TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

Date: December 5, 2012

To: TRPA Governing Board acting as the Regional Transportation Planning Agency

From: TRPA Staff

Subject: Certification of the Final Environmental Impact Report for Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy, and adopting Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program in accordance with CEQA, and approval of resolution adopting the Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy.

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**Requested Action:** Certification of the Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy Final Environmental Impact Report and Adoption of CEQA Findings; and Adoption of Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). All votes require four Board members from each state to pass.

Motion 1: A motion to approve TRPA (RTPA) Resolution 2012-23, certifying the Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy Final Environmental Impact Report and adopting CEQA Findings of Fact, a Statement of Overriding Consideration, and a Mitigation Monitoring and Reporting Program (as described in Exhibit A.)

Motion 2: A motion to approve TRPA (RTPA) Resolution 2012-24, adopting Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy in accordance with California Government Code Section 65080 and all other applicable federal and state regulations (Exhibit B.)

**Background:** The Tahoe Regional Planning Agency, acting as the Regional Transportation Planning Agency in California is required to adopt an updated Regional


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Transportation Plan (RTP) every four years to satisfy state transportation planning requirements in California (CA Government Code §65080).

The Draft RTP/SCS and associated draft environmental review document was released for public comment on April 25, 2012. The comment period for the EIR for the RTP closed on June 28, 2012. The Final Draft RTP/SCS and Final EIR were presented at public hearings on October 24, 25, and November 14, and 15, 2012.

The RTP/SCS contains a regional transportation vision centered on supporting sustainable communities through improvements to walkability, transit and completion of the bicycle trail network, and supporting more efficient operations of our existing roadways. In addition to transportation policies that are identical to those in the TRPA Regional Plan Update, the RTP/SCS also contains a financial strategy and implementation blueprint to support environmental and mobility goals.

The RTP/SCS satisfies the requirements of multiple regional transportation authorities and requires approval from the three authorities (TRPA, RTPA, and TMPO) via separate actions. The approval of the RTP/SCS by the RTPA will initiate the transmittal of the approved document to Caltrans for acceptance.

The Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy Final Environmental Impact Report and Mobility 2035*:* Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy are available for download at: http://tahoempo.org/Mobility2035/. Both documents can also be found on the available flash drive (and are listed in the December 12, 2012 Regional Plan Update Staff Summary as Digital Enclosures E & F), which contains the entire suite of TRPA Regional Plan documents up for consideration.

**Approval Actions:**
The specific actions are the 1) Certification of Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy Final Environmental Impact Report; adoption of the CEQA Findings and Statement of Overriding Considerations and adoption of a Mitigation Monitoring and Reporting Program in accordance with CEQA; and 2) Approval of the TMPO resolution adopting Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy.

**Contact Information:**
If you have questions concerning this particular agenda item please contact Karen Fink at (775) 589-5204 or kfink@trpa.org.

**Exhibits:**

A. TRPA (RTPA) Resolution Certifying the Final Environmental Impact Report for Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy and associated CEQA findings.

B. TRPA (RTPA) Resolution to adopt Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy.

**Enclosures (Digital) (as referenced on the RPU December 12, 2012 staff summary):**

E. Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy Final Environmental Impact Report/Statement
F. Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Community Strategy


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# RTPA EXHIBIT A - ACTION 1

- **CERTIFICATION OF THE MOBILITY 2035: LAKE TAHOE REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY FINAL ENVIRONMENTAL IMPACT REPORT AND ADOPTION OF CEQA FINDINGS**

- **MOTION**

- **RTPA RESOLUTION 2012-23**

- **LAKE TAHOE REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY ENVIRONMENTAL IMPACT REPORT FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

- **LAKE TAHOE REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY MITIGATION MONITORING AND REPORTING PROGRAM**

# CERTIFICATION OF THE MOBILITY 2035: LAKE TAHOE REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY FINAL ENVIRONMENTAL IMPACT REPORT AND ADOPTION OF CEQA FINDINGS

Regional Transportation Planning Agency

A motion to approve RTPA Resolution 2012-23, certifying the Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy Final Environmental Impact Report and adopting CEQA Findings of Fact, a Statement of Overriding Consideration, and a Mitigation Monitoring and Reporting Program, as shown in Exhibit A

**TAHOE REGIONAL PLANNING AGENCY**
**ACTING AS REGIONAL TRANSPORTATION PLANNING AGENCY**
**RTPA RESOLUTION 2012-23**

**CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR MOBILITY 2035: LAKE TAHOE REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY AND ADOPTING FINDINGS OF FACT, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION MONITORING AND REPORTING PROGRAM**

WHEREAS, the Tahoe Regional Planning Agency (TRPA) is the Regional Transportation Planning Agency (RTPA) for the portion of the Tahoe Basin in the State of California;

WHEREAS, the RTPA has completed, in close coordination with the Tahoe Metropolitan Planning Organization (TMPO), a Final Environmental Impact Report (EIR) for the Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy; and

WHEREAS, Section 15090 of the State California Environmental Quality Act (CEQA) Guidelines provides that agencies shall certify that the decision-making body of the lead agency has reviewed and considered the information presented in the Final EIR prior to approving the project; and

WHEREAS, Section 15090 further provides that the agency shall certify that the Final EIR has been completed in compliance with CEQA; and

WHEREAS, Section 15090 further provides that agencies shall certify that the Final EIR reflects the lead agency's independent judgment and analysis; and

WHEREAS, a Notice of Preparation ("NOP") of a Draft EIR was prepared and circulated for review pursuant to CEQA Guidelines Sections 15082(a), 15103, and 15375; and

WHEREAS, pursuant to Public Resources Code Section 21083.9 and CEQA Guidelines Sections 15206 and 15082, a public scoping meeting was publicly noticed and held for the purpose of soliciting comments from the public and potential responsible and trustee agencies; and

WHEREAS, a Draft EIR was completed and filed with the State Office of Planning and Research; and

WHEREAS, during the official public review period for the Draft EIR, oral comments and written comment letters were received; and

WHEREAS, all comments on environmental issues received during the comment period on the Draft EIR were evaluated and written responses to these comments were prepared, which are included in the Final EIR, which was filed with the State Office of Planning and Research, and for which a Notice of Availability was circulated; and

WHEREAS, the CEQA Findings were prepared in compliance with Public Resources Code Sections 21081 and 21081.5, and CEQA Guidelines Section 15091, which are entitled "Findings of Fact and Statement of Overriding Considerations Pursuant to the California Environmental Quality Act" (attached hereto as Exhibit A); and

WHEREAS, Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy will have significant impacts that cannot be fully mitigated to less than significant, and a Statement of Overriding Considerations was prepared in compliance with Public Resources Code Section 21081 and CEQA Guidelines Section 15093 and is included in the "CEQA Findings of Fact and Statement of Overriding Considerations" (attached hereto as Exhibit A); and

WHEREAS, all of the findings and conclusions made by the RTPA pursuant to this Resolution are supported by substantial evidence in the record and based upon the oral and written evidence presented to it as a whole, not based solely on the information provided in this Resolution; and

WHEREAS, a Mitigation Monitoring and Reporting Program was prepared in compliance with Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097 and is included in the "CEQA Findings of Fact and Statement of Overriding Considerations" (attached hereto as Exhibit A); and

WHEREAS, prior to taking action on the Project, the RTPA Governing Board has heard, been presented with, reviewed, and considered all of the information and data in the administrative record, including the Final EIR, and all oral and written evidence presented to it during all meetings.

NOW, THEREFORE, BE IT RESOLVED, that the RTPA Governing Board:

1. Certifies that the foregoing recitals are true and correct and incorporated by this reference;
2. Certifies that the Final Environmental Impact Report for Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy is technically adequate and was completed in compliance with the California Environmental Quality Act;
3. Certifies that the Final Environmental Impact Report represents the independent judgment and analysis of RTPA;

4. Certifies that the Final Environmental Impact Report was presented to it, as the decision-making body of RTPA, and the Governing Board reviewed and considered the information in the report prior to taking action on adoption;
5. Adopts the CEQA findings of fact as outlined in the "Findings of Fact and Statement of Overriding Considerations Pursuant to the California Environmental Quality Act" (attached hereto as Exhibit A);
6. Adopts the Statement of Overriding Consideration as outlined in the "Findings of Fact and Statement of Overriding Considerations Pursuant to the California Environmental Quality Act" (attached hereto as Exhibit A);
7. Adopts the Mitigation Monitoring and Reporting Program included within the "CEQA Findings of Fact and Statement of Overriding Considerations" (attached hereto as Exhibit A) to ensure implementation of feasible mitigation measures identified in the EIR.

PASSED AND ADOPTED by the Governing Board of the Regional Transportation Planning Agency at its regular meeting held on December 12, 2012, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

_____

Norma Santiago, Governing Board Chair
Tahoe Regional Planning Agency

# Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy Environmental Impact Report

## Findings of Fact and

## Statement of Overriding Considerations

## Pursuant to the California Environmental Quality Act

**California SCH# 2011082070**

PREPARED FOR:


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and
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December 5, 2012

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# 1 INTRODUCTION

The Tahoe Metropolitan Planning Organization (TMPO) and Tahoe Regional Planning Agency (TRPA) prepared a joint program Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) that presents an evaluation of the environmental effects associated with the adoption and implementation of the proposed Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). TMPO and the Regional Transportation Planning Agency (RTPA) for the State of California are responsible for approval of the RTP/SCS and are both taking action in accordance with the California Environmental Quality Act (CEQA). These findings are prepared for use by TMPO and RTPA in taking their actions related to the project.

The RTP/SCS includes a list of transportation projects and strategies to improve mobility in the Tahoe Region and provide the opportunity for environmental gains related to a reduction in personal vehicle travel and attendant greenhouse gas (GHG) emissions, improved air quality, improved water quality, and enhanced recreation opportunities related to bicycle, pedestrian, and transit improvements. The document also includes a Sustainable Communities Strategy (SCS), pursuant to California Senate Bill (SB) 375, Statutes of 2008, and Senate Bill 575 (Statutes of 2009), for the California portion of the Lake Tahoe Region to enable attainment of regional GHG reduction targets.

The RTP/SCS includes policies, project implementation plans, and funding strategies to improve and shape the transportation network in the Region in a way that reduces reliance on the automobile, reduces mobile sources of air pollution, and achieves other environmental goals. The RTP/SCS provides for mitigation of adverse transportation conditions in the Lake Tahoe Region and helps achieve applicable Environmental Threshold Carrying Capacities, analogous to the function of the Lake Tahoe Environmental Improvement Program as it relates to other environmental conditions and Threshold Standards. The RTP/SCS, in conjunction with the Lake Tahoe Regional Plan, sets the vision, policies, and objectives for the transportation program and Tahoe Transportation District (TTD) Capital Improvement Program (CIP) and other projects that implement the RTP/SCS.

The RTP/SCS also seeks to “enhance public mobility and safety while at the same time delivering meaningful environmental improvements throughout the transportation network.” This purpose includes using the availability of transportation resources for area-wide environmental enhancements that would help achieve Threshold Standards as part of transportation project development. For instance, the transportation program can help restore and bank coverage for use on future transportation projects, purchase and retire development rights, and supplement private sector efforts to protect water quality and restore sensitive habitats. During the implementation of the RTP/SCS and the Region’s transportation program, coordination among TRPA, TMPO, TTD, state transportation agencies, state resources agencies, and local jurisdictions and utility districts will be important to identify the most cost-effective ways to use transportation resources for these areawide enhancements.

The environmental review of adoption of the TMPO’s RTP/SCS and the TTD CIP, and the implementation of the TTD CIP and other transportation projects in the RTP/SCS is being coordinated to support a comprehensive and efficient planning and implementation approach for these critical transportation projects. The RTP/SCS EIR/EIS addresses the benefits and impacts of the overall program and lays the groundwork for streamlined, environmental compliance for transportation projects contained in the RTP/SCS.

The RTP/SCS identifies the transportation and related water quality projects planned for implementation in the Tahoe Region through 2035. Transportation improvements are proposed to meet the needs of the wide variety of Region users: pedestrians, bicyclists, commuting motorists, and resort visitors, to name a few. Projects identified in the RTP/SCS range from water quality and traffic flow improvements on major highways to the

installation of new bicycle paths and development of a regional public-transit, ferry system on the Lake. The complete list of transportation and related water quality projects is presented in Attachment A.

The RTP/SCS serves multiple roles. In addition to its role as part of the TRPA Regional Plan, the RTP serves purposes relative to the federal and California transportation planning laws and regulations. Both the RTPA and TMPO are responsible for approval of the RTP/SCS, which addresses transportation strategies for the entire Region, consistent with state and federal law. Therefore, while the RTP/SCS remains an important element of the comprehensive Regional Plan, it has been produced and is periodically updated as a stand-alone plan in keeping with its multi-faceted purposes and authorities.

Under a conventional RTP and SCS preparation scenario in other regions, the MPO would prepare transportation policies, project implementation plans, and funding strategies as elements of its RTP, and would also prepare land use strategies and forecasted development patterns (for the SCS) necessary to achieve GHG targets. However, other MPOs typically do not have authority over land use, and are not able to mandate strategies that would assure the necessary land use patterns are achieved. Because TRPA is responsible for approval of the Regional Plan and has the identical planning boundary as the TMPO, and because the RTP/SCS and Regional Plan Update processes are occurring simultaneously, a unique situation is created in which the land use scenario of the Regional Plan Update has been developed alongside the RTP/SCS transportation strategies. In other words, the Regional Plan Update reflects the land use theme and levels of allowable development; because the SCS includes these land use patterns and development criteria, which form the foundation of the transportation strategies, the RTP/SCS consists of assemblages of transportation and land use features that are consistent with the Regional Plan Update.

The environmental analysis contained in the EIR/EIS provides a thorough evaluation of significant and potentially significant effects on the environment that would occur as a result of implementing the RTP/SCS.

