TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the **Advisory Planning Commission** of the Tahoe Regional Planning Agency will conduct its regular meeting at **9:30 a.m.** on **Tuesday, January 18, 2022, via GoToWebinar**, the **Advisory Planning Commission** of the Tahoe Regional Planning Agency will conduct its regular meeting. Pursuant to the State of California's Executive Order No. N-29-20, and Assembly Bill 361, the TRPA meeting will not be physically open to the public and all Advisory Planning Commission Members will be participating remotely via GoToWebinar. TRPA sincerely appreciates the patience and understanding of everyone concerned as we make accommodations to conduct business using best practices to protect public health. The agenda is attached hereto and made part of this notice.

To participate in any TRPA Advisory Planning Commission meeting please go to the Calendar on the www.trpa.gov homepage and select the link for the current meeting. Members of the public may also choose to listen to the meeting by dialing the phone number and access code posted on our website. For information on how to participate by phone, please see page 4 of this Agenda.

January 11, 2022

Joanne Marchetta
Executive Director

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

Via GoToWebinar

January 11, 2022
9:30 a.m.

AGENDA

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. PUBLIC INTEREST COMMENTS

All items on this agenda are action items unless otherwise noted. Items on the agenda, unless designated for a specific time, may not necessarily be considered in the order in which they appear and may, for good cause, be continued until a later date.

Members of the public may email written public comments to the Clerk to the APC, tcampbell@trpa.gov. All public comments at the meeting should be as brief and concise as possible so that all who wish to participate may do so; testimony should not be repeated. The Chair shall have the discretion to set appropriate time allotments for individual speakers (3 minutes for individuals and group representatives as well as for the total time allotted to oral public comment for a specific agenda item). No extra time for participants will be permitted by the ceding of time to others. Written comments of any length are always welcome. In the interest of efficient meeting management, the Chairperson reserves the right to limit the duration of each public comment period to a total of 1 hour. All written comments will be included as part of the public record.

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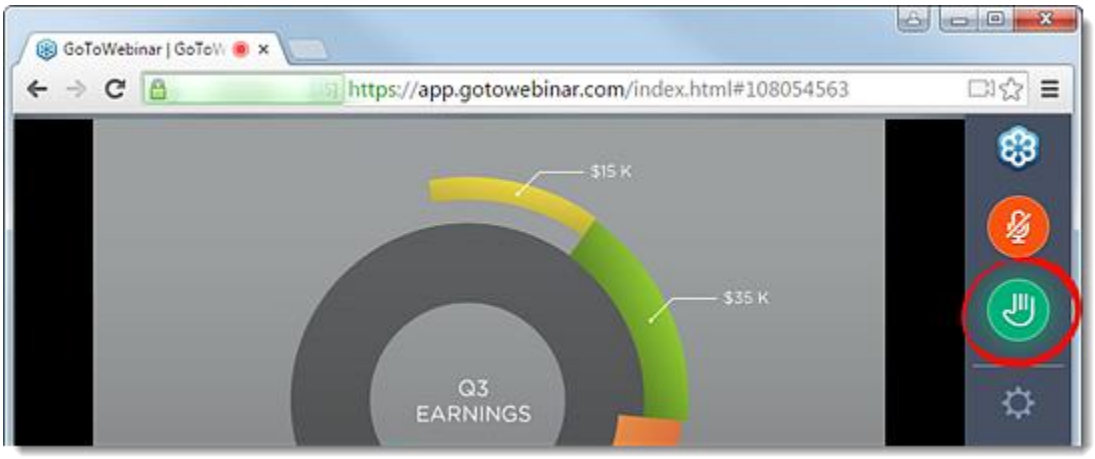

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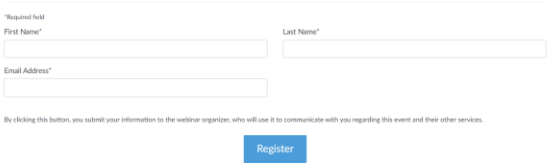

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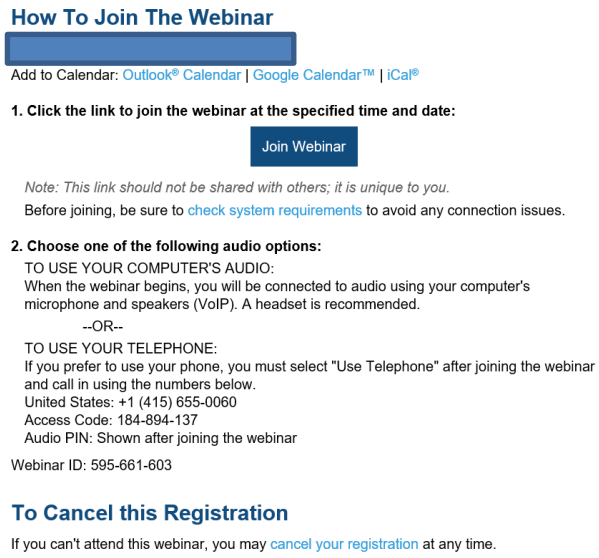

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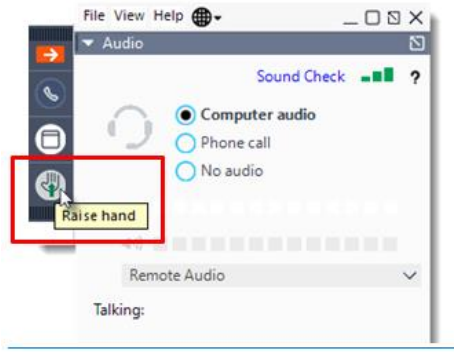

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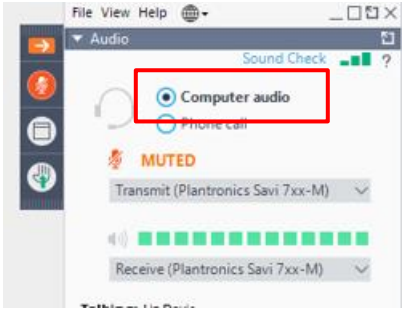
     - 

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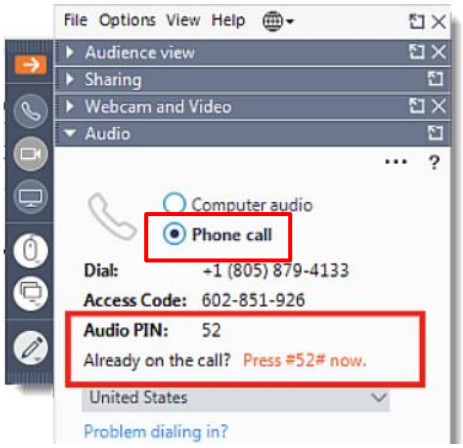
  - 

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IV. DISPOSITION OF MINUTES

V. PLANNING MATTERS

A.	Tourist Core Area Plan (TCAP) Amendment: Artesian small scale manufacturing and industrial use in the Gateway district	**Discussion and Possible Action (Recommendation)**	**Page 31**
B.	Certification of the Final Environmental Impact Statement for the Tahoe Keys Lagoons Aquatic Weed Control Methods Test Project	**Discussion and Possible Action (Recommendation)**	**Page 147**

VI. REPORTS

A.	Executive Director	**Informational Only**
1)	Upcoming Topics	**Informational Only**
B.	General Counsel	**Informational Only**
C.	APC Members	**Informational Only**

VII. PUBLIC COMMENT

VIII. ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

GoToWebinar December 8, 2022

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Ferry called the meeting to order at 9:30 a.m.

Members present: Mr. Booth, Ms. Carr, Ms. Chandler, Mr. Drake, Mr. Drew, Mr. Ferry, Ms. Ferris, Mr. Hill, Ms. Jacobsen, Mr. Hitchcock, Ms. Simon, Mr. Teshara, Mr. Young

Members absent: Mr. Alling, Mr. Guevin Mr. Smokey, Mr. Letton, Ms. Stahler

II. APPROVAL OF AGENDA

Chair Ferry deemed the agenda approved as posted.

III. PUBLIC INTEREST COMMENTS

None.

IV. DISPOSITION OF MINUTES

Mr. Teshara moved approval of the November 10, 2021, minutes, with the following addition:

Page 15; Paragraph 1: Add “lead, local” agency

Ms. Carr seconded the motion.
Ms. Ferris and Mr. Booth abstained.

Motion passed unanimously.

V. ADMINISTRATIVE MATTERS

A. Election of Chair and Vice Chair

Agenda Item V.A Election of Chair and Vice Chair

Mr. Ferry introduced the item and asked APC members if they had any suggestions, or a nomination for an Advisory Planning Commission Chair for the years 2022 and 2023.

Public Comments

None.

Commission Comments and Questions

Mr. Teshara said that Mr. Ferry and Ms. Carr have done an outstanding job in leading the Advisory Planning Commission, and he is in full support of them going forward with another two year term.

Mr. Drew added his appreciation for the work that Mr. Ferry and Ms. Carr have done over the past couple of years, and for the willingness to continue leading the APC for the next two years

Mr. Teshara made a motion to elect Brendan Ferry as APC Chair, and Jennifer Carr as APC Vice Chair for calendar years 2022-2023

Mr. Drew seconded the motion.

Ayes: Ms. Carr, Mr. Teshara, Ms. Chandler, Mr. Drake, Ms. Jacobsen, Mr. Hitchcock, Mr. Young, Ms. Simon, Mr. Hill , Mr. Guevin, Mr. Drew, Mr. Ferry, Mr. Booth, Ms. Ferris

Absent: Mr. Alling, Mr. Smokey, Ms. Stahler, Mr. Letton
Motion carried.

Speaking on behalf of Tahoe Regional Planning Agency, Mr. Hester said that they appreciate all the effort that Mr. Ferry and Ms. Carr have put in over the past couple of years, and they look forward to working with them over the next two years.

VI. PLANNING MATTERS

A. Update on Climate Change and Sustainability Initiative
    1) 2021-2022 Operations Work Plan Update
    2) Briefing on Climate Change and Sustainability Initiative

Agenda Item No. VI.A Work Program and Climate Initiative

Mr. Hester, TRPA Chief Operating Officer and Deputy Executive Director, introduced this item, which will focus on the Climate Change and Sustainability Initiative which extends throughout the entire TRPA work plan, and also briefly cover other initiatives, and the overall work program (OWP).

Mr. Hester recognized how TRPA staff, like many APC members, have worked through the pandemic, and through the fire and evacuation, while receiving record levels of service requests for applications and inspections. We have all done our best to struggle through these difficult times, and we appreciate

the partnership we have with APC members.

Mr. Hester provided an overview of how they are focusing on climate change in the Operations Work Plan (slide 3).

The Operations Work Plan (OWP) incorporates components from most contemporary climate change and sustainability initiatives. Moving beyond Climate Mitigation, we also now need to look at Climate Adaptation and Climate Resiliency. With Adaptation, they are looking at what changes need to be made to existing systems, such as infrastructure, forest management, so that they are able to better handle the extremes (flooding, droughts), that climate change brings

Resiliency is the outcome we hope for, and represents our ability to prepare for, and to recover from, climate change driven disruptions, including less obvious things, like recreation, tourism, and economy impacts.

Mr. Hester described the tools that the Compact gives TRPA to address climate change: the thresholds (standards and goals for what they want to achieve), the Regional Plan, the Code of Ordinances, and implementing ordinances and projects.

Referring to the top of slide 3, Mr. Hester said this is how they implement. They already utilize 'climate smart management' and use current tools to achieve existing goals, but also want to refine existing standards to reflect the climate focus. They then want to implement those new standards and plans, with changes in the ordinances and revised projects.

Mr. Hester briefly described the role of the Operations Work Plan. The TRPA Governing Board sets strategic objectives, or pillars, every few years, in the Strategic Plan update. The four pillars are:

- Accelerate Threshold Attainment
- Be a Leader in Sustainability,
- Use Best Science
- Operate as a High Performance Team

These four pillars lead into the Strategic Initiatives:

- Climate Change & Sustainability
- Transportation and Sustainable Recreation
- Housing and Community Revitalization
- EIP Implementation
- Thresholds and Monitoring Update
- Innovative Initiative

The Strategic Initiatives and Core Activities, make up the Operations Work Plan, and the OWP drives the Annual Budget.

Mr. Hester said that slide 5 explained the relationship between the strategic objectives and the strategic initiatives. Mr. Middlebrook will cover the Climate Change initiative in the second half of the presentation.

Regarding the Transportation and Sustainable Recreation initiative, the focus is on addressing transportation funding and implementation, plus the impact of recreation, tourism, and travel on the region. This is not something that they control through land use, as much as an impact we feel from the growth around our region and the changes in the climate. They are also addressing greenhouse gas reduction from a transportation perspective – that is the biggest part of the greenhouse gas emissions inventory that they can directly impact.

Regarding the Housing and Community Revitalization effort, the APC led working group are continuing to work on near, medium, and long term priorities. This initiative will help address climate change and sustainability, by providing more housing for those who work in the Basin, and reducing commute trips/greenhouse gas emissions.

The EIP Implementation initiative also focuses on the response to climate change and sustainability.

The Thresholds and Monitoring initiative is looking at the thresholds, through the lens of climate considerations, so that both the threshold standards and the EIP performance standards will reflect that.

The 'Digital First' innovation initiative is centered on enabling people to obtain information, or access services online, 24 x 7. TRPA are currently reviewing permitting software and updates to expand those services. TRPA Staff will bring additional updates on these initiatives through the year.

Mr. Hester reminded the APC that previous Chair Mr. Steve Teshara, and previous Vice Chair Mr. Robert Larsen worked very hard on a charter that was presented to the Governing Board, about the role of APC in supporting TRPA initiatives. Some members may recall that the APC played a key role in updating the residential allocations process, and Mr. Larsen was Chair to the Threshold Update Initiative Stakeholders Working Group (TUISWG), who created the Thresholds Standards Update Framework. As previously mentioned, the APC are leading the initiative on housing and community revitalization through the Tahoe Living Working Group. So, the APC have already played, and continue to play a key role in supporting these initiatives. However, he understands that there is a desire from some members, and from the Chair and Vice Chair to make the APC's role in each initiative more beneficial both to the region and to the organization.

<u>Commission Member Comments</u>

Mr. Drake thanked Mr. Hester for the presentation, and asked why the strategic objective to operate as a high performing team only applied to two of the six strategic initiatives. Mr. Hester responded that it could clearly apply to all, but they were really focusing on process improvement. For example, with Housing and Community, one of the TRPA Program Managers, Karen Fink, is now serving as a Housing Program Ombudsman, and working on ways to improve the processes that TRPA is responsible for in regard to housing and community revitalization efforts. Ms. Fink was involved in the Sugar Pine Affordable Housing project, and is also involved in the Mountain Housing Council and the Tahoe Prosperity Center. For the Housing Initiative, and the Innovation Initiative, where they are working to change processes, it was a very obvious fit, but Mr. Hester agreed that they should all be striving to be a high performance team in all areas

Mr. Drew said that one of the things that has been discussed over the last several years is how they might better start to integrate the "traditional thresholds" with some of the new initiatives in terms of

climate change and sustainable recreation. Mr. Hester responded that the perspective has changed, and that the Threshold Update Initiative Stakeholder Working Group (TUISWG) identified the need to look at Thresholds not as just a number, but to investigate the underlying system, how it works, and what the expected outcomes are. Mr. Hester said that the distinction between these different categories is arbitrary. It is all interrelated, and they recognized that what we really have is one big system, where all these pieces interact. Mr. Middlebrook added that the Tahoe Interagency Executive Steering Committee (TIE SC) met recently for part one of a two part Strategic Planning Retreat, where they heard a proposal to connect the climate initiatives, climate change through threshold update, all wrapped under the EIP Program as the overarching framework. So, they are very much integrating the EIP across climate and all of those other program areas.

Mr. Drew said that was all good to hear. He said that part of the reason he asked the question was because in the past, funding had been siloed, and many people have been working with federal and state partners on being more creative about how funding can be allocated to programs – because if you have integrated programs, but you don't have integrated funding, it makes it very difficult to implement projects. Mr. Drew asked if they are making any progress on attaining creativity with the funding sources. Mr. Middlebrook responded that they are seeing new federal and state funding sources coming down, that have multi benefit, and more flexibility. For example, the State of California just announced the REAP 2.0 (the Regional Early Access Planning Grants), and as the Metropolitan Planning Organization for the region, TRPA will receive a direct allocation through that program. The funding guidelines are some of the most flexible Mr. Middlebrook has seen from of the state, in terms of funding planning and implementation. With the new infrastructure bill coming down, there are also a lot of funding opportunities for electric vehicles, and general infrastructure, that we should be positioned well as a region to compete for.

Mr. Ferry added that one of the deliverables for the upcoming TIE Steering Committee Retreat, will be a funding strategy. As the thresholds are updated, repackaged, and climate integrated, they will need to tie thresholds to the EIP performance measures, then line up the projects below that in the tracker, and then have a funding strategy that ties in. They will also need a dashboard where staff, stakeholders and the public can quickly access and report information.

Mr. Young said he appreciated the discussion about the systems approach, and the anti-silo focus. He said that there is a natural flow towards a silo effect, so even when you are aware of it, it still takes constant and concerted effort to work against it. He added that he was impressed and thankful for the movement towards establishing working groups that include APC members, and believes that has been incredibly valuable. Every one of those working groups has moved the ball forward on what they were asked to do. But even within that, the working group concept has a silo effect, with each of them working on their own projects. It has to be an ongoing, daily recognition that we don’t want to step on each other’s feet, we don't want to move toward a regulation, or a concept, or a rule that is going to trip up something that another working group might be working on. That kind of understanding is difficult, but he thinks that we have to find a way to do it. He appreciates being a member of the Housing Working Group, but said that over the past few months a lot of the comments from working group members have been about how difficult some of the other things in TRPA are making it for them to be able to housing. He thinks that just a little bit of cross referencing would be helpful. Mr. Hester responded that he appreciates the comment, and could not agree more.

Mr. Guevin said he appreciated and echoed many of the comments, and appreciates the fact that TRPA is looking at more of a funnel and shifting mechanism, as opposed to silo approach to set priorities on

these goals. He said that they all have to look to the science and the common sense, and to avoid the 'no because we said so' approach.

Mr. Ferry said that he had sent an email to APC members recently, which said that they would be engaging more deeply on some of the topics outlined in the work plan. Mr. Ferry and Ms. Carr will be contacting members individually this week to set up times to progress that work.

Ms. Carr said she would be interested in hearing from the members on where they feel their strengths lie in some of these areas. Ms. Carr's strengths are in engineering and science, so for her the focus might be EIP, thresholds and monitoring. She does her best to keep pace with housing, community revitalization, but it is not her strength. Having some idea of where strengths lie might help the APC and TRPA manage some of the topics going forward.

Agenda Item No. VI.A Work Program and Climate Initiative (continued)

Mr. Devin Middlebrook presented the second part of this item – Briefing on Climate Change Sustainability Initiative. Mr. Middlebrook said that they don't need to be reminded of the impacts of climate change that are being seen in the Tahoe Basin today. We all lived through the smoke of the wildfire season last year. Hopefully, the snow drought will break this upcoming weekend, but it has been a disappointing for the ski season so far.

When we talk about climate, we typically talk about impacts that are coming in the next 50 – 100 years, but as we have seen in the last couple of years, those impacts are happening today, and we need to be able to address them.

Climate is not only having impacts in the basin directly, but it is also interacting with historic threats such as forest overgrowth, and increased visitation.

As Mr. Hester mentioned earlier, when we talk about addressing climate impacts, we have three buckets; climate mitigation (reducing our emissions), climate adaptation (adjusting our systems to anticipate upcoming changes), and climate resiliency (the ability to withstand the shocks and get back to business).

Mr. Middlebrook said they recently updated the Greenhouse Gas Emissions Inventory for the Basin (slide 9). The trends from 2005 to 2018 show a reduction in emissions, which is good news.

The 2014 Sustainability Action Plan identified 72 climate actions for the Basin, mostly around mitigation and adaptation, and today over 75% of those actions have been implemented, or are actively being implemented. However, more work is needed, between 2015 and 2018, they did see a slight uptick in emissions.

This is all in an effort towards reaching the region's Greenhouse Gas reduction goals, which is net 0 by 2045, and that is in line with the goals for both California and Nevada. This week, the City of Salt Lake Tahoe adopted a new resolution to go 100% renewable electricity, locally generated, 24 x 7, by 2030 - so the City now has a very ambitious Greenhouse Gas reduction goal.

For the first time, they also looked at carbon sequestration, or the amount of carbon our landscape is

absorbing, which is an emerging field of research. The balance sheet (slide 11) shows emissions going out from human caused sources, and the sequestration in the forests and meadows. There is some uncertainty because it is modeled, but you can see that the net balance is anywhere from net positive emissions (where we emit more than we absorb), to actually sequestering more than we emit every year. But, as we saw with the Caldor Fire, it doesn't take much for all of the carbon that is stored in our landscape to be released back into the atmosphere through wildfire. So, forest fuels and forest management are very important, and it's also important to know that sequestration is not the magic bullet to our problems. We need to reduce our emissions, while increasing our sequestration potential.

With regard to the adaptation piece, there has been a lot of work on forest field treatment, and the maps from the Caldor Fire (slide 12) illustrate how the Caldor Fire path overlaid with all of the forest field treatment works. You can really see how that wildland urban interface in the South Shore was surrounded by those fuel reduction treatments and how that, along with the brave first responders and firefighters were able to miraculously prevent any loss of structures in the Tahoe basin. That is an example of what we are talking about in terms of climate adaptation, and there are a number of plans in place at the moment at federal, state, and regional level to address adaptation. The Forest Service is working on an adaptation plan specific to recreation, the State of California just released a draft updated climate adaptation strategy, and this August, the California Tahoe Conservancy released a Climate Adaptation Primer and Adaptation Portfolio for the region.

Slide 9 of the presentation illustrates the interconnectedness and ‘de-siloing’, that climate brings to the other programs in the in the region. We still have the three buckets of mitigation, adaptation, and resiliency, but within each of those there is connection between all of our other initiatives. For example, transportation crosses between mitigation and adaptation. All of those interconnections are woven together by the threat of climate change, and that is how we are framing all of our strategic initiatives in order to maintain consistency, break down the silos, and move implementation.

The slogan for the Lake Tahoe Environmental Improvement Program (EIP) is “a blueprint for climate resilience”, which describes the overarching framework for how we are thinking about climate, and bringing more climate adaptation and resilience to the Tahoe Basin.

Slide 14 illustrates the products that they will be bringing forward over the next year through the Tahoe Interagency Executive Steering Committee (TIE SC). The first is an updated Funding Strategy for climate, adaptation, and resilience projects in the Tahoe Basin. Tahoe has had a lot of success with these action funding plans, such as the Forest Fuel Action Plan, which brought millions of dollars to the basin. They will be using that successful model to approach funding.

Mr. Dan Segan (TRPA) will be leading an update to the thresholds standards, and really making the thresholds ‘climate smart’. This is tied to performance measures - so they will not just be setting threshold standards, that have no way of being measured and don't really connect to anything environmentally related, like they did in the 1980’s. This work is really narrowing in on those thresholds standards that are most relevant to the problems we face today and in future, and then using those performance measures to track progress through project implementation. Finally, they will work on being able to capture the broader climate resilience, landscape, and metrics through an updated resilience dashboard.

Over the next year, these products will all be moving forward, and Mr. Middlebrook expects to return to the APC with an update.

With regard to Transportation, Mr. Middlebrook provided an overview of some of the strategic initiatives, and offered specific examples of how they are integrating climate with transportation. One of the biggest program areas is electrification of our vehicle infrastructure. In 2017, TRPA and partners developed the Tahoe Truckee Plug-in Electric Vehicle Readiness Plan, which actually went beyond the Tahoe Basin boundary, from the I-80 corridor to the US-50 corridor. That plan won two awards from the Nevada American Planning Association (APA). Since adoption of the plan in 2017, they have seen a 50% increase in the availability of charging stations in the Tahoe Basin, and they have five more electric buses coming on board. The Lake Tahoe Unified School District also has 2 - 3 electric school buses in their fleet. They have also identified a number of potential code updates and opportunities for permit streamlining for electric vehicles, that that may provide opportunity for the APC to help shape increased adoption

Within sustainable recreation and tourism, climate is a big factor in the tourism system and tourism demand. For example, a winter like this, with no snow, will impact travel behavior and patterns – where people may still come to Tahoe, but will engage in summer based activities such as hiking or visiting the beach.

The TRPA was also a founding signatory of the Future of Tourism Coalition, which is an international coalition of destinations around the world that are trying to solve the sustainable recreation puzzle. The Lake Tahoe region was also recognized as a top 100 global sustainable destination in 2019.

Regarding housing, there are many aspects of climate mitigation and adaptation built into housing. As we know, a lot of the local workforce has to commute from outside the region, so by building more local housing, they are cutting down on those vehicle trips. For example, the Sugar Pine Village project is building in energy efficiency, and renewable energy, to ensure a very sustainable development.

In bringing it all together, they really want to harmonize this across all plans. From the Bi-state Compact to the Regional Plan, and the Regional Transportation Plan, climate adaptation and resilience is becoming a part of everything that they do. They want to make sure that we're integrating it, not creating a separate bucket and separate that sits on a shelf, or gets implemented separately from what else, what everyone else is working on. So, really harmonizing across our agency plans and across the Basin Partnership.

The Tahoe-Central Sierra Initiative have developed a resilience framework (slide 19), which describes the pillars of resilience that include both natural resources and social/economic considerations.

Finally, Mr. Middlebrook presented an overview of the Pathway to Climate Resiliency (slide 20), and suggested this might be another opportunity for the APC to consider how they might want to be involved in the process:

- Objective 1: Regional Collaboration
    - EIP
- Objective 2: Integration and Adaptive Management
    - Operations Work Program
    - Sustainability Code Package
- Objective 3: Education, Engagement, Equity
    - Transportation Equity Study
- Objective 4: Science, Data and Monitoring

- Lake Tahoe Info
- Thresholds

Commission Member Comments

Mr. Ferry thanked Mr. Middlebrook for the presentation. He added, that per California State law, local jurisdictions in California are required to streamline electric vehicle charging station permitting. To that end, El Dorado County will be adopting a new ordinance. Mr. Ferry asked what the likelihood is for TRPA to consider exempting coverage for new EV chargers in the Tahoe Basin. Mr. Ferry believes it would be a great step in working towards these goals. Of course, they would like the chargers to go on existing coverage, but they know that will not going be the case everywhere. So, for folks to have to come to the county, who must issue a permit for their project, per state law, but then be directed to TRPA to check coverage, is a long process and poor customer service, for something that we are trying to incentivize.

Mr. Ferry said he would encourage TRPA to look at coverage exemptions for new EV chargers. Mr. Middlebrook responded that is absolutely on the list. There is a sort of precedent with coverage exemptions for public utilities in the right of way, but they will have to examine the environmental aspects. It is on the shortlist and even today, TRPA do help accelerate electric vehicle permits, as much as possible. For example, if an electric vehicle charging station is installed on existing coverage, they are able to permit with a Qualified Exempt (the least burdensome permit). They also work to be creative with the coverage. For example, in most cases the EV station only takes up 3 or 4 square feet. If a property is fully covered, they can help the applicant to find 3 or 4 square feet of unused coverage, and shift that coverage around on site. There is more they could do to incentivize and accelerate permitting, and he believes that if they can come forward with some code changes, they could also follow that with updated permits.

Mr. Hitchcock thanked Mr. Middlebrook for his presentation and thanked TRPA staff for looking to streamline the permitting process, particularly for EV charging stations. The City of South Lake Tahoe has amended their code to streamline the EV charging stations, and with AB-970 going into effect next year, which will include deadlines for permitting, he looks forward to working with TRPA staff to help streamline the permitting process.

Ms. Simon asked Mr. Middlebrook for clarification on the statistic about energy and transportation accounting for 95% of the greenhouse gas emissions. Mr. Middlebrook said that transportation includes cars, trucks, boats, and the energy sector includes electricity and natural gas. He added that the one sector not included here is industry. While industry is a large Greenhouse Gas emitter in both states, we do not have significant manufacturing or industry in the basin, so it is not a major factor.

Ms. Chandler thanked Mr. Middlebrook for helping the City of South Lake Tahoe to take a major step with their resolution to be 100% renewable by 2030. She said it was heartwarming to see so much of our community in support of this initiative. She asked Mr. Middlebrook what he sees in terms of collaboration between the TRPA and the City to help achieve these goals. Mr. Middlebrook responded that he thinks collaborating with all of our local partners is very important. This year, the City adopted their climate action plan and TRPA staff helped inform, and add actions in the development of that plan. Looking forward, the City is hiring a sustainability program manager to implement that climate action plan, and Mr. Middlebrook expects to work very closely with them to help support actions in any way possible.

Mr. Young said that Washoe County will be selecting a consultant for the development of a Community Mobility Plan for the Incline/Crystal Bay area. This an important part of the implementation of the area plan, and Mr. Young asks that Mr. Middlebrook to meet with them to help share some of the climate goals and techniques. He also suggested that TRPA could mutually benefit from a relationship with the Truckee Meadows Regional Planning Agency – to tie in on some of these climate issues and start to move the ball forward regionally. Mr. Middlebrook said he appreciated the comment and is always keen to expand their work across more jurisdictions and partners. The benefit of the climate program is that they are not necessarily bound by basin boundaries, as you saw with the Electric Vehicle Plan, where they expanded into Truckee to examine that whole system holistically. Mr. Middlebrook also sits on the organizing committee for Sierra CAMP (Climate Adaptation and Mitigation Partnership), which is hosted at the Sierra Business Council, and works across the entire Sierra, on both sides of the state line. They collaborate across the region, and welcome introductions to any other people/agencies.

Mr. Teshara thanked Mr. Middlebrook for the presentation, and offered congratulations on his election as Mayor of City of South Lake Tahoe for 2022. Mr. Teshara said he had recently spoken on behalf of the Tahoe Chamber, in support of the City of South Lake Tahoe's aspirational goal of 100% renewable energy. While the Chamber supports that goal, they also recognize that there is a lot of work to do to engage the broader community and businesses in getting behind it. Most of the people here on APC, and other meetings we may attend, are pretty educated, and understanding of why we need to move in these directions, but that is not necessarily the case in the wider community. One of the things that he thinks is good about the APC approach, for example in leading the Tahoe Living Housing Working Group, is that people who are interested (more people beyond the usual folks) have been attending those meetings. They have been asking some very good questions, and learning about why the housing initiatives are being undertaken. If we can model that simpler approach here, and attract more people to the climate conversation, he believes it would be helpful. He added that there is nothing more frustrating than knowing why we are taking action for climate change and resiliency, only to turn around and find that the community isn't totally on board. He believes that the APC approach, as part of the overall TRPA approach, does seem to attract more interested people, especially those who might be intimidated by a Governing Board type environment. There is a need for public and community outreach, including to the business community, and he thinks that having the APC play an active role in attracting people to learn more and share their opinions, would be beneficial.

Mr. Guevin said that we need to look at the environment, and how we can implement community-wide fuel breaks. The Tahoe Fire and Fuels Team are looking into this – we have done a lot of defensible space and work within the communities, but we also need to look at some community wide protection plans, and then get those in place ahead before fires come in, so that we are not trampling over the environment, to save the environment. He hopes that will be a priority in going forward. We will see more of these fires, and they will have horrific consequences if we are not proactive. Finally, with a view to tackling these fires right away, they are pushing ahead with their proposed fire helicopter program. That will require some give and take in terms of coverage etc., so he thinks TRPA will need to look at that.

Mr. Ferry said that they will need Mr. Middlebrooks participation as they work to redevelop the thresholds and integrate climate issues. One of the categories that is not an EIP category is Sustainable Communities. There is still that tension of how to integrate a lot of these things that are climate change and climate adaptation and climate resiliency efforts into the EIP? How do we fund those things? How do we track those things? How do we get credit for those things? The more that we can align with

California state law requirements, and reporting/tracking requirements, the more that will help the local jurisdictions to save time and effort on multiple reporting to multiple different agencies. Mr. Ferry would encourage alignment wherever possible with TRPA and the States. He also believes there is some creative thinking that still that needs to be done on how we integrate all of these things into the broader EIP umbrella, to line up those projects, and then line up the funding strategies, etc.

Public Comments

None.

This item was information only.

Agenda Item No. V.B. Discussion and possible recommendation on Chapter 65 of the Code of Ordinances and Section 10.8.5 of the Rules of Procedure for the Mobility Mitigation Fee Update

Agenda Item No. VI.B. Mobility Mitigation Fee Update

Ms. Melanie Sloan presented on this item. In April 2022, the TRPA Governing Board adopted a new Transportation and Sustainable Communities Threshold Standard for the region, that uses vehicle miles traveled (VMT). The Governing Board also adopted the 2020 Regional Transportation Plan with its updated project list, and at the same time, it approved an updated Project Impact Assessment process. The updated process is the effort to implement the new threshold standard at the project level, by evaluating a development project's impact to transportation, using vehicle miles traveled. What remained, was to update the Mobility Mitigation Fee.

Ms. Sloan said that while the fee is an extension of the Project Impact Assessment, and the implementation of the new Thresholds Standard at the project level, the mitigation fee also advances implementation of the Regional Transportation Plan (RTP) and the updated object list, which includes vehicle miles traveled producing projects. The fee provides matching funds for projects to receive larger funding to implement the projects within the Regional Transportation Plan, so it's really linking, and advancing implementation of the RTP.

When it comes to updating the Mobility Mitigation Fee, there is the name change, from Air Quality Mitigation Fee, and updates to two elements. One is the types of projects that will be eligible for funding using those funds (VMT reducing projects), and the second is the basis for how the mitigation fee is calculated (based on the VMT generated by a project). These updates follow Governing Board direction to update the program to integrate with the Project Impact Assessment process, while remaining similar to the Air Quality Mitigation fee.

In order to reach the recommendation being presented today, staff first identified VMT reducing project costs from within the Regional Transportation Plan and the constrained project list. Projects on the unconstrained list, for example, the Waterborne Ferry, are not included in VMT reducing project costs.

Projects needed to be capital projects, that reduced VMT. The Regional Transportation Plan (RTP) includes several regionally important projects, some of which aren't necessarily VMT reducing, but have important elements. For example, Round Hill Pines Intersection Improvement Project. This project is a needed safety improvement, but it does not reduce VMT so was not included in the VMT mitigating

project costs. Projects could have a blend of benefits, that include reducing VMT. The Apache Avenue, El Dorado County project is a good example of a project that combines safe routes to school, pedestrian, and bicycle improvements, and some stormwater improvements. The stormwater elements were not included in the VMT reducing project costs.

Finally, if a project had been ongoing through multiple phases, and funding had been applied, they reduced the costs to reflect that and avoid any double counting.

After doing all the calculations, they identified $550 million in VMT reducing project costs in the 2020 Regional Transportation Plan.

Staff project that new development will contribute about 6.8% of future VMT. This represents about $37 million in new development VMT reducing project costs. To get to a fee rate, they calculated development's share, by dividing the proportion of VMT reduced from new projects.

As previously mentioned, this is an extension of the Project Impact Assessment process, and a transition from the Air Quality Mitigation Fee Program. They then made some refinements, in line with the Project Impact Assessment process, to recognize that the location of projected development matters to predicted VMT generated. Also, in line with the Project Impact Assessment process, the fee calculation assumes the full potential impact of transportation for each project. Finally, they continue the approach to apportioning fees, based on whether the land use generates, or attracts trips associated with VMT.

Slide 6 illustrates the estimated fees that would be collected on residential and tourist accommodation unit projects. The fees increase marginally for some, and quite significantly for other project types, for three reasons. The first is inflation since these fees have not been adjusted since 2006. Other changes include the overall costs of the RTP Constrained Project List, and location. The Project Impact Assessment process was developed in transition from 'trips' to VMT, to recognize that all trips aren't the same – where the development occurs matters. The mitigation fee is an extension of that approach.

The Project Impact Assessment process, and the recommended fee, also recognizes and encourages projects to be located in low VMT areas, such a town centers. It also recognizes VMT reducing strategies, such as project design, VMT mitigations, and jurisdiction VMT credit programs, which can further reduce a project's VMT effect. These VMT reductions would be reflected in lower Mobility Mitigation fees.

A quick analysis of a projected single family residential development by location finds about one quarter will be within low VMT areas, roughly 50% will be in average VMT areas, and the remaining will be in higher VMT areas. It is worth nothing, however, that the updated project impact assessment process and mobility mitigation fee may influence these projections by encouraging development from higher VMT areas into lower VMT areas.

Additionally, within the proposed recommendation is a waiver for the Mobility Mitigation Fee for deed restricted, affordable, moderate, and achievable housing when developed in areas eligible for residential bonus units. That recommendation is consistent with the broad support that staff received from stakeholders, the public, and governing board members, throughout the recommendation process. The impact of the waiver will be linked to the mandated two year review process associated with the new, the VMT threshold standard.

Also, included in the packet and recommendation, are Mitigation Fund Release policy guidelines. As mentioned, the Mobility Mitigation Fee is transitioning from the Air Quality Mitigation fee, with just a couple of changes - most fundamentally, that the funds be used for VMT producing projects. What does that mean for things that Air Quality Mitigation funds have been these for in the past - for Vac Tracks or Street Sweepers for example. Going forward, these types of projects will not be eligible for Mobility Mitigation Funds, but any remaining balances of Air Quality Mitigation funds, may still be used by jurisdictions for those projects. They may also be eligible for other mitigation funds, such as the Water Quality Mitigation fund

Regarding engagement, Ms. Sloan said that the recommendation presented today, was created with a lot of data analysis, discussions with the development community, including affordable housing developers, transportation consultants, the League to Save Lake Tahoe, and conversations with jurisdiction staff in jurisdictions.

As for next steps, Ms. Sloan will follow up today's presentation and request for recommendation from the APC with the same to the Operations and Governance Committee meeting on December 15, 2021, and then a request for Governing Board action on this item on the same day.

Implementation will follow and staff are committed to continuing their collaboration on implementation of the fee program, especially with Placer County who also have a transportation fee program that they are currently updating.

Commission Comments and Questions

Mr. Drew thanked Ms. Sloan for the presentation and asked for clarification on how staff calculated the fee. He assumes staff had several conversations with stakeholder groups about how this was calculated. Was there anything significant from discussions that is worth sharing with this group? Ms. Sloan agreed they had multiple phases of engagement with many stakeholder groups. There was feedback at the draft stage about considering and ensuring that they keep the proportional share of projected VMT from development and redevelopment in mind as we come forward to a fee recommendation.

That is reflected in the calculation refinements mentioned earlier, to ensure Project Impact Assessment process is recognized, and that fees are appropriately scaled to a developments impact.

They also worked with the jurisdictions, especially Placer County, to understand how the project lists underlying the two fee programs matched up, or overlapped. That is part of that coordination and implementation collaboration that continues.

Mr. Drew asked if there was general agreement on the $218/VMT number. It is a fundamental shift from how Air Quality Mitigation fees were assessed, particularly for development and redevelopment. Ms. Sloan responded that there was a lot of conversation and discussion about the impact of those fees, but they received support, both at the Regional Plan Implementation Committee meetings, and from the direct outreach and engagement with those communities.

Referring to the table on slide 6, Mr. Drew asked if the fees that are proposed on the right hand side under residential levies were for residential units. Ms. Sloan said that was correct, they are estimates.

Mr. Marshall, TRPA Legal Counsel, advised Mr. Drew that all they were setting today was the fee rate,

not a project fee. The amount of VMT generated by any particular project will be site specific, and will depend on how they compose their project. So, the only thing before you today, is the fee rate, or the $218/VMT.

Mr. Drew thanked Mr. Marshall for the clarification, and added that he was trying to make sure he understood the estimates being shown. Regarding Tourist Accommodation, he asked if these estimates were per Tourist Accommodation Units (TAU), or if they just assumed an average tourist accommodation project. Ms. Sloan responded that they were per TAU.

Referring to slide 7 regarding Affordable and Workforce Housing, Mr. Drew said he thought this one of the most important things in this process. The APC have spoken at length about housing and the emphasis on workforce and housing related projects. He appreciated that a lot of time had been spent, and thinks there is a lot of value in incentivizing these types of projects.

Mr. Young said he appreciated the engagement process. In regard to setting the rate, he recognizes the attempt to be as straightforward and uncomplicated as possible. There is some complication with the refinements, but he thinks that staff spent time working on those little adjustments to reach something rational and reasonable. Mr. Young appreciates seeing the affordable housing exception move forward. He suggested that how we calculate VMT is going to be the next big question. In Washoe County they are seeing a demand for new and interesting projects, and he is not sure how look at them. For example, senior care type projects where the developers make a strong pitch about how they have very little impact on the neighborhood, whether it's traffic or anything else. Mr. Young thinks there are several new uses out there, where developers will request adjustments – some will be rational, and some will be just trying to save money.

Ms. Chandler asked if there was a clear delineation in the definition of what a low, average, and high VMT area is. Ms. Sloan said there is not a specific definition in the Impact Assessment or Mitigation Program. The tables shown today were based on less than our average, average, or above average, to provide a broad brush example of what fees might be using the new fee rate.

Mr. Marshall said that underlying the calculations of the examples shown, is the location of the project. Location makes a big difference, and when you put your proposed project into the VMT implementation tool, the tool identifies a specific zone. That zone has a specific value attached. Ms. Chandler said she thinks that needs to be clearly defined, because the difference in rates is substantial.

Mr. Drake said he honored and respected the time that has gone into this proposal. While it is rational, he believes it is perpetuating the ‘tax the developers’, logic that goes into most of our environmental policies, and has for a long time. He thinks this is a good way for us to get a lot more of what we've seen in the past, in the future. He thinks there is a real missed opportunity here to look at the triple bottom line effect of these policies. While this is ostensibly a transportation policy, it affects redevelopment, workforce housing costs, and so many other things. If we continue to stack additional fees and complexity on redevelopment that we desperately need we are promoting the same status quo. In King’s Beach for example, only 15% of commercial lots have BMPs in place. They continue to send untreated water into the lake because there is no incentive to redevelop. While this policy has some good features and updates from past years, we need a much bigger picture. We need to be looking at the vehicles driving into the region, and around the basin, and not the business community who are trying to ensure that Tahoe can support a year round workforce, and doesn't just become a wealthy retirees spot, and a place for vacation days and recreation. While there are good features in this

proposal, Mr. Drake said this is a missed opportunity to engage the business community, and those who actually want to put money into town centers. He is concerned that there is not a lot of vision or leadership in this proposal.

Ms. Sloan thanked Mr. Drake for sharing his concerns. As part of the engagement process, she did reach out to the Tahoe Truckee Contractors Association, as well as those who expressed interests through the Transportation Technical Advisory Committee (TTAC), which was engaged in the beginning of an update to the Project Impact Assessment process that I was approved back in April. There was sincere intent and interest to engage with the North Shore, and she was able to engage somewhat with developer, Andrew Ryan. The interest was to get broad input, and from the developers she was able to engage with, she heard similar comments to Mr. Drakes - concerns for the impact on development, and making sure that it is truly proportional to the impact of future VMT.

The presentation today described how the fee refinements are designed to ensure the fee really keeps within a developments impact, and nothing more than that. Beyond that, Ms. Sloan recognizes the desire to look at the bigger picture. Because she is only talking about the fee rate today, she wasn't able to really talk about that Project Impact Assessment process in detail. She offered to talk with Mr. Drake about the process in more detail, and believes that he would see that it a was a thoughtful process to try to recognize our town and regional centers, or where we see the opportunity to concentrate development to improve a lot of different metrics - including reducing VMT. A project is evaluated based on its net change in VMT, so when you talk about redevelopment, it is looking at what the VMT to the current development is, versus what it would be, and then evaluating the net difference. They recognize that in our town centers, a lot of the development is likely redevelopment, so it is just the net change. They also created a screening criteria specifically for town and regional centers, and a half mile buffer around them, to further recognize the potential, the regional goals, and incentivizing the redevelopment that Mr. Drake describes. They want those things to happen, so they have a higher screening level. The screening level does not have anything to do with the fee, but it does mean less additional analysis is required if you are at or below a certain level in town and regional centers.

Ms. Sloan reminded that they also aim to include and recognize VMT credit program as, as one of the many ways of reducing the VMT generated by a project development, or redevelopment.

Mr. Drake agreed this is logical and rational within the constraints of what they have been doing in the past, but he believes it falls way short of what we really need, which is major parking reform, and really addressing the issue of VMT head on, with the actual vehicles themselves, not the development community - particularly because this accounts for such a tiny drop in the bucket of the real transportation funding that we need, yet it adds a ton of complexity, and perpetuates the same rigorous environmental review process and costly redevelopment. Mr. Drakes comments are at a higher level than what is being brought forward today but he wanted to ensure his comments on this issue were heard on public record.

Ms. Sloan reminded that the projections show that development represents 6.8% of projected future. The remaining amount is being addressed through the Regional Transportation Plan (RTP) and its broader implementation; they only look to the Mobility Mitigation fee to reduce development's proportional share.

Ms. Sloan added that there is a regional and sustainable revenue discussion underway, to try and identify ways of funding the RTP in full (in addition to typical RTP funding through state and federal

grants.

Mr. Teshara thanked Mr. Drake for his comments, and thanked Ms. Sloan for her engagement with the development community.

On behalf of the Chamber and the business community, Mr. Teshara said that to avoid always going back to the development/redevelopment community for transportation funding, the big thing they were looking at, was the regional revenue process. He said they had a lot of faith that in both advocating and supporting the Regional Transportation Plan adoption last year, and in dealing with this issue on the Mobility Mitigation Fee, there would be a robust process around identifying some really substantial transportation funding sources, that would take into account the fact that day use is driving a lot of our VMT and congestion. Sadly, he is concerned that the regional revenue source process is faltering. There is not a lot of consensus around what should be done, with the two states saying " it is up to the locals", and the locals saying "we need help from the states". This leaves the development community exposed, and does not deliver the other funding pieces that are really needed.

Mr. Teshara asked Ms. Sloan to describe the relationship between the regional revenue process, and the development community fee. If the regional revenue process is successful, will the Mobility Mitigation fee be either reduced, or not see any substantial increase? Ms. Sloan responded that the regional revenue process is one effort in recognizing implementation of the broader Regional Transportation Plan(RTP), beyond development's proportional share. The development of the fee rate is linked, and tied to the projected VMT for development only (not day use etc.)

