1.0 INTRODUCTION AND PURPOSE AND NEED

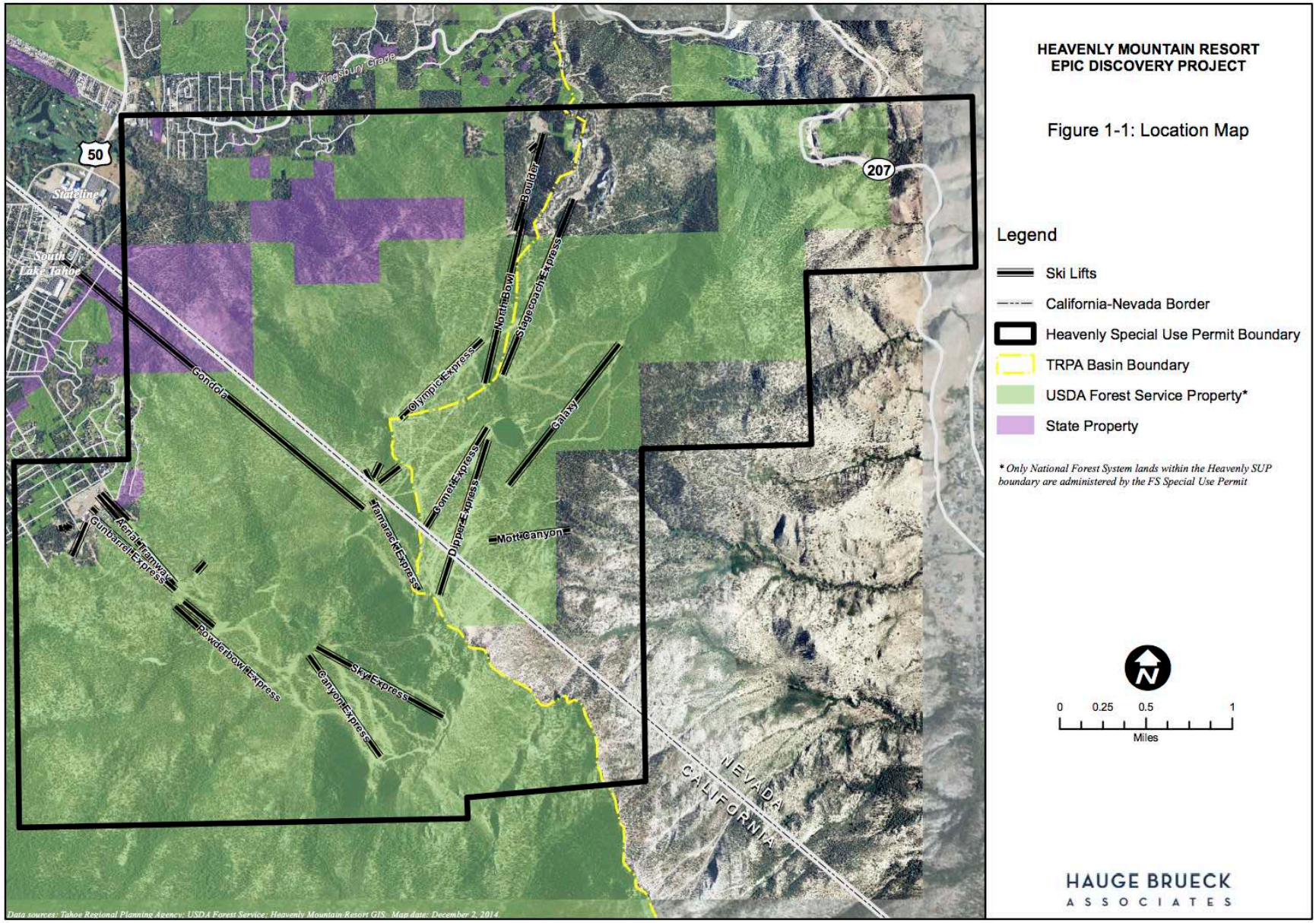
1.1 INTRODUCTION

Heavenly Mountain Resort (also referred to as Heavenly in this document) is a multi-season recreational resort which straddles the Lake Tahoe hydrologic watershed ("Lake Tahoe Basin") on National Forest System lands near the south shore of Lake Tahoe (Figure 1-1). Heavenly currently operates under a forty (40) year Ski Area Special Use Permit issued by the United States Department of Agriculture Forest Service, Lake Tahoe Basin Management Unit (Forest Service) on May 7, 2002. Unlike many other resorts in the Lake Tahoe Region, Heavenly's location subjects any proposed resort improvements to extensive, multi-level review and approval by the Forest Service, the Tahoe Regional Planning Agency (TRPA), County governments, California as well as required compliance and conformity with all other applicable state and local laws, rules, regulations, plans and policies. Heavenly is proposing to expand summer uses within its permit area as part of the proposed Epic Discovery Project.

The Heavenly Ski Resort permit area falls under the direct jurisdiction of the City of South Lake Tahoe, El Dorado County, and Alpine County in California, Douglas County in Nevada, the TRPA, and the Forest Service. Each of these agencies assigns land use and exercises various levels of jurisdiction over specific parcels or resources. This Environmental Impact Report/Environmental Impact Statement/Environmental Impact Statement (EIR/EIS/EIS) serves as a joint document that will meet the environmental review requirements of the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), and the Tahoe Regional Planning Compact. The environmental setting and analysis in this EIR/EIS/EIS tiers from, and references, the environmental setting and analysis included in the EIR/EIS/EIS documents that were prepared for the adopted 1996 Heavenly Ski Resort Master Plan (MP 96) and the 2007 Master Plan Amendment (MPA 07). Where appropriate, the data, analysis and conclusions presented in the previous Master Plan environmental documentation are updated and refined in this EIR/EIS/EIS (e.g., water quality data and mitigation programs for water quality presented in Chapter 3.1 – Hydrology).

1.2 LAKE TAHOE BASIN MANAGEMENT UNIT FOREST PLAN DIRECTION

The Land and Resource Management Plan (LTBMU Forest Plan) was developed to direct the management of the Lake Tahoe Basin Management Unit (LTBMU). The goal of the Forest Plan is to provide a management program that uses a mix of management activities to direct the use and protection of resources, to fulfill legislative requirements, and to address local, regional, and national issues. The Forest Plan provides forest-wide management direction for the National Forest System lands within the Lake Tahoe Basin as well as specific management area direction.


HEAVENLY MOUNTAIN RESORT
EPIC DISCOVERY PROJECT
Figure 1-1: Location Map
Legend
Ski Lifts
California-Nevada Border
Heavenly Special Use Permit Boundary
TRPA Basin Boundary
USDA Forest Service Property*
State Property
* Only National Forest System lands within the Heavenly SUP boundary are administered by the FS Special Use Permit
0 0.25 0.5 1
Miles
HAUGE BRUECK ASSOCIATES
Kingsbury Grade
50
207
Stateline
South of Lake Tahoe
Boulder
North Bowl
Stagecoach Express
Olympic Express
Gondola
Galaxy
Comet Express
Dipper Express
Tamarack Express
Mott Canyon
Aerial Tramway
Gunbarrel Express
Powderbowl Express
Sky Express
Canyon Express
NEVADA
CALIFORNIA
Data sources: Tahoe Regional Planning Agency; USDA Forest Service; Heavenly Mountain Resort GIS. Map date: December 2, 2014

The 1988 Lake Tahoe Basin Management Unit Forest Plan and subsequent amendments (the "Forest Plan") include specific direction for physical and operational improvements within the Heavenly Mountain Resort special use permit area. Section 1.6 and Chapter 3.12 (Land Use) provide additional information on applicable Forest Plan direction and national policy that is relevant to the Proposed Action.

1.3 PURPOSE AND NEED

Over the years, the ways people engage in recreation during the summer months has evolved to include a new variety of activities and user experiences. Likewise, recreational use in the National Forests has evolved beyond activities traditionally associated with these lands such as hunting, fishing, camping or hiking. Ski areas serve as portals to National Forests and public lands for millions of people every year and provide important opportunities for the public to explore the outdoors and engage in active recreation.

In November 2011, Congress enacted the Ski Area Recreational Opportunity Enhancement Act (SAROEA), which amended the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of NFS land subject to ski area permits, and for other purposes (16 USC 487b). The SAROEA provides public policy direction to and authority for the Forest Service to approve facilities to support summer and year-round natural resource-based recreation at ski areas. The Act recognizes the public benefits to be gained from expanding public access to year-round recreation opportunities in developed ski areas, including additional employment and economic activity for communities with public land ski areas.

Increased summer use at ski areas in recent years has been driven by new technologies and the growing number of people seeking outdoor recreational activities in more managed settings. In response to the policy direction and to visitor preferences, Heavenly has implemented a number of outdoor environment-based recreation activities including ropes courses, zip lines, hiking trails and summer tubing. The Proposed Action would broaden the range of existing recreational opportunities and is responsive to visitor preferences for a more diverse range of activities. Heavenly intends to integrate the proposed summer activities into a comprehensive environmental education program to teach visitors about the unique Lake Tahoe environment and how they can help conservation efforts. Summer use at Heavenly Mountain Resort has averaged approximately 108,700 visitors between the six year period beginning 2008 and ending 2013.