When approving a project, CEQA and the State CEQA Guidelines provide that:

> *No public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:*
>
> *(a) The public agency makes one or more of the following findings with respect to each significant effect:*
>
> *(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.*
>
> *(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.*
>
> *(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.*
>
> *(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment. [Public Resources Code Section 21081]*

The actions by the TMPO, TRPA, and RTPA will fully integrate land use and transportation strategies. The RTP/SCS, with its transportation strategies and SCS, must be approved by the TMPO and RTPA. TMPO and RTPA

will select a transportation alternative for approval with a linkage to one of the Regional Plan Update land use alternatives (which creates the land use foundation for the SCS and the travel modeling supporting the selected transportation strategies); however, the TMPO and RTPA will not approve the land use plan, which is a separate action that is the responsibility of TRPA. Separately, under the Compact and its Code of Ordinances and Rules of Procedure, TRPA will consider and select a land use alternative to adopt as part of the Regional Plan Update. Following the TRPA approval of the Regional Plan Update with the selected land use alternative to implement the SCS for the California side of the Region, TRPA will be asked to take the following action regarding the RTP/SCS: (1) adopt the RTP as the Compact-required transportation plan and RTPA transportation plan. These coordinated approval actions will ensure that the Regional Plan Update and RTP/SCS are mutually consistent and achieve the goals of the Compact and relevant state and federal laws and regulations.

TMPO and RTPA will need to make the following motions to certify the Final EIR/EIS and approve the RTP/SCS, based on the EIR/EIS, the TMPO and RTPA staff summaries, and the complete administrative record:

I. EIR Certification: TMPO and RTPA adopt a motion to certify the final EIR/EIS for the Regional Transportation Plan and Sustainable Communities Strategy as being adequate, in accordance with CEQA.

II. RTP/SCS Approval**:** TMPO and RTPA adopt a resolution approving the RTP/SCS.

III. CEQA Findings and Overriding Considerations and Mitigation Monitoring and Reporting Program Adoption: TMPO and RTPA adopt the CEQA Findings and Statement of Overriding Considerations presented below and adopt a Mitigation Monitoring and Reporting Program in accordance with CEQA.

Permits and approvals for projects included in the RTP/SCS, as issued by California state and local responsible agencies, will be considered after further design development of the projects and may use the RTP/SCS EIR/EIS for tiering purposes.

# 2 RECORD OF PROCEEDING

For all purposes of CEQA compliance, including these Findings of Fact, the administrative record of all TMPO and relevant TRPA proceedings and decisions regarding the environmental analysis of the RTP/SCS Alternatives include but are not limited to:

- The RTP/SCS Draft and Final EIR/EIS, together with all appendices and technical reports referred to therein, whether separately bound or not;
- The Regional Plan Update Draft and Final EIS, as it is incorporated into or relied upon by the RTP/SCS EIR/EIS, together with all appendices and technical reports referred to therein, whether separately bound or not;
- All reports, letters, applications, memoranda, maps or other planning documents relevant to the RTP/SCS prepared by TMPO and TRPA, their environmental consultant, or others and presented to or before the decision-makers or staff;
- All minutes or notes of any public workshops, meetings or hearings regarding the RTP/SCS, and any recorded or verbatim transcripts or videotapes thereof;
- Any letters, reports or other documents or evidence regarding the RTP/SCS submitted into the record at any public workshops, meetings or hearings; and
- Matters of common general knowledge to TMPO and TRPA relevant to the RTP/SCS that TMPO may consider, including applicable state or local laws, ordinances, and policies.

Documents or other materials that constitute the record of proceedings upon which these Findings are made are located at the following location:

Tahoe Metropolitan Planning Organization/Tahoe Regional Planning Agency
128 Market Street
Stateline, NV 89449

# 3 FINDINGS ARE DETERMINATIVE

TMPO and RTPA recognize that there may be differences in and among the different sources of information and opinions offered in the documents and testimony that make up the EIR/EIS and the administrative record; that experts can disagree; and that TMPO and RTPA must base its decisions and these findings on the substantial evidence in the record that it finds most compelling. In adopting these findings, TMPO ratifies, clarifies and/or makes insignificant modifications to the EIR/EIS and resolves that these findings and the Mitigation Monitoring and Reporting Program shall control and are determinative of the significant impacts of the RTP/SCS and requirements imposed on the RTP/SCS in response to those impacts.

# 4 MITIGATION MEASURES AND MMRP

TMPO and RTPA have defined the approach to implementing mitigation measures for the RTP/SCS by the Mitigation Monitoring and Reporting Program. The Mitigation Measures avoid or mitigate to a less-than-significant level all but one of the RTP/SCS's significant environmental impacts, and attempt to otherwise consider, address, and resolve all of the environmental concerns raised during the public review of the EIR/EIS. The discussion that follows under the captions "Finding" for each significant impact recites some of the background environmental impact information related to the RTP/SCS from the EIR/EIS; the finding made by TMPO and RTPA is set forth under the caption "Facts in Support of Finding;" and the discussion under this caption contains substantiating information about what mitigation is provided and how it reduces the significant impact. TMPO and RTPA find that the specific references to Mitigation Measures provided herein are intended to indicate where the particular measure or condition can be found in the administrative record.

Section 21081.6 of the Public Resources Code requires that when a public agency is making the findings directed by State CEQA Guidelines §15091(a)(1) and §21081(a) of the Public Resources Code, the public agency shall adopt a Mitigation Monitoring and Reporting Program for the changes that it has either required of the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures. TMPO hereby adopts the MMRP, and commits future project proponents to full and complete implementation of the Mitigation Measures set forth therein. These Mitigation Measures are binding and enforceable obligations with which future project proponents must comply.

To the extent these findings omit any Mitigation Measures set forth in the MMRP, the omission was inadvertent. TMPO and RTPA therefore find that compliance with the MMRP shall be required, even if a Mitigation Measure is not referenced in these findings.

To the extent the MMRP omits any Mitigation Measure set forth in these findings, the omission was inadvertent. TMPO and RTPA therefore find that compliance with the Mitigation Measures set forth in these findings shall be required, even if a Mitigation Measure is not referenced in the MMRP.

To the extent the Mitigation Measures in these findings and in the MMRP differ from one another, any such difference was inadvertent. In that event, the more stringent Mitigation Measure shall be required.

# 5 RTP/SCS ALTERNATIVES CONSIDERED IN THE EIR/EIS

In accordance with the Section 15126.6 of the State CEQA Guidelines, a range of reasonable alternatives to the project that could feasibly attain the basic project objectives but would avoid or substantially lessen any of the significant effects of the project was addressed in the EIR/EIS.

Each RTP/SCS alternative presents different environmental advantages and disadvantages. RTP/SCS Alternatives 2, 3 and 4 present transportation strategy packages and land use patterns with the greatest potential for environmental gain with Alternative 3 resulting in the largest reductions in GHG emissions per capita and VMT/capita. However, no single one of these alternatives clearly emerges as the environmentally superior alternative, considering a full spectrum of environmental issues. The relative environmental consequences of each alternative have been considered by TMPO and RTPA in their review and approval of the alternative to be implemented as the RTP/SCS. The alternative being approved for the RTP/SCS is a modification of Alternative 3

that was evaluated in the Draft EIR/EIS, as described below, following the presentation of the alternatives addressed in the Draft EIR/EIS.

Potential impacts are identified in Sections 3.2 through 3.14 of the Draft EIR/EIS. These impacts are related to construction and operational effects of the RTP/SCS alternatives. Construction-related impacts include such things as disruption of community cohesion; construction-related air emissions, noise effects, and water quality effects; soil disturbance; land coverage; changes to scenic vistas and resources; tree removal; removal or disturbance of sensitive or common biological species; construction-related storage; use and transport of hazardous materials; and disturbance of cultural resources. In general, alternatives that include a greater number of transportation projects would result in more project construction and, therefore, more potentially significant impacts than other alternatives. Operation-related impacts include such things as roadway and intersection operations; long-term operational air quality emissions, noise effects, and water quality effects; stormwater runoff, drainage, and infiltration related to pollutants reaching Lake Tahoe; introduction of light and glare; capacity of, and access to, recreational facilities; and increased demand for public services and utilities. The magnitude of these impacts varies across alternatives based on the different RTP/SCS transportation projects and on the different SCS development patterns.

Many of the impact discussions in Section 3.2 through 3.14 of the Draft EIR/EIS include a comparison of the magnitude of the potential impacts across the alternatives. In many cases, all alternatives would result in the same beneficial, less-than-significant, or potentially significant impact. However, alternatives may result in potential adverse impacts that are more or less severe than others, or beneficial impacts that are more or less positive than others, because of the number of projects to be constructed or because of other differences in the transportation strategy packages. This evaluation of an environmentally superior alternative includes a comparison of the total number of potential impacts and a qualitative discussion of the magnitude of the severity of these impacts across the proposed alternatives.

The RTP/SCS identifies the transportation projects planned for implementation in the Tahoe Region through 2035 to meet the needs of a wide variety of residents and visitors (e.g., pedestrians, bicyclists, commuting motorists, and resort visitors, etc.). Projects identified in the RTP/SCS range from water quality and traffic flow improvements on major highways to the installation of new bicycle paths and development of a public transit ferry system on the lake. The RTP/SCS also includes the transportation goals, policies, programs, and implementation measures of the Transportation Element of the Regional Plan Update. The SCS includes both transportation and land use strategies intended to make travel more efficient and reduce GHG emissions; the SCS land use scenarios evaluated in this EIR/EIS consist of the land use alternatives under consideration as a part of the Regional Plan Update environmental review.

Five land use scenarios and three packages of transportation strategies made up the alternatives in the RTP/SCS that have been evaluated in the EIR/EIS. Each land use scenario is paired with one of three different sets of transportation strategies. The five SCS land use scenarios are identical to the five land use alternatives considered for the Regional Plan Update process. The three transportation strategy packages (A, B, and C) each include a mix of transportation projects from the financially constrained and unconstrained project lists in the RTP/SCS.

Simultaneous with the Draft RTP/SCS EIR/EIS public review, a Draft Regional Plan and a Draft EIS were also released for public review and comment. The Draft EIS analyzed the environmental effects of five Regional Plan Update alternatives, including the Draft Plan (Alternative 3). Following release of the Draft Plan, the administrations of the States of California and Nevada convened a series of meetings to consult with affected stakeholders and develop compromises to address topics that were not unanimously supported by the Regional Plan Update Committee (RPUC) in a manner that would further the achievement and maintenance of adopted

Environmental Threshold Standards. The consultation meetings were led by California Secretary of Resources John Laird, and Nevada Department of Conservation and Natural Resources Director Leo Drozdoff. The consultations involved representatives from state and local governments, environmental organizations, development interests, and subject matter experts. These bi-state consultations resulted in a series of policy recommendations that reflected compromises on the major issues that were not unanimously endorsed by the RPUC. The compromises maintained the Threshold attainment strategies of the Draft Plan, while strengthening certain regulatory and procedural controls. In August 2012, the RPUC held additional meetings to consider the Bi-state recommendations and public comments on the Draft EIS. The RPUC endorsed the recommendations from the bi-state consultations, along with additional plan amendments that responded to public comments. On August 23rd, 2012, the TRPA Governing Board voted to incorporate the revisions recommended by the RPUC into the Final Draft Plan for evaluation in the Final EIS. The Final Draft Plan represents Alternative 3 from the Draft EIS as revised by the RPUC and Governing Board. The land use policies and requirements of the TRPA Final Draft Plan along with a Final Draft Transportation Strategy Package (Modified Transportation Strategy C) constitute a revision and replacement of Alternative 3 of the RTP/SCS, which is being approved with adoption of these findings. The description of Modified Alternative 3 is provided following the presentation of the original Alternative 3 addressed in the Draft EIR/EIS.

# 5.1 RTP/SCS ALTERNATIVES

Five land use scenarios and three sets of transportation strategies make up the RTP/SCS alternatives evaluated in the Draft EIR/EIS. Each SCS land use alternative is paired with one of three different packages of transportation strategies (see Table 1 below). The five SCS land use scenarios are the same as the five alternatives considered in the Regional Plan Update process leading up to the Draft EIR/EIS. The transportation strategy package alternatives (A, B, and C) are listed in the first column of Table 1.

As noted previously, Modified Alternative 3 has been developed for the RTP/SCS with the land use scenario from the Regional Plan Update's Final Draft Plan paired with a refined list of transportation and water quality projects in a Final Draft Transportation Strategy. The list of transportation and water quality projects was refined due to changes in financial resources after approval of the federal transportation bill. Please see Chapter 2, Revisions to the Regional Transportation Plan, for more details on this change. This Modified Alternative 3 is included in Table 1.

**Table 1. RTP/SCS Alternatives**

| | | RTP/SCS Alternative | | | | |
|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | Mod 3 | 4 | 5 |
| **Transportation Strategy Package** | | | | | | |
| A | ✓ | | | | | ✓ |
| B | | ✓ | | | | |
| C | | | ✓ | | ✓ | |
| Mod C | | | | ✓ | | |
| **Regional Plan Update Alternative** | | | | | | |
| 1 | ✓ | | | | | |
| 2 | | ✓ | | | | |
| 3 | | | ✓ | | | |
| Mod 3 | | | | ✓ | | |

| | | | | | | |
|---|---|---|---|---|---|---|
| 4 | | | | | ✓ | |
| 5 | | | | | | ✓ |
| | Source: Ascent Environmental, Inc. 2012 | | | | | |

### 5.1.1 ALTERNATIVE 1 – NO PROJECT

Alternative 1 would correspond to the Regional Plan Update Alternative 1 and would include the group of projects listed under Transportation Strategy A in Table 1. Transportation Strategy A includes operation and maintenance of the existing system and the construction of projects on the constrained project list that are already significantly in progress.