Ms. Sloan acknowledged the concern for the status of the sustainable revenue initiative. That is an ongoing effort, and a complex matter, but it is distinct from development. There is no intention, nor language to increase the fee rates should the sustainable revenue initiative not be advanced, because the fee rate is truly linked to projected developments future VMT.

Mr. Teshara thanked for Ms. Sloan for her response and added that they are grappling here with the same sort of siloed discussion they had on the previous item. Having been at Tahoe for almost 50 years, Mr. Teshara is concerned that the development community is an easy, visible target, and yet the bigger issue is the continuing increase in day use increase, and the inability to figure out how to get those people to participate. While we have a hard time figuring that out, the development community continues to be the traditional target.

Mr. Teshara also agreed with Mr. Young's comment that TRPA might find themselves under a lot of pressure with exemption requests going forward.

Finally, the waiver for affordable housing projects is huge, because if that was going to be another cost on affordable housing projects, it would have been very much counter to other important work in Tahoe.

Ms. Jacobsen echoed previous comments regarding the deed restricted housing waiver, and said it was good to see that in the proposal.

With regard to the current Placer County fee program update, Ms. Jacobsen confirmed that Placer County are the only jurisdiction in the Basin with an adopted fee program. The updated fee program will go before their Board next week. The update is a result of Placer County Board adoption of the VMT

threshold, with the intent of including VMT reducing projects, similar to the Mobility Mitigation Fee. Ms. Jacobsen's concern is that there appears to be an overlap of the VMT reducing projects on the TRPA list and the Placer County list. They are concerned about that overlap, and would like to seem more certainty around what that means for applicants. She also expressed the importance of regional distribution of project costs, to ensure that folks are paying their fair share for regional projects that have basin wide benefits. Placer County have done a lot towards mitigating traffic impacts, and have been re-investing funds from their Transportation Program into projects and programs that mitigate impacts. Now they are focusing on this reduction of VMT, and are excited about including VMT reducing projects on their list. They do want to make sure that where projects are contributing their fair share, that there is no overlap here.

Ms. Jacobsen noted that the Mitigation Fund Release policy was not being adopted in the resolution, and asked if that was just a guideline for staff. She also asked if there was any flexibility in how the funds could be used. They need to come up with matching funds for things like environmental review or design and feasibility studies. Ms. Jacobsen also asked a question about the last item in the guidelines about restrictions – specifically to clarify that a developer would not be responsible to pay a fair share over and above what they might already provide as part of the project.

Mr. Marshall referred to page 82 of the packet, which clarifies that the APC are not recommending adoption of the guidance. The Governing Board packet includes the same motion, and staff are not seeing approval of the guidance as an official document.

Regarding the "distribution guidelines" and "shovel ready projects", Ms. Sloan said that they had engaged in discussion with Ms. Jacobsen's colleagues at Placer County, and did make modification to the language in the Distribution Guidelines to try to address that concern. Secondly, staff also heard the comment about "fair share" and made sure that the restrictions section recognizes that funds cannot be used for mitigation measures that are part of a project approval.

Ms. Sloan confirmed that Placer County is the only jurisdiction in the region with its own fee program, and has had that in place for several years, concurrent with the TRPA Air Quality Mitigation Fee program. To some extent, the programs have overlapped and had similar purposes, and they continue to do so under the updated Tahoe Transportation Fee being proposed by Placer County, and the Mobility Mitigation Fee update that staff are proposing today. TRPA staff feel they can continue to collaborate to ensure alignment, and don't overlap in a way that is detrimental to development.

Mr. Marshall emphasized that TRPA staff view the issues they see in trying to streamline and combine both programs, as implementation details rather than the adoption of the fee rate and the waiver, that are specific actions before you today.

Mr. Hitchcock asked for clarification that the Mobility Mitigation fee does not apply on redevelopment using existing development rights on the ground, and only applies when there is an increase in capacity. Ms. Sloan agreed that was a key detail in the implementation. When it comes to redevelopment, the impact assessment is on the net change in VMT. So, if the change does not generate new VMT, the Mobility Mitigation fee would not apply. If the new use results in greater VMT, there would be fee based on the net change in VMT.

Mr. Young said that this is not the paradigm shift that some members would like to see, but that was not Ms. Sloan's charge in this effort. When thinking about APC's role, he is noticing that the APC are able to

engage in difficult conversations in a professional, respectful way. He referred to Chair Ferry's efforts to figure out the future of the APC, and said that this was discussing difficult topics was something they are good at, and should be encouraged to do more.

Mr. Young added that fees accomplish a couple of purposes - to generate revenue, and to drive and shape behavior. He thinks that whenever we establish a fee, we should have a really good grasp of both reasons. He said we should always ask ourselves, "if other revenue became available and we didn't need this revenue, would we still do it to drive and shape behavior?".

Mr. Marshall thanked Mr. Young for his comments, and emphasized that this fee is not for revenue generation to pay for the Regional Transportation Plan (RTP). It is a mitigation fee - so if a project is subject to this fee, that project will be generating additional VMT that needs to be mitigated in order to achieve our thresholds. It is not a way to drive revenue generation, it is a way to allow these projects to proceed, while mitigating their impacts. We are truly talking about a mitigation fee, that together with other sources of money, goes towards the implementation of the RTP, which allows us to say these projects can mitigate and proceed, without requiring direct per project mitigation. It is really an in lieu fee for mitigation purposes.

Mr. Drew said it is important to recognize that the challenge is that the fees have to be paid upfront. One of the major emphases in the Regional Plan Update was environmental redevelopment. Since the Regional Plan Update has been adopted is, there has not been an overwhelming number of redevelopment projects, because it is still extremely challenging, and extremely expensive. Even a small 40 unit tourists redevelopment project is going to have to pay on the order of potentially a half a million dollars, before they can put a shovel in the ground. The reality of that is, that when you start to layer these things on top of each other, it can be just overwhelming for project developers. He recognizes there is no simple answer but thinks it is important the Governing Board and Committees think about what this means for actually getting projects on the ground.

Mr. Teshara said he appreciated Mr. Marshalls input on mitigation, and added that there are a lot of impacts that are going unmitigated. Day use at Tahoe is one of them. It is harder to grab the people that are not so easy to grab, and that is the big, bold thing that we need to do, that we haven't done so to date.

Mr. Drake asked for clarification on Mr. Teshara's earlier question, "could this mobility mitigation fee be revisited should we have a massive change in regional, or even zonal revenue options?" Right now, all he sees is that it will go up each year. Not only to keep up with inflation, possibly a substantial increase in 2023 if regional revenue is not in place, which he thinks would have huge economic, negative impacts. If that is not explicitly outlined, he would vote that it be part of the recommendation, to revisit the fee with a view to reducing it.

Mr. Marshall said that this fee is part of programs that are reviewed with the new VMT threshold, that is examined every two and four years. The funding question of how that puzzle of larger RTP funding will come in, probably won't be evident within two years or four years. But over time, there will be opportunities to review that equation, and determine that perhaps not as much as needed in local sources. But often, this fee is used as local match. In the big picture, this fee doesn't generate that much money for local jurisdictions. However, when it is used as match for federal and state projects, it brings in a lot more money. The fee is highly leveraged to make additional funding possible. On the one hand, we want to make sure we don't get rid of that opportunity for local match, but there may be other ways

to generate that money. Placer County are exploring options for the fee to go down, where the impact has been mitigated by other locally generated projects. Mr. Marshall thinks there are opportunities to look at that, but it needs to be done with eyes wide open to the total funding picture for implementation of these RTP programs.

Ms. Carr said she been struggling with how these small fees e.g., $3K, $10K, or $15K at a time, would get to the $37M target. Mr. Marshall's explanation of how the fee functions as a mitigation bank, and the flowchart of projects (specifically how a developer could mitigate within their own project to essentially avoid the fee altogether) made sense. She added that would be interesting to see whether this fee is enough of an incentive to get people to do that mitigation at the project level, or if that is so expensive that it is cheaper to pay the fee. It's a little too soon to tell, but it will be interesting to see how those projects start to unfold with the different options available to them.

Ms. Carr said one thing that might incentivize redevelopment is that it's not really a $218 per VMT, it is a 90/10. So, it's actually $196.20 for a residential unit or TAU, but for redeveloping a commercial floor area it's on only $20.80. That might actually incentivize some of that commercial floor area, or some of those town center type activities that would actually be fairly inexpensive, potentially at deference to not building residential housing, which is more expensive.

Ms. Carr said that it might be helpful to include an example of what a fee might look like for a commercial floor area, in future presentations. The staff report mentioned that it was difficult to find a representative project, but it is parsed out in the staff report as two different fees.

Ms. Carr made one minor point on the staff report itself and the reference to Nevada Senate Bill 256. She believes that may be a typo since she couldn't find a Senate Bill 256 related to this topic in the last three sessions. The Governing Board packet has already been posted, but the identification of the correct senate bill should be clarified in the record.

Ms. Carr also recommended that going forward, it would be helpful to add a year to senate bills e.g., SB 256, 2019, because there is a Senate Bill 256 every two years.

Ms. Carr also asked why the annual inflation adjustments are based on the San Francisco Consumer Price Index. Secondly, she did not see any mention of annual increases based on the CPI for San Francisco in the rules change. She asked if staff were planning for the increase to happen automatically, or planning on bringing the rules back every year or two, to make that annual inflation adjustment on the fee.

Ms. Sloan responded that the San Francisco Consumer Price Index was selected to align with other TRPA fees and charges. Regarding the annual increase itself, it is not a Rules of Procedure change, it is an administrative process that staff are working to sync up with other TRPA fees and charges.

Ms. Carr asked where the public can find the current, annually adjusted, fees. Mr. Marshall responded that the fees are on the TRPA website. He added that automatic adjustments for CPI are authorized as a result of the amendments approved by Governing Board in April 2021,

Ms. Carr had a final question about 'equivalent fees of peer communities'. She cited page 83 of the Staff Report, which state that those were considered, but not necessarily used to set the fee. Ms. Carr asked what that benchmarking looked like. Ms. Sloan confirmed they did look at peer community fees in Placer

County (both within the region and the West Slope fee), Town of Truckee, El Dorado County, and RTC Washoe to understand both how fees are charged, and to try to make some equivalency of what the fee rate would be. The recommended fee sat in the middle. More detailed information can be found in the policy paper attached to the packet. Many of those fees don't reflect mitigation elements, but become something of a revenue generator. So, it was a bit of an apples to oranges comparison in most cases, but it was constructed to get as close as possible to what an impact would be using VMT.

Mr. Ferry asked if there was any consideration for electric vehicles, is there any differentiation between EVMT and VMT or are they the same. Ms. Sloan responded that our current mitigation strategies don't recognize electric vehicles as reducing VMT strategy. Mr. Ferry said that there may be a shift between combustion engine and electric vehicles, that would be interesting to track over time.

Mr. Ferry said he appreciated the mitigation fee discussion, because that is a really important source of funding for local jurisdictions. It is how we accomplish many projects, for example bike paths, street sweepers etc. He also echoed the importance of the affordable housing exemption.

Public Comment

None.

Commission Member Comments

Mr. Ferry said that the three motions were straightforward, but there had been a lot of discussion. He asked if there was a way to pass on the discussion points and nuances of the APC recommendation.

Mr. Marshall responded that the Governing Board meeting is in one week so no written product will be provided, but staff will provide a summary of the APC recommendation and a sense of the discussion, as part of the presentation.

Ms. Chandler asked if it was possible to make a recommendation with reservations. Mr. Marshall said that would be difficult in the system, but they could frame the motion in such a way that they do not recommend that particular item.

Ms. Carr reminded members that the Governing Board meetings are also open, public, and transparent. It may be an option for commission members to raise their concerns in public comment if they wish. Addressing Ms. Jacobsen, she said that she had said earlier that she would like to see it resolved before moving forward. Ms. Carr said that unless Ms. Jacobsen were to vote no, or make a motion that espouses her concerns, she does think Ms. Jacobsen's desire will make it into the resolutions. Mr. Marshall reminded members that the Governing Board does have a member from each jurisdiction – Placer County Supervisor Cindy Gustafson is well aware of these issues, and will be communicating with her staff.

Ms. Jacobsen responded that she feels like the fee is based on the project list. There is overlap with Placer County's project list and she would hope to see some resolution on the project list before moving forward.

Ms. Chandler made a motion to recommend adoption of the findings, including a finding of no significant effect, as set forth in Exhibit 1.

Ms. Carr seconded the motion.

Ayes: Mr. Young, Mr. Hitchcock, Ms. Simon, Mr. Drew, Mr. Hill, Ms. Ferris, Ms. Chandler, Mr. Guevin, Ms. Carr, Mr. Booth, Mr. Ferry

Nays: Mr. Drake

Abstain: Mr. Teshara, Ms. Jacobsen

Absent: Mr. Smokey, Mr. Alling, Mr. Letton, Ms. Stahler

Mr. Young made a motion to recommend adoption of Ordinance 21 - __ amending Ordinance 2019-03, as previously amended to amend the Code of Ordinances as set forth in Exhibit 3

Ms. Chandler seconded the motion.

Ayes: Mr. Young, Mr. Hitchcock, Ms. Simon, Mr. Drew, Mr. Hill, Ms. Ferris, Ms. Chandler, Mr. Guevin, Ms. Carr, Mr. Booth, Mr. Ferry

Abstain: Mr. Drake, Mr. Teshara, Ms. Jacobsen

Absent: Mr. Smokey, Mr. Alling, Mr. Letton, Ms. Stahler

Mr. Young made a motion to recommend adoption of the Resolution 21 - __ to amend the Rules of Procedures as set forth in Exhibit 4.

Ms. Carr seconded the motion.

Ayes: Mr. Young, Mr. Hitchcock, Ms. Simon, Mr. Drew, Mr. Hill, Ms. Ferris, Ms. Chandler, Mr. Guevin, Ms. Carr, Mr. Booth, Mr. Ferry

Abstain: Mr. Drake, Mr. Teshara, Ms. Jacobsen

Absent: Mr. Smokey, Mr. Alling, Mr. Letton, Ms. Stahler

VI. REPORTS

A. Executive Director/Upcoming Topics

Mr. Hester advised that, per Mr. Young's request, he will contact Jeremy Smith at the Truckee Meadows Regional Planning Agency, regarding sharing with them our work on climate change. He will also arrange for Mr. Dan Segan to bring a presentation on the Threshold Update Initiative to APC in early 2022.

Mr. Hester thanked APC members for their robust discussion, and commitment to the APC. On behalf of staff, he expressed appreciation and wished members a Happy Holiday season.

B. General Counsel

TRPA recently filed three enforcement cases on the illegal mooring of pontoon boats off Reagan Beach during Summer 2021. TRPA have tried to work cooperatively with the putative violators but have been unable to reach conclusion. They are taking this step to both advance their compliance mission, and to encourage settlement.

TRPA are also engaged in litigation regarding a pier permit, that was issued and appealed, in Placer County. Essentially, a neighbor is contesting the issuance of the pier permit, based on its proximity to their pier.

C. APC Members

Mr. Booth said that Douglas County have continued their efforts to updating their vacation home rental (VHR) ordinance and have received some litigation over their approved vacation home rental ordinance. The District Attorney's Office will present a revised ordinance to the Board of Commissioners for introduction next week, with a second reading scheduled for January.
A second meeting of the VHR advisory board was held yesterday, and they have been busy reviewing applications and appeals from the ordinance.

Ms. Simon said that on December 6, 2021, the Incline village/Crystal Bay Citizens Advisory Board discussed the use of herbicides in Lake Tahoe. They heard from Lars Anderson (UC Davis and consultant to the Tahoe Keys Property Owner's Association) and Madonna Dunbar (Executive Director of the Tahoe Water Suppliers Association). While this was not an action item, they did direct the Chair to inform the Washoe County Commissioner about the serious concerns they have about the project, and Ms. Dunbar agreed to alert them to the timing of the January hearings by both the Lahontan Water Board, and by TRPA.

Ms. Chandler congratulated the City Council of South Lake Tahoe on unanimously passing a resolution to aspire towards city wide, 100% renewable, carbon free electricity, 24 x 7, by 2030. They are probably the third city in the United States that has passed such an aggressive resolution, and she looks forward to working with the City, and TRPA to make this a reality.

Mr. Drake said he recently participated in a focus group with The Tahoe Prosperity Center, who are working on a plan called Envision Tahoe. It's essentially an economic prosperity plan for the Tahoe basin,

to create a clear vision for greater economic diversity, and sustainability in the Tahoe basin moving forward. It's an important effort, and he encouraged members to look out for (and share) a survey coming out before the end of the year. Sign up for email updates can be found at tahoeprosperity.org.

Mr. Drew said that he thought today's discussion was very productive. There are members who have some concerns about elements of what was recommended today, and he we would encourage them to connect and communicate with their jurisdictions Governing Board Member on those concerns.

Mr. Guevin said that the Fire District has been very busy working on the residual workload, left over from the Caldor Fire. Work has included outreach with Forest Service on upcoming back country safety week. They have also been working on funding for a dedicated helicopter in the Tahoe Basin, that would be available for immediate response to put these fires out when they are small. They are also working with the Forest Service on a public safety pier at the Zephyr Cove Marina, with a new facility adjacent to the pier.

Mr. Hill congratulated Chair Ferry, and Vice Chair Carr on their reelection for another two years. He said they do a great job, and commended them both for the recent email to APC members, focusing on individual strengths, and what each member can bring to commission

Ms. Jacobsen said that the Transportation Fee Program update will go before the Placer County board on December 14, 2021. On the same date, they are holding a workshop on their short-term rental (STR) ordinance. They will be bringing forward options for their Board's consideration, that would further restrict or limit STRs in the North Tahoe area of Placer. They also consulted with Bay Area Economics to prepare a study on STR impact on housing availability and affordability, and the impact of STR supply on hotel and motel uses, and that will be included in the Board packet.

Mr. Hitchcock advised that Measure T is in full effect, and this is the last month before all VHRs in residential areas will be permanently closed. Going forward, the City will only have qualified vacation home rental permits and hosted rental permits in their residential zones.

The City are one step closer to seeing Sugar Pine Village Affordable Housing Project being built. The developer recently received a premium $3M grant from the California Department of Housing and Community Development.

Mr. Teshara echoed Mr. Drakes encouragement for members to fill out the Envision Tahoe survey being coordinated by the Tahoe Prosperity Center. He also recommended that people look at the preliminary report – the most alarming thing is the tremendous exodus of young working people and families, from all around the region

Mr. Young said that Washoe County is close to launching the development of a community mobility plan. It's an exciting, major step in the implementation of the Washoe Area Plan.

For those who have potential projects, Ms. Carr mentioned the significant funding that will be available from a variety of sources. From the bipartisan infrastructure law, Nevada will be receiving $71M for the first of five years, into their state revolving fund. That state revolving fund can not only address water and wastewater infrastructure, but it can also fund stormwater projects and non-point source solutions. A listening session/workshop to gather project ideas is scheduled for tomorrow, and the priority list will open in early January 2022.

They are also working with the Treasurer's Office on Nevada's American Recovery Plan Act money. The Nevada infrastructure Bank was created several years ago, and is now receiving its first infusion of $75M in seed money for infrastructure in Nevada.

There are also FEMA funds. Following the COVID disaster declaration, and future monies related to the fire declarations, the State of Nevada has $16M to look at hazard mitigation projects through their Division of Emergency Management.

VII. PUBLIC COMMENT

None.

VIII. ADJOURNMENT

Mr. Teshara moved to adjourn.

Chair Ferry adjourned the meeting at 12:48 p.m.

Respectfully Submitted,

Tracy Campbell

Tracy Campbell
Clerk to the Advisory Planning Commission

The above meeting was recorded in its entirety. Anyone wishing to listen to the tapes of the above mentioned meeting may call for an appointment at (775) 588-4547. In addition, written documents submitted at the meeting are available for review

TAHOE REGIONAL PLANNING AGENCY

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STAFF REPORT

Date: January 11, 2022

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Consideration and Possible Recommendation of Approval of Proposed Amendments to the Tourist Core Area Plan

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Staff Recommendation:
TRPA staff requests that the Advisory Planning Commission (APC) review the materials provided in this packet to ensure the proposed Tourist Core Area Plan amendments are in conformance with the Regional Plan and recommend approval of the amendments to the TRPA Governing Board.

Required Motions:
To recommend approval of the proposed amendments, the APC must make the following motions, based on this staff report and materials provided within this packet:

1) A motion to recommend TRPA Governing Board approval of the required findings, including a finding of no significant effect, for adoption of proposed Tourist Core Area Plan amendments and as provided in Attachment B.

2) A motion to recommend TRPA Governing Board adoption of Ordinance 2022-__, amending Ordinance 2020-06, as previously amended, to amend the Tourist Core Area Plan to include the additions and revisions as provided in Attachment B.

In order for the motions to pass, an affirmative vote of a majority of the quorum is required.

Approval and Adoption Process:
Area plans and area plan amendments are typically first approved and adopted by the local jurisdiction and then by the TRPA Governing Board. Upon TRPA approval and adoption of an area plan, the plan then becomes a component of the Regional Plan. Local jurisdiction staff engage with TRPA staff early and often throughout the development and planning process of area plans and area plan amendments to ensure compliance with the Regional Plan.

The City Planning Commission recommended City Council adoption of the proposed amendments as provided in this packet on October 14, 2021 (City Resolution 2021-14). The City Council then adopted the proposed amendments on November 16, 2021 (City Ordinance 2021-1158).

The TRPA Regional Plan Implementation Committee received a presentation and unanimously recommended approval of the proposed amendments as included in this packet to the TRPA Governing Board on December 14, 2021. Prior to the meeting, RPIC member Bill Yeates requested corrections to the evaluation form (Attachment F) for compliance measures numbers 206 and 216. Those corrections were included as an errata to the RPIC materials and included as part of their recommended approval.

If the APC recommends TRPA adoption, TRPA staff anticipate bringing these amendments to the TRPA the Governing Board on January 26, 2022 for consideration of final approval and adoption.

Summary:
The City of South Lake Tahoe and the TRPA Governing Board adopted the Tourist Core Area Plan (TCAP) in 2013. The proposed amendments, as provided in this packet, would amend the permissible land uses within the TCAP Tourist Center Gateway (TSC-G) District, Special Area #1 to allow tourist-related "small scale manufacturing", "industrial services", and "wholesale and distribution". As part of these amendments, the City would modify the existing land use definition of "industrial services" and would add a definition for "wholesale and distribution" (not currently defined in the TCAP).

The definition for each of the land uses above that are proposed to be included in TSC-G District, Special Area #1 area are as follows:

- **Industrial Services.** Establishments providing light industrial services to an associated retail commercial primary use while providing educational and/or demonstration opportunities to the public.

- **Small Scale Manufacturing.** Establishments primarily engaging in retail sales and secondarily as a fine art or craftsman demonstration workshop of light industrial nature such as sculptor, potter, weaver, carver, jeweler, or other similar art that requires artistic skill. Outside storage or display would require approval of a Special Use Permit.

- **Wholesale and Distribution.** Retail commercial establishments engaged in, as a secondary use, the storage of merchandise and distribution of products for sale.

With these amendments, the City intends to help facilitate the development and redevelopment of a wide range of tourist related commercial uses and enhance the tourist destination goals of the TCAP. The amendments encourage local makers spaces and businesses who make artesian retail products on-site, such as artesian chocolatiers, leather goods, breweries, etc. Small scale manufacturing of this nature is currently permissible within the TCAP Tourist Center, Mixed-Use, Mixed-Use Corridor, and Neighborhood Mixed-Use Districts. (A location map of the subject area is included for reference on a subsequent page.)

The proposed land uses would be subject to a special use permit, which requires discretionary approval by the City Planning Commission or Zoning Administrator. The proposed amendments also specify that each of these new special uses would be allowed only in connection with a retail commercial use where they will enhance the visitor experience and that the additional special use shall be limited in size to thirty percent of the associated retail space.

As required by the Regional Plan, the existing TCAP includes specific design standards, which would be applicable to the proposed land uses, to ensure development is compatible with the natural

environment and contributes to the character and quality of the built environment.

The proposed amendments do not include any changes to boundaries, maps, goals and policies, or development and design standards (i.e. height, density, noise standards, etc.) within the TCAP or the Regional Plan. The specific changes (i.e. language) proposed by these amendments is included in Attachment B as tracked changes.

The proposed amendments were initiated by the Tahoe Wellness Center, an existing private development within the TCAP TSC-G District Special Area #1, through an application with the City. The Tahoe Wellness Center is currently operating with one or more of the proposed land uses as a non-conforming use. The amendments, if adopted, would bring the Tahoe Wellness Center into conformance with the area plan, as well as allow other businesses within the district to operate in ways consistent with the proposed land uses and goals of the TCAP.

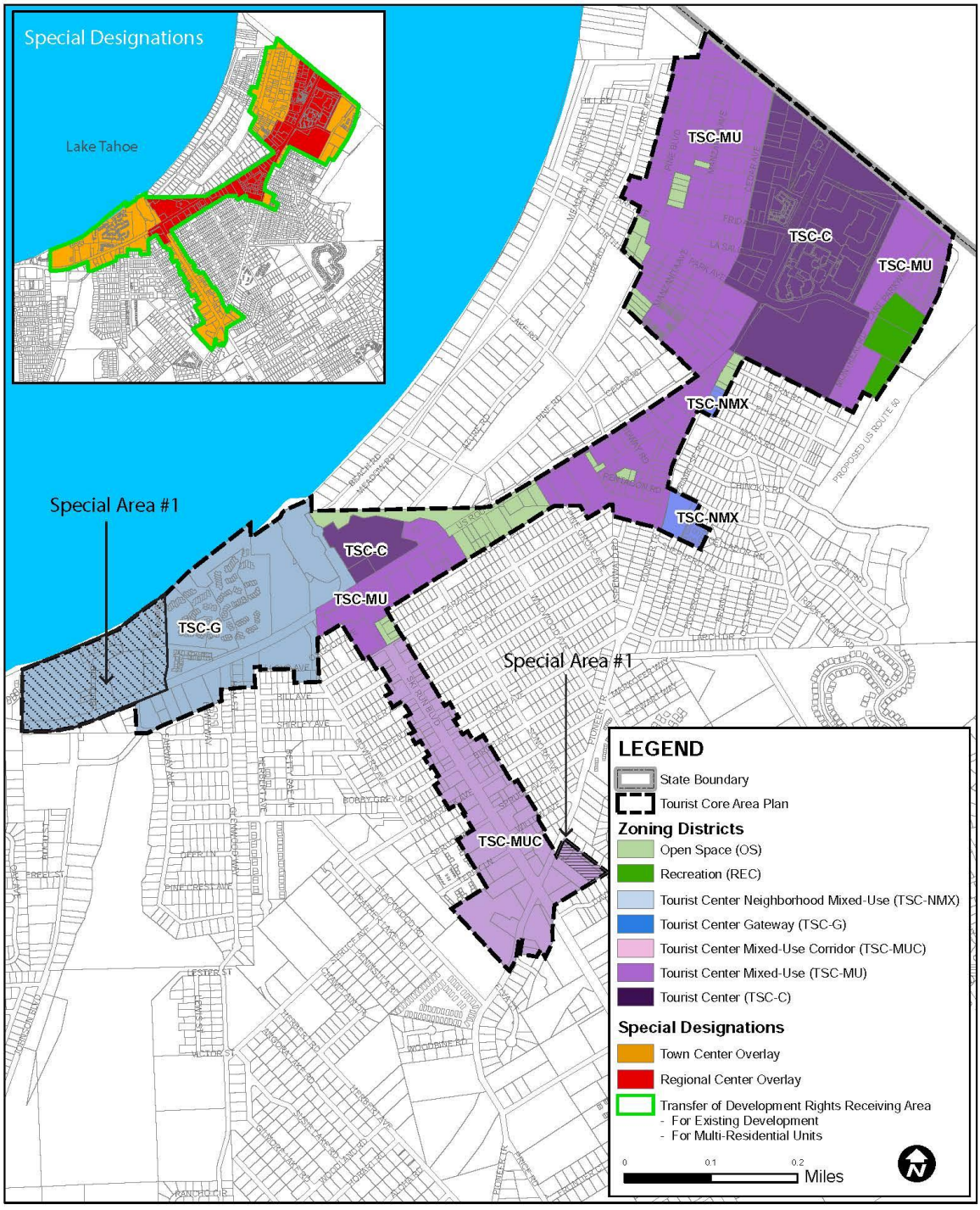
TRPA serves as the lead agency for TRPA Code of Ordinances Chapter 13 purposes. City staff worked closely with TRPA staff regarding the amendment language as well as the environmental review to ensure Regional Plan conformance.

Additional information on the project background and amendments is included in Attachments A - H.

Amendment Description:
The proposed amendments affect Appendix C, Table 1: Permitted Uses by Land Use District and Table 2: List of Primary Uses and Use Definitions of the TCAP as follows:

- Allow small scale manufacturing, industrial services, and wholesale and distribution land uses within the Tourist Center Gateway (TSC-G) District, Special Area #1.
- Add a provision that the subject land uses would only be allowed in connection with a retail commercial use where it will enhance the visitor experience and is limited in size to 30% of the associated retail space.
- Amend the land use definition of industrial services to better reflect the goals and intent of the TCAP.
- Add a new land use definition for wholesale and distribution consistent with the goals of the TCAP.

Specific language that would be added or amended within the area plan are included in Attachment B.



Location Map: Tourist Core Area Plan Boundaries Showing the Zoning Districts, including the subject Tourist Center Gateway District (TSC-G) and Special Area #1

Environmental Review:
TRPA staff prepared an Initial Environmental Checklist (IEC), required findings, Finding of No Significant Effect (FONSE) pursuant to TRPA Code of Ordinances Section 3.3 and Chapter 4 for the proposed amendments. The draft environmental document provides an analysis of potential environmental impacts of the amendment package. The analysis demonstrates that the proposed amendments either have no impact or less than significant impacts in all areas. The IEC, findings, and FONSE are provided as Attachments D and E.

TRPA staff prepared the attached Compliance Measures evaluations pursuant to TRPA Code Section 4.4 and found the amendments will not negatively impact a TRPA adopted threshold indicator or compliance measure. These evaluations are provided as Attachment F.

TRPA staff completed an Area Plan Finding of Conformity Checklist pursuant to Chapter 13 of the TRPA Code of Ordinance as provided in Attachment H.

The City prepared an Initial Study/Negative Declaration pursuant to the California Environmental Quality Act (CEQA) as provided in Attachment G.

Public Outreach:
The City of South Lake Tahoe held an online public workshop on February 17, 2021 to solicit public input on the proposed amendments. In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15070, the City prepared and circulated an Initial Study/Negative Declaration for the proposed amendments and consulted with Native American tribes. The City Planning Commission held public hearing on the proposed amendments on October 14, 2021. The City held the first public reading of the amendments on November 2, 2021, and the second public reading on November 16, 2021.

Public notice of the RPIC meeting on December 14, 2021 and this APC meeting and agenda item were provided by TRPA. Pursuant to TRPA Rules of Procedure Chapter 4: Adoption of Ordinances, a draft or summary of the ordinance provided in this packet will be available for public review and proper notice of the public hearing will be given.

Contact Information:
For questions regarding this item, please contact Jennifer Self, Principal Planner, at (775) 589-5261 or jself@trpa.gov.

Attachments:
A. City Staff Summary
B. TRPA Adopting Ordinance 2022-__
    - Exhibit 1: Proposed Amendments to the Tourist Core Area Plan, Appendix C
C. City Adopting Ordinance 2021-1158
    - Exhibit 1: Proposed Amendments to the Tourist Core Area Plan, Appendix C
D. Initial Environmental Checklist (IEC)
E. Required Findings/Rationale and Finding of No Significant Effect (FONSE)
F. Threshold Indicators and Compliance Measures
G. Final Initial Study/Negative Declaration City of South Lake Tahoe Tourist Core Area Plan/Specific Plan Amendment, August 2021
H. Area Plan Finding of Conformity Checklist

Attachment A

City Staff Summary

City of South Lake Tahoe
Report to TRPA Advisory Planning Commission

Meeting Date: January 18, 2022

Title: Tourist Core Area Plan Amendments

Location: Tourist Core Area Plan Tourist Center Gateway District, Special Area 1 - 18.0 Acre Amendment Area with 49 Parcels (Multiple APNs)

Responsible Staff Members: John Hitchcock, Planning Manager (530) 542-7405

Background:

Tahoe Wellness Center submitted a development application to the City of South Lake Tahoe proposing an amendment to the Tourist Core Area Plan/Specific Plan. Specifically, the proposed amendment would add the following uses as a special use in the TCAP Tourist Center Gateway (TSC-G) District, Special Area 1: industrial services; wholesale and distribution; and small-scale manufacturing. The proposed amendment specifies that each of these new special uses would be allowed only in connection with a retail commercial use where they will enhance the visitor experience and that the additional special use shall be limited in size to thirty (30) percent of the associated retail space.

The Tourist Core Area Plan was adopted in 2013 (City Ordinance 2013-1060) and replaced the former Stateline/Ski Run Community Plan. The TCAP established seven new zoning districts, two overlay zoning districts, as well as design and development standards for each district.

The Tourist Core Area Plan is considered a specific plan under the City and a component of the Regional Plan.

Issue and Discussion:

The proposed amendment includes modifying the existing TCAP land use definition of “industrial services,” and would add a definition for “wholesale and distribution” (not a currently defined use in the TCAP). The proposed definitions for each of these uses is as follows:

- **Industrial Services.** Establishments providing light industrial services to an associated retail commercial primary use while providing educational and/or demonstration opportunities to the public.
- **Small Scale Manufacturing.** Establishments primarily engaging in retail sales and secondarily as a fine art or craftsman demonstration workshop of light industrial nature such as sculptor,

potter, weaver, carver, jeweler, or other similar art that requires artistic skill. Outside storage or display would require approval of a Special Use Permit.

- **Wholesale and Distribution.** Retail commercial establishments engaged in, as a secondary use, the storage of merchandise and distribution of products for sale.

The proposed amendment would modify the TCAP Permissible Use List (TCAP Appendix C – Table 1) and List of Primary Uses and Use definitions (TCAP Appendix C – Table 2). The proposed amendment does not involve any other changes to the TCAP, and does not involve any changes to existing policies, development standards, design standards, or maps. Attachment 02 displays the zoning districts of the TCAP, including TSC-G Special Area 1, which this amendment would affect.

Purpose and Need

Special Area #1 of the TCAP Gateway District is designated as a tourist/commercial district and is intended to provide for an attractive mixed-use commercial and tourist accommodation corridor that provides a welcoming gateway to the tourist core area. The district provides for an array of uses including tourist accommodation, residential, commercial retail, restaurants and recreation uses. The district currently has a mix of tourist accommodation, commercial retail, restaurants and recreation uses that cater to visitors and locals.

The purpose of the proposed amendment is to facilitate implementation of the TCAP objective to develop and redevelop a wide range of tourist-related commercial uses (i.e., light industrial demonstration workshops and product production) that are related to a primary retail commercial use and enhance the tourist destination goals of the Tourist Core Area Plan.

To further enhance and create additional opportunities for expansion of tourist-related retail commercial uses and activate the district, the proposed amendment would allow a primary retail commercial use to expand to include production of products for retail sale and distribution. The area would have to be associated with a primary retail use and will be limited to thirty (30) percent of the primary retail commercial use. The amendment also requires any proposed industrial service, small scale manufacturing, or wholesale and distribution use to obtain a special use permit from the City. The special use permitting process would allow the City to review a project to determine if it is a desirable use in the proposed location, if potential project impacts have been adequately addressed.

Examples of projects that are envisioned as a result of this amendment include but are not limited to retail businesses selling artisanal confectionery items, leather goods, metal works, woodworking, handcrafted goods, small-scale bakery stores, or ice cream parlors. The amendment would also provide the opportunity for production of products for onsite eating and drinking places. The intent is to allow the production, manufacturing and repair of goods on-site and allow retailers the opportunity to demonstrate and educate the public on how products are manufactured for retail sale.

Tourist Core Area Plan

The Tourist Core Area Plan was adopted by the City "to establish a framework that will achieve redevelopment and reinvestment in properties, on the ground environmental improvement, enhancement of the built environment…and increased access to recreation opportunities." The proposed amendments will further the goals of the Tourist Core Area Plan by encouraging properties in the amendment area to redevelop or expand and provide unique retail experiences to visitors and locals that activate the TCAP Gateway District as a destination center.

The proposed amendments are also consistent with Land Use Goal LU-1 that encourages redevelopment and development in order to provide high quality services to visitors and the public and to animate the streetscape. In addition, the proposed amendments are consistent with the following policies:

Policy LU-1.1: Reinforce the Tourist Core as the primary visitor and tourist district in South Lake Tahoe.

Policy LU-1.3: Create distinctive, connected, and walkable districts that have a strong sense of identity.

Environmental Consideration

To evaluate the potential impacts of the proposed amendment, the City contracted with Cardno to prepare an Initial Study/Negative Declaration (IS/ND). Additionally, TRPA staff prepared an initial environmental checklist (IEC). The IEC and Draft IS/ND provides an analysis of the potential for the project to result in significant environmental impacts. Areas of analysis include aesthetics, agriculture and forestry, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, utility and services systems, and additional mandatory findings of significance related to potential cumulative impacts. The analysis demonstrates that the project either has no impacts or has less than significant impacts in all of these areas.

Tribal Consultation

Pursuant to state law, the City has completed requirements for consultation with Native American tribes under Assembly Bill 52 and the California Environmental Quality Act (CEQA) Guidelines (see Attachment 03). The City received a comment from the United Auburn Indian Community acknowledging the proposed project and deferring to the Washoe Tribe of Nevada and California. No other comments were received. Staff sent a notice to the Washoe Tribe of Nevada and California on February 16, 2021. At this time no comments have been received from the Washoe Tribe of Nevada and California.

Public Workshop

A public workshop was held on February 17, 2021 via an online meeting to take public comment on the proposed amendment and the scope of the environmental analysis. The meeting was attended by a few members of the public who asked clarifying questions. One member of the public who lived in a nearby timeshare (Sierra Shores) did object to the proposed amendments. Subsequently, the City did receive a written comment from Mr. Jeffrey Sun, objecting to the proposed amendment (see Attachment 04).

Public Comment Period, Public Noticing and Public Hearing

The Draft IS/ND has been sent, along with a Notice of Completion, to the California State Clearinghouse for distribution to state and regional agencies for review. The IS/ND has also been available at City offices (1052 Tata Lane) and online at https://www.cityofslt.us/DocumentCenter/View/16100/Project-Summary-Page-TWC-TCAP-Amendment. The public review and comment period was August 17, 2021 to September 17, 2021. A Notice of Availability and Notice of Intent, advertising the review period was mailed to all affected property owners within 300 feet of TCAP Gateway District Special Area #1 and published in the Tahoe Daily Tribune on August 20, 2021 (see Attachment 05).

Due to the cancellation of the September Planning Commission meeting and a change in the public hearing date, a second public notice indicating a new date, time and location of the Planning Commission meeting to consider the proposed amendment and the IS/ND was sent on September 9, 2021 and published in the Tahoe Daily Tribune on October 1, 2021 (see Attachment 06).

On October 14, 2021, the Planning Commission held a duly noticed public hearing, receive public comment, deliberated and passed Resolution 2021-14 recommending the City Council adopt the IS/ND and the Tourist Core Area Plan/Specific Plan amendments (see Attachment 07).

A public notice indicating the date, time and location of the City Council meeting to consider the proposed amendment and the IS/ND was mailed to all affected property owners on October 19, 2021 and published in the Tahoe Daily Tribune on October 22, 2021 (see Attachment 08).

The City Council adopted the TCAP amendments as provided in this packet on November 16, 2021 during a regular public meeting.

Recommendation:

City staff recommends that the TRPA Advisory Planning Commission recommend approval of the TCAP amendments as provided in this packet to the TRPA Governing Board.

Attachment B

TRPA Adopting Ordinance

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2022-__

AN AMENDMENT TO ORDINANCE NO. 2020-06 TO ADOPT
TOURIST CORE AREA PLAN AMENDMENTS

The Governing Board of the Tahoe Regional Planning Agency (TRPA) does ordain as follows:

Section 1.00 Findings

1.10 It is desirable to amend TRPA Ordinance 2020-06 by amending the Tourist Core Area Plan to further implement the Regional Plan pursuant to Article VI (a) and other applicable provisions of the Tahoe Regional Planning Compact.

1.20 The Tourist Core Area Plan amendments were the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The Tourist Core Area Plan amendments have been determined not to have a significant effect on the environment and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.

1.30 The Advisory Planning Commission (APC) and the Governing Board have each conducted a noticed public hearing on the proposed Tourist Core Area Plan amendments. The APC has recommended Governing Board adoption of the necessary findings and adopting ordinance. At these hearings, oral testimony and documentary evidence were received and considered.

1.40 The Governing Board finds that the Tourist Core Area Plan amendments adopted hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.

1.50 Prior to the adoption of these amendments, the Governing Board made the findings required by TRPA Code of Ordinances Section 4.5, and Article V(g) of the Compact.

1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 TRPA Code of Ordinances Amendments

Ordinance 2020-06, as previously amended, is hereby amended by amending the Tourist Core Area Plan as set forth in Exhibit 1.

Section 3.00 Interpretation and Severability

The provisions of this ordinance amending the TRPA Code of Ordinances adopted hereby shall be liberally construed to affect their purposes. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and the amendments to the Regional Plan Package shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Regional Plan Package are hereby declared respectively severable.

Section 4.00 Effective Date

The provisions of this ordinance amending the Tourist Core Area Plan shall become effective on adoption.

PASSED AND ADOPTED by the Tahoe Regional Planning Agency Governing Board at a regular meeting held on _____, 2022, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

_____
Mark Bruce, Chair
Tahoe Regional Planning Agency,
Governing Board

EXHIBIT 1

Amendment is red and underlined. Language that would be deleted is blue and is struck through. No other changes to the TCAP are proposed.

Table 1: PERMITTED USES BY ZONING DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "-" – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS
RESIDENTIAL								
Domestic Animal Raising	–	–	–	–	–	-	S	–
Employee Housing	S	S	A	S	S	S	A	
Multiple Family Dwelling	A	A	A	A	A	A	–	–
Multi-Person Dwelling	S	S	S	S	S	S	–	–
Single Family Dwelling (includes condominiums)	A[8]	A	A	A	A	A	S[1]	–
TOURIST ACCOMMODATION								
Bed & Breakfast Facilities	–	A	A[9]	S	A	A	–	–
Hotel, Motel, Other Transient Dwelling Units	A	A	A[9]	S	A	A	–	–
Time Sharing	A	A	A[9]	S	S	A	–	–
RETAIL COMMERCIAL								
General Retail and Personal Services	A	A	A[9]	S	A	A	–	–
Building Material & Hardware	S[6]	–	–	–	–	S	–	–
Nursery	–	–	A[9]	–	–	S	–	–
Outdoor Retail Sales	A	–	S[9]	–	–	S	–	–
Eating & Drinking Places	A	S	A[9]	S	A	A	–	–
Service Stations[11]	S	S	–	–	S	S	–	–
ENTERTAIMENT COMMERCIAL								
Amusement & Recreation	S	S	–	–	–	A	–	–
Privately Owned Assembly and Entertainment	S	S	–	–	–	S	S	-
Outdoor Amusements	-	S	S	-	S	S	S	-
SERVICE COMMERCIAL								
Business Support Services	A[7]	S	S[9]	–	S	A	–	–
Health Care Services	A[2,5]		A[9]	–	A	A	–	–
Professional Offices	A[3,4]	A	A[9]	A	A	A	–	–
Schools – Business & Vocational	S	–	S[9]	–	S	A	–	–
LIGHT INDUSTRIAL COMMERCIAL								
Small Scale Manufacturing	S	S	S[9]	S	-	S[12]	–	–

Table 1: PERMITTED USES BY ZONING DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "-" – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS
Industrial Services[11]	-	-	-	-	-	S[12]	-	-
WHOLESALE/STORAGE COMMERCIAL								
Vehicle Storage & Parking[11]	S	S	S[9]	S	S	S	–	–
Wholesale and Distribution						S[12]		
GENERAL PUBLIC SERVICE								
Religious Assembly	–	S	S[9]	-	S	A	–	–
Cultural Facilities	S	S	S[9]	-	S	A	-	-
Daycare Centers/Preschool	A	A	A[10]	A	A	A	–	–
Government Offices	–	-	A[9]	–	–	S	–	–
Local Assembly & Entertainment	S	S	-	-	–	S	–	–
Local Public Health and Safety Facilities[11]	A	A	A	A	A	A	A	A
Public Owned Assembly & Entertainment	S	S	-	-	–	-	S	-
Public Utility Centers[11]	–	S	-	-	–	-	–	–
Social Service Organizations	-	-	A[9]	-	A	A	-	-
LINEAR PUBLIC FACILITIES								
Pipelines & Power Transmission	S	S	S	S	S	S	S	S
Transit Stations & Terminals	S	S	S	S	S	S	S	S
Transportation Routes	S	S	S	S	S	S	S	S
Transmission & Receiving Facilities	S	S	S	S	S	S	S	S
RECREATION								
Cross Country Ski Courses	–	–	–	–	-	-	S	–
Day Use Areas	A	A	A	A	A	A	A	A
Group Facilities	–	–	–	–	–	-	S	–
Outdoor Recreation Concessions	–	–	–	–	S	S	–	–
Participant Sport Facilities	S	–	–	–	–	-	–	–
Riding and Hiking Trails	–	–	–	–	–	-	S	–
Rural Sports	-	-	-	-	-	-	S	-
Snowmobile Courses	–	–	–	–	–	-	S	–
Visitor Information Centers	S	S	–	–	S	A	–	–
RESOURCE MANAGEMENT								

Table 1: PERMITTED USES BY ZONING DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "-" – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS
Forest and Timber Resource Management	A	A	A	A	A	A	A	A
Vegetation Resource Management	A	A	A	A	A	A	A	A
Water Quality Improvements and Watershed Management	A	A	A	A	A	A	A	A
Wildlife and Fisheries Resource Management	A	A	A	A	A	A	A	A
Range Management	-	-	-	-	-	-	A	-
OPEN SPACE								
Allowed in all areas of the Region	A	A	A	A	A	A	A	A
SHOREZONE (Tolerance Districts 1 and 4)								
Water Oriented Outdoor Recreation Concession					TRPA-A	TRPA-A		
Beach Recreation					TRPA-A	TRPA-A		
Water Borne Transit					TRPA-S	TRPA-S		
Boat Launching Facilities					TRPA-S	TRPA-S		
Tour Boat Operations					TRPA-S	TRPA-S		
Safety and Navigation Devices (Shorezone District 4)					TRPA-A	TRPA-A		
Marinas					TRPA-S	TRPA-S		
Buoys					TRPA-A	TRPA-A		
Piers					TRPA-S	TRPA-S		
Fences					TRPA-S	TRPA-S		
Boat Ramps					TRPA-S	TRPA-S		
Floating Docks and Platforms					TRPA-S	TRPA-S		
Shoreline Protective Devices					TRPA-S	TRPA-S		

Table 1: PERMITTED USES BY ZONING DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "-" – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS
Water Intake Lines					TRPA-A	TRPA-A		

Note: In the Regional Center all residential projects equal to or exceeding 100,000 square feet of new floor area or non-residential projects equal to or exceeding 80,000 square feet of new floor area require TRPA review and approval. In the Town Center all residential projects equal to or exceeding 50,000 square feet of new floor area or non-residential projects equal to or exceeding 40,000 square feet of new floor area require TRPA review and approval.

