

Location 128 Market Street Stateline, NV 89449 Contact
Phone: 775-588-4547

Fax: 775-588-4527 www.trpa.gov

The following questionnaire will be completed by the applicant based on evidence submitted with the application. All "Yes" and "No, With Mitigation" answers will require further written comments. Use the blank boxes to add any additional information and reference the question number and letter. If more space is required for additional information, please attached separate sheets and reference the question number and letter.

For information on the status of TRPA environmental thresholds click on the links to the Threshold Dashboard.

# I. Environmental Impacts

### 1. Land

Current and historic status of soil conservation standards can be found at the links below:				itigatior	cient
Wi	<ul> <li>Impervious Cover</li> <li>Stream Environment Zone</li> <li>Il the proposal result in:</li> </ul>	Yes	ON O	No, with mitigatior	Data insufficient
a.	Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?				
b.	A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?				
c.	Unstable soil conditions during or after completion of the proposal?				
d.	Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?				
e.	The continuation of or increase in wind or water erosion of soils, either on or off the site?				
f.	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?				
g.	Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?				

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# 1. Land (Continuation Page)

#### **Discussion:**

Amendments to Section 30.4.2 and 30.4.6.H "Facilities for Public Safety and Access of the Disabled" clarifies that coverage transferred to a parcel for public safety and access facilities may be exempted from land coverage calculations. This provision is consistent with Section 30.4.6.C for the exemption of coverage for Americans with Disabilities Act (ADA) related facilities. The 2012 Regional Plan EIS concluded that an ADA coverage exemption would result in a less-than-significant impacts related to stormwater runoff and pollutant loads based on the required implementation of stormwater systems (i.e. BMPs), design guidelines, and coverage limits of the Bailey land capability system.

Permissible coverage exemptions under the subject code sections does not create "new coverage". The amendments provide limited applicability for health and safety facilities and access where coverage is unavailable or limited. To take advantage of such exemptions, a project proponent would be required to transfer in coverage from an equally sensitive or more sensitive parcel, and thus limiting the development potential on the sending site. This transfer of coverage is a requirement and serves as a coverage relocation (i.e. no net increase in coverage on sensitive lands).

The proposed amendments maintain the same implementation mitigation measures as Section 30.4.6.C related to ADA facilities. Parcels eligible for the coverage exemptions must have a BMP certificate and comply with applicable design guidelines (e.g. home landscaping guide, fire defensible space, and Design Guidelines for any new structure or facilities), as well as the transfer of coverage as discussed above. The amendments retain and do not alter Sections 30.4.6.E and 30.5 that limit the aggregate of coverage exemptions permissible on a parcel or project area and that prohibit additional land coverage on sensitive lands with some exceptions.

Additional amendments to Section 30.4.6 "Exemptions and Partial Exemptions from Calculation of Land Coverage" clarify the type of object or structure that may be eligible and clarify by way of measurable criteria the material or structures eligible under this section.

The 2012 Regional Plan EIS concluded that partial or full coverage exemptions could result in additional coverage in the Region; however, coverage exemptions would result in less-than-significant impacts related to stormwater runoff and pollutant loads based on the implementation of requirements such as project compliance with design and development guidelines, installation of stormwater systems (i.e. BMPs), and coverage limits of the Bailey land capability system. In order to be eligible for coverage exemptions, the parcel or project area is required to have a BMP certificate and install BMPs.

To take advantage of coverage exemptions, project proponents must install BMPs and fully mitigate all excess coverage at the time of project approval which is typically through a mitigation fee.



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These mitigation fees are held by TRPA and disbursed to the local land banks to help fund important restoration projects and legacy development acquisitions to further threshold attainment.

The proposed amendments do not increase development potential beyond what the Code currently allows as analyzed in the 2012 Regional Plan EIS. The amendments retain and do not alter Sections 30.4.6.E and 30.5 that limit the aggregate of coverage exemption permissible on a parcel or project area and that prohibit additional land coverage on sensitive lands with some exceptions.

Amendment to Section 30.4.7 "Off-Site Land Coverage" codifies a code interpretation from 2001. Specifically, the amendment defines off-site coverage and prescribes general standards consistent with existing practices. This amendment is limited in applicability because it relates to coverage, such as parking or walkways, only within the right-of-way. The proposed language may result in additional coverage within the Region; however, all off-site coverage is required to be fully mitigated by paying an excess coverage mitigation fee and therefore would result in a less-than-significant impact to water quality and pollutant run-off. Excess coverage mitigation fees, as discussed above, are paid by project proponents and held by TRPA to be disbursed to the local land banks for environmentally beneficial restorations and site acquisitions.



