7 BIOLOGICAL RESOURCES

7.1 INTRODUCTION

This section summarizes the common and sensitive vegetation, terrestrial wildlife, and aquatic biological resources that are known or have the potential to occur in the Area Plan boundary (i.e., the Plan area) and on the Tahoe City Lodge project site. Biological resources include common vegetation and habitat types, sensitive plant communities, and special-status plant and animal species. Federal, Tahoe Regional Planning Agency (TRPA), state, and local regulations related to biological resources are summarized. Potential impacts of the proposed alternatives are analyzed, and mitigation measures are provided for those impacts determined to be significant. Cumulative biological resources impacts are addressed in Chapter 19, "Cumulative Impacts."

The primary issues raised during scoping that pertain to biological resources included:

- protection of sensitive habitats, including stream environment zone (SEZ) lands;
- quantification of effects on forest lands;
- effects related to TRPA threshold attainment;
- mapping of fish habitat in each of the sub-areas;
- potential conflicts, and the need for compatibility, between recreation uses and protection of natural resource values; and
- impacts of the Area Plan on wildlife species and habitats.

For this analysis, information about common and sensitive biological resources known or with potential to occur within the Plan area is based primarily on the following sources: *Placer County Tahoe Basin Policy Document—Existing Conditions Report* (Placer County 2013; hereinafter referred to as "Existing Conditions Report"); Section 3.10, "Biological Resources," of the RPU EIS (TRPA 2012) and RTP EIR/EIS (Tahoe Metropolitan Planning Organization [TMPO] and TRPA 2012); TRPA and U.S. Forest Service (USFS) survey and GIS data; a records search of the California Natural Diversity Database (CNDDB 2015); California Native Plant Society Online Inventory or Rare and Endangered Plants (CNPS 2015); a list of federally endangered, threatened, or candidate species that may be affected by projects in the Tahoe Basin (USFWS 2011); USFS Region 5 EVeg data (USFS 2014); and high resolution aerial imagery.

None of the alternatives evaluated herein would be implemented within an area covered under an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state conservation plan. Therefore, implementation of any of the Area Plan or Tahoe City Lodge project alternatives would not conflict with the provisions of an adopted conservation plan and this issue is not evaluated further.

Impacts relative to invasive weeds and aquatic invasive species are thoroughly addressed in the RPU EIS, Impact 3.10-5 (TRPA 2012: p. 3.10-55–3.10-60). According to that analysis, construction from development and redevelopment projects would involve temporary ground-disturbing activities in disturbed and native vegetation types, which could in turn be colonized by non-native, invasive weed species from outside the Tahoe region. In addition, watercraft use of Lake Tahoe resulting from Area Plan developments or activities could facilitate the spread of aquatic invasive species if boats are exposed to these species in other water bodies and are not sufficiently cleaned and sanitized before entering Lake Tahoe. However, any new

development would be required to comply with Section 64.4, Revegetation and Section 63.4, Aquatic Invasive Species of the TRPA Code of Ordinances; Goals and Policies that prohibit release of non-native species; and other regulations. Collectively, these regulations require project level planning and analysis to assess the risk of invasive species introduction and spread; design modifications to reduce risk (e.g., BMPs to minimize or avoid introduction of invasive species); and mitigation for any potentially significant effects (e.g., implementing weed and aquatic invasive species management practices during construction) to ensure compliance with the Code. This impact was determined to be less than significant and is not discussed further.

Section 7.3, "Environmental Setting," addresses all special-status plant and animal species evaluated in this analysis, and Tables E-1 and E-2 in Appendix E summarize the potential for each of these species to occur in the Plan area. Generally, those plant and animal species not expected to occur, or with a low probability to occur (because of a lack of suitable habitat, existing disturbance levels, or lack of occurrence records), are not addressed further in this analysis. Implementation of the project alternatives is not expected to affect those species.

As discussed in Chapter 4, "Approach to Environmental Analysis," this analysis is provided to fully document the environmental effects of the four Area Plan and lodge alternatives. The broad geography and long timeframe to which the Area Plan applies and the policy-oriented nature of its guidance is such that the EIR/EIS is prepared at a programmatic level, i.e., a more general analysis of each resource area with a level of detail and degree of specificity commensurate with the overall planning level of the Area Plan. Similarly, because the Kings Beach Center design concept lacks sufficient detail for definitive impact analysis, that portion of the project is also evaluated in a programmatic fashion. The proposed Tahoe City Lodge represents a project that contains a greater level of detail and specificity such that a project-level analysis is included in this chapter.

7.2 REGULATORY SETTING

Biological resources in the Tahoe Basin are regulated by several federal, state, and local laws and policies. Key regulations and conservation planning issues applicable to the Plan area are summarized below.

7.2.1 Federal

The following federal regulations described in the RPU EIS and RTP EIR/EIS are applicable to the Area Plan and Tahoe City Lodge Project, and are hereby incorporated by reference:

- Federal Endangered Species Act (ESA);
- Migratory Bird Treaty Act;
- Bald and Golden Eagle Protection Act;
- Executive Order 11990, Protection of Wetlands;
- Executive Order 13112, National Invasive Species Management Plan;
- Section 404 of the Clean Water Act (CWA); and
- CWA Section 401 Water Quality Certification.

These regulations are described in Section 3.10.1, "Regulatory Background," of Section 3.10, "Biological Resources," of the RTP EIR/EIS (TMPO and TRPA 2012:3.10-9 through 3.10-10) and the RPU EIS (TRPA 2012:3.10-8 through 3.10-10).

7.2.2 Tahoe Regional Planning Agency

TRPA implements its authority to regulate growth and development in the Lake Tahoe Region through the Regional Plan. The Regional Plan includes the Goals and Policies, Environmental Threshold Carrying Capacities (threshold standards), Code of Ordinances, and other guidance documents. These elements of the Regional Plan that are related to biological resources and applicable to the Area Plan and Tahoe City Lodge project are described in Section 3.10.1, "Regulatory Background," of Section 3.10, "Biological Resources," of the RTP EIR/EIS (TMPO and TRPA 2012:3.10-1 through 3.10-8) and the RPU EIS (TRPA 2012:3.10-1 through 3.10-8), and are hereby incorporated by reference.

In summary, TRPA is mandated through its Regional Plan and implementing regulations, including the Code of Ordinances, to achieve and maintain its adopted environmental threshold carrying capacities for vegetation, wildlife, and fish, among other topics. The threshold standards define special attainment goals developed to focus management efforts and provide a measure of progress for vegetation, wildlife, and fisheries. Table 3.10-1 of the RPU EIS lists the threshold standards for vegetation, wildlife, and fisheries and summarizes the attainment status of each (TRPA 2012:3.10-1). TRPA cannot approve projects that would cause a significant adverse effect on a threshold standard without appropriate mitigation. TRPA conducts a comprehensive reevaluation every 4 years to determine whether each threshold standard is being achieved and/or maintained, creates specific recommendations to address problem areas, and directs general planning efforts for the next 4-year period.

Also in summary, the Code of Ordinances includes provisions to which Tahoe Basin projects and programs must comply, in support of achievement and maintenance of the adopted threshold standards. The Code includes requirements for protection and management of vegetation, protection of sensitive and uncommon plants, and regulations regarding tree removal (see TRPA Code Chapter 61, "Vegetation and Forest Health"); protection of wildlife habitat, including stream environment zones (SEZs), and regulations regarding special interest, threatened, endangered, and rare species (see TRPA Code Chapter 62, "Wildlife Resources"); fish habitat protection, including lake and stream habitats, and regulations regarding control of aquatic invasive species (see TRPA Code Chapter 63, "Fish Resources").

