4.11.)

The adopted 2015 Tahoe Valley Area Plan could result in up to 373 residential dwelling units as well as up to 102,000 square feet of new CFA by the year 2032 (though it should be noted that potential CFA development in the proposed Tahoe Valley Area Plan is considerably less than that analyzed in the City's General Plan EIR [CSLT 2010, Chapter 4.11], which concluded a less than significant impact). The proposed amendments would not substantially increase the estimates at buildout. Buildout of the 2015 Area Plan would result in an annual water demand of approximately 179 acre-feet annually, and would not be

substantially increased by the proposed amendments. This water demand is well within STPUD's projected water demands through year 2030 (4,587 acre-feet annually), its water allocation, as well as the total annual 12,493 acre-feet allocation for use within the Tahoe Valley plan area under the Truckee-Carson-Pyramid Lake Water Rights Settlement Act and the California-Nevada Interstate Compact Concerning Water of Lake Tahoe, Truckee River, Carson River, and Walker River Basins. As identified in STPUD's Urban Water Management Plan, groundwater levels are stable in the STPUD service area and are considered a reliable source of water during drought years. Thus, adequate groundwater supply exists to meet the Tahoe Valley Area Plan's demands under existing and future conditions.

Furthermore, all development permitted by the Tahoe Valley Area Plan would be required to comply with Section 32.4 of the TRPA Code, which requires that a project applicant demonstrate the availability of adequate water quantity and quality for both domestic consumption and fire protection prior to project approval. This is demonstrated at a project-level through the acquisition of a Will Serve Letter from the applicable water purveyor.

Additionally, any project proposing construction, reconstruction, or expansion of a structure would be required to meet the Basic Services and Facilities Standards contained in the TRPA Code. Therefore, implementation of the Tahoe Valley Area Plan would not create water use in excess of the maximum permitted capacity of the service provider. Thus, this impact is **less than significant**.
Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

159. Would the Project result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments? (CEQA XVIIe)

See response to Question 155 above.

All development permitted by the Tahoe Valley Area Plan would be required to comply with Section 32.5 of the TRPA Code, which requires that all projects be served by facilities that provide treatment and export of wastewater from the Tahoe Region. Section 50.4.1(C) of the TRPA Code prohibits distribution of allocations to jurisdictions with insufficient wastewater capacity to support residential development, and Section 13.10.7 of the TRPA Code requires demonstration of adequate sewer capacity prior to occupancy of a transferred unit (TRPA 2012a, p. 3.13-16). Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

160. Would the Project be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs? (CEQA XVIIIf)

This potential effect is the same as that analyzed in the General Plan Update EIR. (CSLT 2010, Chapter 3.11.) The adopted 2015 Tahoe Valley Area Plan provides for 373 new residential units and up to 102,000 square feet of CFA over the next 20 years. Based on a per capita residential solid waste generation rate of 0.25 tons per resident per year (CIWMB, 2007b) and an average of 2.5 persons per household, the anticipated residential development would be expected to generate an additional 235 tons of solid waste per year by 2030. Based on an average per employee solid waste generation rate of 1.3 tons per employee per year (CIWMB, 2007c) and an estimated 400 new employees in the Tahoe Valley plan area (based on an average of 250 square feet per employee ratio), the anticipated commercial development would be expected

to generate an additional 520 tons per year. Therefore, full buildout of the 2015 Tahoe Valley Area Plan would result in the generation of approximately 635 additional tons of solid waste per year by 2030 (or about 2 tons per day).

The South Tahoe Refuse (STR) is under contract with the City to collect solid waste from city households and businesses as well as to process and transfer all solid waste for disposal or recycling. STR's main facility, which consists of a transfer station, materials recovery facility, and the Tahoe Basin Container Service, has a total permitted capacity of 370 tons per day, but currently receives 200 to 250 tons per day. The remaining capacity of 120 to 170 tons per day is sufficient to serve the growth anticipated under the proposed General Plan Update. Any additional staffing or equipment required to increase service to the city would be funded through the additional service rates that would be collected by STR from the new development. Solid waste is expected to be disposed of at the Lockwood Regional Landfill in Sparks, Nevada. This landfill has a total capacity of approximately 43 million tons and is expected to reach capacity by the year 2025. However, multiple large-scale expansions to the facility are expected before this capacity is reached. In addition, the city currently achieves a nearly 50 percent diversion rate (CIWMB, 2008a); therefore, the increase in solid waste requiring disposal at the landfill would be anticipated to be about half that generated by the planned development. In addition, implementation of the City's Sustainability Plan includes developing a recycling action plan to achieve a 55 percent diversion rate.