Under Alternative 1, the RTP/SCS would be intended to reduce dependency on the automobile and to give preference to providing increases in capacity on the Region's transportation system through public transportation projects and programs.

With the exception of minor revisions required to extend the Regional Plan for an additional 20 years (e.g., allowing unused allocations that were authorized under the 1987 Regional Plan to be used over the next 20 years), Alternative 1 would make no changes to the 1987 Regional Plan. The land use planning system would continue to rely on the existing PASs and Community Plans as the system to define zoning, management strategies, and allowable uses. All existing regulations and incentives would remain in place.

Alternative 1 would authorize no additional development rights or allocations beyond those authorized in the 1987 Regional Plan. Consequently, Alternative 1 would result in a reduced rate of development as compared to the 1987 Plan, as only the remaining development rights authorized under that Plan would be allocated and used. Unused development rights from the 1987 Regional Plan include 383,600 square feet of CFA, of which 158,816 square feet is assigned to specific projects, 200,000 is held by local jurisdictions for future projects, and 24,768 square feet is unallocated and unused CFA; 342 TAUs, of which 90 have been assigned to specific projects but not yet used; and 874 residential bonus units, of which 245 have been assigned to specific projects but not yet used. A total of 86 residential allocations remain from the 1987 Plan and are held by local governments. In addition to the unused development rights remaining from the 1987 Plan, all legally existing commodities, including approximately 6.5 million square feet of CFA and 12,399 TAUs, would be available for transfer subject to existing transfer requirements.

Alternative 1 would continue existing measures that do not support the development of multi-modal street design. It would allow for, but not require, that project plans accommodate transit or alternative modes of transportation. Under Alternative 1, the existing Transportation Element of the Regional Plan Update would be retained. The Transportation Element is intended to reduce dependency on the automobile, and to give preference to providing increases in capacity on the Region's transportation system through public transportation projects and programs.

### 5.1.2 ALTERNATIVE 2 – LOW DEVELOPMENT, INCREASED REGULATION

Alternative 2 would correspond to the Regional Plan Update Alternative2 and would include the group of projects listed under Transportation Strategy B in Table 1. Transportation Strategy B includes the projects listed in the constrained and unconstrained lists, but does not include the Lake Tahoe Waterborne Transit Project.

Alternative 2 would substantially reduce the rate of development compared to the 1987 Regional Plan. It would take a regulatory and enforcement approach to attain and maintain Environmental Threshold Standards, rather than emphasizing incentives to modify the location of development. Some redevelopment incentives would be

implemented, but to a lesser extent than under Alternatives 3 and 4. A key feature of Alternative 2 is the definition of Development Transfer Zones (DTZs), areas to which development may be transferred. Transfer of development outside a DTZ would be required to take place within the same Hydrologically Related Area (HRA). Development may be transferred into DTZs from multiple HRAs.

Alternative 2 would include goals, policies, and implementation measures that would encourage walkable, mixed-use centers, reduce parking minimums and establish parking maximums, discourage waterborne services, and require parking management programs that support improvements benefiting transit users, pedestrians, and bicyclists.

Alternative 2 would include a limited number of new residential allocations (2,600 total, at an average rate of 130 per year for 20 years). An additional 200,000 square feet of CFA would be available to Community Plans under the existing allocation system, but only after the 1987 Regional Plan remainder is used and 70 percent commercial occupancy is achieved. Exemptions from this policy would allow a portion of the 200,000 square feet of additional CFA to be allocated to certain industrial areas or as a 1:1 match for CFA transferred out of sensitive land (LCDs 1–3). No new TAU allocations would be included. Remaining unassigned residential bonus units from the 1987 Plan would be distributed in accordance with existing procedures, and no additional residential bonus units would be available.

### 5.1.3 ALTERNATIVE 3 – LOW DEVELOPMENT, HIGHLY INCENTIVIZED REDEVELOPMENT

Alternative 3 would correspond to the Regional Plan Update Alternative3 and would include the group of projects listed under Transportation Strategy C in Table 1. Transportation Strategy C represents the constrained projects list.

Alternative 3 is the alternative that most closely reflects preliminary recommendations of the TRPA Governing Board's Regional Plan Update Committee. Alternative 3 focuses on environmental redevelopment of the existing built environment as a means to achieve accelerated attainment of Threshold Standards. It is designed to streamline regulatory processes and concentrate TRPA's resources where they can have the most benefit. It combines a reduced rate of development with strong incentives for redevelopment and other regulatory changes described below. Under Alternative 3, the rate of development would be greater than under Alternatives 1 and 2, but less than Alternatives 4 and 5.

Under Alternative 3, the existing Tahoe Region land use map would be updated to include new wilderness and backcountry land use designations that differentiate USFS lands from other conservation-designated land. This designation is a change in name only—no physical environmental changes or revisions to management strategies by USFS would occur. Mixed use is a new land use classification of Alternative 3 (replacing commercial and public service) and would identify urban areas that have been designated to provide a mix of commercial, public service, light industrial, office, and residential uses to the Region or have the potential to provide future commercial, public service, and residential uses. This change is also in name only—properties with the existing commercial/public service designation would be classified as mixed use.

Alternative 3 also defines four types of special planning designations—Town Center, Regional Center, High Density Tourist District, and Stream Restoration Priority Area. Town Center, Regional Center, and High Density Tourist District are areas targeted for redevelopment. They are collectively referred to as community centers in the EIR/EIS. Stream Restoration Priority Area denotes areas prioritized for restoration. The community center overlay districts contain most of the Region's non-residential services and have been identified as significant sources of sediments and other contaminants that continue to enter Lake Tahoe. The overlay districts are

targeted for redevelopment in a manner that would improve environmental conditions, create a more sustainable and less automobile-dependent development pattern, and provide economic opportunities in the Region. Town Centers would be located in Incline Village, North Stateline, Kings Beach, Tahoe City, Kingsbury, Stateline/Ski Run, South Stateline, City of South Lake Tahoe, South Y, and Meyers. The Regional Center overlay district would surround the US 50 corridor from Ski Run Boulevard to the Nevada state line on the south shore. The High Density Tourist District contains a concentration of hotel/casino towers and would be designated in Stateline, Nevada, where the four existing hotel-casino towers are located. Additionally, Stream Restoration Priority Areas are identified as restoration priority areas. The Stream Restoration Priority Areas identify regionally important areas where expedited environmental restoration should be promoted in future planning efforts. No currently proposed provisions would apply specifically to these areas.

A unique feature of Alternative 3 is the concept of Area Plans. Under Alternative 3, public agencies would be encouraged to engage local residents and, in coordination with TRPA staff, prepare coordinated plans for implementation of land use goals, policies, and ordinances. The Area Plans, which would also include development ordinances and zoning designations, would be required to be consistent with the Regional Plan; they would be subject to an initial conformance evaluation by TRPA and procedures to administer any future Regional Plan amendments. PASs, Community Plans, and use-specific Master Plans would remain in effect until superseded by Area Plans that are developed in accordance with and found in conformance with the Regional Plan.

A major emphasis of Alternative 3 is to implement policies that result in reducing coverage on sensitive lands and on lands distant from community centers, thereby increasing permeability, reducing urban runoff, and redirecting coverage to appropriate locations where regional, area-wide or neighborhood-scale BMPs can more effectively manage runoff and reduce conveyance of pollutants to Lake Tahoe. Alternative 3 includes several targeted changes to policies and implementation measures related to land coverage. These changes are intended to complement more aggressive development transfer ratios for redevelopment in community centers and promote environmentally beneficial projects such as bike trails and the use of pervious pavement instead of asphalt.

Under Alternative 3, the residential bonus unit incentive program would consist of the 874 unused residential bonus units remaining from the 1987 Regional Plan, and 600 new residential bonus units. A total of 2,600 new residential allocations, 200,000 square feet of new CFA, and no new TAUs would be authorized under Alternative 3. The residential bonus units would be made available as an incentive for affordable housing and for development transfers to Town Centers, the Regional Center, and the High Density Tourist District. Residential bonus units, CFA, and TAUs would be tied to transfer ratios earned based on the environmental sensitivity of the sending parcel—that is, higher transfer ratios would be earned by transferring development from more sensitive sending parcels and from parcels that are most distant from support services or transit (e.g., a sending parcel containing SEZ or requiring longer travel distances to services).

### 5.1.4 MODIFIED ALTERNATIVE 3 – REGIONAL PLAN UPDATE FINAL DRAFT PLAN AND DRAFT FINAL TRANSPORTATION STRATEGY PACKAGE

Modified Alternative 3 of the Final Draft RTP/SCS is very similar to Alternative 3 as described above, incorporating applicable changes to land use and transportation policies to the Final Draft Regional Plan described in Chapter 2 of the Regional Plan Update Final EIS. Specific changes to the April Draft RTP/SCS Alternative 3 are described in Chapter 2 of the RTP/SCS Final EIR/EIS. Modified Alternative 3 also includes a modified group of projects listed under Transportation Strategy C in Attachment A and Table 2-1. Transportation Strategy C represents the financially constrained projects list required as part of the RTP/SCS.

### 5.1.5 ALTERNATIVE 4 – REDUCED DEVELOPMENT, INCENTIVIZED REDEVELOPMENT

Alternative 4 would correspond to the Regional Plan Update Alternative 4 and would include the group of projects listed under Transportation Strategy C in Table 1. Transportation Strategy C represents the constrained projects list.

Goals, Policies, and Implementation Measures proposed under Alternative 4 focus on regulated growth and incentivized redevelopment. Alternative 4 would provide a slightly reduced rate of development compared to the 1987 Plan, which is greater than Alternatives 1, 2, and 3. Alternative 4 would also provide incentives for redevelopment, but to a lesser degree than Alternative 3.

Under Alternative 4, land use designations would be reclassified into a transect-based zoning system, that is, a model wherein a transect defines a series of districts that transition from wilderness and open space to the denser urban core. Transect districts would allow for a mix of land uses and housing types and result in an appropriate distribution of uses across the landscape. Each transect district would include specific measures that would regulate the physical form of the built environment to produce desired relationships between buildings and outdoor public areas, including streets. Alternative 4 proposes establishment of the five transect districts, some of which would be further defined by more specific districts.

Like Alternative 3, a major emphasis of Alternative 4 is to implement policies that result in reduced coverage on sensitive lands and on lands distant from community centers, thereby increasing permeability, reducing urban runoff, and redirecting coverage to appropriate locations where regional or neighborhood-scale BMPs can more effectively manage runoff and reduce conveyance of pollutants to Lake Tahoe. Alternative 4 includes several targeted changes to policies and implementation measures related to land coverage. These changes are intended to promote environmentally beneficial projects such as bike trails and the use of pervious pavement instead of asphalt. Other changes to coverage provisions are intended to improve the efficiency of administering coverage programs and regulations, and to remove or revise restrictions that are burdensome and ineffective.

Alternative 4 would authorize 4,000 new residential allocations. New allocations would include 400,000 square feet of CFA and 200 TAUs. No new residential bonus units would be added.

### 5.1.6 ALTERNATIVE 5 – SIMILAR RATE OF DEVELOPMENT AND REGULATORY STRUCTURE TO THE 1987 REGIONAL PLAN

Alternative 5 would correspond to the Regional Plan Update Alternative 5 and would include the group of projects listed under Transportation Strategy A in Table 1. Transportation Strategy A includes operation and maintenance of the existing system and the construction of projects on the constrained project list that are already significantly in progress.

Alternative 5 was developed to evaluate an option that would continue the rate of development that occurred with implementation of the 1987 Regional Plan. To achieve this, Alternative 5 would include more new allocations than any other alternative, and would result in more growth at a faster rate than the other alternatives. The approach to attaining Threshold Standards under Alternative 5 would be the same as the existing Regional Plan; the regulations of the existing Plan would remain largely unchanged, and the same balance between regulation and incentives would be retained. The alternative would include some modifications to specific provisions to incorporate new information or respond to statutory requirements.

Under Alternative 5, land use structure and environmental incentives system of the 1987 Regional Plan would remain in place and land use classifications would remain the same. The primary difference between Alternative

5 and Alternative 1 would be the addition of 600,000 square feet of bonus CFA, 400 TAUs, and up to 5,200 new residential allocations, limited by the amount of remaining development rights (4,091).

# 6 CEQA SECTION 21091 FINDINGS

TMPO and RTPA have reviewed the final EIR/EIS for the RTP/SCS, consisting of the Responses to Comments on the Draft EIR/EIS and revised sections of the draft EIR/EIS. TMPO and RTPA have also reviewed the Monitoring Mitigation and Reporting Program and considered the public record on the project (references provided in Chapter 7, "References," in the draft EIR/EIS).

Pursuant to Public Resources Code Section 21081, for each significant effect identified in the draft EIR/EIS, TMPO and RTPA must make one or more of the findings. TMPO and RTPA hereby make the following findings regarding the significant effects of the proposed RTP/SCS, pursuant to Public Resources Code Section 21081 and Section 15091 of the State CEQA Guidelines.

No Potentially Significant Impacts were identified for Land Use; Geology, Soils, Land Capability and Coverage; Hydrology and Water Quality; and Recreation.

## 6.1 TRANSPORTATION

### 6.1.1 SIGNIFICANT EFFECT: ROADWAY SEGMENT OPERATIONS (IMPACT 3.3-1)

#### FINDING

Implementation of any of the RTP/SCS alternatives would cause at least one roadway segment to degrade from an acceptable to an unacceptable level, and/or substantially degrade the LOS of a roadway segment that is already operating at unacceptable levels. Modified Alternative 3 would result in a significant impact to two study roadways. This impact would be **significant** for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.3-1 can and should be implemented by TRPA, and this mitigation would reduce the significant effects of the Plan to a less-than-significant level.