7.2.3 State

The following state regulations are described in Section 3.10.1, "Regulatory Background," of Section 3.10, "Biological Resources," of the RTP EIR/EIS (TMPO and TRPA 2012:3.10-11 through 3.10-13) and the RPU EIS (TRPA 2012:3.10-10 through 3.10-12), and are hereby incorporated by reference:

- California Endangered Species Act (CESA),
- California Fish and Game Code Section 1602—Streambed Alteration,
- California Fish and Game Code Sections 3503–3503.5—Protection of Bird Nests and Raptors,
- California Native Plant Protection Act,
- Porter-Cologne Water Quality Control Act, and
- Z'Berg-Nejedly Forest Practice Act.

7.2.4 Local

PLACER COUNTY GENERAL PLAN

The General Plan includes Goal 6.C, to protect restore, and enhance habitat that support fish and wildlife species so as to maintain populations at viable levels and Goal 6.D, to preserve and protect the valuable vegetation resources of Placer County.

PLACER COUNTY CODE

Article 12.20. Tree Preservation in Area East of Sierra Summit

Placer County Code, Article 12.20, addresses tree preservation in the County east of the Sierra summit. The ordinance is applicable to all trees east of the Sierra summit that are 6 inches diameter or greater at breast height, excluding lands devoted to the growing and harvesting of timber for commercial purposes. A Timber Harvest Plan must be prepared and considered by CAL FIRE before the removal of timberland, and a tree permit must be obtained before removal of trees over 6-inches diameter at breast height (dbh).

7.3 ENVIRONMENTAL SETTING

The common and sensitive biological resources in the Plan area are described in the Existing Conditions Report, which is hereby incorporated by reference (Placer County 2013). The biological resources information in the Existing Conditions Report was derived primarily from the RPU EIS. The following sections summarize the biological resources in the Plan area that are most relevant to the significance criteria and impact analysis for the Area Plan and Tahoe City Lodge Project, which are provided in Section 7.4, "Environmental Impacts and Mitigation Measures." Additional details about these resources are provided in the Existing Conditions Report, RPU EIS, and RTP EIR/EIS.

7.3.1 Land Cover and Habitat Types

Elevations within the Plan area range from approximately 6,100 feet along the Truckee River and 6,229 feet at Lake Tahoe, to 8,740 feet at Ward Peak and Ellis Peak. This elevation gradient results in three general vegetation zones within the Plan area: montane, upper montane, and subalpine. Several vegetation types are present within each vegetation zone. The hydrologic, topographic, and elevation gradients present in the Plan area support a diverse mix of vegetation communities and wildlife habitats.

Table 7-1 summarizes the vegetation communities and wildlife habitat types in the Plan area and on the Tahoe City Lodge project site, as classified according to the California Wildlife Habitat Relationships (CWHR) system (USFS 2014); the Kings Beach Center design concept is included in the Plan area acreages. Exhibit 7-1 shows the distribution of these habitat types in the Plan area. Because of the large number of vegetation communities and wildlife habitats in the Plan area, these are not described in further detail in this EIR/EIS. Most of these vegetation/habitat types have been described numerous times in various environmental review and other documents; and descriptions can be found in the Existing Conditions Report, *Lake Tahoe Watershed Assessment* (Murphy and Knopp 2000), and *A Guide to Wildlife Habitats of California* (Mayer and Laudenslayer 1988, as revised).

Table 7-1 Vegetation Communities and Wildlife Habitats in the Plan Area and on the Tahoe City Lodge Project Site

California Wildlife Habitat Relationship Vegetation/Habitat Type	Plan Area (Acres)	Tahoe City Lodge Project Site (Acres)
Alpine Dwarf-Shrub	10.9	-
Annual Grassland	0.02	-
Aspen	68.1	-
Barren	741.2	-
Jeffrey Pine	4,064.3	0.6
Lacustrine	226.4	-
Lodgepole Pine	935.9	-
Low Sage	1.2	-

Table 7-1 Vegetation Communities and Wildlife Habitats in the Plan Area and on the Tahoe City Lodge Project Site

California Wildlife Habitat Relationship Vegetation/Habitat Type	Plan Area (Acres)	Tahoe City Lodge Project Site (Acres)
Mixed Chaparral	0.1	-
Montane Chaparral	3,766.1	0.1
Montane Riparian	545.8	-
Montane-Hardwood-Conifer	23.0	-
Perennial Grassland	641.1	0.02
Red Fir	5,721.3	-
Sagebrush	2.5	-
Sierran Mixed Conifer	21,085.4	-
Subalpine Conifer	762.3	-
Urban	2,445.9	3.1
Wet Meadow	203.9	-
White Fir	5,220.1	-
TOTAL	**46,465.4**	**3.9**

Source: USFS 2014

7.3.2 Fisheries and Aquatic Resources

Several types of aquatic habitat occur in the Plan area. Lakes within the Plan area range from small glacial tarns and snowmelt ponds to very large lakes, such as Lake Tahoe. Streams range from small ephemeral drainages and intermittent streams to large perennial rivers such as the Truckee River. Other aquatic habitats include marshes and wet meadows. Riparian and wetland vegetation associated with all of these aquatic features provides important aquatic habitat functions. Major aquatic habitats in the Plan area include Griff Creek, Lower Truckee River, Ward Creek, Blackwood Creek, Meeks Creek, and Lake Tahoe.

NATIVE FISH SPECIES

Lakes and streams are the two primary aquatic habitats that support fish in the Plan area. Lahontan cutthroat trout is the only trout species native to lakes and streams in the Tahoe Basin. By 1939, Lahontan cutthroat trout was extirpated in the Tahoe Basin, from overharvesting, habitat degradation, and the introduction of nonnative fishes (California State Parks et al. 2010). In 1970, the species was federally listed as endangered, but was reclassified as threatened in 1975 (40 Federal Register 29864, July 16, 1975), to facilitate its management and allow angling. Several efforts have been made to restore Lahontan cutthroat trout populations in streams and small lakes. Reintroduction efforts in the Tahoe Basin have been hampered by the presence of nonnative trout, which compete with, predate on, and/or hybridize with Lahontan cutthroat trout (California State Parks, et al. 2010). The RPU EIS describes the history of stocking and efforts to reintroduce Lahontan cutthroat trout in streams and lakes in the south Tahoe Basin, and recent efforts to reintroduce the species to Lake Tahoe itself. Lahontan cutthroat trout is not known to presently occur in the Plan area.

Other native fish species in the Tahoe Basin and potentially in the Plan area include Tahoe sucker (*Catostomus tahoensis*), mountain sucker (*Catostomus platyrhynchus*), Paiute sculpin (*Cottus beldingi*), Lahontan speckled dace (*Rhinichthyes osculus robustus*), Lahontan redside (*Richardsonius egregious*), Lahontan lake tui chub (*Gila bicolor pectinifer*), and Lahontan stream tui chub (*G. b. obesa*).