Both the STR main facility and the Lockwood Regional Landfill have sufficient capacity to manage the growth anticipated under the proposed General Plan Update as well as the Tahoe Valley Area Plan. Therefore, this impact is considered to be **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

161. Would the Project comply with federal, state, and local statutes and regulations related to solid waste? (CEQA XVIIg)

The Lockwood Regional Landfill will receive solid waste generated within the Tahoe Valley Area Plan and have sufficient capacity to serve the needs as discussed in Question 160 above. Existing resource recovery operations provide recycling of various materials, including green waste and construction material, which further reduces the quantity of waste sent to the landfill pursuant to state law. All projects proposed within the Tahoe Valley plan area would be subject to Chapter 4.150 of the City Code regulating refuse and garbage, as well as TRPA Regional Plan Land Use Element Goal 5, Policy ,1 Public Services Element Goal 3, Policy 2, and the City General Plan Policy PQP-3.3 requiring the transport of solid waste outside the Basin in compliance with California state laws. Thus, the Tahoe Valley Area Plan complies with federal, state, and local statutes and regulations related to solid waste.

Environmental Analysis: *No Impact*.

Required Mitigation: **None**.

162. Will the Project result in use of substantial amounts of fuel or energy? (TRPA 15a)

All development permitted through the Tahoe Valley Area Plan would occur in accordance with the Regional Plan and City Code. While any new construction would require electric and natural gas service as part of the basic services (Chapter 32 of the TRPA Code) the entire area within the Tahoe Valley plan area is located within close proximity to existing electric and gas infrastructure. Additionally, projects requiring new or modified connections would be subject the requirements and fees of the applicable utility providers.

The utility companies project that based on their forecasting and recent growth trends, the available capacity would far exceed the demand generated at build-out of the Regional Plan (TRPA 2012a, p. 3.13-20). Thus, this impact is **less than significant**.

Also see discussion and analysis for Question 110 above.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

163. Will the Project result in substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? (TRPA 15b)

See discussion in Question 162 above that concludes that the available capacity would far exceed the demand generated at build-out of the TRPA Regional Plan; therefore, demand create by implementation of the Tahoe Valley Area Plan, as amended would not exceed available capacity, or require the development of new sources of energy. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

164. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to power or natural gas? (TRPA 16a)

See discussion and analysis for Question 162 above that concludes that the available capacity would far exceed the demand generated at build-out of the TRPA Regional Plan; therefore, demand create by implementation of the Tahoe Valley Area Plan, as amended would not result in a need for new systems, or substantial alterations to power or natural gas. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

165. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to communication systems? (TRPA 16b)

Communication systems are not listed as a required basic service by TRPA Code or the City Code; however, the City Code requires any new communication wires to be installed underground (City Code Chapter 7.10.060). Any development or redevelopment permitted through the Tahoe Valley Area Plan, as amended would be located within existing service areas for communication systems providers. Each project would be responsible for any elected connection or subscription to communication systems within the region. Additionally, the increased development and re-development could stimulate investment in improved broadband service, which was identified as a need in the Lake Tahoe Basin Prosperity Plan (WNDD 2010). Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

166. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to utilize additional water which amount will exceed the maximum permitted capacity of the service provider? (TRPA 15c)

See discussion and analysis for Question 158 above that concludes additional capacity exists in the Tahoe Region and therefore a need for new systems, or substantial alterations to utilize additional water is unlikely. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

167. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider? (TRPA 15d)

See discussions and analyses for Questions 155, 156 and 159 above that concludes additional sewage capacity exists in the Tahoe Region and therefore a need for new systems, or substantial alterations to utilize additional treatment capacity is unlikely. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

168. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to storm water drainage? (TRPA 15e)

See discussion and analysis for Question 157 above, concluding that this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

169. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to solid waste and disposal? (TRPA 15f)

See discussion and analysis for Question 160 above. Implementation of the Tahoe Valley Area Plan, as amended would result in new development that would increase the Region's overall solid waste generation. Solid waste generation under the TRPA Regional Plan is anticipated to increase to 115,200 tons per year with some small portion of that attributable to the Tahoe Valley Area Plan. Given the substantial existing capacity of 22 million tons, and planned expansion that would allow for a total capacity of 204 million tons at the Lockwood Regional Landfill, waste disposal needs for development under the Tahoe Valley Area Plan could be adequately served in the future. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

5.4.21 Mandatory Findings of Significance

This section presents the analyses for mandatory findings of significance. **Table 45** identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 45: Mandatory Findings of Significance				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
170.Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (CEQA XVIIIa)			X	
171.Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (CEQA XVIIIb)			X	
172.Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (CEQA XVIIIc)			X	

TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
<p>173.Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory? (TRPA 21a)</p>				<p>X</p>
<p>174.Does the Project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.) (TRPA 21b)</p>				<p>X</p>
<p>175.Does the Project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?) (TRPA 21c)</p>				<p>X</p>
<p>176.Does the Project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly? (TRPA 21d)</p>				<p>X</p>

170. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (CEQA XVIIIa)

Fish and Aquatic Habitat

The Tahoe Valley Area Plan would not alter or revise any TRPA Regional Plan policies pertaining to the management of aquatic resources, or permitting of projects affecting these habitats. The Tahoe Valley Area Plan would permit development and redevelopment only in accordance with the Regional Plan and General Plan, and any projects proposed within the plan area that could affect aquatic habitats would be subject to TRPA's existing regulations requiring project-specific environmental review and development and implementation of project-specific measures for any significant effects on fish habitat as a condition of project approval. This potential impact was analyzed in the RPU EIS and, with implementation of TRPA's existing policies and code provisions, found to be less than significant (TRPA 2012a, p. 3.10- 45). Construction activities could result in temporary increases in sedimentation, small amounts of fill placed in aquatic habitats, and the release and exposure of construction-related contaminants. As under existing conditions, these impacts would be minimized and mitigated through construction BMPs and compensatory mitigation requirements as specified in TRPA and City policies and code provisions, and other applicable federal and state regulations.

Rare or Endangered Species and Communities

The Tahoe Valley Area Plan would not alter or revise TRPA Regional Plan policies regarding the protection of rare, endangered, or sensitive plant and animal communities. Compliance with all provisions of the Resource Management and Protection regulations found in Chapter 67 of the TRPA Code is still required for all project review delegated to the City. The Tahoe Valley Area Plan would permit development and redevelopment only in accordance with the TRPA Regional Plan and City General Plan, and any projects proposed within the plan area that could affect sensitive plant or animal communities would be subject to TRPA's existing regulations requiring project-specific environmental review and development and implementation of project-specific measures for any significant effects on fish habitat as a condition of project approval. This potential impact was analyzed in the RPU EIS and, with implementation of TRPA's existing code provisions and requirements, found to be less than significant (TRPA 2012a, p. 3.10-50). During project-level environmental review, potential impacts to protected plant or animal communities would be identified and minimized through the design process and/or through compensatory mitigation, as required under TRPA and applicable federal and state regulations. Additionally, any new development and redevelopment within the Tahoe Valley Area Plan boundary would occur in accordance with TRPA policies that incentivize transfers of land coverage and development rights from sensitive lands, and require restoration and retirement of the sending sites (TRPA 2012a). This policy could result in a benefit to the associated special status species through enhancement and restoration of riparian and wetland habitats.

