

## 4 OTHER SECTIONS REQUIRED BY STATUTE

### 4.1 GROWTH INDUCEMENT

The California Environmental Quality Act (CEQA) Section 21100(b)(5) specifies that the growth-inducing impacts of a project must be addressed in an environmental impact report (EIR). Section 15126.2(d) of the State CEQA Guidelines provides the following guidance for assessing growth-inducing impacts of a project:

Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also, discuss the characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

Section 3.7.2(H) of the TRPA Code of Ordinances also requires that an EIS evaluate the growth-inducing impacts of a proposed project. Growth can be induced by eliminating obstacles to growth or by stimulating economic activity in a way that encourages increases in population in the Tahoe region. Growth in the Tahoe region is limited by the development commodities (also referred to as development rights) system through the allocation of residential, commercial, and tourist accommodation commodities that are capped and allocated under the Regional Plan. By regulating these commodities, the Regional Plan limits the number of residents and tourists that the region can accommodate.

Growth inducement itself is not an environmental effect but may foreseeably lead to environmental effects. If substantial growth inducement occurs, it can result in secondary environmental effects, such as increased demand for housing, demand for other community and public services and infrastructure capacity, increased traffic and noise, degradation of air or water quality, degradation or loss of plant or animal habitats, conversion of agricultural and open-space land to urban uses, and other effects.

The action alternatives for the Meeks Bay Restoration Project would allow some minor new development and redevelopment of facilities and features within the project area. The types of upland and shorezone development that are proposed under the action alternatives—a new pier, accessible non-motorized boat launch, reconfigured camping, parking, and circulation, and restoration features—relate largely to the recreational experience and environmental health of the project area and would neither accommodate nor facilitate an increase in the capacity of the project area to support new tourists, residents, workers, or other types of population growth. The addition and enhancement of new public access facilities (e.g., a pier, accessible non-motorized boat launch, a multi-use trail and transit stop) could attract an increased number of day-use visitors to the project area; however, regional, long-term visitation is influenced to a greater degree by the availability of overnight accommodations, which is unaffected by Alternatives 1, 2, and 4 and the No Action Alternative. Therefore, while Alternatives 1, 2, and 4 would allow new structures and redevelopment in the project area, these facilities would not be growth inducing. Alternatives 1, 2, and 4 would reduce the number of campsites by up to four overnight campsites or accommodate up to two additional campsites, which would increase the availability of overnight accommodations. Alternative 3 would accommodate between seven and 22 additional overnight campsites and would therefore increase the availability of overnight accommodations. These overnight visitors could influence tourist accommodation capacity of the region because accommodations such as campsites are not strictly limited by the Regional Plan and are instead linked to the “persons at one time” (PAOT) measure of recreational capacity for an individual site. However, the addition of two to 22 campsites and the attendant increase in overnight visitation at Meeks Bay (see Section 3.1, “Recreation,” for details on recreation capacity and increase at Meeks Bay) is relatively minor in comparison with the recreational and visitor

capacity of the Tahoe region. This increase in overnight visitation would not be substantial enough to induce growth that would increase the demand for ancillary infrastructure, services, traffic, noise, or result in additional environmental degradation.

## 4.2 SIGNIFICANT AND UNAVOIDABLE ADVERSE IMPACTS

The State CEQA Guidelines Section 15126.2(b) requires EIRs to include a discussion of the significant environmental effects that cannot be avoided if the project is implemented. As documented throughout Chapter 3 of this Draft EIS/EIS/EIR, after implementation of the recommended mitigation measures, most of the impacts associated with the proposed Meeks Bay Restoration Project would be reduced to a less-than-significant level. The following impacts are considered significant and unavoidable; that is, no feasible mitigation is available to reduce the project's impacts to a less-than-significant level.

- ▶ **Impact 3.1-4:** Affect Local Access or Opportunities for Motorized Watercraft is potentially significant and unavoidable for Alternatives 1, 2, 3, and 4.
- ▶ **Impact 3.2-2:** Alter Views of Lake Tahoe from Meeks Bay is significant and unavoidable for Alternative 1.
- ▶ **Impact 3.11-1:** Short-Term Project-Related Construction Noise Levels is significant and unavoidable for Alternatives 1, 2, 3, and 4.

## 4.3 SHORT-TERM USES OF THE ENVIRONMENT AND LONG-TERM PRODUCTIVITY

Chapter 3 of the TRPA Code of Ordinances requires a discussion of the relationship between local short-term uses of the environment and the maintenance and enhancement of long-term productivity. This requirement recognizes that short-term uses and long-term productivity are linked, and the opportunities acted upon in the near term have could have limit future opportunities and result in continuing effects well into the future.

This EIS/EIS/EIR assesses the effects of implementing the Meeks Bay Restoration Project. The action alternatives have been crafted to balance restoration and preservation of the natural environment with recreational opportunities at the site.

