TAHOE REGIONAL PLANNING AGENCY

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HOURS
Mon. Wed. Thurs. Fri
9 am-12 pm/1 pm-4 pm
Closed Tuesday

New Applications Until 3:00 pm

INITIAL ENVIRONMENTAL CHECKLIST AND EXPLANATIONS

Project Description: Douglas County and TRPA are proposing two Memoranda of Understanding. The first MOU allows Douglas County to take on additional permitting authority within the South Shore Area Plan ("SSAP") while also exempting certain Exempt and Qualified Exempt Activities throughout the County. The second MOU allows Douglas County to review residential development proposals outside of the geographic area included in the SSAP. The MOUs do not change the regulations of the TRPA Code and all proposed projects are subject to the same review standards as though they would be permitted by TRPA including, but not limited to, mitigation fee requirements, installation of BMPs, project securities and compliance inspections.

For SSAP project description, see Initial Environmental Checklist and Explanations for the South Shore Area Plan.

The First MOU: The first MOU will allow Douglas County to take on additional permitting responsibility within the SSAP, subject to the limitations established in the Regional Plan and consistent with the provisions of Section 13.7 of the TRPA Code of Ordinances, which requires TRPA to retain review of projects within the High Density Tourist District (existing Stateline Community Plan) and Resort Recreation District (Edgewood Mountain Parcels) shown on Map 1, Conceptual Regional Land Use Map, of the Regional Plan, as well as the Shorezone of Lake Tahoe. This means that the only areas where the County will take on review of projects is the Edgewood Golf Course site (the location of the recently approved Edgewood Lodge and Golf Course Improvement Project), and the Mixed-Use/Town Center (lower Kingsbury area). The County's review will also be limited by the building size limitations established in Table 13.7.3-1 in the TRPA Code of Ordinances.

The first MOU also identifies exempt and qualified exempt activities that may continue to be undertaken by Douglas County throughout the Douglas County Tahoe Planning Area. These activities can only be performed by a county entity. The proposed MOU is the same as the existing MOU except that three Exempt Activities have been changed to Qualified Exempt Activities. No other changes are proposed.

The MOU activities are associated with public works activities such as routine maintenance of roads, sidewalks, bike trails, buildings and water quality facilities. Allowed activities include routine maintenance of roadways, trails and sidewalks such as repairing cracks, repaving and reinstalling damaged curbs and gutters or [is this "or" or should it be "and"] when no new land coverage is created and relocated coverage is limited to 120 square feet. Modifications of roadways, trails and sidewalks are also allowed for the purposes of improving public safety (e.g. widening a sidewalk or trail section for wheelchair access) when new land coverage does not exceed 240 square feet in low capability areas and 1,000 square feet in high capability areas.

Other activities allowed by the MOU include maintenance, repair and in-kind replacement of erosion control and water quality protection facilities such as infiltration trenches, treatment basins and drainage conveyances. Modifications are allowed to improve effectiveness, meet new regulatory standards and correct inefficiencies. Testing, locating and maintaining water distribution and wastewater collection and treatment facilities is also allowed as is the repair and in-kind replacement of those facilities providing areas of excavation are limited to areas under existing pavement, road shoulders or compacted soil. Modifications to water distribution and wastewater collection and treatment facilities is allowed provided the modifications do not result in any increases in water or sewer treatment capacity or growth inducing

activity and when new land coverage does not exceed 240 square feet in low capability areas and 1,000 square feet in high capability areas.

Activities allowed by the MOU for recreation and public service buildings and facilities include interior remodeling (up to $80,000) and demolition of structures, providing any structure over 50 years of age does not qualify for historic protection in accordance with Chapter 67 based on a report prepared by a qualified professional acceptable to the appropriate State Historic Preservation Officer. Structural repair, modifications and additions to public service and recreation buildings are also allowed providing there is no increase in land coverage or dimensions of a structure visible from a scenic corridor and grading does not exceed 50 cubic yards when conducted during the grading season.

Vegetation management is allowed under the MOU when needed to maintain adequate sight distance along roadways and to remove hazardous trees around building and facilities. Soil preparation for vegetation planting is allowed in high capability areas when the area to be prepped does not exceed one acre.

The activities are subject to construction and grading standards such as temporary and permanent best management practices (BMPs) to address sediment and erosion control, vegetation protection, dust control, noise and hours of operation. All activities must comply with applicable land coverage standards and other applicable sections of the TRPA Code, the MOU performance standards, the Compact, Regional Plan Goals and Policies, Rules of Procedure and Area Plans. The MOU reserves the right for the TRPA Executive Director to determine that exempt or qualified exempt activities shall be considered a "project" outside the authorities granted in the MOU and therefore subject to TRPA approval if it is determined the activity may have a substantial effect on the natural resources of the Region as defined in the TRPA Code. Activities listed in the MOU that are listed as Qualified Exempt activities require Douglas County to submit to TRPA a description of the activity three days prior to commencement of the activity. TRPA must verify the activity is consistent with the MOU and Code provisions prior to commencement of the activity.

TRPA has entered into mulitple MOUs with other entities that allow them to perform exempt and qualified exempt activities similar to the nature and scale of the exempt and qualified exempt activities identified in this MOU. Through experience administering MOUs of this nature over the past two decades, TRPA has determined that no significant environmental effects have resulted from implementation of MOUs that allow exempt and qualified activities to be performed by public entities. The public entities have demonstrated the ability to perform the activities listed in the MOU due, in part, to their demonstrated ability to install and maintain temporary and permanent BMPs and because the activities are considered minor in scope, routine and part of the normal scope of work for the public entity performing the activities. The public entity is required to keep records of all qualified exempt activities following cessation of the activity. TRPA will review a sample of these records annually to confirm all activities are being administered in accordance with the Regional Plan and Code of Ordinances and MOU performance standards.