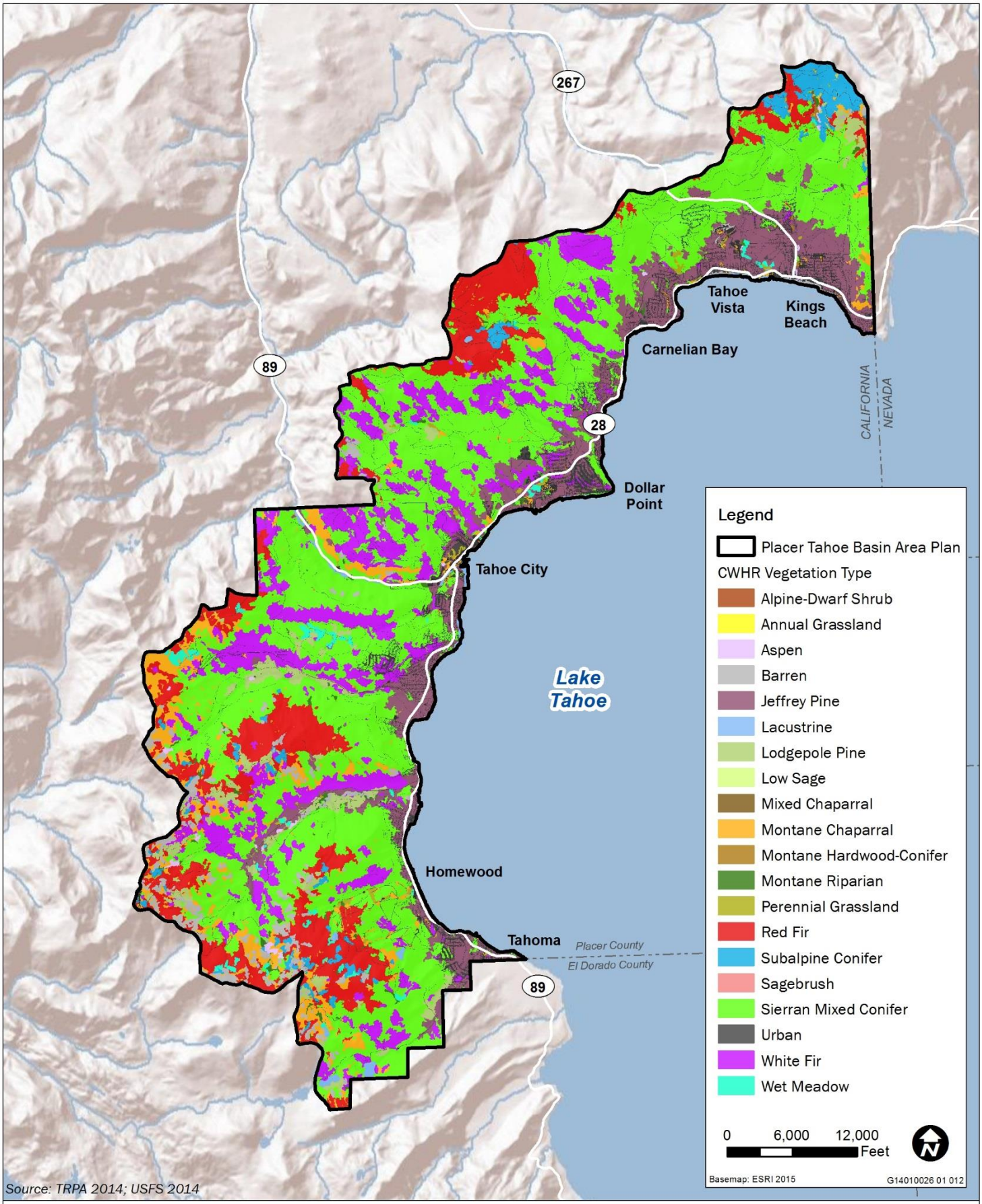

Exhibit 7-1 **Land Cover and Habitat Types in the Plan Area**

NONNATIVE FISH AND AQUATIC INVASIVE SPECIES

Nonnative aquatic invasive species have become a priority for education, prevention, and control in the Tahoe Basin. The Lake Tahoe Region Aquatic Invasive Species Management Plan (U.S. Army Corps of Engineers [USACE] 2009) was released in 2009; this document details past introductions of aquatic nonnative and invasive species, their current status, priority threats, and future management strategies to avoid additional introductions and spread of current nonnative invasive populations (USACE 2009). Two invasive nonnative aquatic mussels – quagga mussel (*Dreissena bugensis*) and zebra mussel (*Dreissena polymorpha*) – and an invasive aquatic snail – New Zealand mudsnail (*Potamopyrgus antipodarum*) – are not present in the Tahoe Basin and are of particular concern due to their expanding range, highly invasive nature, and potential to disrupt ecosystem functions. Aquatic invasive species of serious concern that are present in the Plan area include Asian clam (*Corbicula fluminea*), Eurasian watermilfoil (*Myriophyllum spicatum*; an aquatic weed), and curlyleaf pondweed (*Potamogeton crispus*; an aquatic weed).

Nonnative introduced salmonid species that are present in streams and lakes in the Plan area are lake trout (*Salvelinus namaycush*), brook trout (*S. fontinalis*), rainbow trout (*Oncorhynchus mykiss*), and brown trout (*Salmo trutta*). Several warm-water fish species have also been introduced into Lake Tahoe and some tributary streams, including bluegill (*Lepomis macrochirus*), largemouth bass (*Micropterus salmoides*), smallmouth bass (*M. dolomieu*), and brown bullhead catfish (*Ictalurus nebulosus*) (California State Parks et al. 2010).

TRPA-DESIGNATED FISH HABITAT

TRPA has designated different types and qualities of fish habitat in Lake Tahoe. "Prime" fish habitat includes spawning habitat and feed and cover habitat, and is one of TRPA's threshold indicators for fisheries. Spawning habitats are composed of relatively small diameter rocky, or gravel, substrates used by native minnows for spawning and rearing fry. Feed and cover habitats are composed of larger diameter cobbles and boulders that are used by a variety of native and non-native species as foraging habitat and to provide refuge from predation. TRPA-designated fish habitat in Lake Tahoe is shown in Exhibit 3.10-3 of the RPU EIS (TRPA 2012) and within the Plan area in Figure 2-3 of the Existing Conditions Report (Placer County 2013). As shown in those exhibits, fish habitat in the Plan area is predominantly spawning habitat that extends varying distances into Lake Tahoe: short distances along much of the West Shore, and extending to considerable distances in the vicinity of Tahoe City. The Plan area also contains smaller areas of feeding/escape cover habitat, with some areas of marginal habitat in and near Kings Beach.

INVASIVE PLANTS

Several invasive plant species are present in the Plan area. The TRPA Code specifically prohibits the release of nonnative/nonnative species in the Tahoe Basin because they can invade important native habitats and compete for resources. Table 7-2 lists several invasive plants that have been documented in the Plan area.