1. Caretaker Residence Only
2. All Health Care Services are allowed except emergency outpatient or urgent care facilities which shall only be considered along Heavenly Village Way, formerly Park Avenue.
3. Allow Realty Offices within the district and limit financial services to ATMs.
4. Allow consideration for placement of Realty Offices within the district, and only when operated in conjunction with approved Park Avenue Redevelopment fractional ownership tourist accommodation projects. Such use shall occupy no more than five percent (5%) of the commercial floor area with any project area within the district.
5. All Health Care Services uses permissible throughout special district; provided that any Health Care Services uses proposed to front on either side of US Highway 50 and/or the intersections of Heavenly Village Way (formerly Park Avenue) and Stateline Avenue are limited to second floor or higher. See TRPA Ordinance 2009-05 Exhibit 2 for specific limitation locations.
6. Outdoor storage and display is prohibited.
7. Shall not front on US Highway 50.
8. Condominiums only.
9. Use not permitted in Special Area #1, which comprises of APNs 028-081-02, 028-081-04 & 028-081-15.
10. Daycare center allowed as an accessory use.
11. Land use category is identified in TRPA Code Section 60.3 as a "possible contaminating activity," triggering special requirements pursuant to TRPA Code Section 60.4 if located within a Source Water Protection Zone.
12. Use only allowed in connection with a retail commercial use where it will enhance the visitor experience and is limited in size to 30% of the associated retail space.

Table 2: LIST OF PRIMARY USES AND USE DEFINTIONS	
USE	**DEFINITIONS**
LIGHT INDUSTRIAL COMMERCIAL	

Table 2: LIST OF PRIMARY USES AND USE DEFINTIONS	
USE	**DEFINITIONS**
Industrial Services	Establishments providing light industrial services to an associated retail commercial primary use while providing educational and/or demonstration opportunities to the public. ~~Services establishments providing other businesses with services, including maintenance, repair, service, testing, publishing, and rental. This includes establishments such as: welding repair, armature rewinding, and heavy equipment repair, vehicle repair, (except vehicle repair; see "Auto Repair and Service"); research and development laboratories, including testing facilities; soils and materials testing laboratories; equipment rental businesses that are entirely within buildings (for equipment rental yards, see "Sales Lots"), including leasing tools, machinery and other business items except vehicles; and other business services of a "heavy service" nature. Outside storage or display is included as part of the use.~~
Small Scale Manufacturing	Establishments primary engaging in retail sales and secondarily as a fine art or craftsman demonstration workshop of light industrial nature such as sculptor, potter, weaver, carver, jeweler, or other similar art that requires artistic skill . Outside storage or display would require approval of a Special use Permit.
WHOLESALE/STORAGE COMMERCIAL	
Vehicle Storage & Parking	Service establishments primarily engaged in the business of storing operative cars, buses, or other motor vehicles. The use includes both day use and long-term public and commercial garages, parking lots, and structures. Outside storage or display is included as part of the use. The use does not include wrecking yards (see "Recycling and Scrap").
Wholesale and Distribution	Retail commercial establishments engaged in, as a secondary use, the storage of merchandise and distribution of products for sale.

Attachment C

City Adopting Ordinance 2021-1158

Ordinance 2021-1158

Adopted by the City of South Lake Tahoe City Council

November 16, 2021

Amending the Tourist Core Area Plan/Specific Plan

BACKGROUND

A. The Tourist Core Area Plan/Specific Plan was adopted by the City of South Lake Tahoe City Council on October 15, 2013 (Ordinance 2013-1060).

B. Pursuant to California Government Code Section 65453, a specific plan may be prepared and adopted by resolution or by ordinance and may be amended as often as deemed necessary by the legislative body.

C. City Code Section 6.10.020 requires any amendments to the Tourist Core Area Plan to be adopted by ordinance.

D. The proposed amendment would modify the existing TCAP land use definition of "industrial services," add a definition for "wholesale and distribution," and add these uses along with "small-scale manufacturing" as a special use in the Tourist Core Area Plan Gateway District Special Area #1.

E. The purpose of the proposed amendment is to facilitate implementation of the TCAP objective to develop and redevelop a wide range of tourist-related commercial uses (i.e., light industrial demonstration workshops and product production) that are related to a primary retail commercial use and enhance the tourist destination goals of the Tourist Core Area Plan.

F. The City held an online public workshop on February 17, 2021 to solicit public input on the proposed amendments.

G. In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15070, the City of South Lake Tahoe has prepared and circulated an Initial Study/Negative Declaration (IS/ND) for the Tourist Core Area Plan/Specific Plan Amendments.

H. On October 14, 2021, the Planning Commission held a duly noticed public hearing, took public comments on the proposed amendment, considered all the evidence in the record, and adopted Resolution 2021-14 recommending that the City Council adopt the IS/ND pursuant to CEQA, determine that the Project would not have a significant effect on the environment and that the City Council adopt the Tourist Core Area Plan/Specific Plan Amendments.

I. The City of South Lake Tahoe, as the lead agency, has determined that there is no substantial evidence that the adoption of the Tourist Core Area Plan/Specific Plan Amendments would result in a significant effect on the environment.

Now, Therefore, the City Council of the City of South Lake Tahoe does ordain as follows:

SECTION 1 The Tourist Core Area Plan/Specific Plan is hereby amended as designated in Exhibit 1 attached hereto and incorporated by reference.

SECTION 2 If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction; such decision will not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 3 The City Clerk is directed to certify this ordinance and cause it to be published in the manner required by law.

SECTION 4 This ordinance shall become effective thirty (30) days after the date of its adoption.

Adopted by the City of South Lake Tahoe City Council on November 16, 2021 by the following vote:

Yes: Creegan, Friedrich, Middlebrook and Wallace
Recused: Bass

_____ Date: 11/18/2021
Tamara Wallace, Mayor

Attest:

Susan Blankenship, City Clerk

The presence of electronic signature certifies that the foregoing is true and correct copy as approved by the South Lake Tahoe City Council.

First Reading: November 2, 2021
Published: November 5, 2021
Effective: December 16, 2021

EXHIBIT 1

Amendment is red and underlined. Language that would be deleted is blue and is struck through. No other changes to the TCAP are proposed.

Table 1: PERMITTED USES BY ZONING DISTRICT

Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "-" – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS
RESIDENTIAL								
Domestic Animal Raising	–	–	–	–	–	-	S	–
Employee Housing	S	S	A	S	S	S	A	
Multiple Family Dwelling	A	A	A	A	A	A	–	–
Multi-Person Dwelling	S	S	S	S	S	S	–	–
Single Family Dwelling (includes condominiums)	A[8]	A	A	A	A	A	S[1]	–
TOURIST ACCOMMODATION								
Bed & Breakfast Facilities	–	A	A[9]	S	A	A	–	–
Hotel, Motel, Other Transient Dwelling Units	A	A	A[9]	S	A	A	–	–
Time Sharing	A	A	A[9]	S	S	A	–	–
RETAIL COMMERCIAL								
General Retail and Personal Services	A	A	A[9]	S	A	A	–	–
Building Material & Hardware	S[6]	–	–	–	–	S	–	–
Nursery	–	–	A[9]	–	–	S	–	–
Outdoor Retail Sales	A	–	S[9]	–	–	S	–	–
Eating & Drinking Places	A	S	A[9]	S	A	A	–	–
Service Stations[11]	S	S	–	–	S	S	–	–
ENTERTAIMENT COMMERCIAL								
Amusement & Recreation	S	S	–	–	–	A	–	–
Privately Owned Assembly and Entertainment	S	S	–	–	–	S	S	-
Outdoor Amusements	-	S	S	-	S	S	S	-
SERVICE COMMERCIAL								
Business Support Services	A[7]	S	S[9]	–	S	A	–	–
Health Care Services	A[2,5]		A[9]	–	A	A	–	–
Professional Offices	A[3,4]	A	A[9]	A	A	A	–	–
Schools – Business & Vocational	S	–	S[9]	–	S	A	–	–
LIGHT INDUSTRIAL COMMERCIAL								
Small Scale Manufacturing	S	S	S[9]	S	-	S[12]	–	–

Table 1: PERMITTED USES BY ZONING DISTRICT								
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Industrial Services[11]	-	-	-	-	-	S[12]	-	-
WHOLESALE/STORAGE COMMERCIAL								
Vehicle Storage & Parking[11]	S	S	S[9]	S	S	S	–	–
Wholesale and Distribution						S[12]		
GENERAL PUBLIC SERVICE								
Religious Assembly	–	S	S[9]	-	S	A	–	–
Cultural Facilities	S	S	S[9]	-	S	A	-	-
Daycare Centers/Preschool	A	A	A[10]	A	A	A	–	–
Government Offices	–	-	A[9]	–	–	S	–	–
Local Assembly & Entertainment	S	S	-	-	–	S	–	–
Local Public Health and Safety Facilities[11]	A	A	A	A	A	A	A	A
Public Owned Assembly & Entertainment	S	S	-	-	–	-	S	-
Public Utility Centers[11]	–	S	-	-	–	-	–	–
Social Service Organizations	-	-	A[9]	-	A	A	-	-
LINEAR PUBLIC FACILITIES								
Pipelines & Power Transmission	S	S	S	S	S	S	S	S
Transit Stations & Terminals	S	S	S	S	S	S	S	S
Transportation Routes	S	S	S	S	S	S	S	S
Transmission & Receiving Facilities	S	S	S	S	S	S	S	S
RECREATION								
Cross Country Ski Courses	–	–	–	–	-	-	S	–
Day Use Areas	A	A	A	A	A	A	A	A
Group Facilities	–	–	–	–	–	-	S	–
Outdoor Recreation Concessions	–	–	–	–	S	S	–	–
Participant Sport Facilities	S	-	-	-	–	-	–	–
Riding and Hiking Trails	–	-	-	-	–	-	S	–
Rural Sports	-	-	-	-	-	-	S	-
Snowmobile Courses	–	–	–	–	–	-	S	–
Visitor Information Centers	S	S	–	–	S	A	–	–
RESOURCE MANAGEMENT								

Table 1: PERMITTED USES BY ZONING DISTRICT								
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Forest and Timber Resource Management	A	A	A	A	A	A	A	A
Vegetation Resource Management	A	A	A	A	A	A	A	A
Water Quality Improvements and Watershed Management	A	A	A	A	A	A	A	A
Wildlife and Fisheries Resource Management	A	A	A	A	A	A	A	A
Range Management	-	-	-	-	-	-	A	-
OPEN SPACE								
Allowed in all areas of the Region	A	A	A	A	A	A	A	A
SHOREZONE (Tolerance Districts 1 and 4)								
Water Oriented Outdoor Recreation Concession					TRPA-A	TRPA-A		
Beach Recreation					TRPA-A	TRPA-A		
Water Borne Transit					TRPA-S	TRPA-S		
Boat Launching Facilities					TRPA-S	TRPA-S		
Tour Boat Operations					TRPA-S	TRPA-S		
Safety and Navigation Devices (Shorezone District 4)					TRPA-A	TRPA-A		
Marinas					TRPA-S	TRPA-S		
Buoys					TRPA-A	TRPA-A		
Piers					TRPA-S	TRPA-S		
Fences					TRPA-S	TRPA-S		
Boat Ramps					TRPA-S	TRPA-S		
Floating Docks and Platforms					TRPA-S	TRPA-S		
Shoreline Protective Devices					TRPA-S	TRPA-S		

Table 1: PERMITTED USES BY ZONING DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "-" – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS
Water Intake Lines					TRPA-A	TRPA-A		

Note: In the Regional Center all residential projects equal to or exceeding 100,000 square feet of new floor area or non-residential projects equal to or exceeding 80,000 square feet of new floor area require TRPA review and approval. In the Town Center all residential projects equal to or exceeding 50,000 square feet of new floor area or non-residential projects equal to or exceeding 40,000 square feet of new floor area require TRPA review and approval.

1. Caretaker Residence Only
2. All Health Care Services are allowed except emergency outpatient or urgent care facilities which shall only be considered along Heavenly Village Way, formerly Park Avenue.
3. Allow Realty Offices within the district and limit financial services to ATMs.
4. Allow consideration for placement of Realty Offices within the district, and only when operated in conjunction with approved Park Avenue Redevelopment fractional ownership tourist accommodation projects. Such use shall occupy no more than five percent (5%) of the commercial floor area with any project area within the district.
5. All Health Care Services uses permissible throughout special district; provided that any Health Care Services uses proposed to front on either side of US Highway 50 and/or the intersections of Heavenly Village Way (formerly Park Avenue) and Stateline Avenue are limited to second floor or higher. See TRPA Ordinance 2009-05 Exhibit 2 for specific limitation locations.
6. Outdoor storage and display is prohibited.
7. Shall not front on US Highway 50.
8. Condominiums only.
9. Use not permitted in Special Area #1, which comprises of APNs 028-081-02, 028-081-04 & 028-081-15.
10. Daycare center allowed as an accessory use.
11. Land use category is identified in TRPA Code Section 60.3 as a "possible contaminating activity," triggering special requirements pursuant to TRPA Code Section 60.4 if located within a Source Water Protection Zone.
12. Use only allowed in connection with a retail commercial use where it will enhance the visitor experience and is limited in size to 30% of the associated retail space.

Table 2: LIST OF PRIMARY USES AND USE DEFINTIONS	
USE	**DEFINITIONS**
LIGHT INDUSTRIAL COMMERCIAL	

Table 2: LIST OF PRIMARY USES AND USE DEFINTIONS	
USE	**DEFINITIONS**
Industrial Services	Establishments providing light industrial services to an associated retail commercial primary use while providing educational and/or demonstration opportunities to the public. ~~Services establishments providing other businesses with services, including maintenance, repair, service, testing, publishing, and rental. This includes establishments such as: welding repair, armature rewinding, and heavy equipment repair, vehicle repair, (except vehicle repair; see "Auto Repair and Service"); research and development laboratories, including testing facilities; soils and materials testing laboratories; equipment rental businesses that are entirely within buildings (for equipment rental yards, see "Sales Lots"), including leasing tools, machinery and other business items except vehicles; and other business services of a "heavy service" nature. Outside storage or display is included as part of the use.~~
Small Scale Manufacturing	Establishments primary engaging in retail sales and secondarily as a fine art or craftsman demonstration workshop of light industrial nature such as sculptor, potter, weaver, carver, jeweler, or other similar art that requires artistic skill . Outside storage or display would require approval of a Special use Permit.
WHOLESALE/STORAGE COMMERCIAL	
Vehicle Storage & Parking	Service establishments primarily engaged in the business of storing operative cars, buses, or other motor vehicles. The use includes both day use and long-term public and commercial garages, parking lots, and structures. Outside storage or display is included as part of the use. The use does not include wrecking yards (see "Recycling and Scrap").
Wholesale and Distribution	Retail commercial establishments engaged in, as a secondary use, the storage of merchandise and distribution of products for sale.

Attachment D

Initial Environmental Checklist (IEC)

TAHOE REGIONAL PLANNING AGENCY

Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

INITIAL DETERMINATION OF ENVIRONMENTAL IMPACT CHECKLIST

Project Name:

Tourist Core Area Plan Amendment (Tahoe Wellness Center)

Area Plan Amendment Description:
The proposed amendments affect Appendix C, Table 1: Permitted Uses by Land Use District and Table 2: List of Primary Uses and Use Definitions of the Tourist Core Area Plan as follows:

- Allow small scale manufacturing, industrial services, and wholesale and distribution land uses within the Tourist Center Gateway (TSC-G) District, Special Area #1.
- Add a provision that the subject land uses would only be allowed in connection with a retail commercial use where it will enhance the visitor experience and is limited in size to 30% of the associated retail space.
- Amend the land use definition of industrial services to better reflect the goals and intent of the TCAP.
- Add a land use definition for wholesale and distribution consistent with the goals of the TCAP.

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.

I. ENVIRONMENTAL IMPACTS:

1. Land

Will the proposal result in:

a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

c. Unstable soil conditions during or after completion of the proposal?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

e. The continuation of or increase in wind or water erosion of soils, either on or off the site?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

2. Air Quality

Will the proposal result in:

a. Substantial air pollutant emissions?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

b. Deterioration of ambient (existing) air quality?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

c. The creation of objectionable odors?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

e. Increased use of diesel fuel?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

3. Water Quality

Will the proposal result in:

a. Changes in currents, or the course or direction of water movements?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

c. Alterations to the course or flow of 100-yearflood waters?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

d. Change in the amount of surface water in any water body?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

f. Alteration of the direction or rate of flow of ground water?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

g. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

h. Substantial reduction in the amount of water otherwise available for public water supplies?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

i. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

4. Vegetation

Will the proposal result in:

a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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)?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

e. Reduction of the numbers of any unique, rare or endangered species of plants?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

g. Removal of any native live, dead or dying trees30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

h. A change in the natural functioning of an old growth ecosystem?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

5. Wildlife

Will the proposal result in:

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)?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

b. Reduction of the number of any unique, rare or endangered species of animals?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

d. Deterioration of existing fish or wildlife habitat quantity or quality?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

6. Noise

Will the proposal result in:

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?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

b. Exposure of people to severe noise levels?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

f. Exposure of existing structures to levels of ground vibration that could result in structural damage?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

7. Light and Glare

Will the proposal:

a. Include new or modified sources of exterior lighting?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

c. Cause light from exterior sources to be cast off -site or onto public lands?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

8. Land Use

Will the proposal:

a. Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

b. Expand or intensify an existing non-conforming use?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

9. Natural Resources

Will the proposal result in:

a. A substantial increase in the rate of use of any natural resources?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

b. Substantial depletion of any non-renewable natural resource?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

10. Risk of Upset

Will the proposal:

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?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

b. Involve possible interference with an emergency evacuation plan?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

11. Population

Will the proposal:

a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

b. Include or result in the temporary or permanent displacement of residents?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

12. Housing

Will the proposal:

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?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

(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?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

Number of Existing Dwelling Units: _____

Number of Proposed Dwelling Units: _____

b. Will the proposal result in the loss of housing for lower-income and very-low-income households?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

13. Transportation/Circulation

Will the proposal result in:

a. Generation of 100 or more new Daily Vehicle Trip Ends (DVTE)?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

b. Changes to existing parking facilities, or demand for new parking?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

d. Alterations to present patterns of circulation or movement of people and/or goods?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

e. Alterations to waterborne, rail or air traffic?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

14. Public Services

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?

a. Fire protection?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

b. Police protection?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

c. Schools?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

d. Parks or other recreational facilities?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

e. Maintenance of public facilities, including roads?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

f. Other governmental services?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

15. Energy

Will the proposal result in:

a. Use of substantial amounts of fuel or energy?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

16. Utilities

Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:

a. Power or natural gas?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

b. Communication systems?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

e. Storm water drainage?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

f. Solid waste and disposal?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

17. Human Health

Will the proposal result in:

a. Creation of any health hazard or potential health hazard (excluding mental health)?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

b. Exposure of people to potential health hazards?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

18. Scenic Resources/Community Design

Will the proposal:

a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

b. Be visible from any public recreation area or TRPA designated bicycle trail?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

d. Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

Discussion (Item 18.a): The proposed amendments will affect development that will be potentially visible from US Highway 50. Such development would be authorized under current standards. Any development is subject to compliance with citywide design standards and guidelines, which are designed to ensure compatibility with scenic thresholds. Development can only be approved when consistent with relevant height-related findings in Chapter 37 of the TRPA Code of Ordinances, which further ensure scenic compatibility. Because these area plan amendments would not make structures more visible, no impact to visibility is anticipated.

Discussion (Item 18.b): Please see the above discussion for Item 18.a. The amendment could potentially affect land within proximity to the Class-I multi-use trails along US Highway 50. The amendment would not result in impacts to views from these facilities, as the amendment would not result in more visually imposing structures than what is currently allowed by the area plan.

Discussion (Item 18.c): Please see the above discussion for Item 18.a. The proposed amendment will not affect views from the lake. Resulting development may be visible from public roads, but the amendment would not result in more visually imposing structures than what is currently allowed by the community plan.

Discussion (Item 18.e): The proposed amendment affects the Tourist Center Gateway District, Special Area #1, which is adjacent to Scenic Roadway Unit #33 (The Strip), which is in non-attainment for the scenic threshold. The 2015 threshold evaluation notes that redevelopment, remodeling, and façade improvements help to provide incremental benefits to scenic quality. As the proposed amendment is intended to encourage additional tourist-related uses and redevelopment it can be seen as promoting scenic quality improvement.

19. Recreation

Does the proposal:

a. Create additional demand for recreation facilities?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

b. Create additional recreation capacity?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

c. Have the potential to create conflicts between recreation uses, either existing or proposed?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

d. Result in a decrease or loss of public access to any lake, waterway, or public lands?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

20. Archaeological/Historical

a. 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?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

c. Is the property associated with any historically significant events and/or sites or persons?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

21. Findings of Significance.

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?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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.)

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

c. 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?)

☐ Yes ☒No

☐ No, With Mitigation ☐ Data Insufficient

d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

Determination:

On the basis of this evaluation:

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 Procedure

☐ Yes ☒ No

Signature of Evaluator

Date November 30,2021

Jennifer Self, Principal Planner

Title of Evaluator

Attachment E

Required Findings/Rationale and Finding of No Significant Effect (FONSE)

REQUIRED FINDINGS & FINDING OF NO SIGNIFICANT EFFECT FOR AMENDMENTS OF THE CITY OF SOUTH LAKE TAHOE'S TOURIST CORE AREA PLAN

This document contains required findings per Chapter 3, 4, and 13 of the TRPA Code of Ordinances for amendments to the City of South Lake Tahoe's Tourist Core Area Plan (TCAP):

Chapter 3 Findings: The following finding must be made prior to amending the TCAP:

1. Finding: The proposed amendments could not have a significant effect on the environment with the incorporation of mitigation and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure.

   Rationale: Based on the completed Initial Environmental Checklist/Mitigated Finding of No Significant Effect (IEC/FONSE), no significant environmental impacts have been identified as a result of the proposed amendments. The IEC was prepared to evaluate the potential environmental impacts of the amendments and tiers from and incorporates by reference specific analyses contained in the following environmental review documents:

   - TRPA, *Regional Plan Update EIS,* certified by the TRPA Governing Board on December 12, 2012 (RPU EIS)
   - TRPA, *Tourist Core Area Plan IEC/FONSE,* certified by the TRPA Governing Board on November 11, 2013 (TCAP IEC).
   - TRPA/Tahoe Metropolitan Planning Organization (TMPO), *Transportation Plan/Sustainable Communities Strategy IS/MND/IEC/FONSE*, certified by the TMPO Board and the TRPA Governing Board on April 25, 2017 (RTP IS/IEC)

   These program-level environmental documents include a regional and county-wide cumulative scale analysis and a framework of mitigation measures that provide a foundation for subsequent environmental review at an Area Plan level. Because the amendments are consistent with the Regional Plan, Regional Transportation Plan (RTP), and General Plan, which have approved program-level EISs/EIRs, the TCAP amendment is within the scope of these program-level EISs/EIRs.

   The proposed project evaluated by the IEC are the amendments of the TCAP as summarized in this packet.

   This IEC is tiered from the TRPA 2012 Regional Plan Update EIS in accordance with Section 6.12 of the TRPA Rules of Procedures. The 2012 RPU EIS is a Program EIS that was prepared pursuant to Article VI of TRPA Rules of Procedures (Environmental Impact Statements) and Chapter 3 (Environmental Documentation) of the TRPA Code of Ordinances. The 2012 Regional Plan Update (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 TCAP 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 IEC relies 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 IEC evaluates the potential environmental impacts of the proposed amendments 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 V of the IEC and based on the analysis contained in the IEC, it has been determined that the proposed project would not have significant effects on the environment. Therefore, a Finding of No Significant Effect will be prepared.

This IEC concludes that many 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 are related to, and may reduce the impacts of, this project are identified in the IEC.

Nothing in this IEC in any way alters the obligations of the City or TRPA to implement the mitigation measures adopted as part of the RPU.

The amendments proposed include addition of land uses withing the Tourist Core Area Plan Tourist Center Gateway District, Special Area #1; addition of a provision related to the restriction of these land uses; and the amendment and addition of land use definitions to align with the goals of the TCAP. These amendments, as described in this packet, will become part of the Regional Plan and will replace existing plans for this geographical area within the City of South Lake Tahoe.

The IEC assessed potential impacts to the affected physical environment from the amendments to design standards in Appendix C of the TCAP. It did not evaluate project specific environmental impacts. Project level environmental analysis will be required based on the specific project

design once submitted. Based on the review of the evidence, the analysis and conclusion in the IEC determined the amendments will not have a significant impact on the environment not otherwise evaluated in the RPU EIS and TCAP IEC and potential significant impacts will be mitigated or addressed through implementation of the RPU, RTP, and the City's General Plan.

Chapter 4 Findings: The following findings must be made prior to adopting the TCAP Amendments:

1. Finding: The proposed Area Plan Amendment is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Community Plan/Plan Area Statements, the TRPA Code of Ordinances, and other TRPA plans and programs.

   Rationale: Land Use Policy 4.6 of TRPA's Goals and Policies encourages the development of Area Plans that improve upon existing Plan Area Statements and Community Plans or other TRPA regulations in order to be responsive to the unique needs and opportunities of the various communities in the Tahoe Region. The amendments include all required elements identified in Land Use Policies 4.8, 4.9 and 4.10 as demonstrated in the Conformance Review Checklist.

   The amendments were prepared in conformance with the substantive and procedural requirements of the Goals and Policies, as implemented through TRPA Code of Ordinances, Chapter 13, *Area Plans*. The TCAP is consistent with the Tahoe Regional Plan and TRPA Code of Ordinances, as shown in the Conformance Review Checklist and as demonstrated by the IEC. The amendments proposed include addition of land uses withing the Tourist Core Area Plan Tourist Center Gateway District, Special Area #1; addition of a provision related to the restriction of these land uses; and the amendment and addition of land use definitions to align with the goals of the TCAP.

Pursuant to Code Section 4.4.2, TRPA considers, as background for making the Section 4.4.1.A through C findings, the proposed project's effects on compliance measures (those implementation actions necessary to achieve and maintain thresholds), supplemental compliance measures (actions TRPA could implement if the compliance measures prove inadequate to achieve and maintain thresholds), the threshold indicators (adopted measurable physical phenomena that relate to the status of threshold attainment or maintenance), additional factors (indirect measures of threshold status, such as funding levels for Environmental Improvement Program (EIP) projects), and interim and target dates for threshold achievement. TRPA identifies and reports on threshold compliance measures, indicators, factors and targets in the Threshold Evaluation Reports prepared pursuant to TRPA Code of Ordinances, Chapter 16, *Regional Plan and Environmental Threshold Review*.

TRPA relies upon the project's accompanying environmental documentation, Staff's professional analysis, and prior plan level documentation, including findings and EISs, to reach the fundamental conclusions regarding the project's consistency with the Regional Plan and thresholds. A project that is consistent with all aspects of the Regional Plan and that does not adversely affect any threshold is, by definition, consistent with compliance measures, indicators and targets. In order to increase its analytical transparency, TRPA has prepared worksheets related specifically to the 4.4.2 considerations, which set forth the 222 compliance and supplemental compliance measures, the 178 indicators and additional factors, and interim and final targets. Effects of the proposed project (here the amendments) on these items, if any, are identified and to the extent possible described. TRPA cannot identify some target dates, status and trend for some threshold indicators because of a lack of available information. TRPA may still determine whether the project will affect the 4.4.2 considerations (and ultimately consistency with the Regional Plan and impact on thresholds) based on the project's specific environmental impacts related to those threshold indicators.

Based on the IEC, the RPU EIS, the TCAP IEC, the RPU and RTP findings made by the TRPA Governing Board, and the Section 4.4.2 staff analysis, and using applicable measurement standards consistent with the available information, the amendments will not adversely affect applicable compliance and supplemental compliance measures, indicators, additional factors, and attainment of targets by the dates identified in the 2019 Threshold Evaluation. The TCAP incorporates and/or implements relevant compliance measures, and with the implementation of the measures with respect to development within the TCAP, the effects are not adverse, and with respect to some measures, are positive. (See Threshold Indicators and Compliance Measures Worksheets)

TRPA anticipates that implementation of the amendments will accelerate threshold gains as demonstrated below.

Section 4.4.2.B also requires TRPA to disclose the impact of the proposed project on its cumulative accounting of units of use (e.g., residential allocations, commercial

floor area). The TCAP Amendment does not affect the cumulative accounting of units of use as no additional residential, commercial, tourist, or recreation allocations are proposed or allocated as part of these amendments. For any specific development project proposed within the TCAP, accounting for units of use, resource utilization and threshold attainment will occur as a part of the review and approval process.

Similarly, Section 4.4.2.C requires TRPA to confirm whether the proposed project is within the remaining capacity for development (e.g., water supply, sewage, etc.) identified in the environmental documentation for the Regional Plan. The amendments do not affect the amount of the remaining capacities available, identified and discussed in the RPU EIS. The TCAP does not allocate capacity or authorize any particular development. To the extent the amendments enable the use of redevelopment incentives, those incentives are within the scope of the incentives analyzed by the RPU EIS.

TRPA therefore finds that the amendments are consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Community Plans, Plan Area Statements, the TRPA Code or Ordinances, and other TRPA plans and programs.

2. Finding: The proposed ordinance and rule amendments will not cause the environmental threshold carrying capacities to be exceeded.

Rationale: As demonstrated in the completed IEC, no significant environmental effects were identified as a result of the proposed amendments, and the IEC did not find any thresholds that would be adversely affected or exceeded. As found above, the Area Plan, as amended, is consistent with and will help to implement the Regional Plan.

TRPA reviewed the proposed amendment in conformance with the 222 compliance measures and supplemental compliance measures, the over 178 indicators and additional factors that measure threshold progress and threshold target, and interim attainment dates. The amendments will not adversely affect applicable compliance measures, indicators, additional factors and supplemental compliance measures and target dates as identified in the 2019 Threshold Evaluation indicator summaries. TRPA anticipates that implementation of the TCAP will accelerate threshold gains as demonstrated below. Because the principal beneficial impacts of implementation of the TCAP depend upon the number and size of redevelopment projects, the specific extent and timing or rate of effects of the TCAP cannot be determined at this time. However, pursuant to Chapter 13 of the TRPA Code of Ordinances, TRPA will monitor all development projects within the TCAP through quarterly and annual reports. These reports will then be used to evaluate the status and trend of the threshold every four years.

The amendments do not affect the cumulative accounting of units of use as no additional residential, commercial, tourist or recreation allocations are proposed or allocated as part of this Regional Plan amendment. Any allocations used as a result of these amendments would be taken from available pools held by the City of South Lake Tahoe or TRPA, transferred, or converted through the transfer of development rights program (TRPA Code Chapter 51). Accounting for units of use, resource utilization and threshold attainment will occur as a part of the project review and approval process.

The amendments do not affect the amount of the remaining capacity available, as the remaining capacity for water supply, sewage collection and treatment, recreation and vehicle miles travelled have been identified and evaluated in the RPU EIS. No changes to the overall capacity are proposed in these amendments. TRPA therefore finds that the amendments will not cause the thresholds to be exceeded.

3. Finding: Wherever federal, state or local air and water quality standards applicable for the Region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact.

Rationale: Based on the following: (1) TCAP Amendment IEC; (2) RPU EIS; (3) RTP EIR/EIS; and (4) 2019 Threshold Evaluation Report, adopted by the Governing Board, no applicable federal, state or local air and water quality standard will be exceeded by adoption of the amendments. The proposed amendments do not affect or change the Federal, State or local air and water quality standards applicable for the Region. Projects developed under the TCAP will meet the strictest applicable air quality standards and implement water quality improvements consistent with TRPA Best Management Practices (BMPs) requirements and the Lake Tahoe Total Maximum Daily Load (TMDL) and County's Pollutant Load Reduction Plan (PLRP). Federal, State, and local air and water quality standards remain applicable for all parcels in the TCAP, thus ensuring environmental standards will be achieved or maintained pursuant to the Bi-State Compact.

4. Finding: The Regional Plan and all of its elements, as amended, achieves and maintains the thresholds.

Rationale: **I. Introduction**

In 1980, Congress amended the Compact to accelerate the pace of environmental progress in the Tahoe Region by tasking TRPA with adopting a regional plan and implementing regulations that protect the unique national treasure that is Lake Tahoe. First, Article V(b) required that TRPA, in collaboration with Tahoe's other regulatory agencies, adopt "environmental threshold carrying capacities" ("thresholds" or "standards") establishing goals for a wide array of environmental criteria, including water quality, air quality, and wildlife. Second, Article V(c) directed TRPA to adopt a "regional plan" that "achieves and maintains" the

thresholds, and to "continuously review and maintain" implementation of the plan.

The 1980 Compact inaugurated an era of establishing and enforcing rigorous controls on new development. In 1982, TRPA adopted the necessary thresholds for the Tahoe Region. These thresholds are a mix of both long- and short-term goals for the Tahoe Region. The Region was "in attainment" of a number of these thresholds shortly after the adoption of the Regional Plan and remains in attainment today. Other thresholds address more intractable problems; for example, TRPA established numeric water quality standards that, even under best-case conditions, could not be attained for decades. *See*, *e.g.*, *League to Save Lake Tahoe v. Tahoe Reg'l Planning Agenc*y, 739 F. Supp. 2d 1260, 1265 (E.D. Cal. 2010).

The second phase in this process was establishing a regional plan that, when implemented through rules and regulations, would ultimately "achieve and maintain" the thresholds over time. In 1987, following years of negotiation and litigation, TRPA adopted its Regional Plan. The 1987 Regional Plan employed a three-pronged approach to achieve and maintain the adopted environmental thresholds. First, the plan established a ceiling on development in Tahoe and restricted the placement, timing, and extent of new development. Second, the plan sought to prevent new harm to the environment as well as repair the environmental damage caused by existing development, particularly for projects that pre-dated TRPA's existence (i.e., correcting the "sins of the past"); to this end, the plan created incentives to redevelop urbanized sites under more protective regulations and to transfer development out of sensitive areas that would then be restored. Third, TRPA adopted a capital investment program that was largely but not exclusively publicly funded to achieve and maintain thresholds by improving infrastructure and repairing environmental damage. In 1997, TRPA replaced this program with its "Environmental Improvement Program" ("EIP"). In subsequent years, TRPA generated investments of well over $1 billion in public and private money to restore ecosystems and improve infrastructure under the EIP. Recent litigation confirmed that the Regional Plan as established in 1987 and subsequently amended over time will achieve and maintain the adopted environmental thresholds. *Sierra Club v. Tahoe Reg'l Planning Agency*, 916 F.Supp.2d 1098 (E.D. Cal. 2013) [Homewood litigation].

Regional Plan Update Process

Even though implementation of the 1987 Regional Plan would achieve and maintain the thresholds, in 2004 TRPA began public outreach and analysis of the latest science and monitoring results to identify priority areas in which the Regional Plan could be comprehensively strengthened to accelerate the rate of threshold attainment. TRPA's policymakers realized that the challenges facing the Region differed from those confronting the agency when it adopted its original Regional Plan in 1987. Uncontrolled new growth that had been the primary threat decades earlier had been brought into check by the strict growth limitations in the 1987 Regional Plan. Today's problems differed, resulting from the continuing deterioration and lack of upgrades to existing "legacy" development. In essence, to make the greatest environmental difference, the Tahoe Region needed to fix what

was already in place. In addition, TRPA realized some existing land-use controls could be improved to remove barriers to redevelopment that would address ongoing environmental degradation caused by sub-standard development constructed before TRPA had an adopted Regional Plan or even came into existence. Land use regulations and public and private investment remain essential to attaining the thresholds for Lake Tahoe.

Furthermore, TRPA recognized that the social and economic fabric of the Tahoe Region could not support the level of environmental investment needed. The economic foundation of gaming had fallen away, and the level of environmental investment needed could not be supported solely by an enclave of second homes for the wealthy. Businesses and the tourism sector were faltering. Affordable housing and year-round jobs were scarce. Local schools were closing, and unemployment was unusually high. In light of these realities, TRPA sponsored an ongoing outreach program to obtain input on how to advance TRPA's environmental goals. Between 2004 and 2010, TRPA conducted over 100 public meetings, workshops, and additional outreach. More than 5,000 people provided input regarding their "vision" for TRPA's updated Regional Plan. Based on this input, TRPA identified a number of priorities to be addressed by the updated Regional Plan, including:

1. Accelerating water quality restoration and other ecological benefits by supporting environmental redevelopment opportunities and EIP investments.

2. Changing land-use patterns by focusing development in compact, walkable communities with increased alternative transportation options.

3. Transitioning to more permitting by local governments to create "one-stop" and "one permit" for small to medium sized projects, where local government wanted to assume these duties.

On December 12, 2012, TRPA's nine-year effort culminated with the approval of the Regional Plan Update.

Regional Plan Update Amendments

The Regional Plan Update ("RPU") uses multiple strategies targeting environmental improvements to accelerate achieving and maintaining threshold standards in the Region. First, the RPU maintains both regulatory and implementation programs that have proven effective in protecting Lake Tahoe's environment. TRPA's regional growth control regulatory system, strict environmental development standards, and inter-agency partnerships for capital investment and implementation (e.g., EIP) remain in place.

Second, the RPU promotes sensitive land restoration, redevelopment, and increases the availability of multi-modal transportation facilities. The implementation of the RPU will facilitate transferring existing development from outlying, environmentally-sensitive areas into existing urbanized community

centers. The RPU provides incentives so that private capital can be deployed to speed this transformation.

Third, the RPU authorizes the Area Plan process for communities and land management agencies in the Tahoe Region in order to eliminate duplicative and unpredictable land use regulations that deterred improvement projects. Area Plans, created pursuant to Chapter 13 of the TRPA Code of Ordinances, also allows TRPA and local, state, federal, and tribal governments to expand the types of projects for which local, state, federal, and tribal governments apply TRPA rules to proposed projects within the Tahoe Region. After approval of an Area Plan by TRPA, this process allows a single government entity to review, permit, and inspect projects in their jurisdiction. All project approvals delegated to other government entities may be appealed to the TRPA for final decision. In addition, the performance of any government receiving delegated authority will be monitored quarterly and audited annually to ensure proper application of TRPA rules and regulations.

As noted above, a variety of strategies in the Regional Plan will work together to accelerate needed environmental gains in the categories where threshold benefits are most needed – water quality, restoration of sensitive lands, scenic quality advances in developed roadway units, and efforts to continue maintenance and attainment of air quality standards. Area Plans that include "Centers" play a key role in the Regional Plan's overall strategy by activating environmental redevelopment incentives (e.g., increases in density and height) that also provide the receiving capacity for transfers of units from sensitive lands. The next section of this finding establishes how the City of South Lake Tahoe's TCAP fulfills the role anticipated by the RPU and RTP and the expected threshold gain resulting from its implementation.

II. TCAP Amendments and Threshold Gain

The TCAP Amendments accelerate threshold gain including water quality restoration, scenic quality improvement, and other ecological benefits, by supporting environmental redevelopment opportunities and Environmental Improvement Program (EIP) investments. The amendments will help to accelerate environmental redevelopment within an existing town center by allowing increased density and height provisions that serve as an incentive for private investment in redevelopment projects. These redevelopment incentives are intended to increase the rate of redevelopment and will likewise increase the rate of threshold gain by accelerating the application of controls designed to enhance water quality, air quality, soil conservation, scenic quality and recreational improvements to projects that wouldn't otherwise be redeveloped absent TCAP provisions.

The TCAP's Development and Design Standards represent a significant step forward in enhancing the aesthetics of the built environment and will result in improvements to the scenic threshold as projects are approved and built. Redevelopment of existing Town Centers and the Regional Center is identified in

the Regional Plan as a high priority.

As described in more specific detail below, the amendments beneficially affects multiple threshold areas.

A. Water Quality

The 2019 Threshold Evaluation found that the trend in reduced lake clarity has been slowed. The continued improvement is a strong indication that the actions of partners in the Region are contributing to improved clarity and helping TRPA attain one of its signature goals.

An accelerated rate of redevelopment within the TCAP will result in accelerated water quality benefits. Each redevelopment project is required to comply with strict development standards including water quality Best Management Practices ("BMP") and coverage mitigation requirements and will provide additional opportunities for implementing area wide water quality systems.

B. Air Quality

The 2019 Threshold Evaluation found that the majority of air quality standards are in attainment and observed change suggests that conditions are improving or stable. Actions implemented to improve air quality in the Lake Tahoe Region occur at the national, state, and regional scale. The U.S. Environmental Protection Agency and state agencies, such as the California Air Resources Board, have established vehicle tail-pipe emission standards and industrial air pollution standards. These actions have resulted in substantial reductions in the emissions of harmful pollutants at state-wide and national scales and likely have contributed to improvement in air quality at Lake Tahoe. At a regional scale, TRPA has established ordinances and policies to encourage alternative modes of transportation and to reduce vehicle idling by prohibiting the creation of new drive-through window establishments.

Facilitating projects within the approved Area Plans is an integral component in implementing regional air quality strategies and improvements at a community level. (TRPA Goals and Policies: Chapter 2, Land Use). Because the land use and transportation strategies identified in the TCAP lead to implementation of the Regional Plan, they directly contribute to achieving and maintaining the Air Quality threshold.

One of the main objectives of the TCAP is to encourage the redevelopment of the existing built environment and to provide access to recreational opportunities from walking and bike paths, as well as provide greater access to transit. Replacing older buildings with newer, more energy efficient buildings that take advantage of the City of South Lake Tahoe's Green Building Program will also help to improve air quality and ensure the attainment of air quality standards.

TRPA's 2020 *Regional Transportation Plan: Linking Tahoe (RTP)* includes an analysis of its conformity with the California State Implementation Plan to ensure that the

RTP remains consistent with State and local air quality planning work to achieve and/or maintain the national ambient air quality standards (NAAQS). The proposed amendment does not propose substantial changes to land use assumptions for mixed-use assigned to the amendment area and the TCAP would continue to promote higher density residential uses within one-quarter mile of transit, commercial, and public service uses, and therefore would not change the conformity determination by state regulators.

The TCAP boundaries include an existing Town Center and with existing transit routes and a multi-use shared path. This indicates that redevelopment is in the appropriate location to potentially generate the shorter trip lengths and reduce vehicle-miles traveled needed to meet the air quality goals of the Regional Plan and the City's General Plan.

C. Soil Conservation

The 2019 Threshold Evaluation found negligible change in the total impervious cover in the Region over the last five years and the majority of soil conservation standards in attainment. While the permitting process of partners has been effective in focusing development on less sensitive lands and encouraging removal of impervious cover from sensitive areas, there is still much work to be done. Plans for large scale SEZ restoration, recent improvements in the Development Rights program, and implementation of the Area Plans will continue to help achieve SEZ restoration goals.

Today, most if not all developed commercial and tourist properties exceed the 50 percent maximum land coverage allowed in the Area Plan. Several commercial properties within the subject area average 90% coverage. This indicates that future redevelopment would be required to implement excess land coverage mitigation. Furthermore, redevelopment permitting would require these properties to come into modern site design standards including landscaping, BMPs, setbacks, etc. These standards would likely result in the removal of existing land coverage for properties that are severely overcovered. Therefore, the amendments will help to accelerate threshold gain through soil conservation.

D. Scenic Quality

The 2019 Threshold Evaluation found that scenic gains were achieved in developed areas along roadways and scenic resources along the lake's shoreline, the areas most in need of additional scenic improvement. Overall, 93% of the evaluated scenic resource units met the threshold standard and no decline in scenic quality was documented in any indicator category.

The subject area is located within Urban Roadway Scenic Corridor Units #33, which is not in attainment, Scenic Shoreline Unit #31, which is in attainment.

Future redevelopment within the subject area is likely to result in a significant improvement to scenic quality from the roadway and will not be allowed to

degrade the shoreline scenic attainment. Redevelopment will be required to comply with the following TCAP Goals and Policies:

> **Goal NCR-1 Scenic Resources**
> To protect and enhance the visual connection between South Lake Tahoe and the Lake Tahoe Region's scenic resources.
>
> **Policy NCR-1.1**
> Improve the visual quality of the built environment consistent with the general recommendations for site planning found in the TRPA Scenic Quality Improvement Program (SQIP) to attain threshold attainment for Scenic Roadway Units # 32, 33 and 45.
>
> **Policy NCR-1.2**
> Maintain Stream Environment Zone (SEZ) restoration sites and stormwater drainage basins as view corridors and scenic resources to relieve the strip commercial character along US 50 within the Tourist Core.
>
> **Policy NCR-1.3**
> Adopt siting and building design standards and guidelines to protect, improve, and enhance the scenic quality of the natural and built environment and take full advantage of scenic resources through site orientation, building setbacks, preservation of viewsheds, and height limits.

Furthermore, Section 7.2 and Appendix C of the Area Plan includes specific scenic resources implementation strategies to achieve the goals and policies above.