The Second MOU: The second MOU allows the County to take on additional permitting responsibility for residential projects that occur outside the South Shore Area Plan , subject to the requirements of the TRPA Code of Ordinances, and is similar to the residential permitting delegation that has been in place with other jurisdictions for years. The MOU will be audited annually to determine the level of conformance with the requirements of the MOU and the results will reported to the TRPA Governing Board. The MOU does not change the regulations of the TRPA Code and all projects are subject to the same review standards as though they would be permitted by TRPA including, but not limited to, mitigation fee requirements, installation of BMPs, project securities and compliance inspections.

Environmental Checklist: The following initial environmental checklist ("IEC") includes evaluation of the delegation of review under both MOUs, including County review of proposed activities within the SSAP as authorized by the first MOU, and County review of residential development outside of the geographic scope of the SSAP as authorized by the second MOU. This IEC focuses on the evaluation of

environmental effects, if any, resulting from the delegation of review of proposed projects and/or activities from TRPA to Douglas County. In general, because the delegation will change the reviewing and/or implementing entity, but will not change the fact that all proposed activities must comply with the Compact, the Regional Plan, Goals and Policies, Code of Ordinances, Rules of Procedure and Area Plans, there are no environmental impacts resulting specifically from the delegation of authority. In the context of the shift in reviewing authority, this IEC makes note of specific TRPA requirements that will be applicable to individual proposals and activities, however, the IEC for the SSAP evaluates potential environmental impacts of subsequent projects proposed within the SSAP, and also discusses all applicable permitting requirements for such future projects. The IEC for the SSAP is tiered from the following documents:

- TRPA*, Regional Plan Update EIS,* certified by the TRPA Governing Board on December 12, 2012 (RPU EIS)
- TRPA/Tahoe Metropolitan Planning Organization (TMPO)*, Mobility 2035: Regional Transportation Plan/Sustainable Communities Strategy EIR/EIS,* certified by the TMPO Board and the TRPA Governing Board on December 12, 2012 (RTP EIR/EIS)

The MOUs delegate review authority over project proposals and activities within the SSAP, and proposed residential development outside of the geographic scope of the SSAP. Potential environmental effects of development within and outside of the SSAP area have been evaluated by the RPU EIS and the RTP EIR/EIS, in addition to the IEC for the SSAP evaluating any previously un-reviewed potential effects within the SSAP area.

The following questionnaire will be completed by the applicant based on evidence submitted with the application. All "Yes" and "No, With Mitigation" answers will require further written comments.

I. ENVIRONMENTAL IMPACTS:

1. Land

Will the proposal result in:

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be in accordance with the TRPA Regional Plan and Code. Consistent with existing requirements, permit applicants would be required to demonstrate that proposed compaction and coverage would be within the limits allowed in Chapters 30 and 53 of the TRPA Code. All exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The Code of Ordinances prohibits compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES). The MOU that exempts certain activities undertaken by Douglas County includes performance standards that require land coverage calculations to be made for all activities that create land coverage to ensure compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES) does not occur.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be in accordance with the TRPA Regional Plan and Code. Consistent with existing requirements, permit applicants would be required to demonstrate that any proposed grading would occur consistent with TRPA Code provisions that are protective of topography and ground surface relief features and are intended to be consistent with surrounding natural conditions (Chapter 36, Site Design Standards). For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. The Code of Ordinances prohibits a change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions. Activities listed in the MOU that have the potential to change the topography or ground surface relief features of a site inconsistent with the natural surrounding conditions are listed as Qualified Exempt activities which requires Douglas County to submit to TRPA a description of the activity three days prior to commencement of the activity. TRPA must verify the activity is consistent with the MOU and Code provisions prior to commencement of the activity.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. The Code of Ordinances prohibits unstable soil conditions during or after completion of the proposal by requiring the installation of temporary and permanent Best Management Practices (Chapter 60, Water Quality). MOU performance standards require erosion control structures to be installed before activities commence and to remain in place until disturbed sites are stabilized or winterized

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the

provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The Code of Ordinances prohibits changes in the undisturbed soil or native geologic substructures or grading in excess of five feet except in cases where a hydrologic investigation conducted by a qualified professional determines there will be no significant disruption to subsurface hydrology (Chapter 33, Grading and Construction). Activities listed in the MOU that have the potential to change the undisturbed soil or native geologic substructures or result in grading in excess of 5 feet are listed as Qualified Exempt activities which requires Douglas County to submit to TRPA a description of the activity three days prior to commencement of the activity. TRPA must verify the activity is consistent with the MOU and Code provisions prior to commencement of the activity (MOU Performance Standards, Record Keeping and Reporting).
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☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The Code of Ordinances prohibits the continuation of or increase in wind or water erosion of soils, either on or off the site (Chapter 60, Water Quality). MOU performance standards require erosion control structures to be installed before activities commence and to remain in place until disturbed sites are stabilized or winterized.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The proposed Memoranda of Understanding do not include any activities that are expected to

result in any changes in siltation, deposition or erosion, including natural littoral processes, which could modify the channel of a river or stream or the bed of a lake. In addition, the Code of Ordinances includes prohibitions of disturbance to Stream Environment Zones, Stream channels and the beds of a lake (Code Chapters 30 and 63). The MOU specifies that TRPA will retain review responsibilities for all development within the Shorezone of Lake Tahoe.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The Code of Ordinances prohibits exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards (Code Chapters 30 and 35). Douglas County has also adopted the International Building Code, which includes protections for persons and property from seismic and geologic hazards. There are no mapped avalanche hazard zones in the Douglas County portion of the Lake Tahoe Basin.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

2. Air Quality

Will the proposal result in:

a. Substantial air pollutant emissions?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. These potential environmental effects have been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered.