The Forest Service wants to engage the next generation of National Forest users, and believes that ski areas are well-positioned to introduce user groups that might not otherwise visit National Forests (e.g., urban-based population segments, including youth) to outdoor recreation. This exposure can build a deeper appreciation for the outdoors and the value of natural resources, leading to a more environmentally aware population.

Having a primarily tourism-based economy, the Lake Tahoe Basin both relies on, and attracts, large numbers of visitors throughout the year—most of whom recreate on public lands (National Forest System lands represent about 75% of the land base in the Lake Tahoe Basin). The results of the 2010 National Visitor Use Monitoring (NVUM) survey estimated that over 5.7 million

people visited the LTBMU and the trend is increasing. Outdoor recreation visitors can be broadly placed into two categories: those who are likely to engage in self-directed recreational activities on NFS lands, and those who seek organized or developed activities in more managed settings (i.e., activities supervised by a permittee or guide). The rise in the popularity of developed activities in more managed settings stems, in part, from: (1) the difficulty some families have in finding activities they can participate in together; or (2) barriers (the need for specialized knowledge, equipment, skills or familiarity with the forest environment) that can be associated with many self-directed activities such as mountain biking, kayaking, and rock climbing.

In order to respond to the growing popularity of and demand for resource-based activities developed in managed settings (i.e., an existing permitted developed recreation area), the proposed Epic Discovery activities include both the addition of successful attractions already in operation (e.g., ropes courses and zip lines), as well as new activities to broaden the recreational appeal to the growing numbers of multi-generational visitors. New activities include mountain biking in both managed and self-directed settings, a mountain coaster that simulates the experience of skiing and snowboarding in a safe and managed natural environment, an above-ground sky cycle and zip line canopy tours. Heavenly Mountain Resort represents an important year-round recreational opportunity in the Lake Tahoe Basin. During the summer, it attracts tens of thousands of people and has infrastructure (e.g., chairlifts, roads, utility support infrastructure and on-mountain guest service facilities) in place that would allow it to support a more diverse summer and year-round activities program. The purpose of the Epic Discovery proposal at Heavenly Mountain Resort is to diversify summer and year round activities pursuant to SAROEA by which to engage a larger segment of summer and non-ski/ride visitors seeking more managed recreation opportunities by providing:

- Adventure and thrill-based experiences that require little specialized knowledge, skills, equipment or familiarity with the mountain environment;
- Activity-based interaction with a forested, mountain environment in a controlled setting, offering an opportunity for users to interact with and learn about nature;
- Human-powered, active recreational experiences that cater to all ability levels;
- Interpretive programs that offer an educational experience for users seeking to learn more about the environment;
- A range of activities appealing to multi-generational families and groups increasing the opportunities for both self-directed activities and managed activities on NFS lands;
- Expanded non-ski/ride recreational opportunities, year round;
- Implementation of the Regional Plan Update pursuant to the South Shore Area Plan and Tourist Core Area Plan accelerating the Region's transition from a gaming-driven destination to a recreation-based destination;
- A broader range of recreational activities in low snow years; and

- Transition of a seasonal workforce to increased year round employment.

1.4 ENVIRONMENTAL REGULATION

This EIR/EIS/EIS serves as a joint document that will meet the environmental review requirements of the National Environmental Policy Act (NEPA) for the Forest Service, California Environmental Quality Act (CEQA) for the California Water Quality Control Board – Lahontan Region (Lahontan), and the Tahoe Regional Planning Compact for the TRPA. Each agency will be using the document to make decisions based on the respective agency's planning policies and statutory requirements. This section explains each agency's roles, policies, and decision responsibilities.

National Environmental Policy Act (NEPA)

Of the 10,530 acres within the Heavenly permit boundary, 7,020 acres are National Forest System lands. The Forest Service is the lead agency under the National Environmental Policy Act (NEPA). As such, this EIS is prepared in accordance with the NEPA and Council on Environmental Quality (CEQ) Regulations 40 CFR §1500 et seq. The Responsible Official under NEPA is the Lake Tahoe Basin Management Unit (LTBMU) Forest Supervisor who will issue a Record of Decision (ROD) once the Final Environmental Impact Statement (FEIS) is completed. The decision in the ROD will either approve the Proposed Action or an Alternative, including the No Action Alternative.

The Forest Service requires NEPA analysis of site specific projects (e.g., new facilities, increased visitation, etc.) included in the Epic Discovery Project proposal. The Forest Service agreed to use the EIS process to analyze the proposed Epic Discovery Project since this is a multi-agency document and TRPA determined that an EIS is necessary to amend their existing Heavenly Mountain Resort Master Plan. The Forest Supervisor reviews and accepts the Epic Discovery Project based on consistency with the Forest Plan and current Forest Service policies. The Forest Service requires a 45 day minimum public comment period for a Draft EIS (DEIS).

This project is subject to the objection process (36 CFR 218). Only those who submit timely project-specific written comments during a public comment period are eligible to file an objection. Individuals or representatives of an entity submitting comments must sign the comments or verify identity upon request.

Tahoe Regional Planning Compact

6,470 acres of Heavenly's permitted land is within the Lake Tahoe Basin and therefore is under the jurisdiction of the TPRA. TRPA is the lead agency under the Tahoe Regional Planning Compact. As such, this EIS is prepared in accordance with Article VIII of the Tahoe Regional Planning Compact, Chapter 3 of the TRPA Code of Ordinances, and the TRPA Rules of Procedure. The responsible body for the TRPA is the Governing Board. The Governing Board's decisions are:

- whether the Epic Discovery Project is consistent with the TRPA Regional Plan and Environmental Threshold Carrying Capacities;

- whether to certify the FEIS; and
- whether to adopt the proposed Epic Discovery Project amendment to the existing Ski Area Master Plan or an Alternative.

TRPA determined that an EIS is necessary in order to consider an amendment to Heavenly's Ski Area Master Plan. Public comment period required for a DEIS under TRPA is not less than 60 days. Therefore, the 45-day comment period requirement for the Forest Service shall be extended to coincide with the end of the TRPA comment period as allowed under 36 CFR 218.25 (a)(ii).

Prior to certification of the FEIS, TRPA's Advisory Planning Commission (APC) reviews the FEIS and makes a recommendation to the Governing Board (GB) on the certification of the FEIS.

Prior to approving a project for which an EIS was prepared, TRPA may require changes or mitigation measures to be incorporated into the project to avoid or reduce any significant adverse environmental effects to a less than significant level, unless specific considerations such as economic, social, or technical, make the mitigation measures or project alternatives discussed in the EIS infeasible. Specific Epic Discovery projects approved by the Governing Board as part of the proposed Master Plan Amendment must subsequently receive a TRPA permit prior to construction.

California Environmental Quality Act (CEQA)

Approximately 4,320 acres of the resort is within the state of California and subject to the California Environmental Quality Act (CEQA). As such, the document is prepared in accordance with the CEQA Statutes (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Administrative Code Section 15000 et seq.). The EIR is not, in and of itself, a decision document. The document's purpose is to disclose the environmental consequences of implementing the Epic Discovery Project and Alternatives. This disclosure will allow the responsible reviewing officials of Lahontan to adopt the proposed Epic Discovery Project if they believe the environmental issues are adequately addressed in the EIR. The Lahontan Board is the decision making body under CEQA. The Board's decisions are:

- whether to certify the Final EIR; and
- whether to issue permits for those portions of the Epic Discovery Project that are in California.

1.5 PUBLIC INVOLVEMENT AND ENVIRONMENTAL ISSUES

Public scoping for the Epic Discovery Project took place from November 19, 2013 to December 20, 2013, with the public review of Heavenly's proposed Epic Discovery Project description and mapping and a Notice of Preparation/Intent to prepare an EIR/EIS/EIS for the Project. Public scoping included notification to local media outlets, publication in the Federal Register, scoping letters mailed or emailed to interested parties, and two public meetings held on December 4, 2013 at the TRPA Advisory Planning Commission and December 18, 2013 at the LTBMU

Supervisor's office. The LTBMU Scoping Summary Report summarizes comments received during public scoping (USFS, 2014). Comments generally fall into the following categories: support for the Proposed Action, Project description clarification, design features/mitigation measure suggestions, potential resource impacts, and alternatives for consideration. A copy of the Scoping Comment Report is attached as Appendix 1-A and can be reviewed at the LTBMU Supervisor's office in the project files.

Issues that are studied in detail in this EIR/EIS/EIS include those issues that were identified during public scoping and that have the potential to result in significant environmental impacts. Most of the issues to be resolved in the EIR/EIS/EIS correspond to physical impacts of project construction and operation (e.g., water quality, soils, biological resources, scenic quality, cultural resources, noise and air quality/GHG), increased visitation (e.g., traffic, noise and air quality/GHG) and consistency with planning documents and agency policy (e.g., land use and recreation).