Table 7-2 Name and Status of Several Invasive Plant Species Known to Occur in the Plan Area

Common Name and *Scientific Name*	LTBWCG[1]	CDFA[2]	Cal-IPC[3]	LTBMU[4]
Cheatgrass, *Bromus tectorum*	-	-	High	Low
Bull thistle, *Cirsium vulgare*	Group 2	-	Moderate	High
Poison hemlock, *Conium maculatum*	-	-	Moderate	Medium
Scotch broom, *Cytisus scoparius*	Group 2	C	High	Medium
Klamath weed, *Hypericum perforatum*	Group 1	C	Moderate	Medium
Dyer's woad, *Isatis tinctoria*	-	B	Moderate	Medium
Broadleaved pepperweed, *Lepidium latifolium*	Group 2	B	High	Medium

Table 7-2 Name and Status of Several Invasive Plant Species Known to Occur in the Plan Area

Common Name and *Scientific Name*	LTBWCG[1]	CDFA[2]	Cal-IPC[3]	LTBMU[4]
Oxeye daisy, *Leucanthemum vulgare*	Group 2	-	Moderate	Medium
Dalmatian toadflax, *Linaria dalmatica* ssp. *dalmatica*	Group 2	A	Moderate	High
Butter and eggs, *Linaria vulgaris*	Group 2	-	Moderate	Medium
Eurasian water milfoil, *Myriophyllum spicatum*	-	C	High	N/A
Scotch thistle* *Onopordum acanthium* ssp. *acnathium*	Group 1	A	High	High
Russian thistle, *Salsola tragus*	-	C	Limited	-
Woolly mullein, *Verbascum thapsus*	-	-	Limited	-

[1] Lake Tahoe Basin Weed Coordinating Group (LTBWCG) prioritizes invasive weeds of concern by management group. Group 1: watch for, report, and eradicate immediately. Group 2: manage infestations with the goal of eradication.

[2] The California Department of Food and Agriculture's (CDFA) noxious weed list (http://www.cdfa.ca.gov/phpps/ipc/) List A: eradication or containment is required at the state or county level; List B: eradication or containment is at the discretion of the County Agricultural Commissioner; List C: eradication or containment only when found in a nursery or at the discretion of the County Agricultural Commissioner.

[3] California Invasive Plant Council (Cal-IPC) (http://www.cal-ipc.org/ip/inventory/weedlist.php) High: these species have severe ecological impacts on physical processes, plant and animal communities, and vegetation structure; Moderate: these species have substantial and apparent, but generally not severe, ecological impacts on physical processes, plant and animal communities, and vegetation structure; Limited: these species are invasive but their ecological impacts are minor on a statewide level.

[4] The Lake Tahoe Basin Management Unit (LTBMU) High: species that have a large ecological impact and/or invasive potential and are easily controlled; Medium: species that have a medium ecological impact and/or invasive potential and medium ability to be controlled; Low: species that have a low ecological impact and/or invasive potential and are not easily controlled; species with an N/A were not evaluated.

[5] The Tahoe National Forest (TNF). Yes: Report, map, treat, & actively control; No—Do not report, map or treat, but prevent spread.

* Identification of this species needs to be verified before any treatment. Plants were immature during field surveys and, therefore, a positive identification could not be made.

7.3.3 Sensitive Biological Resources

In this analysis, sensitive biological resources include those species and biological communities that receive special consideration through the TRPA Code, ESA, CESA, CWA, USFS Manual, or local plans, policies, and regulations; or that are otherwise considered sensitive by federal, state, or local resource conservation agencies and organizations. Sensitive biological resources evaluated as part of this analysis include sensitive natural communities and special-status plant and animal species. These resources are addressed in the following sections.

The CNDDB and its GIS application, California Native Plant Society (CNPS) online *Inventory of Rare and Endangered Plants*, TRPA GIS data, and USFS GIS data were used as the primary sources to identify and map previously reported occurrences of special-status species and sensitive natural communities within the Plan area. The CNDDB is a California statewide database, managed by the California Department of Fish & Wildlife (CDFW) that is continually updated with the location and condition of the state's rare and declining species and habitats. Although the CNDDB is the most current and reliable tool available for tracking occurrences of special-status species in California, it contains only those records that have been reported to CDFW. TRPA and USFS-LTBMU GIS data are supplemented and updated annually based on survey results or other confirmed occurrence records provided to the agencies.

During project-level planning and evaluation, a combination of data sources and survey efforts would additionally be used to determine the specific biological resources known or with potential to occur on a particular project site in the Plan area.

SENSITIVE NATURAL COMMUNITIES AND HABITATS

Sensitive habitats include those that are of special concern to resource agencies or are afforded specific consideration through the TRPA Goals and Policies and TRPA Code, Section 404 of the CWA, and other applicable regulations. Sensitive natural habitats may be of special concern to these agencies and conservation organizations for a variety of reasons, including their locally or regionally declining status, or because they provide important habitat to common and special-status species. For the California side of the Tahoe Basin, many of these communities are tracked in the CNDDB.

Sensitive habitats in the Plan area include a variety of wetland/riparian communities such as wet meadows, riparian zones along streams, seasonal wetlands, and drainages. Other sensitive habitats include TRPA-designated prime fish habitat (discussed above in "Fisheries and Aquatic Resources") and late seral/old growth forest. Most of the wetland/riparian habitats would likely be considered jurisdictional by the USACE and, in California, the Lahontan Regional Water Quality Control Board (LRWQCB) under Section 404 of the federal CWA and the state's Porter-Cologne Act. In addition, on the California side of the Tahoe Basin, CDFW has jurisdiction over activities affecting the bed and bank of drainages. Additionally, habitats consisting of deciduous trees, wetlands, and meadows (i.e., riparian, wetland, and meadow habitats) are designated by TRPA as habitats of special significance. The TRPA threshold standard for habitats of special significance is non-degradation while providing for opportunities to increase the acreage of these habitats.

Most of the areas within wetland/riparian habitats in the Tahoe Basin are also designated as SEZ, which is one of two TRPA-adopted threshold standards for soil conservation. SEZ is a term used specifically in the Tahoe Basin to describe perennial, intermittent and ephemeral streams; wet meadows, marshes, and other wetlands; riparian areas; and other areas expressing the presence of surface and ground water through its biological and physical characteristics.

SPECIAL-STATUS SPECIES

Special-status species include plants and animals that are legally protected or otherwise considered sensitive by federal, state, or local resource agencies and conservation organizations. Special-status species are defined as plants and animals in the following categories.

- Listed or proposed for listing as threatened or endangered under ESA.
- Designated as a candidate for listing as threatened or endangered under ESA.
- Designated as a sensitive, special-interest, or threshold species by TRPA.
- Designated as sensitive by the USFS Regional Forester in Region 5.
- Listed or proposed for listing as threatened or endangered under CESA.
- Listed or a candidate for listing by the state of California as threatened or endangered under CESA.
- Listed as fully protected under the California Fish and Game Code.
- Animals identified by CDFW as species of special concern.
- Plants considered by CDFW to be "rare, threatened or endangered in California" (California Rare Plant Ranks [CRPR] of 1A, presumed extinct in California; 1B, considered rare or endangered in California and elsewhere; and 2, considered rare or endangered in California but more common elsewhere). The California Rare Plant Ranks correspond with and replace former CNPS listings. While these rankings do not afford the same type of legal protection as ESA or CESA, the uniqueness of these species requires special consideration under CEQA.

- Considered a locally significant species, that is, a species that is not rare from a statewide perspective but is rare or uncommon in a local context such as within a county or region (CEQA Section 15125 [c]) or is so designated in local or regional plans, policies, or ordinances (State CEQA Guidelines, Appendix G).
- Otherwise meets the definition of rare or endangered under CEQA Section 15380(b) and (d).