Cultural, Historical, and Archeological Resources

The Tahoe Valley Area Plan would not alter or revise TRPA Regional Plan policies regarding the protection of cultural, historical, or archeological resources. Compliance with all provisions of the Resource Management and Protection regulations found in Chapter 67 of the TRPA Code is still required for all project review delegated to the City. In addition, federal and state regulations address protection of these resources and provide mechanisms to minimize impacts. The Tahoe Valley Area Plan would permit development and redevelopment only in accordance with the TRPA Regional Plan and the City General Plan, some of which could occur on properties with known or unknown cultural, historical, or archeological

resources. The proposed Tahoe Valley Area Plan contains historic sites CA-Eld-721-H and CA-Eld-2240-H as identified by archaeological and historical investigations. Previous cultural resources studies within the Tahoe Valley plan area suggest that it is sensitive for the presence of undiscovered prehistoric sites, historic sites, and historic buildings and structures (e.g., given the location of the former Barton Ranch complex, motels/auto courts). The potential impacts to cultural resources were analyzed in the RPU EIS and, with implementation of TRPA's existing code provisions, found to be less than significant (TRPA 2012a, beginning on p. 3.15-13). During project-level environmental review, cultural, historical, and archeological resources specific to the site would be identified, significance determined, and appropriate mitigation implemented in accordance with federal, state, City, and TRPA regulations.

Because the Tahoe Valley Area Plan amendment proposes no changes to existing policies regarding aquatic habitats, special status plant or animal communities, or to cultural, historical, and archeological resources, and because federal, state, and TRPA protections are already in place, implementation of the Tahoe Valley Area Plan would not result in the degradation of these resources.

In addition, the Tahoe Valley Area Plan, as amended, is consistent with the TRPA Code of Ordinances Chapter 13.5.3.G concerning modification to Town Center boundaries. As analyzed herein, TRPA and the City have determined that implementation of the updated Tahoe Valley Area Plan, including all elements of the plan, existing environmental protection requirements, and adopted mitigation, would achieve and maintain TRPA's environmental threshold carrying capacities and result in environmental improvement. Therefore, the Tahoe Valley Area Plan amendment would not have the potential to degrade the quality of the environment. Thus, these impacts are **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

171. Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (CEQA XVIIIb)

Like the General Plan itself, the Tahoe Valley Area Plan amendment is a collection of goals, policies, and measures designed to guide the development of the plan area and support the Region in attaining environmental thresholds and other important objectives. Because these policies are implemented in the Tahoe Valley Area Plan over the long-term (i.e., the remaining 20 years of the Plans applicability) and are applicable to all programs and projects over this period, they are inherently cumulative in nature.

The cumulative projects contemplated in the General Plan EIR (CSLT 2010, Chapter 5.0; and see TRPA 2012a, pp. 4-2 through 4-10) include Environmental Enhancement, Land Management Plans, TTD/TMPO projects and programs, and other development projects. These projects and programs also apply to the Tahoe Valley Area Plan, their scope and characteristics are not known to have substantially changed, no additional cumulative projects or programs are known at this time.

Because the Tahoe Valley Area Plan, as amended, will be wholly consistent with the General Plan and because no specific projects are proposed for which contributions to cumulative impacts may be defined and assessed, the cumulative impacts analysis prepared for the Regional Plan is also applicable to the Tahoe Valley Area Plan. As discussed in Question 68, the General Plan EIR concluded that General Plan implementation could result in increased development, redevelopment, and construction activity resulting in an increase in overall greenhouse gas (GHG) emission that would make a cumulatively considerable contribution to global climate change. Because the Tahoe Valley Area Plan amendment is consistent with

and implements the General Plan and the General Plan EIR, development and population growth anticipated during the Tahoe Valley Area Plan horizon could also contribute cumulatively to global climate change. The General Plan EIR disclosed this significant effect; mitigated it and concluded that with implementation of relevant policies from the General Plan Update, the City's Sustainability Plan (which calls for development of a GHG inventory and reduction target), and associated mitigation measure MM 4.5.6 are anticipated to mitigate GHG emissions in a manner consistent with current state efforts to reduce GHG emissions under AB 32 and SB 375. Specifically implementation of IMP-8.6 (Greenhouse Gas Emission Reduction Strategy in the years 2013-2015) in combination with implementation of Mitigation Measure MM 4.5.6 that would require coordination with future TRPA GHG reduction efforts and the establishment of an emission reduction target consistent with AB 32 and SB 375 reduction efforts would ensure that City GHG emissions are mitigated. Thus, this impact is considered less than cumulatively considerable (CSLT 2011a, pp. 4.0-4 through 4.0-5). Because the Tahoe Valley Area Plan, as amended is consistent with and implements the General Plan and is consistent with the General Plan EIR, development and population growth anticipated during the Tahoe Valley Area Plan planning horizon is not expected to make a considerable contribution to global climate change. Thus this impact is considered **less than significant**.