As part of mitigation required by the 2012 Regional Plan Update Environmental Impact Statement ("RPU EIS"), TRPA is in the process of preparing a *Best Construction Practices Policy for Construction Emissions*, which must be completed by December 2013 (TRPA 2012a, page 3.4-28). Until that time, Douglas County and/or TRPA will continue the existing practices described in Mitigation Measure 3.4-2 of the RPU EIS, which include incorporating measures to

reduce construction-generated emissions to the extent feasible on a project-specific basis. Such measures include, but are not limited to, the following:

- Prohibit open burning of removed vegetation during infrastructure improvements;
- Minimize idling time to five minutes for all diesel-power equipment;
- Apply water to control dust as needed to prevent dust impacts offsite, and cleaning construction vehicles before leaving the site to prevent dust, silt, mud, and dirt from being released or tracked off-site;
- Apply approved chemical soil stabilizers, vegetative mats, or other appropriate BMPs to manufacturer's specifications, to all inactive construction areas (previously graded areas which remain inactive for 96 hours); and
- Utilize existing power sources (e.g., power poles) or clean-fuel generators rather than temporary diesel power generators, wherever feasible.

The "Special Conditions" section of the MOUs require incorporation of RPU EIS Mitigation Measures into project approvals as special conditions of approval.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

b. Deterioration of ambient (existing) air quality?
See discussion under Item 2a above.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

c. The creation of objectionable odors?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein.

The creation of major sources of odor or odor-generating uses such as landfills, large wastewater treatment facilities, dairies, or chemical manufacturing plants are not characteristic of the types of uses that would be authorized activities under the MOUs In addition, the area plan does not include these types of odor-generating uses in the list of permissible uses(Draft South Shore Area Plan, Appendix B). TRPA has an established Air Quality Threshold related to odors that pertains to reducing fumes from diesel engines to the extent possible. This Threshold has been implemented through Chapter 65 of the TRPA Code, which includes vehicle idling restrictions that reduce fumes from diesel engines on a region-wide basis. Any construction-related diesel exhaust odors that would occur as a result of activities authorized under the MOUs would be intermittent and temporary and would be addressed by the Chapter 65 idling restrictions such that implementation of activities authorized by the MOUs would not result in the creation of objectionable odors.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. These potential environmental effects have been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered.

As part of mitigation required by the RPU EIS, TRPA is in the process of preparing a *GHG Emissions Reduction Policy*, which must be completed by December 2013 (TRPA 2012a, page 3.5-24). The policy will require implementation of measures for the reduction of GHG emissions generated by demolition and construction activity in the Region and by ongoing building and property operations. Until that time, Douglas County and/or TRPA would continue the existing practices described in Mitigation Measure 3.5-1 of the RPU EIS, which include developing GHG reduction measures on a project-specific basis. Such measures include, but are not limited to, the following:

For construction-related GHG emissions:

- Limit equipment idling time to a maximum of five minutes;
- Recycle or reuse construction waste and demolition material to the maximum extent feasible;
- Use electrified or alternative-fueled construction equipment to the maximum extent feasible; and
- Use local and sustainable building materials to the extent possible.

For operation-related GHG emissions:

- Use on-site renewable energy, such as photovoltaic systems;
- Exceed building code standards for energy efficiency;
- Install energy efficient appliances and equipment in new buildings;
- Retrofit existing buildings to exceed energy efficiency building code standards;
- Construct new development to allow for electric lawn maintenance and snow removal equipment

The “Special Conditions” section of the MOUs require incorporation of RPU EIS Mitigation Measures into project approvals as special conditions of approval.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

e. Increased use of diesel fuel?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The proposed MOUs will not result in increased use of diesel fuel.

Construction associated with projects and activities delegated by this MOU would require the use of diesel fuel for the operation of construction equipment. Certain specific projects that involve on-going truck deliveries or motorized vehicle use (such as snowmobile courses) as part of their operations could also increase gasoline and diesel fuel consumption relative to existing conditions. These potential environmental effects have been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered. In general, from an air quality perspective, one of the primary concerns related to diesel fuel consumption is the resultant exposure of sensitive receptors to emissions of toxic air contaminants (TACs) that can occur during both the construction and operational phases of a project. The construction of subsequent projects under the MOUs would result in short-term diesel exhaust emissions, including diesel particulate matter (PM), from the use of off-road diesel equipment required for site grading and excavation, paving, and other construction activities. Diesel PM was identified as a TAC in 1998. The potential cancer risk from the inhalation of diesel PM is a more serious risk than the potential non-cancer health impacts (TRPA 2012a, page 3.4-39). Consistent with the findings in the RPU EIS, the proximity of heavy-duty diesel-fueled construction equipment to existing sensitive receptors within or adjacent to the SSAP during construction activities resulting from implementation of the SSAP may result in exposure of sensitive receptors to TACs.

As part of mitigation required by the RPU EIS, TRPA is in the process of preparing a *Best Construction Practices Policy for TAC Emissions During Construction*, which must be completed by December 2013. Until that time, Douglas County and/or TRPA would continue the existing practices described in Mitigation Measures 3.4-5 of the RPU EIS, which include incorporating measures to reduce exposure to construction-related TAC emissions to the extent feasible for any subsequent projects associated with the SSAP.
Such measures include, but are not limited to, the following:

- Limit diesel-equipment idling time to five minutes maximum;
- Equip heavy-duty construction equipment with diesel particulate traps; and
- Locate construction staging areas as far away as possible from on- and off-site receptors.

