

4 APPROACH TO THE ENVIRONMENTAL REVIEW

As described in Chapter 1, “Introduction,” this is a joint environmental impact report (EIR) pursuant to the California Environmental Quality Act (CEQA), and an environmental impact statement (EIS) pursuant to the Tahoe Regional Planning Compact, and TRPA Code of Ordinances and Rules of Procedure. Some terminology and document contents vary between the two sets of environmental statutes and regulations. This EIR/EIS contains the necessary elements to satisfy the requirements of both CEQA and TRPA.

4.1 INTRODUCTION TO THE IMPACT ANALYSIS

4.1.1 California Environmental Quality Act

CEQA and the State CEQA Guidelines direct that an EIR evaluate and disclose the environmental impacts associated with a proposed project (i.e., proposed action). The potentially significant environmental effects of all phases of the proposed project and project alternatives, including construction and operation, are evaluated in the analysis (consistent with Guidelines Section 15126.2). A significant effect is defined in CEQA as a substantial or potentially substantial adverse change to the physical environment resulting from implementation of the project. Where significant effects on the environment are identified, the document describes all feasible mitigation measures and a reasonable range of alternatives to reduce the potentially significant or significant effects on the environment. Mitigation measures may avoid, minimize, or compensate for significant adverse impacts, and need to be fully enforceable through permit conditions, agreements, or other legally binding means (Guidelines Section 15126.4[a]). Mitigation measures are not required for effects that are found to be less than significant.

4.1.2 Tahoe Regional Planning Agency

Article VII(a)(2) of the Bi-State Compact requires TRPA, when acting upon matters that may have a significant effect on the environment, to prepare and consider a detailed EIS before deciding to approve or carry out any project. The TRPA Code states that an EIS shall identify significant environmental impacts of the proposed project (i.e., proposed action), any significant adverse environmental effects that cannot be avoided should the project be implemented, and mitigation measures that must be implemented to ensure meeting standards of the Tahoe Basin (Code Section 3.7.2). In addition, an EIS must include a discussion of the relationship between local short-term uses of man’s environment and the maintenance and enhancement of long-term productivity and any significant irreversible and irretrievable commitments of resources that would be involved in the proposed project should it be implemented. The EIS shall also evaluate growth-inducing impacts of the proposed project (TRPA Code of Ordinances, Section 3.7.2).

TRPA has established Environmental Threshold Carrying Capacities (threshold standards) and indicators for nine resource areas: water quality, air quality, scenic resources, soil conservation, fish habitat, vegetation, wildlife habitat, noise, and recreation. TRPA threshold standards are minimum standards of environmental quality targets to be achieved in the Tahoe Region. Every four years, TRPA evaluates the attainment status of all TRPA threshold standards. The latest TRPA Threshold Evaluation was completed in April 2012 (TRPA 2012a). Pursuant to TRPA Code Section 4.4, TRPA is required to find that the project would not cause the environmental threshold carrying capacities to be exceeded. These findings will be presented to the TRPA Governing Board during consideration of certification of this EIS and adoption of a project alternative.

4.2 INCORPORATION BY REFERENCE

TRPA prepared a program EIS for the environmental review and approval of the Lake Tahoe Regional Plan Update (RPU), a comprehensive set of policies, land use designations, and zoning which, among other things, provides incentives to encourage environmentally beneficial redevelopment in the Tahoe Basin. These incentives are implemented at the local level through area plans adopted by both TRPA and local land use agencies. In addition, TRPA and the Tahoe Metropolitan Planning Organization (TMPO) prepared a program EIR/EIS for the environmental review and approval of the Lake Tahoe Regional Transportation Plan (RTP, also known as *Mobility 2035*) and Sustainable Communities Strategy (SCS, for the California portion of the Lake Tahoe Region) (TMPO and TRPA 2012). This program-level document provides a regional consideration of cumulative effects and includes broad policy alternatives and program mitigation measures that are equally broad in scope.