Some issues that are associated with the Epic Discovery Project were reviewed by the lead agencies and found to have been adequately addressed by previous EIR/EIS/EIS documents prepared for the MP 96 and MPA 07 and do not require additional analysis in this EIR/EIS/EIS. These issues would not result in changes to previously disclosed impacts and would not require additional design features or mitigation measures not already included in the Heavenly Ski Area Master Plan. These issues include public safety, water supply, public services and socioeconomics. The Epic Discovery Project does not propose any expansion of existing public services, including water supply beyond what was identified in the previous Master Plan studies. Since the overall capacity of the Master Plan does not increase, there would be no additional impacts or needs for additional public safety measures and public services. The increase in summer visitors and personnel proposed by the Epic Discovery Project would not exceed winter operating levels; therefore, the existing public safety procedures, staff, and equipment would be sufficient to address the increase in summer operations, as summer operations would continue to be substantially smaller than winter operations. The Epic Discovery Project does not propose changes to existing public safety measures or reductions in existing safety operations. Although the geographic area used for summer operation would increase as a result of the Epic Discovery Project, it would not increase beyond the existing operational area, and existing policies, such as bans on smoking, would continue to be enforced throughout the operational area. As a result, an increase in demand for or impact on public safety and fire protection services would not occur and additional analysis is not necessary.

No new socioeconomic (e.g., population, employment and housing) impacts are anticipated because employment and housing demand for the summer oriented Epic Discovery Project will not increase employment and housing demand to levels previously analyzed for winter operations. Currently, Heavenly supports 125 year-round positions with 250 full- and part-time employees for summer operations and 1,750 full- and part-time employees for winter operations. Implementation of the Proposed Action would potentially increase Heavenly's summer employment by 75 FTEs (full-time equivalents) for year one and 250 FTEs for full implementation. For winter operations, Heavenly anticipates employment to increase by 25 FTEs for year one activities and 50 FTEs for full implementation. The anticipated level of change to winter employment was considered in the analysis prepared for the 1996 Master Plan and 2007 Master Plan Amendment.

Regarding employment for construction and operations of the proposed projects, Heavenly will attempt to utilize the local workforce to the extent practical. Because many of the proposed activities require specialized systems, vendors must oversee and install projects. Heavenly summer employees will be used to assist with support and basic labor tasks. With the intent to support local employment, Heavenly intends to hold a spring job fair each season to recruit and hire summer season employees. The job fair will be open to the public; however, existing Heavenly winter employees will be encouraged to attend the fair because they are familiar with Heavenly training, culture, service standards and related employee programs and policies. Retaining seasonal employees can provide a number of benefits to the employee, the employer, the guests and the local economy. The proposed projects are not anticipated to significantly impact the local job market in the South Lake Tahoe region.

Heavenly employee housing is a complex owned and operated by Heavenly and located near the California base lodge. This housing complex contains 96 beds in 16 suite style units. The units are full with seasonal employees during the winter season and frequently leased to the Forest Service personnel for seasonal fieldwork in the summer. During construction of the proposed projects, there is a potential for Heavenly to lease part of the employee housing complex for construction crews. Due to the surplus of Heavenly owned beds during the summer at Heavenly employee complexes, housing for new employees is not anticipated to be an issue or to impact the local rental market.

As such, construction and operations employment from the proposed projects at Heavenly will have no significant impact due to available local workforce and housing. In addition, none of the action alternatives would cause disproportionately high or adverse impacts on minority or low income populations because the project footprint is located in non-urbanized areas with no residences or other development.

1.6 RELATIONSHIP TO EXISTING LAND USE PLANS, POLICIES, AND REGULATIONS

As discussed above, the Epic Discovery Project area falls under the direct jurisdiction of El Dorado County, and Alpine County in California, Douglas County in Nevada, the TRPA, and the Forest Service, LTBMU. This section identifies the applicable agency's responsibility relative to the proposed Project. It also identifies the plans and policies with which the Epic Discovery must show compliance.

Federal

The federal government manages much of the land near and within the Heavenly Mountain Resort Master Plan boundaries. Approximately 7,020 acres of land within the Heavenly Mountain Resort Special Use Permit Area are administered by the LTBMU which regulates development in the area through the issuance of a Special Use Permit. Management and development of lands within the Special Use Permit boundary must meet Forest Service policies and standards as described below and TRPA regulations for those areas within the Tahoe Basin.

Federal regulations are associated with wetland identification and protection, sensitive species protection, cultural resource protection, and health and safety on federally owned lands as well as

on private lands. The State of California, State of Nevada, and TRPA enforce many of the federal regulations for these issues. For example, TRPA is the California designated Regional Transportation Planning Agency (RTPA) for transportation and air quality planning and is charged with the responsibility of implementing federal programs in the Region. TRPA also implements the water quality control plan required by Section 208 of the Clean Water Act. This implementation is subject to approval by the State of California Regional Water Quality Control Board, Lahontan Region (for the portion of the region within California). The states of California and Nevada enforce the Secretary of the Interior's standards for cultural resource protection. For other issues, such as wetland identification, TRPA regulations are stricter than those at the federal level and therefore take precedence for the areas within the Tahoe Basin. The LTMBU regulations take precedence for the wetlands and riparian zones located outside the Tahoe Basin.

Some federal agencies have direct permitting authority over specific types of resources, projects and actions. The US Fish and Wildlife Service is responsible for the protection of federally listed threatened and endangered species and species which are proposed for listing under the Federal Endangered Species Act (ESA). Any action which could adversely affect a federally listed or proposed species must be permitted under Section 7 or 10(a) of the ESA. The US Army Corps of Engineers is charged with the responsibility of ensuring compliance with Section 404 of the Clean Water Act and has permit authority over the discharge of dredged and fill material into jurisdictional waters and wetlands.

Lake Tahoe Basin Management Unit and the 1986 National Forest Ski Area Permit Act

Forest Service Land and Resource Management Plan (Forest Plan). The Forest Plan was developed to direct the management of the LTBMU. The goal of the Forest Plan is to provide a management program that uses a mix of management activities to direct the use and protection of resources, to fulfill legislative requirements, and to address local, regional, and national issues. The LTBMU maintains complete authority over the Heavenly Mountain Resort special use permit boundary on National Forest Lands.

Forest-wide management direction is guided by: 1) management goals; 2) management objectives; and 3) forest-wide standards and guidelines. The management goals describe the desired future condition of the LTBMU that the Forest Plan is designed to achieve. The management objectives are planned measurable results (annual outputs) that respond to the management goals. Forest-wide standards and guidelines establish the baseline conditions for each recognized management practice that must be maintained by the LTBMU to carry out the Forest Plan direction.

Most of the 122 ski areas operating on NFS lands in the United States are authorized under special use permits per the National Forest Ski Area Permit Act of 1986 (the 1986 Act).[1] As originally enacted, the 1986 Act authorized Nordic and Alpine skiing at ski areas on NFS lands. In November 2011, Congress enacted the Ski Area Recreational Opportunity Enhancement Act (SAROEA), which amended the 1986 Act to clarify the authority of the Secretary of Agriculture

[1] 16 USC 497b

regarding additional recreational uses of National Forest System land subject to ski area permits, and for other purposes. On April 17, 2014, the Forest Service published a Notice of Final Directives for Additional Seasonal and Year-Round Recreation Activities at Ski Areas. The Final Directives added criteria to help authorized officers determine whether proposals for these activities are consistent with SAROEA. Forest Service Manual (FSM) 2340 – Privately Provided Recreation Opportunities – includes the final policy on additional season and year-round recreation activities at ski areas. Both SAROEA and FSM 2340 are explored in greater detail in Chapter 3.12 (Recreation).

Table 1-1 identifies broad Forest Plan management goals applicable to development within the LTBMU including the Epic Discovery Project and Alternatives. Successful achievement of the goals is dependent upon accomplishing the activity and production levels described as objectives, employing the standards and guidelines, and receiving appropriate funding. Additionally, achievement of the goals is subject to the adjustment of objectives, standards, and guidelines of the Forest Plan due to monitoring and evaluation. More detailed analysis of the Project's consistency with the Forest Plan is found in the Forest Plan Consistency Table (USFS files) and analysis of summer uses criteria found in Chapter 3.13 (Land Use).

Table 1-1

LTBMU Forest Plan

Resource Element	Management Goals	Consistency Evaluation
Social and Economic	Continue to produce goods and services for national and regional markets, while also being a responsive neighbor to the local communities.	Consistent. Neither the Proposed Action nor Alternative would expand the maximum capacity (seen in winter) of the resort beyond the level approved in the MP 96 and amended with the MPA 07.
Air Quality	Maintain and, where necessary, restore the clear, clean air important to the aesthetic enjoyment of the area and the health of the people.	Consistent. Neither the Proposed Action nor Alternative would degrade air quality emissions to the point of exceeding regulatory standards.
Noise	Maintain noise levels at, or quieter than, that which is compatible with the primary use of the area.	Consistent. Neither the Proposed Action nor Alternative would increase noise levels near noise sensitive lands such as residential areas.
Wildlife and Plant Diversity	Provide for the diversity of plant and animal communities to the present level.	Consistent. Neither the Proposed Action nor Alternative would result in the loss or degradation of plant and wildlife habitats that would affect species diversity at Heavenly. Section 2.3.5 lists design features to reduce potential effects on species diversity.
Roads and Ski trails	Provide a transportation system that accesses national forest resources and links well with the basin wide transportation.	Consistent. Heavenly participates in coordinated transit services and operates the gondola that provides access to the mountain center from the south Tahoe commercial core area.