The "Special Conditions" section of the MOUs requires incorporation of RPU EIS Mitigation Measures into project approvals as special conditions of approval.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

3. Water Quality

Will the proposal result in:

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. Activities listed in the MOU that have the potential to change currents, or the course or direction of water movements are listed as Qualified Exempt activities which requires Douglas County to submit to TRPA a description of the activity three days prior to commencement of the activity. TRPA must verify the activity is consistent with the MOU and Code provisions prior to commencement of the activity.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. Consistent with existing requirements, permit applicants would be required to demonstrate that any proposed changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) must be contained on the site. For the provisions of the MOU that exempt certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The Code of Ordinances prohibits changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site. As specified in Section 60.4.6 of the TRPA Code, except where special conditions exist and are approved by TRPA, infiltration facilities designed to accommodate the volume of runoff generated by a 20-year 1-hour storm are required for approval of all projects within the Tahoe Basin.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. The Code of Ordinances prohibits alterations to the course or flow of 100-yearflood waters (Chapter 35, Natural Hazard Standards).

Consistent with existing requirements, permit applicants would be required to demonstrate that any proposed project would not alter the course or flow of the 100-year flood waters. Activities listed in the MOU that have the potential to alter the course or flow of 100-year flood waters are listed as Qualified Exempt activities which requires Douglas County to submit to TRPA a description of the activity three days prior to commencement of the activity. TRPA must verify the activity is consistent with the MOU and Code provisions prior to commencement of the activity.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The Code of Ordinances prohibits change in the amount of surface water in any water body. Surface water and water rights in Nevada are managed by the Nevada Department of Water Resources. Consistent with existing conditions, projects that would require additional water supply affecting the amount of surface water in Lake Tahoe or another water body would be required to comply with Chapter 20.100 of the Douglas County Code, the Douglas County Design Criteria and Improvement Standards (DCDCIS) Manual, and Chapters 32 and 60 of the TRPA Code. These regulations require that project applicants demonstrate adequate water supply and rights are available to serve the needs of the project and require that source water be protected. Section 20.703.250(C) of the Douglas County Code implements Chapter 32 of the TRPA Code, which pertains to the provision of basic services to projects.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The Code of Ordinances prohibits discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity (Chapter 60, Water Quality). Additionally, consistent with existing conditions, all development, redevelopment, and infrastructure improvements within Douglas County would be required to meet the discharge standards of the Nevada Department of Environmental Protection (NDEP). All projects that would create more than one acre

of disturbance are required to prepare a Storm Water Pollution Prevention Plan (SWPPP) in accordance with NDEP's Stormwater General Permit.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The Code of Ordinances prohibits alteration of the direction or rate of flow of ground water.

Section 33.3 of the TRPA Code prohibits excavations, except under certain defined and permitted conditions, that interfere with or intercept the high water table by: altering the direction of groundwater flow; altering the rate of flow of groundwater; intercepting groundwater; adding or withdrawing groundwater; or raising or lowering the groundwater table. Additionally, excavation in excess of 5 feet below ground surface (or less in areas of known high groundwater) is generally prohibited because of the potential to intercept or interfere with groundwater is prohibited. Such excavations may be permitted under certain defined conditions (Section 3.3.6.B of the TRPA), and in such cases it must be demonstrated in a soils/hydrologic report that no interference or interception of groundwater would occur as a result of the excavation. Therefore, consistent with existing conditions, future projects that may occur pursuant to this MOU are subject to subsequent environmental review and permitting by TRPA and/or Douglas County, which would require the project applicant to demonstrate compliance with Chapter 33 of the TRPA Code and the protection of groundwater.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

See the discussion under Items 3d, 3e, and 3f above.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

See the discussion under Item 3d above.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. Consistent with existing conditions, because the TRPA Code prohibits the development, grading, or filling of lands within the 100-year floodplain and in the area of wave run-up (TRPA Goals and Policies, Policy NH-1.2), implementation of projects pursuant to MOU would not expose people or property to flooding or wave action from 100-year storm events.

There are active faults in the Lake Tahoe Basin, which could be sources of ground shaking at locations within Douglas County during a seismic event. Seismic events could also result in tsunami or seiche within Lake Tahoe, potentially affecting low-lying areas. Structures within Douglas County would be designed and constructed in accordance with the current design requirements of the International Building Code Seismic Zone D2. Therefore, there would be no substantial increased risk of loss, injury or death or property damage from ground shaking alone.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

See the discussion under Items 3d, 3e, and 3f above.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

k. Is the project located within 600 feet of a drinking water source?

Delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances.

Section 60.3.3.C.1 of the TRPA Code identifies a Source Water Protection Zone that includes a 600-foot radius around wells, lake intakes, and springs assessed by TRPA. All development within Source Water Protection Zones is subject to the requirements of Section 60.3.3.D, including installation of water quality BMPs and development of a spill control plan. Any subsequent projects allowed within the SSAP would be subject to permitting by TRPA and/or Douglas County. Consistent with existing conditions, permit applicants within 600 feet of a drinking water source would be required to demonstrate compliance with the source water protection provisions in Chapter 60 of the TRPA Code.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

4. Vegetation

Will the proposal result in:

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. The Code of Ordinances prohibits removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system.

Consistent with existing conditions, vegetation surrounding the construction site of any project permitted under the MOU would be required to Section 33.6, Vegetation Protection During Construction, of the TRPA Code. Protective requirements include installation of temporary construction fencing, standards for tree removal and tree protection, standards for soil and vegetation protection, and revegetation of disturbed areas. Additionally, the Code requires the use of lawn and landscaping species listed in the TRPA-recommended and approved List of Native and Adapted Plants for the Tahoe Basin, with the exception of accent plantings.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances.

Consistent with existing conditions, any project permitted MOU would be required to meet both the Douglas County and TRPA requirements for water supply (Section 20.703.250.C of the Douglas County Code). TRPA regulations prohibit the approval of any development requiring water unless there is adequate water supply within an existing water right. Additionally, Section 33.3.6 of the TRPA Code prohibits excavation that intercepts or interferes with groundwater except under specific circumstances and with prior approval by TRPA. Further, consistent with existing conditions, vegetation removal associated with projects that could occur under the MOU would be required to comply with existing TRPA, federal, and state regulations, permitting requirements, and environmental review procedures that protect habitat that supports riparian vegetation and critical wildlife.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. The Code of Ordinances prohibits Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species.