Additional consideration is applied below to those resources that could result in more localized cumulative effects, including noise, geologic hazards, scenic resources, and recreation.

Traffic

The Tahoe Valley Area Plan amendment would not alter, revise or conflict with applicable plan, ordinance or policy establishing the measures of effectiveness for the performance of the circulation system. Consistent with the Regional Plan, development and redevelopment associated with the Tahoe Valley Area Plan as a whole, and individual projects therein, that would generate a net increase of 650 average daily VMT or more would be required to prepare a project-level traffic analyses in accordance with Section 65.2.4.B of the TRPA Code. For any new VMT that are generated, TRPA requires an applicant to offset the potential regional traffic and air quality effects of the new VMT by requiring an applicant to contribute to the Mobility Mitigation Fund. The mobility mitigation fee amount would be assessed in accordance with the current mitigation fee schedule in the TRPA Rules of Procedure. Furthermore, all individual projects would be required to meet all applicable LOS standards for roadways and intersection standards. For these reasons the Tahoe Valley Area Plan, as amended would not contribute to an increase in traffic levels that results in cumulatively adverse impacts. Thus, this impact is **less than significant**.

Water Quality

The Tahoe Valley Area Plan potential effect on water quality was discussed above in response to Questions 82-102. All new development and redevelopment within the Tahoe Valley plan area as amended would be required to meet existing BMP standards to control potential increases in stormwater runoff and pollutant loading onsite. As specified in Section 60.4.6 of the TRPA Code, except where special conditions exist and are approved by TRPA, infiltration facilities designed to accommodate the volume of runoff generated by a 20-year 1-hour storm are required for approval of all projects within the Tahoe Basin. Therefore, new development within the Tahoe Valley plan area is not expected to cumulatively create or contribute additional runoff that would exceed the capacity of existing or planned stormwater drainage system. Thus, this impact is **less than significant**.

Cultural Resources

Because federal and state regulations, the TRPA Code (Chapter 67) and General Plan Policies (CSLT 2010, pp. NCR-6 through NCR-7) address protection of these resources and provide processes to avoid or minimize

impacts to historic and archaeological resources and any development associated with the Tahoe Valley Area Plan would be required to comply with federal and state regulations, TRPA Code and General Plan policies, during project specific review, it would not contribute to an adverse cumulative effect on archeological or historical resources. Thus, this impact is **less than significant**.

Noise

The Tahoe Valley Area Plan would continue or strengthen the noise standards currently in effect. In addition, the City and/or TRPA would continue to implement the project specific noise reduction measures described in the Regional Plan EIS, General Plan EIR and the Tahoe Valley Area Plan. For these reasons the Tahoe Valley Area Plan, as amended would not contribute to an adverse cumulative increase in noise levels. Thus, this impact is **less than significant**.

Hazards

Because existing TRPA and City protections are in place, and because project-specific environmental review would be required for all projects, implementation of the Tahoe Valley Area Plan, as amended would not result in increased exposure of people or property to geologic hazards. As part of the 2012 RPU EIS analysis, TRPA conducted an analysis of wildfire risk and its impact on emergency evacuation analysis, considering the amount of growth forecast for the region. This amendment does not propose additional growth, only amendments to area plan boundary, land uses and design standards intended to encourage buildout of the remaining residential and commercial development within the Tahoe Valley Area Plan. As such, the amendments do not exacerbate previously identified wildfire risk from the buildout development of new residential housing. The proposed amendments are focused on town centers and areas immediately adjacent to town centers, where wildfire danger is inherently less because these areas are further from the wildland-urban interface, and there is more defensible space and urban development (e.g., pavement). New housing developments and commercial buildings that may be facilitated by the amendments are still subject to local building standards that are written to ensure structures can withstand fire and be used to shelter in place. Thus, this impact is **less than significant**.

