
3 RELATIONSHIP TO EXISTING LAND USE PLANS, GOALS AND POLICIES

The Boulder Bay Project falls under the jurisdiction of the Tahoe Regional Planning Agency (TRPA). In addition other agencies that operate in the Tahoe Basin will also require permits or approvals for the Project. These agencies include: Nevada Department of Transportation (NDOT), Nevada Department of Environmental Protection (NDEP), Nevada State Historic Preservation Office (NVSHPO), Nevada Tahoe Regional Planning Agency (NTRPA), Washoe County Public Works and Building and Safety Departments and the North Lake Tahoe Fire Protection District. Each of these agencies exercises various levels of jurisdiction over specific parcels or resources. Due to the projects unique location on the Stateline, several California agencies were included during project scoping, including the California Tahoe Conservancy, California Regional Water Quality Board, Lahontan Region, and California Department of Transportation, District 3. This section identifies each permitting agency's responsibility relative to the Project and identifies the plans and policies with which the Project must demonstrate compliance.

3.1 FEDERAL

Federal regulations are associated with resources such as wetland identification and protection, special-status species protection, cultural resource protection, and health and safety on private lands. The State of Nevada and TRPA enforce many of the federal regulations for these resources. For example, TRPA is the designated Regional Transportation Planning Agency (RTPA) for transportation and air quality planning and is charged with the responsibility of implementing federal programs in the Region. TRPA also implements the water quality control plan required by Section 208 of the Clean Water Act.

Some federal agencies have direct permitting authority over specific types of resources. The U.S. Fish and Wildlife Service is responsible for the protection of federally listed threatened and endangered species and species that are proposed for listing under the Federal Endangered Species Act (FESA). Any action that may adversely affect a federally listed or proposed species must be permitted under Section 7 or 10(a) of the FESA. The U.S. Army Corps of Engineers is charged with the responsibility of ensuring compliance with Section 404 of the Clean Water Act and has permit authority over the discharge of dredged and fill material into jurisdictional wetlands and waters. There are no listed threatened and endangered species or wetlands or other jurisdictional waters located within the project area.

3.2 TAHOE REGIONAL PLANNING AGENCY

The TRPA is a bi-state planning agency with the authority to regulate growth and development within the Lake Tahoe Region. TRPA implements that authority through the Regional Plan for the Lake Tahoe Basin (Regional Plan). The Regional Plan is composed of numerous documents, of which the following are most relevant: Environmental Threshold Carrying Capacities (1982); Goals and Policies (September, 1986); Code of Ordinances (May, 1987 and updated); Plan Area Statements (August, 1987 and updated); Regional Transportation Plan and Air Quality Plan (1992); Water Quality Management Plan (1988); North Stateline Community Plan (1996) and the Scenic Quality Improvement Program (1989). These documents are described below.

Environmental Threshold Carrying Capacities

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

TRPA threshold criteria are identified for each environmental resource analyzed in Chapter 4 of this document. These thresholds are incorporated into the criteria of significance for each evaluation.

Goals and Policies

The Goals and Policies establish an overall framework for development and environmental conservation in the Lake Tahoe region. The Goals and Policies document contains the following elements: Land Use, Transportation, Conservation; Recreation; Public Services and Facilities; and Implementation. Table 3.2-1 analyzes the consistency between the Project and the Regional Plan Land Use Element.

Plan Area Statements/Community Plans

Plan Area Statements (PAS) tier from the Goals and Policies and provide specific policy and land use direction for smaller geographical areas within the Lake Tahoe Region. The region is divided into 175 separate areas, each with a PAS that provides specific goals and policies, a list of permissible uses, maximum allowable densities, eligibility for bonus programs, recreational or commercial use allocations, and maximum acceptable noise levels. The location of the Project is within Plan Areas 032 (North Stateline Casino Core - North Stateline Community Plan) and 034 (Crystal Bay).

The North Stateline Community Plan (NSCP) has a tourist land use designation. With the exception of a single-family home site that is located in the Crystal Bay Plan Area under Alternatives B and E, all of the proposed structures are located within the NSCP area. Hotels, gaming facilities, personal services and restaurants are an allowed use in the NSCP. Employee housing, hotel-design timeshares, retail units, entertainment facilities, and recreation uses are a special use in the NSCP and therefore require special use findings by TRPA. The Crystal Bay Plan Area (034) has a residential land use designation. A portion of the Boulder Bay park uses (hiking and biking trails) are located in the Crystal Bay Plan Area.

Code of Ordinances

The Code of Ordinances (Code) contains minimum development standards for future development. The Code is intended to implement the Goals and Policies in a manner that attains and/or maintains the environmental thresholds. Many Code sections pertain to the Boulder Bay Project. The sections that are most relevant in the context of environmental review are referenced within Chapter 4 of the EIS. These resource sections include: land use; geology and earth resources; hydrology, surface water quality and groundwater; biological resources; scenic resources; recreation; cultural and historical resources; traffic and circulation; air quality; noise; socioeconomics, population and housing; and public services and utilities.

Regional Transportation Plan/Air Quality Plan

The purpose of the integrated Regional Transportation Plan/Air Quality Plan (RTP/AQP) is to attain and maintain the Environmental Threshold Carrying Capacities established by TRPA in 1982 and applicable federal, state, and local standards established for transportation and air quality. The RTP/AQP establishes goals and policies to direct future transportation-related decisions. In addition, the RTP/AQP includes an action element with a list of proposed programs, capital improvements, and a financing strategy to construct or operate these improvements. The TRPA Code of Ordinances, Chapter 91, establishes Air Quality Control Regulations.

Water Quality Management Plan

The Water Quality Management Plan (208 Plan) for the Lake Tahoe Region fulfills TRPA’s responsibilities under Section 208 of the Federal Clean Water Act. Those parts of the 208 Plan that are also enacted as part of TRPA’s Regional Plan package include: the Water Quality Management Plan; Handbook of Best Management Practices; Stream Environment Zone Protection and Restoration Program; and Capital Improvements Program for Erosion and Runoff Control or Environmental Improvement Program (EIP). The 208 Plan also identifies water quality objectives and sets water quality standards.

Scenic Quality Improvement Program

The Scenic Quality Improvement Program (SQIP) presents the prescriptions for scenic restoration required to attain and maintain the scenic quality thresholds. The sections that are most relevant in the context of the Boulder Bay Project environmental review are referenced within Chapter 4.5, Scenic Resources. It includes design review guidelines and development standards for different visual environments, assigns implementation responsibilities, and identifies potential funding sources.

Table 3.2-1

TRPA Regional Plan Land Use Element Consistency Analysis

Regional Plan Goals and Policies	Consistency Analysis
<p>Land Use</p> <p>Goal 1 – Restore, maintain, and improve the quality of the Lake Tahoe Region for the visitors and residents of the region.</p> <p>Policy 1 The primary function of the region shall be as a mountain recreation area with outstanding scenic and natural values.</p> <p>Policy 2 The Regional Plan gives a high priority to correcting past deficiencies in land use. The plan shall encourage a redirection strategy for substantially and adversely altered areas, wherever feasible.</p> <p>Policy 3 The Plan shall seek to maintain a balance between economic health and the environment.</p>	<p><u>Inconsistent – Alternatives A and B.</u> Existing development at the project area includes deficient stormwater treatment, circulation, and urban design features that would not be corrected under Alternatives A and B.</p> <p><u>Consistent – Alternatives C, D and E.</u> The redevelopment of the project area would correct past deficiencies and will promote tourist-oriented activities within the project area.</p>