A preliminary list of special-status plant and animal species known or with potential to occur in the Plan area and on the Tahoe City Lodge project site was developed based on a review of the sources listed at the beginning of this section.

Plants

The data review identified 42 special-status plant species that could occur in or near the Plan area. Table E-1 (Appendix E) summarizes the regulatory status, habitat and flowering period, and potential for occurrence in the Plan area and on the Tahoe City Lodge project site of each special-status plant species evaluated during this analysis. Within the Plan area, 15 special-status species are known to occur, and 16 species identified in the data review have a moderate or high potential to occur. On the Tahoe City Lodge project site, none of the species identified in the data review are known or have a moderate or high potential to exist on the project site (i.e., they have low or no potential to occur) because of a lack of suitable habitat, existing disturbance levels, lack of occurrence records, or the species' elevational range is outside the project site limits.

Animals

The data review identified 35 special-status animal species that could occur in or near the Plan area. Table E-2 (Appendix E) summarizes the potential for occurrence of each special-status animal species that was evaluated during this analysis. Within the Plan area, 16 special-status animal species are known to occur, and nine species identified in the data review have a moderate or high potential to occur. On the Tahoe City Lodge project site, none of the special-status animal species identified in the data review are known or have a moderate or high potential to exist on the project site (i.e., they have low or no potential to occur). This determination was based on the types, extent, and quality of habitats on the project site; the proximity of the project site to known occurrences of the species; and the regional distribution and abundance of the species. Additionally, natural vegetation communities on the Tahoe City Lodge project site that may otherwise provide potential habitat for some special-status animal species are not expected to, for the same reasons discussed previously for special-status plants. Therefore, no special-status animal species are expected to regularly use or occur on the project site.

7.4 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

7.4.1 Methods and Assumptions

AREA PLAN ANALYSIS

This section analyzes the Area Plan alternatives and their potential effects on biological resources at a policy level of detail. Individual projects implemented under the Area Plan (such as the Kings Beach Center design concept) would continue to be subject to subsequent project-level environmental analyses in accordance with TRPA policies, CEQA, and other laws and regulations to determine project-specific impacts and required mitigation measures.

This plan-level impact analysis generally assumes that some of the vegetation communities, wildlife habitats, aquatic resources, sensitive natural communities, and special-status species known or with potential to occur in the Plan area could be directly or indirectly affected by any Area Plan alternative, depending on the specific location, type, and timing of the project activity. However, at this level of analysis,

most of these resources are discussed generally, recognizing that individual development and redevelopment projects would be subject to project-level environmental analyses as described above.

Importantly, the impact analysis for biological resources assumes that implementation of Area Plan alternatives and future projects subject to the revised policies would be planned, designed, and confirmed to comply, as required, with all resource protection provisions of the TRPA Code, the Conservation Plan element of the proposed Area Plan, and other applicable regulations and policies. Therefore, in this analysis, while the TRPA Code and other applicable regulations are discussed and used to frame key resource protection issues and potential impacts in some cases, potential conflicts of specific projects under an Area Plan alternative with the TRPA Code, or other regulations or policies, alone are not considered significant impacts that would require mitigation at this policy level; compliance with the Code, CEQA, and other regulations is a requirement. Therefore, mitigation measures are provided for impacts determined to be significant after compliance with the TRPA Code and other regulations, and implementation of the Conservation Plan element of the Area Plan, are considered.

TAHOE CITY LODGE PROJECT ANALYSIS

For the Tahoe City Lodge Project analysis, potential impacts of each build alternative on vegetation and wildlife resources were initially identified by overlaying GIS layers of project components on the land cover maps of the project site and maps of sensitive biological resources. Any natural community and wildlife habitat that overlapped with an area of proposed modification was considered to be directly affected during project construction. An estimate of the amount of vegetation removal planned for the clearing of work areas and access ways was determined. Short-term construction impacts would occur where natural vegetation would be removed to construct new features and facilities or modify existing features. Construction-related impacts could affect biological resources through stormwater runoff, erosion, and the introduction of invasive or non-native species. Long-term impacts to biological resources would occur in or adjacent to habitats that would experience a permanent conversion in land use and cover (i.e., conversion of natural vegetation to paved areas, other facilities, and landscaping).

7.4.2 Significance Criteria

Significance criteria relevant to biological resources in the Plan area are summarized below.

TRPA CRITERIA

The “Vegetation” and “Wildlife” criteria from the TRPA Initial Environmental Checklist were used to evaluate the impacts relative to biological resources. Impacts would be significant if the project would:

- remove riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table;
- remove stream bank and/or backshore vegetation, including woody vegetation such as willows;
- introduce new vegetation that would require excessive fertilizer or water, or would provide a barrier to the normal replenishment of existing species;
- remove any native live, dead, or dying trees 30 inches or greater in dbh within TRPA’s conservation or recreation land use classifications;
- introduce new species of animals into an area, or result in a barrier to the migration or movement of animals;
- change the diversity or distribution of species, or number of any species of plants or animals;

- reduce the numbers of any unique, rare, or endangered species of plants or animals;
- change the natural functioning of an old growth ecosystem; or
- deteriorate existing fish or wildlife habitat quantity or quality.

CEQA CRITERIA

In accordance with Appendix G of the State CEQA Guidelines and the Placer County CEQA Checklist, impacts relative to biological resources would be significant if the project would:

- have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by CDFW, USFWS, or USACE;
- have a substantial adverse effect on federal or state protected wetlands as defined by Section 404 of the CWA or as defined by state statute, through direct removal, filling, hydrological interruption, or other means;
- have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS;
- substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range (i.e., geographic distribution) of an endangered, rare, or threatened species;
- interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or
- conflict with any local policies or ordinances that protect biological resources, such as a tree preservation policy or ordinance.

7.4.3 Environmental Effects of the Project Alternatives

Impact 7-1: Disturbance or loss of sensitive habitats

Sensitive habitats in the Plan area include a variety of wetland and riparian communities such as wet meadows, riparian zones along streams, marshes, seasonal wetlands, and drainages. Most of these communities are also designated by TRPA as SEZ and/or habitats of special significance. Other sensitive habitats include late seral/old growth forest. Depending on the specific locations of projects, development under all Area Plan alternatives (Alternatives 1, 2, 3, and 4) could result in removal or disturbance of sensitive habitats, including SEZs and potential jurisdictional wetlands.

Any new development or redevelopment project under any Area Plan alternative would be required to comply with existing TRPA, federal, and state regulations, permitting requirements, and environmental review procedures that protect SEZs, wetlands, and other sensitive habitats. These regulations and procedures address potential construction-related impacts to SEZs and other sensitive habitats through site-specific environmental review; require development and implementation of project-specific measures to minimize or avoid impacts through the design and permitting process; and require compensatory or other mitigation for any significant effects as a condition of project approval and permitting. Specifically, existing regulations and permitting requirements would minimize the loss of sensitive habitats during construction and provide habitat compensation for the unavoidable loss of riparian, wetland, and other sensitive habitats through

CWA Section 404, TRPA, and other permitting/review processes. These existing regulations require that compensation for unavoidable project-related losses or degradation of these sensitive habitats is achieved in a manner that results in no net loss. Therefore, construction of approved development under Alternatives 1, 2, 3, or 4 would have a **less-than-significant** impact to SEZs and other sensitive habitats in the Plan area.