Table 1-1

LTBMU Forest Plan

Resource Element	Management Goals	Consistency Evaluation
Fire Protection	Provide a level of fire protection to assure that property and resource losses are not excessive.	Consistent. Neither the Proposed Action nor Alternative would change fire protection service requirements for on- or off-mountain facilities.
Fisheries	Maintain and improve both lake and stream habitat for fish. Improve habitat that is below its ability to sustain or optimally produce fish, especially where it can be self-perpetuating or where it benefits migrating fish.	Consistent. The Proposed Action and Alternatives require on site restoration to improve watershed health and on mountain channels that serve as headwaters for off site creeks that support fish habitat.
Geology	Reduce the risks to life and property from geologic hazards.	Consistent. Adherence to the Uniform Building Code would reduce seismic hazards for the Proposed Action and Alternatives.
Groundwater Management	Prevent degradation of groundwater quality to assure its usefulness. Improve groundwater quality where degraded.	Consistent. The Proposed Action and Alternatives do not include activities that would degrade groundwater quality.
Historical and Cultural	Protect our historical and cultural heritage.	Consistent. Section 2.6 lists mitigation measures (e.g., compliance with the Programmatic Agreement) of the Proposed Action and Alternatives that protect archaeological resources in the project area, including the Comstock Logging Historic District.
Land Uses	Allow occupancy and use of the land for public and private purposes through issuance of a special use permit or easement where the use would be consistent with other goals.	Consistent. Neither the Proposed Action nor Alternative would modify existing land uses within the Special Use Permit Area. Implementation of the Proposed Action and Alternatives would expand summer recreational opportunities provided within Heavenly's Special Use Permit boundary.
Recreation	Provide opportunities for enjoying a variety of outdoor recreation experiences.	Consistent. Implementation of the Proposed Action and Alternatives would provide new opportunities for year round outdoor recreation.
Riparian Area	Riparian areas are able to perform their natural function in the environment, such as habitat for dependent species and for watershed protection.	Consistent. Section 2.3.5 lists design features of the Proposed Action and Alternatives to avoid or minimize disturbance to wetlands and meadows.
Soil	Maintain soil productivity and protect soils from surface erosion.	Consistent. Section 2.3.5 lists design features of the Proposed Action and Alternatives to minimize or avoid impacts to soil productivity and erosion.

Table 1-1

LTBMU Forest Plan

Resource Element	Management Goals	Consistency Evaluation
Visual	Maintain an attractive forest appearance by meeting or exceeding established visual quality objectives.	Consistent. The Proposed Action and Alternatives would meet Forest Plan VQO standards of Partial Retention.
Water Quality	Reverse the downward trend in the quality of water entering Lake Tahoe and tributary streams. Restore water quality in the lake toward the clarity occurring when measurements first began.	Consistent. Section 2.3.5 lists design features of the Proposed Action and Alternatives to restore and protect the quality of water entering Lake Tahoe and the Carson River watershed (Nevada). Chapter 3.1 lists proposed mitigation measures designed to address cumulative water quality issues associated with Heavenly Valley Creek. USFS restoration programs (e.g., Cookhouse Meadow, Blackwood Canyon, Cold Creek/High Meadow) are reducing sediment loads entering tributaries and offset small increases associated with the Epic Discovery Project.
Water Quantity	Assure quantities of water to meet instream needs and the requirements for utilizing national forest land. Use water conservation measures to minimize consumption. Improve existing water systems.	Consistent. Neither the Proposed Action nor Alternative increase surface water or groundwater use.
Wildlife	Maintain habitat for the existing variety of wildlife without preference to game or nongame species. Preserve and enhance populations of threatened, endangered, and sensitive species.	Consistent. Section 2.3.5 lists design features of the Proposed Action and Alternatives to protect wildlife habitat and the special status species that utilize the habitat at Heavenly.

Source: HBA, 2014

LTBMU Forest Plan Management Area Prescriptions. The project site is located within the LTBMU's Heavenly Valley Management Area (MA). The Heavenly Valley MA is subdivided based on Management Area Prescriptions. A MA Prescription is defined as "management practices and intensities selected and scheduled for application on a specific area to attain multiple use and other goals and objectives." Prescriptions within the Heavenly Valley MA include Alpine Skiing (Prescription 2), Maintenance (Prescription 9), Timber Maintenance (Prescription 10), and Urban Lots (Prescription 12). The Heavenly Mountain Resort is located primarily on lands designated for Alpine Skiing. This prescription allows downhill skiing facilities on national forest land when operated under a Special Use Permit. Chapter 3.12 (Land Use) provides additional information and analysis regarding consistency between the proposed projects/activities and the LTBMU Management Area Prescriptions, Standards and Guidelines

for the Heavenly Valley MA as well as national policy for additional seasonal and year-round recreation activities at ski areas.

Tahoe Regional Planning Agency

The TRPA is a bi-state planning agency with authority to regulate growth and development within the Lake Tahoe Region. TRPA implements that authority through the *Regional Plan for the Lake Tahoe Basin*. The December 2012 Regional Plan is composed of numerous documents, of which the following are most relevant: *Environmental Threshold Carrying Capacities*; *Goals and Policies*; *Code of Ordinances*; *Plan Area Statements and Area Plans*; *Regional Transportation Plan (Mobility 2035)*; *Water Quality Management Plan* (208 Plan); and the *Scenic Quality Improvement Program*.

Environmental Threshold Carrying Capacities. The Environmental Threshold Carrying Capacities were established for the Lake Tahoe Region in order to provide a standard for which all projects and activities would be measured in order to achieve the goals established in the TRPA Compact. Attainment and Maintenance of the thresholds is required and in some cases requires the restoration of existing threshold-related conditions. TRPA does not have flexibility in regards to their enforcement when evaluating a project. An impact that is considered significant based upon threshold criteria must either be mitigated by avoidance, relocation, or removal of the identified project component.

Goals and Policies. The Goals and Policies establish an overall framework for development and environmental conservation in the Lake Tahoe region. This framework allows development of facility master plans to refine and implement Regional Plan policies that are appropriate to the specific use. Its chapters include: Land Use; Transportation; Conservation; Recreation; Public Service; and Implementation. Subelements within these chapters provide policy direction for issues as diverse as housing, mass transportation, scenic protection, and plan financing.

The Recreation Element of TRPA's *Regional Plan Goals and Policies* establishes certain regional goals and policies that affect recreation. The recreation environmental threshold adopted in 1982 functions as the overall policy direction for recreational development. The threshold policy statements read:

> It shall be the policy of the TRPA Governing Board in development of the Regional Plan to preserve and enhance the high quality recreational experience including preservation of high-quality undeveloped shorezone and other natural areas. In developing the Regional Plan, the staff and Governing Board shall consider provisions for additional access, where lawful and feasible, to the shorezone and high quality undeveloped areas for low density recreational use.
>
> It shall be the policy of the TRPA Governing Board in development of the Regional Plan to establish and ensure a fair share of the total Region capacity for outdoor recreation is available to the general public.

In addition to the Recreation Element, applicable Regional Plan goals and policies for other elements and subelements are identified in Table 1-2. The elements and subelements include

land use, noise, natural hazards, air quality, water quality, community design, vegetation, wildlife, fisheries, soils, scenic, open space, SEZ, cultural, and energy. These goals and policies include specific conditions under which ski area development may be permitted by the TRPA.

Table 1-2

TRPA Regional Plan Goals and Policies

Goal	Policies	Consistency Evaluation
Recreation		
R-3: Provide a fair share of the total basin capacity for outdoor recreation.	R-3.1. All existing reservations of services for outdoor recreation shall continue to be committed for such purposes.	Implementation of all Alternatives would ensure the continued commitment of services for recreational use by the Heavenly Mountain Resort.
	R-3.3. Provisions shall be made for additional developed outdoor recreation facilities capable of accommodating 6,114 PAOT in overnight facilities, 6,761 PAOT in summer day-use facilities and 12,400 PAOT in winter day-use facilities.	Neither the Project or Alternative would result in an increase in the existing winter day-use PAOT allocation of the MP 96 (16,125) and confirmed in the MPA 07. In addition, summer day-use PAOT would be required before permitting the summer activities as disclosed in Chapter 3.12.
R-4: Provide for the appropriate type, location, and rate of development of outdoor recreational uses.	R-4.1. Expansion of recreational facilities and opportunities should be in response to demand.	The expansion of summer uses proposed in the Epic Discovery Project and Alternatives is consistent with summer day use PAOTs available for use in the Lake Tahoe Basin and the 2011 Ski Area Recreational Opportunity Enhancement Act that authorizes the USFS to permit additional recreational uses on existing ski resorts.
	R-4.10. Transit operations, including shuttle-type boat service, should serve major recreation facilities and attractions.	Heavenly's participation in the operation of a coordinated transit system would continue for the Epic Discovery activities in summer.
	R-4.11. Expansion of existing ski facilities may be permitted based on a master plan for the entire ski area. The plan must demonstrate: 1) consistency with the other goals and policies of this plan and the requirements of the compact; 2) that the expansion is consistent with the availability of accommodations and infrastructures to support visitors when they are off the ski area; and 3) that expansion of existing parking facilities for day-use does not occur.	The Epic Discovery Project will be processed as an amendment to the existing 2007 Master Plan. The Epic Discovery Project's consistency with the TRPA Regional Plan and other applicable plans is addressed in this Chapter and Chapter 3.12 – Land Use.