E. Vegetation

The 2019 Threshold Evaluation found that vegetation in the Region continues to recover from the impacts of legacy land use. The majority of vegetation standards that are currently not in attainment relate to common vegetation in the Region. This finding is consistent with those of past threshold evaluations. As the landscape naturally recovers from the impacts of historic logging, grazing, and ground disturbance activities over the course of this century, many of the standards are expected to be attained.

The proposed amendment area is developed and overcovered with minimal native vegetation. The proposed amendments would not alter or revise the regulations pertaining to native vegetation protection during construction. Consistent with existing conditions, vegetation surrounding the construction site of a future redevelopment project would be required to comply with Section 33.6, Vegetation Protection During Construction, of the TRPA Code of Ordinances. 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.

Amending the land uses would not result in tree or vegetation removal. Future projects on the parcels in the amendment area would be subject to project-level environmental review and removal of any native, live, dead or dying trees would be required to be consistent with Chapter 61, Vegetation and Forest Health, of the TRPA Code of Ordinances. The area is not within TRPA's Conservation or Recreation land use classifications.

F. Recreation

The 2019 Threshold Evaluation found that land acquisition programs and the Lake Tahoe Environmental Improvement Program have contributed to improved access and visitor and resident satisfaction with the quality and spectrum of recreation opportunities. Partner agencies have improved existing recreation facilities and created new ones, including providing additional access to Lake Tahoe, hiking trailheads, and bicycle trails. Today's emerging concerns are transportation access to recreation sites and maintaining quality recreation experiences as demand grows, concerns that may require the Region to revisit policies and goals for the recreation threshold standards.

The City of South Lake Tahoe contains numerous recreational opportunities within its boundaries and in the immediate vicinity (i.e. Bonanza Park, Camp Richardson, Pope Beach, Baldwin Beach, Kiva Beach, Taylor Creek Day Use Area, Regan Beach, Ski Run Marina and Beach, Lakeside Marina, Heavenly Resort California base, Van Sickle Bi-State Park, Bijou Golf course, and other hiking and mountain bicycle trails).

The TCAP includes goals and policies regarding maintaining, improving and expanding recreation facilities and providing enhanced access through the construction of sidewalks and bike paths and improving public transit.

The approval of any project proposing the creation of additional recreational capacity would be subject to subsequent project-level environmental review and permitting and, if applicable, would be subject to the Persons At One Time (PAOT) system of recreation allocations administered by TRPA as described in Section 50.9 (Regulation of Additional Recreation Facilities) of the TRPA Code of Ordinances. No additional PAOTs are proposed by the amendment, nor are any changes to recreational land uses or policies.

G. Fisheries

While the 2019 Threshold Evaluation found standards for fisheries to generally be in attainment, the standards focus on physical habitat requirements that may not reflect the status of native fish populations. Recent population surveys in Lake Tahoe suggest significant declines in native fish species in parts of the nearshore. Declines are likely the result of impacts from the presence of aquatic invasive species in the lake. While efforts to prevent new invasive species from entering the

lake have been successful, mitigating the impact of previously introduced existing invasive species remains a high priority challenge. Invasive species control projects are guided by a science-based implementation plan. Ensuring native fish can persist in the Region and the restoration of the historic trophic structure to the lake will likely require partners to explore novel methods to control invasive species and abate the pressure they are placing on native species. Climate change driven shifts in the timing and form of precipitation in the Region pose a longer-term threat to native fish that may need to be monitored.

BMPs required for project development would improve water quality and thus could contribute to improved riparian and lake conditions in receiving water bodies. The TCAP Amendment will not alter the Resource Management and Protection Regulations, Chapters 60 through 68, of the TRPA Code of Ordinances. Chapter 63: Fish Resources includes the provisions to ensure the projection of fish habitat and provide for the enhancement of degraded habitat. Development within The TCAP could benefit the Fisheries Threshold through Goals and Policies aimed at the restoration of SEZs and implementation of BMPs.

H. Wildlife

The 2019 Threshold Evaluation found that twelve of the 16 wildlife standards are in attainment. Over 50 percent of the land area in the Tahoe Region is designated for protection of listed special status species. Populations of special interest species are either stable or increasing.

Future redevelopment projects in the amendment area would be subject to project-level environmental review and permitting at which time the proposals would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of animal species. (Section 62.4 of the TRPA Code). 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 and the presence of suitable habitat for the species in or near the project area. TRPA's existing policies and Code provisions address potential impacts to special-status species through site-specific environmental review, development and implementation of project-specific measures to minimize or avoid impacts through the design process, and 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).

Implementation of the proposed amendments would not result in the reduction in the number of any unique, rare, or endangered species of animals, including waterfowl. Future redevelopment 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 (Wildlife Resources and Fish Resources, respectively) of the TRPA Code of Ordinances. While the boundary amendments allow for some different land uses or use densities and heights in the amendment area, they do not propose specific new development or amendments that threaten protection of listed species or

their habitat, and do not affect policies that protect biological resources.

I. Noise

The 2019 Threshold Evaluation found that Ambient noise levels in seven of nine land-use categories are in attainment with standards, but because of the proximity of existing development to roadways just two of seven transportation corridors are in attainment with ambient targets. Due to insufficient data, status determinations were not possible for nearly half of the single event noise standards. Limited noise monitoring resources were prioritized towards collecting more robust information to analyze ambient noise standards, which are more conducive to influential management actions than are single event sources. TRPA continues to update and evaluate its noise monitoring program to ensure standards are protective and realistically achievable.

As discussed in the IEC, the TCAP amendments would not alter noise policies and would reduce the existing maximum CNEL levels within the TCAP to meet the adopted TRPA CNEL threshold standards, and Regional Plan and General Plan noise policies would continue to be applied.

Noise increases associated with traffic under redevelopment buildout conditions would be similar to existing noise levels as traffic levels are relatively the same between existing and new allowed uses. Redevelopment projects would be required to implement project-specific noise reduction measures established in the Regional Plan EIS, General Plan EIR, and the TCAP. The amendments would not create a significant noise level increase. Implementation of the amendment to the CNEL limit would result in a beneficial impact. For these reasons, TCAP amendments would not contribute to an adverse cumulative increase in noise levels.

III. Conclusion

Based on the foregoing: the completion of the IEC; the previously certified RPU EIS, RTP IS/ND/IEC; and the findings made on December 12, 2012 for the RPU, TRPA finds the Regional Plan and all of its elements, as amended by the project achieves and maintains the thresholds. As described above in more detail, the amendments actively promotes threshold achievement and maintenance by, *inter alia*, (1) incentivizing environmentally beneficial redevelopment, (2) requiring the installation of Best Management Practices improvements for all projects in the Area Plan, (3) requiring conformance with the Development and Design Standards that will result in improvements to scenic quality and water quality, (4) facilitating multi-use development in proximity to alternative modes of transportation in order to reduce vehicle miles traveled (VMT); and (5) incorporating projects identified in the City's Pollutant Load Reduction Plan (PLRP) to guarantee the assigned reductions necessary to meet water quality objectives. In addition, as found in Chapter 4 Findings 1 through 3 and the Chapter 13 Findings, no element of the amendments interferes with the efficacy of any of the other elements of the Regional Plan. Thus, the Regional Plan, as amended by the project, will continue to achieve and maintain

the thresholds.

Chapter 13 Findings: The following findings must be made prior to adopting amendments to the TCAP:

1. Finding: The proposed Area Plan Amendment is consistent with and furthers the goals and policies of the Regional Plan.

   Rationale: Regional Plan Land Use Policy 4.6 encourages the development of area plans that supersede existing plan area statements and community plans or other TRPA regulations in order to be responsive to the unique needs and opportunities of communities. The proposed TCAP amendments were found to be consistent with the goals and policies of the Regional Plan, as described in the Area Plan Findings of Conformance Checklist (Attachment D to the staff summary), and as described in Chapter 4, Finding #1, above. The amendments provide the density and height necessary to facilitate redevelopment in the overcovered, aging town center and further the attainment of environmental thresholds.

   The amended area will be subject to the TCAP General Review Standards, the Load Reduction Plans, and Additional Review Standards for Area Plans with Town Centers or Regional Centers.

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FINDING OF NO SIGNIFICANT EFFECT

Project Description: Proposed amendments to the City of South Lake Tahoe's Tourist Core Area Plan.

Staff Analysis: In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.6 of the TRPA Rules of Procedure, TRPA staff reviewed the information submitted with the subject project.

Determination: Based on the Initial Environmental Checklist, Agency staff found that the subject project will not have a significant effect on the environment.

TRPA Executive Director/Designee

November 30, 2021
Date

Attachment F

Threshold Indicators and Compliance Measures

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
WATER QUALITY/SEZ - IN PLACE				
1	BMP requirements, new development: *Code of Ordinances* Chapter 60	**WQ, Soils/SEZ, Fish**	**N**	The Tourist Core Area Plan (TCAP) amendments will not change existing BMP requirements in Chapter 60 of the TRPA Code of Ordinances and is expected to promote redevelopment activities on the school district poroperty, which will increase the rate of BMP compliance.
2	BMP implementation program -- existing streets and highways: *Code of Ordinances* Chapter 60	**WQ, Soils/SEZ, Trans, Fish**	**N**	
3	BMP implementation program -- existing urban development: *Code of Ordinances* Chapter 60	**WQ, Soils/SEZ, Fish**	**N**	
4	BMP implementation program -- existing urban drainage systems: *Code of Ordinances* Chapter 60	**WQ, Soils/SEZ, Trans, Fish**	**N**	
5	Capital Improvements Program for Erosion and Runoff Control	**WQ, Soils/SEZ, Trans, Fish**	**N**	The TCAP amendments do not adversely affect the Capital Improvements Program for Erosion and Runoff Control. The plan recognizes existing programmed water quality improvements and encourages future improvements.
6	Excess land coverage mitigation program: *Code of Ordinances* Chapter 30	**WQ, Soils/SEZ**	**N**	The TCAP amendments will not change excess coverage mitigation requirements.
7	Effluent (Discharge) limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): *Code of Ordinances* Chapter 60	**WQ, Soils/SEZ, Fish**	**N**	The effluent limitations in Chapter 5 of the TRPA Code of Ordinances are not being modified.
8	Limitations on new subdivisions: (See the Goals and Policies: Land Use Element)	**WQ, Soils/SEZ, Rec, Scenic**	**N**	All new subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances.
9	Land use planning and controls: See the Goals and Policies: Land Use Element and Code of Ordinances Chapters 11, 12, 13, 14, and 21	**WQ, Soils/SEZ, Trans, Scenic**	**N**	The TCAP was developed to meet Regional Plan and Code of Ordinances requirements. The amendments maintain consitency with Regional Plan goals and policies and Code of Ordinances standards.
10	Residential development priorities, The Individual Parcel Evaluation System (IPES): Goals and Policies: Implementation Element and Code of Ordinances Chapter 53	**WQ, Soils/SEZ**	**N**	The TCAP amendments do not affect residential development.

ATTACHMENT F: COMPLIANCE MEASURES THRESHOLD EVAULATION REVISED

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
11	Limits on land coverage for new development: Goals and Policies: Land Use Element and Code of Ordinances Chapter 30	**WQ, Soils/SEZ, Scenic**	**N**	The TCAP amendments do not affect land coverage.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	**WQ, Soils/SEZ**	**N**	The TCAP amendments do not change Goals and Policies from the Land Use Element and Implementation Element of the Regional Plan regarding the transfer of development.
13	Restrictions on SEZ encroachment and vegetation alteration: *Code of Ordinances Chapters 30 and 61*	**WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic**	**N**	The TCAP amendments will not alter existing restrictions on SEZ encroachment and vegetation alteration in the TRPA Code of Ordinances, Chapters 30 and 61.
14	SEZ restoration program: Environmental Improvement Program.	**WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic**	**N**	The TCAP amendments do not change policies and provisions that require the protection and restoration of SEZs.
15	SEZ setbacks: *Code of Ordinances* Chapter 53	**WQ, Soils/SEZ, Veg, Wildlife, Fish**	**N**	SEZ setback requirements in the TRPA Code of Ordinances, Chapter 53, Individual Parcel Evaluation System, Section 53.9, will not be altered by the TCAP amendments.
16	Fertilizer reporting requirements: *Code of Ordinances* Chapter 60	**WQ, Soils/SEZ, Fish, Rec**	**N**	The TCAP amendments will not modify the Resource Management and Protection regulations, Chapters 60 through 68, of the TRPA Code of Ordinances. Thus, fertilizer reporting and water quality mitigation requirements will stay in effect.
17	Water quality mitigation: *Code of Ordinances* Chapter 60	**WQ, Soils/SEZ**	**N**	
18	Restrictions on rate and/or amount of additional development	**WQ, Soils/SEZ, Wildlife, Scenic**	**N**	The TCAP amendments do not affect the RPU's restrictions on the rate and amount of additional development.
19	Improved BMP implementation/ enforcement program	**WQ, Soils/SEZ**	**N**	See response to Compliance Measures 1 through 4.
20	Increased funding for EIP projects for erosion and runoff control	**WQ, Soils/SEZ**	**N**	The TCAP amendments will not increase funding for EIP projects for erosion and runoff control.
21	Artificial wetlands/runoff treatment program	**WQ, Soils/SEZ**	**N**	There are no changes to the artificial wetlands/runoff treatment program proposed with the TCAP amendments.

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
22	Transfer of development from SEZs	**WQ, Soils/SEZ, Scenic**	**N**	The TCAP amendments do not provide any additional incentives beyond those already addressed in the Regional Plan and Code of Ordinances to hasten the transfer of development rights from sensitive lands, including SEZs, or outlying areas to Town Centers and the Regional Center.
23	Improved mass transportation	**WQ, Trans, Noise**	**N**	The TCAP amendments do not affect mass transportation.
24	Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13	**WQ, Soils/SEZ, Scenic**	**N**	The TCAP does not affect the redirection of land use. The amendments are intended to help encourage environmentally benefical redevelopment within an aging town center. These amendments are in-keeping with the Goals and Policies of the Regional Plan and Code of Ordinances Chapter 13.
25	Combustion heater rules, stationary source controls, and related rules: *Code of Ordinances* Chapter 65	**WQ, AQ**	**N**	No changes are being proposed in the TCAP amendments that would impact these Compliance Measures. The existing TRPA Code of Ordinance provisions will remain in effect.
26	Elimination of accidental sewage releases: Goals and Policies: Land Use Element	**WQ, Soils/SEZ**	**N**	
27	Reduction of sewer line exfiltration: Goals and Policies: Land Use Element	**WQ, Soils/SEZ**	**N**	
28	Effluent limitations	**WQ, Soils/SEZ**	**N**	
29	Regulation of wastewater disposal at sites not connected to sewers: *Code of Ordinances* Chapter 60	**WQ, Soils/SEZ**	**N**	
30	Prohibition on solid waste disposal: Goals and Policies: Land Use Element	**WQ, Soils/SEZ**	**N**	
31	Mandatory garbage pick-up: Goals and Policies: Public Service Element	**WQ, Soils/SEZ, Wildlife**	**N**	
32	Hazardous material/wastes programs: Goals and Policies: Land Use Element and Code of Ordinances Chapter 60	**WQ, Soils/SEZ**	**N**	
33	BMP implementation program, Snow and ice control practices: *Code of Ordinances* Chapter 60	**WQ, Soils/SEZ, AQ**	**N**	The TCAP amendments will not change BMP requirements. See response to Compliance Measures 1 through 4.
34	Reporting requirements, highway abrasives and deicers: Goals and Policies:, Land Use Element and Code of Ordinances Chapter 60	**WQ, Soils/SEZ, Fish**	**N**	
35	BMP implementation program--roads, trails, skidding, logging practices: *Code of Ordinances* Chapter 60, Chapter 61	**WQ, Soils/SEZ, Fish**	**N**	

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
36	BMP implementation program--outdoor recreation: *Code of Ordinances* Chapter 60	**WQ, Soils/SEZ, Fish, Rec**	**N**	
37	BMP implementation program--livestock confinement and grazing: *Code of Ordinances* Chapter 21, Chapter 60, Chapter 64	**WQ, Soils/SEZ, Veg, Wildlife, Fish**	**N**	
38	BMP implementation program--pesticides	**WQ, Soils/SEZ**	**N**	
39	Land use planning and controls -- timber harvesting: *Code of Ordinances* Chapter 21	**WQ, Soils/SEZ, AQ, Wildlife, Fish, Scenic**	**N**	There are no changes to allowable timber harvesting in any of the regulatory zones as part of the TCAP amendments.
40	Land use planning and controls - outdoor recreation: *Code of Ordinances* Chapter 21	**WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic**	**N**	The TCAP amendments do not affect outdoor recreation. Land uses changes are in keeping with the Regional Plan and land use designations.
41	Land use planning and controls--ORV use: Goals and Policies: Recreation Element	**WQ, Soils/SEZ, AQ, Wildlife, Fish, Noise, Rec, Scenic**	**N**	Regional Plan Policy R-1.5 states that "Off-road vehicle (ORV) use is prohibited in the Lake Tahoe Region expect on specified roads, trails, or designated areas where the impacts can be mitigated." The TCAP amendments does not include the expansion of ORV use.
42	Control of encroachment and coverage in sensitive areas	**WQ, Soils/SEZ, Wildlife, Rec, Scenic**	**N**	See response to Compliance Measure 11.
43	Control on shorezone encroachment and vegetation alteration: *Code of Ordinances* Chapter 83	**WQ, Soils/SEZ, Scenic**	**N**	TRPA will continue to be responsible for enforcing and implementing Shorezone regulations, Chapters 80 through 85, of the TRPA Code of Ordinances, as well as other code provisions applicable to projects within the Shorezone. No changes are being proposed with the TCAP amendments that would modify existing code provisions related to the Shorezone or impact these compliance measures.
44	BMP implementation program--shorezone areas: *Code of Ordinances* Chapter 60	**WQ, Soils/SEZ**	**N**	
45	BMP implementation program--dredging and construction in Lake Tahoe: *Code of Ordinances* Chapter 60	**WQ, Soils/SEZ**	**N**	
46	Restrictions and conditions on filling and dredging: *Code of Ordinances* Chapter 84	**WQ, Soils/SEZ, Fish**	**N**	
47	Protection of stream deltas	**WQ, Soils/SEZ, Wildlife, Fish, Scenic**	**N**	
48	Marina master plans: *Code of Ordinances* Chapter 14	**WQ, AQ/Trans, Fish, Scenic**	**N**	
49	Additional pump-out facilities: *Code of Ordinances* Chapter 60	**WQ, Soils/SEZ**	**N**	

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
50	Controls on anti-fouling coatings: *Code of Ordinances* Chapter 60	**WQ, Soils/SEZ, Fish**	**N**	
51	Modifications to list of exempt activities	**WQ, Soils/SEZ**	**N**	The TCAP amendments will not alter the list of exempt activities.
WATER QUALITY/SEZ - SUPPLEMENTAL				
52	More stringent SEZ encroachment rules	**WQ, Soils/SEZ, Wildlife, Fish**	**N**	The TCAP amendments do not include any provisions that would impact Compliance Measures 52 though 61.
53	More stringent coverage transfer requirements	**WQ, Soils/SEZ**	**N**	
54	Modifications to IPES	**WQ, Soils/SEZ**	**N**	
55	Increased idling restrictions	**WQ, Soils/SEZ, AQ**	**N**	
56	Control of upwind pollutants	**WQ, Soils/SEZ, AQ**	**N**	
57	Additional controls on combustion heaters	**WQ, Soils/SEZ, AQ**	**N**	
58	Improved exfiltration control program	**WQ, Soils/SEZ**	**N**	
59	Improved infiltration control program	**WQ, Soils/SEZ**	**N**	
60	Water conservation/flow reduction program	**WQ, Soils/SEZ, Fish**	**N**	
61	Additional land use controls	**WQ, Soils/SEZ, Wildlife**	**N**	
AIR QUALITY/TRANSPORTATION - IN PLACE				
62	Fixed Route Transit - South Shore	**Trans, Rec**	**N**	The TCAP amendments do not impact any transit services bikeways, or pedestrian facilities, except to encourage Town Center redevelopment and the completion of identified transportation improvements.
63	Fixed Route Transit - North Shore: TART	**Trans, Rec**	**N**	
64	Demand Responsive Transit - South Shore	**Trans**	**N**	
65	Seasonal Trolley Services - North and South Shores: South Shore TMA and Truckee-North Tahoe TMA	**Trans, Rec**	**N**	
66	Social Service Transportation	**Trans**	**N**	
67	Shuttle programs	**Trans**	**N**	
68	Ski shuttle services	**Trans, Rec**	**N**	
69	Intercity bus services	**Trans**	**N**	
70	Passenger Transit Facilities: South Y Transit Center	**Trans**	**N**	
71	Bikeways, Bike Trails	**Trans, Noise, Rec, Scenic**	**N**	
72	Pedestrian facilities	**Trans, Rec,**	**N**	
73	Wood heater controls: *Code of Ordinances* Chapter 65	**WQ, AQ**	**N**	The TCAP amendments do not make any changes to wood or gas heater controls, or stationary source controls.
74	Gas heater controls: *Code of Ordinances* Chapter 65	**WQ, AQ**	**N**	
75	Stationary source controls: *Code of Ordinances* Chapter 65	**WQ, AQ**	**N**	

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
76	U.S. Postal Service Mail Delivery	**Trans**	**N**	The TCAP amendments do not include any provisions that would impact U.S. Postal Service Delivery.
77	Indirect source review/air quality mitigation: *Code of Ordinances* Chapter 65	**WQ, AQ**	**N**	The TCAP amendments do not make any changes to indirect source review/air quality mitigation requirements, or idling restrictions.
78	Idling Restrictions: *Code of Ordinances* Chapter 65	**WQ, AQ**	**N**	
79	Vehicle Emission Limitations(State/Federal)	**WQ, AQ**	**N**	The TCAP does not include any provisions related to vehicle emission limitations established by the State/Federal Government.
80	Open Burning Controls: *Code of Ordinances* Chapters 61 and Chapter 65	**WQ, AQ, Scenic**	**N**	The TCAP does not make any changes to open burning controls.
81	BMP and Revegetation Practices	**WQ, AQ, Wildlife, Fish**	**N**	See response to Compliance Measures 1 through 4.
82	Employer-based Trip Reduction Programs: *Code of Ordinances* Chapter 65	**Trans**	**N**	The TCAP amendments do not make any changes to the employer-based trip reduction programs or vehicle rental programs described in Chapter 65.
83	Vehicle rental programs: *Code of Ordinances* Chapter 65	**Trans**	**N**	
84	Parking Standards	**Trans**	**N**	The TCAP amendments do not make any changes that would impact parking standards, parking management, parking fees or facilities, traffic management, signal synchronization, aviation, waterborne transit or excursions, air quality monitoring, alternative fueled vehicle fleets or infrastructure improvements, north shore transit, or the Heavenly Ski Resort Gondola. The TCAP amendments were shown to have an insignificant impact on total daily trips and was not required to conduct a traffic analysis. Additional development associated with the amendment is within the Regional Plan's growth management system and would not generate additional demand for waterborne transit services.
85	Parking Management Areas	**Trans**	**N**	
86	Parking Fees	**Trans**	**N**	
87	Parking Facilities	**Trans**	**N**	
88	Traffic Management Program - Tahoe City	**Trans**	**N**	
89	US 50 Traffic Signal Synchronization - South Shore	**Trans**	**N**	
90	General Aviation, The Lake Tahoe Airport	**Trans, Noise**	**N**	
91	Waterborne excursions	**WQ, Trans, Rec**	**N**	
92	Waterborne transit services	**WQ, Trans, Scenic**	**N**	
93	Air Quality Studies and Monitoring	**WQ, AQ**	**N**	
94	Alternate Fueled Vehicle - Public/Private Fleets and Infrastructure Improvements	**Trans**	**N**	
95	Demand Responsive Transit - North Shore	**Trans**	**N**	
96	Tahoe Area Regional Transit Maintenance Facility	**Trans**	**N**	
97	Heavenly Ski Resort Gondola	**Trans**	**N**	
AIR QUALITY/TRANSPORTATION - SUPPLEMENTAL				
98	Demand Responsive Transit - North Shore	**Trans**	**N**	See response to Compliance Measures 62 through 97, and 1-4 (Road improvements, BMPs). The TCAP amendments are not expected to affect transportation.
99	Transit System - South Shore	**Trans**	**N**	
100	Transit Passenger Facilities	**Trans**	**N**	
101	South Shore Transit Maintenance Facility - South Shore	**Trans**	**N**	
102	Transit Service - Fallen Leaf Lake	**WQ, Trans**	**N**	
103	Transit Institutional Improvements	**Trans**	**N**	

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
104	Transit Capital and Operations Funding Acquisition	**Trans**	**N**	
105	Transit/Fixed Guideway Easements - South Shore	**Trans**	**N**	
106	Visitor Capture Program	**Trans**	**N**	
107	Pedestrian and Bicycle Facilities--South Shore	**Trans, Rec**	**N**	
108	Pedestrian and Bicycle Facilities--North Shore	**Trans, Rec**	**N**	
109	Parking Inventories and Studies Standards	**Trans**	**N**	
110	Parking Management Areas	**Trans**	**N**	
111	Parking Fees	**Trans**	**N**	
112	Establishment of Parking Task Force	**Trans**	**N**	
113	Construct parking facilities	**Trans**	**N**	
114	Intersection improvements--South Shore	**Trans, Scenic**	**N**	
115	Intersection improvements--North Shore	**Trans, Scenic**	**N**	
116	Roadway Improvements - South Shore	**Trans, Scenic**	**N**	
117	Roadway Improvements - North Shore	**Trans, Scenic**	**N**	
118	Loop Road - South Shore	**Trans, Scenic**	**N**	
119	Montreal Road Extension	**Trans**	**N**	
120	Kingsbury Connector	**Trans**	**N**	
121	Commercial Air Service: Part 132 commercial air service	**Trans**	**N**	
122	Commercial Air Service: commercial air service that does not require Part 132 certifications	**Trans**	**N**	
123	Expansion of waterborne excursion service	**WQ, Trans**	**N**	
124	Re-instate the oxygenated fuel program	**WQ, AQ**	**N**	
125	Management Programs	**Trans**	**N**	
126	Around the Lake Transit	**Trans**	**N**	
VEGETATION - IN PLACE				
127	Vegetation Protection During Construction: *Code of Ordinances* Chapter 33	**WQ, AQ, Veg, Scenic**	**N**	The TCAP amendments will not alter the provisions of Chapter 33 in the TRPA Code of Ordinances.
128	Tree Removal: *Code of Ordinances* Chapter 61	**Veg, Wildlife, Scenic**	**N**	The TCAP amendments do not alter tree removal, prescribed burning, vegetation management or plant protection and fire hazard reduction provisions of Chapter 61 of the Code.
129	Prescribed Burning: *Code of Ordinances* Chapter 61	**WQ, AQ, Veg, Wildlife, Scenic**	**N**	
130	Remedial Vegetation Management: *Code of Ordinances* Chapter 61	**WQ, Veg, Wildlife**	**N**	
131	Sensitive and Uncommon Plant Protection and Fire Hazard Reduction: *Code of Ordinances* Chapter 61	**Veg, Wildlife, Scenic**	**N**	
132	Revegetation: *Code of Ordinances* Chapter 61	**WQ, Veg, Wildlife, Scenic**	**N**	

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
133	Remedial Action Plans: *Code of Ordinances* Chapter 5	**WQ, Veg**	**N**	TRPA will continue to be responsible for preparing Remedial Action Plans, in coordination with the city, pursuant to Chapter 5, Compliance, of the TRPA Code of Ordinances.
134	Handbook of Best Management Practices	**WQ, Soils/SEZ, Veg, Fish**	**N**	The Handbook of Best Management Practices will continue to be used to design and construct BMPs.
135	Shorezone protection	**WQ, Soils/SEZ, Veg**	**N**	See response to Compliance Measures 43 through 50.
136	Project Review	**WQ, Veg**	**N**	The TCAP amendments will not affect project review and compliance inspection procedures.
137	Compliance inspections	**Veg**	**N**	
138	Development Standards in the Backshore	**WQ, Soils/SEZ, Veg, Wildlife, Scenic**	**N**	See response to Compliance Measures 43 through 50.
139	Land Coverage Standards: *Code of Ordinances* Chapter 30	**WQ, Veg, Wildlife, Fish, Scenic**	**N**	See response to Compliance Measure 11.
140	Grass Lake, Research Natural Area	**WQ, Veg, Wildlife, Fish, Scenic**	**N**	N/A
141	Conservation Element, Vegetation Subelement: Goals and Policies	**Veg, Wildlife, Fish**	**N**	The TCAP amendments is consistent with the 2012 Regional Plan, including the Conservation Element and Vegetation Subelement Goals and Policies.
142	Late Successional Old Growth (LSOG): *Code of Ordinances* Chapter 61	**Veg, Wildlife, Fish**	**N**	The TCAP amendments do not make any changes to provisions of Lake Successional Old Growth and Stream Environment Zone Vegetation.
143	Stream Environment Zone Vegetation: *Code of Ordinances* Chapter 61	**WQ, Veg, Wildlife, Fish**	**N**	
144	Tahoe Yellow Cress Conservation Strategy	**Veg**	**N**	The TCAP amendments will not impact efforts to conserve the Tahoe Yellow Cress.
145	Control and/or Eliminate Noxious Weeds	**Veg, Wildlife**	**N**	The TCAP amendments will not impact efforts to control or eliminate noxious weeks.
146	Freel Peak Cushion Plant Community Protection	**Veg**	**N**	N/A
VEGETATION - SUPPLEMENTAL				
147	Deepwater Plant Protection	**WQ, Veg**	**N**	See response to Compliance Measures 16 and 17 and 43 through 50.
WILDLIFE - IN PLACE				
148	Wildlife Resources: *Code of Ordinances* Chapter 62	**Wildlife, Noise**	**N**	See response to Compliance Measures 16 and 17.
149	Stream Restoration Program	**WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic**	**N**	The TCAP amendments do not include any changes to the Stream Restoration Program.
150	BMP and revegetation practices	**WQ, Veg, Wildlife, Fish, Scenic**	**N**	TheTCAP amendments do not include any changes to existing BMP and revegetation requirements.

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
151	OHV limitations	**WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec**	**N**	TheTCAP amendments do not include any changes to OHV limitations.
152	Remedial Action Plans: *Code of Ordinances* Chapter 5	**Wildlife**	**N**	See response to Compliance Measure 133.
153	Project Review	**Wildlife**	**N**	See response to Compliance Measure 136 and 137.
FISHERIES - IN PLACE				
156	Fish Resources: *Code of Ordinances* Chapter 63	**WQ, Fish**	**N**	See response to Compliance Measures 16 and 17.
157	Tree Removal: *Code of Ordinances* Chapter 61	**Wildlife, Fish**	**N**	The TCAP amendments do not change tree removal provisions of Chapter 61.
158	Shorezone BMPs	**WQ, Fish**	**N**	See response to Compliance Measures 43 through 50.
159	Filling and Dredging: *Code of Ordinances* Chapter 84	**WQ, Fish**	**N**	
160	Location standards for structures in the shorezone: *Code of Ordinances* Chapter 84	**WQ, Fish**	**N**	
161	Restrictions on SEZ encroachment and vegetation alteration	**WQ, Soils/SEZ, Fish**	**N**	See response to Compliance Measures 16 and 17.
162	SEZ Restoration Program	**WQ, Soils/SEZ, Fish**	**N**	See response to Compliance Measure 14.
163	Stream restoration program	**WQ, Soils/SEZ, Fish**	**N**	See response to Compliance Measures 16 and 17.
164	Riparian restoration	**WQ, Soils/SEZ, Fish**	**N**	
165	Livestock: *Code of Ordinances* Chapter 64	**WQ, Soils/SEZ, Fish**	**N**	
166	BMP and revegetation practices	**WQ, Fish**	**N**	See response to Compliance Measures 1 through 4.
167	Fish habitat study	**Fish**	**N**	See response to Compliance Measures 16 and 17.
168	Remedial Action Plans: *Code of Ordinances* Chapter 5	**Fish**	**N**	See response to Compliance Measure 133.
169	Mitigation Fee Requirements: *Code of Ordinances* Chapter 86	**Fish**	**N**	The mitigation fee requirements formerly in Chapter 86 of the TRPA Code of Ordinances (now in the Rules of Procedure) are not being modified with the TCAP amendments.
170	Compliance inspection	**Fish**	**N**	The TCAP amendments are not modifying existing compliance or inspection programs or provisions.
171	Public Education Program	**Wildlife, Fish**	**N**	The TCAP amendments do not make any changes to the city's education and outreach efforts.
NOISE - IN PLACE				
172	Airport noise enforcement program	**Wildlife, Fish**	**N**	The TCAP amendments are not modifying existing enforcement programs.
173	Boat noise enforcement program	**Wildlife, Fish, Rec**	**N**	

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
174	Motor vehicle/motorcycle noise enforcement program: *Code of Ordinances* Chapters 5 and 23	**Wildlife, Fish**	**N**	
175	ORV restrictions	**AQ, Wildlife, Noise, Rec**	**N**	The TCAP amendments are not modifying existing ORV or snowmobile conditions.
176	Snowmobile Restrictions	**WQ, Wildlife, Noise, Rec**	**N**	
177	Land use planning and controls	**Wildlife, Noise**	**N**	See response to Compliance Measure 9.
178	Vehicle trip reduction programs	**Trans, Noise**	**N**	The TCAP amendments do not make any changes to vehicle trip reduction programs.
179	Transportation corridor design criteria	**Trans, Noise**	**N**	The TCAP amendments do not affect transportation corridor design.
180	Airport Master Plan South Lake Tahoe	**Trans, Noise**	**N**	N/A
181	Loudspeaker restrictions	**Wildlife, Noise**	**N**	The TCAP is not modifying loudspeaker restrictions.
182	Project Review	**Noise**	**N**	See response to Compliance Measures 136 and 137.
183	Complaint system: *Code of Ordinances* Chapters 5 and 68	**Noise**	**N**	Existing complaint systems are not being modified by the TCAP.
184	Transportation corridor compliance program	**Trans, Noise**	**N**	None of these compliance measures will be modified with the TCAP amendments.
185	Exemptions to noise limitations	**Noise**	**N**	
186	TRPA's Environmental Improvement Program (EIP)	**Noise**	**N**	
187	Personal watercraft noise controls	**Wildlife, Noise**	**N**	
NOISE - SUPPLEMENTAL				
188	Create an interagency noise enforcement MOU for the Tahoe Region.	**Noise**	**N**	An interagency noise enforcement MOU for the Tahoe Region is not being proposed as part of the TCAP amendments.
RECREATION - IN PLACE				
189	Allocation of Development: *Code of Ordinances* Chapter 50	**Rec**	**N**	The TCAP amendments are not proposing any changes to the Basin's allocation of development system, or to directly draw from any allocation pools.
190	Master Plan Guidelines: *Code of Ordinances* Chapter 14	**Rec, Scenic**	**N**	The TRPA, in coordination with the city, will continue to process Specific and Master Plan Plans pursuant to Chapter 14 of the TRPA Code of Ordinances.
191	Permissible recreation uses in the shorezone and lake zone: *Code of Ordinances* Chapter 81	**WQ, Noise, Rec**	**N**	See response to Compliance Measures 43 through 50.
192	Public Outdoor recreation facilities in sensitive lands	**WQ, Rec, Scenic**	**N**	The TCAP amendments are not altering provisions regarding public outdoor recreation in sensitive lands.
193	Hiking and riding facilities	**Rec**	**N**	The TCAP amendments do not alter where hiking and riding facilities are permissible. See also Compliance Measure 40.

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
194	Scenic quality of recreation facilities	**Rec, Scenic**	**N**	The TCAP amendments do not propose any changes to provisions related to scenic quality of recreation facilities.
195	Density standards	**Rec**	**N**	The TCAP amendments complies with all applicable density standards in Chapters 13 and 31 of the Code of Ordinances.
196	Bonus incentive program	**Rec**	**N**	The TCAP amendments do not alter existing bonus incentive programs.
197	Required Findings: *Code of Ordinances* Chapter 4	**Rec**	**N**	All applicable TRPA Code Of Ordinance findings will continue to have to be met with the future approval of projects within the TCAP.
198	Lake Tahoe Recreation Sign Guidelines	**Rec, Scenic**	**N**	The TCAP amendments will not impact the Lake Tahoe Recreation Sign Guidelines.
199	Annual user surveys	**Rec**	**N**	The TCAP amendments will not affect user surveys.
RECREATION - SUPPLEMENTAL				
200	Regional recreational plan	**Rec**	**N**	The TCAP does not modify any portion of the Goals and Policies in the Regional Recreation Plan, which is the Recreation Element in the Regional Plan.
201	Establish fairshare resource capacity estimates	**Rec**	**N**	The TCAP amendments do not establish or alter fair share resource capacity estimates, alter reservations of additional resource capacity, or include economic modeling.
202	Reserve additional resource capacity	**Rec**	**N**	
203	Economic Modeling	**Rec**	**N**	
SCENIC - IN PLACE				
204	Project Review and Exempt Activities: *Code of Ordinances* Chapter 2	**Scenic**	**N**	See response to Compliance Measures 136 and 137.
205	Land Coverage Limitations: *Code of Ordinances* Chapter 30	**WQ, Scenic**	**N**	See response to Compliance Measure 11.
206	Height Standards: *Code of Ordinances* Chapter 37	**Scenic**	**N**	The amendments would not alter the TCAP Appendix C: Development and Design standards, including height standards. Any development is subject to compliance with Appendix C and the citywide design standards and guidelines, which are designed to ensure compatibility with scenic thresholds.
207	Driveway and Parking Standards: *Code of Ordinances* Chapter 34	**Trans, Scenic**	**N**	The TCAP amendments do not make changes to current design standards and guidelines relating to parking and driveway design.
208	Signs: *Code of Ordinances* Chapter 38	**Scenic**	**N**	The TCAP carries forward existing design standards and guidelines pertaining to signage (See TCAP Appendix C) for mixed-use and tourist areas. These standards meet or exceed Chapter 38 standards. Outside of these areas, Chapter 38 will continue to apply.
209	Historic Resources: *Code of Ordinances* Chapter 67	**Scenic**	**N**	See response to Compliance Measures 16 and 17.

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
210	Design Standards: *Code of Ordinances* Chapter 36	**Scenic**	**Y**	Citywide design standards and guidelines apply in substitute of Chapter 36 standards in the TCAP area. The TCAP amendments carry forward these existing design standards and guideline. These standards meet or exceed Chapter 36 standards. The proposed amendment would affect some design provisions within the TCAP, but such modifciations maintain consitency with the citywide design standards and guidelines.
211	Shorezone Tolerance Districts and Development Standards: *Code of Ordinances* Chapter 83	**Scenic**	**N**	See response to Compliance Measures 43 through 50.
212	Development Standards Lakeward of Highwater: *Code of Ordinances* Chapter 84	**WQ, Scenic**	**N**	
213	Grading Standards: *Code of Ordinances* Chapter 33	**WQ, Scenic**	**N**	Grading and vegetation protection during construction shall continue to meet the provisions of the TRPA Code of Ordinances, Chapter 33, Grading and Construction.
214	Vegetation Protection During Construction: Code of Ordinances Chapter 33	**AQ, Veg, Scenic**	**N**	
215	Revegetation: *Code of Ordinances* Chapter 61	**Scenic**	**N**	See response to Compliance Measures 16 and 17.
216	Design Review Guidelines	**Scenic**	**N**	The amendments would not alter the TCAP Appendix C: Development and Design standards, including height standards. Any development is subject to compliance with Appendix C and the citywide design standards and guidelines, which are designed to ensure compatibility with scenic thresholds.
217	Scenic Quality Improvement Program(SQIP)	**Scenic**	**N**	See response to Compliance Measure 194.
218	Project Review Information Packet	**Scenic**	**N**	
219	Scenic Quality Ratings, Features Visible from Bike Paths and Outdoor Recreation Areas Open to the General Public	**Trans, Scenic**	**N**	
220	Nevada-side Utility Line Undergrounding Program	**Scenic**	**N**	N/A
SCENIC - SUPPLEMENTAL				
221	Real Time Monitoring Program	**Scenic**	**N**	No changes to the real time monitoring program are being proposed with the TCAP amendments.
222	Integrate project identified in SQIP	**Scenic**	**Y**	The TCAP amendments are anticipated to result in redevelopment along Highway 50. The SQIP notes that redevelopment, remodeling, and facade improvements are the most effective strategy at improving scenic threshold compliance in Roadway Travel Unit #33. As a result, the amendment is anticipated to improve integration with the SQIP.