Regional Plan Goals and Policies	Consistency Analysis
<p>Goal 2 – Direct the amount and location of new land uses in conformance with the environmental threshold carrying capacities and the other goals of the Tahoe Regional Planning Compact.</p> <p>Policies 1 through 6 are directly tied to the Plan Area Statements and Community Plans, which are discussed in Table 3.2-2.</p> <p>Policy 9 Nonconforming structures may not be enlarged, replaced or rebuilt without TRPA approval, but may be maintained and repaired.</p> <p>Policy 10 Nonconforming uses may continue, but may not be modified, expanded, or intensified.</p> <p>Policy 12 Restoration and rehabilitation shall be a high priority for improving environmental quality and community character of areas designated for redirection but not included in a redevelopment plan.</p> <p>Policy 13 Redevelopment shall be encouraged in areas designated for redirection to improve environmental quality and community character.</p> <p>Policy 14 The provisions set forth in Article VI (d) through VI (i) of the Compact apply to TRPA regulation of structures housing gaming.</p>	<p><u>Consistent – Alternatives A, B, C, and E.</u> Alternatives A, B and E would continue to have non-conforming height, but would be consistent with Goal 2 because renovations would not increase non-conforming building height and would include water quality improvement measures mandated by TRPA.</p> <p>Alternative C would improve the character and environmental quality of the site with proposed site redevelopment and building design consistent with NSCP goals and water quality improvements. Alternative C would be consistent with height regulations with the adoption of the proposed height amendment.</p> <p><u>Inconsistent – Alternative D.</u> Alternative D would improve the character and environmental quality of the site with proposed site redevelopment. However, Alternative D would not be consistent with height regulations, because it would exceed the limitations included in the proposed Chapter 22 height amendment.</p>
<p>Goal 3 – All new development shall conform to the [Bailey] Coefficients of Allowable Land Coverage</p> <p>Policy 1 Allowed base land coverage shall be calculated by applying the Bailey coefficients.</p> <p>Policy 2 The allowed coverage may be increased by transfer of land coverage within hydrologically-related areas up to limits (50%)</p> <p>Policy 3 Rehabilitation, reconstruction, and upgrading of the existing inventory of structures or other forms of coverage in the Tahoe region are high priorities.</p> <p>Policy 4 Land coverage allowed pursuant to redevelopment plans shall be established by TRPA-approved redevelopment plans. However, in no case shall there be a net increase in land coverage in the redevelopment project area.</p>	<p><u>Consistent – All Alternatives.</u> Existing verified land coverage exceeds base allowable land coverage on the project area.</p> <p>Alternatives A and B would not result in changes to building footprints or land coverage, so there is no requirement for reduction of existing land coverage.</p> <p>Alternative E would relocate existing land coverage and implement the excess land coverage mitigation program to mitigate non-conformance with Bailey land coverage limits.</p> <p>Alternatives C and D would reduce existing land coverage and would implement excess land coverage mitigation program to mitigate the existence of land coverage above Bailey limits.</p>
<p>Goal 4 – Provide to the greatest extent possible, within the constraints of the environmental threshold carrying capacities, a distribution of land use that ensures the social, environmental, and economic well-being of the region.</p>	<p><u>Consistent – All Alternatives.</u> Each of the alternatives is consistent with uses included in the NSCP for the project area. Alternatives C and D provide for a greater mix of land uses because they include the addition of affordable housing units.</p>

Regional Plan Goals and Policies	Consistency Analysis
Housing	
<p>Goal 1 – To the extent possible, affordable housing will be provided in suitable locations for the residents of the region.</p> <p>Policy 1 Special incentives will be given to promote affordable housing</p> <p>Policy 2 Local governments will be encouraged to assume their “fair share” of the responsibility to provide lower and very low income housing.</p> <p>Policy 3 Facilities shall be designed and occupied in accordance with local, regional, state, and federal standards for the assistance of households with low and very low incomes.</p> <p>Policy 4 Affordable housing for lower income households should be located in close proximity to employment centers, government services, and transit facilities. Such housing must be compatible with the scale and density of the surrounding neighborhood.</p>	<p><u>Inconsistent – Alternative E.</u> Alternative E proposes to increase density and local employment opportunities within the project area, but does not provide affordable housing units.</p> <p><u>Consistent – Alternatives A, B, C and D.</u> No expansion of use would occur under Alternatives A and B. Alternatives C and D propose to increase density and employment opportunities and to include affordable housing, which will be placed close to the commercial and gaming areas of the site and nearer to the condominiums than to the existing single-family houses.</p>
Noise	
<p>Goal 1 – Single event noise standards shall be attained and maintained.</p> <p>Policy 1 Aircraft noise.</p> <p>Policy 2 Boat compliance.</p> <p>Policy 3 Motor vehicles and motorcycles shall comply with the appropriate noise thresholds.</p> <p>Policy 4 Off-road vehicles.</p> <p>Policy 5 Snowmobiles.</p> <p>Policy 6 The Plan will permit uses only if they are consistent with the noise standards. Sound proofing practices may be required on all structures containing uses that would otherwise adversely impact prescribed noise levels.</p>	<p><u>Consistent – All Alternatives.</u> Proposed development would be consistent with noise standards with the inclusion of standard practices for shielding of service areas that are built into the Project.</p>
<p>Goal 2 – Community noise equivalent levels shall be attained and maintained.</p> <p>Policy 1 Transmission of noise from the transportation corridors shall be reduced.</p> <p>Policy 2 Airports</p> <p>Policy 3 Wilderness</p>	<p><u>Consistent – All Alternatives.</u> Proposed development would be consistent with noise standards with the inclusion of standard practices for shielding of service areas that are built into the Project.</p>

Regional Plan Goals and Policies	Consistency Analysis
Natural Hazards	
<p>Goal 1 – Risk from natural hazards will be minimized.</p> <p>Policy 1 Development shall be regulated in identified avalanche or mass instability hazard areas.</p> <p>Policy 2 Prohibit construction, grading, and filling of lands within the 100-year flood plain</p> <p>Policy 3 Inform residents and visitors of the wildfire hazard associated with occupancy in the Basin. Encourage use of fire resistant materials and fire preventative techniques when constructing structures</p>	<p><u>Consistent – All Alternatives.</u> Project structures are and will be equipped with appropriate fire protection devices such as sprinklers and extinguishers As required by Washoe County Building Codes. Current and proposed structures would use concrete-based siding/exterior coating to reduce the risks associated with fire hazard. The project area is not located within the 100-year floodplain and it is located in the low hazard area for avalanches, 0.75 miles outside the identified avalanche path.</p>
Water Quality	
<p>Goal 1 – Reduce loads of sediment and algal nutrients to Lake Tahoe; meet sediment and nutrient objectives for tributary streams, surface runoff, and sub-surface runoff, and restore 80% of the disturbed lands.</p> <p>Policy 1 Wastewater discharge is prohibited.</p> <p>Policy 2 BMPs must be in place and maintained; vegetation must be protected from unnecessary damage; restore disturbed soils.</p> <p>Policy 3 Application of BMPs to projects shall be required as a condition of approval for all projects.</p> <p>Policy 4 Restore at least 80% of the disturbed lands within the region.</p> <p>Policy 5 Restore 25% of the SEZ lands that have been disturbed, developed, or subdivided in accordance with the CIP.</p> <p>Policy 6 The use of fertilizer shall be restricted to uses, areas, and practices, identified in the Handbook of Best Management Practices.</p> <p>Policy 7 Off-road vehicles (not applicable)</p> <p>Policy 8 Transportation and air quality measures aimed at reducing airborne emissions of oxides of nitrogen shall be carried out.</p>	<p><u>Partially Consistent – Alternatives A, B, and E.</u> Wastewater would be discharged into the IVGID sewer system. Permanent BMPs and a stormwater treatment system in accordance with Chapter 25 of the TRPA Code of Ordinances would be installed. Fertilizers would only be used, if needed, in the landscaped areas. The existing operations encourage shuttle services to reduce vehicle trips and associated airborne emissions. However, none of these alternatives would restore disturbed lands.</p> <p><u>Consistent – Alternatives C and D.</u> Wastewater would be discharged into the IVGID sewer system. Permanent BMPs, and a stormwater treatment system in accordance with Chapter 25 of the TRPA Code of Ordinances, would be installed. These alternatives also include additional improvements, such as off-site SEZ restoration and water quality improvement projects, advanced snow management, expanded regional stormwater treatment systems, green roofs, pervious pavers, and bio-retention systems, to further reduce runoff and improve water quality. Fertilizers would only be used, if needed, in the landscaped areas and will be used pursuant to an approved fertilizer management plan. These alternatives would provide shuttle services, promote pedestrian and bicycle activity, and would locate parking areas underground to reduce airborne emissions. Alternatives C and D propose an 11 and 5.5 percent reduction of onsite land coverage with restoration of disturbed areas, and up to 15.8 and 9.7 percent reductions</p>