Table 1-2

TRPA Regional Plan Goals and Policies

Goal	Policies	Consistency Evaluation
R-5. Protect natural resources from over use and rectify incompatibility among uses.	R-5.1. Recreation development in the Tahoe Basin shall be consistent with the special resources of the area.	The Epic Discovery Project has the potential to affect the natural resources of the Tahoe Region. Chapter 3 provides a detailed analysis of potential effects to natural resources and references existing MP mitigation measures and proposed design features to avoid or minimize these effects.
	R-5.2. Regulate intensity, timing, type, and location of use to protect resources and separate incompatible uses.	Implementation of the ~~Revised CWE~~Watershed Maintenance and Restoration Program and ~~Revised~~ Construction Erosion Reduction Program (CERP) ensures that Heavenly projects are implemented along with the appropriate subwatershed improvement/restoration projects to reduce risks associated with development on the sensitive mountain soils.
R-6. Provide for the efficient use of outdoor recreation resources.	R-6.1. Promote the use of underutilized recreation areas through programs that improve the public awareness of recreation opportunities and through an expanded water and inland transit system.	Heavenly's participation in the operation of a coordinated transit system would continue under the Project.
	R-6.2. Seasonal facilities should provide opportunities for alternative uses in the off-season, whenever appropriate.	The Epic Discovery Project provides for the expansion of summer recreational opportunities at the Heavenly Mountain Resort.
Land Use		
LU-1. Restore, maintain, and improve the quality of the Lake Tahoe Region for the visitors and residents of the region.	LU-1.1. The primary function of the region shall be as a mountain recreation area with outstanding scenic and natural values.	The Master Plan includes mitigation and restoration programs (e.g., ~~CWE~~ Watershed Maintenance and SEZ) designed to restore previously disturbed areas of the Lake Tahoe Region.
Noise		
N-1. Single event noise standards shall be attained and maintained.	N-1.6. Permit uses only if they are consistent with the noise standards. Noise mitigation measures may be required on all structures containing uses that would otherwise adversely impact the prescribed noise levels.	Neither the Project nor Alternative would exceed single event or CNEL noise standards.

Table 1-2

TRPA Regional Plan Goals and Policies

Goal	Policies	Consistency Evaluation
N-2. Cumulative noise equivalent levels shall be attained and maintained.		Neither the Project nor Alternative would exceed single event or CNEL noise standards.
Natural Hazards		
NH-1. Risks from natural hazards (e.g., flood, fire, avalanche, earthquake, seiche) will be minimized.	NH-1.1. Development shall be regulated in identified avalanche or mass instability hazard areas.	The Heavenly Valley Operations and Management Plan addresses risks from avalanche or mass instability hazard areas. Adherence to the Uniform Building Code would minimize any potential seismic-related impacts. No Epic Discovery development proposed for winter operation is located within existing Avalanche control areas.
	NH-1.3. Inform residents and visitors of the wildfire hazard associated with occupancy in the region. Encourage use of fire resistant materials and fire preventative techniques when constructing structures, especially in the highest fire hazard areas. Manage forest fuels to be consistent with state laws and other goals and policies of this plan.	The Epic Discovery Project does not propose changes to existing public safety measures or reductions in existing safety operations. Although the geographic area used for summer operation would increase as a result of the Epic Discovery Project, it would not increase beyond the existing operational area, and existing policies, such as bans on smoking, would continue to be enforced throughout the operational area.
Air Quality/Regional Transportation Plan		
AQ-1. Attain and maintain air quality in the region at levels that are healthy for humans and the ecosystem, achieve and maintain Environmental Thresholds and do not interfere with residents' and visitors' visual experience.	AQ-1.3. Encourage the reduction of emissions from motor vehicles and other motorized machinery in the region.	Access to Epic Discovery Projects will be provided by the Gondola, which has been demonstrated to reduce trips from the commercial core of South Lake Tahoe to the existing base areas. Neither the Project or Alternative would exceed emission standards.

Table 1-2

TRPA Regional Plan Goals and Policies

Goal	Policies	Consistency Evaluation
AQ-2. Maintain an effective air quality mitigation program for the region.	AQ-2.1. In addition to other policies and regulations intended to minimize air quality impacts of development, collect and expend air quality mitigation fees to offset air pollution in coordination with the Environmental Improvement Program (EIP). A portion of mitigation funds shall be expended in the local jurisdiction where the funds are generated and a portion of the funds may be used on the most cost effective and environmentally beneficial projects in the region.	Air Quality mitigation fees will be collected to offset additional vehicle trips generated by the Project or Alternative. Chapter 3.7 documents the number of new vehicle trips associated with the Project.
Water Quality		
WQ-1. Federal, state, regional, local and private water quality management programs should be implemented in a coordinated manner to restore and maintain Lake Tahoe's unique transparency, color and clarity in accordance with Environmental Threshold Carrying Capacity Standards.	WQ-1.1. Achieve and maintain water quality thresholds through comprehensive regional planning and through coordination with other public agencies and the private sector.	The Project and Alternatives have the potential to affect water quality from erosion, and disturb vegetation for activity construction and operations. Heavenly performs annual water quality monitoring and reporting, as described in Chapter 3.1, to evaluate and monitor the water quality and overall health of the Heavenly creeks and watersheds and soil erosion BMP effectiveness while satisfying TRPA regulatory requirements.
	WQ-1.3. Require that development and other activities in the Lake Tahoe Region mitigate anticipated water quality impacts.	See above.
WQ-3. Reduce or eliminate non point sources of pollutants which affect, or potentially affect, water quality in the Tahoe Region in a manner consistent with the Lake Tahoe TMDL, where applicable.	WA-3.1. Reduce loads of sediment, nitrogen, and phosphorus to Lake Tahoe; and meet water quality thresholds for tributary streams, surface runoff, and groundwater.	See above.

Table 1-2

TRPA Regional Plan Goals and Policies

Goal	Policies	Consistency Evaluation
Community Design		
CD-1. Ensure preservation and enhancement of the natural features and qualities of the region, provide public access to scenic views, and enhance the quality of the built environment.	CD-1.1. The scenic quality ratings established by the environmental thresholds shall be maintained or improved.	Project structures would be consistent with the USFS Build Environment Image Guide. Roadway and Shoreline Units would not be adversely affected.
Vegetation		
VEG-1. Provide for a wide mix and increased diversity of plant communities in the Tahoe Region.	VEG-1.1. Forest management practices shall be allowed when consistent with acceptable strategies for the maintenance of forest health and diversity, prevention of fire, protection of water quality, and enhancement of wildlife habitats.	The Project and Alternatives would result in the removal of forested habitats and habitat elements. Existing Master Plan mitigation measures and proposed design features listed in Sections 2.3.5 and 2.6 and summarized in Chapter 3.8 would protect sensitive forest types (e.g., whitebark pine, late seral forest).
	VEG-1.4. Edge zones between adjacent plant communities will be maximized and treated for their special value relative to plant diversity and wildlife habitat.	Substantial alteration of edge zones between adjacent plant communities within the Project Development Area have not been identified.
	VEG-1.5. Permanent disturbances or unnecessary alteration of natural vegetation associated with development activities shall not exceed the approved boundaries [or footprints] of the building, driveway, or parking structures, or that which is necessary to reduce the risk of fire or erosion.	The construction of new facilities shall be restricted to the footprint of the proposed building or structure. Lands adjacent to building footprints shall be maintained with their natural vegetation.
	VEG-1.9. All proposed actions shall consider the cumulative impact of vegetation removal with respect to plant diversity and abundance, wildlife habitat and movement, soil productivity and stability, and water quality and quantity.	Cumulative impacts associated with vegetation removal and its effects to plant diversity and wildlife habitat are considered in Chapters 3.8 and 3.9. Cumulative impacts of vegetation removal with respect to soil stability and water quality are addressed by the CWE analysis – see Chapter 3.1.
	VEG-1.10. Work to eradicate and prevent the spread of invasive species.	Existing Master Plan mitigation measures and proposed design features summarized in Chapter 3.8 would prevent the spread of invasive species.