No sensitive biological communities are present on the Tahoe City Lodge project site. The lodge project site is urban and characterized primarily by a paved parking lot, buildings and other developed facilities, and a small patch of disturbed Jeffrey pine. Therefore, project construction under any lodge alternative (Alternatives 1, 2, 3, or 4) would result in **no impact** on existing sensitive habitats. Implementation of proposed restoration under Alternatives 1, 2, and 3 is expected to result in a net benefit to SEZ lands.

Placer County Tahoe Basin Area Plan Program-Level Analysis

Alternative 1: Proposed Area Plan

Depending on the specific locations of projects, development under Alternative 1 could result in removal or disturbance of sensitive habitats, including SEZs and potentially jurisdictional wetlands. Most of the SEZ/wetland/riparian habitats affected by implementation of Alternative 1 would likely be considered jurisdictional by USACE and LRWQCB under CWA Section 404 and the Porter-Cologne Act. Fill or reconfiguration of jurisdictional waters of the United States requires a permit from USACE under CWA Section 404. In addition, the deciduous riparian vegetation within most or all SEZs would likely be considered jurisdictional habitat by USACE and would require a permit and mitigation. CDFW has jurisdiction over activities affecting the bed and bank of drainages. Additionally, habitats consisting of deciduous trees, wetlands, and meadows (i.e., riparian, wetland, and meadow habitats) are designated by TRPA as habitats of special significance. The TRPA threshold standard for habitats of special significance is non-degradation while providing for opportunities to increase the acreage of these habitats.

Any new commercial, tourist, or residential development, redevelopment, or construction of restoration projects under Alternative 1 would be required to comply with existing TRPA, federal, and state regulations and permitting requirements that protect SEZs, wetlands, and other sensitive habitats. This is true also for the Kings Beach Center design concept.

TRPA's existing policies and Code provisions address potential construction-related impacts to SEZs and other sensitive habitats Basin-wide through site-specific environmental review; they require development and implementation of project-specific measures to minimize or avoid impacts through the design, siting, and permitting process; and they require compensatory or other mitigation for any significant effects as a condition of project approval. For example, in instances where there is no feasible alternative to avoid an SEZ, the TRPA Code requires mitigation for all impacts within the boundaries of SEZs by restoring SEZ habitat at a minimum ratio of 1.5:1. Specifically, the TRPA Goals and Policies and the Code require protection of riparian habitats and SEZs through establishment of setbacks, BMPs, or other measures and protection of late seral/old growth forests and other sensitive habitats. The TRPA Rules of Procedure require mitigation for any significant impact on these resources as a condition of project approval. Additionally, the disturbance or loss of jurisdictional wetlands during construction would be minimized or avoided, and habitat compensation would be provided to meet the no-net-loss standard, through the CWA Section 404 permitting process. Impacts to riparian, wetland, and other sensitive habitats would also be minimized, avoided, or mitigated, as needed, through the permitting processes required by CWA Section 401, CDFW Code Section 1600 *et seq.,* and CEQA. Depending on the type and magnitude of a potential impact to SEZ or other sensitive habitat, mitigation measures can include BMPs or setbacks specifically designed to protect those resources, compensatory enhancement or restoration on- or off-site, and requirements to provide funding for or otherwise contribute to restoration projects. Project-level planning, environmental analysis, and compliance with existing regulations would identify potentially significant effects, minimize or avoid those impacts through the design, siting and permitting process, and require mitigation for any significant effects as a condition of project approval and permitting. For unavoidable losses or degradation of these sensitive habitats, habitat compensation requirements of the existing regulations meet a no-net-loss standard.

Therefore, construction under Alternative 1 would have **less-than-significant** impact to SEZs and other sensitive habitats in the Plan Area.

Alternative 2: Area Plan with No Substitute Standards

With Alternative 2, potential effects on sensitive habitats would be similar to those described above for Alternative 1 because construction of projects under Alternative 2 would be located mostly in the same locations and would include the same construction effects as Alternative 1. For the reasons discussed above, this impact would be **less than significant.**

Alternative 3: Reduced Intensity Area Plan

Under Alternative 3, potential effects on sensitive habitats would be similar to those described above for Alternative 1 because construction of projects under Alternative 3 would be located mostly in the same locations and would include the same construction effects as Alternative 1. For the reasons discussed above, this impact would be **less than significant.**

Alternative 4: No Project

Implementation of Alternative 4 would be a continuation of existing conditions under the Regional Plan and existing plan area statements and community plans. As described above for Alternative 1, all future projects would be subject to environmental review and would be required to comply with all local, state, and federal regulations applicable to protection of sensitive habitats. Therefore, impacts related to sensitive habitats would be **less than significant**.

Tahoe City Lodge Project-Level Analysis

Alternative 1: Proposed Lodge

No sensitive biological communities are present on the Tahoe City Lodge project site. The project site is urban and characterized primarily by a paved parking lot, buildings and other developed facilities, and a small patch of disturbed Jeffrey pine (0.6 acre). Therefore, project-related construction under Alternative 1 would result in **no impact** on sensitive habitats. The shared-use parking, golf course enhancements, and clubhouse reconstruction elements of the project are located within the Tahoe City Golf Course Special Planning Area (the Tahoe City Town Center boundary modification area) and subject to the SEZ restoration requirement described in the Area Plan Implementing Regulations (Placer County 2015:263). The Area Plan provisions require that an equal or greater area of disturbed SEZ land is restored prior to or concurrent with development, and that at least 50 percent of the restoration areas must be within 0.5 mile of the project site. Therefore, implementation of proposed restoration under Alternative 1 is expected to result in a net benefit to SEZ lands.

Alternative 2: Reduced Scale Lodge

The lodge project site with Alternative 2 is within the limits of, but smaller than, Alternative 1. Alternative 2 does not include golf course SEZ restoration proposed as part of Alternative 1. For the same reasons described above in Alternative 1, project construction under Alternative 2 would result in **no impact** on impact on sensitive habitats and proposed restoration is expected to result in a net benefit to SEZ lands.

Alternative 3: Reduced Height Lodge

The lodge project site with Alternative 3 is the same as Alternative 1. For the same reasons described above in Alternative 1, project construction under Alternative 3 would result in **no impact** on impact on sensitive habitats and proposed restoration is expected to result in a net benefit to SEZ lands

Alternative 4: No Project

Alternative 4 does not include redevelopment of the Tahoe City Lodge project site, but reflects a condition in which the project applicant could renovate the existing commercial center to increase occupancy relative to existing conditions. For the same reasons described above in Alternative 1, implementation of Alternative 4 would result in **no impact** on impact on sensitive habitats.

Mitigation Measures

No mitigation is required.

Impact 7-2: Disturbance or loss of special-status plants and animals

Under all Area Plan alternatives (Alternatives 1, 2, 3, and 4), construction of future projects could affect special-status plant or animal species, depending on the specific locations, presence of suitable habitat, and the type, timing, and specific nature of the project actions. During project-level planning and evaluation, impacts on species with potential to be affected would be determined based on the species' distribution and known occurrences, the presence of suitable habitat for the species in or near the project site, and preconstruction surveys. TRPA's existing policies and Code provisions address potential impacts to special-status species through site-specific environmental review, require development and implementation of project-specific measures to minimize or avoid impacts through the design process, and require compensatory or other mitigation for any significant effects on special-status species as a condition of project approval. For any TRPA special-interest wildlife species that could be affected, compliance with the TRPA Code requires that projects or land uses within TRPA non-degradation zones would not significantly affect the habitat or cause the displacement or extirpation of the population; and TRPA would not permit a project that would degrade habitat without compensatory mitigation to avoid a significant effect. For other special-status species, project-level planning and environmental analysis would identify potentially significant effects, minimize or avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval. Therefore, impacts to special-status species as a result of implementing Alternatives 1, 2, 3, and 4 of the Area Plan would be **less than significant**.