Regional Plan Goals and Policies	Consistency Analysis
<p>Goal 2 – Reduce or eliminate the addition of other pollutants which affect, or potentially affect, water quality in the Tahoe Basin.</p> <p>Policy 1 Snow disposal operations shall be in accordance with the site criteria and management standards in the Handbook of Best Management Practices</p>	<p>within the NSCP, respectively with proposed offsite land coverage reductions.</p> <p><u>Consistent – All Alternatives.</u> Existing snow disposal practices would improve under Alternatives A and B through the mandatory upgrade of snow storage facilities and increased capture of snowmelt as part of BMP compliance. Alternatives C, D and E would construct new facilities that would conform to existing policies regarding snow disposal. Pedestrian areas would be equipped with snow melting capabilities and other areas would have onsite storage. Runoff and snowmelt would be collected, conveyed, and treated by the new stormwater treatment systems proposed for Alternatives C, D and E. In addition, Alternatives C and D would widen SR 28, allowing for improved plowing and transport of excess snow to storage locations.</p>
Community Design	
<p>Goal 1 – Insure preservation and enhancement of the natural features and qualities of the region, provide public access to scenic views, and enhance the quality of the built environment.</p> <p>Policy 1 Maintain or improve the scenic quality ratings</p> <p>Policy 2 Restoration programs based on incentives will be implemented in those areas designated in need of scenic restoration to achieve the recommended rating.</p>	<p><u>Inconsistent – Alternatives A and B.</u> Alternatives A and B would maintain the existing structures that are not consistent with design guidelines and would not improve scenic quality.</p> <p><u>Consistent – Alternatives C, D and E.</u> Alternatives C, D, and E would improve scenic quality by improving the layout and visual quality of the casino/resort. Alternative C and D would include a public park with natural trails that would enhance the natural features of the site and would provide views of Lake Tahoe.</p>
<p>Goal 2 – Regional building and community design criteria shall be established to ensure attainment of the scenic thresholds, maintenance of desired community character, compatibility of land uses, and coordinated project review.</p> <p>Policy 1 Regional design review shall include site design, building height/bulk/scale, landscaping, lighting, and signing regulations to be used in evaluating projects throughout the region. This review may entail additional requirements.</p> <p>Policy 2 Local jurisdictions are encouraged to adopt design guidelines consistent with the regional plan.</p>	<p><u>Consistent – Alternatives A and B.</u> Alternatives A and B do not result in any changes to the exterior of the existing buildings, and would not require additional design review. The single-family homes proposed under Alternative B will be required to be consistent with applicable design standards.</p> <p><u>Partially Inconsistent – Alternative C.</u> Alternative C includes new structures that exceed existing height limits. Approval of Alternative C would require adoption of a height amendment proposed to allow the additional building height (See analysis in Section 4 – Scenic). Under Alternative C, structures would be consistent with applicable community design standards but would not be</p>

Regional Plan Goals and Policies	Consistency Analysis
	<p>consistent with existing height standards. With adoption of the proposed height amendment, Alternative C would be consistent with goals and polices related to community design.</p> <p><u>Inconsistent – Alternative D.</u> Alternative D includes new structures that exceed existing height limits. Approval of Alternative D would require adoption of a height amendment proposed to allow the additional building height (See Chapter 4 – Scenic for analysis). However, structures proposed under Alternative D would not be consistent with other applicable community design standards because of architectural design and obstruction of views to Lake Tahoe.</p> <p><u>Consistent. Alternative E.</u> Alternative E would maintain the existing casino structure, which currently exceeds height limits; however this is permissible since the structure existed prior to the policy and is not structurally altered by the project. All proposed new structures would be consistent with TRPA height and community design standards.</p>

Source: HBA, 2009

The North Stateline Community Plan, adopted by the TRPA, Washoe County, Nevada, and Placer County, California in 1996, contains the most specific goals and policies for the project area. Each goal and policy directly addresses the North Stateline Community Plan area specifically and provides a frame for future direction and development of the area. Table 3.2-2 analyzes the consistency between the Project and the applicable North Stateline Community Plan goals and policies.

Table 3.2-2

TRPA North Stateline Community Plan Consistency Analysis

Community Plan Goals and Policies	Consistency Analysis
<p>Land Use</p> <p>NSCP 1.1 – Create a more complete, family-oriented destination resort</p> <p>NSCP 1.1.1 The provision of child care facilities within the plan area is encouraged.</p> <p>NSCP 1.1.2 The provision of a wide range of family oriented entertainment and recreational activities is encouraged.</p>	<p><u>Consistent – Alternatives C and D.</u> A 1,665 square foot child-care/day-care facility called Kids Club is proposed. Family-oriented entertainment would occur within the pedestrian village and recreation would be provided through the development of the parks, open space, trails, pool, play structure, and spa. Under Alternative C, 1.87 acres of park, 1.2 acres of hiking trails and 5.7 total acres of open space and park space would be provided. Under Alternative D, 1.40 acres of park, 1.2 acres of hiking trails and 4.99 total acres of open space and park space would be provided.</p> <p><u>Inconsistent – Alternatives A, B, and E.</u> No child-care would be provided and the existing casino entertainment would be retained without the addition of family-oriented activities. The existing 4.78 acres of open space would remain, but no new park facilities would be constructed.</p>
<p>NSCP 1.2 – Buffer adjacent residential uses from the commercial, tourist and public service uses of the casino area through site design, landscaping, vegetation and screening</p> <p>NSCP.1.2.1 Non-residential and employee housing projects shall provide buffering from existing, surrounding residential uses. Buffering methods shall be consistent with the methods described in the North Stateline Design Standards and Guidelines.</p>	<p><u>Consistent – Alternatives C, D, and E.</u> Site layout has commercial and casino uses closest to SR 28 and clustered nearest to the surrounding casino and commercial uses. The park and open space areas would be located nearest to adjacent residential areas. Under Alternative E, the proposed single-family units would be located closest to the existing single-family units adjacent to the site and the new units would include landscaping to buffer the dwellings from the adjacent highway and other land uses.</p> <p><u>Consistent – Alternatives A and B.</u> Alternatives A and B would not alter the exterior design or layout of the existing buildings and no new non-residential structures would be constructed. Existing structures are buffered from adjacent residential uses.</p>

Community Plan Goals and Policies	Consistency Analysis
<p>NSCP 1.3 – Connect existing and future land uses with a pedestrian path system</p> <p>NSCP.1.3.1 All projects shall provide on-site pedestrian paths. Projects are encouraged to provide pedestrian paths between uses within the plan area, consistent with the Community Design Plan.</p>	<p><u>Consistent - All Alternatives.</u> Alternatives C and D would include pedestrian paths both around and through the site, including a pedestrian village containing pedestrian furniture and art. Alternative E would maintain the existing roadway network and would improve pedestrian walkways associated with new structures. Alternatives A and B would maintain existing pedestrian facilities including the existing sidewalks along SR 28.</p>
<p>NSCP 1.4 – Encourage land use patterns that reduce the need for travel and increase access to transit</p> <p>NSCP.1.4.1 Opportunities for retail commercial shopping within the plan area should be increased.</p> <p>NSCP.1.4.2 Affordable and/or employee housing should be provided within or adjacent to the plan area.</p>	<p><u>Inconsistent – Alternatives A and B.</u> The No Project Alternatives would not increase retail floor space or provide affordable housing.</p> <p><u>Consistent - Alternatives C and D.</u> Alternative D reorganizes and improves existing commercial floor space including retail and dining area within the pedestrian village. In addition, 9 affordable housing units with a total of 27 bedrooms would be provided onsite. Alternative C also reorganizes and improves the existing floor space, including new retail and dining areas. Under this alternative, 14 affordable housing units with a total of 38 bedrooms would be built onsite.</p> <p><u>Inconsistent - Alternative E.</u> Retail and commercial shopping opportunities would improve, but affordable housing units would not be provided onsite.</p>
<p>NSCP 1.5 – From Community Plan adoption until superseded by an updated TRPA Regional Plan, an additional 19,616 square feet of commercial floor area may be allocated within the North Stateline Community Plan area. 7,500 square feet may be developed within the Placer County portion of the CP and 19,616 square feet within the Washoe County portion.</p> <p>NSCP.1.5.1 Projects seeking an allocation of additional commercial floor area shall be subject to the Washoe County Commercial Allocation Program.</p> <p>NSCP.1.5.2 TRPA shall only consider, for approval of new commercial floor area, those projects which have been recommended by Washoe County (for projects in the Washoe County portion of the plan area) or Placer County (for projects in the Placer County portion of the plan area).</p> <p>NSCP.1.5.3 Only projects that make substantial progress toward implementing the area-wide improvements listed in Chapter Seven of this community plan shall be eligible for commercial floor area allocations. Substantial progress shall be based on one square foot of commercial floor area allocation equal to five dollars or more worth of improvements.</p>	<p><u>Consistent – All Alternatives.</u> No additional commercial floor area would be allocated to Boulder Bay under any alternative.</p> <p>Existing total CFA including Gaming Area = 56,322 sf</p> <p>Certified Gaming Area – 29,744 sf</p> <p><i>Alternative A:</i></p> <p>CFA – 18,089 sf</p> <p>Gaming Area – 22,400 sf</p> <p><i>Alternative B:</i></p> <p>CFA – 18,089 sf</p> <p>Gaming Area – 29,744 sf</p> <p><i>Alternative C:</i></p> <p>CFA – 20,715 sf</p> <p>Gaming Area – 10,000 sf</p> <p><i>Alternative D:</i></p> <p>CFA – 27,620 sf</p>