Table 1-2

TRPA Regional Plan Goals and Policies

Goal	Policies	Consistency Evaluation
VEG-2. Provide for the protection, maintenance and restoration of such unique ecosystems as wetlands, meadows, and other riparian vegetation.	~~VEG~~ 2.1. Riparian plant communities shall be managed for the beneficial uses of passive recreation, groundwater recharge, and nutrient catchment, and as wildlife habitats.	Mitigation included in the Master Plan and summarized in Chapter 3.8 requires the avoidance and protection of riparian plant communities. Potential degradation of riparian plant communities is addressed at activity SEZ crossing, which by their linear nature, must be sited across SEZs.
	VEG-2.2. Riparian plant communities shall be restored or expanded whenever and wherever possible.	The restoration of riparian plant communities was required for past disturbance from ski resort operations and is required for potential effects from Epic Discovery activity construction.
VEG-3. Conserve threatened, endangered, and sensitive plant species and uncommon plant communities of the Lake Tahoe Region.	VEG-3.1. Uncommon plant communities shall be identified and protected for their natural values.	No uncommon plant communities have been identified within the MPA 07 Development Area.
	VEG-3.2. The population sites and critical habitat of all sensitive plant species in the Lake Tahoe Basin shall be identified and preserved.	Sensitive plant species (e.g., Tahoe draba) have been documented within the Heavenly Development Area. Existing Master Plan mitigation measures and proposed Epic Discovery design features are included to protect Tahoe draba populations from loss or degradation.
VEG-4. Provide for and increase the amount of late seral/old growth stands within the Lake Tahoe Region.	VEG-4.1. Stands exhibiting late seral/old growth characteristics shall be managed to allow these stands to sustain these conditions.	Restoration completed by Heavenly in the High Meadows area offsets proposed removal of late seral/old growth forest for the Epic Discovery Project. The 41 acre High Meadows treatment has been implemented by Heavenly and will offset effects of removal of large trees over 24 inches in diameter for the proposed Epic Discovery Project. High Meadows treatment was a larger area than was needed for mitigation of impacts identified in the 2007 EIR/EIS/EIS and is sufficient to offset impacts resulting from removal of approximately 195 trees larger than 24" dbh.

Table 1-2

TRPA Regional Plan Goals and Policies

Goal	Policies	Consistency Evaluation
	VEG-4.2. Stands not exhibiting late seral/old growth characteristics shall be managed to progress towards late seral/old growth.	See above.
	VEG-4.3. Prescriptions for treating these stands shall be prepared by licensed foresters or otherwise qualified individuals on a stand-by-stand basis. Each prescription shall demonstrate/ explain how it will promote late seral or old growth characteristics prior to applying any mechanical treatment or prescribed fire. Stand-specific prescriptions will be developed using the best available forest and ecosystem management science, strategies, standards and guidelines as well as all applicable regulations.	See above.
	VEG-4.4. Retain large trees as a principal component of late seral/old growth ecosystems.	Large trees are being retained to the greatest extent feasible for projects that require tree removal. For example, many of the Epic Discovery Project activities utilize the large trees as towers or anchors for above ground features.
	VEG-4.5. Retain trees of medium and small size sufficient to provide for large tree recruitment over time, and to provide structural diversity. Preferably, these trees will be the most vigorous in the stand using one of the standard tree classifications. In addition, species composition should be key consideration in tree retention.	Medium and small trees are being retained in stands, where possible, at such levels to provide tree recruitment over time. Stands located within the alignments of summer activities may not be allowed to reach canopy height because they would interfere with operations.

Table 1-2

TRPA Regional Plan Goals and Policies

Goal	Policies	Consistency Evaluation
VEG-5. The appropriate stocking level and distribution of snags and coarse woody debris shall be retained in the region's forests to provide habitat for organisms that depend on such features and to perpetuate natural ecological processes.	VEG-5.1. Allow for a sufficient number and an appropriate distribution of snags throughout the region's forests to provide and maintain habitat for species dependent on such features.	Stand-specific prescriptions will be utilized for all forest restoration/enhancement projects. All prescriptions will be subject to review and approval by TRPA and LTBMU prior to implementation. Snag density and distribution components will be included in all prescriptions.
	VEG-5.2. Allow for an appropriate amount, level and distribution of coarse woody debris (downed woody material) throughout the region's forests to maintain biological integrity, to stabilize soil, and to afford a reasonable level of fire safety.	Stand-specific prescriptions will be utilized for all forest restoration/enhancement projects. All prescriptions will be subject to review and approval by TRPA and LTBMU prior to implementation. Coarse woody debris levels and distribution components will be included in all prescriptions.
Wildlife		
WL-1. Maintain suitable habitats for all indigenous species of wildlife without preference to game or non-game species through maintenance and improvement of habitat diversity.	WL-1.1. All proposed actions shall consider impacts to wildlife.	Measures included in the Master Plan and proposed for Epic Discovery (summarized in Chapter 3.9) require that wildlife habitats be protected and managed for wildlife.
	WL-1.2. Riparian vegetation shall be protected and managed for wildlife.	Measures included in the Master Plan and proposed for Epic Discovery (summarized in Chapter 3.8) require that riparian plant communities be protected.
WL-2. Preserve, enhance, and, where feasible, expand habitats essential for threatened, endangered, rare, or sensitive species found in the Region.	WL-2.1. Endangered, threatened, rare, and special interest species shall be protected and buffered against conflicting land uses.	Chapter 3.9 identifies no endangered, threatened, or rare species at Heavenly. Special interest species that could potentially be affected by the Project and Alternatives are protected by measures summarized in Chapter 3.9.

Table 1-2

TRPA Regional Plan Goals and Policies

Goal	Policies	Consistency Evaluation
Fisheries		
FI-1. Improve aquatic habitat essential for the growth, reproduction, and perpetuation of existing and threatened fish resources in the Lake Tahoe Region.	FI-1.1. Development proposals affecting streams, lakes, and adjacent lands shall evaluate impacts to the fishery.	There are no suitable fisheries habitat within Heavenly's operational boundary.
	FI-1.2. Unnatural blockages and other impediments to fish movement will be prohibited and removed wherever appropriate.	See above.
	FI-1.3. An instream maintenance program should be developed and implemented.	See above.
	FI-1.5. Habitat improvement projects are acceptable practices in streams and lakes.	See above.
	FI-1.6. Instream flows shall be regulated, when feasible, to maintain fishery values.	See above.
	FI-1.7. Existing points of water diversion from streams shall be transferred to the lake, whenever feasible, to help protect instream beneficial uses.	See above.

Table 1-2

TRPA Regional Plan Goals and Policies

Goal	Policies	Consistency Evaluation
Soils		
S-1. Minimize soil erosion and the loss of soil productivity.	S-1.2B. Public outdoor recreation facilities may be permitted in Land Capability Districts 1-3 if: (1) the project is a necessary part of a public agency's long range plans for public outdoor recreation; (2) the project is consistent with the recreation element of the Region Plan; (3) the project, by its very nature must be sited in Land Capability District 1-3; (4) there is no feasible alternative which avoids or reduces the extent of encroachment in Land Capability Districts 1-3; (5) the impacts are fully mitigated; (6) Land Capability Districts 1-3 lands are restored in the amount of 1.5 times the areas of Land Capability Districts 1-3 which is disturbed or developed beyond that permitted by the Bailey coefficients; and (7) Alternatively, because of their public and environmental benefits, special provisions for non-motorized public trails may be allowed and defined by ordinances.	Chapter 3.4 includes the analysis required to make findings for additional land disturbance associated with the construction of Epic Discovery activities. The Heavenly Master Plan Development Area is located within Geomorphic Group I. However, based upon their recreational use, Epic Discovery activities can be permitted within this Geomorphic Group. ~~Access for the Sky Meadows Challenge Course proposed within Land Capability District 1b will be relocated outside of the SEZ because findings cannot be made for a non-linear recreational facility.~~
	S-1.4. TRPA shall develop specific policies to limit land disturbance and reduce soil and water quality impacts of disturbed areas.	The TRPA, in coordination with the Forest Service, has developed guidelines for the preparation of a CWE Program for ski resort Master Plans. These guidelines are included in the TRPA Ski Area Master Plan Guidelines. The continued implementation of the Heavenly Watershed Maintenance and ~~CWE~~ Restoration Plan would reduce impacts associated with existing and proposed disturbance.
	S-1.7. All existing natural functional SEZs shall be retained as such and disturbed SEZ's shall be restored whenever possible and may be treated to reduce the risk of catastrophic wildfire.	Disturbance to natural functioning SEZs shall be avoided. Some disturbance may occur for linear recreational activity crossings as allowed in the Code.