Consistent with existing conditions, any activities authorized under the MOUs would be required to comply with the TRPA Code provisions and Goals and Policies that prohibit the release of non-native species in the Tahoe Region and require planting of plants on the TRPA Recommended Native and Adaptive Plan List (Chapter36, Design Standards). Generally, native species require less fertilizer and water than non-native species.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

d. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora and aquatic plants)?

See discussion under Items 4a through 4c, and 4e through 4h.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. The Code of Ordinances prohibits reduction of the numbers of any unique, rare or endangered species of plants (Sections 61.3.6 and 62.4 of the TRPA Code).

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 adverse effects on special-status species as a condition of project approval (Sections 61.3.6 and 62.4 of the TRPA Code).

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

See discussion under Item 4b above.

☐ Yes ☒ No

☐ No, With ☐ Data Insufficient

Mitigation

g. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. The Code of Ordinances prohibits removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications (Chapter 61, Vegetation and Forest Health).

Forested areas within Douglas County are within the area of the Tahoe Region that is defined as an “eastside forest type”(Chapter 90 of the TRPA Code). Section 61.1.4 of the TRPA Code, which includes TRPA’s old growth enhancement and protection provisions, prohibits cutting any live dead, or dying tree larger than 24 inches diameter at breast height (dbh) in eastside forest types on conservation and recreation lands or within SEZ areas, except under certain defined conditions. Consistent with existing conditions, proposals fro activities would be required to demonstrate that tree removal would be conducted in accordance with Chapter 61 of the TRPA Code, including those provisions related to the removal of trees 24 inches dbh or greater set forth to protect the natural function of old growth ecosystems on recreation and SEZ lands.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

See discussion under Item 4g above.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

5. Wildlife

Will the proposal result in:

a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. The Code of Ordinances prohibits a change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna). (Chapters 62 and 63 of TRPA Code.) Consistent with existing conditions, project proposals would be required to demonstrate that any activities would occur consistent with TRPA Code provisions related to resource management, including specifically the provisions of Chapters 62 and 63 that address protection of wildlife and fish resources, respectively.

☐ Yes	**X** No
☐ No, With Mitigation	☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances.

Consistent with existing conditions, activities allowed under the MOUs would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of animal species. 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 adverse effects on special-status species as a condition of project approval (Sections 61.3.6 and 62.4 of the TRPA Code).

☐ Yes	**X** No
☐ No, With Mitigation	☐ Data Insufficient

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

The types of uses that would be permitted by this MOU are not of the nature that would be expected to introduce any new animal species into the area or result in a barrier to the migration or movement of animals.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances.

Consistent with existing conditions, activities allowed by this MOU would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of fish and wildlife.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

6. Noise

Will the proposal result in:

a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. These potential environmental effects have been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered.

As part of mitigation from the RPU EIS, TRPA is in the process of developing an *Exterior Noise Policy for Mixed-Use Development*, which is required to be completed by December 2013 (TRPA 2012a, pages 3.6-23 and 3.6-24). Until that time, Douglas County and/or TRPA would continue the existing practices described in Mitigation Measure 3.6-4 of the RPU EIS, which

include incorporating measures to ensure noise/land use compatibility on a project-specific basis. Such measures include, but are not limited to, the following:

- Construction of barriers, berms, and/or acoustical shielding;
- Establishment of setback requirements for new development in specific areas exposed to roadway noise;
- Noise-reducing acoustical treatment of existing and proposed buildings; and
- Use of building layout and project features for noise-screening purposes.

The "Special Conditions" section of the MOUs requires incorporation of RPU EIS Mitigation Measures into project approvals as special conditions of approval.

☐ Yes	**X** No
☐ No, With Mitigation	☐ Data Insufficient

b. Exposure of people to severe noise levels?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. The Code of Ordinances prohibits exposure of people to severe noise levels (Code Chapter 68, Noise Limitations). These potential environmental effects have also been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered.

As part of the Regional Plan, TRPA is in the process of preparing a *Best Construction Practices Policy for the Minimization of Exposure to Construction-Generated Noise and Ground Vibration*, which is required to be completed by December 2013 (TRPA 2012a: page 3.6-18). Until that time, Douglas County and/or TRPA would continue the existing practices described in Mitigation Measure 3.6-2 of the RPU EIS, which include incorporating measures to minimize the potential for exposure of persons to severe noise levels on a project-specific basis. Such measures include, but are not limited to, the following:

- Require that construction equipment be equipped with properly operating mufflers and engine shrouds, in accordance with manufacturers' specifications;
- Require that equipment engine doors be kept closed during equipment operation;
- Limit idling time for construction equipment to five minutes;
- Require that stationary equipment (e.g., power generators) and staging areas for other equipment be located at the maximum distance feasible from nearby noise-sensitive receptors;
- Limit the hours of trucks hauling materials and goods to and from construction sites to active construction hours; and
- Install temporary sound barriers along the boundaries of a construction site or surrounding stationary sources of noise (e.g. pumps or generators) to protect nearby noise-sensitive receptors, where feasible and applicable.

The “Special Conditions” section of the MOUs requires incorporation of RPU EIS Mitigation Measures into project approvals as special conditions of approval.

☐ Yes	**X** No
☐ No, With Mitigation	☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. The Code of Ordinances prohibits single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold. Single-event noise standards are set forth in Section 68.3.1 of the TRPA Code for aircraft, water craft, motor vehicles, motorcycles, off-road vehicles, and over-snow vehicles. As is the case under existing conditions, activities under the MOUs would be required to meet TRPA Code provisions pertaining to single-event noise.