ATTACHMENT F: COMPLIANCE MEASURES THRESHOLD EVAULATION

THRESHOLD INDICATORS

ID	Threshold Category	TRPA 2006 Threshold Evaluation "Threshold Indicators"	Applicable Indicator Reporting Category	Name of Threshold Standard Addressed (see Resolution 82-11 for adopted standard)	Interim Target for 2016 (See 2015 Threshold Evaluation)	Status (2015)	Trend (2015)	Threshold Indicator	Unit of Measure	Addition Factors (i.e., alternative indicators used in 2015 Threshold Evaluation)	Source
1	Air Quality	AQ-1	Carbon Monoxide	Highest 1-hour Carbon Monoxide Concentration	N/A-Indicator already in attainment with standard	Considerably Better than Target	Moderate Improvement	Highest annual 1-hour concentration CO	ppm	Threshold indicator Used	2015 Threshold Evaluation
2	Air Quality	AQ-1	Carbon Monoxide	Highest 8-hour Carbon Monoxide Concentration	N/A-Indicator already in attainment with standard	Considerably Better than Target	Moderate Improvement	Highest annual 8-hour concentration CO	ppm	Threshold indicator Used	2015 Threshold Evaluation
3	Air Quality	AQ-2	Ozone	Highest 1-hour Ozone Concentration	N/A-Indicator already in attainment with standard	At or Better Than Target	Moderate Improvement	Ozone Concentration - highest 1-hour	ppm	Threshold indicator Used	2015 Threshold Evaluation
4	Air Quality	AQ-2	Ozone	Highest 8-hour Ozone Concentration	N/A-Indicator already in attainment with standard	Somewhat Worse Than Target	Moderate Improvement	Ozone Concentration - highest 8-hour	ppm	Threshold indicator Used	2015 Threshold Evaluation
5	Air Quality	AQ-3	Visibility	Annual Average PM_{10}	Insufficient data to determine interim target	Considerably Better than Target	Moderate Improvement	Annual Average Concentration of PM_{10}	micrograms/cubic meter (ug/m^3)	Threshold indicator Used	2015 Threshold Evaluation
6	Air Quality	AQ-3	Visibility	Highest 24 hour PM_{10} Concentrations	59 $\mu g/m^3$ by 2016	Somewhat Worse Than Target	Little or No Change	Highest 24 hour PM_{10} concentration	microgram/cubic meter (ug/m^3)	Threshold indicator Used	2015 Threshold Evaluation
7	Air Quality	AQ-4	Visibility	Regional Visibility 50th percentile	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	extinction coefficient - visibility	Mm^{-1}	Threshold indicator Used	2015 Threshold Evaluation
8	Air Quality	AQ-4	Visibility	Regional Visibility 90th Percentile	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	extinction coefficient - visibility	Mm^{-1}	Threshold indicator Used	2015 Threshold Evaluation
9	Air Quality	AQ-4	Visibility	Sub-Regional Visibility 50th percentile	Insufficient data to determine interim target	Unknown	Unknown	extinction coefficient - visibility	Mm^{-1}	Threshold indicator Used	2015 Threshold Evaluation
10	Air Quality	AQ-4	Visibility	Sub-Regional Visibility 90th Percentile	Insufficient data to determine interim target	Unknown	Unknown	extinction coefficient - visibility	Mm^{-1}	Threshold indicator Used	2015 Threshold Evaluation
11	Air Quality	AQ-5	Carbon Monoxide	Winter Traffic Volume	N/A-Indicator already in attainment with standard	Considerably Better than Target	Moderate Improvement	Volume of vehicle traffic measured on presidents weekend (Saturday) between 4pm and midnight	Number of Vehicles	Threshold indicator Used	2015 Threshold Evaluation
12	Air Quality	AQ-7	Visibility	VMT	N/A-Indicator already in attainment with standard	At or Better Than Target	Moderate Improvement	VMT Estimated from Peak Traffic Volumes in 2nd weekend in August	Vehicle Mile Traveled	Ratio of current year VMT estimate to Traffic Volume was used as a constant to backcast historic annual VMT values	2015 Threshold Evaluation

ATTACHMENT F: COMPLIANCE MEASURES THRESHOLD EVAULATION

ID	Threshold Category	TRPA 2006 Threshold Evaluation "Threshold Indicators"	Applicable Indicator Reporting Category	Name of Threshold Standard Addressed (see Resolution 82-11 for adopted standard)	Interim Target for 2016 (See 2015 Threshold Evaluation)	Status (2015)	Trend (2015)	Threshold Indicator	Unit of Measure	Addition Factors (i.e., alternative indicators used in 2015 Threshold Evaluation)	Source
13	Air Quality	AQ-8	Nitrate Deposition	Reduce external and In-Basin NOx emissions	N/A-Indicator already in attainment with standard	Implemented	N/A	Modeled NOx Emissions in Tons	Tons	Threshold indicator Used	2015 Threshold Evaluation
14	Air Quality	Not Addressed	Odor	Diesel Engine Emission Fumes	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	Number of Evaluation Criteria Satisfied	Threshold indicator Used	2015 Threshold Evaluation
15	Air Quality	Not Addressed	Ozone	3-year Average of 4th Highest Concentration	N/A-Indicator already in attainment with standard	At or Better Than Target	Moderate Improvement	3-year average of the 4th highest Ozone Concentration	ppm	Threshold indicator Used	2015 Threshold Evaluation
16	Air Quality	Not Addressed	Ozone	Oxides of Nitrogen Emissions	N/A-Indicator already in attainment with standard	Considerably Better than Target	Moderate Improvement	Average tons of NOx per day	Average tons/day	Threshold indicator Used	2015 Threshold Evaluation
17	Air Quality	Not Addressed	Visibility	3-year Average of the 98th percentile 24-hour $PM_{2.5}$ Concentration	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	3-year average of the 98th percentile 24-hour $PM_{2.5}$ concentration	microgram/cubic meter (ug/m^3)	Threshold indicator Used	2015 Threshold Evaluation
18	Air Quality	Not Addressed	Visibility	Highest 24-hour $PM_{2.5}$ Concentration	Non established	Not yet evaluated	Not yet evaluated	24-hour $PM_{2.5}$ Concentration	micrograms/cubic meter (ug/m^3)	Threshold, State or Federal indicator used	Not yet evaluated
19	Air Quality	Not Addressed	Visibility	Annual Average $PM_{2.5}$	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Little or No Change	Annual Average Concentration of $PM_{2.5}$	microgram/cubic meter (ug/m^3)	Threshold indicator Used	2015 Threshold Evaluation
Impact of Project on Air Quality Indicators/Targets/Other Factors (Y/N)			**N**	**Comments**	**The Initial Environmental Checklist (IEC) prepared for the TCAP amendments as provided in this packet did not identify any significant effects on air quality. The potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore the analysis is tiered from and consistent with the RPU EIS.**						
20	Fisheries	F-1	Lake Habitat	Littoral Substrate	N/A-Indicator already in attainment with standard	At or Better Than Target	Unknown	Acres of "prime" habitat (rocky substrates in littoral zone)	Acres	Threshold indicator Used	2015 Threshold Evaluation
21	Fisheries	F-2	Stream Habitat	Stream Habitat Quality	Insufficient data to determine interim target	Considerably Better than Target	Unknown	Miles of stream in “excellent” condition class	Miles	Benthic Macroinvertebrate O/E, Fish passage ratings	2015 Threshold Evaluation
22	Fisheries	F-2	Stream Habitat	Stream Habitat Quality	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown	Miles of stream in “good” condition class	Miles	Benthic Macroinvertebrate O/E, Fish passage ratings	2015 Threshold Evaluation
23	Fisheries	F-2	Stream Habitat	Stream Habitat Quality	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown	Miles of stream in “marginal” condition class	Miles	Benthic Macroinvertebrate O/E, Fish passage ratings	2015 Threshold Evaluation
24	Fisheries	F-3	Instream Flows	Stream Flow protection	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	Number of criteria Satisfied	Evaluation Criteria and Evidence	2015 Threshold Evaluation
25	Fisheries	F-3	Instream Flows	Water Diversions	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	Number of criteria Satisfied	Evaluation Criteria and Evidence	2015 Threshold Evaluation

ATTACHMENT F: COMPLIANCE MEASURES THRESHOLD EVAULATION

ID	Threshold Category	TRPA 2006 Threshold Evaluation "Threshold Indicators"	Applicable Indicator Reporting Category	Name of Threshold Standard Addressed (see Resolution 82-11 for adopted standard)	Interim Target for 2016 (See 2015 Threshold Evaluation)	Status (2015)	Trend (2015)	Threshold Indicator	Unit of Measure	Addition Factors (i.e., alternative indicators used in 2015 Threshold Evaluation)	Source
26	Fisheries	F-4	Lahontan Cutthroat Trout	Reintroduction	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	Number of criteria Satisfied	Evaluation Criteria and Evidence	2015 Threshold Evaluation
Impact of Project on Fisheries Indicators/Targets/Other Factors (Y/N)			**N**	**Comments**	**The IEC for the proposed TCAP amendments do not identify any significant impact on fisheries.**						
27	Noise	N-1	Single Event Noise	Aircraft 8am to 8pm	Trend expected to flatten then remain stable	Somewhat Worse Than Target	Insufficient Data	dBA Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
28	Noise	N-1	Single Event Noise	Aircraft 8pm to 8am	Insufficient data to determine interim target	Unknown	Unknown	dBA Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
29	Noise	N-2	Single Event Noise	Motor Vehicles Greater Than 6,000 GVW	Insufficient data to determine interim target	Unknown	Unknown	dBA Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
30	Noise	N-2	Single Event Noise	Motor Vehicles Less Than 6,000 GVW	Insufficient data to determine interim target	Unknown	Unknown	dBA Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
31	Noise	N-2	Single Event Noise	Motorcycles	Insufficient data to determine interim target	Unknown	Unknown	dBA Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
32	Noise	N-2	Single Event Noise	Off-Road Vehicles	Insufficient data to determine interim target	Unknown	Unknown	dBA Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
33	Noise	N-2	Single Event Noise	Snowmobiles	Insufficient data to determine interim target	Unknown	Unknown	dBA Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
34	Noise	N-2	Single Event Noise	Watercraft - Pass by	Insufficient data to determine interim target	Unknown	Unknown	dBA Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
35	Noise	N-2	Single Event Noise	Watercraft - Shoreline	Insufficient data to determine interim target	Somewhat Worse Than Target	Little or No Change	dBA Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
36	Noise	N-2	Single Event Noise	Watercraft - Stationary	Insufficient data to determine interim target	Unknown	Unknown	dBA Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation

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37	Noise	N-3	Cumulative Noise Events	Commercial Areas	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
38	Noise	N-3	Cumulative Noise Events	Critical Wildlife Habitat Areas	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
39	Noise	N-3	Cumulative Noise Events	High Density Residential Areas	Unable to be determined due to lack of trend	Somewhat Worse Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
40	Noise	N-3	Cumulative Noise Events	Hotel/Motel Areas	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
41	Noise	N-3	Cumulative Noise Events	Industrial Areas	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
42	Noise	N-3	Cumulative Noise Events	Low Density Residential Areas	Unable to be determined due to lack of trend	At or Better Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
43	Noise	N-3	Cumulative Noise Events	Rural Outdoor Recreation Areas	Unable to be determined due to lack of trend	At or Better Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
44	Noise	N-3	Cumulative Noise Events	Transportation Corridors - Highway 50	N/A-Indicator already in attainment with standard	At or Better Than Target	Insufficient Data	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
45	Noise	N-3	Cumulative Noise Events	Transportation Corridors - Highways 207	Unable to be determined due to lack of trend	Somewhat Worse Than Target	Insufficient Data	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
46	Noise	N-3	Cumulative Noise Events	Transportation Corridors - Highways 267	Unable to be determined due to lack of trend	Somewhat Worse Than Target	Insufficient Data	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
47	Noise	N-3	Cumulative Noise Events	Transportation Corridors - Highways 28	CNEL 62 dBA	Somewhat Worse Than Target	Insufficient Data	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
48	Noise	N-3	Cumulative Noise Events	Transportation Corridors - Highways 431	CNEL 56 dBA	At or Better Than Target	Insufficient Data	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation

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ID	Threshold Category	TRPA 2006 Threshold Evaluation "Threshold Indicators"	Applicable Indicator Reporting Category	Name of Threshold Standard Addressed (see Resolution 82-11 for adopted standard)	Interim Target for 2016 (See 2015 Threshold Evaluation)	Status (2015)	Trend (2015)	Threshold Indicator	Unit of Measure	Addition Factors (i.e., alternative indicators used in 2015 Threshold Evaluation)	Source
49	Noise	N-3	Cumulative Noise Events	Transportation Corridors - Highways 89	CNEL 59 dBA	Somewhat Worse Than Target	Insufficient Data	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
50	Noise	N-3	Cumulative Noise Events	Transportation Corridors - South Lake Tahoe Airport	Insufficient data to determine interim target	Somewhat Worse Than Target	Insufficient Data	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
51	Noise	N-3	Cumulative Noise Events	Urban Outdoor Recreation	Unable to be determined due to lack of trend	At or Better Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
52	Noise	N-3	Cumulative Noise Events	Wilderness and Roadless Areas	N/A-Indicator already in attainment with standard	At or Better Than Target	Moderate Improvement	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2015 Threshold Evaluation
Impact of Project on Noise Indicators/Targets/Other Factors (Y/N)			**N**	**Comments**	**The IEC for the proposed TCAP amendments did not identify an significant impacts on Noise.**						
53	Recreation	R-1	High Quality Recreation Experience	High Quality Recreation Experience	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	Number of criteria Satisfied	Evaluation Criteria and Evidence	2015 Threshold Evaluation
54	Recreation	R-2	Fair Share	Fair Share	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	Number of criteria Satisfied	Threshold indicator Used	2015 Threshold Evaluation
Impact of Project on Recreation Indicators/Targets/Other Factors (Y/N)			**N**	**Comments**	**The IEC for the TCAP amendments did not identify any potential significant impacts to Recreation.**						
55	Scenic Resources	SR-1	Roadway and Shoreline Units	Roadway Travel Units	Increase the number of units meeting the minimum score by at least two by 2016	At or Better Than Target	Moderate Improvement	Average of unit composite scores	Composite Score	Evaluation Criteria and Evidence	2015 Threshold Evaluation
56	Scenic Resources	SR-1	Roadway and Shoreline Units	Shoreline Travel Units	increase the number of units meeting the minimum score by at least one by 2016	At or Better Than Target	Little or No Change	Average of unit composite scores	Composite Score	Evaluation Criteria and Evidence	2015 Threshold Evaluation
57	Scenic Resources	SR-2	Roadway and Shoreline Units	Roadway Scenic Resources	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Average of unit composite scores	Composite Score	Evaluation Criteria and Evidence	2015 Threshold Evaluation
58	Scenic Resources	SR-2	Roadway and Shoreline Units	Shoreline Scenic Resources	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Average of unit composite scores	Composite Score	Evaluation Criteria and Evidence	2015 Threshold Evaluation
59	Scenic Resources	SR-3	Other Areas	Other Areas (Recreation Sites and Bike Trails)	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Average of unit composite scores	Composite Score	Evaluation Criteria and Evidence	2015 Threshold Evaluation
60	Scenic Resources	SR-4	Built Environment	Built Environment	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	Number of criteria Satisfied	Evaluation Criteria and Evidence	2015 Threshold Evaluation
Impact of Project on Scenic Resources Indicators/Targets/Other Factors (Y/N)			**N**	**Comments**	**The IEC for the TCAP amendments do not identify any potential significant impacts to Scenic Resources. The amendment would allow more flexibility in tourist-related land uses. As a result, it is anticipated to encourage redevelopment, remodeling, and facade improvements. Such improvements are the focus of the SQIP in this roadway travel unit. As such, the amendment may have a beneficial impact on scenic resources.**						
61	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients – Class 1a (1%)	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Little or No Change	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2015 Threshold Evaluation

ATTACHMENT F: COMPLIANCE MEASURES THRESHOLD EVAULATION

ID	Threshold Category	TRPA 2006 Threshold Evaluation "Threshold Indicators"	Applicable Indicator Reporting Category	Name of Threshold Standard Addressed (see Resolution 82-11 for adopted standard)	Interim Target for 2016 (See 2015 Threshold Evaluation)	Status (2015)	Trend (2015)	Threshold Indicator	Unit of Measure	Addition Factors (i.e., alternative indicators used in 2015 Threshold Evaluation)	Source
62	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 1b (1%)	Insufficient data to determine interim target	Considerably Worse Than Target	Moderate Improvement	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2015 Threshold Evaluation
63	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 1c (1%)	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2015 Threshold Evaluation
64	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 2 (1%)	Insufficient data to determine interim target	Somewhat Worse Than Target	Little or No Change	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2015 Threshold Evaluation
65	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 3	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Little or No Change	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2015 Threshold Evaluation
66	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 4	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Little or No Change	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2015 Threshold Evaluation
67	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 5	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Little or No Change	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2015 Threshold Evaluation
68	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 6	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Little or No Change	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2015 Threshold Evaluation
69	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 7	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2015 Threshold Evaluation
70	Soil Conservation	SC-2	Stream Environment Zone	Stream Restoration, 1,100 acres restored	88 acres of SEZ restoration by 2016	Considerably Worse Than Target	Moderate Improvement	Acres (and percent) of SEZ Restored	Acres and percent (%)	Threshold indicator Used	2015 Threshold Evaluation
Impact of Project on Soil Conservation Indicators/Targets/Other Factors (Y/N)			**N**	**Comments**	**The IEC for the TCAP amendments do not identify any adverse potential impacts to Soils because the amendment does not include provisions to alter or revise regulations pertaining to land capability and Individual Parcel Evaluation System (IPES), grading, excavation, or new disturbance, deposition of beach sand, changes in siltation, deposition, or erosion, including natural littoral processes, geologic hazards, or BMPs to control soil erosion.**						
71	Vegetation Preservation	V-1	Common Vegetation	Appropriate Management Practices	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	N/A	Evaluation Criteria and Evidence	2015 Threshold Evaluation
72	Vegetation Preservation	V-1	Common Vegetation	Land Capability to Support Native Vegetation	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	N/A	Evaluation Criteria and Evidence	2015 Threshold Evaluation
73	Vegetation Preservation	V-1	Common Vegetation	Protect and Expand Riparian Vegetation	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	N/A	Evaluation Criteria and Evidence	2015 Threshold Evaluation

ATTACHMENT F: COMPLIANCE MEASURES THRESHOLD EVAULATION

ID	Threshold Category	TRPA 2006 Threshold Evaluation "Threshold Indicators"	Applicable Indicator Reporting Category	Name of Threshold Standard Addressed (see Resolution 82-11 for adopted standard)	Interim Target for 2016 (See 2015 Threshold Evaluation)	Status (2015)	Trend (2015)	Threshold Indicator	Unit of Measure	Addition Factors (i.e., alternative indicators used in 2015 Threshold Evaluation)	Source
74	Vegetation Preservation	V-1	Common Vegetation	Vegetation Pattern - Juxtaposition	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	N/A	Evaluation Criteria and Evidence	2015 Threshold Evaluation
75	Vegetation Preservation	V-1	Common Vegetation	Relative Abundance - Deciduous Riparian Hardwoods	Increase total acreage by 2016	Considerably Worse Than Target	Little or No Change	Acres (and percent cover) of Riparian Deciduous Hardwoods	Acres and percent (%)	Threshold indicator Used	2015 Threshold Evaluation
76	Vegetation Preservation	V-1	Common Vegetation	Relative Abundance - Meadows and Wetlands	Increase total acreage by 2016	Somewhat Worse Than Target	Little or No Change	Acres (and percent cover) of vegetation types meeting meadow and wetland classification type	Acres and percent (%)	Threshold indicator Used	2015 Threshold Evaluation
77	Vegetation Preservation	V-1	Common Vegetation	Relative Abundance - Shrub	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Little or No Change	Acres (and percent cover) of vegetation types meeting shrub classification	Acres and percent (%)	Threshold indicator Used	2015 Threshold Evaluation
78	Vegetation Preservation	V-1	Common Vegetation	Relative Abundance - Small Diameter Red Fir	Insufficient data to determine interim target	Considerably Worse Than Target	Little or No Change	Acres (and percent cover) of vegetation types meeting small diameter (<10.9"dbh) red fir classification	Acres and percent (%)	Threshold indicator Used	2015 Threshold Evaluation
79	Vegetation Preservation	V-1	Common Vegetation	Relative Abundance - Small Diameter Yellow Pine	Insufficient data to determine interim target	Considerably Worse Than Target	Little or No Change	Acres (and percent cover) of vegetation types meeting small diameter (<10.9"dbh) Jeffrey pine classification	Acres and percent (%)	Threshold indicator Used	2015 Threshold Evaluation
80	Vegetation Preservation	V-1	Common Vegetation	Vegetation Community Richness	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Number of different vegetation associated as defined in resolution 82-11	Number (#)	Threshold indicator Used	2015 Threshold Evaluation
81	Vegetation Preservation	V-2	Uncommon Plant Communities	Deep-water plants of Lake Tahoe	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/Absence	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
82	Vegetation Preservation	V-2	Uncommon Plant Communities	Freel Peak Cushion Plant community	N/A-Indicator already in attainment with standard	Somewhat Worse Than Target	Rapid Decline	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/absences	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
83	Vegetation Preservation	V-2	Uncommon Plant Communities	Grass Lake (sphagnum bog)	N/A-Indicator already in attainment with standard	Insufficient Information	Unknown	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/absences	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation

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84	Vegetation Preservation	V-2	Uncommon Plant Communities	Hell Hole	N/A-Indicator already in attainment with standard	Insufficient Information	Unknown	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/absences	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
85	Vegetation Preservation	V-2	Uncommon Plant Communities	Osgood swamp	Insufficient data to determine interim target	Insufficient Information	Unknown	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/absences	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
86	Vegetation Preservation	V-2	Uncommon Plant Communities	Pope Marsh	Unable to be determined due to lack of trend	Insufficient Information	Unknown	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/absences	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
87	Vegetation Preservation	V-2	Uncommon Plant Communities	Taylor Creek Marsh	N/A-Indicator already in attainment with standard	Insufficient Information	Unknown	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/absences	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
88	Vegetation Preservation	V-2	Uncommon Plant Communities	Upper Truckee Marsh	Insufficient data to determine interim target	Somewhat Worse Than Target	Little or No Change	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/absences	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
89	Vegetation Preservation	V-3	Sensitive Plants	Galena Rock Cress - Arabis rigidissima v. demote	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown	Number of occupied sites	Number	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
90	Vegetation Preservation	V-3	Sensitive Plants	Cup Lake Drabe - Draba asterophora v. macrocarpa	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Little or No Change	Number of occupied sites	Number	Threshold indicator Used	2015 Threshold Evaluation
91	Vegetation Preservation	V-3	Sensitive Plants	Long-petaled Lewisia - Lewisia pygmaea longipetala	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Little or No Change	Number of occupied sites	Number	Threshold indicator Used	2015 Threshold Evaluation
92	Vegetation Preservation	V-3	Sensitive Plants	Tahoe Draba - Draba asterophora v. asterophora	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Little or No Change	Number of occupied sites	Number	Threshold indicator Used	2015 Threshold Evaluation
93	Vegetation Preservation	V-3	Sensitive Plants	Tahoe Yellow Cress - Rorippa subumbellata	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Moderate	Number of occupied sites	Number	Threshold indicator Used	2015 Threshold Evaluation
94	Vegetation Preservation	V-4	Late Seral/Old Growth	Late Seral/Old Growth - Montane	Increase in percent cover of large diameter dominated stands by 2016	Considerably Worse Than Target	Unknown	Acres (and percent cover) of stands dominated by conifer trees > 24"dbh (relative abundance)	Acres and percent (%)	Threshold indicator Used	2015 Threshold Evaluation

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95	Vegetation Preservation	V-4	Late Seral/Old Growth	Late Seral/Old Growth - Sub Alpine	Increase in percent cover of large diameter dominated stands by 2016	Considerably Worse Than Target	Unknown	Acres (and percent cover) of stands dominated by conifer trees > 24"dbh (relative abundance)	Acres and percent (%)	Threshold indicator Used	2015 Threshold Evaluation
96	Vegetation Preservation	V-4	Late Seral/Old Growth	Late Seral/Old Growth - Upper Montane	Increase in percent cover of large diameter dominated stands by 2016	Considerably Worse Than Target	Unknown	Acres (and percent cover) of stands dominated by conifer trees > 24"dbh (relative abundance)	Acres and percent (%)	Threshold indicator Used	2015 Threshold Evaluation
Impact of Project on Vegetation Preservation Indicators/Targets/Other Factors (Y/N)			**N**	**Comments**	**The IEC for the TCAP amendments do not identify any potential impacts to Vegetation because the amendment does not include provisions to alter or revise regulations pertaining to native vegetation protection during construction; vegetation removal; groundwater management; new vegetation; unique, rare, or endangered species of plants; stream bank or backshore vegetation; or tree removal.**						
97	Water Quality	WQ-1	Littoral Lake Tahoe	Turbidity At Non-Stream Mouths (<1 NTU)	Insufficient data to determine interim target	At or Better Than Target	Unknown	Average turbidity measures at nearshore areas other than stream mouths	NTU	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
98	Water Quality	WQ-1	Littoral Lake Tahoe	Turbidity At Stream Mouths (<3 NTU)	Insufficient data to determine interim target	At or Better Than Target	Unknown	Average turbidity measures at nearshore at than stream mouths	NTU	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
99	Water Quality	Not Addressed	Littoral Lake Tahoe	Attached Algae		Insufficient Information	Little or No Change				2015 Threshold Evaluation
100	Water Quality	Not Addressed	Littoral Lake Tahoe	Aquatic Invasive Species		Insufficient Information	Little or No Change				2015 Threshold Evaluation
101	Water Quality	WQ-2	Pelagic Lake Tahoe	Annual Average Secchi Disk	23.8m or 78ft by 2016	Somewhat Worse Than Target	Little or No Change	Annual Average Secchi Depth	meter and feet	Threshold indicator Used	2015 Threshold Evaluation
102	Water Quality	WQ-3	Pelagic Lake Tahoe	Primary Productivity	Predicted to be approximately 221 $gC/m^2/yr$ in 2016	Considerably Worse Than Target	Rapid Decline	annual phytoplankton primary productivity	$gC/m^2/year$	Threshold indicator Used	2015 Threshold Evaluation
103	Water Quality	WQ-4	Tributaries	90% Percentile Suspended Sediment Concentrations (60mg/l)	N/A-Indicator already in attainment with standard	Considerably Better than Target	N/A	Suspended Sediment Concentration	mg/l and number of standard exceedances	Threshold indicator Used	2015 Threshold Evaluation
104	Water Quality	WQ-4	Tributaries	State Standard for DIN Concentration	Unable to be determined due to lack of trend	No Target Established	Little or No Change	Proportion of samples meeting State Total Nitrogen Concentration standard.	mg/l; and number and percent of standard exceedances	Threshold indicator Used	2015 Threshold Evaluation

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105	Water Quality	WQ-4	Tributaries	State Standard for Dissolve Phosphorus	Unable to be determined due to lack of trend	No Target Established	Little or No Change	Annual Total Phosphorus Concentration	mg/l and number of standard exceedances	Threshold indicator Used	2015 Threshold Evaluation
106	Water Quality	WQ-5	Surface Runoff	Discharge to Surface Water - Grease & Oil	Insufficient data to determine interim target	Unknown	Unknown	concentration of grease and oil	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
107	Water Quality	WQ-5	Surface Runoff	Discharge to Surface Water - Total Iron	Insufficient data to determine interim target	Unknown	Unknown	concentration of total iron	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
108	Water Quality	WQ-5	Surface Runoff	Discharge to Surface Water - Total Nitrogen as N	Insufficient data to determine interim target	Unknown	Unknown	concentration of total nitrogen	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
109	Water Quality	WQ-5	Surface Runoff	Discharge to Surface Water - Total Phosphate as P	Insufficient data to determine interim target	Unknown	Unknown	concentration of total phosphate	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
110	Water Quality	WQ-5	Surface Runoff	Discharge to Surface Water - Turbidity (not to exceed 20 NTU)	Insufficient data to determine interim target	Unknown	Unknown	Turbidity level	NTU	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
111	Water Quality	WQ-6	Groundwater	Discharge to Ground Water - Grease & Oil	Insufficient data to determine interim target	Unknown	Unknown	Concentration of grease and oil	Visual Residue	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
112	Water Quality	WQ-6	Groundwater	Discharge to Ground Water - Iron	Insufficient data to determine interim target	Unknown	Unknown	Concentration of total iron	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
113	Water Quality	WQ-6	Groundwater	Discharge to Ground Water - Total Nitrogen as N	Insufficient data to determine interim target	Unknown	Unknown	Concentration of total nitrogen	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation

ATTACHMENT F: COMPLIANCE MEASURES THRESHOLD EVAULATION

ID	Threshold Category	TRPA 2006 Threshold Evaluation "Threshold Indicators"	Applicable Indicator Reporting Category	Name of Threshold Standard Addressed (see Resolution 82-11 for adopted standard)	Interim Target for 2016 (See 2015 Threshold Evaluation)	Status (2015)	Trend (2015)	Threshold Indicator	Unit of Measure	Addition Factors (i.e., alternative indicators used in 2015 Threshold Evaluation)	Source
114	Water Quality	WQ-6	Groundwater	Discharge to Ground Water - Total Phosphate	Insufficient data to determine interim target	Unknown	Unknown	Concentration of total phosphate	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
115	Water Quality	WQ-6	Groundwater	Discharge to Ground Water - Turbidity	Insufficient data to determine interim target	Unknown	Unknown	Turbidity level	NTU	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
116	Water Quality	WQ-7	Other Lakes	Boron	Insufficient data to determine interim target	Unknown	Unknown	Concentration of Boron	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
117	Water Quality	WQ-7	Other Lakes	Chloride	Insufficient data to determine interim target	Unknown	Unknown	Concentration of Chloride	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
118	Water Quality	WQ-7	Other Lakes	Chlorophyll-a	Insufficient data to determine interim target	Unknown	Unknown	Concentration of Chlorophyll-a	$gC/m^2/year$	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
119	Water Quality	WQ-7	Other Lakes	Dissolved Inorganic Nitrogen	Insufficient data to determine interim target	Unknown	Unknown	Concentration of Inorganic Nitrogen	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
120	Water Quality	WQ-7	Other Lakes	Dissolved Oxygen	Insufficient data to determine interim target	Unknown	Unknown	Concentration of Dissolved Oxygen	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
121	Water Quality	WQ-7	Other Lakes	pH	Insufficient data to determine interim target	Unknown	Unknown	pH level	pH	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
122	Water Quality	WQ-7	Other Lakes	Phytoplankton cell counts	Insufficient data to determine interim target	Unknown	Unknown	Phytoplankton cell count	Number cells	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation

ATTACHMENT F: COMPLIANCE MEASURES THRESHOLD EVAULATION

ID	Threshold Category	TRPA 2006 Threshold Evaluation "Threshold Indicators"	Applicable Indicator Reporting Category	Name of Threshold Standard Addressed (see Resolution 82-11 for adopted standard)	Interim Target for 2016 (See 2015 Threshold Evaluation)	Status (2015)	Trend (2015)	Threshold Indicator	Unit of Measure	Addition Factors (i.e., alternative indicators used in 2015 Threshold Evaluation)	Source
123	Water Quality	WQ-7	Other Lakes	Secchi Disk	Insufficient data to determine interim target	Unknown	Unknown	Depth of Secchi Disk	meters or feet	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
124	Water Quality	WQ-7	Other Lakes	Soluble Reactive Iron	Insufficient data to determine interim target	Unknown	Unknown	Concentration of Soluble Reactive Iron	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
125	Water Quality	WQ-7	Other Lakes	Soluble Reactive Phosphorus	Insufficient data to determine interim target	Unknown	Unknown	Concentration of SRP	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
126	Water Quality	WQ-7	Other Lakes	Sulfate	Insufficient data to determine interim target	Unknown	Unknown	Concentration of Sulfate	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
127	Water Quality	WQ-7	Other Lakes	Temperature	Insufficient data to determine interim target	Unknown	Unknown	Water temperature	Celsius	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
128	Water Quality	WQ-7	Other Lakes	Total Dissolved Solids	Insufficient data to determine interim target	Unknown	Unknown	Concentration of TDS	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
129	Water Quality	WQ-7	Other Lakes	Total Nitrogen	Insufficient data to determine interim target	Unknown	Unknown	Concentration of TN	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
130	Water Quality	WQ-7	Other Lakes	Total Phosphorus	Insufficient data to determine interim target	Unknown	Unknown	Concentration of TP	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
131	Water Quality	WQ-7	Other Lakes	Total Reactive Iron	Insufficient data to determine interim target	Unknown	Unknown	Concentration of TRI	mg/l	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation

ATTACHMENT F: COMPLIANCE MEASURES THRESHOLD EVAULATION

ID	Threshold Category	TRPA 2006 Threshold Evaluation "Threshold Indicators"	Applicable Indicator Reporting Category	Name of Threshold Standard Addressed (see Resolution 82-11 for adopted standard)	Interim Target for 2016 (See 2015 Threshold Evaluation)	Status (2015)	Trend (2015)	Threshold Indicator	Unit of Measure	Addition Factors (i.e., alternative indicators used in 2015 Threshold Evaluation)	Source
132	Water Quality	WQ-7	Other Lakes	Vertical Extinction Coefficient	Insufficient data to determine interim target	Unknown	Unknown	Vertical extinction	per meter vertical extinction coefficient	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
133	Water Quality	Not Addressed	Tributaries	Reduce Dissolved Inorganic Nitrogen Load	at least one stream will attain adopted concentrations by 2016	Considerably Worse Than Target		Annual load of nitrogen (and nitrogen species)	MT/year or kg/year	Flow-weighted loads of N	2015 Threshold Evaluation
134	Water Quality	Not Addressed	Tributaries	Reduce Dissolved Phosphorus Load	3 of 10 monitored streams in compliance by 2016	Considerably Worse Than Target	Moderate Improvement	Annual load of total phosphorus (and phosphorus species)	MT/year or kg/year	Flow-weighted loads of P	2015 Threshold Evaluation
135	Water Quality	Not Addressed	Tributaries	Reduce Suspended Sediment Load	Unable to be determined due to lack of trend	No Target Established	Moderate Improvement	Annual load of suspended sediment from all monitored tributaries	MT/year or kg/year	Flow-weighted loads of Suspended Sediment	2015 Threshold Evaluation
136	Water Quality	Not Addressed	Tributaries	State Standard for Dissolve Iron Concentration	Insufficient data to determine interim target	Unknown	Unknown	Annual Dissolved Iron Concentration	mg/l and number of standard exceedances	Literature referenced or reviewed and professional judgment	2015 Threshold Evaluation
137	Water Quality	Not Addressed	Littoral and Pelagic Lake Tahoe	DIN Loading - Atmospheric Source (20% Reduction) 1973 to 1981 levels	Insufficient data to determine interim target	Unknown	Unknown	Metric tons of nutrients loaded via rain and snow deposition ("wet deposition") at Ward Creek site per year from atmospheric sources	g/hectare/year or MT/year	Threshold indicator Used	2015 Threshold Evaluation
138	Water Quality	Not Addressed	Littoral and Pelagic Lake Tahoe	DIN Loading - Groundwater Source (30% Reduction) 1973 to 1981 level	Insufficient data to determine interim target	Unknown	Unknown	Metric tons of DIN/year	MT/year	Threshold indicator Used	2015 Threshold Evaluation
139	Water Quality	Not Addressed	Littoral and Pelagic Lake Tahoe	DIN Loading - Surface Runoff Source (50% reduction) 1973 to 1981 level	Insufficient data to determine interim target	Unknown	Unknown	Metric tons of DIN/year	MT/year	Threshold indicator Used	2015 Threshold Evaluation
140	Water Quality	Not Addressed	Littoral and Pelagic Lake Tahoe	Reduce DIN Loading by 25% from all sources	Insufficient data to determine interim target	Unknown	Unknown	Annual DIN Load in metric tons/year or kg/year	kg/year	Threshold indicator Used	2015 Threshold Evaluation
141	Water Quality	Not Addressed	Littoral Lake Tahoe	Reduce DIN, DP, iron from all sources to meet the 1967-71 mean values	Insufficient data to determine interim target	Unknown	Unknown	Annual DIN, DP, Iron Load in metric tons/year or kg/year	kg/year	Threshold indicator Used	2015 Threshold Evaluation

ATTACHMENT F: COMPLIANCE MEASURES THRESHOLD EVAULATION

ID	Threshold Category	TRPA 2006 Threshold Evaluation "Threshold Indicators"	Applicable Indicator Reporting Category	Name of Threshold Standard Addressed (see Resolution 82-11 for adopted standard)	Interim Target for 2016 (See 2015 Threshold Evaluation)	Status (2015)	Trend (2015)	Threshold Indicator	Unit of Measure	Addition Factors (i.e., alternative indicators used in 2015 Threshold Evaluation)	Source
Impact of Project on Water Quality Indicators/Targets/Other Factors (Y/N)			**N**	**Comments**	**The IEC for the TCAP amendments did not identify any significant effects to Water Quality. The proposed area plan would not alter or revise the regulations pertaining to the course or direction of water movements; surface water runoff or management; discharge to surface waters; excavations that could intercept or otherwise interfere with groundwater; Best Management Practice (BMP) standards; or floodplains. Future development under the area plan is not anticipated to change the direction of water movement. All projects must demonstrate compliance with the land capability and land coverage provisions of Chapter 30 (Land Coverage) of the TRPA Code of Ordinances. Future development within the amendment area would be required to meet existing BMP standards to control potential increases in stormwater runoff and pollutant loading onsite. The proposed area plan would not alter or revise the regulations pertaining to floodplains in Section 35.4 of the TRPA Code of Ordinances (Floodplains) . The TCAP is expected to result in an increased rate of water quality improvements on private lands and a reduction of coverage in sensitive lands. These changes would reduce a variety of non-point source pollutant sources, reduce storm water runoff, and increase water quality treatment infrastructure, which would benefit a variety of threshold standards related to water quality in Lake Tahoe and its tributaries as well as groundwater quality. As a result, the TCAP is expected to benefit Threshold Indicators and Compliance Measures. Refer to Section 3.3 of the IEC.**						
142	Wildlife	W-1	Special Interest Species	Disturbance Zones Management Standard	N/A-Indicator already in attainment with standard	Implemented	N/A	Road Density and Recreation disturbance within protected areas	Miles road/acre	Evaluation Criteria and Evidence	2015 Threshold Evaluation
143	Wildlife	W-1	Special Interest Species	Bald Eagle (Nesting, 1 site)	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Number of active nest sites	Number of Nests	Threshold indicator Used	2015 Threshold Evaluation
144	Wildlife	W-1	Special Interest Species	Bald Eagle (Winter, maintain 2 sites)	Maintain wintering sites	No Target Established	Moderate Improvement	Winter Bald Eagle Count	Number of individuals observed	Threshold indicator Used	2015 Threshold Evaluation
145	Wildlife	W-1	Special Interest Species	Deer (No Target)	increase in deer counts	No Target Established	Moderate Improvement	Annual NDOW deer counts	Number of individuals observed	Threshold indicator Used	2015 Threshold Evaluation
146	Wildlife	W-1	Special Interest Species	Golden Eagle (4 sites)	at least two active nests by 2016	Insufficient Information	Insufficient Data	Number of active nest sites/year	Number of Nests	Threshold indicator Used	2015 Threshold Evaluation
147	Wildlife	W-1	Special Interest Species	Northern Goshawk (12 Sites)	4-8 reproductively active territories by 2016	Insufficient Information	Insufficient Data	Number of active nest sites/year	Number of Nests	Threshold indicator Used	2015 Threshold Evaluation
148	Wildlife	W-1	Special Interest Species	Osprey (4 Sites)	N/A-Indicator already in attainment with standard	Considerable Better Than Target	Rapid Improvement	Number of active nest sites/year	Number of Nests	Threshold indicator Used	2015 Threshold Evaluation
149	Wildlife	W-1	Special Interest Species	Peregrine (2 Sites)	N/A-Indicator already in attainment with standard	Considerably Better than Target	Rapid Improvement	Number of active nest sites/year	Number of Nests	Threshold indicator Used	2015 Threshold Evaluation
150	Wildlife	W-1	Special Interest Species	Waterfowl (maintain 18 Sites)	Increase in the percentage of waterfowl relative to detrimental species	Somewhat Worse Than Target	Little or No Change	Evidence of nesting waterfowl and disturbance within protected areas	Disturbance rating	Threshold indicator Used	2015 Threshold Evaluation
151	Wildlife	W-2	Habitats of Special Significance	Riparian Habitat Protection	N/A-Indicator already in attainment with standard	Implemented	N/A	Implemented control measures and restoration effort	level of effort	Evaluation Criteria and Evidence	2015 Threshold Evaluation
Impact of Project on Wildlife Indicators/Targets/Other Factors (Y/N)			**N**	**Comments**	**The IEC for the TCAP did not identify any potential significant impacts to Wildlife.**						

Attachment G

Final Initial Study/Negative Declaration City of South Lake Tahoe Tourist Core Area Plan/Specific Plan Amendment, August 2021

Attachment H

Area Plan Finding of Conformity Checklist

Tahoe Regional Planning Agency
Area Plan Finding of Conformity Checklist

Area Plan Information

Area Plan Name:	Tourist Core Area Plan Amendment (Tahoe Wellness Center)
Lead Agency:	City of South Lake Tahoe
Submitted to TRPA:	June 14, 2021
TRPA File No:	N/A

Conformity Review

Review Stage:	Final Review
Conformity Review Date:	November 30, 2021
TRPA Reviewer:	Jennifer Self

Hearing Dates

Lead Agency Approval:	November 16, 2021
APC:	January 18, 2022
Governing Board:	January 26, 2022
Appeal Deadline:	N/A
MOU Approval Deadline:	N/A

Characteristics

Geographic Area and Description:	Tourist Center Gateway District, Special Area #1
Land Use Classifications:	Mixed Use
Area Plan Amendment Summary:	The proposed amendments affect Appendix C, Table 1: Permitted Uses by Land Use District and Table 2: List of Primary Uses and Use Definitions of the Tourist Core Area Plan as follows: • Allow small scale manufacturing, industrial services, and wholesale and distribution land uses within the Tourist Center Gateway (TSC-G) District, Special Area #1. • Add a provision that the subject land uses would only be allowed in connection with a retail commercial use where it will enhance the visitor experience and is limited in size to 30% of the associated retail space.

- Amend the land use definition of industrial services to better reflect the goals and intent of the TCAP.
- Add a land use definition for wholesale and distribution consistent with the goals of the TCAP.

Conformity Checklist

		TRPA Code Section	Conformity YES	NO	N/A
A.	**Contents of Area Plans**				
1	General	13.5.1	●		
2	Relationship to Other Code Sections	13.5.2	●		
B.	**Development and Community Design Standards**				
	Building Height				
1	Outside of Centers	13.5.3			●
2	Within Town Centers	13.5.3			●
3	Within the Regional Center	13.5.3			●
4	Within the High-Density Tourist District	13.5.3			●
	Density				
5	Single-Family Dwellings	13.5.3			●
6	Multiple-Family Dwellings outside of Centers	13.5.3			●
7	Multiple-Family Dwellings within Centers	13.5.3			●
8	Tourist Accommodations	13.5.3			●
	Land Coverage				
9	Land Coverage	13.5.3			●
10	Alternative Comprehensive Coverage Management	13.5.3.B.1			●
	Site Design				
11	Site Design Standards	13.5.3	●		
	Complete Streets				
12	Complete Streets	13.5.3			●
C.	**Alternative Development Standards and Guidelines Authorized in an Area Plan**				
1	Alternative Comprehensive Coverage Management System	13.5.3.B.1			●
2	Alternative Parking Strategies	13.5.3.B.2			●
3	Areawide Water Quality Treatments and Funding Mechanisms	13.5.3.B.3			●
4	Alternative Transfer Ratios for Development Rights	13.5.3.B.4			●

		TRPA Code Section	Conformity YES	NO	N/A
D.	**Development Standards and Guidelines Encouraged in Area Plans**				
1	Urban Bear Strategy	13.5.3.C.1			●
2	Urban Forestry	13.5.3.C.2			●
E.	**Development on Resort Recreation Parcels**				
1	Development on Resort Recreation Parcels	13.5.3.D			●
F.	**Greenhouse Gas Reduction**				
1	Greenhouse Gas Reduction Strategy	13.5.3.E			●
G.	**Community Design Standards**				
1	Development in All Areas	13.5.3.F.1.a			●
2	Development in Regional Center or Town Centers	13.5.3.F.1.b			●
3	Building Heights	13.5.3.F.2			●
4	Building Design	13.5.3.F.3			●
5	Landscaping	13.5.3.F.4			●
6	Lighting	13.5.3.F.5			●
7	Signing – Alternative Standards	13.5.3.F.6			●
8	Signing – General Policies	13.5.3.F.6			●
H.	**Modification to Town Center Boundaries**				
1	Modification to Town Center Boundaries	13.5.3.G			●
I.	**Conformity Review Procedures for Area Plans**				
1	Initiation of Area Planning Process by Lead Agency	13.6.1	●		
2	Initial Approval of Area Plan by Lead Agency	13.6.2	●		
3	Review by Advisory Planning Commission	13.6.3	●		
4	Approval of Area Plan by TRPA	13.6.4	●		
J.	**Findings for Conformance with the Regional Plan** *General Review Standards for All Area Plans*				
1	Zoning Designations	13.6.5.A.1	●		
2	Regional Plan Policies	13.6.5.A.2	●		

		TRPA Code Section	Conformity YES	NO	N/A
3	Regional Plan Land Use Map	13.6.5.A.3	●		
4	Environmental Improvement Projects	13.6.5.A.4			●
5	Redevelopment	13.6.5.A.5	●		
6	Established Residential Areas	13.6.5.A.6			●
7	Stream Environment Zones	13.6.5.A.7			●
8	Alternative Transportation Facilities and Implementation	13.6.5.A.8			●
	Load Reduction Plans				
9	Load Reduction Plans	13.6.5.B			●
	Additional Review Standards for Town Centers and the Regional Center				
10	Building and Site Design Standards	13.6.5.C.1			●
11	Alternative Transportation	13.6.5.C.2			●
12	Promoting Pedestrian Activity	13.6.5.C.3			●
13	Redevelopment Capacity	13.6.5.C.4			●
14	Coverage Reduction and Stormwater Management	13.6.5.C.5			●
15	Threshold Gain	13.6.5.C.6	●		
	Additional Review Standards for the High-Density Tourist District				
16	Building and Site Design	13.6.5.D.1			●
17	Alternative Transportation	13.6.5.D.2			●
18	Threshold Gains	13.6.5.D.3			●
K.	**Area Plan Amendments**				
1	Conformity Review for Amendments to an Area Plan	13.6.6	●		
2	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Notice	13.6.7.A			●
3	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Timing	13.6.7.B			●
L.	**Administration**				
1	Effect of Finding of Conformance of Area Plan	13.6.8	●		

		TRPA Code Section	Conformity YES	NO	N/A
2	Procedures for Adoption of Memorandum of Understanding	13.7			●
3	Monitoring, Certification, and Enforcement of an Area Plan	13.8			●
4	Appeal Procedure	13.9	●		

Conformity Review Notes

A. CONTENTS OF AREA PLANS

1. General ☒ YES ☐ NO ☐ N/A

Citation 13.5.1

Requirement An Area Plan shall consist of applicable policies, maps, ordinances, and any other related materials identified by the lead agency, sufficient to demonstrate that these measures, together with TRPA ordinances that remain in effect, are consistent with and conform to TRPA's Goals and Policies and all other elements of the Regional Plan. In addition to this Section 13.5, additional specific requirements for the content of Area Plans are in subsection 13.6.5.A. The Memorandum of Understanding (MOU) that is associated with an approved Area Plan is a separate, but related, approval and is not part of the Area Plan.

Notes

The TCAP consists of goals, policies, actions, projects, maps, ordinances, and related materials that conform to the Regional Plan. The adopted land use and zoning maps are consistent with Regional Plan Map 1, *Conceptual Regional Land Use Map*. No modifications to boundaries are proposed.

The proposed amendments make changes to only land use development standards in Appendix C of the TCAP.

2. Relationship to Other Sections of the Code ☒ YES ☐ NO ☐ N/A

Citation 13.5.2

Requirement This section is intended to authorize development and design standards in Area Plans that are different than otherwise required under this Code. In the event of a conflict between the requirements in this section and requirements in other parts of the Code, the requirements in this section shall apply for the purposes of developing Area Plans. Except as otherwise specified, Code provisions that apply to Plan Area Statements (Chapter 11), Community Plans (Chapter 12), and Specific and Master Plans (Chapter 14) may also be utilized in a Conforming Area Plan. If an Area Plan proposes to modify any provision that previously applied to Plan Area Statements, Community Plans, or Specific and Master Plans, the proposed revision shall be analyzed in accordance with Code Chapters 3 and 4.

Notes The Area Plan's development standards are included as Appendix C to the TCAP. Under the proposed amendments only permissible land uses and land use definitions would be affected. No other design standard changes are proposed.

B. DEVELOPMENT AND COMMUNITY DESIGN STANDARDS

Area plans shall have development standards that are consistent with those in Table 13.5.3-1

MAXIMUM BUILDING HEIGHT

1. Outside of Centers ☐ YES ☐ NO ☒ N/A

Citation 13.5.3

Requirement Building height standards shall be consistent with Code Section 37.4.

Notes Building heights are established in Appendix C of the TCAP. The proposed amendments make no changes to building height standards.

2. Within Town Centers ☐ YES ☐ NO ☒ N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 4 stories and 56 feet.

Notes Building heights are established in Appendix C of the TCAP. The proposed amendments make no changes to building height standards.

3. Within the Regional Center ☐ YES ☐ NO ☒ N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 6 stories and 95 feet.

Notes Building heights are established in Appendix C of the TCAP. The proposed amendments do not make and changes to building height standards or boundaries to a regional center.

4. Within the High-Density Tourist District ☐ YES ☐ NO ☒ N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 197 feet.

Notes Building heights are established in Appendix C of the TCAP. The proposed amendments do not make any changes to building height standards or boundaries to a high-density tourist district.

DENSITY

5. Single-Family Dwellings ☐ YES ☐ NO ☒ N/A

Citation 13.5.3

Requirement Single-family dwelling density shall be consistent with Code Section 31.3.

Notes The proposed amendments do not make any changes to single-family dwelling density.

6. Multiple-Family Dwellings outside of Centers ☐ YES ☐ NO ☒ N/A

Citation 13.5.3

Requirement Multiple-family dwelling density outside of Centers shall be consistent with Code Section 31.3.

Notes The proposed amendments do not make any changes to multiple-family dwelling density.

7. Multiple-Family Dwellings within Centers ☐ YES ☐ NO ☒ N/A

Citation 13.5.3

Requirement Multiple-family dwelling density within Centers shall be a maximum of 25 units per acre.

Notes The proposed amendments do not make any changes to multiple-family dwelling density.

8. Tourist Accommodations ☐ YES ☐ NO ☒ N/A

Citation 13.5.3

Requirement Tourist accommodations (other than bed and breakfast) shall have a maximum density of 40 units per acre.

Notes The proposed amendments do not make any changes to tourist accommodation density.

LAND COVERAGE

9. Land Coverage ☐ YES ☐ NO ☒ N/A

Citation 13.5.3

Requirement Land coverage standards shall be consistent with Section 30.4 of the TRPA Code.

Notes The proposed amendments do not make any changes to land coverage.

10. Alternative Comprehensive Coverage Management System ☐ YES ☐ NO ☒ N/A

See Section C.1 of this document.