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# 2. Air Quality

Current	and historic status of air quality standards can be found at the links below:				
•	Carbon Monoxide (CO) Nitrate Deposition Ozone (O3) Regional Visibility Respirable and Fine Particulate Matter Sub-Regional Visibility proposal result in:	Yes	No	No, with mitigation	Data insufficient
a. Sub	stantial air pollutant emissions?				
b. Det	erioration of ambient (existing) air quality?				
c. The	creation of objectionable odors?				
	ration of air movement, moisture or temperature, or any change in climate, er locally or regionally?				

### Discussion

e. Increased use of diesel fuel?



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პ.	water Quality				
Cu	rrent and historic status of water quality standards can be found at the links below:				
Wi	<ul> <li>Aquatic Invasive Species</li> <li>Deep Water (Pelagic) Lake Tahoe</li> <li>Groundwater</li> <li>Nearshore (Littoral) Lake Tahoe</li> <li>Other Lakes</li> <li>Surface Runoff</li> <li>Tributaries</li> <li>Load Reductions</li> <li>Il the proposal result in:</li> </ul>	Yes	No	No, with mitigation	Data inc. Ifficient
a.	Changes in currents, or the course or direction of water movements?				
b.	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?				
c.	Alterations to the course or flow of 100-yearflood waters?				
d.	Change in the amount of surface water in any water body?				
e.	Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?				
f.	Alteration of the direction or rate of flow of ground water?				
g.	Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?				
h.	Substantial reduction in the amount of water otherwise available for public water supplies?				
i.	Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?				
j.	The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?				

# Discussion

k. Is the project located within 600 feet of a drinking water source?

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# 3. Water Quality (Continuation Page)

#### **Discussion:**

Amendments to Section 2.3 "Exempt Activities" include moving select minor activities from the Qualified Exempt activity list to a fully Exempt activity. These are activities that are consistent in scale and scope of existing exempt activities.

The difference between an Exempt activity and a QE is largely procedural. A QE is a declaration filed by a project proponent on a TRPA provided form. QEs are not TRPA actions or approvals and are not required to be reviewed by staff per the existing TRPA code. Fully exempt activities do not require review, approval or any documentation submittal to TRPA. Exempt activities, like all activities and projects, are still subject to compliance enforcement and action should the activity be inconsistent with the TRPA Code or cause harmful environmental impacts.

The activities that would result in land coverage or permanent land disturbance, disturbance to natural grade or drainage patterns or absorption rates, require stormwater systems (i.e. BMPs), or require mitigation fees are not included in the amendment package.

Amendment to Sec 82.5.8 serves to codify Code Interpretation 2023-01 "Shorezone Boulder Relocation". In 2018, TRPA added to the Code a qualified exempt (QE) activity for boulder relocation in the shorezone to enhance navigational safety. A QE activity is an activity that does not have the potential to have a substantial effect on the land, air, water, space, or any other natural resource in the region. The boulder relocation QE, however, provides no limitation on the number of boulders that can be relocated. Moreover, in order to protect lake clarity, TRPA strictly limits new dredging (which includes boulder relocation) to marinas and public facilities and only when certain findings can be made. Recently, TRPA has received boulder relocation QEs for substantial numbers of boulders that both individually and cumulatively present risk of negative environmental impacts beyond those anticipated for this QE category. Boulder relocation can adversely impact water quality depending on lake bottom substrate, the degree of sedimental disturbance, whether and to what extent a boulder is buried, the technique used to relocate the boulder, and implementation of best construction management practices. This amendment mitigates those impacts to less than significant by limiting such activity and placing measurable requirements on such activities.

Amendments to Section 30.4.2 "Facilities for Public Safety and Access of the Disabled" and 30.4.6 "Exemptions and Partial Exemptions from Calculation of Land Coverage" clarify the type of object or structure that may be eligible and clarify by way of measurable criteria the material or structures eligible under this section.