The Tahoe City Lodge project site is urban and characterized primarily by a paved parking lot, buildings and other developed facilities, and a small patch of disturbed Jeffrey pine, and does not provide suitable habitat for special-status species. Therefore, implementation of any lodge alternative (Alternative 1, 2, 3, or 4) would result in **no impact** on special-status plant and animal species.

Placer County Tahoe Basin Area Plan Program-Level Analysis

Alternative 1: Proposed Area Plan

This analysis identified 31 and 25 special-status plant and animal species, respectively, known or with moderate to high potential to occur in the Plan area (Tables E-1 and E-2, Appendix E). Special-status species include plants and animals that are legally protected or otherwise considered sensitive by federal, state, or local resource conservation agencies and organizations. Most of the special-status species known or with potential to occur in the Plan area are not expected to occur in most project areas or be affected by Area Plan implementation, due to existing levels of disturbance, habitat modifications, marginal habitat conditions for those species, or lack of recent occurrence records in existing or likely future development areas. This is true for the parcels that compose the Kings Beach Center design concept located within the Kings Beach Town Center. However, development projects outside of community centers (e.g., residential development, fuels treatment, bike trails) could affect special-status wildlife and plant species. Additionally, for TRPA special-interest bird species, TRPA maintains a nondegradation standard within buffer zones around nest sites of these species outside of urban areas. Depending on the species, these buffer zones extend 0.25–0.50 mile from nest sites. Also, USFS designates and specifically manages Protected Activity Centers (PACs) for northern goshawk, and PACs and home range core areas for spotted owl. Elements of some projects under Alternative 1 could overlap with these TRPA-designated buffer zones and USFS management designations.

With Alternative 1, construction of some projects could affect special-status plant or animal species, depending on the specific locations, presence of suitable habitat and the type, timing, and specific nature of the project actions. During project-level planning and evaluation, project-specific review and sources would be used to determine special-status plant and animal species with potential to occur on a specific project site, including reconnaissance or protocol-level surveys. Most ground disturbances resulting from development would occur within community centers, which are already largely developed and disturbed.

However, projects in more remote areas could result in construction-related disturbances and loss of habitat for special-status plant or animal species. For example, cross-country bike trails, fuels management, habitat restoration, infrastructure development, and other projects in more remote areas could encroach into buffer zones around TRPA special interest species (e.g., northern goshawk, osprey) and adversely affect other special-status plant and animal species. At the project-review level, special-status plant and wildlife species with potential to be affected would be determined based on the species' distribution and known occurrences relative to the project site, the presence of suitable habitat for the species in or near the project site, and preconstruction surveys.

If special-status plants are present in affected areas, construction activities could result in vegetation removal or trampling, deposition of dust or debris, soil compaction, or disturbance to root systems that could affect their survival. Construction actions could temporarily disturb foraging, movement, and reproductive activities of special-status wildlife species that may occur on project sites, as a result of vegetation removal, noise, dust generation, or other project-related factors. Construction could also result in noise, dust, and other disturbances to special-status animals in the vicinity of project sites, resulting in potential site abandonment and mortality to young. Also, long-term operation and use of some facilities (e.g., trails) could disturb or displace special-status wildlife species.

With Alternative 1, each project that could affect biological resources would require project-specific environmental review. TRPA's existing policies and Code provisions address potential impacts to special-status species through site-specific environmental review and requiring development and implementation of project-specific measures to minimize or avoid impacts through the design process, and providing compensatory or other mitigation for any significant effects on special-status species as a condition of project approval. For any TRPA special interest wildlife species that could be affected, compliance with the TRPA Code requires that projects or land uses within TRPA nondegradation zones would not, directly or indirectly, significantly affect the habitat or cause the displacement or extirpation of the population; and TRPA would not permit a project that would degrade habitat without compensatory mitigation to avoid a significant effect. For other special-status species, project-level planning and environmental analysis for CEQA and/or TRPA review would identify potentially significant effects, based on the type and location of the project; minimize or avoid those impacts through the design process (e.g., conducting surveys and modifying projects to avoid special-status species, if feasible); and provide mitigation for any significant effects as a condition of project approval (e.g., implementing limited operating periods for construction and/or operations, compensatory habitat enhancement/restoration). Therefore, impacts to special-status plant and animal species as a result of implementing Alternative 1 would be **less than significant**.

Alternative 2: Area Plan with No Substitute Standards

With Alternative 2, potential effects on special-status plant and animal species would be similar to those described above for Alternative 1 because construction of projects under Alternative 2 would be located mostly in the same locations and would include the same construction effects as Alternative 1. For the same reasons described above in Alternative 1, this impact would be **less than significant.**

Alternative 3: Reduced Intensity Area Plan

Under Alternative 3, potential effects on special-status plant and animal species would be similar to those described above for Alternative 1 because construction of projects under Alternative 3 would be located mostly in the same locations and would include the same construction effects as Alternative 1. For the same reasons described above in Alternative 1, this impact would be **less than significant.**

Alternative 4: No Project

Implementation of Alternative 4 would be a continuation of existing conditions under the Regional Plan and existing plan area statements and community plans. As described above for Alternative 1, all future projects would be subject to environmental review and would be required to comply with all local, state, and federal regulations applicable to protection of special-status plant and animal species. For the same reasons described above in Alternative 1, this impact would be **less than significant.**

Tahoe City Lodge Project-Level Analysis

Alternative 1: Proposed Lodge

None of the special-status plant and animal species identified in the data review for the Area Plan and Tahoe City Lodge project are known or have a moderate or high potential to occur on the Tahoe City Lodge project site (i.e., they have low or no potential to occur) (Tables E-1 and E-2, Appendix E). The project site is urban and characterized primarily by a paved parking lot, buildings and other developed facilities, and a small patch of disturbed Jeffrey pine (0.6 acre), and does not provide suitable habitat for special-status species. Therefore, implementation of Alternative 1 would result in **no impact** on special-status plant and animal species.

Alternative 2: Reduced Scale Lodge

The lodge project site with Alternative 2 is within the limits of, but smaller than, Alternative 1. Alternative 2 does not include golf course SEZ restoration proposed as part of Alternative 1. For the same reasons described above in Alternative 1, implementation of Alternative 2 would result in **no impact** on impact on special-status plant and animal species.

Alternative 3: Reduced Height Lodge

The lodge project site with Alternative 3 is the same as Alternative 1. For the same reasons described above in Alternative 1, implementation of Alternative 3 would result in **no impact** on impact on special-status plant and animal species.

Alternative 4: No Project

Alternative 4 does not include redevelopment of the Tahoe City Lodge project site, but reflects a condition in which the project applicant could renovate the existing commercial center to increase occupancy relative to existing conditions. For the same reasons described above in Alternative 1, implementation of Alternative 4 would result in **no impact** on special-status plant and animal species.

Mitigation Measures

No mitigation is required.