SITE DESIGN

11. Site Design Standards ☒ YES ☐ NO ☐ N/A

Citation 13.5.3

Requirement Area plans shall conform to Section 36.5 of the TRPA Code.

Notes The development standards in Appendix C of the TCAP are functionally equivalent to the standards set forth in Section 36.5 of the TRPA Code of Ordinances.

COMPLETE STREETS

12. Complete Streets ☐ YES ☐ NO ☒ N/A

Citation 13.5.3

Requirement Within Centers, plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporation of the Regional Bike and Pedestrian Plan.

Notes The proposed amendments do not make any changes to complete street standards.

C. ALTERNATIVE DEVELOPMENT STANDARDS AND GUIDELINES AUTHORIZED IN AREA PLANS

1. Alternative Comprehensive Coverage Management System ☐ YES ☐ NO ☒ N/A

Citation 13.5.3.B.1

Requirement An Area Plan may propose a comprehensive coverage management system as an alternative to the parcel-level coverage requirements outlined in Sections 30.4.1 and 30.4.2, provided that the alternative system shall: 1) reduce the total coverage and not increase the cumulative base allowable coverage in the area covered by the comprehensive coverage management system; 2) reduce the total amount of coverage and not increase the cumulative base allowable coverage in Land Capability Districts 1 and 2; and 3) not increase the amount of coverage otherwise allowed within 300 feet of high water of Lake Tahoe (excluding those areas landward of Highways 28 and 89 in Kings Beach and Tahoe City Town Centers within that zone). For purposes of this provision, "total" coverage is the greater of existing or allowed coverage.

Notes The City of South Lake Tahoe has chosen not to develop an alternative comprehensive coverage management system. This is an optional component.

2. Alternative Parking Strategies ☐ YES ☐ NO ☒ N/A

Citation 13.5.3.B.2

Requirement An Area Plan is encouraged to include shared or area-wide parking strategies to reduce land coverage and make more efficient use of land for parking and pedestrian uses. Shared parking strategies may consider and include the following:

- Reduction or relaxation of minimum parking standards;
- Creation of maximum parking standards;
- Shared parking;
- In-lieu payment to meet parking requirements;
- On-street parking;
- Parking along major regional travel routes;
- Creation of bicycle parking standards;
- Free or discounted transit;
- Deeply discounted transit passes for community residents; and

- Paid parking management

Notes The City of South Lake has chosen not to develop alternative parking strategies. This is an optional component. The existing Area Plan does include policies and standards that mirror some of the listed parking strategies.

3. Areawide Water Quality Treatments and Funding Mechanisms ☐ YES ☐ NO ☒ N/A

Citation 13.5.3.B.3

Requirement An Area Plan may include water quality treatments and funding mechanisms in lieu of certain site-specific BMPs, subject to the following requirements:

- Area-wide BMPs shall be shown to achieve equal or greater effectiveness and efficiency at achieving water quality benefits to certain site-specific BMPs and must infiltrate the 20-year, one-hour storm;
- Plans should be developed in coordination with TRPA and applicable state agencies, consistent with applicable TMDL requirements;
- Area-wide BMP project areas shall be identified in Area Plans and shall address both installation and ongoing maintenance;
- Strong consideration shall be given to areas connected to surface waters;
- Area-wide BMP plans shall consider area-wide and parcel level BMP requirements as an integrated system;
- Consideration shall be given to properties that have already installed and maintained parcel-level BMPs, and financing components or area-wide BMP plans shall reflect prior BMP installation in terms of the charges levied against projects that already complied with BMP requirements with systems that are in place and operational in accordance with applicable BMP standards.
- Area-wide BMP Plans shall require that BMPs be installed concurrent with development activities. Prior to construction of area-wide treatment facilities, development projects shall either install parcel-level BMPs or construct area-wide improvements.

Notes No changes are proposed to stormwater projects.

4. Alternative Transfer Ratios for Development Rights ☐ YES ☐ NO ☒ N/A

Citation 13.5.3.B.4

Requirement Within a Stream Restoration Plan Area as depicted in Map 1 in the Regional Plan, an Area Plan may propose to establish alternative transfer ratios for development rights based on unique conditions in each jurisdiction, as long as the alternative transfer ratios are determined to generate equal or greater environment gain compared to the TRPA transfer ratios set forth in Chapter 51: Transfer of Development.

Notes No changes are proposed to alternative transfer ratios.

D. DEVELOPMENT STANDARDS AND GUIDELINES ENCOURAGED IN AREA PLANS

1. Urban Bear Strategy

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.C.1

Requirement In Area Plans, lead agencies are encouraged to develop and enforce urban bear strategies to address the use of bear-resistant solid waste facilities and related matters.

Notes No changes are proposed to an urban bear strategy.

2. Urban Forestry

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.C.2

Requirement In Area Plans, lead agencies are encouraged to develop and enforce urban forestry strategies that seek to reestablish natural forest conditions in a manner that does not increase the risk of catastrophic wildfire.

Notes No changes are proposed to an urban forestry strategy.

E. DEVELOPMENT ON RESORT RECREATION PARCELS

1. Development on Resort Recreation Parcels

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.D

Requirement In addition to recreation uses, an Area Plan may allow the development and subdivision of tourist, commercial, and residential uses on the Resort Recreation District parcels depicted on Map 1 of the Regional Plan and subject to the following conditions:

- The parcels must become part of an approved Area Plan;
- Subdivisions shall be limited to "air space condominium" divisions with no lot and block subdivisions allowed;
- Development shall be transferred from outside the area designated as Resort Recreation; and
- Transfers shall result in the retirement of existing development.

Notes No changes are proposed to resort recreation parcels.

F. GREENHOUSE GAS REDUCTION

1. Greenhouse Gas Reduction Strategy

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.E

Requirement To be found in conformance with the Regional Plan, Area Plans shall include a strategy to reduce emissions of Greenhouse Gases from the operation or construction of buildings. The strategy shall include elements in addition to those included to satisfy other state requirements or requirements of this code. Additional elements included in the strategy may include but are not limited to the following:

- A local green building incentive program to reduce the energy consumption of new or remodeled buildings;
- A low interest loan or rebate program for alternative energy projects or energy efficiency retrofits;
- Modifications to the applicable building code or design standards to reduce energy consumption; or
- Capital improvements to reduce energy consumption or incorporate alternative energy production into public facilities.

Notes Buildings constructed within the TCAP are subject to the California Building Code which already includes some of the nation's strictest standards to reduce energy use. No changes are proposed to a GHG strategy.

G. COMMUNITY DESIGN STANDARDS

To be found in conformance with the Regional Plan, Area Plans shall require that all projects comply with the design standards in this subsection. Area Plans may also include additional or substitute requirements not listed below that promote threshold attainment.

1. Development in All Areas

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.F.1.a

Requirement All new development shall consider, at minimum, the following site design standards:

- Existing natural features retained and incorporated into the site design;
- Building placement and design that are compatible with adjacent properties and designed in consideration of solar exposure, climate, noise, safety, fire protection, and privacy;
- Site planning that includes a drainage, infiltration, and grading plan meeting water quality standards, and
- Access, parking, and circulation that are logical, safe, and meet the requirements of the transportation element.

Notes Appendix C of the TCAP includes these site design standards. No changes are proposed to the standards above.

2. Development in Regional Center or Town Centers

☐ YES ☐ NO ☒ N/A

Citation 13.5.3.F.1.b

Requirement In addition to the standards above, development in Town Centers or the Regional Center shall address the following design standards:

- Existing or planned pedestrian and bicycle facilities shall connect properties within Centers to transit stops and the Regional Bicycle and Pedestrian network.
- Area Plans shall encourage the protection of views of Lake Tahoe.
- Building height and density should be varied with some buildings smaller and less dense than others.
- Site and building designs within Centers shall promote pedestrian activity and provide enhanced design features along public roadways. Enhanced design features to be considered include increased setbacks, stepped

heights, increased building articulation, and/or higher quality building materials along public roadways.

- Area Plans shall include strategies for protecting undisturbed sensitive lands and, where feasible, establish park or open space corridors connecting undisturbed sensitive areas within Centers to undisturbed areas outside of Centers.

Notes TCAP establishes these standards in Appendix C. No changes are proposed to these standards.

3. Building Heights ☐ YES ☐ NO ☒ N/A

Citation 13.5.3.F.2

Requirement

- Area Plans may allow building heights up to the maximum limits in Table 13.5.3-1 of the Code of Ordinances
- Building height limits shall be established to ensure that buildings do not project above the forest canopy, ridge lines, or otherwise detract from the viewshed.
- Area Plans that allow buildings over two stories in height shall, where feasible, include provisions for transitional height limits or other buffer areas adjacent to areas not allowing buildings over two stories in height.

Notes Building height is set forth in Appendix C of the TCAP and is consistent with these standards. No changes are proposed to building height.

4. Building Design ☐ YES ☐ NO ☒ N/A

Citation 13.5.3.F.3

Requirement Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:

- Buffer requirements should be established for noise, snow removal, aesthetic, and environmental purposes.
- The scale of structures should be compatible with existing and planned land uses in the area.
- Viewsheds should be considered in all new construction. Emphasis should be placed on lake views from major transportation corridors.
- Area Plans shall include design standards for building design and form. Within Centers, building design and form standards shall promote pedestrian activity.

Notes Building design is set forth in Appendix C of the TCAP and is consistent with these standards. No changes are proposed to these standards.

5. Landscaping ☐ YES ☐ NO ☒ N/A

Citation 13.5.3.F.4

Requirement The following should be considered with respect to this design component of a project:

- Native vegetation should be utilized whenever possible, consistent with Fire Defensible Space Requirements.
- Vegetation should be used to screen parking, alleviate long strips of parking space, and accommodate stormwater runoff where feasible.

- Vegetation should be used to give privacy, reduce glare and heat, deflect wind, muffle noise, prevent erosion, and soften the line of architecture where feasible.

Notes No changes are proposed to these standards.

6. Lighting ☐ YES ☐ NO ☒ N/A

Citation 13.5.3.F.5

Requirement Lighting increases the operational efficiency of a site. In determining the lighting for a project, the following should be required:

- Exterior lighting should be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design.
- Exterior lighting should utilize cutoff shields that extend below the lighting element to minimize light pollution and stray light.
- Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well-placed, low-intensity lights.
- Lights should not blink, flash, or change intensity except for temporary public safety signs.

Notes The City exterior lighting standards apply in the TCAP. The exterior lighting standards include provisions to allow for adequate level of lighting while protecting the night time sky. No change is proposed as part of these amendments.

7. Signing – Alternative Standards ☐ YES ☐ NO ☒ N/A

Citation 13.5.3.F.6

Requirement Area Plans may include alternative sign standards. For Area Plans to be found in conformance with the Regional Plan, the Area Plan shall demonstrate that the sign standards will minimize and mitigate significant scenic impacts and move toward attainment or achieve the adopted scenic thresholds for the Lake Tahoe region.

Notes The city's substitute signage standards are used within the TCAP. No change is proposed as part of these amendments.

8. Signing – General Policies ☐ YES ☐ NO ☒ N/A

Citation 13.5.3.F.6

Requirement In the absence of a Conforming Area Plan that addresses sign standards, the following policies apply, along with implementing ordinances:

- Off-premise signs should generally be prohibited; way-finding and directional signage may be considered where scenic impacts are minimized and mitigated.
- Signs should be incorporated into building design;
- When possible, signs should be consolidated into clusters to avoid clutter.
- Signage should be attached to buildings when possible; and
- Standards for number, size, height, lighting, square footage, and similar characteristics for on-premise signs shall be formulated and shall be consistent with the land uses permitted in each district.

Notes The city's substitute signage standards are used within the TCAP. No change is proposed as part of these amendments.

H. MODIFICATION TO TOWN CENTER BOUNDARIES

1. Modification to Town Center Boundaries ☐ YES ☐ NO ☒ N/A

Citation 13.5.3.G

Requirement When Area Plans propose modifications to the boundaries of a Center, the modification shall comply with the following:

- Boundaries of Centers shall be drawn to include only properties that are developed, unless undeveloped parcels proposed for inclusion have either at least three sides of their boundary adjacent to developed parcels (for four-sided parcels), or 75 percent of their boundary adjacent to developed parcels (for non-four-sided parcels). For purposes of this requirement, a parcel shall be considered developed if it includes any of the following: 30 percent or more of allowed coverage already existing on site or an approved but unbuilt project that proposes to meet this coverage standard.
- Properties included in a Center shall be less than ¼ mile from existing Commercial and Public Service uses.
- Properties included in a Center shall encourage and facilitate the use of existing or planned transit stops and transit systems.

Notes The amendments do not include any modifications to the Town Center boundaries.

I. CONFORMITY REVIEW PROCEDURES FOR AREA PLANS

1. Initiation of Area Planning Process by Lead Agency ☒ YES ☐ NO ☐ N/A

Citation 13.6.1

Requirement The development of an Area Plan shall be initiated by a designated lead agency. The lead agency may be TRPA or a local, state, federal, or tribal government. There may be only one lead agency for each Area Plan.

Notes The City of South Lake Tahoe served as lead agency for these amendments.

2. Initial Approval of Area Plan by Lead Agency ☒ YES ☐ NO ☐ N/A

Citation 13.6.2

Requirement If the lead agency is not TRPA, then the Area Plan shall be approved by the lead agency prior to TRPA's review of the Area Plan for conformance with the Regional Plan under this section. In reviewing and approving an Area Plan, the lead agency shall follow its own review procedures for plan amendments. At a minimum, Area Plans shall be prepared in coordination with local residents, stakeholders, public agencies with jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.

If the lead agency is TRPA, the Area Plan shall require conformity approval under this section by TRPA only. No approval by any other government, such as a local government, shall be required.

Notes The City of South Lake Tahoe involved the public at large and interested stakeholders pursuant to state law and the California Environmental Quality Act (CEQA). Additionally, City staff worked with TRPA staff on the amendment package and environmental review.

3. Review by Advisory Planning Commission ☒ YES ☐ NO ☐ N/A

Citation 13.6.3

Requirement The TRPA Advisory Planning Commission shall review the proposed Area Plan and make recommendations to the TRPA Governing Board. The commission shall obtain and consider the recommendations and comments of the local government(s) and other responsible public agencies, as applicable. jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.

Notes The Area Plan is scheduled for review by the Advisory Planning Commission on January 18, 2022.

4. Approval of Area Plan by TRPA ☒ YES ☐ NO ☐ N/A

Citation 13.6.4

Requirement For Area Plans initiated and approved by a lead agency other than TRPA, the Area Plan shall be submitted to and reviewed by the TRPA Governing Board at a public hearing. Public comment shall be limited to issues raised by the public before the Advisory Planning Commission and issues raised by the Governing Board. The TRPA Governing Board shall make a finding that the Area Plan, including all zoning and development Codes that are part of the Area Plan, is consistent with and furthers the goals and policies of the Regional Plan. This finding shall be referred to as a finding of conformance and shall be subject to the same voting requirements as approval of a Regional Plan amendment.

Notes The Area Plan will be scheduled for review by the Governing Board on January 26, 2022 after review by the Regional Plan Implementation Committee and the Advisory Planning Commission. The Governing Board will need to find the Area Plan in conformance with the Regional Plan before it takes effect.

J. FINDINGS OF CONFORMANCE WITH THE REGIONAL PLAN

In making the general finding of conformance, the TRPA Governing Board shall make the general findings applicable to all amendments to the Regional Plan and Code set forth in Sections 4.5 and 4.6, and also the following specific review standards:

GENERAL REVIEW STANDARDS FOR ALL AREA PLANS

1. Zoning Designations ☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.1

Requirement The submitted Area Plan shall identify zoning designations, allowed land uses, and development standards throughout the plan area.

Notes Appendix C of the TCAP identifies zoning designation, allowed land uses, and development standards for the area plan.

2. Regional Plan Policies ☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.2

Requirement The submitted Area Plan shall be consistent with all applicable Regional Plan policies, including, but not limited to, the regional growth management system, development allocations, and coverage requirements.

Notes The Area Plan contains goals and policies that are in alignment with Regional Plan policies. No changes to policies, the regional growth management system, development allocations, or coverage requirements are proposed as part of these amendments.

3. Regional Plan Land Use Map ☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.3

Requirement The submitted Area Plan shall either be consistent with the Regional Land Use Map or recommend and adopt amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan policies and provide threshold gain.

Notes The proposed zones are consistent with the Mixed-Use regional land use.

4. Environmental Improvement Projects ☐ YES ☐ NO ☒ N/A

Citation 13.6.5.A.4

Requirement The submitted Area Plan shall recognize and support planned, new, or enhanced Environmental Improvement Projects. Area Plans may also recommend enhancements to planned, new, or enhanced Environmental Improvement Projects as part of an integrated plan to comply with Regional Plan Policies and provide threshold gain.

Notes The Area Plan recognizes and incorporates the Environmental Improvement Program (EIP). Planned environmental improvement projects are included in the plan. No changes are proposed as part of the amendments.

5. Redevelopment ☒ YES ☐ NO ☐ N/A

Citation 13.6.5.A.

Requirement The submitted Area Plan shall promote environmentally beneficial redevelopment and revitalization within town centers, regional centers and the High Density Tourist District.

Notes The Area Plan promotes redevelopment within Town Centers by incorporating the incentives established in the 2012 Regional Plan Update. The Town Center is eligible for increased density, coverage, and height as a result of area plan adoption. This promotes compact development and promotes the Regional Plan's land use and transportation strategies. The amendments do not affect the area plan's redevelopment strategy.

6. Established Residential Areas ☐ YES ☐ NO ☒ N/A

Citation 13.6.5.A.6

Requirement The submitted Area Plan shall preserve the character of established residential areas outside of town centers, regional centers and the High Density Tourist District, while seeking opportunities for environmental improvements within residential areas.

Notes No changes to residential areas are proposed as part of these amendments.

7. Stream Environment Zones ☐ YES ☐ NO ☒ N/A

Citation 13.6.5.A.7

Requirement The submitted Area Plan shall protect and direct development away from Stream Environment Zones and other sensitive areas, while seeking opportunities for environmental improvements within sensitive areas. Development may be allowed in disturbed Stream Environment zones within town centers, regional centers and the High-Density Tourist District only if allowed development reduces coverage and enhances natural systems within the Stream Environment Zone.

Notes No changes are proposed under the amendments.

8. Alternative Transportation Facilities and Implementation ☐ YES ☐ NO ☒ N/A

Citation 13.6.5.A.8

Requirement The submitted Area Plan shall identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.

Notes No changes are proposed as part of the amendments.

LOAD REDUCTION PLANS

9. Load Reduction Plans ☐ YES ☐ NO ☒ N/A

Citation 13.6.5.B

Requirement TRPA shall utilize the load reduction plans for all registered catchments or TRPA default standards when there are no registered catchments, in the conformance review of Area Plans.

Notes No changes are proposed as part of the amendments.

ADDITIONAL REVIEW STANDARDS FOR TOWN CENTERS AND THE REGIONAL CENTER

10. Building and Site Design Standards ☐ YES ☐ NO ☒ N/A

Citation 13.6.5.C.1

Requirement The submitted Area Plan shall include building and site design standards that reflect the unique character of each area, respond to local design issues and consider ridgeline and viewshed protection.

Notes No changes to building and site design standards are proposed as part of these amendments.

11. Alternative Transportation ☐ YES ☐ NO ☒ N/A

Citation 13.6.5.C.2

Requirement The submitted Area Plan shall promote walking, bicycling, transit use and shared parking in town centers and regional centers, which at a minimum shall include continuous sidewalks or other pedestrian paths and bicycle facilities along both sides of all highways within town centers and regional centers, and to other major activity centers.

Notes No changes to alternative transportation are proposed as part of these amendments.

12. Promoting Pedestrian Activity ☐ YES ☐ NO ☒ N/A

Citation 13.6.5.C.3

Requirement The submitted Area Plan shall use standards within town centers and regional centers addressing the form of development and requiring that projects promote pedestrian activity and transit use.

Notes The Design Standards promote pedestrian activity through site design, building design, and transportation facility standards and guidelines. The permissible uses for these areas also promote an active, pedestrian-friendly environment. No changes to pedestrian infrastructure are proposed are part of these amendments.

13. Redevelopment Capacity ☐ YES ☐ NO ☒ N/A

Citation 13.6.5.C.4

Requirement The submitted Area Plan shall ensure adequate capacity for redevelopment and transfers of development rights into town centers and regional centers.

Notes The TCAP as adopted incorporates the height, density and coverage standards allowed in the Regional Plan to ensure adequate capacity for redevelopment and transfers of developments. No changes for redevelopment capacity are proposed as part of these amendments.

14. Coverage Reduction and Stormwater Management ☐ YES ☐ NO ☒ N/A

Citation 13.6.5.C.5

Requirement The submitted Area Plan shall identify an integrated community strategy for coverage reduction and enhanced stormwater management.

Notes No changes are proposed as part of these amendments.

15. Threshold Gain ☒ YES ☐ NO ☐ N/A

Citation 13.6.5.C.6

Requirement The submitted Area Plan shall demonstrate that all development activity within Town Centers and the Regional Center will provide for or not interfere with Threshold gain, including but not limited to measurable improvements in water quality.

Notes See previous responses. All development is required to adhere to the standards of the TCAP which are designed to promote threshold gains including but not limited to scenic, community design, air quality, soils and water quality. No changes to the area plan's threshold gain strategies are proposed under these amendments.

ADDITIONAL REVIEW STANDARDS FOR THE HIGH-DENSITY TOURIST DISTRICT

16. Building and Site Design ☐ YES ☐ NO ☒ N/A

Citation 13.6.5.D.1

Requirement The submitted Area Plan shall include building and site design standards that substantially enhance the appearance of existing buildings in the High Density Tourist District.

Notes No changes are proposed as part of these amendments.

17. Alternative Transportation ☐ YES ☐ NO ☒ N/A

Citation 13.6.5.D.2

Requirement The submitted Area Plan shall provide pedestrian, bicycle and transit facilities connecting the High-Density Tourist District with other regional attractions.

Notes No changes are proposed as part of these amendments.

18. Threshold Gain ☐ YES ☐ NO ☒ N/A

Citation 13.6.5.D.3

Requirement The submitted Area Plan shall demonstrate that all development activity within the High-Density Tourist District will provide or not interfere with Threshold gain, including but not limited to measurable improvements in water quality. If necessary to achieve Threshold gain, off-site improvements may be additionally required.

Notes No changes are proposed as part of these amendments.

K. AREA PLAN AMENDMENTS

1. Conformity Review for Amendments to an Area Plan ☒ YES ☐ NO ☐ N/A

Citation 13.6.6

Requirement Following approval of an Area Plan, any subsequent amendment to a plan or ordinance contained within the approved Area Plan shall be reviewed by the Advisory Planning Commission and Governing Board for conformity with the requirements of the Regional Plan. Public comment before the Governing Board shall be limited to consideration of issues raised before the Advisory Planning Commission and issues raised by the Governing Board. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the APC and Governing Board's review shall be limited to determining the conformity of the specific amendment only. If the Governing Board finds that the amendment to the Area Plan does not conform to the Regional Plan, including after any changes made in response to TRPA comments, the amendment shall not become part of the approved Area Plan.

Notes The amendment to this area plan is of a narrow focus and has been reviewed by staff for conformity with the Regional Plan. The Governing Board's review will be limited to determining the conformity of the specific amendment.

2. Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan - Notice ☐ YES ☐ NO ☒ N/A

Citation 13.6.7.A

Requirement TRPA shall provide lead agencies with reasonable notice of pending amendments that may affect Area Plans. TRPA also shall provide lead agencies with notice of Area Plan topics that may require amendment following adopted Regional Plan amendments pursuant to this section.

Notes The proposed amendments were initiated by the City of South Lake Tahoe.

3. Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan - Timing ☐ YES ☐ NO ☒ N/A

Citation 13.6.7.B

Requirement If TRPA approves an amendment to the Regional Plan that would also require amendment of an Area Plan to maintain conformity, the lead agency shall be given one year to amend the Area Plan to demonstrate conformity with the TRPA amendment. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the Governing Board's review shall be limited to determining the conformity of only those amendments made by the lead agency to conform to the TRPA amendment. If the Governing Board finds that the other government fails to demonstrate conformity with the TRPA amendment following the one-year deadline, then the Board shall identify the policies and/or zoning provisions in the Area Plan that are inconsistent and assume lead agency authority to amend those policies and provisions.

Notes The proposed amendments were initiated by the City of South Lake Tahoe.

L. ADMINISTRATION

1. Effect of Finding of Conformance of Area Plan ☒ YES ☐ NO ☐ N/A

Citation 13.6.8

Requirement By finding that an Area Plan conforms with the Regional Plan pursuant to the requirements of this chapter and upon adoption of an MOU pursuant to Section 13.7, the Area Plan shall serve as the standards and procedures for implementation of the Regional Plan. The standards and procedures within each Area Plan shall be considered and approved individually and shall not set precedent for other Area Plans.

Notes The Governing Board found the area plan to be in conformance with the Regional Plan on November 11, 2013. These amendments will be reviewed by the Governing Board prior to going into effect. The anticipated date of review by the Governing Board is January 26, 2022.

2. Procedures for Adoption of Memorandum of Understanding ☐ YES ☐ NO ☒ N/A

Citation 13.7

Requirement An Area Plan shall be consistent with the Procedures for Adoption of a Memorandum of Understanding.

Notes A memorandum of understanding delegating permitting authority is already in place. No change is necessary.

3. Monitoring, Certification, and Enforcement of an Area Plan ☐ YES ☐ NO ☒ N/A

Citation 13.8

Requirement An Area Plan shall include notification, monitoring, annual review, and recertification procedures consistent with Code Section 13.8.

Notes TRPA has conducted routine monitoring, annual review, and recertification of the TCAP.

4. Appeal Procedure ☒ YES ☐ NO ☐ N/A

Citation 13.9

Requirement The Area Plan shall include an appeal procedure consistent with Code Section 13.9.

Notes Final decisions made by the City in accordance with the TCAP/MOU may be appealed to TRPA in accordance with Section 13. 9 of TRPA Code. No change is proposed as part of these amendments.

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STAFF REPORT

Date: January 11, 2022

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Recommendation to the Governing Board for certification for the Final Environmental Impact Statement for the Tahoe Keys Lagoons Aquatic Weeds Control Methods Test Project and Article VII findings.

Summary and Staff Recommendation:
Staff requests that the Advisory Planning Commission (APC) hold a public hearing and make a recommendation to the Governing Board to certify the Final Environmental Impact Statement (EIS) for the Tahoe Keys Lagoons Aquatic Weeds Control Methods Test Project and make the appropriate Compact Article VII (Environmental Impact Statements) findings.

Staff recommends the APC recommends the Governing Board to certify the Final EIS and make the Article VII findings as set forth in Attachment A.

Required Motions:
Staff requests that the APC take the following actions based on the Final EIS, this staff memorandum, and the complete administrative record:

I. A motion to recommend the Governing Board certify the Final EIS as technically adequate as set forth in Attachment A.
II. A motion to recommend the Governing Board make the Compact Article VII findings for the Final EIS as set forth in Attachment A.

For the motions to pass, a majority of a quorum of the members present must vote in the affirmative.

Scope of APC Review and Recommendation:
In general, the APC does not make recommendations to the governing Board on projects. TRPA Rule of Procedure 6.16, however, requires the APC to make a recommendation on the certification of all final EISs. Thus, while the merits of the Tahoe Keys Aquatic Weeds CMT is not before the APC and therefore outside the scope of the hearing, the APC must review the Final EIS for procedural and substantive compliance with Compact Article VII requirements. In addition, the Final EIS also serves as the Final EIR under CEQA to inform potential actions by the Lahontan Regional Water Quality Control Board ("Lahontan"). Issues related solely to Lahontan's decision making or unique to CEQA are outside the scope of APC (and Governing Board) review. Lahontan will holding a public hearing on January 12-13, 2022 to consider certification of the CEQA Environmental Impact Report, Basin Plan Exemption, and issuance of a National Pollutant Discharge Elimination System permit for the CMT.

Purpose and Need for the Project:

The Tahoe Keys, a multi-use development situated at the southern end of Lake Tahoe, was constructed in the 1960s on the Upper Truckee River Marsh. The development includes 1,529 homes and townhomes sited on artificially constructed lagoons that afford boating access to the Lake. The Tahoe Keys lagoons connect to Lake Tahoe via two narrow, direct channels: The West Channel which connects the West Lagoon; and the East Channel, which connects the East Lagoon. Lake Tallac borders the Tahoe Keys to the south and is separated from the West Lagoon by a weir and gate structure. A second weir gate connects Lake Tallac to Pope Marsh; seasonal water exchange between Lake Tallac and Pope Marsh occurs in most years, but neither are directly connected to Lake Tahoe. In total, the waterways represent approximately 172 surface acres, and almost entirely infested with three problematic aquatic plants- Eurasian watermilfoil and curlyleaf pondweed, along with a native species, coontail.

The Tahoe Keys Property Owners Association (TKPOA) is responsible for maintaining the common areas of the Tahoe Keys development as well as navigation in the portions of the waterways it manages, even though the submerged lands within the lagoons are almost entirely privately owned; individual homeowners' property lines generally extend to the middle of the waterways. Invasive aquatic plants were first reported in the Tahoe Keys lagoons in the 1980s (TKPOA 2015), though they were likely present as far back as the 1960s or 1970s (Loeb and Hackley 1988; Anderson and Spencer 1996). Seasonal harvesting has been the main aquatic weed control practice employed by TKPOA since the mid-1980s. However, nearly four decades of mechanical harvesting has not limited the spread of aquatic weeds in the Tahoe Keys lagoons, and in fact the volume of aquatic weeds harvested from the lagoons has increased 100-fold since 1984, to a total of 10,125 cubic yards in 2016.

Invasive aquatic weeds pose one of the greatest threats to Lake Tahoe's environment and the Region at large. Eurasian watermilfoil and curlyleaf pondweed impact the lake's famed clarity and water quality by outcompeting native species, provide habitat for other invasives species such as warmwater fish, and alter Lake Tahoe's delicate food web. In addition, these weed species grow in the nearshore where most people interact with the lake, creating undesirable conditions and impact their experience which can have devasting impacts on the Region's $5 billion recreation-based economy.

Based on significant scientific and stakeholder review, TKPOA determined that to move forward with a long-term approach to control of AIS, more information on different weed control options was required. Therefore, TKPOA proposes **testing** multiple innovative/emerging treatment methods such as ultraviolet-C (UV-C) light and laminar flow aeration (LFA), along with aquatic herbicides. This AIS control methods test would then inform (under a separate decision-making process) what treatment plan might be most effective and appropriate to control the weed infestation in all the Tahoe Keys lagoons.

Scoping of the Draft EIS/EIR:

On June 17, 2019, TRPA and Lahontan distributed a Notice of Preparation/Notice of Intent (NOP/NOI) for TKPOA's proposed methods test, with a public scoping period of 45 days. Three public scoping meetings were held on June 25, 2019, June 26, 2019, and July 16, 2019 to provide the opportunity to learn more about the Project and to receive comments from agencies, other interested parties, and the public regarding the issues that should be addressed in the Draft EIS/EIR. Scoping comments received are summarized in Appendix A, "Notice of Preparation and Public Engagement Plan for Scoping" of the Draft EIR/EIS/EIS. The Lead Agencies also engaged in multiple public outreach meetings and fieldtrips during and subsequent to the public scoping process.

Production of Draft EIS/EIR:
Based in the information gained from public scoping, TRPA and Lahontan published the Draft EIS/EIR on July 6, 2020. The Draft EIS/EIR can be found here: https://www.trpa.gov/major-projects/#keys, and contains the following main sections:

Chapter 1 Project Purpose and Need:
The main goals of the test would be to test which methods could potentially achieve a large-scale knock-back of weeds that allow TKPOA to gain control over the weed infestation and maintain it with non-chemical methods. The principal purpose and need statement include preserving and protecting natural resources throughout the Tahoe Region, including water quality. This is aided by managing and controlling aquatic invasive species to achieve compliance with the environmental threshold carrying capacities established to set environmental standards for the Region. Implementation of a test of multiple invasive aquatic weed treatment methodologies will identify what methodologies (and/or combinations thereof) will quickly reduce aquatic weed biomass, bring infestations to levels that are manageable by non-herbicidal methods, improve water quality and reduce the potential for reinfestation. Results of the test will inform what a long-term treatment plan could consist of.

Chapter 2 Project Description and Alternatives:
Project Description
Section 2.3 of the Draft EIS describes the Tahoe Keys CMT in detail. The CMT proposes a science-based, rigorous test to determine the efficacy of alternative aquatic weed control methods in the Tahoe Keys, both as stand-alone treatments and in combination. The approach would use certain methods to achieve an initial knockback of weeds in the first year of treatment- Group A, with Group B methods, all non-herbicidal, to be used to conduct spot and maintenance treatments in the second year of the test and beyond. Control test methods were grouped as follows:

- **Group A** methods are herbicide and non-herbicide treatments to achieve extensive reduction in target aquatic weeds (targeting at least 75 percent reduction) within test sites. The Proposed Project tests stand-alone treatments using EPA and State of California approved aquatic herbicides, UV-C, and LFA, as well as combined herbicide and UV-C treatments. Group A herbicide methods would be tested only in the initial year of the test project. Non-herbicide Group A treatments may be extended to additional years if monitoring indicates further treatment may be useful. For example, UV-C may be repeated for a second year, while LFA testing is planned to extend over several years. In addition, UV-C could be employed as a follow-up “Group B” method for spot treatments.

- **Group B** methods are non-herbicide maintenance treatments that are applied locally to follow up Group A treatments and control residual target aquatic weeds. Group B methods are intended to be long-term, sustainable control methods capable of maintaining aquatic weed control after initial Group A treatments have been applied to “knock down” the abundant target aquatic weeds in the Lagoons. For example, following a Group A herbicide treatment that achieves at least a 75% reduction in targeted aquatic weeds, Group B methods would be used to further control aquatic weeds and in no case would repeated use of herbicides be permitted as part of the project. Group B methods may include such actions as spot treatments with ultraviolet light, bottom barriers, diver-assisted suction and diver hand pulling techniques. Use of Group B methods would be implemented in years 2-3, following Group A methods in year 1. Group B methods to be used would be informed by a decision tree.

Project Alternatives:
Section 2.4, 2.5 and 2.6 sets forth the lead agencies' reasonable range of project alternatives and those alternatives considered but rejected for further analysis. The EIR/EIS examines the proposed project, two action alternatives, and one "no project" alternative. As noted above, the proposed project includes the use of aquatic herbicides along with non-herbicidal techniques including UV-C, LFA, bottom barriers, and diver assisted suction and hand pulling.

- **Action Alternative 1** is similar to the Proposed Project but excludes the use of aquatic herbicides.
- **Action Alternative 2** uses hydraulic dredging to remove the plants, roots, seeds, and the loose organic sediment layer.
- The **no project alternative** considers the long-term consequences to the Tahoe Keys lagoons and Lake Tahoe if no new weed control methods are employed.

Chapter 3 Potential Impacts from the Proposed Project and Alternatives:
Chapter 3 identifies the resource areas that were analyzed and describes in detail the potential impacts for the CMT and alternatives. The EIS analyzed thirteen environmental topics and found for the proposed project, there are twelve potentially significant impacts and no significant and unavoidable impacts. Executive Summary Table ES-1 provides a summary of the potential impacts and proposed mitigations for each of the alternatives based on resource areas. An updated Table ES-1 from the Final EIS is appended as Attachment B for ease of reference.

All of the potentially significant impacts identified for the proposed project and both action alternatives can be mitigated to a less than significant level. Resource areas that have been identified as potentially significant for the proposed project include: Environmental Health, Water Quality, and Aquatic Biology and Ecology.

Potential impacts associated solely with aquatic herbicide use, including health affects to applicators, discharge into receiving waters, and the introduction of toxic substances to the environment, are all associated with improper use or handling of the aquatic herbicides. All of these can be mitigated to less than significant by use of trained applicators following a detailed plan with specified spill control measures. In addition, aquatic herbicide use that follows label-prescribed concentrations prevent acute or chronic toxicity to any non-target species. For this proposed project, aquatic herbicides would be deployed at half their label rates to minimize application down to what is deemed necessary to be effective and limit herbicide use.

Potential impacts to environmental health are shared by all alternatives which include impacts created by sediment disturbance that may cause impacts from Aluminum toxicity. Alum was added to the lagoons decades ago as a flocculant (no longer being used) and still remains in the sediment of some areas at elevated levels. All alternatives include some disturbance to sediment, however this is mitigated to a less then significant level by the use of best management practices to minimize disturbance, turbidity curtains to contain treatment areas, and implementation of a spill control and containment plan to prevent leaks during the transport of dredge spoils.

Shared potential impacts related to water quality include changes in dissolved oxygen from weed dieback, increases in nitrogen and phosphorus levels due to weed dieback, and sediment disturbance. These can be mitigated to less than significant by implementing control testing early when weed biomass is low, use of aeration, and testing and treating any dredge effluent before it is discharged (Alternative 2).

Shared potential impacts for aquatic biology include those to non-target organisms and macrophyte communities, and the potential introduction of new invasive species from test equipment. These are mitigated by surveys to avoid native plant communities and ensuring all equipment is inspected as part of Lake Tahoe's watercraft inspection program.

Formation of harmful algal blooms (HABs) is a phenomenon that is occurring more frequently in the lagoons (and in many areas of California). It is generally accepted that the annual dieback of weeds in the Tahoe Keys adds nutrients to the system that can encourage HAB outbreaks, along with warming temperatures globally, creating a more suitable environment for them to exist. As the proposed project and action alternative 1 both implement methods that kill weeds within the water column, the potential of nutrient releases exists with any of the methods proposed for use, be it herbicidal or not. To mitigate this potential impact, timing of treatments early in the growing season reduces this impact to less than significant as weed biomass is low, releasing less nutrients into the water column than during the normal dieback later in the season. If necessary, aeration would be used if increased occurrences of HABs due to treatment are observed.

Other potential impacts are specific to action alternative 2 due to dredging that include impacts to docks and bulkheads, which could be mitigated by replacing/restabilizing any affected infrastructure. Roads could also be impacted by the weight of trucks hauling dredged materials. This would be mitigated by ensuring the use of appropriately sized and weighted vehicles.

Only the no project alternative results in impacts that are significant and unavoidable. If the current trend continues, and no test project is implemented to find sustainable solutions, the aquatic weed infestation will continue to grow and spread and will significantly impact and threaten nearshore areas around Lake Tahoe.

Chapter 4 Cumulative Impacts

Chapter 4 describes the cumulative impacts analysis associated with the proposed project and alternatives, and projects from the past, present and probable future that may increase environmental impacts. The EIR/EIS included a range of projects including aquatic invasive species treatments in other areas of Lake Tahoe, the TRPA Shoreline Plan, restoration projects, forest fuel reduction projects, terrestrial pesticide applications, and transportation projects. The EIR/EIS concludes that any cumulative impacts either do not exist, or are less than significant for any resource area for the CMT and the two action alternatives.

Chapter 5 Summaries of Environmental Impacts, Findings and Thresholds

Section 5.3 of the DEIR/DEIS describes any significant irreversible and irretrievable commitments of resources that would be involved in the proposed project should it be implemented. The EIR/EIS concludes that none exist for the proposed project or either action alternative.

Section 5.4 of the DEIR/DEIS describes analysis of the relationship between short-term uses and long-term effects and enhancement of long-term productivity, and concludes that there are no effects.

Section 5.5 describes growth-inducing impacts of the proposed project and concludes that none exist for the proposed project or either action alternative.

Public Comment:
A Notice of Availability (NOA) for the joint Draft EIR/EIS was issued to the California and Nevada State Clearinghouses on July 6, 2020. The notice initiated a 60-day public comment period. During that time, the lead agencies held two virtual public meetings on July 22, and August 12, 2020 to accept comments on the Draft EIR/EIS. During the public comment period, over 3,000 individuals, agencies and organizations provided comments on the Draft EIR/EIS. All comments have been considered, responded to, and/or incorporated into the Final EIR/EIS as appropriate. The comments and responses are included in Appendix A of the Final EIR/EIS. The overwhelming majority of comments were received as form letters via email, most of which stated their opposition to the use of herbicides for a variety of reasons including an overall position against herbicide use, their potential spread into the lake, concern over impacts to drinking water and health from the formation of cyanotoxins from HABs. While staff is respectful of the fears associated with use of herbicides, these general statements of concern do not constitute criticisms of the analysis in the EIS.

The Lead Agencies responded to comments on the adequacy of the EIR/EIS in two ways. First, Chapter 2 of the Final EIS/EIR contains 15 Master Responses addressing topics raised by multiple commenters. These Master Responses included the following:

- Master Response 1 - Alternatives: Responds to comments stating the agencies should approve one of the alternatives over the proposed project, or support for approving the proposed project. The response states that the EIR/EIS includes a reasonable range of alternatives, and that the proposed project, with mitigation will result in impacts that are less than significant.
- Master Response 2 - Alternatives: Responds to comments received regarding approval of herbicides should not occur and an approval will lead to future widespread herbicide use. The response states that the test is designed to inform long term weed management and that any future herbicide use would require analysis and approvals.
- Master Response 3 - Anti-degradation Analysis (AA): Commenters stated that the AA should have been included in the DEIR/DEIS. The AA is required as part of the NPDES permit, should it be issued. The AA was made available along with he draft permit that included its own public comment period. There is no requirement that the AA be completed with the DEIR.
- Master Response 4 - Aquatic Weeds Management: Commenters questioned why 75% reduction of aquatic weeds was used as a performance metric. The 75% threshold is expected to allow Group B methods to maintain the reduction over time, preventing additional growth and spread into other areas of the lake.
- Master Response 5 - Mechanical Harvesting: Commenters suggested that the history of weed harvesting practices should have been included in the DEIR/DEIS, and it amplifies fragment spread. Harvesting is already permitted under Waste Discharge Requirements issued to TKPOA by Lahontan and serves to reduce weed height to prevent boat props from creating fragments. Harvesting activities include a routine fragment collection program.
- Master Response 6 - Cost Analysis: Commenters stated that cost information was missing from the DEIR/DEIS and is needed to make a decision. Costs are not necessary to evaluate environmental impacts.
- Master Response 7 - Environmental Health and Protection: Commenters stated that the dredging associated with Action Alternative 2 would create toxicity issues related to aluminum. An aluminum based product was used as a flocculant in the Tahoe Keys lagoons decades ago, however mitigations identified in the EIR/EIS reduce the potential impact of aluminum toxicity to less than significant.

- Master Response 8 - General: Many commenters stated Lake Tahoe is a valuable resource and that it should be protected. These comments were noted and the purpose of the test is to protect Lake Tahoe.
- Master Response 9 - Use of Herbicides: Numerous comments were received objecting to herbicide use. The response refers to the analysis concluding that with mitigation, all aspects of the CMT can be implemented with less than significant impacts. Mitigations include timing of treatments - early when water is flowing into the lagoons to prevent escape from the lagoons and limit HABs, and when weed biomass is low to prevent concentrated nutrient releases; Use of turbidity curtains to prevent herbicides from leaving test sites; and continual monitoring will be conducted to track herbicide fate and transport.
- Master Response 10 - Public Participation: Some commenters suggested the DEIR/DEIS was insufficient and recirculation is needed. The response states that the DEIR/DEIS was prepared with the appropriate level of analysis to allow decision makers to make an informed decision that accounts for the level of potential environmental impact the proposed project and alternatives present.
- Master Response 11 - Restoration: Commenters stated that restoration of the Tahoe Keys to a wetland should have been included as an alternative. The DEIR/DEIS addresses this issue and identifies that it would impact beneficial uses of the lagoons, impact non-target species, and does not fulfil the purpose and need to test a variety of treatment methodologies.
- Master Response 12 - Protect Lake Water Quality: Many commenters shared personal experiences at Lake Tahoe and that it is a special place deserving protection. The two lead agencies are both charged with protecting the numerous environmental standards at Lake Tahoe and that the CMT is designed to inform long-term protection water quality and that the test can be implemented with less than significant impacts.
- Master Response 13 - Water Quality Objectives: Commenters stated that herbicides will violate water quality objectives immediately after they are applied to the water. The analysis demonstrates that any herbicides would become undetectable within a weeks to months timeframe, consistent with the standards established for Outstanding National Resources Waters. Further, the Sixth Circuit Court of Appeals confirmed USEPS's position that pesticides (including aquatic herbicides) are not generally pollutants when the pesticides is intentionally applied to water of an intended purpose.
- Master Response 14 - Water Supply: Commenters stated concerns of herbicides entering the drinking water supply. The EIR/EIS concludes that potential impacts to drinking water supplies are less than significant before mitigation due to a variety of factors- distance of water supply intakes, the fate and environmental persistence of herbicides and degradants, dilution, and the timing and concentrations of their proposed use. Further, the analysis concludes that there would be "no impact" to the filtration exemption for water suppliers that take water directly from the lake.
- Master Response 15 - Regulatory: The response addresses comments regarding NEPA. This analysis was performed under CEQA and TRPA environmental review processes and not subject to NEPA.

In addition to Master Responses, Section 3.3 of the Final EIR/EIS includes responses to every specific, unique comment timely received. Some comments of note were received from a group identified as Beyond Pesticides (both as a group and as individuals in form letters), The league to Save lake Tahoe, the Tahoe Water Suppliers Association (TWSA), and the Sierra Club.

Beyond Pesticides expressed concern on health effects from cyanotoxins due to herbicide use. The EIR/EIS states the potential for cyanotoxins as a result of HABs occurring, however, HABs are not solely attributed to herbicide use. HABs are a phenomenon observed in Lake Tahoe and throughout California, and likely develop due to high nutrient concentrations and increased water temperatures. The EIR/EIS states that any weed treatment method has the potential to create conditions that are suitable for HABs, in fact, ultraviolet light treatments may have a greater potential to do so. The EIR/EIS includes mitigations that reduce the likelihood of HAB occurrences, and also help dissipate them should they occur. These mitigations reduce the impacts of HABs to less than significant. It is important to note that HABs occur within the Keys and lake without aquatic weed treatments and the test is designed to mitigate impacts from HABs should they occur in test areas, not solve the issue of overall HAB occurrence throughout the Keys or lake.

