



May 19, 2022

John Hitchcock
Planning Manager
Development Services Department
1053 Tata Lane
South Lake Tahoe, CA 96150

Re: Proposed Tourist Core Area Plan/Specific Plan Amendment Initial Study/Mitigated Negative Declaration and Initial Environmental Checklist/Finding of No Significant Impact

BOARD MEMBERS

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JANE FREEMAN
Deputy Director

Dear Mr. Hitchcock,

On behalf of the California Tahoe Conservancy (Conservancy), we appreciate the opportunity to provide comments on the City of South Lake Tahoe's (City) proposed Tourist Core Area Plan/Specific Plan Amendment (amendment) Initial Study/Mitigated Negative Declaration and Initial Environmental Checklist/Finding of No Significant Effect (IS/MND). Our agency jointly manages Van Sickle Bi-State Park (Park) with Nevada Division of State Parks (NDSP). The Conservancy believes the Park will be negatively impacted by the rezoning of El Dorado County Assessment Number (AN) 029-240-011 from recreation to tourist center mixed use and the associated 10-unit housing project (housing project) analyzed in the IS/MND. In addition, we are concerned that possible actions associated with the housing project on the adjacent private parcel (AN 029-441-003) (private parcel) that is at the entrance to the Park could impact the Park and visitor experience.

The Conservancy provided comments during the scoping period concerning impacts to the historic character and natural aesthetic of the Park entrance; increased vehicle traffic and pedestrian safety; and management issues related to new user trails, personal storage, parking, and trash resulting from the proposed amendment and housing project. The Conservancy appreciates the IS/MND modifications made by the City in response to our comments including removal of the private parcel from the amendment and inclusion of the six-foot tall rod iron fence as mitigation. However, we believe the amendment and associated housing project still have potential negative impacts to the Park.

We are writing to describe these potential issues and request the City modify the IS/MND and housing project to address our concerns. Our primary concern is that the City inadequately analyzes potential environmental impacts to the Park in the IS/MND, and does not sufficiently

mitigate the environmental impacts caused by the proposed amendment and housing project.

1. In section 5.4.3 Aesthetics, the City fails to consider the potential environmental impacts of the amendment and housing project to the Park. The housing project as proposed is visible from the Park and will degrade the welcoming historic character and natural aesthetic of the Park. The Conservancy and NDSP specifically designed the Park to promote pedestrian access and highlight the forested and natural appeal of the area. The housing project will remove mature trees and replace them with newly constructed buildings and parking lots. The resulting change may diminish the Park's aesthetic appeal and reduce visitors' experience.
2. In section 5.4.6 Biological Resources, the City does not adequately consider impacts to riparian habitat. The removal of the previous development required restoration of the stream environment zone (SEZ) on this site. The SEZ connects to a portion of the Park. A fully restored and functioning SEZ could provide treatment of run-off that improves lake clarity and vegetative screening for the housing project. However, the restoration in 2009 did not result in a fully functioning SEZ and additional restoration and monitoring efforts are needed.

Given the potential environmental impacts highlighted above, the Conservancy believes the City should apply appropriate measures to avoid or mitigate the impacts. The Conservancy requests onsite mitigation measures for the housing project for each of the resource areas. The mitigation measures should include installing vegetative screening around buildings and parking lots and enhancing SEZ restoration and vegetation.

In addition, the Conservancy is concerned the developer could utilize the recreation zoning of the private parcel for future development that impacts the viewshed, biological resources, and SEZ bordering the Park. The Conservancy requests the City takes steps to limit future development on the private parcel as a mitigation measure of the amendment. The Conservancy foresees a combination of four mitigation measures to accomplish this:

1. Rezone the private parcel from recreation to open space;
2. Deed restrict the private parcel from any future development;
3. Relinquish the reservation to "the Lane Access Easement", recorded on September 16th, 2009 and found in the official records of El Dorado County as document number 20090047163; and,
4. Acquire the entire private parcel or the portion containing Park improvements for appraised market value.

The private parcel contains SEZ and undeveloped land serving as a partial viewshed buffer of the housing project from the east side of the project at the entrance to the Park. The Conservancy believes mitigation measures, including open space zoning, deed restrictions, relinquishment of reservation, or acquisition of the parcel will ensure the

existing screening of the housing project remains and potential future uses will not impact existing SEZ and biological resources bordering the Park.

Additionally, the relinquishment of the reservation described in number three above ensures public safety and vehicle traffic concerns raised in the scoping period are mitigated. The easement reservation allows the developer to use the Park entrance to access development on the private parcel, which would cross a pedestrian access trail. This creates a conflict and safety concerns for pedestrians. In addition, vehicular access to the Park is closed from sunset to sunrise during the summer and from November 1 to May 1 during the winter. The Conservancy manages the entrance by opening and closing the gate at the designated times. Private access through the Park entrance will make it more difficult for the Conservancy to effectively do so.

The above listed mitigation measures are not exhaustive and the Conservancy requests to be involved in negotiating what final mitigation measures will be included and implemented. The Conservancy requests all mitigation measures be specific and enforceable in this IS/MND.

In summary, we appreciate the opportunity to comment on the IS/MND. We believe that the proposed amendment and housing project have the potential to negatively impact the Park as detailed above. We look forward to further discussing with the City how these issues will be addressed in the IS/MND and considered in the planning and implementation of the proposed amendment and housing project. Please follow-up with Mr. Nick Meyer, nick.meyer@tahoe.ca.gov or (530) 543-6073, with any questions or concerns.

Sincerely,

Jane Freeman

Jane Freeman
Deputy Director

Cc: Janice Keillor, Deputy Administrator, Nevada Division of State Parks
Allen Wooldridge, Tahoe Region Manager, Nevada Division of State Parks
Brett Hartley, Van Sickle Ranger, Nevada Division of State Parks