Community Plan Goals and Policies	Consistency Analysis
	<p>Gaming Area – 10,000 sf</p> <p><i>Alternative E:</i></p> <p>CFA – 18,089 sf</p> <p>Gaming Area – 29,744 sf</p>
<p>NSCP 1.6 – From Community Plan Adoption until superseded by an updated TRPA Regional Plan, 45 additional bonus tourist accommodation units may be allocated within the NSCP area.</p> <p>NSCP.1.6.1 Projects utilizing the bonus unit incentive program provided under Chapter 35 of TRPA's Code of Ordinances, which are required to provide mitigation measures to acquire bonus tourist accommodation units, shall participate in capital improvement projects within the community plan area provided under Section 35.3 of the Code.</p>	<p><u>Consistent – Alternatives A and B.</u> No additional bonus tourist accommodation units would be requested under these alternatives.</p> <p><u>Consistent – Alternatives C, D and E.</u> The existing TAUs associated with the project area total 131, which includes 95 units from the Tahoe Biltmore, 17 units from the former Tahoe Mariner site and 19 from the Crystal Bay Motel. Boulder Bay requests 40 bonus units from the TRPA special project's pool and 31 NSCP bonus units for Alternatives C, D, and E. Additional offsite TAUs owned or purchased/transferred by Boulder Bay would also be applied to meet the proposed project need as follows:</p> <p>Alternative C: 131 onsite + 40 CEP bonus units + 31 NSCP bonus units + 19 (Baltabrin) + 79 purchased and transferred = 300 TAU</p> <p>Alternative D: 131 onsite + 40 CEP bonus units + 31 NSCP bonus units + 19 (Baltabrin) + 139 purchased and transferred = 360 TAU</p> <p>Alternative E: 131 onsite + 19 (Baltabrin) + 31 NSCP bonus unit + 66 purchased and transferred = 247 TAU</p> <p>To justify the acquisition of the 31 NSCP bonus units, Boulder Bay would implement environmental improvement projects, particularly funding utility undergrounding along SR 28, transportation enhancements (transit improvements, pedestrian improvements, intersection improvements at SR 28 and Cal Neva Drive/Stateline Road/Reservoir Road), water quality improvements with the Washoe County Water Quality Improvement Projects and Placer County Brockway Water Quality Improvement Project, scenic improvements along SR 28 and creation of the North Stateline CP Lake Vista Mini-Park.</p>

Community Plan Goals and Policies	Consistency Analysis
<p>NSCP 1.7 – From Community Plan Adoption until superseded by an updated TRPA Regional Plan, 50 additional residential bonus units may be allocated within the NSCP area. The bonus units shall be used for affordable and/or employee housing.</p> <p>NSCP.1.7.1 Projects utilizing the bonus unit incentive program provided under Chapter 35 of TRPA's Code of Ordinances to acquire residential bonus units shall participate in capital improvement projects within the community plan area provided under Section 35.3 of the Code.</p>	<p><u>Consistent – Alternatives A, B and E.</u> No additional residential bonus units would be requested under these alternatives as no affordable housing is proposed.</p> <p><u>Consistent – Alternatives C and D.</u> Alternative C requests 14 multifamily bonus residential units for onsite affordable housing, while Alternative D requests 9 multifamily bonus residential units for onsite affordable housing. Participation in capital improvement projects (undergrounding utilities, water quality improvement projects, and mini-park) would occur as described above under NSCP 1.6.</p> <p>It should be noted that Alternatives C, D, and E require 59, 21, and 33 ERUs, respectively. The Project has 59 ERUs available (3 onsite at Biltmore Lodge and Crystal Bay Club, 14 banked offsite, and 42 purchased TAUs that include SEZ restoration and can be converted to ERUs).</p>
Community Design	
<p>NSCP 2.1 – All projects are encouraged to use architectural designs and materials which are unique to North Stateline and which strengthen North Stateline’s resort image. These are defined in the Design Standards and Guidelines.</p> <p>NSCP.2.1.1 All projects are encouraged to use architectural designs and materials which are unique to North Stateline and which strengthen North Stateline's resort image. These are defined in the Design Standards and Guidelines, Appendix B.</p> <p>NSCP.2.1.2 All projects shall provide landscaped screening of on-grade parking areas. Such screening may consist of either man-made or plant materials, or combinations of both, and shall be effective year round.</p> <p>NSCP.2.1.3 All overhead utility lines and poles along State Route 28 and all new connections and lines shall be placed underground. California has a designated program with a funding source for undergrounding utilities along highways. On the Nevada side of the plan area, a special assessment district or other means shall be established to implement the undergrounding within the public right-of-way. On-site utilities shall be placed underground as part of project approval.</p> <p>NSCP.2.1.4 Commonly designed architectural monuments are encouraged to be located throughout the plan area, particularly at the entries to the plan area.</p> <p>NSCP.2.1.5 If adopted by TRPA, signs within the plan area shall be consistent with the provisions of the North Stateline Substitute Sign Standards.</p> <p>NSCP.2.1.6 All projects shall be designed consistent with the</p>	<p><u>Inconsistent – Alternatives A and B.</u> The No Project Alternatives would not result in any changes to the exterior design or site layout of the existing Tahoe Biltmore facilities. No new landscaping, surface parking improvements or utility undergrounding would occur. Existing non-conforming signage would remain in place.</p> <p><u>Consistent - Alternative C.</u> Most (98%) parking would be located underground and landscaping would be used to screen the on-grade parking areas.</p> <p>As part of the project all onsite utilities would be located underground and funding would be provided for off-site undergrounding within the NSCP.</p> <p>A new entry monument would be placed at the SR 28 and Stateline Road intersection and gateway landscaping would frame the site along the roadway.</p> <p>New signage shall be consistent with the North Stateline Substitute Sign Standards.</p> <p>The architecture of the buildings is consistent with the North Stateline Design Plan and is in keeping with the historic Tahoe influence as requested by the Nevada State Historic Preservation Officer.</p>

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<p>North Stateline Design Plan (Chapter Two of the plan) and the North Stateline Design Standards and Guidelines.</p>	<p>Buildings would be setback from the roadway at depths greater than 40 feet, with landscaping installed between the buildings and roadway to screen the site and incorporate the buildings into the natural environment.</p> <p><u>Partially Inconsistent - Alternative D.</u> Alternative D would be similar to Alternative C in proposed building layout and pedestrian amenities with a couple of exceptions - architectural design would not incorporate as many historic Tahoe elements and building massing and height would be out of character with adjacent land uses.</p> <p><u>Consistent – Alternative E.</u> Although Alternative E would not result in exterior changes to the main casino building, the new tourist and whole ownership units would be designed in keeping with the Alpine Elegance theme and would use building materials and colors consistent with the Design Guidelines. Surface and pedestal parking would remain visible, but landscaping and architecture would help to hide the presence of surface parking spaces from the view corridors. New utilities would be placed below ground; however, existing offsite utilities would remain above ground. New signage would be consistent with the Guidelines.</p>
<p>NSCP 2.2 – Implement and enforce the North Stateline Design Standards and Guidelines.</p> <p>NSCP.2.2.1 All projects shall be designed consistent with the Community Design Plan and the North Stateline Design Standards and Guidelines. This may include provisions added to the Design Standards and Guidelines as a result of adopting the substitute sign standards.</p>	<p>See NSCP Goal 2.1.</p>
<p>NSCP 2.3 – Create a pedestrian friendly and pedestrian safe environment, which provides more opportunity for pedestrian activities and reduces emphasis on the auto.</p>	<p><u>Inconsistent – Alternatives A and B.</u> No new pedestrian pathways or activities are proposed under the No Project Alternatives. The existing sidewalks, which are not setback from SR 28, would remain, but no new facilities to encourage a pedestrian safe environment would be built.</p> <p><u>Consistent – Alternatives C, D and E.</u> Alternative C and D include a pedestrian village with furniture and art to encourage pedestrian activity. Pedestrian pathways and sidewalks improvements will be located throughout the project area and along the perimeter connecting to the greater North Stateline Community. In addition, a 12-foot</p>