#### FACTS IN SUPPORT OF FINDING

TMPO has adopted the following feasible mitigation measure to reduce Impact 3.3-1 to a less-than-significant level. Implementation of the measure is the responsibility of TRPA. TRPA has the authority to phase the release of land use allocations. Transit and non-auto mode improvements to be implemented through the RTP/SCS are intended to maintain LOS levels of roadway segments within TRPA standards. However, as an additional contingency, if needed, limiting land use allocations, particularly outside of community centers, would reduce total vehicle trip generation contributing to congestion of roadway segments. By monitoring level of service of the subject roadway segments in response to transit and non-auto mode improvements and managing the release of land use allocations to limit vehicle trip generation, if needed, roadway LOS will be maintained at a less-than-significant level.

#### MITIGATION MEASURE 3.3-1: PHASED RELEASE OF ALLOCATIONS/ LOS MONITORING/TRAVEL DEMAND MANAGEMENT

*The level of service standard under evaluation for Impact 3.3-1 is oriented toward alleviating congestion for vehicles during the peak hour of peak travel times in the Region. The Compact directs TRPA to focus*

*transportation improvements on transit investments and enhancements to non-auto modes, rather than new roadway capacity. Therefore, the mitigations below seek first to provide additional travel capacity in the form of bicycle, pedestrian, and transit improvements, with an ongoing monitoring program. New roadway improvements beyond those already listed in the RTP are proposed if other measures are not able to meet community needs during peak travel times.*

*TRPA will develop and implement a program for the phased release of land use allocations in four-year cycles in conjunction with future updates of the Regional Plan and RTP. Two years after each release, monitoring of existing and near-term LOS will occur at intersections and roadways to evaluate compliance with applicable LOS policies. Should LOS projections indicate that applicable LOS goals and policies will not be met, actions will be undertaken through TRPA approved plans, project-permitting, or projects/programs developed in coordination with local or other governments to maintain compliance. Actions may include, but are not limited to the following:*

1. *TRPA will prioritize, and cause to be implemented, if feasible, enhanced non-motorized and public transportation projects and services to accommodate the additional travel demand.*

2. *TRPA will modify the land use allocation releases to reduce travel demand.*

3. *To the extent that roadway capacity expansions do not result in significant, unavoidable environmental impacts, TRPA will investigate and cause to be implemented, if feasible, additional multi-modal corridor improvements (beyond those listed in the RTP project list). The following is an example list of potential candidate improvements based on the identified significant impacts of the RTP/SCS alternatives:*

*US 50 between the South Y and South Stateline – modify US 50 to consist of enhanced access control (e.g., raised median with channelized turn lanes at selected locations, driveway consolidation to limit turning locations on the highway, etc.), to the extent that planned traffic signal coordination does not provide sufficient capacity increases.*

*US 50 between SR 89 and Pioneer Trail – modify US 50 to consist of enhanced access control (e.g., raised median with channelized turn lanes, driveway consolidation, etc.) to increase the capacity of the highway.*

With the measure described above, the monitoring and phased release of land use allocations, in conjunction with trip reducing and transportation system capacity increases, would be able to maintain LOS of roadway segments at acceptable levels. Therefore, with implementation of Mitigation Measure 3.3-1, Impact 3.3-1 would be less than significant for Modified Alternative 3.

# 6.2 AIR QUALITY

## 6.2.1 SIGNIFICANT EFFECT: SHORT-TERM CONSTRUCTION EMISSIONS OF ROG, NOX, PM10, AND PM2.5 (IMPACT 3.4-2)

### FINDING

Implementation of the transportation projects would involve construction that would result in the temporary generation of ROG, $NO_X$, $PM_{10}$ and $PM_{2.5}$ emissions from site preparation (e.g., excavation, grading, and clearing); off-road equipment, material import/export, worker commute exhaust emissions, paving, and other miscellaneous activities. Typical construction equipment associated with development and redevelopment projects includes dozers, graders, excavators, loaders, and trucks. Construction emissions of these pollutants

have the potential to be substantial. This would be a **potentially significant impact** to air quality for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.4-2 can and should be implemented by TRPA, and this mitigation would reduce the significant effects of the Plan to a less-than-significant level.

## FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts from short-term construction emissions. Implementation of the measure is the responsibility of TRPA. The mitigation measure would result in the development and implementation of Best Construction Practices for Construction Emissions that would result in Best Management Practices to reduce construction-generated emissions.

### Mitigation Measure 3.4-2: Reduce Temporary Construction Emissions of ROG, $NO_X$, $PM_{10}$ and $PM_{2.5}$

*Within 12 months of adoption of an updated Regional Plan, TRPA will coordinate with local governments to develop and effectuate the implementation of Best Construction Practices for Construction Emissions that require, as a condition of project approval, implementation of feasible measures and Best Management Practices to reduce construction-generated emissions to the extent feasible. Until that time, TRPA will continue existing practice to require measures developed on a project-specific basis. Such measures shall include those listed below to the extent they are not already addressed in local requirements.*

*In addition to the mitigation measures identified below, construction of the projects located in California will be required to comply with all applicable PCAPCD or EDCAQMD rules, as appropriate, including Rule 202 (PCAPCD and EDCAQMD) regarding visible emissions, Rule 228 (PCAPCD) and 223 (EDCAQMD) regarding fugitive dust, Rule 218 (PCAPCD) and 215 (EDCAQMD) regarding the application of architectural coatings, and Rule 217(PCAPCD) and 224 (EDCAQMD) regarding cutback and emulsified asphalt paving materials. For projects located in Washoe County, projects will comply with Washoe County Health District Rules Governing Air Quality, including 040.005 Visible Emissions, 040.030 Dust Control, 040.090 Cutback Asphalts, and 040.200 Diesel Engine Idling.*

*Where local rules and regulations pertaining to construction emissions exist, projects developed pursuant to the Regional Plan shall comply with local requirements. For projects located in California, specifically, TRPA will require the following:*

- *Project proponents shall submit to the PCAPCD or EDCAQMD, as applicable, and receive approval of, a Construction Emission/Dust Control Plan prior to any groundbreaking or tree removal activities.*

- *Prime contractors shall submit to the PCAPCD or EDCAPCD, as applicable, a comprehensive inventory (i.e., make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower of greater) that will be used an aggregate of 40 or more hours for the construction project. The project representative shall provide the PCAPCD or EDCAQMD, as applicable, with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. The project representative shall provide a plan for approval by the PCAPCD or EDCAQMD, as applicable, demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent $NO_X$ reduction and 45 percent particulate reduction compared to the most*

*recent ARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.*

- *As a condition of approval of California transportation projects, TRPA will require individual project environmental review to confirm and demonstrate that project-generated emissions associated with construction will be within the regulatory limits of PCAPCD or EDCAQMD, as applicable, following implementation of mitigation measures.*

*For all projects implementing the RTP/SCS, TRPA will require the following:*

- *Fugitive dust shall not exceed 40 percent opacity and not go beyond the property boundary at any time during project construction.*
- *No open burning of removed vegetation shall occur during infrastructure improvements.*
- *Minimize idling time to 5 minutes for all diesel-power equipment.*
- *Apply water to control dust as needed to prevent dust impacts offsite. Operational water truck(s) shall be onsite, as required, to control fugitive dust. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.*
- *Apply approved chemical soil stabilizers, vegetative mats, or other appropriate Best Management Practices to manufacturer's specifications, to all inactive construction areas (previously graded areas which remain inactive for 96 hours). Spread soil binders on unpaved roads and employee/equipment parking areas and wet broom or wash streets if silt is carried over to adjacent public thoroughfares.*
- *Use existing power sources (e.g., power poles) or clean-fuel generators rather than temporary diesel power generators, wherever feasible.*

Mitigation Measure 3.4-2 includes implementation of basic best practices for dust control during construction, as developed by TRPA during the 12 months following adoption of the Regional Plan Update. Implementation of Mitigation Measure 3.4-2 would reduce fugitive $PM_{10}$ and $PM_{2.5}$ dust emissions a minimum of approximately 50 percent for each project and prevent dispersion of particulates beyond a given property boundary (SMAQMD 2009a). Implementation of Mitigation Measure 3.4-2 would also reduce diesel equipment exhaust emissions of ROG, $NO_X$, and $PM_{10}$ a minimum of 5 percent, 20 percent, and 45 percent, respectively, as prescribed by the mitigation measure. It is anticipated that these best practices would be effective in substantially reducing construction-generated emissions. This would ensure that impacts from project-specific construction activities would be reduced. Therefore, with implementation of Mitigation Measure 3.4-2, Impact 3.4-2 would be less than significant for Modified Alternative 3.

## 6.2.2 SIGNIFICANT EFFECT: SHORT-TERM EXPOSURE TO TOXIC AIR CONTAMINANT (TAC) EMISSIONS (IMPACT 3.4-5)

### FINDING

Because the proposed RTP/SCS does not involve siting of sensitive receptors or siting of any new stationary sources of TAC emissions, it would not result in exposure of sensitive receptors to substantial TAC concentrations. In addition, long-term, mobile-source diesel PM would decline over the plan implementation period compared to existing conditions, because of more stringent motor vehicle emissions standards. However,

construction emissions may occur in proximity to sensitive receptors and may result in temporary exposure of receptors to substantial TAC concentrations in Alternatives 1 through 5. Long-term exposure of sensitive receptors in the Region to TACs would be less than significant for all alternatives. Short-term TAC exposure would be **potentially significant** for construction related to projects listed in Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.4-5 can and should be implemented by TRPA, and this mitigation would reduce the significant TAC emissions effects to a less-than-significant level.

## FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts from short-term exposure to TAC emissions by reducing diesel equipment exhaust emissions. Implementation of the measure is the responsibility of TRPA.

### Mitigation Measure 3.4-5: Minimize Exposure of Sensitive Receptors to TAC Emissions during Construction

*To reduce exposure of sensitive receptors to construction-related TAC emissions, TRPA will implement Mitigation Measure 3.4-2 for all alternatives, "Reduce Temporary Construction Emissions of ROG, $NO_x$, $PM_{10}$, and $PM_{2.5}$." This measure includes emissions control strategies for construction equipment that would also reduce diesel PM emissions, including limiting idling time to five minutes maximum and submitting an inventory of construction equipment to PCAPCD or EDCAQMD to demonstrate that emissions from the construction fleet would be better than statewide averages.*

*In addition, for all alternatives, TRPA will require contractors to implement the following measures for all projects constructed pursuant to the RTP/SCS:*

- *Equip heavy-duty construction equipment with diesel particulate traps.*
- *Locate construction staging areas as far away as possible on the project site from off-site receptors.*
- *As a condition of approval, individual project environmental review shall demonstrate that current district-recommended BMPs are implemented to ensure sensitive receptors are not exposed to substantial TAC concentrations.*

*Mitigation Measure 3.4-2 includes the opportunity to implement measures developed as part of the Best Construction Practices Policy for Construction Emissions. For projects that are permitted prior to the completion of the Best Construction Practices, TRPA will require the specific strategies listed in Mitigation Measure 3.4-2 for project approval to the extent they are not already addressed in applicable local requirements.*

Implementation of Mitigation Measure 3.4-5 would reduce diesel equipment exhaust emissions. It is anticipated that these best practices would be effective in substantially reducing construction-generated emissions of TACs. Importantly, projects located within PCAPCD's or EDCAQMD's jurisdiction must demonstrate that emissions would be meet district-applicable thresholds for construction emissions as a condition of approval. This would ensure that this impact would be mitigated to a less-than-significant level with mitigation incorporated. Therefore, with implementation of Mitigation Measure 3.4-5, Impact 3.4-5 would be less than significant for Modified Alternative 3.

# 6.3 GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

## 6.3.1 SIGNIFICANT EFFECT: INCREASE IN GHG EMISSIONS (IMPACT 3.5-1)

### FINDING

Implementation of Modified Alternative 3 would occur in conjunction with land use development and population growth anticipated during the plan horizon. Although the RTP/SCS strategies would improve the efficiency of transportation-related GHG emissions by increasing transit and non-motor vehicle travel, the combined influence of transportation projects, land use development, and population growth occurring during the RTP/SCS plan horizon would result in a substantial increase in overall GHG emissions (in contrast to GHG per capita) that would make a cumulatively considerable contribution to the significant cumulative impact of global climate change. Increased GHG emissions would be a significant impact for Modified Alternative 3. Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effect of the project, but not to a less-than-significant level; this impact would remain significant and unavoidable.

### FACTS IN SUPPORT OF FINDING

TMPO adopted the following feasible mitigation measure to minimize construction-related GHG emissions. While GHG impacts for each of the alternatives are tied to the land use development and population growth proposed in the Regional Plan Update, the primary direct impact of RTP/SCS projects on GHG emissions is associated with construction. Therefore, this measure addresses only construction emissions for this impact.

#### Mitigation Measure 3.5-1: Minimize Construction-Related GHG Emissions

*For all the alternatives, GHG emissions from construction will be reduced to the maximum extent feasible. During construction of transportation infrastructure projects, TRPA will require the following mitigation measures to reduce GHG emissions. Other measures that are as effective may be substituted depending on the emissions control technology available at the time of project construction.*

- *Limit equipment idling time to a maximum of five (5) 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. Use local and sustainable building materials to the extent possible.*

*TRPA is considering the implementation of a Best Construction Practices Policy to maintain a range of potential construction-period environmental impacts at less-than-significant levels, including GHG emission impacts. When the Best Construction Practices Policy is completed and adopted, the applicable requirements listed in the adopted policy may be implemented in lieu of the actions listed above.*

Modified Alternative 3 includes a package of transportation strategies (including transportation projects) and land use policies that are intended to accommodate growth in the Region, while encouraging walkable communities, mixed-use centers, reduced parking, and enhanced facilities for pedestrians, bicyclists and transit users. Because of the nature of the RTP/SCS process, feasible operational mitigation measures have been considered within the context of the range of transportation strategies already included in the strategy package. Among the alternatives analyzed in the EIR/EIS, Modified Alternative 3 provides the most GHG efficient

combination of land use and transportation strategies, meets stated objectives of the RTP/SCS and provides a number of beneficial impacts (see Section 7, below), and has identified reasonably forseeable funding for all transportation projects. No additional feasible mitigation is available, making this considerable contribution to the cumulative impact of GHG emissions and climate change **significant and unavoidable for Modified Alternative 3.**

# 6.4 NOISE

## 6.4.1 SIGNIFICANT EFFECT: SHORT-TERM CONSTRUCTION NOISE IMPACTS (IMPACT 3.6-1)

### FINDING

Development under Modified Alternative 3 would involve construction activity that could potentially expose nearby noise-sensitive receptors to noise levels that exceed TRPA's applicable CNEL standards for affected land uses; expose noise-sensitive receptors to noise levels that exceed applicable noise standards established by the general plan or noise ordinance of the local city or county; and/or result in a noticeable increase (i.e., 3 dBA or greater) in ambient noise levels at noise-sensitive land uses during the more noise-sensitive early morning, evening, and nighttime periods of the day that are not exempt by TRPA (i.e., 8:00 a.m. to 6:30 p.m., daily [TRPA Code Section 68.9]) or the local city or county noise ordinance. This would be a **significant impact** for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.6-1 can and should be implemented by TRPA, and this mitigation would reduce the significant effects of the Plan to a less-than-significant level.

### FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts from short-term construction by implementing basic best practices and restricting construction during the most noise-sensitive times of the day. Implementation of the measure is the responsibility of TRPA.

### Mitigation Measure 3.6-1: Reduce Exposure to Construction Noise

*Where local rules and regulations exist, project-related construction activity will comply with local requirements. In addition to local requirements, TRPA will develop and implement a Best Construction Practices Policy for the Minimization of Exposure to Construction-Generated Noise and Ground Vibration. The policy will require implementation of measures for the reduction of noise generated by demolition and construction activity in the Region. TRPA will require, as conditions of project approval, all applicable control measures identified by the policy. Measures for reducing exposure to construction-related noise may include, but are not limited to, the following:*

- *All construction equipment shall be equipped with properly operating mufflers and engine shrouds, in accordance with manufacturers' specifications.*
- *Equipment engine doors shall be kept closed during equipment operation.*

- *Inactive construction equipment shall not be left idling for prolonged periods of time (i.e., more than 5 minutes).*

- *Stationary equipment (e.g., power generators) and staging area for other equipment shall be located at the maximum distance feasible from nearby noise-sensitive receptors.*

- *Temporary sound walls shall be installed along the boundaries of the construction site to protect nearby noise-sensitive receptors, where feasible and applicable.*

- *Trucks hauling materials and goods to and from the construction site shall only do so during active construction periods.*

- *All construction and demolition activity using heavy-duty, off-road equipment shall be performed during the daytime hours between 8:00 a.m. and 6:30 p.m., which is the time period exempt from TRPA noise standards by TRPA Code Section 68.9, and during any daytime hours that are exempt from the noise standards of the local jurisdiction (e.g., Placer County, El Dorado County, Douglas County, City of South Lake Tahoe). Noise-generating construction activity may occur during other times of the day if a site-specific, project-specific, technically adequate noise analysis determines that the resultant noise levels would not exceed TRPA noise standards or any applicable standards established by the local jurisdiction.*

*For projects that are permitted prior to the completion of the Best Construction Practices Policy for the Minimization of Exposure Construction-Generated Noise and Ground Vibration, TRPA will require the mitigation measures listed above for project approval to the extent they are not already addressed in applicable local requirements.*

Mitigation Measure 3.6-1 includes basic best practices for minimizing exposure to construction-generated noise. It is anticipated that these best practices would be effective in substantially reducing exposure of noise-sensitive receptors to construction-generated noise. Moreover, construction noise would not be generated during the more noise-sensitive times of the day (i.e., outside the hours exempt by TRPA and the local jurisdiction) unless a site-specific analysis determines that the resultant noise levels would not exceed applicable standards. Therefore, with implementation of Mitigation Measure 3.6-1, Impact 3.6-1 would be less than significant for Modified Alternative 3.

## 6.4.2 SIGNIFICANT EFFECT: GROUND VIBRATION (IMPACT 3.6-2)

### FINDING

The proposed RTP/SCS would not include the development of any new major stationary sources of ground vibration. As described above under Impact 3.6-1, implementation of Modified Alternative 3 could result in construction activities that require the use of on-site construction equipment. New construction could result in ground vibration-generating construction activities that could occur in close proximity to existing structures and buildings, including residential buildings and tourist accommodation units. Construction activities generate varying degrees of temporary ground vibration, depending on the specific construction equipment used and activities involved. Ground vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. Construction-related ground vibration is normally associated with impact equipment such as pile drivers, jackhammers, and the operation of some heavy-duty construction equipment, such as dozers and trucks. Blasting activities also generate relatively high levels of ground vibration. The effects of ground vibration may be imperceptible at the lowest levels, result in low rumbling sounds and detectable vibrations at moderate levels, and high levels of vibration can cause sleep disturbance in places

where people normally sleep or annoyance in buildings that are primarily used for daytime functions and sleeping. Implementation of Modified Alternative 3 would include construction activities that could expose nearby buildings, structures, and people to excessive levels of ground vibration. This would be a **significant impact** for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.6-2 can and should be implemented by TRPA, and this mitigation would reduce the significant effects of the Plan to a less-than-significant level.

## FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts from construction-related ground vibration by including basic best practices. Implementation of the measure is the responsibility of TRPA.

### Mitigation Measure 3.6-2: Reduce Exposure to Construction-Generated Ground Vibration

*The Best Construction Practices Policy for the Minimization of Exposure to Construction-Generated Noise and Ground Vibration, which is required by Mitigation Measure 3.6-2, will also include measures to address vibration generated during construction and demolition activity. TRPA's Best Construction Practices Policy may include required setback distances for various types of construction equipment that generate ground vibration, as well as criteria for conducting site-specific studies where these setback distances cannot be maintained. Measures required by the policy to minimize exposure to ground vibration may include, but are not limited to, the following:*

- *Where local rules and regulations exist regarding ground vibration, projects will comply with local requirements. In addition to local requirements, TRPA will require proponents of transportation projects to implement the following mitigation measures during construction, to the extent they are not already addressed in applicable local requirements:*

- *Sonic pile driving shall be performed instead of impact pile driving, wherever feasible;*

- *To further reduce pile-driving ground vibration impacts, holes shall be predrilled to the maximum feasible depth to reduce the number of blows required to seat the pile;*

- *All construction equipment on construction sites shall be operated as far away from vibration-sensitive sites as reasonably possible;*

- *Earthmoving and ground-impacting operations shall be phased so as not to occur simultaneously in areas close to off-site sensitive receptors, to the extent feasible. The total vibration level produced could be significantly less when each vibration source is operated at separate times;*

- *No construction or demolition activity shall be performed that would expose an existing structure to levels of ground vibration that exceeds 0.20 in/sec PPV. The vibration control program shall include minimum setback requirements for different types of ground vibration-producing activities (e.g., pile driving, blasting) for the purpose of preventing damage to nearby structures. Established setback requirements can be breached if a project-specific, site specific analysis is conducted by a qualified geotechnical engineer or ground vibration specialist that indicates that no structural damage would occur at nearby buildings or structures.*

- *No construction or demolition activity shall be performed that would expose human activity in an existing building to levels of ground vibration that exceed FTA's 80 VdB standard. The vibration control program shall also include minimum setback requirements for different types of ground vibration-producing activities (e.g., pile driving, blasting) for the purpose of preventing negative human response. Established setback requirements can be breached only if a project-specific, site-specific, technically adequate ground vibration study indicates that the buildings would not be exposed to ground vibration levels in excess of 80 VdB, and ground vibration measurements performed during the construction activity confirm that the buildings are not being exposed to levels in excess of 80 VdB; or at least two weeks' advanced notice is provided to owners and renters of residential buildings that would be exposed to ground vibration levels within the applicable setback distance; and hotel accommodations are offered to inhabitants of residences within the applicable setback distance at the expense of the project applicant.*

*TRPA will only approve projects that would comply with the requirements of the Best Construction Practices Policy for the Minimization of Exposure to Construction-Generated Noise and Ground Vibration. For projects that are permitted prior to the completion of the Best Construction Practices Policy, TRPA will require the mitigation measures listed above for project approval to the extent they are not already addressed in applicable local requirements.*

With implementation of Mitigation Measure 3.6-2, the potentially significant impact of project-specific construction activities would be reduced because projects would include basic best practices to ensure that construction-generated ground vibration would not result in damage to buildings and structures or in a negative human response. Therefore, with implementation of Mitigation Measure 3.6-2, Impact 3.6-2 would be **less than significant** for Modified Alternative 3.

## 6.4.3 SIGNIFICANT EFFECT: LONG-TERM TRAFFIC NOISE LEVELS ALONG EXISTING ROADWAY ALIGNMENTS (IMPACT 3.6-4)

### FINDING

Each of the RTP/SCS alternatives would include a particular transportation strategy package and reflects different numbers and types of new allocations for development authorized by TRPA that could be constructed over the planning horizon of the RTP/SCS. Different policies and redevelopment incentives proposed under each of the alternatives would influence the rate and location of new development, the modes of transportation that would serve the Region, and ultimately the increase in new vehicle trips on highways. Traffic modeling was conducted for each alternative that projected ADTs for road segments in the Region, which were used as inputs to the traffic noise model. Long-term traffic noise levels under any of the five RTP/SCS alternatives could exceed Threshold Standards established by TRPA for different land use categories and highway corridors; and/or result in a long-term noise level increase in an area where the applicable TRPA Threshold Standard is already exceeded. This would be a **significant impact** for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.6-4 can and should be implemented by TRPA, and this mitigation would reduce the significant effects of the Plan to a less-than-significant level.

## FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts from long-term traffic noise levels along existing roadway alignments by implementing a traffic noise reduction program. Implementation of the measure is the responsibility of TRPA.

### Mitigation Measure 3.6-4: Reduce Highway Traffic Noise Levels

*TRPA will develop and effectuate the implementation of a traffic noise reduction program in coordination with local governments to attain traffic noise levels along highways in the Region where they currently exceed applicable TRPA standards and to maintain traffic noise levels along highways in the Region where they currently do not exceed TRPA standards. Until that time, TRPA will continue its existing practice of requiring measures to be developed on a project-specific basis. Measures may include those required as conditions of approval for development projects and those to be implemented by TRPA to address cumulative, regional noise levels. Traffic noise mitigation measures will be implemented through local government and/or TRPA permitting activities. When the traffic noise reduction program is adopted and implemented, the applicable requirements listed in the adopted policy may be implemented in lieu of the actions listed below.*

*Where local rules and regulations exist, projects will comply with local requirements regarding the exposure of pre-existing noise-sensitive receptors to traffic noise levels. Generally, standards established by local jurisdictions in the Region are less stringent (i.e., higher) than TRPA-established noise standards. In addition to local requirements, TRPA will require proponents of land use development projects to implement the following mitigation measures, where feasible, and to the extent they are not already addressed in applicable local requirements, to protect both on- and off-site noise-sensitive receptors:*

- *Construction/use of barriers, berms, and/or acoustical shielding (reductions of 3 dB to 5 dB)—Any barriers shall blend into the overall landscape and have an aesthetically pleasing appearance that agrees with the color and rural character of the general area, and not become the dominant visual element of the community. Relocation of existing vegetation and/or landscaping may also be necessary to achieve an aesthetically pleasing appearance;*

- *Replacing driveways that provide access from highways to individual buildings with a common access way that routes ingress and egress traffic to nearby intersections in order to reduce the number of gaps in barriers and berms (reductions site-specific);*

- *Planting of dense vegetation in key locations where noise absorption is needed (reductions site-specific);*

- *Utilizing noise-reducing pavement, including repaving existing roadways with noise-reducing pavement (reductions of 2-5dB)—All pavement must be suitable for the Tahoe climate and snow removal needs;*

- *Reducing speed limits and/or implementing traffic-calming measures that slow travel speeds, if feasible and practical (reductions of 1-2 dB);*

- *Realigning segments of the highway to reduce noise-sensitive areas to exposure of traffic noise from that highway segment (reductions site-specific);*

- *Funding the acquisition of additional right-of-way adjacent to the particular roadway segments to remove existing noise-sensitive receptors, including existing residences (reductions site-specific);*

- *Funding acoustical treatment of buildings (reductions of 3-5 dB); and/or*

- *Any measures that would, based on substantial evidence, reduce the number of vehicle trips associated with project operations, such as an employee carpool or vanpool program, shuttle bus service for residents or tourists, parking fees, and bicycle amenities.*

*Prior to adoption of the traffic noise reduction program, TRPA will continue to evaluate individual projects at the project level and enforce its CNEL standards on a project-by–project basis pursuant to the noise limitations in Chapter 68 of the TRPA Code.*

*For projects that do not require environmental documentation beyond a checklist, TRPA may apply general noise reduction measures in the twelve months preceeding adoption of the Region-wide traffic noise reduction plan.*

Mitigation Measure 3.6-4 includes measures for reducing traffic noise increases and exposure of noise-sensitive receptors to traffic noise increases. This would ensure that impacts from project-specific traffic noise increases would be reduced. Therefore, with implementation of Mitigation Measure 3.6-4, Impact 3.6-4 would be **less than significant** for Modified Alternatives 3.