Table 1-2

TRPA Regional Plan Goals and Policies

Goal	Policies	Consistency Evaluation
Scenic		
SR-1. Maintain and restore the scenic qualities of the natural appearing landscape.	SR-1.1. All proposed development shall examine impacts to the identified landscape views from roadways, bike paths, public recreation areas, and Lake Tahoe.	Chapter 3.10 evaluates the Project and Alternatives from selected in basin viewpoints.
	SR-1.3. The factors or conditions that contribute to scenic degradation, as specified in the Scenic Quality Improvement Program (SQIP), need to be recognized and appropriately considered in restoration programs, plan development, and during project review to improve scenic quality.	Same as above.
Stream Environment Zone (SEZ)		
SEZ-1. Provide for the long-term preservation and restoration of stream environment zones.	SEZ-1.1. Restore all disturbed stream environment zone lands in undeveloped, unsubdivided lands, and restore 25 percent of the SEZ lands that have been disturbed, developed, or subdivided.	The Heavenly Master Plan includes mitigation requirements to satisfy restoration targets established for past SEZ disturbance. If Master Plan projects are not ultimately implemented (e.g., construction of the Powderbowl lodge and subsequent restoration of Sky Meadows), then alternative SEZ restoration must be pursued.
	SEZ-1.2. SEZ lands shall be protected and managed for their natural values.	The Project and Alternatives include avoidance of SEZ lands where possible.
	SEZ-1.5. No new land coverage or other permanent land disturbance shall be permitted in stream environment zones except for those uses as noted in this policy (A through F that include public outdoor recreation facilities and non-motorized public trails).	The exceptions to Policy SEZ-1.5 are presented in Chapter 3.4. Both the Project and Alternatives would result in minor disturbance to SEZ lands for facility construction. Effects have been mitigated by restoration of previously disturbed SEZs.
Cultural		
C-1.Identify and preserve sites of historical, cultural, and architectural significance within the region.	C-1.1. Historical or culturally significant landmarks in the Region shall be identified and protected from indiscriminate damage or alteration.	There are no known cultural resources within the Heavenly Special Use Permit Area that will be disturbed by Epic Discovery Projects.

Table 1-2

TRPA Regional Plan Goals and Policies

Goal	Policies	Consistency Evaluation
	C-1.2. Sites and structures designated as historically, culturally, or archaeologically significant shall be given special incentives and exemptions to promote the preservation and restoration of such structures and sites.	See above.

Source: HBA, 2014

Plan Area Statements. The Plan Area Statements (PAS) tier from the Goals and Policies and provide specific policy and land use direction for smaller geographic areas within the Lake Tahoe Region. The Region is divided into 175 separate areas, each with a PAS that provides special goals and policies, a list of permissible uses, maximum allowed densities, eligibility for bonus programs, recreation or commercial use allocations, and maximum acceptable noise levels. The Heavenly Mountain Resort development area falls within Plan Areas 080, 086, 087 and City of South Lake Tahoe Tourist Core Area Plan. Total winter day use recreation capacity is not proposed to change, however Persons At One Time (PAOT) are required for new summer uses. Chapter 3.12 (Land Use) provides a detailed discussion of the summer day use PAOTs required for the Project and Alternatives.

Heavenly Mountain Resort Ski Area Master Plan. The Master Plan, most recently amended in 2007, addresses the overall planning and implementation of projects to improve the overall quality of the visitor experience at the resort, creating an improved, multi-seasonal visitor experience. A Ski Area Master Plan provides several benefits to both the ski area and the community that include: the ability for ski area operators to make known their intentions and expectations for future use and development; the ability for the community to understand the intentions of the ski area and to participate through public review and comment; the ability to coordinate large-scale improvement plans with other planned community improvements (e.g., recently adopted Area Plans); the ability on the part of regulatory agencies to streamline the review and approval of projects which were contemplated and evaluated in the master plan; and the ability to disclose and analyze cumulative environmental effects of the ski area. The proposed Epic Discovery project would amend the existing master plan adopted in 2007.

Code of Ordinances. The Code of Ordinances contains minimum development standards for future development. The Code is intended to implement the Goals and Policies in a manner that attains/maintains the environmental thresholds. Although most of the Code sections pertain to projects developed under the provisions of the Master Plan, the chapters that are most relevant in the context of environmental review are outlined in Table 1-3.

Table 1-3

TRPA Code of Ordinances

Code Chapter	Chapter Intent	Consistency Evaluation
Chapter 3: Environmental Documentation	Outlines the provisions for environmental documentation required for any project that has the potential to impact the environment.	This Environmental Impact Statement is in compliance with Chapter 3 of the TRPA Code.
Chapter 4: Required Findings	Outlines the necessary findings TRPA must make prior to the approval of any project.	Specific findings required for projects are made in Chapter 3.4 for land coverage and disturbance to SEZs.
Chapter 14: Specific and Master Plans	Describes the process, content, and review for development and implementation of Specific and Master Plans.	This Chapter provides an overview of the Project's consistency with the TRPA Regional Plan Goals and Policies, the Code of Ordinances, and the Environmental Threshold Carrying Capacities. Chapter 3 of this document provides detailed analyses of potential conflicts with existing plans and regulations, which were used as a source of significance criteria to evaluate the potential effects of the Proposed Action and Alternatives. Mitigation measures have been added to the Proposed Action as standard design features where necessary and are summarized in Chapter 3 to address potential conflicts with existing codes.
Chapter 21: Permissible Land Uses	Defines use categories and describes the rules for existing uses.	Implementation of all Alternatives would be consistent with permissible land uses.
Chapter 30: Land Coverage	Provides all the rules concerning land coverage and necessary mitigation	All new facilities and projects which require land coverage would utilize banked and relocated land coverage within the resorts boundaries.
Chapter 33: Grading Standards	Outlines the regulations regarding grading, excavation and backfilling of soils within the Tahoe Basin.	Epic Discovery projects that require grading are subject to the ~~revised~~ Construction Erosion Reduction Program (2007 Master Plan Appendix 2-D) to ensure compliance with TRPA rules and regulations.
Chapter 36: Design Standards	Ensures that projects are designed and constructed consistent with the Community Design Subelement of the Land Use Element and related elements of the Goals and Policies.	Minor structures associated with Epic Discovery Project are consistent with the fundamental design goals and standards established in the guidelines. Mitigation consists of following the standards for new facilities as set forth in Chapter 36 of the Code of Ordinances and USDA Forest Service design standards.
Chapter 37: Height	Establishes height standards to ensure attractive and compatible development.	All proposed facilities within the Tahoe Basin would be required to meet the building height requirements in Chapter 37.

Table 1-3

TRPA Code of Ordinances

Code Chapter	Chapter Intent	Consistency Evaluation
Chapter 50: Transfer of Development	Establishes regulations concerning the allocation of commercial, residential, tourist accommodation, public service, and recreational development.	Chapter 3.12 summarizes additional recreational development allocations including the specific definition of the proposed uses and the application by Heavenly for summer day use PAOTs.
Chapter 60: Water Quality Control	Implements the Water Quality Subelement, Land Use Element of the Goals and Policies. This chapter also implements, in part, TRPA's programs to attain and maintain federal, state, and local water quality standards under Article V(d) of the Compact.	Master Plan mitigation measures and proposed Epic Discovery Project design features require the implementation of a Soil Erosion Reduction Program (~~CWE~~ Watershed Maintenance and Restoration Program) and a Construction Erosion Reduction Program (CERP) designed to attain and maintain federal, state, and local water quality standards under Article V(d) of the Compact. Monitoring and reporting of the Heavenly Valley Creek TMDL show improvements and attainment of the TMDL standards.
Chapter 60: Best Management Practice Requirements	Provides discussion of BMP retrofitting, scheduling, and maintenance of facilities in relation to water quality.	Required BMP facility retrofitting, scheduling, and maintenance is ongoing at Heavenly Mountain Resort. In addition, BMPs required to attain and maintain water quality thresholds would continue to be implemented as a component of the existing Cumulative Watershed Effects program.
Chapter 61: Vegetation Protection During Construction	Sets forth requirements for the protection of vegetation during construction.	As described in Chapter 3.8, vegetation protection requirements established in Chapter 61 of the Code of Ordinances would be implemented during construction of Epic Discovery facilities.
Chapter 61: Tree Removal	Regulates the management of forest resources to achieve and maintain the environmental thresholds for species and structural diversity, to promote the long term health of the resources, and to create and maintain suitable habitats for diverse wildlife species.	The Code limits patch cuts to no more than five acres and applies to removal of trees for construction of non-linear facilities. For the expansion of ski areas, including, but not limited to the widening of runs and the addition or replacement of ski lifts, the Code requires that only the minimum number of trees be removed. The Project and Alternatives each comply with this requirement.