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	<p>wide shared use trail (Stateline to Stateline trail) would be allowed to cross the project area to connect the proposed 5-foot wide bike lanes on SR 28 to the Mt. Rose Highway toward Incline Village. Each alternative would include at least 4.78 acres of open space, with park improvements included in Alternatives C and D.</p>
<p>NSCP 2.4 – Reduce the visual predominance of parking lots and asphalt.</p>	<p><u>Inconsistent - Alternatives A and B.</u> These alternatives would not place parking underground. Under the no project alternatives the existing 382 surface parking spaces would not change and parking would remain visible from SR 28.</p> <p><u>Consistent - Alternatives C, D and E.</u> Alternatives C and D would place up to 530 to 565 parking spaces, respectively, underground and the remaining on-grade parking would be screened with trees and other landscaping. For each of these alternatives, 98% of the parking would be located underground.</p> <p>Alternative E would provide up to 456 spaces, a majority as pedestal parking located under the proposed structures. Remaining surface parking would be reconstructed and screened using landscaping and other design features.</p>
<p>NSCP 2.5 – Buildings or structures which are determined to be of historic significance are encouraged to be reused and incorporated into site plans.</p> <p>NSCP.2.5.1 Prior to approving the removal or demolition of structures, TRPA shall review and approve a historic property inventory which has been prepared by a qualified professional.</p> <p>NSCP.2.5.2 In the event that cultural resources are encountered during grading or construction activities, a professional archaeologist shall be consulted to assess the resources and prepare appropriate mitigation measures.</p>	<p><u>Consistent – Alternatives A and B.</u> The No Project Alternatives would not result in any exterior changes or groundbreaking.</p> <p><u>Consistent – Alternatives C, D and E.</u> Alternatives C, D and E would result in the removal of the casino (Alternatives C and D), cottage units (Alternatives C, D, and E) and signage (Alternatives C, D, and E), all of which are considered to be eligible for listing on the National Register of Historical Places. As required, these resources have been evaluated by a qualified professional, and their removal will be mitigated by a TRPA approved resource protection plan.</p>
Economic Development	
<p>NSCP 3.1 – Increase resident and visitor spending within the NSCP area.</p> <p>NSCP.3.1.1 Allocations of new commercial floor area should be directed towards increasing the number and variety of retail stores and restaurants.</p>	<p><u>Inconsistent – Alternatives A and B.</u> The No Project Alternatives would not result in any changes to the commercial floor area or number and variety of retail stores and restaurants.</p> <p><u>Consistent – Alternatives C, D, and E.</u> Although the allocated commercial floor area would not be increased, Alternatives C and D</p>

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	<p>would provide a greater quantity and quality of commercial floor area onsite. The current commercial floor area of 18,089 would increase to 20,715 under Alternative C, and 27,620 under Alternative D. Under Alternative E, the commercial floor area total of 18,089 would remain, but would be clustered near improved pedestrian facilities.</p>
<p>NSCP 3.2 – Strengthen the area’s potential as a world class, nationally renowned tourist destination resort.</p> <p>NSCP.3.2.1 Aesthetics, architecture and landscaping of the North Stateline Community Plan Area should be upgraded.</p> <p>NSCP.3.2.2 A coordinated method for implementation of improvements should be determined and established. One method might be the formation of a redevelopment agency. Another method might be the formation of a special assessment district.</p> <p>NSCP.3.2.3 Marketing of North Stateline as a tourist destination resort, broadening the visitor base to a larger geographic area, should be increased.</p> <p>NSCP.3.2.4 The plan allows a mix of uses, including child care and outdoor recreation, to reflect an orientation towards a family destination resort area.</p> <p>NSCP.3.2.5 This plan area shall be connected to other commercial nodes (such as Kings Beach and downtown Incline Village) with bicycle and pedestrian paths and by transit.</p>	<p><u>Inconsistent – Alternatives A and B.</u> The No Project Alternatives would not result in any changes to the exterior architecture or aesthetics of the Tahoe Biltmore and no new family-oriented features would be developed. Alternative B would transform hotel units into timeshare units and would increase the gaming area by over 7,000 sf within the existing structure, but would not strengthen the area’s potential as a world class resort.</p> <p><u>Consistent – Alternatives C and D.</u> These alternatives would result in a complete replacement and redesign of the resort. Architecture would include design features from the historic Tahoe architecture, new landscaping would promote a pedestrian friendly atmosphere and improve aesthetics, and the new layout of resort structures would create a destination resort to broaden the visitor base in North Stateline. The Boulder Bay resort would include shared use pathways connecting to larger pathway systems in the area and beyond, notably the Stateline to Stateline pathway. Transit service to Kings Beach and Incline village will be enhanced. The resort includes a pool, spa, wellness center, park, play structure, and Kid’s Club to increase family-oriented amenities.</p> <p><u>Partially Consistent – Alternative E.</u> Although the exterior of the main casino building would not be improved, the new structures would reflect the historic architecture of Tahoe through the use of natural building materials and design. The Stateline to Stateline pathway would run through the site, and open space would be preserved; however no park facilities would be provided by this project and no new spa facilities would be constructed.</p>

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Housing	
<p>NSCP 4.1 – Provide housing opportunities for North Stateline casino employees.</p> <p>NSCP.4.1.1 Washoe County efforts, in the preparation of the Comprehensive Housing Affordability Study, the Consolidated Plan and Housing Element are supported.</p> <p>NSCP.4.1.2 The North Stateline and Incline Village Commercial Community Plan Areas are preferred areas for affordable and/or employee housing.</p> <p>NSCP.4.1.3 Housing shall be integrated into its neighborhood and harmonized with its surroundings through consideration of compatibility factors such as density, site planning and architecture.</p> <p>NSCP.4.1.4 Residential bonus units assigned to the North Stateline community plan area shall be used for affordable and/or employee housing.</p> <p>NSCP.4.1.5 Affordable and/or employee housing should be provided within or adjacent to the plan area and/or employee shuttles provided to principal employee residential areas.</p> <p>NSCP.4.1.6 A plan should be created that outlines a method for employers to develop or contribute towards employee housing.</p>	<p><u>Inconsistent – Alternatives A, B, and E.</u> Alternative E and the No Project Alternatives would not result in the creation of any new affordable housing units for existing or future employees.</p> <p><u>Consistent – Alternatives C and D.</u> Alternative D would result in 9 new affordable housing units and Alternative C would result in 14 new affordable housing units in accordance with density limits established in Chapter 21.3 of the TRPA Code of Ordinances. These units would be located onsite and integrated into site design and architecture. Although the number of units would not support the entire affordable housing need, they would contribute to the overall affordable housing stock in the area.</p>
Transportation	
<p>NSCP 5.1 – Attain and maintain level of service at key intersections in the plan area consistent with the TRPA RTP/AQP.</p> <p>NSCP.5.1.1 LOS D or better shall be maintained at the intersections of State Route 28 and the casino crosswalk, and at State Route 28 and Stateline Road.</p> <p>NSCP.5.1.2 In cooperation with the Nevada Department of Transportation (NDOT) and Caltrans, left turn pockets shall be created at public road intersections along State Route 28 through the plan area.</p> <p>NSCP.5.1.3 In cooperation with NDOT and Caltrans, entrances to parking areas from State Route 28 should be reduced. Entrances to the casinos and their parking areas are encouraged to be created from the back streets for those parking areas which have rear access.</p> <p>NSCP.5.1.4 Wassou Road should be clearly defined and delineated as separate from the Biltmore parking lot.</p> <p>NSCP.5.1.5 A State Route 28 Intersection Improvement Design Study shall be prepared. The goal of the study is to maintain acceptable levels of service while improving pedestrian, bicycle and vehicle safety. The Study should be prepared by the Nevada Department of Transportation and/or Washoe County.</p>	<p><u>Inconsistent – Alternatives A and B.</u> Alternatives A and B would not improve SR 28 intersections, curb cuts or pedestrian facilities.</p> <p><u>Consistent – Alternatives C and D.</u> Alternatives C and D would reduce traffic levels compared to full occupancy of the existing facilities, would extend center turn lane for the length of the project ROW, would reduce curb cuts on SR 28, and would improve pedestrian facilities along SR 28.</p> <p><u>Inconsistent – Alternative E.</u> Alternative E would not reduce trips compared to existing conditions, would not reduce curb cuts on SR 28 or substantially improve pedestrian circulation.</p>

