

Attachment A
Required Findings/Rationale

Required Findings: The following is a list of the required findings as set forth in Chapters 4 and 30. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 4.4.1 – Required Findings:

- A. The Project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code and other TRPA plans and Programs.

The Chimney Beach Trailhead Parking Lot Upgrade Project (Project) is located in the Washoe County Tahoe Area Plan, East Shore Regulatory Zone. This is a recreation regulatory zone. Developed recreation should be limited to existing sites and the zone should be managed for dispersed recreation. The parking lot provides safe, sustainable access to the dispersed recreation opportunities along the SR-28 corridor. The parking lot is an accessory use to recreation and is therefore an allowed use in the area plan. The project, as conditioned in the draft permit, is consistent with the Regional Plan and the Lake Tahoe Environmental Improvement Program (EIP). The project is a priority EIP project that improves sustainable recreation and transportation in the Tahoe Basin as identified on the 5-year EIP list (EIP # 03.02.01.0017))

- B. The project will not cause the environmental threshold carrying capacities to be exceeded.

The United States Forest Service Lake Tahoe Basin Management Unit (LTBMU) prepared the SR-28 Shared Use Path, Parking, Safety and Environmental Improvements Project Environmental Assessment/TRPA IEC (EA/IEC) in December 2019. The EA/IEC analyzed the effects of a suite of projects that would achieve the goals of the SR-28 Corridor Management Plan (CMP), including expanding the Chimney Beach parking lot to provide replacement parking currently occurring along the SR-28 highway shoulders. The EA/IEC incorporated project design features and performance measures so there is no impact to the proposed project. The LTBMU Forest Supervisor signed the Decision Notice and made a Finding of No Significant Impact on November 11, 2020. In addition to the EA/IEC TRPA staff completed the (V)G checklists. Basin on the EA/IEC and V(g) checklist TRPA made a Finding of No Significant Effect (FONSE), which is included in the draft permit. The EA/IEC, and V(g) checklist are part of the project record and available upon request.

- C. Wherever federal, state, or local air and water quality standards apply for the region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(g) of the Tahoe Regional Planning Compact.

All potential effects are temporary and mitigated through permanent and temporary construction site Best Management Practices. LTBMU will meet or exceed all federal, state, or water quality standards. The V(g) checklist was completed by TRPA staff.

2. Chapter 30.5.1.B Exceptions to Prohibition in Land Capability Districts 1a, 1c, 2, and 3, Public Outdoor Recreation Facilities.

1. The project is a necessary part of a public agency's long-range plans for public outdoor recreation.

The project was identified as a priority project in the SR-28 Corridor Management Plan to improve the safety and environment of the Corridor while providing sustainable access to recreation opportunities throughout the area. It is also a Priority EIP project that achieves threshold attainment in recreation, water quality, and air quality.

2. The project is consistent with the Recreation Element of the Regional Plan

The Recreation Element of the Regional Plan provides for the development, utilization, and management of the recreation resources of the Region. The project is consistent with the Recreation Element of the Regional Plan.

Goal R-1 encourages opportunities for dispersed recreation consistent with environmental values and protection of natural resources. The project improves public access to dispersed recreation along SR-28 corridor including the shorezone, trails, and the backcountry. The replacement parking improves access by providing a safe place for people to park their vehicle and access recreation sites while protecting the environment.

Policy R-4.9 states that parking along scenic corridors shall be restricted to protect roadway views and roadside vegetation. The project will relocate the existing parking along the scenic SR-28 Corridor to the Chimney Beach parking lot. This will preserve the scenic rating of the corridor while predicting natural resources along the roadway shoulder.

The project is consistent with implements policies and goals in the Recreation Element of the Regional Plan.

3. The project by its very nature must be sited in Land Capability Districts 1a, 1c, 2, or 3, such as a ski run or a hiking trail.

The Chimney Beach Trailhead Parking Lot is an existing parking lot that provides access to recreation along the SR-28 Corridor. The existing parking lot is located on Land Capability District 2. The project expands this parking lot to provide replacement parking. There are not higher land capability lands within the vicinity that would be able to achieve the same goals and objectives.

4. There is no feasible alternative that avoids or reduces the extent of encroachment in Land Capability Districts 1a, 1c, 2, or 3.

The parking lot design has reduced the impact to natural resources to the extent feasible while providing the appropriate parking that was analyzed in the EA/IEC. There is no alternative that would reduce the extent of encroachment within Land Capability District 2 and still meet the goals of the SR-28 CMP and EIP project.

5. The impacts of coverage and disturbance are fully mitigated through means including, but not limited to, the following:

a. Application of best management practices

The project includes best management practices (BMPs) to infiltrate and treat stormwater runoff generated from the impervious surfaces. The BMPs include drainage improvements and an infiltration basin.

b. Restoration in accordance with subsection 3.5.3, of land in Land Capability Districts 1a, 1c, 2, 3, and 1b (Stream Environment Zone) in the amount of 1.5 times the area of land in such districts covered or disturbed for the project beyond that permitted by the coefficients in Table 30.4.1-1

The project will mitigate the coverage per the conditions in the TRPA/LTBMU Memorandum of Understanding (MOU). Per section VI. Of the MOU when mitigation is required on a project because of additional land coverage, that mitigation will be accomplished through the Forest Service watershed restoration program rather than through the payment of mitigation fees. The mitigation shall be 150% of the project impacts. See TRPA permit special condition #5.