Because the RPU EIS and RTP/SCS EIR/EIS are program-level environmental documents that provide a foundation for subsequent environmental review, including of area plans, they serve as first-tier documents for the CEQA and TRPA review of the proposed Area Plan, as specified in CEQA Guidelines Section 15168 and TRPA Code of Ordinances Section 6.12. To the extent that the proposed Area Plan is consistent with the Regional Plan and RTP, it is considered to be “within the scope” of these program-level documents and additional environmental review of those covered issues is not required. This document is thus required to focus only on only those new or more severe environmental effects resulting from the Area Plan which were not adequately addressed in the program-level documents, as provided in CEQA Guidelines Sections 15151 and 15168 and TRPA Code of Ordinances Section 6.12.

This EIR/EIS, therefore, incorporates the RPU EIS and the RTP/SCS EIR/EIS by reference, as allowed by CEQA Guidelines Section 15150 and TRPA Code of Ordinances Section 6.17. The RPU EIS is available for review on the TRPA webpage (<http://www.trpa.org/regional-plan/regional-plan-eis/>), and the RTP/SCS EIR/EIS is available for review on the TMPO webpage (<http://tahoempo.org/Mobility2035/>). Both are summarized in this document, where appropriate.

The proposed Tahoe City Lodge project, in contrast, is developed in greater detail and with enough specificity to allow project-level analysis of impacts. Sufficient information is provided to enable the agencies to consider whether to issue entitlements for the project. Thus, the Tahoe City Lodge is assessed at a project level in this EIR/EIS, and the analysis does not tier from the RPU EIS and RTP/SCS EIR/EIS as does the analysis of the Area Plan.

4.3 BASELINE

As specified in Section 13.3.1 of the TRPA Code, all plans, policies, and regulations in the Regional Plan and the TRPA Code shall remain in effect unless superseded by the provisions of an area plan. Thus, existing baseline conditions for the purposes of this EIR/EIS reflect 2015 conditions (the time of release of the Notice of Preparation) with the updated Regional Plan and TRPA Code in effect, and the existing plans, maps, and ordinances also in effect. Like the Regional Plan, the Area Plan has an approximate 20-year planning horizon. With approval, the Area Plan would become part of the Regional Plan and would replace existing plans, maps, and ordinances for the Plan area.

4.4 CONTENTS OF ENVIRONMENTAL ANALYSIS SECTIONS

This environmental document assesses the environmental effects of all alternatives at a comparable level of detail. Discussion of each technical topic is contained in Chapters 5 through 18. Chapter 19 contains a discussion of cumulative impacts in the context of other past, present, and reasonably foreseeable future development near the project site and in the region, as appropriate. Chapters 5 through 18 include the

evaluation of all environmental topics originally identified for review in the NOP. Appendix A of this EIR/EIS contains the NOP and the Scoping Summary Report, which both summarizes scoping comments, and includes the comment letters received in their entirety.

In accordance with CEQA and TRPA requirements, this environmental analysis examines 14 technical topics. The impact analysis in Chapters 5 through 18 of this EIR/EIS address the physical effects resulting from implementation of Alternatives 1 through 4. Technical topic areas consist of the following:

- ▲ Chapter 5, “Land Use”
- ▲ Chapter 6, “Population and Housing”
- ▲ Chapter 7, “Biological Resources”
- ▲ Chapter 8, “Cultural and Historic Resources”
- ▲ Chapter 9, “Scenic Resources”
- ▲ Chapter 10, “Transportation and Circulation”
- ▲ Chapter 11, “Air Quality”
- ▲ Chapter 12, “Greenhouse Gas Emissions and Climate Change”
- ▲ Chapter 13, “Noise and Vibration”
- ▲ Chapter 14, “Geology, Soils, Land Capability, and Coverage”
- ▲ Chapter 15, “Hydrology and Water Quality”
- ▲ Chapter 16, “Public Services and Utilities”
- ▲ Chapter 17, “Recreation”
- ▲ Chapter 18, “Hazards, Hazardous Materials, and Risk of Upset”

The technical chapters of this EIR/EIS are organized into the following major sections:

Introduction: This section provides introductory text pertaining to each technical topic, including a brief summary of comments raised by the public in response to the NOP.

Regulatory Setting: This section presents the applicable regulatory framework and planning context, if any, for the specific technical issue as it relates to TRPA, state, and local requirements. For applicable resource sections, the regulatory setting also includes a discussion of the threshold standard attainment status for the relevant TRPA Environmental Threshold Carrying Capacities: water quality, soil conservation, air quality, vegetation, wildlife, fisheries, noise, recreation, and scenic resources.