## 6.4.4 SIGNIFICANT EFFECT: LONG-TERM TRAFFIC NOISE LEVELS ALONG REALIGNED ROADWAYS (IMPACT 3.6-5)

### FINDING

Implementation of the RTP/SCS could result in the realignment of some existing roadways as part of proposed transportation improvement projects. For instance, the State Route 89/Fanny Bridge Community Revitalization Project (included in all of the alternatives), could involve construction of a new roadway bridge over the Truckee River and repair or replacement of Fanny Bridge. This could increase noise for land areas designated for recreation use. In the Stateline casino corridor area, the US 50 South Shore Community Revitalization Project could realign a segment of US 50 in the Stateline casino corridor area, between a location southwest of Pioneer Trail in California and Lake Parkway in Nevada, to the west along Lake Parkway East and convert the existing US 50 roadway into a two-lane local roadway (one travel lane in each direction) serving the casino core. These proposed changes would affect the segment of US 50 between southwest of Pioneer Trail in California and Lake Parkway in Nevada. Realignment options include placement of US 50 in an alignment that could increase traffic noise for existing residential and conservation areas. Roadway realignment would relocate noise-generating traffic from current highway alignments to new locations that may be closer to existing noise-sensitive receptors (e.g., residences, open/space recreation lands). The addition of a new roadway segment, and thus a new noise source, into existing residential areas could result in increased traffic noise levels that may exceed the CNEL standards established by the local PAS or Community Plan and/or the noise standards established by the local city or county. This would be a **significant impact for Modified Alternative 3**.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.6-5 can and should be implemented by TRPA, and this mitigation would reduce the significant effects of the Plan to a less-than-significant level.

### FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts from long-term traffic noise levels along realigned roadways because TRPA would only approve projects that can demonstrate compliance with TRPA's Threshold Standards or that would not result in noise increases in

locations where TRPA standards are already exceeded. Implementation of the measure is the responsibility of TRPA.

## Mitigation Measure 3.6-5: Reduce Traffic Noise Levels Along Realigned Roadways

*TRPA will require the project proponents of roadway realignment projects to perform detailed noise studies for their respective projects, including the State Route 89/Fanny Bridge Community Revitalization Project and/or the US 50 South Shore Community Revitalization Project, if the selected alternative results in the location of the highway alignment closer to noise sensitive land uses. Each study will account for site-specific and project-level details not available at this time (e.g., selection of preferred alternative, precise routing of the new or revised alignment, changes in grade, pavement type, travel speed, roadway dimensions [lane widths, median size], and surrounding land coverage). Each project-specific study will determine whether applicable TRPA noise standards would be exceeded, including the applicable CNEL standards established by the local Community Plan or PASs, and whether noise-sensitive receptors would be exposed to noise levels that exceed local city or county noise standards. Project-level studies and all necessary mitigation for each roadway alignment will be funded by the agency or agencies responsible for the project implementation.*

*Sufficient measures will be implemented to ensure that CNEL standards established by the applicable Community Plan and PASs would not be exceeded, including in those areas located outside the corridor in which TRPA's highway-specific CNEL standards apply (i.e., 55 CNEL for SR 89 and 65 CNEL for US 50 within 300 feet of the road edge), and also to ensure that traffic noise levels that would expose noise-sensitive receptors to levels that exceed applicable standards of local jurisdictions would be reduced to the extent necessary (levels below the applicable CNEL standard). TRPA will not approve any roadway realignment that would cause traffic noise levels to exceed a Threshold Standard designated by TRPA for any land use category, including the CNEL standards designated for different land use types by Community Plans and PASs. In addition, TRPA will not approve any roadway realignment that would result in a long-term noise level increase, of any magnitude, in an area where the applicable TRPA Threshold Standard is already exceeded. Similarly, the local city or county will not approve any roadway realignment project that would expose noise-sensitive receptors to noise levels that exceed its applicable standards after implementation of all feasible mitigation. Such mitigation may include, but will not necessarily be limited to the following:*

- *Refinement of the roadway realignment design to minimize the area affected by increased noise levels that exceed applicable Community Plan or PAS standards and to minimize traffic noise levels where they expose noise-sensitive receptors to levels that exceed local noise standards;*

- *Revision to the Community Plan/PAS/community center boundaries to encompass realigned roadways and modify the TRPA-designated CNEL standards within community centers to allow for higher noise levels, consistent with the goal of creating compact, higher intensity land uses in the centers;*

- *Revision to the applicable Community Plans and PASs so that they specify that the CNEL standards for the realigned highways, which override the Community Plan- and PAS-established land-use based CNEL standards in areas within 300 feet from the roadway edge, also apply to the corridors of all realigned highways inside the respective planning areas;*

- *Expansion of the highway corridor that is exempt from TRPA-established CNEL standards for nearby land uses;*

- *Acquisition of additional right-of-way adjacent to the realigned roadways to remove existing noise-sensitive receptors, including existing residences.*

- *Construction of noise barriers, berms, walls, and/or acoustical shielding to reduce traffic noise levels along the new alignments. Any barriers shall blend into the overall landscape and have an aesthetically pleasing appearance that agrees with the color and rural character of the general area, and not become the dominant visual element of the community. Relocation of existing vegetation and/or landscaping may also be necessary to achieve an aesthetically pleasing appearance;*

- *Replacement of driveways that provide access from highways to individual buildings with a common access way that routes ingress and egress traffic to nearby intersections in order to reduce the number of gaps in barriers and berms;*

- *Planting of dense vegetation in key locations where noise absorption is needed;*

- *Use of noise-reducing pavement, including repaving existing roadways with noise-reducing pavement—all pavement must be suitable for the Tahoe climate and snow removal needs;*

- *Reduction of speed limits and/or implementing traffic-calming measures that slow travel speeds, if feasible and practical;*

- *Implementation of programs to pay for noise mitigation such as low-cost loans to owners of noise-impacted property or establishment of developer fees;*

- *Acoustical treatment of buildings; and*

- *Additional measures that would, based on substantial evidence, reduce the number of vehicle trips associated with project operations, such as an employee carpool or vanpool program, shuttle bus service for residents or tourists, parking fees, and bicycle amenities.*

It is unknown at this time whether all individual projects included in Modified Alternative 3 would be able to incorporate design and operational measures that would prevent traffic noise levels that exceed applicable TRPA-designated CNEL standards and/or that would fully offset noise increases, of any magnitude, in areas where TRPA-designated CNEL standards are already exceeded. However, because TRPA would only approve projects that can demonstrate compliance with TRPA's Threshold Standards (i.e., CNEL standards), or that would not result in noise increases in locations where TRPA standards are already exceeded, this impact would be less than significant with respect to all TRPA noise standards. Therefore, with implementation of Mitigation Measure 3.6-5, Impact 3.6-5 would be **less than significant** for Modified Alternative 3.

# 6.5 SCENIC RESOURCES

## 6.5.1 SIGNIFICANT EFFECT: EFFECTS ON EXISTING SCENIC QUALITY OR SCENIC RESOURCES (IMPACT 3.9-1)

### FINDING

Transportation projects included in the RTP/SCS would be designed consistently with TRPA scenic requirements. Many projects would provide the opportunity to enhance scenic quality and community design in urban areas through community revitalization, urban trail corridors, or implementation of complete streets. Nonetheless, new transportation facilities may alter or cause degradation to the existing scenic quality of Roadway or Shoreline Travel Units or damage scenic resources in rural areas as a result of construction activities and the introduction of new or expanded facilities or structures.

TRPA scenic requirements in the Code of Ordinances would avoid and reduce adverse effects and many projects would improve existing scenic quality; however, the potential for development of transportation facilities to degrade scenic quality in rural areas and the shorezone/shoreland cannot be entirely dismissed. Although attaining and maintaining Threshold Standards, including those protecting scenic quality, is an inherent objective of the RTP/SCS, there would be a potential for a significant scenic impact related to implementation of new projects, because considerable discretion needs to be applied to projects to determine how scenic impacts would be avoided, or if needed, what compensatory scenic mitigation may be required. A **potentially significant impact** on scenic quality and scenic resources is recognized.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.9-1 should be implemented by individual project proponents. TRPA will be responsible for enforcing the implementation of this measure, which would reduce the significant effects of the Plan to a less-than-significant level.

## FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts on existing scenic quality or scenic resources. Implementation of the measure is the responsibility of the project proponent, as enforced by TRPA.

### Mitigation Measure 3.9-1a: Require Construction Screening

*As a condition of approval for all construction projects related to all five RTP/SCS alternatives, the project proponent (e.g., Tahoe Transportation District (TTD), local County, Caltrans, NDOT) will ensure that construction-related activity is screened and maintained by installing visual screen fencing, storing building materials and equipment within the proposed construction staging areas or in areas that are as far away or hidden from public view as feasible and removing construction debris promptly.*

### Mitigation Measure 3.9-1b: Implement Scenic Impact Avoidance and/or Mitigation through TRPA Design Review

*Considerable discretion is involved in determining how new structures will either avoid adverse scenic impacts or if needed, apply compensatory scenic mitigation. Transportation facilities, including new buildings and structures, will be required to undergo detailed design review and determinations of consistency with TRPA scenic requirements during project planning and environmental review. For the Lake Tahoe Waterborne Transit Project, ferry berthing and maintenance facilities will be limited to existing marina piers and buildings, if feasible. If not, the visible mass of new or expanded piers and buildings will be designed in accordance with TRPA Shorezone and Shoreland scenic requirements, including compensatory scenic mitigation, if needed. All projects will be required to help attain and maintain scenic Threshold Standards.*

*If projects are found during the project review to be potentially inconsistent with scenic requirements or potentially may not help attain and maintain scenic Threshold Standards, project proponents will work with TRPA to modify project design or identify project-specific scenic mitigation measures to ensure that all required scenic requirements and Threshold Standards are met, specifically: Travel Route Ratings, Scenic Quality Ratings, Public Recreation Areas and Bike Trails Scenic Threshold Standards, and Community Design.*

Compliance with Design Review Guidelines, Shorezone Ordinance requirements, and scenic standards would ensure that the environmental Threshold Standards Travel Route Ratings, Scenic Quality Ratings, Public Recreation Areas and Bike Trails, and Community Design would not be violated. In addition, implementation of

Mitigation Measures 3.9-1a and 3.9-1b would reduce this impact by ensuring that project designs are modified if needed and other project-specific measures, such as construction screening, are implemented. Therefore, with implementation of Mitigation Measure 3.9-1, Impact 3.9-1 would be **less than significant** for Modified Alternative 3.

## 6.5.2 SIGNIFICANT EFFECT: EFFECTS ON SCENIC VISTAS FROM A PUBLIC ROAD OR OTHER PUBLIC AREA (IMPACT 3.9-2)

### FINDING

Proposed new pedestrian and bicycle trails would, in some locations, provide enhanced public access to vistas of the Lake. Waterborne transit offers a new type of high viewer-volume, public, on-lake access to Lake and Basin rim vistas. If new or expanded ferry piers are needed in the shorezone, or if parking, ferry terminal, or ferry maintenance structures and buildings are needed in the shoreland, the potential for blockage or interference with scenic Lake vistas is conceivable; however, shorezone and shoreland scenic requirements are designed to avoid such effects. Nonetheless, the potential for development of ferry facilities that may interfere with Lake vistas cannot be entirely dismissed. Transportation projects that would involve roadway, trail, stormwater, and other public works improvements would not block or interfere with scenic vistas, because they either consist of "horizontal" infrastructure (such as grading, drainageways, or paving) or involve smaller, "vertical" structures that would not be large enough to interfere with scenic vistas (such as transit shelters, low bridge railings, unobstructive trail alignments). Nearly all of the transportation projects in the RTP/SCS would enhance public access to scenic vistas, or would not be of a size or height that would create the potential for interference with scenic vistas. The potential for shorezone and shoreland structures related to the Lake Tahoe Waterborne Transit Project to adversely affect Lake vistas cannot be entirely dismissed, which would constitute a **potentially significant impact** for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.9-1 can and should be implemented by TRPA, and this mitigation would reduce the significant effects of the Plan to a less-than-significant level.

### FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts on scenic vistas from a public road or other public area. Implementation of the measure is the responsibility of TRPA.

#### Mitigation Measure 3.9-1b: Implement Scenic Impact Avoidance and/or Mitigation through TRPA Design Review

*Alternative 2 does not require mitigation. For Alternatives 1, 3, 4, and 5, TRPA will implement Mitigation Measure 3.9-1b. See above, for a description of the mitigation measure under Impact 3.9-1.*

Implementation of Mitigation Measure 3.9-1b would reduce this impact to ensure that the Environmental Threshold Standards Travel Route Ratings, Scenic Quality Ratings, Public Recreation Areas and Bike Trails, and Community Design would not be violated and by ensuring that project designs are modified if needed and other project-specific measures are implemented. Therefore, with implementation of Mitigation Measure 3.9-1b, Impact 3.9-2 would be **less than significant** for Modified Alternative 3.

# 6.6 BIOLOGICAL RESOURCES

## 6.6.1 SIGNIFICANT EFFECT: SENSITIVE HABITATS (IMPACT 3.10-1)

### FINDING

Sensitive habitats in the Tahoe Basin include a variety of wetland/riparian communities such as wet meadows, riparian zones along streams, marshes, seasonal wetlands, drainages, springs, fens, bogs, and deep water plant communities of Lake Tahoe. Most of these communities are also designated by TRPA as SEZ and habitats of special significance. Implementation of projects under Modified Alternative 3, depending on their specific locations, could result in removal or disturbance of habitats considered sensitive by USACE and TRPA, including riparian vegetation, SEZ, and potential jurisdictional wetlands. Construction-related disturbances could occasionally occur in or otherwise directly or indirectly affect areas that may support sensitive habitats, including SEZs, outside of existing disturbed areas. This potential habitat loss would be a **potentially significant impact** to SEZs and other sensitive habitats in the Basin.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. TRPA can and should ensure the implementation of Mitigation Measure 3.10-1 through its project review, and this mitigation would reduce the significant effects of the Plan to a less-than-significant level.

### FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts on sensitive habitats. Implementation of the measure is the responsibility of TRPA.