☐ Yes	**X** No
☐ No, With Mitigation	☐ Data Insufficient

7. Light and Glare

Will the proposal:

a. Include new or modified sources of exterior lighting?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. The Code of Ordinances and TRPA Design Review Guidelines include standards and guidelines for new or modified sources of exterior lighting (Code Chapter 36, Design Standards, TRPA Design Review Guidelines, Chapter 7, Exterior Lighting)

☐ Yes	**X** No
☐ No, With Mitigation	☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. The Code of Ordinances and TRPA Design Review Guidelines include standards and guidelines for lighting that will ensure new illumination is not more substantial than other lighting, if any, within the surrounding area (Chapter 36, Design Standards; TRPA Design Review Guidelines, Chapter 7, Exterior Lighting)

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. The Code of Ordinances and TRPA Design Review Guidelines include standards and guidelines that ensure light from exterior sources will not be cast off -site or onto public lands (Chapter 36, Design Standards; TRPA Design Review Guidelines, Chapter 7, Exterior Lighting). Consistent with existing conditions, permit applicants would be required to demonstrate that any proposed lighting would not cause light from exterior sources to be cast off-site or onto public lands.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The Code of Ordinances and TRPA Design Review Guidelines prohibits the creation of new sources of glare through the siting of the improvements or through the use of reflective materials (Chapter 36, Design Standards; TRPA Design Review Guidelines, Chapter 2, Building Design and Chapter 7, Exterior Lighting).

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

8. Land Use

Will the proposal:

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

The proposed Memoranda of Understanding does not change uses listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan. Consistent with existing conditions, proposals for activities under the MOUs would be required to demonstrate consistency with the Plan Area Statement, Community Plan, Area Plan or Master Plan.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The Code of Ordinances prohibits the expansion or intensification of an existing non-conforming use (Chapter 21, Permissible Uses). Consistent with existing conditions, proposals for activities under the MOUs would be required to demonstrate that any new use does not expand or intensify an existing non-conforming use.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

9. Natural Resources

Will the proposal result in:

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The use

of natural resources, such as construction wood or metals, or gasoline would increase incrementally as more commercial, tourist, and residential developments are constructed, but the direct consumption of these resources will not result from the delegation in the MOUs, but from development authorized by approved land use plans (the Regional Plan and Area Plans). These potential environmental effects have been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The use of non-renewable natural resources, such as gasoline or diesel would increase incrementally as more commercial, tourist, and residential developments are constructed, but the direct consumption of these resources will not result from the delegation in the MOUs, but from development authorized by approved land use plans (the Regional Plan and Area Plans). These potential environmental effects have been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

10. Risk of Upset

Will the proposal:

a. Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. Construction activities related to development authorized by the MOUs are not of the nature that would involve storage, use, and transport of large quantities of hazardous substances that would increase the risk of incident.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

b. Involve possible interference with an emergency evacuation plan?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. Consistent with existing conditions all activities commenced as part of the MOU are required to undergo subsequent project-level permitting and environmental review, which would require consideration as to whether the individual proposals would affect Basin-wide evacuation planning.
.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

11. Population

Will the proposal:

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

The proposed MOUs do not authorize new allocations of development or land use changes that would alter the location, distribution, density, or growth rate of the human population planned for the Region.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

The proposed Memoranda of Understanding does not propose include, or result in, the temporary or permanent displacement of residents. The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, the nature and scale of the activities consist of routine maintenance activities, repair and minor modifications which by their very nature will not result in the temporary or permanent displacement of residents. .

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

12. Housing

Will the proposal:

a. Affect existing housing, or create a demand for additional housing?

To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:

(1) Will the proposal decrease the amount of housing in the Tahoe Region?

The MOUs do not propose to decrease the amount of housing in the Tahoe Region. The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, the nature and scale of the activities consist of routine maintenance activities, repair and minor modifications which by their very nature will not result in the temporary or permanent displacement of residents.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

(2) Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, the nature and scale of the activities consist of routine maintenance activities, repair and minor modifications which by their very nature will not result in the temporary or permanent displacement of residents. The MOUs do not decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

Number of Existing Dwelling Units: _____

Number of Proposed Dwelling Units: _____

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, the nature and scale of the activities consist of routine maintenance activities, repair and minor modifications which by their very nature will not result in the temporary or permanent displacement of residents. The proposed Memoranda of Understanding does not propose to reduce housing for lower-income and very-low-income households.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

13. Transportation/Circulation

Will the proposal result in:

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. Delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. The Code of Ordinances requires preparation of a traffic study for projects that generate more than 100 DVTE. No exempt or qualified exempt activity is anticipated to generate any new DVTEs over 100.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. Delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. Although the Code does not include standards for parking facilities or to address changes to parking demand, policies

that address parking standards exist which apply to all new uses, changes in operation or use, or expansions in operation or use: No exempt or qualified exempt activity is anticipated to change existing parking facilities or generate demand for new parking.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. Due to the nature and scale of the delegated, exempt and qualified activities, the MOU will not have a substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities. Minor disruptions to existing transportation system including highway, transit, bicycle and pedestrian facilities may occur but are not considered substantial due to the scale and nature of the exempt and qualified exempt activities authorized by the MOU.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances, and, the nature and scale of the activities consist of routine maintenance activities, repair and minor modifications which by their very nature will not result in alterations to present patterns of circulation or movement of people and/or goods.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

e. Alterations to waterborne, rail or air traffic?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, the nature and scale of the activities consist of routine maintenance activities, repair and minor modifications which by their very nature will not result in alterations to waterborne, rail or air traffic.