All action alternatives would allow for redevelopment of upland features within the project area including the campgrounds, circulation, and parking areas; construction of which would result in short-term increases in the use and intensity of activity within the project area. Construction activities would result in the use of energy and resources to prepare the project area, remove old infrastructure, construct new facilities, and redevelop portions of the site. Construction would result in short-term construction-related impacts such as disruption to local traffic and circulation, air pollutant emissions, temporary noise sources, disturbance of wildlife, and construction-related hydrological impacts related to surface runoff on the site.

Alternatives 1, 2, 3, and 4 would provide for wholesale removal of the existing marina infrastructure in Meeks Creek, and full restoration of the creek and barrier beach system to natural conditions. While the demolition and removal of the marina infrastructure would result in short-term disturbance of Meeks Creek, which is a sensitive environment, it would contribute to long-term improvement in the productivity of this sensitive ecosystem and result in numerous environmental benefits (e.g., for aquatic biological resources, terrestrial biological resources, water quality, soils, and scenic resources) within the project area and in the Tahoe Basin more broadly.

Development of Alternatives 1 and 2 would require installation of pier foundations, clearing and prepping nearshore vegetation for installation of a pier, and other construction disturbance in the shorezone. Once committed to a new pier, it is unlikely that the land would be returned to a natural state in the near or long term. Effects on soils, habitat, scenic resources, and land uses from placement of a pier would be permanent. The pier would have associated impacts to aquatic biological resources, recreation, water quality, air quality and climate change, traffic and circulation, noise, and public safety, as described throughout this environmental document.

The Compact required TRPA to establish, attain, and maintain environmental thresholds. These environmental thresholds provide standards and guidance for the Regional Plan and complementary plans, such as the Regional Transportation Plan and Shoreline Plan to implement short-term actions to effectuate long-term productivity. Approval of any of the action alternatives would support the region's commitment to long-term environmental improvement through restoration of the Meeks Creek ecosystem and recreational enhancements aimed at improving recreational opportunities for all visitors to Meeks Bay.

## 4.4 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

The State CEQA Guidelines requires a discussion of any significant irreversible environmental changes that would be caused by the project. Specifically, the State CEQA Guidelines section 15126.2(c) states:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible, since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generation to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

The project would result in the irreversible and irretrievable commitment of energy and material resources during construction and operation, including the following:

- ▶ Construction activities and redevelopment of existing site features would generate nonrecyclable materials, such as solid waste and construction debris. Electricity and hydrocarbon sources would also be expended to be able to implement construction activities. In addition, new facilities may entail the use of concrete, glass, plastic, and petroleum products, as well as an increase in energy consumption, which would be irreversible and irretrievable upon expenditure.
- ▶ Commitment of shorezone to pier construction would permanently transfer area within the shorezone to this use. Commitment of shorezone to an accessible watercraft launch facility would also permanently transfer area within the shorezone to this use.
- ▶ Restoration of Meeks Creek would result in removal of the marina, which would permanently eliminate this use in this location.

## 4.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA calls for the identification of an environmentally superior alternative in an EIR but gives no definition for the term (State CEQA Guidelines Section 15126.6(e)). However, CEQA does specify that if the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

From the standpoint of minimizing environmental effects related to physical disturbances, Alternative 4 – Preferred Alternative – would be the environmentally preferable/environmentally superior alternative. Alternative 4 supports the most restoration and least amount of development within the project area.

Most of the potential environmental impacts from the action alternatives would be similar in type and magnitude. Resources that would not have substantial differences among the action alternatives include air quality, aquatic biological resources, terrestrial biological resources, cultural resources, greenhouse gas emissions and climate change, hydrology and water quality, geology, soils and mineral resources, land use, transportation and circulation, and noise. With implementation of the boat or pedestrian pier, Alternatives 1 and 2 would result in slightly greater short-term adverse effects on aquatic biological resources and hydrology water quality from pier construction activities that would occur in the lake; however, compliance with applicable regulatory requirements and

implementation of best management practices discussed in Impact 3.5-1 in Section 3.5, "Aquatic Biological Resources," and Impact 3.6-1 in Section 3.6, Hydrology and Water Quality," the overall impact would be less than significant. Compared to Alternatives 1 and 4, Alternatives 2 and 3 would result in greater disturbance in Meeks Creek resulting in greater potential impacts on aquatic biological resources, erosion potential, and hydrology and water quality, from construction of two pedestrian bridges because the multi-use path closest to the highway for Alternatives 1 and 4 would be on the new SR 89 bridge.

While restoration of Meeks Creek would be successfully implemented with any of the action alternatives, implementation of specific features or layouts for upland or shorezone features should not be viewed as mutually exclusive. Compatible upland features from any of the alternatives could potentially be implemented in a combined, hybrid design layout. Similarly, a pier, launch facility, and shorezone erosion improvements could be combined or not constructed at all. Trade-offs in environmental and recreational benefits could be made by combining different features evaluated in this environmental document, as was done in developing Alternative 4.