#### Mitigation Measure 3.10-1a: Implement Vegetation Protection Measures and Revegetate Disturbed Areas

*Vegetation will not be disturbed, injured or removed, except in accordance with the Code or conditions of Project approval. All trees, major roots, and other vegetation, not specifically designated and approved for removal in connection with a project will be protected according to methods approved by TRPA. All vegetation outside the construction site boundary, as well as other vegetation designated on the approved plans, will be protected by installing temporary fencing pursuant to subsections 33.6.9 and 33.6.10. Areas outside the construction site boundary that sustain vegetation damage during construction will be revegetated according to a revegetation plan in accordance with Section 61.4.*

#### Mitigation Measure 3.10-1b: Conduct Delineation of Waters of the United States and Obtain Authorization for Fill and Required Permits

*Prior to the start of on-site construction activities, a qualified biologist will survey the project area for sensitive natural communities. Sensitive natural communities or habitats are those of special concern to resource agencies or those that are afforded specific consideration, based on Section 404 of the Clean Water Act (CWA) and other applicable regulations. If sensitive natural communities or habitats that are afforded specific consideration, based on Section 404 of the Clean Water Act (CWA) are determined to be present, a delineation of waters of the United States, including wetlands that would be affected by the project, will be prepared by a qualified biologist through the formal Section 404 wetland delineation process. The delineation will be submitted to and verified by USACE. If, based on the verified delineation, it is determined that fill of waters of the United States would result from implementation of the project, authorization for such fill will be secured*

*from USACE through the Section 404 permitting process. The acreage of riparian habitat (deciduous riparian vegetation) that would be removed or disturbed during project implementation will be quantified and replaced or restored/enhanced in accordance with USACE and TRPA regulations. Habitat restoration, enhancement, and/or replacement will be at a location and by methods agreeable to USACE as determined during the permitting processes for CWA Section 404 and by TRPA during the permitting process for SEZ.*

Prior to approving any future project subject to environmental review requirements, TRPA will, in accordance with Chapter 4, Required Findings, of the Code of Ordinances, make written findings supported by substantial evidence in the record that the project is consistent with, and will not adversely affect implementation of the Regional Plan, Goals and Policies, plan maps, Code, and other plans and programs; and that it will not cause Environmental Threshold Carrying Capacities to be exceeded. Because of the mandatory nature of TRPA environmental review requirements, Code compliance, and permit approvals, it is reasonable to expect that existing procedures, performance standards, and environmental safeguards such as TRPA Threshold Standards, Code compliance requirements, federal/state/local regulations, and permit approvals would be effective in avoiding or mitigating potentially significant project-specific impacts, and/or that projects would be required to be modified so as to achieve such standards prior to approval. Therefore, with implementation of Mitigation Measure 3.10-1, Impact 3.10-1 would be **less than significant** for Modified Alternative 3.

## 6.6.2 SIGNIFICANT EFFECT: TREE REMOVAL (IMPACT 3.10-2)

### FINDING

Construction of several RTP/SCS projects would likely require the removal of native trees. Provisions for tree removal are provided in the TRPA Code of Ordinances (Chapter 61, and Chapters 33 and 36), and tree removal requires the review and approval of TRPA. For specific projects under Modified Alternative 3, project-level planning and environmental analysis would identify potential tree removal. Tree removal as a result of specific transportation projects would be a **potentially significant impact** for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. TRPA can and should ensure the implementation of Mitigation Measure 3.10-2 through its project review, and this mitigation would reduce the significant effects of the Plan to a less-than-significant level.

### FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts from tree removal ensuring compliance with existing TRPA regulations and policies regarding tree removal. Implementation of the measure is the responsibility of TRPA.

### Mitigation Measure 3.10-2: Minimize Tree Removal and Develop a Tree Removal and Management Plan

*Where feasible, the project will avoid and minimize the removal of trees, especially those 30 inches in DBH or larger. This avoidance and minimization will be achieved through project design to the greatest extent feasible. Tree removal that cannot be avoided will be mitigated with the following measures. In accordance with Chapter 61, Section 61.1.5.C of the TRPA Code of Ordinances, a tree removal and management plan will be prepared by a qualified forester and will be submitted to a TRPA Registered Professional Forester (RPF) or other qualified TRPA professional for review and approval. TRPA approval of the plan will be obtained before project approval. Alternatively, if a timber harvesting plan is required to be submitted to California Department of Forestry and Fire Protection and meets the requirements described in this mitigation measure, the timber*

*harvesting plan may be submitted to TRPA for review and approval in lieu of a separate tree removal and management plan.*

*The tree removal and management plan will adhere to the provisions in Chapter 61 of the TRPA Code of Ordinances, including the preservation of trees larger than 30 inches DBH (Section 61.1.4.A). The plan will include protection measures for snags and coarse woody debris. In accordance with the TRPA criteria Standards for Common Vegetation, the plan will maintain relative species richness, relative abundance, and relative age class, as appropriate and feasible, to contribute to the attainment of the region-wide Threshold Standard.*

*Permanent disturbance (i.e., disturbance after project construction caused by the proposed project) and temporary disturbance (i.e., disturbance from construction activities) of all trees to be preserved will be minimized. This will include minimizing cuts, fills, grade changes, paving or other coverage, soil compaction, and landscaping effects within the critical root zone of all trees, as determined by a qualified environmental professional. Creation of detailed site plans and construction documents will be coordinated with a qualified environmental professional to minimize permanent and temporary disturbance. The tree removal and management plan will demonstrate how site development design will minimize the permanent disturbance of all trees to be preserved, and how construction planning will minimize temporary disturbance of all trees to be preserved.*

*To minimize temporary disturbance, the tree removal and management plan will provide for vegetation protection during construction in accordance with Chapters 33 and 36 of the TRPA Code of Ordinances.*

*All tree protection obligations required in the tree removal and management plan will be incorporated into construction contracts. Tree protection measures will be installed, and will be inspected by staff from TRPA before issuance of a grading permit.*

*As part of the tree removal and management plan, a tree replacement plan may be prepared by a qualified forester, in accordance with Chapters 36 and 61 of the TRPA Code of Ordinances. Tree replacement needs and specifications will be determined in cooperation with TRPA during development of the tree removal and management plan. Determining whether tree replacement is appropriate, and the amount of project-related tree removal subject to mitigation by tree replacement, should be based on several considerations related to local and Basin-wide vegetation and fuels management goals and opportunities. These considerations include: (1) the condition, stocking level, and encroachment potential of stands where trees would be removed relative to vegetation/fuels management objectives, desired ecological conditions, and relevant TRPA Threshold Standards for those areas (e.g., stands proposed for removal that are presently overstocked, encroaching into other native vegetation types, or otherwise undesirable may not warrant full replacement); (2) whether on- or offsite tree replacement, which could increase tree density and cover at replanting sites, would either contribute to or conflict with fuels/vegetation and forest health goals for those locations or Basin-wide; and (3) how tree replacement may affect attainment of TRPA Threshold Standards for vegetation. If a tree replacement plan is required, it would be submitted to and approved by a TRPA RPF or other qualified TRPA professional before tree removal or the issuance of a grading permit. Tree replacement will only be implemented in a manner that is also consistent with fire fuel management objectives for the replanted properties.*

Implementation of Mitigation Measure 3.10-2 would ensure compliance with existing TRPA regulations and policies to identify potentially significant tree removal, minimize or avoid those impacts through the design and permitting process, and provide mitigation for any significant effects. Therefore, approved tree removal as a result of specific projects under all alternatives would be reduced to a less-than-significant impact. TRPA's Goals and Policies, Code of Ordinances, and Rules of Procedure require protection of large trees and late seral/old growth ecosystems, preparation and approval of tree removal plans, compensatory tree replacement or other project-level mitigation to avoid significant impacts if appropriate and needed, and other protection measures.

Therefore, with implementation of Mitigation Measure 3.10-2, Impact 3.10-2 would be **less than significant** for Modified Alternative 3.

## 6.6.3 SIGNIFICANT EFFECT: EFFECTS ON FISH AND AQUATIC HABITAT (IMPACT 3.10-3)

### FINDING

Aquatic habitats could be affected by project construction activities associated with new or improved stream crossings, transportation facilities adjacent to aquatic habitats, and stormwater control projects. Construction could temporarily result in increased turbidity and downstream sedimentation, small amounts of fill placed in aquatic habitats, and the release and exposure of construction-related contaminants. Construction-related disturbances to fish and aquatic habitat would be **potentially significant** for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.10-3 should be implemented by individual project proponents (TTD, Caltrans, NDOT, and TRPA). TRPA will be responsible for enforcing the implementation of this measure, which would reduce the significant effects of the Plan to a less-than-significant level.

### FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts on fish and aquatic habitat. Implementation of the measure is the responsibility of the project proponent, as enforced by TRPA.

#### Mitigation Measure 3.10-3: Conduct Preconstruction Surveys and Develop and Implement Native-Fish Capture and Translocation Plan

*The project proponent shall develop and implement measures to prevent the construction-related loss of native fish occupying habitat within the project-specific area. In accordance with existing regulations, before any construction activities that require dewatering commence, a qualified biologist shall conduct preconstruction surveys and implement native-fish relocation activities within the construction dewatering area. All captured native fish species shall be immediately released to a suitable habitat near the project area. The qualified biologist shall place nets with 1/8-inch mesh at the upstream and downstream extents of the area to be dewatered to keep fish out of the area during fish removal activities. After completion of removal activities, the work area will be cleared for dewatering. Fish rescue and relocation will continue until the area is completely dewatered or until it is determined that no fish remain in the dewatering area. This fish translocation plan will apply only to native fish species. Nonnative species captured during the pre-dewatering effort will be humanely killed and disposed of. These activities shall take place in consultation with TRPA and the Nevada Department of Wildlife (NDOW) or California Department of Fish and Game.*

TRPA's existing policies and Code provisions address potential impacts to fisheries and aquatic habitats through site specific environmental review and requiring development and implementation of project-specific measures to minimize or avoid those impacts through the design process, and provide compensatory or other mitigation for any significant effects on fish habitat as a condition of project approval. Specifically, provisions of the TRPA Code of Ordinances require protecting prime and other fish habitat, and providing mitigation to avoid significant impacts to fisheries if needed; and TRPA's Rules of Procedure require mitigation for any significant impact as a condition of project approval. Compliance with TRPA's existing policies and Code provisions, along with

implementation of Mitigation Measure 3.10-3 would minimize or avoid impacts to fish and aquatic habitat. Therefore, with implementation of Mitigation Measure 3.10-3, Impact 3.10-3 would be **less than significant** for Modified Alternative 3.

## 6.6.4 SIGNIFICANT EFFECT: SPECIAL-STATUS PLANT AND WILDLIFE SPECIES (IMPACT 3.10-4)

### FINDING

Construction of some RTP/SCS projects could affect special-status plant or animal species, depending on the specific locations, presence of suitable habitat and the type, timing, and specific nature of the project actions. During project-level planning and evaluation, species with potential to be affected would be determined based on the species' distribution and known occurrences relative to the project area, the presence of suitable habitat for the species in or near the project area, and preconstruction surveys. If special-status plant or wildlife species are found where RTP/SCS project-specific ground disturbance is planned, then implementing Modified Alternative 3 could result in their removal or disturbance. This impact would be **potentially significant.**

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.10-4 can and should be implemented by TRPA, and this mitigation would reduce the significant effects of the Plan to a less-than-significant level.

### FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts on special-status plant and wildlife species. Implementation of the measure is the responsibility of TRPA.

#### Mitigation Measure 3.10-4a: Conduct Follow-up, Pre-construction Surveys and Avoid, Minimize, or Compensate for Impacts on Special-Status Plant Species

*To avoid, minimize, or compensate for possible adverse effects on special-status plant species resulting from a proposed RTP project, the following management requirements would be implemented in the following order, in accordance with existing regulations:*

- *A qualified botanist familiar with the vegetation of the Tahoe Basin will conduct preconstruction surveys for special-status plants that could occur in the project area and be affected by the proposed project. Surveys will be conducted during appropriate blooming periods when target species are clearly identifiable and will follow CDFG's Guidelines for Assessing the Effects of Proposed Development on Rare, Threatened, and Endangered Plants and Plant Communities (CDFG 2000).*

- *If no special-status plants are found during the survey, the results of the survey will be documented in a letter report to the lead agencies that would become part of the project environmental record, and no further actions will be required.*

- *If occurrences of special-status plants are documented during the survey, they will be clearly identified in the field and protected from impacts associated with construction activities. Protective measures will include flagging and fencing of known plant locations and avoidance where possible. No construction-related activities will be allowed within areas fenced for avoidance, and construction*

*personnel will be briefed about the presence of the plants and need to avoid effects on the populations.*

- *If avoidance is not possible, a mitigation plan to reduce impacts on special-status plants to a less-than-significant level will be developed in coordination with the lead agencies, CDFG (for CNPS List 2 species), and USFS (for forest sensitive species), depending on the species affected. The mitigation plan will include provisions for minimizing impacts on special-status plant populations during construction and for relocation and establishment of plants at new protected locations in the study area. The mitigation plan will also include provisions for follow-up monitoring to determine mitigation success, and remedial measures should the initial efforts to mitigate fail. The plan will be adopted and implemented by the project proponent.*

## Mitigation Measure 3.10-4b: Conduct Pre-construction Surveys for Nesting Special-Status Birds, and Implement a Limited Operating Period if Necessary

*In accordance with existing regulations, for construction activities that would occur in suitable habitat during the nesting season (generally April 1–August 31, depending on species and weather), a qualified wildlife biologist will conduct focused surveys for active nest sites of special-status birds. The biologist should be able to identify Sierra Nevada bird species audibly and visually.*

*If an active special-status bird nest is located during the preconstruction surveys, the biologist will notify TRPA and CDFG. If necessary, modifications to the project design to avoid removal of occupied habitat while still achieving project objectives will be evaluated, and implemented to the extent feasible. If avoidance is not feasible or conflicts with project objectives, appropriate limited operating periods will be established through consultation with TRPA and CDFG and will apply to avoid disturbances during the sensitive nesting season.*

## Mitigation Measure 3.10-4c: Conduct Pre-construction Surveys for Special-Status Bats, Avoid Removal of Important Roosts, and Implement a Limited Operating Period if Necessary

*In accordance with existing regulations, bat surveys will be conducted by a qualified wildlife biologist within 14 days before any tree removal or clearing each construction season. Locations of vegetation and tree removal or excavation will be examined for potential bat roosts. Potential roost sites identified will be monitored on two separate occasions for bat activity, using bat detectors to help identify species. Monitoring will begin 30 minutes before sunset and will last up to 2 hours at any potential roost identified. Removal of any significant roost locations discovered will be avoided to the extent feasible. If avoidance is not feasible, roost sites will not be disturbed by project activities until September 1 or later, when juveniles at maternity roosts would be volant (i.e., able to fly).*

Implementation of Mitigation Measure 3.10-4, together with compliance of TRPA's existing policies and Code provisions that address potential impacts to special-status species through site specific environmental review and requiring development and implementation of project-specific measures to minimize or avoid impacts through the design process, impacts from proposed RTP/SCS projects would be reduced to less than significant. Therefore, with implementation of Mitigation Measure 3.10-4, Impact 3.10-4 would be **less than significant** for Modified Alternative 3.