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<p>NSCP 5.2 – Achieve the vehicle miles of travel fairshare target within the plan area. The fairshare VMT target for North Stateline is an increase of no more than 1,150 VMT. This increase is included as part of the overall Washoe County VMT reduction target of 3,300 VMT.</p> <p>NSCP.5.2.1 The U.S. Postal Service shall implement home mail delivery to the businesses and residences of Crystal Bay.</p> <p>NSCP.5.2.2 The plan shall include specific implementation methods for the following VMT mitigation measures:</p> <ul style="list-style-type: none"> i. Shuttle service for North Stateline employees and visitors shall be provided between North Stateline and Incline Village. ii. Shuttle service for North Stateline employees shall be provided from North Stateline to Kings Beach and other principal employee residential areas. iii. Regular stops in North Stateline shall be included as part of the new Reno - North Tahoe transit service. iv. Pedestrian paths and bicycle trails shall be provided within the plan area. v. Home mail delivery for business in North Stateline and surrounding Crystal Bay residential areas shall be provided. vi. Affordable and/or employee housing shall be provided in the North Stateline Community Plan Area. 	<p><u>Consistent – Alternatives A and B.</u> Alternatives A and B would not increase VMT.</p> <p><u>Consistent – Alternatives C and D.</u> Alternatives C and D would reduce VMT compared to the existing facilities at full occupancy by reducing the size of the existing gaming area and by creating a mixed-use development that will encourage use of alternative modes of transportation.</p> <p><u>Inconsistent – Alternative E.</u> Alternative E would increase VMT over the NSCP threshold.</p>
<p>NSCP 6.1 – Reduce the visual predominance of parking lots and asphalt and improve the efficiency of parking area use.</p> <p>NSCP.6.1.1 In cooperation with all affected parties, Washoe County, Placer County and TRPA shall develop and implement a parking management program for commercial and tourist uses in the plan area. The program may include reduced parking for certain uses. The program should be implemented in a coordinated fashion to avoid unintended adverse impacts.</p> <p>NSCP.6.1.2 The number of parking spaces required by the Washoe County Development Code shall be the maximum number of parking spaces permitted. Single family dwellings are exempt. Development Code parking requirements may be modified per Article 410 of the Washoe County Development Code.</p> <p>NSCP.6.1.3 As a condition of project approval, all uses shall screen parking with landscaping. Preferred landscaping is outlined in the Community Design Guidelines, Appendix B. Single family dwelling are exempt.</p> <p>NSCP.6.1.4 Projects are encouraged to clearly define surface parking areas and spaces. Single-family dwellings are exempt.</p> <p>NSCP.6.1.5 Projects are encouraged to provide access to parking from streets other than State Route 28, when options other than State Route 28 access exist.</p>	<p><u>Partially Consistent – Alternatives A and B.</u> These alternatives provide appropriate parking and some screening of the parking lot, but the parking lot remains highly prominent and visible from SR 28. In addition, no changes to the driveways on SR 28 would occur.</p> <p><u>Consistent – Alternatives C, D, and E.</u> Alternatives C and D would place most of the parking underground, with little public parking visible from SR 28. Alternative E would screen parking by placing the parking areas between the buildings and eliminating parking facing SR 28. Alternatives C and D would also eliminate curb cuts on SR 28.</p>

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<p>NSCP 7.1 – Improve transit service and increase transit use.</p> <p>NSCP.7.1.1 Transit shelters should be provided at all transit stops.</p> <p>NSCP.7.1.2 TART is encouraged to increase TART hours of operation and frequency of route circulation (i.e., reduce headways).</p> <p>NSCP.7.1.3 Transit stops located along State Route 28 should be designed in order that they do not interrupt traffic circulation (i.e., bus pullout and/or using local streets).</p> <p>NSCP.7.1.4 Within 90 days of community plan adoption, a new Incline Village/Crystal Bay Subcommittee of the Truckee/North Tahoe Transportation Management Association will be established for the purpose of coordinating public and private transit services within Incline Village and Crystal Bay. Membership in the subcommittee should include, but not be limited to, Washoe County, TART, IVGID, the Incline Village/Crystal Bay Chamber of Commerce, the Crystal Bay Casino Association, the Hyatt Lake Tahoe, Sierra Nevada College, the Ponderosa Ranch, TRPA and other interested parties.</p>	<p><u>Inconsistent – Alternatives A and B.</u> Alternatives A and B would not improve transit service or transit facilities.</p> <p><u>Consistent – Alternatives C, D, and E.</u> Alternatives C and D would result in transit stop improvements, including a transit pull-out from SR 28, transit shelter, and other basic improvements. To a lesser degree, Alternative E would also result in transit stop improvements, including a pull-out area on SR 28 to avoid traffic.</p>
<p>NSCP 7.2 – Establish a visitor shuttle service</p> <p>NSCP.7.2.1 Transit service, which is created especially for and targeted towards visitors, should be provided for tourists accommodated by existing development. The shuttle should include transit service between the casino core and the winter and summer recreation areas, as well as restaurant and retail shopping opportunities in Incline Village.</p> <p>NSCP.7.2.2 As additional Tourist Accommodation Units or Commercial Floor Area (including both new/bonus and banked) are developed, the project shall participate in the development and operation of a shuttle service for visitors. The shuttle should include service to Incline Village and to recreation areas.</p>	<p><u>Inconsistent – Alternatives A, B and E.</u> Alternatives A, B and E would not include a visitor shuttle service for guests.</p> <p><u>Consistent – Alternatives C and D.</u> Alternatives C and D propose a visitor transit system into the development with shuttle connectivity to the lake, mountain, golfing, and other areas of interest.</p>
<p>NSCP 7.3 – Establish an employee shuttle service.</p> <p>NSCP.7.3.1 As additional Tourist Accommodation Units or Commercial Floor Area (including both new/bonus and banked) are developed, the project shall participate in the development and operation of a shuttle service for employees. The shuttle service should include service to principal centers of employee residences, such as Incline Village and Kings Beach.</p>	<p><u>Inconsistent – Alternatives A, B and E.</u> Alternatives A, B and E would not include an employee shuttle service.</p> <p><u>Consistent – Alternatives C and D.</u> Alternatives C and D will integrate a transit service into the development, including an employee shuttle service.</p>
<p>NSCP 7.4 – Establish a Reno – North Tahoe transit service.</p> <p>NSCP.7.4.1 Interested parties, including the Truckee North Tahoe Transportation Management Association and the Washoe County Regional Transportation Commission, shall discuss the establishment of a Reno - North Tahoe transit service.</p>	<p><u>Consistent – All Alternatives.</u> Reno-North Tahoe transit stops are currently located in the project area. Alternatives C and D propose to increase service intervals to the project area.</p>

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<p>NSCP 8.1 – Create a pedestrian friendly and pedestrian safe environment which provides opportunities for pedestrian activities and reduces emphasis on the auto.</p> <p>NSCP.8.1.1 All projects shall install a pedestrian walk(s) on-site as a condition of project approval. Projects are encouraged to provide pedestrian facilities between uses within the plan area. The size and location of the walk(s) should be consistent with the Community Design Plan and the Design Standards and Guidelines. Landscaping, street furniture and lighting should be included within the walkways.</p> <p>NSCP.8.1.2 Projects are encouraged to provide outdoor plazas consistent with the Community Design Plan and Guidelines. Single family projects and projects with an existing outdoor plaza are exempt from this policy</p>	<p><u>Inconsistent – Alternatives A and B.</u> These alternatives would not include in any new walkways or pedestrian pathways. The existing sidewalks would remain, but no new pathways, landscaping, furniture, or lighting would be constructed.</p> <p><u>Consistent – Alternatives C and D.</u> Walkways and pathways around and through the project area would be constructed under Alternatives C and D. This includes the pedestrian village in which furniture, landscaping, and lighting would welcome pedestrian traffic.</p> <p><u>Partially Consistent – Alternative E.</u> Alternative E would maintain the existing sidewalk along SR 28 and paths would be created adjacent to local roadways to access new buildings; however, a separate pedestrian village would not be included.</p>
<p>NSCP 9.1 – Expand bicycle paths and increase opportunities for safe bicycling.</p> <p>NSCP.9.1.1 Bicycle lanes should be created to provide safe travel through the plan area in both east and west directions. Such lanes should be located either along State Route 28 or along local streets. Bicycle lanes should be constructed by Washoe County, Placer County NDOT, and/or Caltrans.</p> <p>NSCP.9.1.2 As a condition of project approval, bicycle racks or secured lockers shall be installed at uses throughout the plan area. TART is encouraged to install bicycle racks on their buses.</p>	<p><u>Partially Consistent – Alternatives A, B, and E.</u> Although new bike lanes or bike racks would not be constructed within the SR 28 ROW, a portion of the Stateline to Stateline trail would be permitted through the project area, creating improved connections to offsite trails.</p> <p><u>Consistent – Alternatives C and D.</u> Alternatives C and D proposes bike paths internal to the site and bike lanes along each side of SR 28. A portion of the Stateline to Stateline trail would be permitted through the project area, creating improved connections to offsite trails. The pedestrian village would include a bike center that provides basic repair tools, air, and hydration for both resort patrons and the public.</p>
Conservation	
<p>NSCP 10.1 – Attain and maintain environmental threshold carrying capacity targets contained in the plan.</p> <p>NSCP.10.1.1 The plan recognizes and includes all improvement projects implemented in the plan area since July 1, 1987.</p> <p>NSCP.10.1.2 All projects, whether the proponent is a private or public entity, shall contribute towards the applicable improvements identified in this chapter.</p> <p>NSCP.10.1.3 Appropriate public agencies are requested to implement public improvement projects identified in this chapter. The policy shall apply to plans and programs which may be contained in an agency's capital improvements program.</p> <p>The NSCP provides the following targets:</p> <ol style="list-style-type: none"> 1. Maintain CO levels. 	<p><u>Partially Consistent – Alternatives A, B, and E.</u> Although Alternatives A and B would essentially maintain existing conditions, they would not contribute to improvements other than the open space on the Tahoe Mariner site and the installation of permanent BMPs and stormwater treatment systems onsite. Alternative E would also improve the Tahoe Mariner site and install BMPs and a stormwater treatment system, but would not include land coverage reductions, VMT reductions or offsite utility undergrounding.</p> <p><u>Consistent – Alternatives C and D.</u> Alternatives C and D would actively pursue the NSCP targets through design and</p>