Beyond Pesticides also commented on nutrient inputs into the lagoons from landscape fertilizer use and exhaust emissions contributing to eutrophication and weed proliferation. TKPOA has implemented a nonpoint source management program to limit runoff nutrient inputs. In addition, the analysis revealed that nutrient inputs from stormwater and landscape runoff are a small percentage compared to the nutrients being returned to the system by the annual die-off of plants. Eliminating runoff inputs is not expected to control weeds.

The League to Save Lake Tahoe provided both written and oral comments on the need to test all methods, that the EIS/EIR is comprehensive, and that they questioned under CEQA the determination that Action Alternative 1 is designated as the environmentally superior alternative.

TWSA provided written comments that addressed a variety of topics including their concern of herbicide use and availability of the anti-degradation analysis, which are responded to by Master Responses 1 and 3. They also raised concern about the socio-economic impact to the Drink Tahoe Tap brand from herbicide use and site an impact to another brand from a “detection” of herbicides in their spring source. Socio-economic impacts are not within the scope of an EIR/EIS, however, the impacts to drinking water are reported to be less than significant before mitigation.

The Sierra Club provided comments as well that addressed a variety of topics. Some examples include their opposition to herbicide use, the range of alternatives in the document, adequacy of the EIR/EIS, availability of the anti-degradation analysis, herbicide use would violate water quality objectives, and the formation of harmful algal blooms, all of which are responded to in detail in the Master Responses referenced above. They also characterized nutrient availability and that controlling fertilizer use and stormwater runoff would suppress weeds, however, the analysis shows that the weeds themselves are the main source of nutrients, and very little is from upland sources. The Sierra Club also suggested a mitigation by blocking off the Tahoe Keys lagoons during a test, however, the EIR/EIS documents the potential significant impacts that action would have, most notably the lack of fresh water entering the lagoons and thereby increasing the potential for HABs.

Summary of EIS Certification Findings:

Certification of the Final EIS is appropriate. As described above, the Final EIS considers a reasonable range of alternatives that are consistent with the Purpose and Need of the EIS and are sufficient to foster informed decision making, public awareness and participation. All potentially significant impacts can be mitigated to less than significant. All other environmental topics analyzed resulted in either no impact or less than significant before mitigation, or that the issue was not applicable. All timely comments received on the DEIR/DEIS have been responded to. Based on information in the record,

TRPA staff has determined that there are no Threshold violations and therefore a finding of no significant effect can be made.

TRPA staff recommends the APC provide a recommendation to the Governing Board to find the Final EIS to be adequate and prepared in conformance with TRPA requirements for Environmental Impact Statements as put forth in the Tahoe Regional Planning Compact and the TRPA Code of Ordinances and Rules of Procedure. And to further make the Tahoe Regional Compact - Article VII(d) findings necessary. The appropriate findings are set forth in Attachment A.

Contact Information:
For questions regarding this agenda item, please contact Dennis M. Zabaglo, Aquatic Resources Program Manager, at (775) 589-5255 or dzabaglo@trpa.gov.

Attachments:

A. Required Findings/Rationale
B. Final EIS Table ES-1

Attachment A

Required Findings/Rationale

ATTACHMENT A

REQUIRED FINDINGS FOR ENVIRONMENTAL IMPACT STATEMENT

Certification Findings: Pursuant to TRPA Rules of Procedure, Certification is defined as a finding that the final Environmental Impact Statement (EIS) is in compliance, procedurally and substantively, with Article VII of the Compact, Chapter 3 of the Code, and Article 6 of the Rules of Procedure. The following Certification Findings have been prepared for the Tahoe Keys Lagoons Aquatic Weed Control Methods Test Environmental Impact Report/Environmental Impact Statement (EIR/EIS).

These Certification findings are divided into two sections (A & B). Section A includes the findings for: (1) the requirements for preparation of an EIS pursuant to Code Section 3.7.1 and TRPA Compact VII(a)(1, 3, and 4) and VII(b); (2) minimum contents of an EIS pursuant to Code Section 3.7.2 and TRPA Compact VII(a)(2); (3) inclusion of Other Data and Information pursuant to Code Section 3.7.3 and TRPA Compact VII(c); (4) Draft EIS requirements of Rules of Procedure 6.13; and (5) Final EIS requirements of Rules of Procedure 6.14. Section B includes the Compact Article VII(d) and Code of Ordinances Section 3.7.4 findings for each significant effect identified in the Environmental Impact Statement for the project.

A. (1) Code Section 3.7.1 (see also TRPA Compact VII(a)(1), (3) and (4))

3.7.1 Preparation of EIS

When preparing an EIS, TRPA shall:

A. Utilize a systematic interdisciplinary approach that integrates natural and social sciences and the environmental design arts in planning and decision making that may have an impact on man's environment;

B. Study, develop, and describe appropriate alternatives to recommended courses of action for any project that involves unresolved conflicts concerning alternative uses of available resources;

C. Consult with and obtain the comments of any federal, state, or local agency that has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate federal, state, and local agencies that are authorized to develop and enforce environmental standards shall be made available to the public and shall accompany the project through the review processes; and

D. Consult the public during the environmental impact statement process and solicit views during a public comment period of not less than 60 days.

RATIONALE: The EIR/EIS consulting team, TRC and Environmental Science Associates, utilized a multidisciplinary team of experts and a systematic interdisciplinary approach in the preparation of the EIS, which insures the integrated use of the natural and social

sciences and the environmental design arts in planning and in decision making that may have an impact on man's environment; The document includes a reasonable range of action alternatives consistent with the requirements of the Tahoe Regional Planning Agency (TRPA) ordinances and procedures, and the California Environmental Quality Act (CEQA); the consultant team consulted with and obtained comments from representative federal, state and local agencies which have jurisdiction by law or special expertise with respect to any environmental impact involved with the project's location and sphere of influence; and the Lahontan Regional Water Quality Control Board (Lahontan), and TRPA, distributed the Draft Document to various public agencies, the California and Nevada State Clearinghouses, citizen groups, and interested individuals for a 60-day public review period, from July 6, 2020 to September 3, 2020.

(2) Code Section 3.7.2 (see also TRPA Compact VII(a)(2))

Contents of EIS

An EIS shall include, at a minimum, the following:

- Description of the project;
- The significant environmental impacts of the proposed project;
- Any significant adverse environmental effects that cannot be avoided should the project be implemented;
- Alternatives to the proposed project;
- Mitigation measures that must be implemented to assure meeting standards of the region;
- The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity;
- Any significant irreversible and irretrievable commitments of resources that would be involved in the proposed project should it be implemented; and
- The growth-inducing impact of the proposed project.

RATIONALE: The EIR/EIS includes a description of the proposed project and project alternatives. The EIR/EIS includes identification of potential environmental impacts of the proposed project and the project alternatives; through the analysis of the EIR/EIS no adverse environmental effects that cannot be avoided were identified (all potential impacts can be reduced to a level of insignificance through mitigation measures and/or resource protection measures); the EIR/EIS includes an analysis of three action alternatives, including the proposed project alternative, and a no-project alternative. The EIR includes an analysis of all proposed mitigation measures which must be implemented to assure meeting standards of the region; the EIR/EIS includes an analysis of the relationship between local short-term uses of man's

environment and the maintenance and enhancement of long-term productivity; the EIR/EIS includes an analysis of any significant irreversible and irretrievable commitments of resources which would be involved in the proposed project should it be implemented; and the EIS includes an analysis of the growth-inducing impact of the proposed project and alternatives.

(3) Code Section 3.7.3 (see also TRPA Compact VII(c))

Inclusion of Other Data and Information

An environmental impact statement need not repeat in its entirety any information or data that is relevant to such a statement and is a matter of public record or is generally available to the public, such as information contained in an environmental impact report prepared pursuant to the California Environmental Quality Act or a federal environmental impact statement prepared pursuant to the National Environmental Policy Act of 1969. However, such information or data shall be briefly described in the environmental impact statement and its relationship to the environmental impact statement shall be indicated.

RATIONALE: The EIR/EIS refers to the entirety of information and data which are relevant to the preparation of the document and are a matter of public record or are generally available to the public. All relevant information or data referred to in the EIR/EIS includes a brief summary of the information or data and explains its relationship to the EIS.

(4) Rules of Procedure 6.13

DRAFT EIS

Upon a determination of the scope of the EIS, a draft EIS shall be prepared. The draft EIS shall include, at a minimum, the elements listed in subsection 3.7.2 of the Code and a list of all federal, state, and local agencies or other organizations and individuals consulted in preparing the draft.

RATIONALE: A draft EIR/EIS was prepared and it included all of the elements listed in subsection 3.7.2 of the Code and a list of all federal, state, and local agencies or other organizations and individuals consulted in preparing the draft.

6.13.1 Summary

A draft EIS in excess of 30 pages shall include a summary, preferably less than ten pages in length, which identifies at a minimum:

A. A brief project description;

B. Each significant adverse effect with a summary of proposed mitigation measures or alternatives that would reduce or avoid that effect; and

C. Areas of controversy known to TRPA.

RATIONALE: The draft EIR/EIS exceeds 30 pages and included a summary with a brief project description; a table with each adverse effect with a summary of proposed mitigation measures or alternatives that would reduce or avoid that effect; and areas of controversy known to TRPA.

6.13.2 Comment Period

The draft EIS shall be circulated for public comment for a period not less than 60 days. TRPA may hold a public hearing on a draft EIS.

RATIONALE: The draft EIR/EIS was circulated for public comment for a period not less than 60 days, between July 6, 2020, and September 3, 2020.

6.13.3 Notice of Comment Period

The comment period shall not commence before the date of publication of a notice in a newspaper whose circulation is general through the region. The notice shall include a brief description of the project or matter under consideration, the date the comment period commences, the date by which comments must be received, and that copies of the draft EIS may be obtained by contacting TRPA and are available for public review at TRPA's offices. Copies of the draft EIS shall be mailed to California and Nevada state clearinghouses and appropriate federal agencies, on or before the beginning date of the comment period. Notice of the comment period shall be given to affected property owners pursuant to Article 12 of these Rules.

RATIONALE: Notice of the comment period was accomplished as described in Rule of Procedure 6.13.3.

6.13.4 Request for Comments

TRPA shall request comments on draft EISs from any federal, state or local agency that has jurisdiction by law or special expertise with respect to any environmental impact involved. Notice of a request for comments shall be given by deposit of the request, in the U.S. Mail, first class mail, postage prepaid. Notice shall be given no later than the date the comment period commences. Separate notice under this section is not necessary if notice of the draft EIS has been given to the Agency pursuant to subsection 6.13.3 above.

RATIONALE: Requests for comments on the draft EIR/EIS from any federal, state or local agency that has jurisdiction by law or special expertise with respect to any environmental impact involved was accomplished through the Notice of Comment Period set forth in Rule of Procedure 6.13.3 or a Request or Comments under Rule of Procedure 6.13.4, or both.

6.13.5 Extension of Comment Period

TRPA may extend the comment period for good cause. Notice of extension shall be posted at TRPA offices. TRPA is not required to respond to late comments but may elect to do so.

RATIONALE: The draft EIR/EIS was circulated for public comment between July 6, 2020, and September 3, 2020, and the comment period was not extended.

(5) Rules of Procedure 6.14

6.14 FINAL EIS

6.14.1 At the conclusion of the comment period, TRPA shall prepare written responses to all written comments received during the comment period, and may respond to oral or late comments. The response to comments may be in the form of a revision to the draft EIS, or may be a separate section in the final EIS that shall note revisions to the draft EIS, if any. The final EIS shall include, at a minimum:

A. The draft EIS, or a revision;

B. Comments received on draft, either verbatim or in summary;

C. The responses to comments; and

D. A list of persons, organizations, and agencies commenting in writing on the draft EIS.

6.14.2 The final EIS may incorporate by reference computer data recorded on disk, videotape, slides, models, and similar items provided summaries of such items are included in the final EIS. The final EIS may also include oral testimony given at APC or Board hearings.

RATIONALE: The final EIR/EIS includes the draft EIR/EIS, comments received on the draft EIR/EIS, responses to the comments received, and a list of persons, organizations and agencies commenting in writing on the draft EIR/EIS.

REQUIRED FINDINGS FOR THE PROPOSED PROJECT

B. COMPACT ARTICLE VII(D) AND CHAPTER 3 FINDINGS

When acting upon matters that would result in a significant environmental effect, the Compact and Code require that separate written findings are made for each significant effect identified in the environmental impact statement (Compact Article VII[d], Chapter 3 of the Code of Ordinances). For each significant effect one of two findings must be made:

1. Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less-than-significant level; or

2. Specific considerations, such as economic, social, or technical, make infeasible the mitigation measure or project alternatives discussed in the environmental impact statement on the project.

The EIR/EIS identified a number of potentially significant environmental effects (or impacts) that the Tahoe Keys Lagoons Aquatic Weeds Control Methods Test Project will cause or contribute to. These significant effects can be avoided or substantially lessened through the adoption of feasible mitigation measures, and some can be avoided or substantially lessened by resource protection measures incorporated into the proposed project test design (resource protection measures are part of how activities in the project or alternatives were planned). The Governing Board's findings with respect to the proposed project's potentially significant effects and mitigation measures are set forth in the following discussions.

These discussions do not attempt to describe the full analysis of each environmental impact contained in the EIR/EIS. Instead, they provide a summary description of each impact, describe the applicable mitigation measures identified in the EIR/EIS, previously adopted by Lahontan, and now adopted by the Governing Board, and state the Governing Board's findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the draft EIR/EIS and final EIR/EIS, or elsewhere in the record, and these findings hereby incorporate by reference the discussion and analysis in those documents supporting the EIR/EIS's determinations regarding the proposed project's impacts and mitigation measures designed to address those impacts. In making these findings, the Governing Board ratifies, adopts, and incorporates into these findings the analysis and explanation in the draft EIR/EIS, the final EIR/EIS, or elsewhere in the record, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the draft EIR/EIS and final EIR/EIS relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

The Governing Board has adopted all of the mitigation measures identified in the following discussions. Some of the measures identified are also within the jurisdiction and control of other agencies. To the extent any of the mitigation measures are within the jurisdiction of other agencies, the Governing Board finds those agencies should implement those measures within their jurisdiction and control.

ENVIRONMENTAL HEALTH

1. Potentially Significant Effect: Herbicide Applicator Exposure and Health (Issue EH-1).

Herbicide applicators could suffer health effects due to exposure during application of herbicides. Only the risks of acute exposure are pertinent since the limited testing period would assure that no chronic exposures would occur.

FINDING

(1) Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less-than-significant level.

RATIONALE AND EVIDENCE SUPPORTING IMPACT REDUCTION BY MITIGATION

There is a risk to the health of workers handling and applying herbicide products unless precautions are taken to protect them. Endothall is toxic if inhaled, may be harmful if swallowed, and may cause skin irritation or serious eye damage. Triclopyr is not metabolized by humans but is excreted unchanged in the urine. Triclopyr does not pose an inhalation risk but can cause skin irritation or eye corrosion.

Given that the Proposed Project includes a one-time application of herbicides at several test sites, only the risks of acute exposure to the herbicides were evaluated since no chronic exposures over months or years are likely to occur as part of the Proposed Project. The potential acute effects of the herbicides were determined by a review of the available literature, as well as Safety Data Sheets from the herbicide manufacturers.

The registration labels and Safety Data Sheets for each herbicide product specify the proper methods for handling and applying the chemicals, personal protective clothing requirements, and other precautions to protect workers, all of whom must be certified by the State as qualified applicators.

Applicator Qualifications (Mitigation EH-1) reduces potential impacts to a less than significant level by requiring that herbicide applications would be performed only by Qualified Applicator License (QAL) holders, who would be trained to follow NPDES permit requirements, use proper personal protective equipment, and follow product label specifications.

2. Potentially Significant Effect: Detectable Concentrations of Herbicides and Degradants in Receiving Waters. (Issue EH-2).

Impacts could occur if detectable concentrations of active ingredients and chemical degradants of herbicides proposed for testing persisted in lagoon waters. The environmental fate and persistence of each herbicide proposed for testing in the West Lagoon and Lake Tallac are defined in the literature. There is a potential for excess discharge concentrations if an herbicide product were spilled.

FINDING

(1) Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less-than-significant level

RATIONALE AND EVIDENCE SUPPORTING IMPACT REDUCITON BY MITIGATION

Detectable concentrations of discharged herbicides and their degradants would be controlled as a temporary condition allowable only for weeks to months. Potential impacts from accidental spills or overapplication are reduced to less than significant through the following mitigation measures:

Spill Prevention and Response Plan (Mitigation EH-2, EH-3a, EH-4): A spill prevention and response plan would be implemented by a QAL holder to minimize and contain any spills during herbicide mixing and application, submitted for review as required by permitting agencies, and implemented at the work sites.

Aeration (Mitigation EH-6b): Aeration technologies would be implemented at each herbicide test site after target aquatic weeds die back from the herbicide application. Aeration during plant decomposition would increase aerobic microbial degradation and reduce the risk of HABs by breaking up thermal stratification, reducing near-surface water temperature and stabilizing pH conditions. The aeration systems would be continually operated until herbicide active ingredients and degradants are no longer detected above background concentrations.

3. Potentially Significant Effect: Introduction of Toxic Substances into the Environment. (Issue EH-4).

Impacts could occur if detrimental physiological responses could occur when humans, plants, animals, or aquatic life are exposed to the herbicides proposed for testing. Exposure could occur due to spills or in the course of application of the herbicides. Acute toxicity levels for each herbicide are defined by the USEPA. The maximum allowable application rates for each herbicide determine the potential for effects.

FINDING

(1) Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less-than-significant level

RATIONALE AND EVIDENCE SUPPORTING IMPACT REDUCITON BY RESOURCE PROTECTION MEASURE

The herbicides proposed for testing would not have acute or chronic toxicity to fish or invertebrates, and even minimal dilution would prevent concentrations from exceeding drinking water criteria at drinking water intakes.

Spill Prevention and Response Plan (Mitigation EH-2, EH-3a, EH-4): A spill prevention and response plan would be implemented by a QAL holder to minimize and contain any spills during herbicide mixing and application.

4. Potentially Significant Effect: Short-term Increases in Aluminum Concentrations. (Issue EH-5).

Aluminum persistent in sediments of the lagoons could be mobilized into the water column by project activities. If mobilized, it could affect aquatic life. The USEPA defines acute and chronic water quality criteria for the protection of aquatic life.

FINDING

(1) Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less-than-significant level

RATIONALE AND EVIDENCE SUPPORTING IMPACT REDUCITON BY MITIGATION

The sediments in the Tahoe Keys lagoon bottom have pre-existing high concentrations of aluminum. Short-term increases of aluminum concentrations in lagoon water may occur in treatment areas during sediment disturbance caused by project activities such as installation, startup and removal of aeration systems, or installation and removal of bottom barriers and turbidity curtains. The potential for

concentrations of aluminum to reach levels associated with toxicity to aquatic life is a function of the amount of turbidity in the water from disturbed sediment. Samples analyzed as part of the baseline study showed that disturbance of sediments could potentially result in total recoverable aluminum concentrations that exceed the short-term exposure criteria and cause harm to aquatic life.

Best Management Practices (Mitigation EH-5a) reduces potential impacts to a less than significant level by requiring best management practices to minimize sediment disturbance would be followed. Turbidity would be monitored to ensure that sediment disturbance and the consequent potential for mobilization of aluminum into the water column is minimized. BMPs also would be used to prevent accidental releases of sediment to the lagoons during dredge spoils transport and handling.

5. Potentially Significant Effect: Harmful Algal Blooms (HABs). (Issue EH-6).

A risk exists that the dieback and decay of aquatic weeds consequent upon test activities, and subsequent release of nutrients to the waters of the lagoons could stimulate HABs. The potential for impacts to occur depends on a host of conditions, the timing of herbicide applications, volume of plant biomass, water and nighttime air temperatures, stratification of the lagoons, and plant photosynthesis and respiration levels.

FINDING

(1) Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less-than-significant level

RATIONALE AND EVIDENCE SUPPORTING IMPACT REDUCITON BY MITIGATION

Environmental conditions in freshwater environments can lead to rapid increases in the biomass of single-celled photosynthetic bacteria (cyanobacteria), resulting in a HAB. HABs have been reported in Tahoe Keys lagoons in recent years, including 2017 to 2019. Past detections of cyanotoxins have reached caution levels at Tahoe Keys.

As a result of the Proposed Project, conditions may become increasingly favorable or less favorable for HABs. Because HABs are not always predictable and because the conditions that cause cyanobacteria to produce cyanotoxins are not well understood, there remains some uncertainty about whether the release of nutrients from aquatic weed treatments could increase the risk of HABs and potentially affect people and the environment. Continuation of the existing programs to monitor and warn people at Tahoe Keys when cyanotoxins are present will continue to be effective in protecting against any additional risks of exposure to cyanotoxins.

Potential impacts from HABs are reduced to less than significant through the following mitigation measures:

Timing and Size of Treatments (Mitigation EH-6a): Spring aquatic plant surveys would be conducted to ensure that herbicide treatments occur at times when target aquatic weeds plants are in their early stages of growth so that the volume of decomposing plant material is minimized. The locations of test sites would be adjusted as needed to ensure that the targeted species are present for each herbicide application and ultraviolet light test, and areas dominated by native plant communities are avoided. The treatment area would be as small as possible given the objectives of the CMT. To minimize the

biomass of plants killed by ultraviolet light treatment and the consequent release of nutrients that could stimulate HABs, an initial round of ultraviolet light treatment would be conducted in the spring to stunt plant growth so that plants would only be a few feet tall when they are treated again in the summer.

Aeration (Mitigation EH-6b): Aeration technologies would be implemented at each herbicide test site after target aquatic weeds die back from the herbicide application. Aeration during plant decomposition would increase aerobic microbial degradation and reduce the risk of HABs by breaking up thermal stratification, reducing near-surface water temperature and stabilizing pH conditions. The aeration systems would be continually operated until herbicide active ingredients and degradants are no longer detected above background concentrations.

Lanthanum Clay (Mitigation EH-6c): If HABs occur at a test site in response to phosphorus released during the plant decomposition that is expected to follow dieback from herbicide or UV-C light treatments, a bentonite clay product containing lanthanum (e.g., Phoslock) could be used to control the cyanobacteria. Lanthanum is a rare earth mineral with a strong affinity to bind with phosphorus. The product would be applied to the water surface at the test site where it would strip the water column of available phosphorus molecules while it settles to the bottom. The phosphorus would remain bound in the surface sediments and unavailable for growth of cyanobacteria or other phytoplankton, effectively starving the HAB of an essential nutrient.

WATER QUALITY

1. **Potentially Significant Effect: Changes in Dissolved Oxygen Concentrations (Issue WQ-5).**

Rapid dieback of dense aquatic weed beds from testing herbicide applications or ultraviolet light could result in significant changes to dissolved oxygen (DO) conditions within and near test sites. This could cause biochemical oxygen demand (BOD) from decomposing plants to decrease DO concentrations during the normal growing season for aquatic plants. Herbicide products could also create short-term chemical oxygen demand during applications. Offsetting beneficial effects may result where Laminar Flow Aeration (LFA) increases water circulation and improves low-oxygen conditions in the deeper portions of the water column during summer thermal stratification.

FINDING

(1) Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less-than-significant level

RATIONALE AND EVIDENCE SUPPORTING IMPACT REDUCTION BY MITIGATION

Rapid dieback of dense aquatic weed beds from testing herbicide applications or UV light could result in significant changes to DO conditions within and near test sites. The primary concern is that BOD from decomposing plants could decrease DO concentrations during the normal growing season for aquatic plants, particularly given the lack of DO contributed from the photosynthesis of living plants. There is also a potential for herbicide products to create a short-term chemical oxygen demand during applications, although this is determined to be less of a concern than BOD from decomposing plants.

Based on information from other studies, any measurable changes in lagoon DO from herbicide applications would likely be restricted to within and adjacent to the test sites, and no effect would be expected on DO in Lake Tahoe. LFA tests sites may also have improved DO conditions due to increased water circulation and improved low oxygen conditions that characterize the deep portions of the water column during summer thermal stratification.

Potential impacts from changes in dissolved oxygen concentrations are reduced to less than significant through the following mitigation measures:

Timing and Limited Extent of Testing (Mitigation WQ-5a): The overall reduction in aquatic weed biomass from testing control methods is generally expected to reduce oxygen depletion at test sites. Herbicide applications would occur in the late spring when target weed species are in their early stages of growth and plant biomass is minimal, and the timing would be adjusted based on pre-application macrophyte surveys. This timing is expected to minimize the biomass of decaying vegetation, mitigating the effects of oxygen depletion and nutrient release that could occur from dieback of mature plants. Similarly, ultraviolet light applications would include an early-season treatment to stunt plant growth, reducing the decaying biovolume that could contribute to reduced DO in the summer. Effects would also be mitigated by the limited size of test sites.

Aeration (Mitigation WQ-5b): LFA or other aeration systems would be deployed in herbicide test sites immediately after plant dieback to increase aerobic microbial degradation and offset the potential for BOD from plant decomposition that could cause low DO impacts. If real-time monitoring indicated that DO was not meeting permit requirements at an ultraviolet light test site, an LFA system would be deployed to aerate during the period of plant decay and ensure that DO impacts were not significant.

2. Potentially Significant Effect: Increases in Total Phosphorus Concentrations (Issue WQ-6).

Short-term increases in lagoon total phosphorus concentrations could result from sediment disturbance during suction dredging or LFA installation, or during the initial operation of LFA systems circulating deep waters to the surface. Release of phosphorus from decaying aquatic plants to the water column could be accelerated during and after herbicide or UV treatments, which could increase concentrations during those periods but lead to lower concentrations from aquatic plant dieback in the fall. Long term, phosphorus release from decaying plants would be reduced where dense aquatic weed beds are successfully treated.

FINDING

(1) Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less-than-significant level

RATIONALE AND EVIDENCE SUPPORTING IMPACT REDUCTION BY MITIGATION

Short-term increases in lagoon water total phosphorus concentrations could result from sediment disturbance during LFA installation, or during the initial operation of LFA systems circulating deep waters to the surface. A temporary increase in TP in the water column is expected during the weeks following aquatic plant dieback from herbicide treatment. Release of phosphorus from decaying aquatic plants to the water column could also be accelerated during and after UV light application, which could increase concentrations during those periods.

Increased total phosporus (TP) in the water column within and adjacent to treatment areas is expected due to remineralization processes that are likely to occur concurrent with the decomposition of plants at test sites. While not all of the TP content of decomposing plants would be available in the water column, it is likely that perhaps 50 percent of the TP would transition into the water column during decomposition, with most of this remineralization likely occurring within the first 20 days after plant dieback (Walter 2000). The potential internal increases in TP from project activities would be a concern in the lagoons both for compliance with WQO criteria and also for increased productivity of phytoplankton and risk of HABs.

Because herbicide and UV light treatments would prevent the plants from reaching full biomass, there would be a reduction in the transfer of TP from plant tissues to the lagoon water that would otherwise occur when the plants naturally die back in the fall, so overall TP loading from decomposing plants would not increase, accumulate with impacts from other projects, or contribute to a declining trend or affect an already degraded resource.

Potential impacts from changes in total phosphorus concentrations are reduced to less than significant through Mitigation Measure WQ-6a, the timing, and limited size of treatment areas.

Timing and Limited Extent of Testing (Mitigation WQ-6a): The overall reduction in aquatic weed biomass from testing control methods is generally expected to reduce the release of TP from macrophytes at test sites. Herbicide applications would occur in the late spring when target weed species are in their early stages of growth and plant biomass is minimal, and the timing would be adjusted based on preapplication macrophyte surveys. This timing is expected to minimize the biomass of decaying vegetation, mitigating the effects of nutrient release that could occur from dieback of mature plants. Similarly, ultraviolet light applications would include an early-season treatment to stunt plant growth, reducing the decaying biovolume that could contribute to reduced TP in the summer. Effects would also be mitigated by the limited size of test sites.

3. Potentially Significant Effect: Increases in Lagoon Water Total Nitrogen Concentrations (Issue WQ-7).

Short-term increases in lagoon water total nitrogen (TN) concentrations could result from sediment disturbance during suction dredging or LFA installation, or during the initial operation of LFA systems circulating deep waters to the surface. Release of nitrogen from decaying aquatic plants to the water column could also be accelerated during and after weed control treatments, which could increase concentrations during those periods but lead to lower concentrations from aquatic plant dieback in the fall. Long term, a reduction in nitrogen release from decaying plants would be accomplished where dense aquatic weed beds are successfully treated.

FINDING

(1) Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less-than-significant level

RATIONALE AND EVIDENCE SUPPORTING IMPACT REDUCTION BY MITIGATION

Short-term increases in lagoon water total nitrogen concentrations could result from sediment disturbance during LFA installation, or during the initial operation of LFA systems circulating deep

waters to the surface. Release of nitrogen from decaying aquatic plants to the water column could also be accelerated during and after weed control treatments, which could increase concentrations during those periods but lead to lower concentrations from aquatic plant dieback in the fall. Long term, a reduction in nitrogen release from decaying plants would be accomplished if dense aquatic weed beds are successfully treated.

Increased TN in the water column is expected due to remineralization processes that are likely to occur concurrent with the decomposition of plants at test sites. While not all of the TN content of decomposing plants would be available in the water column, it is likely that perhaps 60 percent of the TN would transition into the water column during decomposition, with most of this remineralization likely occurring in the first two to three weeks. In the West Lagoon, increases in TN in the water column would likely occur, and as a colimiting nutrient with phosphorus, TN increases would be expected to increase the abundance of phytoplankton in the water column. The degree of phytoplankton response is likely to correlate with the amount of nutrient uplift associated with plant decomposition and TN remineralization, and the amount of TN remineralization is expected to correlate with the amount of aquatic plant biomass that is treated at any given time. With herbicide treatments proposed to occur in the late spring when aquatic plants are early in their growth and biomass is minimal, and when the water is still cool from snowmelt runoff and low nighttime temperatures, the risk of nutrient uplift resulting in algal blooms (including HABs) can be minimized. Similar to TP, the lack of correlation between TN concentrations and indicators of phytoplankton biomass in Lake Tallac suggests that an uplift in TN concentrations from plant decay presents less of a risk for algal blooms than in the West Lagoon.

A temporary increase in TN in the water column is expected during the weeks following aquatic plant dieback from herbicide treatment.

Because herbicide and UV light treatments would prevent the plants from reaching full maturity, there would be reduction in the release of nitrogen from plant tissues to the lagoon water compared to when full-grown plants naturally die back in the fall, so overall TN loading from decomposing plants would not increase, accumulate with impacts from other projects, or contribute to a declining trend or affect an already degraded resource.

Potential impacts from changes in TN concentrations are reduced to less than significant through Mitigation Measure WQ-7a, the timing, and limited extent of treatment areas.

Timing and Limited Extent of Testing (Mitigation WQ-7a): The overall reduction in aquatic weed biomass from testing control methods is generally expected to reduce the release of TN from macrophytes at test sites. Herbicide applications would occur in the late spring when target weed species are in their early stages of growth and plant biomass is minimal, and the timing would be adjusted based on preapplication macrophyte surveys. This timing is expected to minimize the biomass of decaying vegetation, mitigating the effects of oxygen depletion and nutrient release that could occur from dieback of mature plants. Similarly, ultraviolet light applications would include an early-season treatment to stunt plant growth, reducing the decaying biovolume that could contribute to reduced TN in the summer. Effects would also be mitigated by the limited size of test sites.

AQUATIC BIOLOGY AND ECOLOGY

1. **Potentially Significant Effect: Effects on Non-Target Aquatic Macrophyte Species (Issue AQU-1).**

Non-target plant species could be affected by direct contact with herbicides or through exposure to ultraviolet light treatments or implementation of some Group B methods. The magnitude of short-term impacts depends on the herbicide applied, with endothall being a less-selective contact herbicide that would likely result in the greatest impacts to non-target species.

FINDING

(1) Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less-than-significant level

RATIONALE AND EVIDENCE SUPPORTING IMPACT REDUCTION BY MITIGATION

Native aquatic plant species in the West Lagoon include leafy pondweed (Potamogeton foliosus), nitella (Nitella sp., a macroalga), elodea (Elodea canadensis), and Richard's pondweed (P. richardsonii) (TKPOA 2019). Native aquatic plants in Lake Tallac include most of the same species (Richard's pondweed is not known to occur); in addition, watershield (Brasenia schreberi) is found along the margins.

The application of aquatic herbicides can directly affect non-target plant species due to direct contact with the herbicide within the designated treatment site or adjacent open water areas. Existing information on the selectivity of the proposed aquatic herbicides, including manufacturer's labels and peer reviewed literature, was used to evaluate their potential to impact non-target aquatic plants. The magnitude of short-term impacts to these species from herbicides depends on the herbicide applied, with endothall being a less-selective contact herbicide that would likely result in the greatest impacts to non- target species. Tryclopyr herbicide is selective to Eurasian watermilfoil and is not reported to have lethal effects on the non-target macrophytes known to occur in the lagoons. The extent of herbicide-only sites is 13.3 acres, or 7.7percent of the lagoons, of which 8.2 acres or less than five percent are proposed for application of endothall.

Potential direct effects to non-target macrophyte species could occur through the use of UV light treatments and implementation of some Group B methods. The use of UV light and bottom barriers can be non-selectively lethal to non-target aquatic plants and could result in changes to community composition.

Potential impacts to non-target aquatic macrophytes are reduced to less than significant through Mitigation Measure AQU-1 spring macrophyte surveys. These surveys will result in adjustment of the test sites to avoid areas dominated by native or non-target plant communities.

Macrophyte Surveys (Mitigation AQU-1): Spring macrophyte surveys would be used as a basis to adjust testing site boundaries to better target dense beds of target species and avoid native plant communities.

2. Potentially Significant Effect: Effects on Sensitive Aquatic Macrophyte Species (Issue AQU-3).

No aquatic plant species occur in the vicinity of the Tahoe Keys lagoons that are identified by TRPA as sensitive, or which are listed under federal or state Endangered Species Acts (ESA). Watershield (a 2B.3 California Rare Plant Bank [CRPR] sensitive species) is known to occur in Lake Tallac where endothall treatments are proposed. There is the potential for impacts to watershield due to drift of aquatic herbicides as part of Group A methods associated with the Proposed Project.

FINDING

(1) Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less-than-significant level

RATIONALE AND EVIDENCE SUPPORTING IMPACT REDUCTION BY MITIGATION

The primary sensitive macrophyte species of concern in the Project area is watershield, a California Native Plant Society (CNPS) 2B.3 ranked sensitive plant species that is known to occur in Lake Tallac. Plants ranked 2B are considered rare, threatened or endangered in California but more common elsewhere, and plants with a threat rank of 3 are considered "not very threatened in California." Watershield has not been found in the Tahoe Keys lagoons. There is potential for herbicides to impact watershield in Lake Tallac. The abundance of watershield in macrophyte surveys from Lake Tallac has ranged from 0-percent to 32- percent since monitoring began in 2015.

Potential impacts to sensitive aquatic macrophyte communities are reduced to less than significant through the following Mitigation Measure AQU-1. Spring macrophyte surveys are required to adjust testing locations to better target dense beds of target species and avoid native, non-target and sensitive plant communities.

Macrophyte Surveys (Mitigation AQU-1): Although the drift of endothall from the treatment sites in Lake Tallac may contact watershield, there is no published evidence that it would cause substantial adverse effects. Pre-treatment surveys described for AQU-1 would be implemented. These measures to avoid watershield in Lake Tallac, are expected to avoid effects on sensitive macrophyte species.

3. Potentially Significant Effect: Changes in Aquatic Macrophyte Community Composition (Issue AQU-4).

Potential direct and indirect effects to the non-target macrophyte community could occur as the result of the Project, including both Group A and Group B methods. The threshold of significance for this issue area would be a substantial change or reduction in the diversity or distribution of the non-target macrophyte community.

FINDING

(1) Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less-than-significant level

RATIONALE AND EVIDENCE SUPPORTING IMPACT REDUCTION BY MITIGATION

Native aquatic plant species in the West Lagoon include leafy pondweed (Potamogeton foliosus), nitella (Nitella sp., a macroalga), elodea (Elodea canadensis), and Richard's pondweed (P. richardsonii) (TKPOA 2019). Native aquatic plants in Lake Tallac include most of the same species (Richard's pondweed is not known to occur); in addition, watershield (Brasenia schreberi) is found along the margins of Lake Tallac.

The application of aquatic herbicides can directly affect non-target plant species due to direct contact with the herbicide within the designated treatment site or adjacent open water areas. Existing information on the selectivity of the proposed aquatic herbicides, including manufacturer's labels and peer reviewed literature, was used to evaluate their potential to impact non-target aquatic plants. The magnitude of short-term impacts to these species from herbicides depends on the herbicide applied, with endothall being a less-selective contact herbicide that would likely result in the greatest impacts to non- target species. Tryclopyr herbicide is selective to Eurasian watermilfoil and is not reported to have lethal effects on the non-target macrophytes known to occur in the lagoons. The extent of herbicide-only sites is 13.3 acres, or 7.7percent of the lagoons, of which 8.2 acres or less than five percent are proposed for application of endothall.

Potential direct effects to non-target macrophyte species could occur through the use of UV light treatments and implementation of some Group B methods. The use of UV light and bottom barriers can be non-selectively lethal to non-target aquatic plants and could result in changes to community composition.

Potential impacts to non-target macrophyte community composition are reduced to less than significant through the following Mitigation Measure AQU-1. These surveys will result in adjustment of the test sites to avoid areas dominated by native or non-target plant communities.

Macrophyte Surveys (Mitigation AQU-1): Spring macrophyte surveys would be used as a basis to adjust testing site boundaries to better target dense beds of target species and avoid adverse changes in macrophyte community composition.

Attachment B

Final EIS Table ES-1

Table ES-1 Summary of Impacts and Mitigation Measures

Impact Issues	Significance Before Mitigation	Mitigation	Resource Protection Measures	Significance After Mitigation
B = Beneficial **NI** = No impact **LTS** = Less than significant **PS** = Potentially Significant **SU** = Significant and Unavoidable **NA** = Not Applicable **PP** = Proposed Project **AA1** = Action Alternative 1 **AA2** = Action Alternative 2 **NAA** = No Action Alternative				
Environmental Health				
Issue EH-1: Herbicide Applicator Exposure and Health. Herbicide applicators could suffer health effects due to exposure during application of herbicides. Only the risks of acute exposure are pertinent since the limited testing period would assure that no chronic exposures would occur.	PP = PS AA-1 = NA AA2 = NA NAA = NA	**EH-1 Applicator qualifications:** Herbicide applications would be performed only by Qualified Applicator License (QAL) holders, who would be trained to follow NPDES permit requirements, use proper personal protective equipment, and follow product label specifications.		PP = LTS AA1 = NA AA2 = NA NAA = NA
Issue EH-2: Detectable Concentrations of Herbicides and Degradants in Receiving Waters. Impacts could occur if detectable concentrations of active ingredients and chemical degradants of herbicides proposed for testing persisted in lagoon waters. The environmental fate and persistence of each herbicide proposed for testing in the West Lagoon and Lake Tallac are defined in the literature. There is a potential for excess discharge concentrations if an herbicide product were spilled.	PP = PS AA1 = NA AA2 = NA NAA = NA	Detectable concentrations of discharged herbicides and their degradants would be controlled as a temporary condition allowable only for weeks to months. **EH-2, EH-3a, EH-4 Spill prevention and response plan:** A spill prevention and response plan would be implemented by a QAL holder to minimize and contain any spills during herbicide mixing and application, submitted for review as required by permitting agencies, and implemented at the work sites. **EH-6b Aeration:** Aeration technologies such as LFA would be implemented at each herbicide test site ~~immediately~~ after target aquatic weeds die back from the		PP = LTS AA1 = NA AA2 = NA NAA = NA

Table ES-1 Summary of Impacts and Mitigation Measures

IMPACT ISSUES	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	RESOURCE PROTECTION MEASURES	SIGNIFICANCE AFTER MITIGATION
B = Beneficial **NI** = No impact **LTS** = Less than significant **PS** = Potentially Significant **SU** = Significant and Unavoidable **NA** = Not Applicable **PP** = Proposed Project **AA1** = Action Alternative 1 **AA2** = Action Alternative 2 **NAA** = No Action Alternative				
		herbicide application. Aeration during plant decomposition would increase aerobic microbial degradation ~~of herbicide active ingredients~~ and reduce the risk of HABs by breaking up thermal stratification, reducing near-surface water temperature, and stabilizing pH conditions. The aeration systems would be continually operated until herbicide active ingredients and degradants are no longer detected above background concentrations.		
Issue EH-3: Protection of Drinking Water Supplies. Although even minimal dilution would prevent concentrations exceeding drinking water criteria from reaching drinking water supplies, degradation would occur if concentrations of active ingredients and chemical degradants of herbicides proposed for testing were detectable in or near the locations of potable water intakes. The potential for detectable concentrations at drinking water supply intakes is a function of the potential for transport of chemicals to these locations, the environmental fate and persistence of each herbicide proposed for testing, and the maximum allowable application rates for the proposed herbicides.	PP = LTS AA1 = NA AA2 = NA NAA = NA		**EH-2, EH-3a, EH-4 Spill prevention and response plan:** A spill prevention and response plan would be implemented by a QAL holder to minimize and contain any spills during herbicide mixing and application, submitted for review as required by permitting agencies, and implemented at the work sites. **EH-3b Dye tracing:** Rhodamine WT dye would be applied by TKPOA during the herbicide applications and tracked to determine the movement and dissipation of dissolved herbicide	PP = LTS AA1 = NA AA2 = NA NAA = NA

Table ES-1 Summary of Impacts and Mitigation Measures

Impact Issues	Significance Before Mitigation	Mitigation	Resource Protection Measures	Significance After Mitigation
B = Beneficial **NI** = No impact **LTS** = Less than significant **PS** = Potentially Significant **SU** = Significant and Unavoidable **NA** = Not Applicable **PP** = Proposed Project **AA1** = Action Alternative 1 **AA2** = Action Alternative 2 **NAA** = No Action Alternative				
			products and chemical transformation products. If herbicides are detected in nearby wells, contingency plans include shutting off the wells and distributing water to all users until residues are no longer detected in the samples. **EH-3c Well monitoring and contingencies:** A monitoring plan would address potential effects to human health, based on the TKPOA (2018) Aquatic Pesticide Application Plan. Sampling would be conducted at all three TKPOA well water intakes and would include sampling for contamination by herbicides or degradants 24 hours prior to each application, and at 48-hour intervals thereafter for 14 days. Samples would be analyzed for active herbicide ingredients in the products applied, and contingency plans/measures specified actions if herbicides are detected. **EH-3d West Channel monitoring and contingencies:**	

Table ES-1 Summary of Impacts and Mitigation Measures

Impact Issues	Significance Before Mitigation	Mitigation	Resource Protection Measures	Significance After Mitigation
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			If herbicides are detected within the West Channel, additional monitoring stations would be sampled outside the Tahoe Keys in Lake Tahoe and monitoring would continue south and north of the channel (TKPOA 2018). In any event, if herbicide residue is detected within 500 feet of the West Channel, the LWB would be notified within 24 hours. Well monitoring would verify the effectiveness of carbon filtration to remove any herbicide residues. If herbicides were detected in wells, contingency plans would be implemented that could include shutting off wells and distributing bottled drinking water until residues are no longer detected in the samples. **EH-3e Public outreach:** TKPOA would design and carry out an information campaign targeting homeowners, renters, and rental agencies, to provide advance notice regarding the CMT before and during aquatic herbicide applications. TKPOA would also hold a workshop and	

Table ES-1 Summary of Impacts and Mitigation Measures

Impact Issues	Significance Before Mitigation	Mitigation	Resource Protection Measures	Significance After Mitigation
B = Beneficial **NI** = No impact **LTS** = Less than significant **PS** = Potentially Significant **SU** = Significant and Unavoidable **NA** = Not Applicable **PP** = Proposed Project **AA1** = Action Alternative 1 **AA2** = Action Alternative 2 **NAA** = No Action Alternative				
			informational meeting with Tahoe Water Suppliers Association (TWSA) at least 45 days before herbicide applications are conducted. **EH-3f Carbon filtration contingency:** If monitoring detects herbicide residues ~~C~~carbon filtration systems already installed at water supply wells would remove any herbicide residues. A mobile filtration system would pump and treat water at wells where exceedances are detected above drinking water standard concentrations. **EH-3g Double turbidity curtain barriers:** Double turbidity curtain barriers would be installed outside West Lagoon areas where herbicide testing sites are located, to confine the herbicide applications and ensure that herbicide residues or chemical transformation products do not migrate toward the West Channel connecting the West Lagoon to Lake Tahoe	
Issue EH-4: Introduction of Toxic Substances	PP = LT~~P~~S	~~The herbicides proposed for~~	The herbicides proposed for	PP = LTS

Table ES-1 Summary of Impacts and Mitigation Measures

Impact Issues	Significance Before Mitigation	Mitigation	Resource Protection Measures	Significance After Mitigation
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into the Environment. Impacts could occur if detrimental physiological responses could occur when humans, plants, animals, or aquatic life are exposed to the herbicides proposed for testing. Exposure could occur due to spills or in the course of application of the herbicides. Acute toxicity levels for each herbicide are defined by the USEPA. The maximum allowable application rates for each herbicide determine the potential for effects.	AA1 = NA AA2 = NA NAA = NA	~~testing would not have acute or chronic toxicity to fish or invertebrates, and even minimal dilution would prevent concentrations from exceeding drinking water criteria at drinking water intakes (see EH-3).~~ ~~EH-2, EH-3a, EH-4 Spill prevention and response plan: A spill prevention and response plan would be implemented by a QAL holder to minimize and contain any spills during herbicide mixing and application.~~	testing would not have acute or chronic toxicity to fish or invertebrates, and even minimal dilution would prevent concentrations from exceeding drinking water criteria at drinking water intakes (see EH-3). **EH-2, EH-3a, EH-4 Spill prevention and response plan**: A spill prevention and response plan would be implemented by a QAL holder to minimize and contain any spills during herbicide mixing and application.	AA1 = NA AA2 = NA NAA = NA
Issue EH-5: Short-term Increases in Aluminum Concentrations (NAA). Aluminum persistent in sediments of the lagoons could be mobilized into the water column by project activities. If mobilized, it could affect aquatic life. The USEPA defines acute and chronic water quality criteria for the protection of aquatic life.	PP = PS AA1 = PS AA2 = PS NAA = PS	**EH-5a Best Management Practices:** Best management practices to minimize sediment disturbance would be followed. Turbidity would be monitored to ensure that sediment disturbance and the consequent potential for mobilization of aluminum into the water column is minimized. BMPs also would be used to prevent accidental releases of sediment to the lagoons during dredge spoils transport and handling. **EH-5b Treatment and testing of dewatering effluent (AA2):** Before any effluent is discharged		PP = LTS AA1 = LTS AA2 = LTS NAA = SU