Impact 7-3: Tree removal

Under all Area Plan alternatives (Alternatives 1, 2, 3, and 4), although the details of individual development projects cannot be known at this time, construction of development and redevelopment projects would require the removal of native trees. For specific projects under all alternatives, project-level planning, environmental analysis, and compliance with existing TRPA and County regulations and policies would identify potentially significant tree removal; minimize or avoid those impacts through the design, siting, and permitting process; and provide mitigation for any significant effects as a condition of project approval and permitting. TRPA's Goals and Policies, Code of Ordinances, and Rules of Procedure require protection of large trees, with limited exceptions; protection of late seral/old growth ecosystems; preparation and approval of tree removal plans; compensatory tree replacement or other project-level mitigation to avoid significant impacts if appropriate and needed; and other protection measures. Therefore, approved tree removal as a result of specific projects under all Area Plan alternatives would be a **less-than-significant** impact. For the Tahoe City Lodge project, none of the project alternatives (Alternatives 1, 2, 3, and 4) would result in substantial tree removal as defined under Section 61.1.8 of the TRPA Code. Thus, tree removal related to the Tahoe City Lodge Project under all of the alternatives would be **less than significant**.

Placer County Tahoe Basin Area Plan Program-Level Analysis

Alternative 1: Proposed Area Plan

Depending on their specific locations, construction of some individual projects under Alternative 1 would require the removal of native trees. For most development under Alternative 1, construction-related ground disturbance would be concentrated within urban areas, existing transportation corridors, and other already-

disturbed areas, such as with the Kings Beach Center design concept parcels. Because ground disturbance would be focused mostly in these already-disturbed areas, the potential removal of native trees would have a relatively minor effect on the surrounding environment. Also, locations where most development projects would be constructed support common tree species such as Jeffrey pine, white fir, and lodgepole pine. Stands that consist of these species and their biological functions, particularly those that are disturbed and within developed landscapes, are not considered threatened or vulnerable to decline in the Tahoe Region. These trees or stands are not considered critical or limiting to the presence or viability of common or sensitive biological resources in the region. Tree removal under Alternative 1 would not substantially affect breeding productivity or population viability of any species or cause a change in species diversity locally or regionally.

Regardless of the magnitude or biological effects of tree removal, native trees are protected in the Tahoe Region. TRPA's existing policies and Code provisions address tree removal through site-specific environmental review; require development and implementation of project-specific measures to minimize or avoid impacts through the design, siting, and permitting process; and require compensatory or other mitigation for any significant effects as a condition of project approval. Specifically, the TRPA Goals and Policies and Code of Ordinances include provisions limiting tree removal and protecting late seral/old growth forests, and TRPA's Rules of Procedure require mitigation for any significant impact as a condition of project approval. Additionally, TRPA cannot approve projects that would cause a significant adverse effect on the late seral/old growth ecosystem threshold standard without appropriate mitigation.

Specific provisions for tree removal in the Tahoe Region are provided in the TRPA Code (Chapter 61, and Chapters 36, 33, 62), and all tree removal for trees greater than 14 inches dbh requires review and approval by TRPA. A harvest or tree removal plan is required by TRPA where implementation of a project would cause "substantial" tree removal. "Substantial" tree removal is defined in Chapter 61 of the TRPA Code as: (1) removal of more than 100 live trees 14 inches dbh or larger, or (2) tree removal that, as determined by TRPA after a joint inspection with appropriate state or federal forestry staff, does not meet the minimum acceptable stocking standards set forth in Chapter 61. For the purpose of late seral/old growth ecosystem protection, the Code specifies that no tree greater than or equal to 24 and 30 inches dbh in eastside and westside forest types, respectively, shall be cut. However, the Code provides an exception for private landowners by allowing for a limited forest plan to be prepared if 10 percent or less of the trees greater than or equal to 24 inches dbh in eastside forest types within a project site are proposed to be cut within the life of the plan. In addition, trees and vegetation not scheduled to be removed must be protected during construction in accordance with Code Chapter 33, Grading and Construction, Section 33.6, Vegetation Protection During Construction.

TRPA's Goals and Policies, Code of Ordinances, and Rules of Procedure require protection of large trees, with limited exceptions; protection of late seral/old growth ecosystems; preparation and approval of tree removal plans; compensatory tree replacement or other project-level mitigation to avoid significant impacts if appropriate and needed; and other protection measures. Because project-level planning, environmental analysis, and compliance with existing TRPA regulations and policies would identify potentially significant tree removal; minimize or avoid those impacts through the design, siting, and permitting process; and provide mitigation for any significant effects as a condition of project approval and permitting, approved tree removal as a result of specific projects would be a **less-than-significant** impact.

Alternative 2: Area Plan with No Substitute Standards

Tree removal under Alternative 2 would be similar to that described above in Alternative 1. Although the amount of tree removal required for specific projects under Alternative 2 relative to the other Area Plan alternatives, cannot be quantified, projects under Alternative 2 would be located mostly in the same locations as Alternative 1. For the same reasons described above in Alternative 1, approved tree removal as a result of specific projects under Alternative 2 would be a **less-than-significant** impact.

Alternative 3: Reduced Intensity Area Plan

Tree removal under Alternative 3 would be similar to that described above in Alternative 1. Although the amount of tree removal required for specific projects under Alternative 3 relative to the other Area Plan alternatives, cannot be quantified, projects under Alternative 3 would be located mostly in the same locations as Alternative 1. For the same reasons described above in Alternative 1, approved tree removal as a result of specific projects under Alternative 3 would be a **less-than-significant** impact.

Alternative 4: No Project

Implementation of Alternative 4 would be a continuation of existing conditions under the Regional Plan and existing plan area statements and community plans. As described above for Alternative 1, all future projects would be subject to environmental review and would be required to comply with all local, state, TRPA, and federal regulations applicable to tree removal. For the same reasons described above in Alternative 1, approved tree removal as a result of specific projects under Alternative 4 would be a **less-than-significant** impact.

Tahoe City Lodge Project-Level Analysis

Alternative 1: Proposed Lodge

Up to 0.6 acre of Jeffrey pine forest could be disturbed or removed under Alternative 1. A tree survey to precisely quantify the number of trees by size class that would require removal has not been completed for the Tahoe City Lodge project. However, based on the relatively small size of the project footprint and forest area affected, and a review of tree canopy and distribution on the lodge project site using high resolution aerial imagery, Alternative 1 is not expected to result in substantial tree removal as defined under Section 61.1.8 of the TRPA Code. Thus, this impact would be **less than significant.**

Alternative 2: Reduced Scale Lodge

Up to 0.3 acre of Jeffrey pine forest could be disturbed or removed under Alternative 2. For the same reasons described above in Alternative 1, tree removal under Alternative 2 would be a **less-than-significant** impact.

Alternative 3: Reduced Height Lodge

Up to 0.6 acre of Jeffrey pine forest could be disturbed or removed under Alternative 3. For the same reasons described above in Alternative 1, tree removal under Alternative 3 would be a **less-than-significant** impact.

Alternative 4: No Project

Alternative 4 does not include redevelopment of the Tahoe City Lodge project site, but reflects a condition in which the project applicant could renovate the existing commercial center to increase occupancy relative to existing conditions. For the same reasons described above in Alternative 1, potential tree removal as a result of project development under Alternative 4 would be **less than significant**.

Mitigation Measures

No mitigation is required.

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