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<ol style="list-style-type: none"> 2. Maintain LOS D. 3. Reduce VMT by 3,300 VMT. 4. Maintain ozone Threshold. 5. Restore and revegetate 12,000 square feet of existing hard and soft coverage within the plan area. 6. Restore and revegetate 1.6 acres of existing disturbed lands at the Tahoe Mariner site. 7. Install BMPs on all properties and public ROW. 8. Attain and retain a travel route rating of 16 for roadway unit 20 and a rating of 10 for shoreline unit 22. 9. Maintain the existing rating for individual scenic resources. 10. Convert existing overhead utilities along SR 28 to underground systems. 11. Attain and maintain 60 CNEL. 12. Implement the Community Design Plan and Standards and Guidelines. 	<p>operation of the project. These alternatives would result in increased shuttle services, affordable housing for employees, improved Class II bike lanes on each side of SR 28, transit stop improvements, and the use of green building design and materials to address targets 1, 2, 3, and 4. Land coverage in the NSCP would be reduced by 68,317 sf (15.8%) and 41,974 sf (9.7%), respectively. The Tahoe Mariner site would be restored and revegetated with open space and the Tahoe Mariner Park. BMPs and stormwater treatment systems sized for the 50 year, 1 hour storm capacity would be located both on and off-site. The scenic quality roadway unit travel route rating would be improved under Alternative C due to the removal of existing structures and signage that do not conform to community design standards, the undergrounding of utilities, increased setbacks from SR 28 and improved landscaping. Although Alternative D would not result in an improvement to the overall travel route rating because of the Alternatives increased height and incompatible design, the addition of landscaping, increased setbacks from SR 28, utility undergrounding, and removal of signage would improve scenic quality in the project vicinity.</p>
<p>NSCP.10.2 – Protect and enhance existing scenic views and vistas from the commercial area.</p>	<p><u>Consistent – Alternatives A, B, C and E.</u> Offsite views of the lake and views of mountain ridgelines from the commercial area would be maintained under Alternatives A, B, C and E.</p> <p><u>Inconsistent – Alternative D.</u> Offsite views of the lake from the neighborhood above the commercially oriented project area (e.g., from Lakeview Drive) would be degraded by the proposed building height included in Alternative D.</p>
<p>NSCP.10.3 – Implement environmental improvement and restoration projects as part of the community plan.</p>	<p><u>Inconsistent – Alternatives A, B and E.</u> Alternatives A, B and E do not include contributions to environmental improvement projects unless they are required by TRPA standard permit conditions (e.g., BMP retrofit and 20 year, 1 hour storm event).</p> <p><u>Consistent – Alternatives C and D.</u> Alternatives C and D include contributions to the Washoe County Undergrounding project, two NSCP water quality improvement projects, offsite SEZ restoration associated</p>

RELATIONSHIP TO EXISTING LAND USE PLANS, GOALS AND POLICIES

B o u l d e r B a y C o m m u n i t y E n h a n c e m e n t P r o j e c t E I S

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	with TAU transfer, and land coverage reductions greater than CEP and NSCP requirements.
<p>NSCP.10.4 – Utilize an incentive system containing tradeoffs between land coverage and other units of use and environmental threshold-related and other community improvements recommended by the plan. Make the incentive system available to both new and existing land uses.</p>	<p><u>Inconsistent – Alternatives A, B, and E.</u> These alternatives would not result in any changes to land coverage totals or units of use and coverage would continue to exceed land capability district limits.</p> <p><u>Consistent – Alternatives C and D.</u> These alternatives include TAUs transferred from restored SEZs and reductions in total land coverage.</p>
<p>NSCP.10.5 - Encourage the coordinated planting of colorful spring flowers and colorful autumn foliage.</p>	<p><u>Inconsistent – Alternatives A and B.</u> The No Project Alternatives would not result in new landscaping. Although the limited existing landscaping would be maintained, additional landscaped areas would not be constructed.</p> <p><u>Consistent – Alternatives C, D and E.</u> Landscaping with native species and those species approved by TRPA would occur, improving the aesthetics of the site. Trees that remain after project construction would be protected with measures included in Appendix K.</p>
<p>NSCP.10.6 - Develop a program to place existing overhead utility lines along SR 28 underground within the plan area by 7/1/07. Include funding and implementation methods in the program.</p>	<p><u>Inconsistent – Alternatives A, B and E.</u> Alternatives A, B and E do not include contributions to environmental improvement projects unless they are required by TRPA standard permit conditions (e.g., required BMP upgrades). Alternative E would underground utilities within the project area during project construction, but would not contribute to offsite undergrounding.</p> <p><u>Consistent – Alternatives C and D.</u> Alternatives C and D would underground all onsite utilities and would include contributions to the Washoe County Undergrounding project for offsite utility undergrounding.</p>

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Recreation	
<p>NSCP.11.1 - Expand bicycle paths and increase opportunities for safe bicycling.</p>	<p><u>Inconsistent – Alternatives A, B, and E.</u> As discussed above, a portion of the Stateline to Stateline trail is proposed within the project area. However, under Alternatives A and B, no formal easement would be provided for the trail. In addition, the roadway bike lanes and shared use paths around and through the project area would not be constructed as planned for Alternatives C and D.</p> <p><u>Consistent – Alternatives C and D.</u> Although recognized as its own project, a formal easement would be provided in the project area for a portion of the Stateline to Stateline trail for bike and pedestrian use under Alternatives C and D. Alternatives C and D would also include an array of pathways through the site and improvements to the street-side bike lanes.</p>
<p>NSCP.11.2 - Encourage the development of on-site recreational opportunities which enhance the destination resort experience. Such opportunities may include court games and exercise fitness courses.</p>	<p><u>Consistent – All Alternatives.</u> Alternatives C and D would result in the development of the Lake Vista mini-park, Tahoe Mariner Park, as well as open space and the pool, spa, and wellness center. Alternative E and the No Project Alternatives would not result in a park, but would continue to provide open space and land for a potential Washoe County Park as required by the existing Tahoe Mariner Settlement Agreement.</p>
<p>NSCP.11.3 - Enhance and improve access opportunities to Lake Tahoe and its shoreline by visitors and residents.</p> <p>NSCP.11.3.1 A special assessment district, or other financing mechanism, shall acquire land or easements to construct a public access trail to Lake Tahoe. The trail should originate in the casino core area and pass through the lake vista mini-park site. In lieu of development of the lake access trail, a shuttle shall include transit to public beaches.</p>	<p><u>Consistent – Alternatives A, B, and E.</u> These Alternatives do not include park development, but do include 4.78 acres of open space and existing transit access to beach areas.</p> <p><u>Consistent – Alternatives C and D.</u> Alternatives C and D would include the Lake Vista Mini-park and the Tahoe Mariner Park. In addition, a visitor shuttle service would be provide to connect resort patrons to public beaches and other points of interest.</p>
<p>NSCP.11.4 – Develop landscaped, open space areas within the plan area.</p> <p>NSCP.11.4.1 Develop a lake vista mini-park. The mini-park should be developed by the casino properties and/or by the Washoe County Parks and Recreation Department.</p>	<p><u>Consistent – All Alternatives.</u> Alternatives C and D would result in the development of the Lake Vista mini-park, Tahoe Mariner Park, as well as open space and the pool, spa, and wellness center. Alternative E and the No Project Alternatives would not result in a park, but would continue to provide open space and land for a potential Washoe County Park as required by the existing Tahoe Mariner Settlement Agreement.</p>