The 2012 Regional Plan EIS concluded that an ADA coverage exemption would result in a less-thansignificant impacts related to stormwater runoff and pollutant loads based on the required implementation of stormwater systems (i.e. BMPs), design guidelines, and coverage limits of the Bailey land capability system. The proposed amendments maintain the same implementation mitigation



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measures as Section 30.4.6.C related to ADA facilities. Parcels eligible for the coverage exemptions must have a BMP certificate and comply with applicable design guidelines (e.g. home landscaping guide, fire defensible space, and Design Guidelines for any new structure or facilities).

In order to be eligible for coverage exemptions, the parcel or project area is required to have a BMP certificate and installation of BMPs. Coverage exemptions can and do serve as an incentive for property owners to maximize their development potential. In doing so, this expedites and furthers compliance with the installation and maintenance of stormwater systems on the subject property.

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# 4. Vegetation

Current and historic status of vegetation preservation standards can be found at the links below:

	<ul> <li>Common Vegetation</li> <li>Late Seral/Old Growth Ecosystems</li> <li>Sensitive Plants</li> <li>Uncommon Plant Communities</li> </ul>			No, with mitigatior	Data insufficient
Wi	Il the proposal result in:	Yes	N <sub>o</sub>	No,	Dat
а.	Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?				
b.	Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?				
С.	Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?				
d.	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)?				
е.	Reduction of the numbers of any unique, rare, or endangered species of plants?				
f.	Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?				
g.	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?				
h.	A change in the natural functioning of an old growth ecosystem?				



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# 5. Wildlife

Current and historic status of special interest species standards can be found at the links below:

• Special Interest Species

	rrent and historic status of the fisheries standards can be found at the links below:  Instream Flow Lake Habitat Stream Habitat	Si	0	No, with mitigation	Data insufficient
VVI	Il the proposal result in:	Yes	N 0	Ž	۵
a.	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)?				
b.	Reduction of the number of any unique, rare or endangered species of animals?				
c.	Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?				
d.	Deterioration of existing fish or wildlife habitat quantity or quality?				



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# 6. Noise

υ.	Noise			_	
Cui	rent and historic status of the noise standards can be found at the links below:			igatic	ient
	<ul> <li><u>Cumulative Noise Events</u></li> <li><u>Single Noise Events</u></li> </ul>			No, with mitigation	Data insufficient
Wi	I the proposal result in:	Yes	No	No,	Data
a.	Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Area Plan, Plan Area Statement, Community Plan or Master Plan?				
b.	Exposure of people to severe noise levels?				
c.	Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?				
d.	The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?				
e.	The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?				
f.	Exposure of existing structures to levels of ground vibration that could result in structural damage?				



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<b>7.</b>	Light and Glare			th ion	ient
Wi	ll the proposal:	Yes	8 N	No, with mitigation	Data insufficient
a.	Include new or modified sources of exterior lighting?				
b.	Create new illumination which is more substantial than other lighting, if any, within the surrounding area?				
C.	Cause light from exterior sources to be cast off -site or onto public lands?				
d.	Create new sources of glare through the siting of the improvements or through the use of reflective materials?				
Dis	cussion				
8.	Land Use			- u	ent
Wi	ll the proposal:	Yes	N <sub>O</sub>	No, with mitigation	Data insufficient
a.	Include uses which are not listed as permissible uses in the applicable Area Plan, Plan Area Statement, adopted Community Plan, or Master Plan?				
b.	Expand or intensify an existing non-conforming use?				



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9.	Natural Resources			r uo	ent
Wi	ll the proposal result in:	Yes	N <sub>O</sub>	No, with mitigation	Data insufficient
a.	A substantial increase in the rate of use of any natural resources?				
b.	Substantial depletion of any non-renewable natural resource?				
Dis	cussion				
10	. Risk of Upset			_	ţ
Wi	ll the proposal:	Yes	N O	No, with mitigation	Data insufficient
a.	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?				
b.	Involve possible interference with an emergency evacuation plan?				



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	L. Population			ith ation	Data insufficient
WI	ill the proposal:	Yes	N <sub>O</sub>	No, with mitigation	Data insuff
a.	Alter the location, distribution, density, or growth rate of the human population planned for the Region?				
b.	Include or result in the temporary or permanent displacement of residents?				
Dis	scussion				
12	2. Housing			<u>_</u>	int
Wi	ill the proposal:	Yes	No	No, with mitigation	Data insufficient
a.	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?				