Environmental Setting: This section describes the existing regional and local conditions in 2015.

Environmental Impacts and Mitigation Measures: This section identifies and describes the methods and assumptions used in the environmental impact analysis, the criteria used to determine the level of significance of environmental impacts, the environmental effects of implementing the project alternatives, and feasible minimization and mitigation measures that could reduce potentially significant and significant impacts. The potential impacts of the alternatives are determined by comparing estimated environmental effects of each alternative with the baseline condition, which is the existing condition (as defined above). The significance determination for each impact is also determined with this comparison. Project impacts are numbered sequentially in each section. A summary impact statement precedes a more detailed discussion of the environmental effects of the alternatives. The level of significance of the impact is also defined for each alternative. The discussion is organized by alternative and includes the analysis, rationale, and substantial evidence upon which conclusions are drawn. Some alternatives may have the same or similar impacts. In these instances, the reader is referred back to previous impact discussions to reduce redundancy.

Many environmental impacts are the subject of existing laws and regulations intended to protect environmental quality. For instance, the TRPA environmental threshold standards and Code of Ordinances requirements; federal environmental laws, regulations, and permitting requirements; and state environmental laws, regulations, and permitting requirements each may mandate either specific actions or achievement of performance standards. Where an existing law, regulation, or permit specifies mandatory and prescriptive actions about how to fulfill the regulatory requirement as part of the project definition, leaving little discretion in its implementation, and would avoid an impact or maintain it at a less-than-

significant level, the environmental protection afforded by the regulation is considered before determining impact significance. Where existing laws or regulations specify a mandatory permit process for future projects, performance standards without prescriptive actions to accomplish them, or other requirements that allow substantial discretion in how they are accomplished, or have a substantial compensatory component, the level of significance is determined before applying the influence of the regulatory requirements. In this circumstance, the impact would be potentially significant or significant, and the regulatory requirements would be included as a mitigation measure.

Methods and Assumptions: This section describes the methods, process, procedures, and/or assumptions used to formulate and conduct the impact analysis.

Significance Criteria: This section provides the criteria used in this document to define the level at which an impact would be considered significant, in accordance with CEQA and TRPA Code of Ordinances. Significance criteria used in this EIR/EIS are based on the environmental checklist in Appendix G of the State CEQA Guidelines; the TRPA Initial Environmental Checklist; factual or scientific information and data; and regulatory standards of Federal, State, and local agencies.

Environmental Effects of the Project Alternatives: For each alternative, environmental effects are listed numerically and sequentially throughout each section. Project impacts are arranged to address individual TRPA and CEQA checklist questions, or multiple checklist questions that address the same topic. Project alternatives are individually addressed under each impact heading for both programmatic and project-level components. A **bold** font impact statement precedes the discussion of each impact and provides a summary of each impact and its level of significance. Impact conclusions are made using the significance criteria described above and include consideration of the “context” of the action and the “intensity” (severity) of its effects.

The level of impact of the alternatives is determined by comparing estimated effects with baseline conditions. Under CEQA, the existing setting normally constitutes the baseline point of comparison against which a significance determination is made. Alternative-specific analyses are conducted to evaluate each potential impact on the existing environment. This assessment also specifies why impacts are found to be significant, potentially significant, or less than significant, or why there is no environmental impact or a beneficial effect. A “potentially significant” impact and “significant” impact are treated the same under CEQA in terms of procedural requirements and the need to identify feasible mitigation. A less-than-significant impact is one that would not result in a substantial adverse change in the physical environment.

Both direct and indirect effects of the alternatives are evaluated for each environmental resource area. Direct effects are those that are caused by the action and occur at the same time and place. Indirect effects are reasonably foreseeable consequences that may occur at a later time or at a distance that is removed from the Plan area, such as growth-inducing effects and other effects related to changes in land use patterns, population density, or growth rate, and related effects on the physical environment.

Mitigation Measures: Mitigation measures are identified, where feasible, for significant or potentially significant impacts of the project alternatives, in accordance with the State CEQA Guidelines (Section 15126.4) and TRPA regulations.