Community Plan Goals and Policies	Consistency Analysis
Public Services	
<p>NSCP.12.1 - Ensure the continued provision of reliable water, sewer, fire protection and postal services.</p> <p>NSCP.12.1.1 Relocation of the fire station, in order that NLTFPD can more readily provide emergency response to the casinos, is supported.</p> <p>NSCP.12.1.2 Public service projects shall be designed consistent with the North Stateline Design Plan and Design Review Guidelines.</p> <p>NSCP.12.1.3 The U.S. Postal Service shall implement home mail delivery to all uses in the plan area and to residents in the surrounding residential areas.</p>	<p><u>Not applicable.</u> The fire station has been relocated. The project does not include public services uses. None of the alternatives will impact the ability of the US Postal Service to implement home mail delivery.</p>
<p>Source: HBA, 2009</p>	

3.3 WASHOE COUNTY COMPREHENSIVE PLAN (TAHOE AREA PLAN)

The Washoe County Comprehensive Plan acts as a guide for growth and development within the Tahoe planning area of Washoe County. The plan provides a roadmap for growth by identifying critical conservation areas, establishing existing and future land uses and transportation patterns and identifies current and future public service and facilities needs. The Tahoe Area Plan is located within Washoe County and is within the confines of the Lake Tahoe Basin. The Tahoe Area Plan only applies to this geographical area of Washoe County and is consistent with the Tahoe Regional Plan. Table 3.3-1 analyzes the consistency between the Project and applicable goals and policies of the Washoe County Tahoe Area Plan.

Table 3.3-1

Washoe County Tahoe Area Plan Consistency Analysis

Tahoe Area Plan Policies and Action Programs	Consistency Analysis
Conservation	
T.1.1 Ensure that designs, building materials, colors, finishes and total site development blend with the surrounding environmental backdrop of the Lake Tahoe Basin.	<p><u>Inconsistent – Alternatives A and B.</u> Alternatives A and B do not result in any changes to the exterior of the existing buildings, which do not blend with the surrounding environmental backdrop of the Lake Tahoe Basin. The single-family homes proposed under Alternative B will be required to be consistent with applicable design standards.</p> <p><u>Consistent – Alternatives C, D and E.</u> Alternatives C, D and E will be subject to TRPA Rules and Regulations that require building materials and colors to blend with the surrounding environment.</p>
T.1.2 Establish a recycling program for the Tahoe planning area.	<p><u>Not Applicable.</u> This policy is for the entirety of the community and does not apply to this project specifically.</p>
T.1.3 Encourage the planting of colorful spring, summer and fall blooming flowers on all properties.	<p><u>Inconsistent – Alternatives A and B.</u> The No Project Alternatives would not result in new landscaping. Although the limited existing landscaping would be maintained, additional landscaped areas would not be constructed.</p> <p><u>Consistent – Alternatives C, D and E.</u> Landscaping with native species and those species approved by TRPA would occur, improving the aesthetics of the site. Trees that remain after project construction would be protected with measures included in Appendix K.</p>

RELATIONSHIP TO EXISTING LAND USE PLANS, GOALS AND POLICIES

B o u l d e r B a y C o m m u n i t y E n h a n c e m e n t P r o j e c t E I S

Tahoe Area Plan Policies and Action Programs	Consistency Analysis
T.1.4 Encourage attainment and maintenance of TRPA’s scenic quality thresholds.	See Goal 1 and 2 of TRPA Community Design Goals and Policies.
T.2.1 Ensure that landscaping and revegetation are an integral part of each project design. Landscaping shall provide erosion control, enhance structures, and reduce wildfire hazards.	See Policy T.1.3
T.2.3 Encourage landscaping practices which promote minimal water and fertilizer requirements, and which compliment the natural environment.	See Policy T.1.3
T.2.4 Restore and/or revegetate disturbed areas using TRPA’s approved plant list.	See Policy T.1.3
T.2.5 Encourage completion or removal of unfinished or abandoned structures.	<p><u>Inconsistent - Alternatives A and B.</u> Alternatives A and B would result in the retention of all structures on the property. A number of structures that are currently not in use by the Tahoe Biltmore are in existence on the property. These structures would not be removed under these alternatives.</p> <p><u>Consistent - Alternatives C, D and E.</u> A number of structures that are currently not in use by the Tahoe Biltmore are in existence on the property, which would be removed under these alternatives.</p>
T.2.6 Minimize tree, boulder and natural landscape removal. Tree removal should follow practices to protect vegetation, prevent damage to riparian vegetation, and provide for prompt soil stabilization and revegetation where necessary to prevent erosion.	See Policy T.1.3
<p>T.2.7 Prohibit removal of live branches from trees, except as may be required:</p> <p>A. By a governmental agency;</p> <p>B. To avoid interference with utility lines;</p> <p>C. To avoid interference with any part of a structure;</p> <p>D. To protect the public health, safety and welfare; or</p> <p>E. To promote the health of trees.</p>	<u>Consistent - All Alternatives.</u> A certified arborist has performed an analysis of the condition of the existing trees onsite and has provided recommendations for tree removal based on tree health and avoidance of interference with existing and proposed structures. Trees that remain after project construction would be protected with measures included in Appendix K.
T.3.1 Encourage existing and future developments in all land use designations to participate in long-term remedial erosion and urban runoff control programs to decrease the level of sediment and nutrient loading to Lake Tahoe.	<u>Consistent - All Alternatives.</u> Erosion control Best Management Practices will be implemented in accordance with TRPA Rules and Regulations for all alternatives.

RELATIONSHIP TO EXISTING LAND USE PLANS, GOALS AND POLICIES

Boulder Bay Community Enhancement Program Project EIS

Tahoe Area Plan Policies and Action Programs	Consistency Analysis
Land Use and Transportation	
T.5.1 Develop performance standards that ensure uniform planning and design criteria. Include standards specific to the Tahoe planning area to be adopted by Washoe County and/or TRPA.	<u>Inconsistent - Alternatives A and B.</u> Alternatives A and B include no improvements or modification to the existing structures on the property. These buildings do not meet current TRPA design guidelines. <u>Consistent - Alternatives C, D and E.</u> These alternatives will comply with existing TRPA design and planning criteria.
T.5.2 Allow time-sharing only in areas that are designated tourist commercial in this plan and are within TRPA’s plan area statements 032, 044, 045, 046 and 048.	<u>Consistent - All Alternatives.</u> Alternatives A and C do not include any timeshare uses and area therefore consistent. All remaining alternatives (B, D and E) include timeshare uses which will be located within PAS 032 (North Stateline Community Plan).
T.5.3 Coordinate the planning efforts of all agencies concerned with areas to be preserved, dedicated, and/or developed for open space, parks, and recreational uses in the Tahoe planning area.	<u>Not applicable - Alternatives A, B and E.</u> <u>Consistent - Alternatives C and D.</u> The public parks that are associated with the project will be owned and operated by Boulder Bay and will be available for both active and passive recreational uses.
T.5.4 Minimize high traffic generating land uses in residential areas and locate them where the traffic circulation system can support the expected traffic.	<u>Consistent - All Alternatives.</u> The proposed traffic generating land uses are proposed within the North Stateline Community Plan where the traffic circulation system can support the projected traffic volumes.
T.6.2 Encourage the private and public sectors to contribute monies for erosion and drainage control projects.	<u>Consistent - All Alternatives.</u> The project proponent will be responsible for installation of BMPs on the subject property.
T.6.3 Encourage use of alternative transportation modes in the Tahoe planning area.	<u>Inconsistent - Alternatives A and B.</u> These alternatives do not include a transportation plan or alternative transportation modes. <u>Consistent - Alternatives C, D and E.</u> A new transportation plan is included with these alternatives which includes improved public transit service, oncall van service for residents and guests, and onsite facility improvements for pedestrians, bikes and transit providers.
Public Services and Facilities	
T.7.3 Maintain current disaster preparedness information and plans for the Tahoe planning area.	<u>Inconsistent - Alternative A.</u> No emergency response plan is required for the No Project Alternative. <u>Consistent - Alternatives B, C, D and E.</u> An emergency response plan is required for the action alternatives.

Source: HBA, 2009