☐Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, it is expected that the MOU will reduce traffic hazards to motor vehicles, bicyclists and pedestrians by allowing for the maintenance, repair and modification of roadway, trail and biking facilities while streamlining the permit process prior to performing such activities.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

14. Public Services

Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas?

a. Fire protection?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain

activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. In light of the proximity of existing police, fire, and emergency service facilities, as well as declining school enrollment, it is not anticipated that implementation of activities pursuant to the MOUs would create a need to construct new facilities that, in turn, could require new or improved facilities, the construction of which could result in adverse effects to the environment. However, as with other projects developed within the Douglas County portion of the Lake Tahoe Basin, and consistent with existing conditions, environmental review of specific projects would be required to ensure that adequate services exist prior to project approval.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

b. Police protection?

See response to 14.a. above.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

c. Schools?

Douglas County School District (District) provides public school services for elementary through high school (grades K–12) at the Lake. There are only two District school sites within the Tahoe Basin, including Zephyr Cove Elementary School (grades K–6) and Whittel High School (grades 7–12). Both schools are located on Warrior Way in Zephyr Cove, approximately 3 miles from the SSAP. Enrollment at these schools has been steadily declining for the past 10 years (TRPA 2012f, page 5.14-7). The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances Due to the nature and scale of the delegated, exempt and qualified activities, the MOU will not have an unplanned effect upon, or result in a need for new or altered school services.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

d. Parks or other recreational facilities?

See discussion under 19 below.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

e. Maintenance of public facilities, including roads?

It is expected that the exempt and qualified exempt activities performed by the County will reduce traffic hazards to motor vehicles, bicyclists and pedestrians by allowing for the maintenance, repair and modification of roadway, trail and biking facilities. The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. It is expected that the MOU will enhance the ability of the County to maintain, repair and modify public facilities, including roads.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

f. Other governmental services?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. Due to the nature and scale of the delegated, exempt and qualified activities, the MOU will not have an unplanned effect upon, or result in a need for new or altered other governmental services.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

15. Energy

Will the proposal result in:

a. Use of substantial amounts of fuel or energy?

See discussion under Items 9a and 16a.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

See discussion under Item 16a below.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

16. Utilities

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

a. Power or natural gas?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. All development permitted through the MOU would occur in accordance with the Regional Plan and Douglas County Code. While any new construction would require electric and natural gas service as part of the basic services (Chapter 32 of the TRPA Code and Section 20.703.250 of the Douglas County Code), the entire area within the Douglas County portion of the Lake Tahoe Basin is located within close proximity to existing electric and gas infrastructure. Additionally, projects requiring new or modified connections would be subject the requirements and fees of the applicable utility providers. The utility companies project that based on their forecasting and recent growth trends, the available capacity would far exceed the demand generated at build-out of the Regional Plan. The direct consumption of these resources will not result from the delegation in the MOUs, but from development authorized by approved land use plans (the Regional Plan and Area Plans). These potential environmental effects have been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

b. Communication systems?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. Communication systems are not listed as a required basic service by Douglas County or TRPA Code. Each future project subject to the MOUs would be responsible for any elected connection or subscription to communication systems within the region. Additionally, increased development

could stimulate investment in improved broadband service, which was identified as a need in the Lake Tahoe Basin Prosperity Plan. Further, any direct impact to communication systems will not result from the delegation in the MOUs, but from development authorized by approved land use plans (the Regional Plan and Area Plans). These potential environmental effects have been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. All development permitted under the MOUs would be required to comply with Section 32.4 of the TRPA Code, which requires that a project applicant demonstrate the availability of adequate water quantity and quality for both domestic consumption and fire protection prior to project approval. This is demonstrated at a project-level through the acquisition of a Will Serve Letter from the applicable water purveyor. Additionally, any project proposing construction, reconstruction, or expansion of a structure would be required to meet the Basic Services and Facilities Standards contained in Chapter 20.100 of the Douglas County Code. The direct impact to water supply resources will not result from the delegation in the MOUs, but from development authorized by approved land use plans (the Regional Plan and Area Plans). These potential environmental effects have been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. All development permitted by the MOU would be required to comply with Section 32.5 of the TRPA Code, which requires that all projects be served by facilities that provide treatment and export of wastewater from the Tahoe Region. The direct impact to sewer treatment capacity, if any, will not result from the delegation in the MOUs, but from development authorized by approved land use plans (the Regional Plan and Area Plans). These potential environmental effects have been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

e. Storm water drainage?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. All development permitted though the SSAP would be required to meet TRPA BMP standards to reduce runoff and pollutant loading from impervious cover. As specified in Section 60.4.6 of the TRPA Code, except where special conditions exist and are approved by TRPA, infiltration facilities designed to accommodate the volume of runoff generated by a 20-year, 1- hour storm are required for approval of all projects.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

f. Solid waste and disposal?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. All development permitted through the SSAP would occur in accordance with the Regional Plan and Douglas County Code. While any new construction would result in an increase in solid waste generation and potentially additional collection points for South Tahoe Refuse, there is sufficient capacity at Lockwood Regional Landfill to support build-out well beyond the next 20 years (TRPA 2012a, page 3.13-19). The direct consumption impacts related to solid waste disposal, if any, will not result from the delegation in the MOUs, but from development authorized by approved land use plans (the Regional Plan and Area Plans). These potential environmental effects have been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

17. Human Health

Will the proposal result in:

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. Construction

activities related to development within the Douglas County portion of the Lake Tahoe Basin could involve the storage, use, and transport of hazardous materials. However, use of hazardous materials would be typical of urban development projects in the Tahoe Region and would occur in compliance with all local, state, and federal regulations.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

b. Exposure of people to potential health hazards?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. While development within the Douglas County Portion of the Lake Tahoe Basin could bring a higher population to the plan area, policies associated with exposure of people to potential health hazards (e.g., wildfires, floods) would remain the same. Compliance with Chapter 35, Natural Hazards, of the TRPA Code would ensure that the exposure of people to potential health hazards would be reduced to the extent feasible.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

18. Scenic Resources/Community Design

Will the proposal:

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

See item 18c below. **X** Yes ☐ No

☐ No, With Mitigation ☐ Data Insufficient

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

See item 18c below.