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# 13. Transportation / Circulation

13	. Transportation / Circulation			h ion	ient
Wi	ll the proposal result in:	Yes	S S	No, with mitigatic	Data insufficient
a.	Generation of 650 or more new average daily Vehicle Miles Travelled?				
b.	Changes to existing parking facilities, or demand for new parking?				
c.	Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?				
d.	Alterations to present patterns of circulation or movement of people and/or goods?				
e.	Alterations to waterborne, rail or air traffic?				
f.	Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?				



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# 14. Public Services

				h ion	en
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?:		Yes	0 N	No, with mitigatio	Data insuffici
a.	Fire protection?				
b.	Police protection?				
c.	Schools?				
d.	Parks or other recreational facilities?				
e.	Maintenance of public facilities, including roads?				
f.	Other governmental services?				



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15	. Energy			_ u	ent
Wi	Il the proposal result in:	Yes	N <sub>O</sub>	No, with mitigation	Data insufficient
a.	Use of substantial amounts of fuel or energy?				
b.	Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?				
Dis	cussion:				
16	. Utilities			_ u	int
					Ψ
	cept for planned improvements, will the proposal result in a need for new systems, substantial alterations to the following utilities:	Yes	o N	No, with mitigation	Data insufficient
		Yes	<b>8</b>	No, with mitigatio	Data insufficie
or	substantial alterations to the following utilities:	_	∾ □		
or a.	substantial alterations to the following utilities:  Power or natural gas?		% 		
<b>or</b> :	Power or natural gas?  Communication systems?  Utilize additional water which amount will exceed the maximum permitted capacity		%		
or : a. b. c.	Power or natural gas?  Communication systems?  Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?  Utilize additional sewage treatment capacity which amount will exceed the		%		



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17	. Human Health			h ion	ient
Will the proposal result in:		Yes	S S	No, with mitigation	Data insufficient
a.	Creation of any health hazard or potential health hazard (excluding mental health)?				
b.	Exposure of people to potential health hazards?				
Dis	cussion				
18	. Scenic Resources / Community Design				
Current and historic status of the scenic resources standards can be found at the links below:				No, with mitigation	int
	Built Environment			mitig	fficie
	<ul> <li>Other Areas</li> <li>Roadway and Shoreline Units</li> </ul>			vith .	Data insufficient
Wi	ll the proposal:	Yes	N <sub>O</sub>	No, v	Data
a.	Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?				
b.	Be visible from any public recreation area or TRPA designated bicycle trail?				
c.	Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?				
d.	Be inconsistent with the height and design standards required by the applicable ordinance, Community Plan, or Area Plan?				
e.	Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?				



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# 19. Recreation

Current and historic status of the recreation standards can be found at the links below:					icient
Wi	<ul> <li>Fair Share Distribution of Recreation Capacity</li> <li>Quality of Recreation Experience and Access to Recreational Opportunities</li> <li>II the proposal:</li> </ul>	Yes	O N	No, with mitigation	Data insufficient
a.	Create additional demand for recreation facilities?				
b.	Create additional recreation capacity?				
c.	Have the potential to create conflicts between recreation uses, either existing or proposed?				
d.	Result in a decrease or loss of public access to any lake, waterway, or public lands?				
<b>D</b> :					



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20	20. Archaeological / Historical				
Will the proposal result in:			N <sub>O</sub>	No, with mitigation	Data
a.	An alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?				
b.	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?				
C.	Is the property associated with any historically significant events and/or sites or persons?				
d.	Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?				
e.	Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?				



c. Does the project have impacts which are individually limited, but cumulatively

those impacts on the environmental is significant?)

effects on human being, either directly or indirectly?

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

d. Does the project have environmental impacts which will cause substantial adverse

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<ul> <li>a. 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?</li> <li>b. 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.)</li> </ul>	n	ndings of Significance	Yes	N <sub>O</sub>	No, with mitigation	Data
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	s el tr	stantially reduce the habitat of a fish population to drop below self-sustaining els, threaten to eliminate a plant or animal community, reduce the number or rict the range of a rare or endangered plant or animal or eliminate important				
will endure well lifto the lattice.)	g- ic	g-term, environmental goals? (A short-term impact on the environment is one				



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# **DECLARATION:**

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:	Jenief &	3		
		at		
Person prepari	ng application	County	Date	

Applicant Written Comments: (Attach additional sheets if necessary)



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# **Determination:**

On.	+ha	hacic	of this	aval	luation:
ιn	TNE	nasis	ot this	evai	wation:

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 Procedure	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 and 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
	Date Signature of Evaluator		
	Title of Evaluator		