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		to Lake Tallac or to the sanitary sewer system, it would be tested to ensure that aluminum levels comply with water quality criteria for aluminum. **EH-5c Leak Prevention, Spill Control, and Containment Plans (AA2):** A leak-detection program would be implemented for the transport of dredge spoils. Containment plans would assure adequate storage and safe handling of dredge spoils during processing. The plans would minimize the risk of dredged sediment containing aluminum from being released outside of approved discharge locations. **EH-5d Turbidity Curtain Barriers (AA2):** Turbidity curtain barriers would be used to isolate test areas for suction dredging and prevent the migration of disturbed sediment containing aluminum beyond the boundaries of test sites.		
Issue EH-6: Harmful Algal Blooms (HABs). A risk exists that the dieback and decay of aquatic weeds consequent upon test activities, and subsequent release of nutrients to the waters of	PP = PS AA1 = PS AA2 = NA NAA = PS	**EH-6a Timing and size of treatments:** Spring aquatic plant surveys would be conducted to ensure that herbicide treatments		PP = LTS AA1 = LTS AA2 = NA NAA = SU

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the lagoons could stimulate HABs. The potential for impacts to occur depends on a host of conditions, the timing of herbicide applications, volume of plant biomass, water and nighttime air temperatures, stratification of the lagoons, and plant photosynthesis and respiration levels.		occur at times when target aquatic weeds plants are in their early stages of growth so that the volume of decomposing plant material is minimized. The locations of test sites would be adjusted as needed to ensure that the targeted species are present for each herbicide application and ultraviolet light test, and areas dominated by native plant communities are avoided. The treatment area would be as small as possible given the objectives of the CMT. To minimize the biomass of plants killed by ultraviolet light treatment and the consequent release of nutrients that could stimulate HABs, an initial round of ultraviolet light treatment would be conducted in the spring to stunt plant growth so that plants would only be a few feet tall when they are treated again in the summer. **EH-6b Aeration:** Aeration technologies such as LFA would be implemented at each herbicide test site ~~immediately~~ after target aquatic weeds die back from the herbicide application. Aeration		

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		during plant decomposition would increase aerobic microbial degradation ~~of herbicide active ingredients~~ and reduce the risk of HABs by breaking up thermal stratification, reducing near-surface water temperature, and stabilizing pH conditions. The aeration systems would be continually operated until herbicide active ingredients and degradants are no longer detected above background concentrations. ~~and would continue through the summer and early fall to reduce oxygen depletion from plant decay.~~ **EH-6c Lanthanum Clay**: If HABs occur at a test site in response to phosphorus released during the plant decomposition that is expected to follow dieback from herbicide or UV-C light treatments, a bentonite clay product containing lanthanum (e.g., Phoslock) could be used to control the cyanobacteria. Lanthanum is a rare earth mineral with a strong affinity to bind with phosphorus. The product would be applied to the water surface at the test site		

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		where it would strip the water column of available phosphorus molecules while it settles to the bottom. The phosphorus would remain bound in the surface sediments and unavailable for growth of cyanobacteria or other phytoplankton, effectively starving the HAB of an essential nutrient.		
EARTH RESOURCES				
Issue ER-1: Suction Dredging and Dredge Materials Disposal. Effects to earth resources could occur under Action Alternative 2, as soft organic sediment in three test sites would be removed by suction dredging, potentially destabilizing docks and bulkheads. Effects could also occur if spills of dredged sediment (consisting of organic silt and fine sand, plant roots and other organic matter, and lagoon water) occur during transported by pipeline to the location of the old Tahoe Keys Water Treatment Plant for handling, dewatering, or during transport for ultimate disposal.	PP = NA AA1 = NA AA2 = PS NAA = NA	**ERM-1 Dredge/Spill Containment (AA2 only):** Spill control, containment and contingency plans would be developed for installing and operating a pipeline transporting aluminum-contaminated dredge spoils. Spills in the dredge handling area would by contained by installing barriers and impermeable layers. Performance specifications would be promulgated for the design of the pipeline to minimize the risks of leakage or other failures. Appropriate leak detection systems would be installed in the pipeline systems to quickly detect any leaks and shut systems down prior to significant contamination. Soils		PP = NA AA1 = NA AA2 = LTS NAA = NA

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		in material handling areas would be tested and the existing concrete tank would undergo an engineering evaluation to determine whether it is safe and suitable for storing dewatering effluent; portable Baker tanks would be used if it were found unsuitable. Secondary containment and liners would be employed as necessary to provide surface and ground water protection in the event of an accident. The effects of spill in transport would be remediated by clean-up operations. Any bulkheads or docks removed or destabilized by dredging would be fully mitigated by replacing them in kind, and any slopes that are destabilized would be mitigated by slope restabilization after the dredging test is completed. Speed limits and travel restrictions would be placed on roads used for dredge spoil transportation and disposal to reduce the potential for releases due to collisions and other accidents. These restrictions		

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		would need to be in place for at least six months based on current understanding.		
Air Quality and Greenhouse Gas Emissions				
Issue AQ-1: Compliance with the Basin Air Quality Plan. Conflicts with the applicable air quality plan or any effect on its implementation could affect compliance with air quality standards.	PP = LTS AA1 = LTS AA2 = LTS NAA = LTS	No conflict with the Basin Air Quality Plan would occur, therefore no mitigation measures are proposed.		PP = LTS AA1 = LTS AA2 = LTS NAA = LTS
Issue AQ-2: Cumulatively Considerable Net Increases of Criteria Pollutants. Effects could occur if the Proposed Project or Alternatives resulted in a cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment under an applicable federal or State ambient air quality standard.	PP = LTS AA1 = LTS AA2 = LTS NAA = LTS	Emissions associated with the Proposed Project and action alternatives are expected to be less than significant, therefore no mitigation measures are proposed.		PP = LTS AA1 = LTS AA2 = LTS NAA = LTS
Issue AQ-3: Exposure of Sensitive Receptors. If the Proposed Project or Alternatives exposed sensitive receptors to substantial pollutant concentrations, effects could occur.	PP = LTS AA1 = LTS AA2 = LTS NAA = LTS	Emissions associated with the Proposed Project and action alternatives are expected to be less than significant, therefore no mitigation measures are proposed.		PP = LTS AA1 = LTS AA2 = LTS NAA = LTS
Issue GHG-1: Greenhouse Gas Emissions. CEQA requires the evaluation of the potential to generate greenhouse gas emissions, either directly or indirectly. The California Air Resources Board (CARB) has issued the draft Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act (2008), which indicates that a project would be	PP = LTS AA1 = LTS AA2 = LTS NAA = LTS	Emissions associated with the Proposed Project and action alternatives are expected to be less than significant, therefore no mitigation measures are proposed.		PP = LTS AA1 = LTS AA2 = LTS NAA = LTS

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considered less than significant if it meets minimum performance standards during construction and if the project, with mitigation, would emit no more than approximately 7,000 metric tons of carbon dioxide per year (MTCO2e/yr). The El Dorado County Air Quality Management District (EDCAQMD) currently uses CEQA guidance developed by the adjacent Sacramento Metropolitan Air Quality Management District (SMAQMD) (EDCAQMD, 2020), which states a GHG significance threshold of 1,100 MTCO2e/yr for the construction phase of all projects.				
HYDROLOGY				
Issue HY-1: Disposal of Dewatering Effluent. Under Action Alternative 2 (suction dredging) approximately 33 million gallons (i.e., 100 acre-feet) of dewatering effluent would be produced and would require disposal over a period of approximately six months. Discharge could occur to the South Lake Tahoe sanitary sewer system, if approved by the wastewater utility's Board of Directors, or to Lake Tallac, potentially affecting surface water levels and groundwater flows to the West Lagoon. These discharges could affect flooding.	PP = NA AA1 = NA AA2 = PS NAA = NA	For the Proposed Project and Action Alternative 1, no potential adverse effects to hydrology would occur, therefore no mitigation measures are proposed. **HY-1 Disposal of Dewatering Effluent (AA2 only):** For Action Alternative 2, mitigation includes discharging treated effluent to the sanitary sewer system, if approved. If discharge is made to Lake Tallac, dewatering effluent would be treated to meet water quality criteria and discharged in the late summer and early fall months, when water levels are		PP = NA AA1 = NA AA2 = LTS NAA = NA

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		lower and the risk of contributing to flood conditions would be negligible.		
WATER QUALITY				
Issue WQ-1: Water Temperature Effects. Short-term heating from ultraviolet light may occur during treatment. Where aquatic weed density is reduced by any of the treatment methods, a long-term increase in solar radiation penetration may add heat to the water. Increased water circulation during LFA operations is expected to eliminate thermal density stratification, leading to cooler waters near the surface and warmer waters at depth.	PP = LTS AA1 = LTS AA2 = LTS NAA = PS	~~**WQ1 Real-Time Temperature Monitoring and Adjustments to Treatment Rates:** Real-time temperature monitoring during the implementation of ultraviolet light testing or injection of hot water under bottom barriers would be used to determine whether the rates of ultraviolet light application or injection of hot water under barriers would need to be reduced.~~	**WQ1 Real-Time Temperature Monitoring and Adjustments to Treatment Rates:** Real-time temperature monitoring during the implementation of ultraviolet light testing or injection of hot water under bottom barriers would be used to determine whether the rates of ultraviolet light application or injection of hot water under barriers would need to be reduced.	PP = LTS AA1 = LTS AA2 = LTS NAA = SU
Issue WQ-2: Sediment Disturbance and Turbidity. Sediment disturbance would be caused by suction dredging under Action Alternative 2, and by installation, startup, and removal of LFA systems; or installation and removal of bottom barriers under the Proposed Project or Action Alternative 1. These actions could cause short-term increases in turbidity and a temporary decline in water clarity within and near treatment areas. There is also a potential for short-term increased turbidity and decreased water clarity during suction dredging, from any accidental spills during transport and processing of dredge spoils, or during discharge of treated effluent from sediment	PP = LTS AA1 = LTS AA2 = PS NAA = PS	~~**WQ-2: Real-Time Turbidity Monitoring and Adjustments in Practices**. Divers would minimize sediment disturbance where employed in Group B activities (hand-pulling of weeds or removal of bottom barriers) because underwater visibility is necessary to carry out the work, and work would have to cease if the water became turbid. Turbidity monitoring would be conducted in association with these activities, and if permit limits could be~~	**WQ-2a: Real-Time Turbidity Monitoring and Adjustments in Practices.** Divers would minimize sediment disturbance where employed in Group B activities (hand-pulling of weeds or removal of bottom barriers) because underwater visibility is necessary to carry out the work, and work would have to cease if the water became turbid. Turbidity monitoring would be conducted in association with these activities, and if permit	PP = LTS AA1 = LTS AA2 = LTS NAA = SU

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dewatering.		~~exceeded, the methods or pace of bottom barrier removal or other activities would be adjusted to achieve compliance with permit limits for turbidity.~~ **WQ-2b, WQ-5c, WQ-6b, WQ-7b: ~~Sediment Disturbance and~~ Turbidity** Controls for Dredging, Substrate Replacement, and Dewatering (AA2 only)**.** Under Action Alternative 2, impacts from suction dredging resuspension of the sediments in the water column would be minimized by optimizing the cutter head speed and movement with suction capacity, and using a moveable shield around and above the cutter head. Turbidity monitoring would indicate when engine speeds or auger pressures would need to be adjusted. These steps would also minimize the release of nutrients from disturbed sediment into the water column, reducing its availability to algae and minimizing the release of aluminum in sediments to the lagoon water. The rate and method of new sediment placement also would be	limits could be exceeded, the methods or pace of bottom barrier removal or other activities would be adjusted to achieve compliance with permit limits for turbidity.	

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		adjusted in response to monitoring. Silt curtains would be used to confine water quality impacts within test sites during dredging and substrate replacement. Performance specifications for sand or fine gravel used for substrate replacement would require testing prior to placement to ensure that the material did not contain excessive amounts of fine particles that could cause turbidity. Spill control and containment plans would be used to control accidental spills of dredge spoils and would include provisions for adequate storage for safe handling of dredge spoils during processing. No discharge of dewatering effluent would be allowed until monitoring has demonstrated that treatment systems reduced turbidity sufficiently to meet standards, as required by contract performance specifications. Treatment system designs could include settling and flocculation in batches stored in tanks for testing before discharge to the sanitary sewer system or Lake Tallac.		

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Issue WQ-3: Dispersal of Aquatic Weed Fragments. Fragments may incidentally break off from aquatic plants during herbicide applications, ultraviolet light treatments, and placement of LFA systems, and suction. Floating plant fragments may escape, cause nuisance or adversely affect beneficial uses.	PP = NA AA1 = NA AA2 = LTS NAA = PS	~~**WQ-3: Dispersal of Aquatic Weed Fragments (AA2).** Performance specifications for sand or gravel used for substrate replacement would require that the material not contain excessive amounts of organic matter that could increase amounts of floating materials.~~	**WQ-3: Dispersal of Aquatic Weed Fragments (AA2 only).** Performance specifications for sand or gravel used for substrate replacement would require that the material not contain excessive amounts of organic matter that could increase amounts of floating materials.	PP =NA AA1 = NA AA2 = LTS NAA = SU
Issue WQ-4: Changes in pH. Short-term changes in pH could result from the introduction of herbicide products in treatment areas. Long-term beneficial changes in pH fluctuation could result from reduced photosynthesis, respiration and decomposition as dense aquatic weed beds are controlled. Increased water circulation and oxygenation of deep waters during LFA operation could also improve pH conditions.	PP = LTS AA1 = LTS AA2 = LTS NAA = PS	~~**WQ4 Real-Time pH Monitoring and Adjustments to Treatment Rates:** If real-time monitoring of pH indicates that permit limits are exceeded, herbicide rates would be adjusted until compliance with permit limits for pH is demonstrated.~~	**WQ4 Real-Time pH Monitoring and Adjustments to Treatment Rates:** If real-time monitoring of pH indicates that permit limits are exceeded, herbicide rates would be adjusted until compliance with permit limits for pH is demonstrated.	PP = LTS AA1 = LTS AA2 = LTS NAA = SU
Issue WQ-5: Changes in Dissolved Oxygen Concentrations. Rapid dieback of dense aquatic weed beds from testing herbicide applications or ultraviolet light could result in significant changes to DO conditions within and near test sites. This could cause biochemical oxygen demand (BOD) from decomposing plants to decrease DO concentrations during the normal growing season for aquatic plants. Herbicide products could also create short-term chemical oxygen demand during applications. Offsetting beneficial effects may result where LFA increases water circulation and	PP = PS AA1 = PS AA2 = PS NAA = PS	**WQ5a Timing and Limited Extent of Testing:** The overall reduction in aquatic weed biomass from testing control methods is generally expected to reduce oxygen depletion at test sites. Herbicide applications would occur in the late spring when target weed species are in their early stages of growth and plant biomass is minimal, and the timing would be adjusted based on pre-application		PP = LTS AA1 = LTS AA2 = LTS NAA = SU

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improves low-oxygen conditions in the deeper portions of the water column during summer thermal stratification.		macrophyte surveys. This timing is expected to minimize the biomass of decaying vegetation, mitigating the effects of oxygen depletion and nutrient release that could occur from dieback of mature plants. Similarly, ultraviolet light applications would include an early-season treatment to stunt plant growth, reducing the decaying biovolume that could contribute to reduced DO in the summer. Effects would also be mitigated by the limited size of test sites. **WQ5b Aeration**: LFA or other aeration systems would be deployed in herbicide test sites ~~immediately~~ after plant dieback to increase aerobic microbial degradation ~~of the herbicides~~ and offset the potential for BOD from plant decomposition that could cause low DO impacts. If real-time monitoring indicated that DO was not meeting permit requirements at an ultraviolet light test site, an LFA system would be deployed to aerate during the period of plant decay and ensure that DO impacts		

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		were not significant **WQ-2b, WQ-5c, WQ-6b, WQ-7b: Turbidity Controls for Dredging, Substrate Replacement, and Dewatering (AA2 only).** Under Action Alternative 2, impacts from suction dredging resuspension of the sediments in the water column would be minimized by optimizing the cutter head speed and movement with suction capacity, and using a moveable shield around and above the cutter head. Turbidity monitoring would indicate when engine speeds or auger pressures would need to be adjusted. These steps would also minimize the release of nutrients from disturbed sediment into the water column, reducing its availability to algae and minimizing the release of aluminum in sediments to the lagoon water. The rate and method of new sediment placement also would be adjusted in response to monitoring. Silt curtains would be used to confine water quality impacts within test sites during dredging and substrate replacement.		

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		Performance specifications for sand or fine gravel used for substrate replacement would require testing prior to placement to ensure that the material did not contain excessive amounts of fine particles that could cause turbidity. Spill control and containment plans would be used to control accidental spills of dredge spoils and would include provisions for adequate storage for safe handling of dredge spoils during processing. No discharge of dewatering effluent would be allowed until monitoring has demonstrated that treatment systems reduced turbidity sufficiently to meet standards, as required by contract performance specifications. Treatment system designs could include settling and flocculation in batches stored in tanks for testing before discharge to the sanitary sewer system or Lake Tallac.		
Issue WQ-6: Increases in Total Phosphorus Concentrations. Short-term increases in lagoon total phosphorus concentrations could result from sediment disturbance during suction dredging or LFA installation, or during the initial operation of	PP = PS AA1 = PS AA2 = PS NAA = PS	**WQ6a Timing and Limited Extent of Testing:** The overall reduction in aquatic weed biomass from testing control methods is generally expected to reduce the		PP = LTS AA1 = LTS AA2 = LTS NAA = SU

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LFA systems circulating deep waters to the surface. Release of phosphorus from decaying aquatic plants to the water column could be accelerated during and after ~~weed control~~herbicide or UV treatments, which could increase concentrations during those periods but lead to lower concentrations from aquatic plant dieback in the fall. Long term, phosphorus release from decaying plants would be reduced where dense aquatic weed beds are successfully treated.		release of TP from macrophytes at test sites. Herbicide applications would occur in the late spring when target weed species are in their early stages of growth and plant biomass is minimal, and the timing would be adjusted based on pre-application macrophyte surveys. This timing is expected to minimize the biomass of decaying vegetation, mitigating the effects of nutrient release that could occur from dieback of mature plants. Similarly, ultraviolet light applications would include an early-season treatment to stunt plant growth, reducing the decaying biovolume that could contribute to reduced TP in the summer. Effects would also be mitigated by the limited size of test sites. ~~**Discharge of Treated Effluent (AA2):** No discharge of dewatering effluent would be allowed until monitoring has demonstrated that treatment systems reduced phosphorus sufficiently to meet standards, as required by contract performance specifications.~~		

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		~~Treatment system designs could include settling and flocculation in batches stored in tanks for testing before discharge to the sanitary sewer system or Lake Tallac.~~ ~~Mitigation measures to meet project permit limits for turbidity (WQ-2) would also be effective in controlling nutrient entrainment in the water column from sediment resuspension.~~ **WQ-2b, WQ-5c, WQ-6b, WQ-7b:** Turbidity Controls for Dredging, Substrate Replacement, and Dewatering (AA2 only). Under Action Alternative 2, impacts from suction dredging resuspension of the sediments in the water column would be minimized by optimizing the cutter head speed and movement with suction capacity, and using a moveable shield around and above the cutter head. Turbidity monitoring would indicate when engine speeds or auger pressures would need to be adjusted. These steps would also minimize the release of nutrients from disturbed sediment into the water column, reducing its		

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		availability to algae and minimizing the release of aluminum in sediments to the lagoon water. The rate and method of new sediment placement also would be adjusted in response to monitoring. Silt curtains would be used to confine water quality impacts within test sites during dredging and substrate replacement. Performance specifications for sand or fine gravel used for substrate replacement would require testing prior to placement to ensure that the material did not contain excessive amounts of fine particles that could cause turbidity. Spill control and containment plans would be used to control accidental spills of dredge spoils and would include provisions for adequate storage for safe handling of dredge spoils during processing. No discharge of dewatering effluent would be allowed until monitoring has demonstrated that treatment systems reduced turbidity sufficiently to meet standards, as required by contract performance specifications.		

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		Treatment system designs could include settling and flocculation in batches stored in tanks for testing before discharge to the sanitary sewer system or Lake Tallac. **WQ-6c and WQ-7c Effluent Treatment to Remove Phosphorus or Nitrogen (AA2 only):** No discharge of dewatering effluent would be allowed until monitoring has demonstrated that treatment systems reduced phosphorus sufficiently to meet standards, as required by contract performance specifications. Treatment system designs could include settling and flocculation in batches stored in tanks for testing before discharge to the sanitary sewer system or Lake Tallac. Mitigation measures to meet project permit limits for turbidity (WQ-2) would also be effective in controlling nutrient entrainment in the water column from sediment resuspension.		
Issue WQ-7: Increases in Lagoon Water Total Nitrogen Concentrations. Short-term increases in lagoon water total nitrogen concentrations could result from sediment disturbance during suction	PP = PS AA1 = PS AA2 = PS NAA = PS	**WQ-7a Timing and Limited Extent of Testing:** The overall reduction in aquatic weed biomass from testing control methods is		PP = LTS AA1 = LTS AA2 = LTS NAA = SU

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B = Beneficial **NI** = No impact **LTS** = Less than significant **PS** = Potentially Significant **SU** = Significant and Unavoidable **NA** = Not Applicable **PP** = Proposed Project **AA1** = Action Alternative 1 **AA2** = Action Alternative 2 **NAA** = No Action Alternative				
dredging or LFA installation, or during the initial operation of LFA systems circulating deep waters to the surface. Release of nitrogen from decaying aquatic plants to the water column could also be accelerated during and after weed control treatments, which could increase concentrations during those periods but lead to lower concentrations from aquatic plant dieback in the fall. Long term, a reduction in nitrogen release from decaying plants would be accomplished where dense aquatic weed beds are successfully treated.		generally expected to reduce the release of TN from macrophytes at test sites. Herbicide applications would occur in the late spring when target weed species are in their early stages of growth and plant biomass is minimal, and the timing would be adjusted based on pre-application macrophyte surveys. This timing is expected to minimize the biomass of decaying vegetation, mitigating the effects of oxygen depletion and nutrient release that could occur from dieback of mature plants. Similarly, ultraviolet light applications would include an early-season treatment to stunt plant growth, reducing the decaying biovolume that could contribute to reduced TN in the summer. Effects would also be mitigated by the limited size of test sites. **WQ-2b, WQ-5c, WQ-6b, WQ-7b: Turbidity Controls for Dredging, Substrate Replacement, and Dewatering (AA2 only).** Under Action Alternative 2, impacts from suction dredging resuspension of the sediments in the water column		

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		would be minimized by optimizing the cutter head speed and movement with suction capacity, and using a moveable shield around and above the cutter head. Turbidity monitoring would indicate when engine speeds or auger pressures would need to be adjusted. These steps would also minimize the release of nutrients from disturbed sediment into the water column, reducing its availability to algae and minimizing the release of aluminum in sediments to the lagoon water. The rate and method of new sediment placement also would be adjusted in response to monitoring. Silt curtains would be used to confine water quality impacts within test sites during dredging and substrate replacement. Performance specifications for sand or fine gravel used for substrate replacement would require testing prior to placement to ensure that the material did not contain excessive amounts of fine particles that could cause turbidity. Spill control and containment plans		

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		would be used to control accidental spills of dredge spoils and would include provisions for adequate storage for safe handling of dredge spoils during processing. No discharge of dewatering effluent would be allowed until monitoring has demonstrated that treatment systems reduced turbidity sufficiently to meet standards, as required by contract performance specifications. Treatment system designs could include settling and flocculation in batches stored in tanks for testing before discharge to the sanitary sewer system or Lake Tallac. **WQ-6c Effluent Treatment to Remove Phosphorus or Nitrogen (AA2 only):** No discharge of dewatering effluent would be allowed until monitoring has demonstrated that treatment systems reduced phosphorus sufficiently to meet standards, as required by contract performance specifications. Treatment system designs could include settling and flocculation in batches stored in tanks for testing before discharge		

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		to the sanitary sewer system or Lake Tallac. Mitigation measures to meet project permit limits for turbidity (WQ-2) would also be effective in controlling nutrient entrainment in the water column from sediment resuspension.		
Aquatic Biology and Ecology				
Issue AQU-1: Effects on Non-Target Aquatic Macrophyte Species. Non-target plant species could be affected by direct contact with herbicides or through exposure to ultraviolet light treatments or implementation of some Group B methods. The magnitude of short-term impacts depends on the herbicide applied, with endothall being a less-selective contact herbicide that would likely result in the greatest impacts to non-target species.	PP = PS AA1 = PS AA2 = PS NAA = PS	**AQU-1 Macrophyte Surveys:** Spring macrophyte surveys would be used as a basis to adjust testing site boundaries to better target dense beds of target species and avoid native plant communities.		PP = LTS AA1 = LTS AA2 = LTS NAA = SU
Issue AQU-2: Competitive Exclusion of Aquatic Macrophytes Due to Increased Growth of Curlyleaf Pondweed. If the application of aquatic herbicides favors the more competitive nuisance plants such as curlyleaf pondweed, this species could expand as other aquatic weeds are reduced at test sites, leading to the competitive exclusion of native species.	PP = LTS AA1 = NA AA2 = NA NAA = NA	~~Pre-treatment surveys would help focus the test sites on target species, thus implementation of Group A methods is expected to reduce the competitive pressure exerted by curlyleaf pondweed.~~	**AQU-1 Macrophyte Surveys:** Pre-treatment surveys would help focus the test sites on target species, thus implementation of Group A methods is expected to reduce the competitive pressure exerted by curlyleaf pondweed.	PP = LTS AA1 = NA AA2 = NA NAA = NA
Issue AQU-3: Effects on Sensitive Aquatic Macrophyte Species. No aquatic plant species occur in the vicinity of the Tahoe Keys lagoons	PP = PS AA1 = NA AA2 = NA	**AQU-1 Macrophyte Surveys:** Although the drift of endothall from the treatment sites in Lake Tallac		PP = LTS AA1 = NA AA2 = NA

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that are identified by TRPA as sensitive, or which are listed under federal or state Endangered Species Acts (ESA). Watershield (a 2B.3 California Rare Plant Bank [CRPR] sensitive species) is known to occur in Lake Tallac where endothall treatments are proposed. There is the potential for impacts to watershield due to drift of aquatic herbicides as part of Group A methods associated with the Proposed Project.	NAA = NA	may contact watershield, there is no published evidence that it would cause substantial adverse effects. Pre-treatment surveys described for AQU-1 would be implemented. These measures to avoid watershield in Lake Tallac, are expected to avoid effects on sensitive macrophyte species.		NAA = NA
Issue AQU-4: Changes in Aquatic Macrophyte Community Composition. Potential direct and indirect effects to the non-target macrophyte community could occur as the result of the Project, including both Group A and Group B methods. The threshold of significance for this issue area would be a substantial change or reduction in the diversity or distribution of the non-target macrophyte community.	PP = PS AA1 = PS AA2 = PS NAA = PS	**AQU-1 Macrophyte Surveys:** Spring macrophyte surveys would be used as a basis to adjust testing site boundaries to better target dense beds of target species and avoid adverse changes in macrophyte community composition.		PP = LTS AA1 = LTS AA2 = LTS NAA = SU
Issue AQU-5: Effects on the Aquatic Benthic Macroinvertebrate Community. Potential direct and indirect effects to the benthic macroinvertebrate community could include the loss of organisms as a result of exposure to ultraviolet light, through placement of bottom barriers, and/or through entrainment associated with suction dredging. Potential indirect adverse effects could result from short-term water quality degradation associated with vegetation decomposition.	PP = LTS AA1 = LTS AA2 = LTS NAA = PS	All treatments would be temporary and localized. Implementation of Group A methods would not be expected to result in a substantial change or reduction in the diversity or distribution of the aquatic BMI community, and no mitigation is required.		PP = LTS AA1 = LTS AA2 = LTS NAA = SU

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Issue AQU-6: Effects on Special-Status Fish Species. Toxicity tests indicate that the herbicides proposed for use in the Tahoe Keys lagoons are not toxic to fish and BMI species and the USEPA has determined that the herbicides would have no significant acute or chronic impact on fish or BMI when recommended rates are used. Ultraviolet light treatments could result in temporary effects on special-status fish if they are present in the immediate treatment areas; however, fish would be expected to quickly move away to avoid exposure. LFA would be expected to generally improve water quality, which could result beneficial, albeit small, effects to fish species.	PP = LTS AA1 = LTS AA2 = LTS NAA = PS	Lahontan Cutthroat Trout would not be expected to be present and Tui Chub would only be expected to occur as a small number of individuals, if at all. Both species would be anticipated to sense the treatment activity (i.e., disturbance) and move away to avoid becoming trapped, entrained, and/or affected by temporary habitat disturbance, as long as adequate habitat space is available for their movement. All treatments would be temporary and localized. Implementation of Group A methods would not be expected to result in a substantial reduction in numbers or reduced viability of special-status fish species and no mitigation is required.		PP = LTS AA1 = LTS AA2 = LTS NAA = SU
Issue AQU-7: Effects on Fish Movement that would Block Access to Spawning Habitat. Potential direct and indirect effects could occur if access to spawning habitat were blocked or delayed during the implementation of the Proposed Project or alternatives.	PP = LTS AA1 = LTS AA2 = LTS NAA = NA	No significant potential to block fish movements was identified and no mitigation is required.		PP = LTS AA1 = LTS AA2 = LTS NAA = NA
Issue AQU-8: Effects on the Suitability of Habitat for Native or Recreationally Important Game Fish Species. Potential effects to the suitability of habitat for native or recreationally	PP = LTS AA1 = LTS AA2 = LTS NAA = PS	No significant effects on habitat for native or recreationally important game fish species identified and		PP = LTS AA1 = LTS AA2 = LTS NAA = SU

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important game fish species could include short-term degradation of habitat associated with herbicide treatments, ultraviolet light, through the placement of bottom barriers, increases in turbidity associated with suction dredging, and changes in submerged aquatic vegetation, which provides important habitat structure for certain fish species.		no mitigation is required.		
Issue AQU-9: Effects Associated with the Introduction or Spread of Aquatic Invasive Species. Potential effects associated with the introduction or spread of aquatic invasive species could include the introduction of aquatic invasive species associated with equipment and personnel implementing the control methods. All of the control methods could result in the release and transport of aquatic weed seed and propagules to areas outside of the Tahoe Keys where aquatic invasive weed species have not yet become established.	PP = LTPS AA1 = LTPS AA2 = LTPS NAA = PS	The existing watercraft inspection program, and permit conditions requiring cleaning and inspection of all in-water equipment, would minimize risks for introduction or spread of AIS.		PP = LTS AA1 = LTS AA2 = LTS NAA = SU
Terrestrial Biology and Ecology				
Issue TE-1: Short-Term Effects on Terrestrial Habitats and Species. Short-term effects to terrestrial species and habitat may arise from disturbance or alteration of the existing habitat. Upland habitats that may be affected include ruderal and disturbed areas adjacent to the old Water Treatment Plant on the south shore of Lake Tallac. Wildlife species which utilize open water for foraging could be affected. Impacts may	PP = LTS AA1 = LTS AA2 = LTS NAA = LTS	**Field Reconnaissance and Monitoring**. Prior to initiating the test program, TKPOA will conduct a pre-test field reconnaissance of potentially affected terrestrial, riparian, and aquatic (benthic and littoral zones), habitat and species. This will include the test sites and buffer zones appropriate to each	**MM-BIO-1** Field Reconnaissance and Monitoring: Prior to initiating the test program, TKPOA will conduct a pre-test field reconnaissance of potentially affected terrestrial, riparian, and aquatic (benthic and littoral zones), habitat and species. This will include the test	PP = LTS AA1 = LTS AA2 = LTS NAA = LTS

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include: Introduction and spread of invasive plant species within terrestrial, riparian, and wetland habitats. Damage or mortality of special-status plants or altered extent of special-status plant habitat. Disturbance to sensitive communities, including jurisdictional wetlands and riparian vegetation. Injury or mortality of special-status wildlife individuals or otherwise protected species. Disruption to wildlife habitat including extent of special-status wildlife habitat. Interference with wildlife movement. Disturbance caused by dredge and replacement substrate.		~~potentially affected species. The occurrence of any sensitive or listed species and/or habitat will be recorded. If sensitive receptors are observed, an evaluation will be made as to the potential impacts. If direct or indirect impacts are possible, coordination will be initiated with the appropriate federal (USFWS) or state (CDFW) agency to determine further mitigation to avoid impacts. Examples of mitigation measures could include environmental tailboards prior to the start of work, the establishment of exclusionary zones (i.e., around active nests), and/or assigning biological field monitors with stop work authority if impacts to receptors are possible. Should work stop based on discovery of sensitive or listed species, and TKPOA will consult with appropriate agencies to determine next steps prior to work restarting.~~	sites and buffer zones appropriate to each potentially affected species. The occurrence of any sensitive or listed species and/or habitat will be recorded. If sensitive receptors are observed, an evaluation will be made as to the potential impacts. If direct or indirect impacts are possible, coordination will be initiated with the appropriate federal (United States Fish and Wildlife Service [USFWS]) or state (CDFW) agency to determine further mitigation to avoid impacts. Examples of mitigation measures could include environmental tailboards prior to the start of work, the establishment of exclusionary zones (i.e., around active nests), and/or assigning biological field monitors with stop work authority if impacts to receptors are possible. Should work stop based on discovery of sensitive or listed species, and TKPOA will consult with appropriate agencies to determine next	

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			steps prior to work restarting.	
Issue TE-2: Effects on Non-Target Riparian and Wetland Habitats and Species. Riparian and wetland species and habitats could be affected if herbicide applications affect non-target species; if LFA changes current riparian or habitat conditions; or if the discharge of dewatering effluent from test dredging affects water levels in Lake Tallac or Pope Marsh.	PP = LTS AA1 = LTS AA2 = PS NAA = LTS	Mitigation measures would be the same as those identified for Issues HY-1 and AQU-1(AA2 only).	MM-BIO-2: Routine monitoring of the ecotonal areas within Lake Tallac outside and adjacent to the herbicide treatment areas will be performed during the duration of the Proposed Project.	PP = LTS AA1 = LTS AA2 = LTS NAA = LTS
Land Use				
Issue LN-1: Physical Division of an Established Community. Effects could occur if an established community were physically divided.	PP = NI AA1 = NI AA2 = NI NAA = NI	No new development would occur; therefore, there would be no impacts and no mitigation are required.		PP = NI AA1 = NI AA2 = NI NAA = NI
Issue LN-2: Conflicts with Land Use Plans, Policies, or Regulations. Conflicts with a land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect, could affect compliance. Potential conflicts evaluated include the environmentally mitigating policies and regulations listed in the TRPA Code of Ordinances, the Plan Area Statement (PAS) for Tahoe Keys (PAS-102), and the City of South Lake Tahoe General Plan.	PP = LTS AA1 = LTS AA2 = LTS NAA = LTS	No conflicts with land use plans, policies or regulations would occur, and no mitigation is required.		PP = LTS AA1 = LTS AA2 = LTS NAA = LTS
Issue LN-3: Inclusion of Unpermitted Land Uses. Effects could occur if the Proposed Project or alternatives led to land uses that were not permitted under the PAS for Tahoe Keys, or if it resulted in expansion or intensification of an	PP = NI AA1 = NI AA2 = NI NAA = NI	No change in existing land uses would occur, including intensification of any existing land use. Therefore, there would be no impacts and no mitigation is		PP = NI AA1 = NI AA2 = NI NAA = NI

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existing non-conforming use.		required.		
RECREATION				
Issue RE-1: Obstruction of Direct Private Access to Lake Tahoe Recreational Boating. Recreational boat passage may be obstructed for Tahoe Keys property owners or their guests (e.g., vacation rentals) by turbidity curtains or other barriers placed in the Tahoe Keys lagoons during the proposed CMT or dredge and substrate replacement test. The threshold of significance is defined as a permanent loss of direct recreational boating access from the Tahoe Keys, including during the recreational boating season (from Memorial Day weekend through Labor Day weekend).	PP = LTS AA1 = NA AA2 = LTS NAA = PS	~~**REC-1 Public Noticing:** An information campaign would target home-owners, renters, and rental agencies, to provide advance notice on any public access or recreational restrictions during the test period. The campaign would employ emails, flyers, letters, TKPOA's periodical (The Breeze), and social media to provide announcements and project summaries three to six months in advance of proposed actions. Signage would be displayed by TKPOA 30 days prior to project implementation, throughout project implementation and 14 days after project completion. Notices will be posted in publicly visible locations immediately adjacent to test sites and at the intersection of Tahoe Keys Blvd and Venice Drive, to inform property owners and visitors about the project and current status of waterways.~~ ~~**REC-2 Timing for Placement and Removal of Barriers:** Herbicide treatments would be timed to allow~~	**REC-1 Public Noticing:** An information campaign would target home-owners, renters, and rental agencies, to provide advance notice on any public access or recreational restrictions during the test period. The campaign would employ emails, flyers, letters, TKPOA's periodical (The Breeze), and social media to provide announcements and project summaries three to six months in advance of proposed actions. Signage would be displayed by TKPOA 30 days prior to project implementation, throughout project implementation and 14 days after project completion. Notices will be posted in publicly visible locations immediately adjacent to test sites and at the intersection of Tahoe Keys Blvd and Venice Drive, to inform property owners and visitors about the project and current status of waterways.	PP = LTS AA1 = NA AA2 = LTS NAA = SU

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		~~treatments to be completed before the onset of the peak recreational boating season if possible. As soon as monitoring shows that acceptable limits of herbicides and degradation products are reached, barriers would be removed. For Action Alternative 2, barriers would remain in place for up to 4.5 months at each dredge site, and no provision is made for their early removal.~~ ~~**REC-3 Swimming and Other Direct Water Contact Restriction:** As part of the information campaign noted above, property owners and visitors would be alerted regarding the need to avoid direct water contact.~~	**REC-2 Timing for Placement and Removal of Barriers:** ~~.~~ Herbicide treatments would be timed to allow treatments to be completed before the onset of the peak recreational boating season if possible. As soon as monitoring shows that acceptable limits of herbicides and degradation products are reached, barriers would be removed. For Action Alternative 2, barriers would remain in place for up to 4.5 months at each dredge site, and no provision is made for their early removal. **REC-3 Swimming and Other Direct Water Contact Restriction:** ~~.~~ As part of the information campaign noted above, property owners and visitors would be alerted regarding the need to avoid direct water contact.	
Issue RE-2: Increased Use of Tahoe Keys Marina and Other Facilities. Recreational boat launches may be displaced to the Tahoe Keys Marina and other nearby launching facilities during the period that barriers are placed within the Keys to implement the CMT.	PP = LTS AA1 = NA AA2 = LTS NAA = NA	No significant issues would occur for the Proposed Project and Action Alternatives; no mitigation is required.		PP = LTS AA1 = NA AA2 = LTS NAA = NA

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Issue RE-3: Inconsistency with TRPA Recreation Thresholds. Environmental analysis considers two thresholds: R-1. High Quality Recreational Experience and R-2. Public's Fair Share of Resource Capacity.	PP = LTS AA1 = NA AA2 = LTS NAA = PS	No significant issues would occur for the Proposed Project and Action Alternatives; no mitigation is required.		PP = LTS AA1 = NA AA2 = LTS NAA = PS
Utilities				
Issue UT-1: Effects on Water Supply. Effects could occur if herbicide residues and degradants reached water supply intakes on Lake Tahoe, and led to the loss of filtration exemption for purveyors drawing from the lake. An impact could occur if turbidity increased in nearshore shallows near drinking water intakes as a result of the dieback and decay of aquatic weeds.	PP = NI AA1 = NA AA2 = NA NAA = PS	Due to dilution, no detectable concentration of herbicides or degradants attributable to the test program would occur at drinking water intakes, and therefore no impact would occur and no mitigation is required. TKPOA has proposed contingency plans, including monitoring and alert systems to be implemented if necessary to remove herbicides and other chemicals to treat the potable water before distribution.		PP = NI AA1 = NA AA2 = NA NAA = SU
Traffic and Transportation				
Issue TR-1: Generation of New Daily Vehicle Trips. The Project would have a potentially significant impact if it generated more than 100 new daily trip ends (one-way vehicular trips), as defined by TRPA Code 65.2.	PP = LTS AA1 = LTS AA2 = LTS NAA = NI	Because the Proposed Project and action alternatives would generate less than the threshold minimum number of trips, no mitigation is required. ~~Further, prior to commencement of work under Action Alternative 2, TKPOA would coordinate with the City of South Lake Tahoe Public Works Roads~~	Prior to commencement of work under Action Alternative 2, TKPOA would coordinate with the City of South Lake Tahoe Public Works Roads Division for the operation of heavy vehicles on City streets and would submit an application for a transportation permit and/or a	PP = LTS AA1 = LTS AA2 = LTS NAA = NI

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		~~Division for the operation of heavy vehicles on City streets, and would submit an application for a transportation permit and/or a traffic control plan, as required.~~	traffic control plan, as required.	
Issue TR-2: Changes in Demand for Parking. An impact could occur if changes to parking facilities or new demand for parking affected the ability of Tahoe Keys property owners or members of the general public to find parking spaces in reasonable proximity to their destination.	PP = LTS AA1 = LTS AA2 = LTS NAA = NI	Because the Proposed Project and action alternatives would not generate a significant amount of demand for parking in relation to that available in the area, no mitigation is required.		PP = LTS AA1 = LTS AA2 = LTS NAA = NI
Issue TR-3: Effects on Roads and Level of Service. Effects could occur if there were a substantial impact on the condition or level of service of existing road segments along the planned haul routes for sediment and clean substrate could occur, or if patterns of circulation were altered, or if traffic hazards to vehicles, bicyclists or pedestrians were to increase.	PP = LTS AA1 = LTS AA2 = ~~LTS~~ PS NAA = NI	Because no existing roadways would be modified or closed for the Project, and further because truck trips for Action Alternative 2 would utilize trucks appropriately sized for the roadways, no impacts are expected to occur, and no mitigation would be required. TR-3 (AA2 only): Further, prior to commencement of work under Action Alternative 2, TKPOA would coordinate with the City of South Lake Tahoe Public Works Roads Division for the operation of heavy vehicles on City streets. As required by the City, TKPOA would submit a program for minimizing damage to the road surface as a		PP = LTS AA1 = LTS AA2 = LTS NAA = NI

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		result of the project.		
Issue TR-4: Effects on Water Traffic. The Project could have a potentially significant impact if it would alter waterborne traffic. The dredge and ultraviolet light alternatives would each deploy a single small barge.	PP = LTS AA1 = LTS AA2 = LTS NAA = NI	Because the travel paths of the barges under the Proposed Project and Action Alternative 2 are not expected to significantly alter existing waterborne traffic, and because there are no commercial transportation services in the Project area, no impacts would occur and no mitigation is required.		PP = LTS AA1 = LTS AA2 = LTS NAA = NI
NOISE				
Issue NO-1: Short-Term Noise Associated with Dredging and Substrate Replacement. The Proposed Project and Action Alternative 2 could cause short-term noise impacts, similar to a construction project.	PP = LTS AA1 = LTS AA2 = LTS NAA = LT~~LTS~~	The type of noise expected to be generated by the Proposed Project or Action Alternative 1 is considered exempt under local noise ordinances, and no mitigation is required. ~~For Action Alternative 2, the following measures would be implemented:~~ **~~NO-1 Work During Daylight Hours:~~** ~~Action Alternative 2 activities will occur only during daylight hours between 8:00 a.m. and 6:30 p.m.~~ **~~NO-2 Maintenance and Muffling of Equipment:~~** ~~All equipment used during performance of Action Alternative 2 will be maintained in good working order and fitted with~~	For Action Alternative 2, the following measures would be implemented: **NO-1 Work During Daylight Hours:** Action Alternative 2 activities will occur only during daylight hours between 8:00 a.m. and 6:30 p.m. **NO-2 Maintenance and Muffling of Equipment:** All equipment used during performance of Action Alternative 2 will be maintained in good working order and fitted with factory-installed muffling devices throughout the duration of the project.	PP = LTS AA1 = LTS AA2 = LTS NAA = LTS

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		~~factory-installed muffling devices throughout the duration of the project~~.		
CULTURAL RESOURCES				
Issue CR-1: Traditional Native American Resources and Values. Potential effects were determined through consultation with the affected Indian Tribe; identified concerns include effects cause by unanticipated discovery of cultural resources, or a lack of awareness by consultants and construction workers.	PP = LTS AA1 = LTS AA2 = LTS NAA = LTS	~~On November 15, 2018, the United Auburn Indian Community provided a written request for consultation and recommendations for mitigation measures. These measures included an Unanticipated Discovery Plan, Awareness Training for workers, and an associated Tribal Cultural Resources Awareness brochure to be included in the Proposed Project Mitigation Monitoring Plan. Incorporation of the Unanticipated Discovery Plan, Awareness Training, and Associated Awareness brochure into the final Mitigation Monitoring Plan for the Proposed Project will satisfy AB 52 compliance for the United Auburn Indian Community and meet mitigation requirements.~~	On November 15, 2018, the United Auburn Indian Community provided a written request for consultation and recommendations for mitigation measures. These measures included an Unanticipated Discovery Plan, Awareness Training for workers, and an associated Tribal Cultural Resources Awareness brochure to be included in the Proposed Project Mitigation Monitoring Plan. The Water Board agreed to include the Tribe's requested measures in the MMRP. ~~Incorporation of the Unanticipated Discovery Plan, Awareness Training, and Associated Awareness brochure into the final Mitigation Monitoring Plan for the Proposed Project will satisfy AB 52 compliance for the United Auburn Indian Community and meet mitigation requirements.~~	PP = LTS AA1 = LTS AA2 = LTS NAA = LTS