Scenic Resources

Because the Tahoe Valley Area Plan carries forward and strengthens the existing scenic protections, and because all permitted projects would continue to meet the TRPA scenic threshold non-degradation standard, the Tahoe Valley Area Plan, as amended would not contribute to an adverse cumulative effect on scenic resources. Thus, this impact is **less than significant**.

Recreation

The Tahoe Valley Area Plan protects existing recreational resources and provides for the development of increased recreation opportunities through the construction of a bike paths and lanes. Implementation of the Tahoe Valley Area Plan would be consistent with land use changes and policies contemplated and analyzed in the General Plan EIR, including their potential to contribute to cumulative environmental effects. Because all permitted projects would continue to meet the TRPA recreation threshold non-degradation standard, the Tahoe Valley Area Plan, as amended would not contribute to an adverse cumulative effect on recreation resources. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

172. Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (CEQA XVIIIc)

As described above in question 171, projects permitted through the Tahoe Valley Area Plan would require project-level environmental review and would be required to comply with all applicable TRPA, federal, state, county, and City regulations, including protections for human health and safety. Therefore, implementation of the Tahoe Valley Area Plan, as amended would not create a substantial direct or indirect adverse effect on human beings. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

173. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory? (TRPA 21a)

See analysis in Question 171 that concludes implementation of the Tahoe Valley Area Plan would be consistent with land use changes and policies contemplated and analyzed in the RPU EIS, including their potential to contribute to cumulative environmental effects. This discussion of cumulative effects tiers from the cumulative impact discussion included in the RPU EIS. Additionally, the RPU EIS identified resources with localized cumulative issues such as noise, geologic hazards, scenic impacts, and recreation impacts, which were further analyzed in this IS/IEC and were not found to have adverse cumulative effects. Therefore, the Tahoe Valley Area Plan, as amended and the cumulative projects contemplated in the RPU EIS would not result in a considerable contribution to cumulative adverse conditions. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

174. Does the Project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (TRPA 21b)

The TRPA Regional Plan is a broad suite of policies, ordinances, and land use controls designed specifically to achieve long-term environmental goals. The Tahoe Valley Area Plan would implement the policies of the TRPA Regional Plan and City General Plan, which—among others—call for concentrating development and redevelopment in town centers (e.g., the TC-G, TC-C, TC-MUC and TC-HC zoning districts), combined with transfer of land coverage and development rights from sensitive lands and lands more distant from community centers, and restoration of those areas (TRPA 2012a).

The Tahoe Valley Area Plan, like the Regional Plan itself, is a collection of policies and ordinances; no specific projects are proposed or would be approved through approval of the Tahoe Valley Area Plan. However, as described in Section 5.4 of the RPU EIS, the Regional Plan will be implemented through projects that would have short-term effects, but through which long-term term environmental goals will be achieved.

The potential development permitted through the Tahoe Valley Area Plan, as amended could commit raw land to new development resulting in permanent alterations to soils, habitats, and land uses.

Development in accordance with RPU and Tahoe Valley Area Plan policies and ordinances, however, would result in a refinement of the land use pattern within the Region through redevelopment in urban areas and transfer of development rights from sensitive lands to improve the long-term sustainability of natural resources and to support social and economic health (TRPA 2012a). Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

175. Does the Project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant?) (TRPA 21c)

See analysis in Question 171 that concludes implementation of the Tahoe Valley Area Plan would be consistent with land use changes and policies contemplated and analyzed in the RPU EIS, including their potential to contribute to cumulative environmental effects.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

176. Does the Project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly? (TRPA 21d)

See discussion and analysis for Question 172 above that concludes that projects permitted through the Tahoe Valley Area Plan would require project-level environmental review and would be required to comply with all applicable TRPA, federal, state, county, and City regulations, including protections for human health and safety. Therefore, implementation of the Tahoe Valley Area Plan, as amended would not create a substantial direct or indirect adverse effect on human beings. Thus, this impact is **less than significant**.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

5.5 CERTIFICATION [TRPA ONLY]

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Signature:

_____ at _____
Person preparing application County Date

5.6 REFERENCES

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