Table 1-3

TRPA Code of Ordinances

Code Chapter	Chapter Intent	Consistency Evaluation
Chapter 61: Sensitive and Uncommon Plant Protection and Fire Hazard Reduction	Sets forth standards for the preservation and management of vegetation of significant scenic, recreational, educational, scientific, or natural values of the region, and for management of vegetation to prevent the spread of wildfire.	The Project and Alternatives would directly or indirectly effect sensitive plant species habitat. Measures included in the Proposed Action to reduce the effects consist of a preliminary vegetation survey prior to the siting of proposed facilities, and avoidance of sensitive plant species. If construction of any new facility cannot be sited to avoid the loss or degradation of riparian or wetland plant communities, minimization of the impact is required, including realignment of facilities to minimize impacted acreage. For each acre of disturbed riparian or wetland vegetation habitat, an area 1.5 times the impacted area shall be restored or created.
Chapter 61: Revegetation	Provides standards for revegetation for such purposes as soil stabilization and improvement of the vegetation cover mix.	The existing Watershed Maintenance and ~~CWE~~ Restoration program establishes vegetation and soil restoration measures that would be implemented for the purposes of soil stabilization and improvement of the vegetation cover mix in existing on mountain subwatersheds. Project development would be required to continue the implementation of the ~~CWE~~ Watershed Maintenance and restoration program.
Chapter 62: Wildlife Resources	Includes regulations to protect and enhance the existing diverse wildlife habitats, with special emphasis on protecting or increasing habitats of special significance, such as deciduous trees, wetlands, meadows, and riparian areas.	Implementation of the Project may lead to the loss, modification, or disturbance to ~~American~~ Pacific marten and northern goshawk habitat. Design measures and a limited operating period for any identified marten den sites have been proposed to ensure that Project activities do not create adverse effects on sensitive wildlife species.
Chapter 63: Fish Resources	Includes regulations to ensure the protection of fish habitat and provide for the enhancement of degraded habitat.	No suitable fisheries habitat is located within the Heavenly Development Area. Implementation of the Watershed Maintenance and ~~CWE~~ restoration program would reduce potential degradation of existing stream conditions.
Chapter 65: Air Quality Control	Aids in the implementation of the Air Quality Subelement, Land Use Element, of the Goals and Policies, and the 1982 Air Quality Plan, for the purpose of attaining and maintaining applicable state and federal air quality standards and TRPA thresholds.	Existing Master Plan mitigation measures include measures for the purpose of attaining and maintaining applicable state and federal air quality standards and TRPA thresholds. Measures include the restriction of onsite parking at the existing California and Boulder base facilities to levels that existed at the time of MP 96 adoption, continued expansion of the existing Heavenly shuttle bus system, continued operation of the Gondola that provides pedestrian access to Heavenly from the Stateline commercial core area.

Table 1-3

TRPA Code of Ordinances

Code Chapter	Chapter Intent	Consistency Evaluation
Chapter 67: Historic Resource Protection	Provides for the recognition, protection, and preservation of significant historical, archaeological, and paleontological resources.	Historic resources located within the project area were identified and formally recorded. Compliance with the adopted Programmatic Agreement to NRHP/CEQA/TRPA standards are required for all the Alternatives.
Chapter 68: Noise Limitations	Implements the Goals and Policies, Land Use Element, Noise Subelement in order to attain and maintain the TRPA noise thresholds.	Under all Alternatives, predicted noise levels for summer activities would achieve the TRPA thresholds.

Source: HBA, 2014

Regional Transportation Plan (Mobility 2035). The Tahoe Metropolitan Planning Organization's (TMPO) Regional Transportation Plan: Mobility 2035 is Lake Tahoe's blueprint for a regional transportation system that enhances the quality of life in the Tahoe Region, promotes sustainability, and offers improved mobility options for people and goods. Important directions of the plan are to reduce the overall environmental impact of transportation in the Region, create walkable, vibrant communities, and provide real alternatives to driving. The plan will also support an update of the Transportation Element of the Tahoe Regional Planning Agency (TRPA) Regional Plan. Finally, the plan meets the challenge of California's Senate Bill 375 by presenting an integrated land use and transportation strategy that will allow the Region to achieve targets for reducing greenhouse gas (GHG) emissions by 2035.

The RTP/AQP contains three goals that are applicable to ski areas. Goal 7 addresses intermodal transportation facilities and requires major recreational activities to provide or participate in join shuttle services. Goal 8 addresses parking and encourages development of parking management strategies for the Lake Tahoe Region. Goal 9 addresses transportation demand management and requires major employers to implement vehicle trip reduction programs such as carpools, employee shuttles, bike storage, flexible work hours and parking/transit incentives. Heavenly addresses each of these goals with their extensive bus service for both patrons and employees.

Detailed analysis of transportation and circulation are provided in Chapter 3.7 of this EIR/EIS/EIS. In order to help achieve the goals of the Mobility 2035 Plan, the existing Master Plan restricts parking at the existing base facilities to existing levels. Expansion of the existing Heavenly shuttle bus system is also proposed to divert potential skier and visitor trips to drop-off and shuttle bus modes in order to reduce the vehicle trips generated by the project. In addition, construction of the Gondola has substantially reduced the total increase in daily vehicle trips from expansion. Because no new parking would be provided, all traffic to the Gondola would continue to require use of existing parking facilities or be composed of walk, drop-off and shuttle bus traffic.

Water Quality Management Plan. The Water Quality Management Plan (208 Plan) for the Lake Tahoe Region fulfills TRPA's responsibilities under Section 208 of the Federal Clean Water Act. Those parts of the 208 Plan that are also enacted as part of TRPA's Regional Plan package include: the Water Quality Management Plan; Handbook of Best Management Practices; Stream Environment Zone Protection and Restoration Program; and the Capital Improvements Program for Erosion and Runoff Control. The 208 Plan also identifies water quality objectives and sets water quality standards. Detailed analyses of water quality, stream zone protection, and erosion and runoff control are provided in Chapter 3.1 of this EIR/EIS/EIS.

Scenic Quality Improvement Program. The Scenic Quality Improvement Program (SQIP) presents the prescriptions for scenic restoration required to attain and maintain the scenic quality thresholds. It includes design review guidelines and development standards for different visual environments and assigns implementation responsibilities. A detailed scenic quality analysis of the proposed Project and Alternatives is provided in Chapter 3.10.

State of California

The State of California Water Quality Control Board - Lahontan Region (Lahontan) has a responsible agency role in the physical development of the Epic Discovery Project (the issuance of waste discharge requirements that may be discharge standards, Total Maximum Daily Loads (TMDL) for Heavenly Valley Creek or National Pollutant Discharge Elimination System permits). Lahontan has responsibility for water quality regulation in an area that covers a large portion of the eastern side of California and includes the Tahoe Basin and the Truckee River watersheds. This agency establishes non-point and effluent water quality standards, subject to approval by the State Board. By issuing waste discharge permits and requiring monitoring to show compliance, as well as other actions, Lahontan actively enforces attainment of standards. Lahontan must also certify US Army Corps of Engineers permits granted under Section 404 of the Clean Water Act. Additionally, any new development or disturbance affecting SEZs within the Lake Tahoe Basin would require exemption findings by Lahontan and may require a water quality certification.

Water quality requirements of the creeks within the California portion of Heavenly are under the jurisdiction of Lahontan and are governed by the *Water Quality Control Plan for the Lahontan Region* (Basin Plan) adopted March 31, 1995. The Basin Plan includes no specific numerical standards for Heavenly Valley Creek; however, Heavenly Valley Creek is a tributary to Trout Creek, so the standards established for Trout Creek apply to Heavenly Valley Creek. The Basin Plan includes other water quality objectives which apply to all surface water and groundwater within the California side of the Tahoe Basin.

The Basin Plan is implemented at Heavenly through Lahontan Order Number R6T-2003-0032, adopted in 2003 in replacement of Board Order 6-91-36, passed in 1991. The 2003 revisions were made to acknowledge new facilities, uses, and the Total Maximum Daily Load (TMDL) Program for Heavenly Valley Creek. The Heavenly MPA was approved April 25, 2007 and implemented an updated Monitoring Program. Lahontan Board Order R6T-2003-0032A1, WDID No. 6A090033000, was amended in May 2011. The Monitoring Program was amended again in November 2013 under Board Order Number R6T-2003-0032A2, which outlines the current Monitoring Program requirements. The permit includes effluent limits and receiving

water limitations for surface and groundwater. Effluent limitations in permits are established to protect water for beneficial uses and to achieve water quality objectives.

State agencies with trustee responsibility in the Heavenly Mountain Resort development area include: California Department of Transportation (parking, traffic and transit operations and pedestrian circulation); California Division of Forestry (tree removal and forest resource concerns); California State Historic Preservation Office (cultural resources); California Department of Fish and Wildlife (wildlife resources); and Nevada Department of Conservation and Natural Resources (Divisions of State Lands, Environmental Protection, Historic Preservation and Archaeology, Forestry, and State Parks). These agencies act as Trustee agencies by providing comments and recommendations for implementation of the Heavenly Mountain Resort Epic Discovery Project during the environmental review process.

El Dorado County, California

The El Dorado County Board of Supervisors approved a new General Plan on July 19, 2004. The General Plan recognizes lands within El Dorado County jurisdiction in the Lake Tahoe Basin zoned as Adopted Plan. The Adopted Plan for these lands is the Regional Plan for the Lake Tahoe Basin and the PASs as adopted by the TRPA. Heavenly Mountain Resort also operates under an approved use permit issued by El Dorado County for the California base area. The Epic Discovery Project does not propose any changes to the California base area.

Alpine County, California

Alpine County adopted the original General Plan in 1964 with updated elements added in 1969, 1970, 1973 and 1974. In 1981, the General Plan was restructured and a new plan was generated and further updated in 1997. Currently Heavenly Mountain Resort does not operate under any permits issued by Alpine County. The Epic Discovery Project does not propose any new structures in Alpine County.