X Yes ☐ No

☐ No, With Mitigation ☐ Data Insufficient

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

As discussed under Items 18a and 18b above, areas within the Douglas County portion of the Lake Tahoe Basin are visible from Lake Tahoe, bicycle trails and other public recreation areas, and public roads. The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code.

Potential scenic impacts from development and redevelopment activities in the Tahoe Region are currently mitigated through environmental review and compliance with TRPA regulations. With adoption of the SSAP, the existing scenic thresholds and scenic review process would remain in place.

The Regional Plan created new scenic review standards that are applied on a project-specific basis, which are codified in Section 66.1 of the TRPA Code. Any projects approved pursuant to the MOUs would be required to make these findings as well as the Chapter 4 threshold findings and Chapter 37 height findings in the TRPA Code.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. The Code of Ordinances prohibits activities that are inconsistent with the height and design standards required by the applicable ordinance or Community Plan (Chapter 37, Height).

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from

TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances. Because design review and compliance with established design standards and guidelines is required for project approval, implementation of the SSAP would be consistent with the TRPA SQIP and design review guidelines.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

19. Recreation

Does the proposal:

a. Create additional demand for recreation facilities?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. Development permitted under the MOUs could generate additional recreation demand by increasing the concentration of residents and visitors in the area. Any direct impacts to recreational demand will not result from the delegation in the MOUs, but from development authorized by approved land use plans (the Regional Plan and Area Plans). These potential environmental effects have been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered. In addition, recreation demand would be considered at a project-level during subsequent environmental review and permitting of individual proposed projects.

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

b. Create additional recreation capacity?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. The approval of any project proposing the creation of additional recreational capacity would be subject to subsequent project-level environmental review and permitting and, if applicable, would be subject to the Persons At One Time (PAOT) system of recreation allocations administered by TRPA as described in Section 50.9 of the TRPA Code. If a proposed new or expanded recreational facility meets TRPA criteria for PAOTs and the project is approved, the number of PAOTs necessary to accommodate the increased level of activity associated with the project would be assigned from the TRPA PAOT reserve pool, which includes 18,422 PAOTs that remain unassigned (TRPA 2012a, page 3-11.17).

☐ Yes ☒ No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code.

No specific projects are being considered as part of the MOU, and any projects permitted through the SSAP would be subject to subsequent project-level environmental review and permitting. Goal R-5 of the Regional Plan specifically addresses incompatibility of recreational uses and the associated system for regulating PAOTs (Section 50.9 of the TRPA Code), which would preclude any conflicts between existing or proposed recreational uses. Additionally, the potential for expanded land uses to create conflicts between existing land uses was analyzed in Impact 3.11-2 of the RPU EIS and was found to be less than significant due to the existing protections in the goals and policies of the Regional Plan.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. Due to the nature and scale of the delegated, exempt and qualified activities, the MOU will not result in a decrease or loss of public access to any lake, waterway, or public lands.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

20. Archaeological/Historical

a. Will the proposal result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. Federal and

state regulations and the TRPA Code (Chapter 67) address protection of these resources and provide processes to avoid or minimize impacts to historic and archaeological resources.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

b. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?

See discussion under Item 20a above.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

See discussion under Item 20a above.

☐ Yes ☐ No

☐ No, With Mitigation ☐ Data Insufficient

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

See discussion under Item 20a above.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

See discussion under Item 20a above.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

21. Findings of Significance.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?

Delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. All exempt and qualified exempt activities must be conducted in accordance with the Regional Plan and Code of Ordinances. The Code of Ordinances prohibits activities that have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.) [Need to conclude this by citing (generally) to the requirements of the RPU and Code that prohibit short-term benefits resulting in long-term detriment – this could be language and commitment taken right out of the MOUs initial paragraphs ?]

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?)

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. Direct environmental impacts will not result from the delegation in the MOUs, but from development authorized by approved land use plans (the Regional Plan and Area Plans). These potential environmental effects, including cumulative effects, have been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

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

The delegation portions of the MOUs do not authorize any specific activities but rather only set forth who reviews the activities within certain areas. All delegated activities are required to be reviewed and approved in accordance with the TRPA Regional Plan and Code. For the provisions of the MOU that exempts certain activities undertaken by Douglas County from TRPA review, all exempt and qualified exempt activities must be conducted consistent with the Regional Plan and Code of Ordinances and the coverage limitations contained therein. Direct environmental impacts will not result from the delegation in the MOUs, but from development authorized by approved land use plans (the Regional Plan and Area Plans). These potential environmental effects, including adverse effects on human beings, have been evaluated in the IEC for the SSAP and the programmatic documents from which it was tiered.

☐ Yes **X** No

☐ No, With Mitigation ☐ Data Insufficient

DECLARATION:
I hereby authorize TRPA to access the property for the purpose of site visits. I hereby declare under penalty of perjury that this application and all information submitted as part of this application are true and accurate to the best of my knowledge. I am the owner of the subject property or I have been authorized in writing by the owner(s) of the subject property to represent this application and understand that should any information or representation be submitted in connection with this application be incorrect or untrue, TRPA may rescind any approval or take other appropriate action. I further understand that additional information may be required by TRPA to review this project.

Signature: **(Original signature required.)**

_____ At _____ Date: _____
Person Preparing Application County

Determination:

On the basis of this evaluation:

a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure.

☐ Yes ☐ No

b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures.

☐ Yes ☐ No

c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and TRPA's Rules of Procedure

☐ Yes ☐ No

_____ Date _____
Signature of Evaluator

_____
Title of Evaluator