## 6.6.5 SIGNIFICANT EFFECT: INTRODUCTION AND SPREAD OF INVASIVE SPECIES AND AQUATIC INVASIVE SPECIES (IMPACT 3.10-5)

### FINDING

Construction of some RTP/SCS projects would involve ground-disturbing activities in disturbed and native vegetation types. These activities would temporarily create areas of open ground that could be colonized by nonnative, invasive weed species from inside or outside of the project area. Invasive weeds and other species could inadvertently be introduced or spread in the project area during grading and construction activities, if nearby source populations passively colonize disturbed ground, or if construction and personnel equipment is transported to the site from an infested area. Construction and operation of the Lake Tahoe Waterborne Transit Project, including the initial deployment of transit boats on Lake Tahoe, could facilitate the spread of aquatic invasive species into Lake Tahoe. Boats or construction equipment could harbor aquatic invasive species that could invade Lake Tahoe, if boats or equipment were exposed to those species in another water body and are not sufficiently cleaned and sanitized. The potential introduction and spread of invasive species as a result of implementing Modified Alternative 3 would be **potentially significant**.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.10-5 can and should be implemented by TRPA, and this mitigation would reduce the significant effects of the Plan to a less-than-significant level.

### FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts from introduction and spread of invasive weeds and aquatic invasive species. Implementation of the measure is the responsibility of TRPA.

#### Mitigation Measure 3.10-5a: Implement Weed Management Practices during Project Construction

*In consultation with TRPA, the project proponent will implement appropriate weed management practices during project construction. Recommended practices include the following:*

- *A qualified biologist with experience in the Tahoe Basin will conduct a preconstruction survey to determine whether any populations of invasive/noxious weeds are present within areas proposed for ground-disturbing activities. This could be conducted in coordination with the focused special-status plant survey recommended above under Mitigation Measure 3.10-4a, —Conduct Follow-up, Pre-construction, Focused Surveys and Avoid, Minimize, or Compensate for Impacts on Special-Status Plants. If noxious weed species are documented, they will be removed or their spread otherwise prevented before the start of construction. Control measures may include herbicide application, hand removal, or other means of mechanical control. This would help eliminate the threat of spreading the species throughout the study area and adjacent areas.*

- *All equipment entering the study area from weed-infested areas or areas of unknown weed status will be cleaned of all attached soil or plant parts before being allowed into the study area.*

- *To ensure that fill material and seeds imported to the study area are free of invasive/noxious weeds, the project will use on-site sources of fill and seeds whenever available. Fill and seed materials that*

*need to be imported to the study area will be certified weed-free. In addition, only certified weed-free imported materials (or rice straw in upland areas) will be used for erosion control.*

*After project construction, the study area will be monitored on an annual basis for infestations of invasive weeds until the restored vegetation has become fully established. If new populations of invasive weeds are documented during monitoring, they will be treated and eradicated to prevent further spread.*

### Mitigation Measure 3.10-5b: Implement Aquatic Invasive Species Management Practices during Project Construction

*In consultation with TRPA, the project proponent will implement appropriate aquatic invasive species management practices during project construction. Recommended practices include the following:*

- *All equipment, including individual equipment such as waders, wading boots, etc., entering the project area that will be used in or around Lake Tahoe will be decontaminated using recommended methods before being allowed into the project area.*

Implementation of Mitigation Measures 3.10-5, together with compliance with the TRPA Code of Ordinances and Goals and Policies that prohibit the release of nonnative species in the Tahoe Basin, would reduce this impact to less than significant. The TRPA Code requires conducting watercraft inspections and decontamination to prevent the introduction and spread of aquatic invasive species in Lake Tahoe from boats entering the Region; this provision would apply to the Lake Tahoe Waterborne Transit Project. Additionally, for each RTP/SCS project, project-level planning and environmental analysis would analyze the risk of terrestrial or aquatic invasive species introductions and spread, based on the type and location of the project; minimize or avoid those impacts through the design process (e.g., including BMPs and other measures to minimize or avoid invasive species introductions); and provide management or compensatory actions for any significant effects as a condition of project approval (e.g., implementing weed and aquatic invasive species management practices during construction). Therefore, with implementation of Mitigation Measure 3.10-5, Impact 3.10-5 would be **less than significant** for Modified Alternative 3.

# 6.7 POPULATION, EMPLOYMENT, AND HOUSING

## 6.7.1 SIGNIFICANT EFFECT: DISPLACEMENT OF RESIDENCES AND BUSINESSES (IMPACT 3.12-2)

### FINDING

Acquisition of land and buildings necessary for highway realignments and other transportation improvements could displace existing residences and businesses. The number of residences and businesses that would be displaced as a result of a project is undetermined at this time, because project design and right-of-way planning are needed to determine the extent of necessary displacement. Two projects in the RTP/SCS list have the potential to displace residents and businesses, the US 50 South Shore Community Revitalization Project and the SR 89/Fanny Bridge Community Revitalization Project. This would be a **significant impact** for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.12-2 should be implemented by individual project proponents (TTD, Caltrans, NDOT). FHWA, or, if delegated, Caltrans or NDOT, or the City of South Lake Tahoe, or the appropriate

county will be responsible for enforcing the implementation of this measure, which would reduce the significant effects of the Plan to a less-than-significant level.

### FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts from road deterioration. Implementation of the measure is the responsibility of the project proponent, as enforced by the federal lead agency (FHWA, or, if delegated, Caltrans or NDOT, or the City of South Lake Tahoe, or the appropriate county).

#### Mitigation Measure 3.12-2: Prepare a Relocation Assistance Plan, or Equivalent Plan

*The project proponent will consider project alternatives that avoid displacement of homes or businesses. For projects that would result in the displacement of residences or business, the project proponent will comply with federal and state requirements for the preparation a relocation assistance plan (RAP), or equivalent document. For projects on the highway system or that receive federal transportation funds, preparation of a RAP will follow the requirements of the Federal Highway Administration Relocation Assistance Program in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended) and Title 49 Code of Federal Regulations (CFR) Part 24. RAP-equivalent documents will comply with applicable regulations that may include the California Relocation Assistance Law (California Government Code Section 7260 et seq.), the California Relocation and Real Property Acquisition Guidelines (California Code of Regulations, Title 25 and Chapter 6, Section 6000 et seq.), and Caltrans' Right of Way Manual, Chapter 10. Relocation plan typically consider:*

- *Criteria for replacement housing,*
- *Reimbursement criteria for moving costs and/or different housing costs (including rents); and*
- *Reimbursement criteria for businesses, including costs associated with searching for a new space, and business lost.*

Mitigation Measure 3.12-2 would ensure that potential residential or business displacements from project implementation would result in the preparation of a Relocation Assistance Plan, or equivalent document, to assist and potentially compensate residents and businesses subject to displacement. This would ensure that potential displacement impacts would be reduced to a less-than-significant level with mitigation incorporated. Therefore, with implementation of Mitigation Measure 3.12-2, Impact 3.12-2 would be **less than significant** for Modified Alternative 3.

# 6.8 PUBLIC SERVICES AND UTILITIES

## 6.8.1 SIGNIFICANT EFFECT: DEMAND FOR WASTEWATER COLLECTION AND TREATMENT (IMPACT 3.13-4)

### FINDING

RTP/SCS projects may include toilets, sinks, and drinking water fountains, which would require wastewater treatment. These facilities would increase demand for wastewater treatment. Based on *Small and Decentralized Wastewater Management Systems*, demand for domestic water for public restrooms is estimated at five gallons of domestic water per person per day (Crites 1998, 171). Because the level of use related to public restrooms

constructed to support bicycle paths, recreation projects, and other projects is unknown, the levels could become substantial and this impact would be **potentially significant** for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.13-4 should be implemented by individual project proponents (TTD, Caltrans, NDOT, and TRPA). The affected GID or PUD will be responsible for enforcing the implementation of this measure, which would reduce the significant effects of the Plan to a less-than-significant level.

## FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts from wastewater collection and treatment demand. Implementation of the measure is the responsibility of the project proponent, as enforced by the affected GID or PUD.

### Mitigation Measure 3.13-4: Prepare and Submit PUD- or GID-Specific Requests for New Wastewater Collection and/or Treatment

*In accordance with applicable regulations, the project proponent will prepare and submit calculations for wastewater collection and treatment needs to the applicable PUD or GID. Calculations will include, but not be limited to:*

- *location of the proposed project;*
- *site design documents providing the location of existing and proposed wastewater facilities;*
- *the number of potential dwelling units, anticipated recreation users, or other applicable quantification of user type;*
- *the number of fixture units (e.g., sinks, showers, toilets, washer, etc.); and*
- *anticipated wastewater collection and treatment demand.*

*The project proponent will obtain authorization for new wastewater collection and treatment from the applicable PUD or GID before the start of construction activities. Potential impacts resulting from construction of wastewater infrastructure improvements or construction will be addressed. Mitigation measures will be proposed to reduce potentially significant impacts, as feasible, and in accordance with TRPA Code of Ordinances and other state and federal requirements (e.g., CEQA Statues and Guidelines).*

Because project proponents would be required to obtain authorization for improvements to, or increased need of wastewater collection and treatment, it can be assured that these needs will be met on a project-specific basis. In addition, it is reasonable to expect that the existing performance standards and environmental safeguards such as TRPA Threshold Standards, Code compliance requirements, federal/state/local regulations, and permit approvals would be effective in avoiding or mitigating potentially significant project-specific impacts, and/or that projects would be required to be modified so as to achieve such standards prior to approval. Impacts will be reduced to a less-than-significant level. Therefore, with implementation of Mitigation Measure 3.13-4, Impact 3.13-4 would be **less than significant** for Modified Alternative 3.

## 6.8.2 SIGNIFICANT EFFECT: ACCESS FOR EMERGENCY SERVICES (IMPACT 3.13-5)

### FINDING

Construction projects associated with RTP/SCS implementation could affect police services, fire protection, and emergency medical services response time and delivery of emergency services. Depending on the timing, location, and duration of construction activities, several of the projects included in the RTP/SCS, including intersection improvements, roadway and bikeway enhancements, and maintenance activities, could delay emergency vehicle response time or otherwise disrupt delivery of emergency services**.** By closing off one or more lanes of a roadway, emergency routes could be impaired; causing traffic delays and ultimately preventing access to calls for service. Thus, this impact would be project-specific and would be a **potentially significant impact** for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.12-5 should be implemented by individual project proponents (TTD, Caltrans, NDOT, and TRPA). TRPA, the appropriate county, City of South Lake Tahoe, Caltrans, or NDOT will be responsible for enforcing the implementation of this measure, which would reduce the significant effects of the Plan to a less-than-significant level.

### FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts from access for emergency services. Implementation of the measure is the responsibility of the project proponent, as enforced by TRPA, the appropriate county, City of South Lake Tahoe, Caltrans, or NDOT.

#### Mitigation Measure 3.13-5: Prepare and Implement a Traffic Control Plan in Coordination with Affected Agencies

*To minimize effects on emergency vehicle and existing public vehicular access, the project proponent for construction projects will, in accordance with applicable regulations, prepare a traffic control plan (TCP) that will address locations that will involve construction in existing roadways and rights-of-ways. The TCP will be prepared in accordance with professional traffic engineering standards and in compliance with the requirements of the affected agency's encroachment permit requirements (e.g., the affected county, Caltrans, NDOT) and will include measures that will provide notification to emergency service providers and adequate circulation around construction sites for emergency vehicle and existing public vehicular access. The TCP may include, but not be limited to, the following elements:*

- *The specific methods to maintain traffic flows on affected streets.*
- *The maximum amount of travel lane capacity during non-construction periods.*
- *Locations of flagger control for sensitive sites to manage traffic control and flows.*
- *Construction work zones width limits that, at a minimum, maintain alternate one-way traffic flow past the construction zones.*
- *Alternative routes to ensure that local residents, school buses, or emergency vehicles maintain access.*

- *Coordinated construction activities (time of year and duration) to minimize traffic disturbances.*
- *Advanced warning posts of construction activities to allow motorists to select alternative routes in advance.*
- *Appropriate warning signage and lighting for construction zones.*
- *Appropriate and safe detour route identification if closure of a roadway is required, and signage that warns of road closures and detour routes.*
- *The TCP will be submitted to the affected agencies (county, city, NDOT, Caltrans) for review and comment.*

Because of the mandatory nature of TRPA Threshold Standards, Code compliance requirements, federal/state/local regulations, and permit approvals, it is reasonable to expect that these existing performance standards and environmental safeguards would be effective in avoiding or mitigating potentially significant project-specific impacts, and/or that projects would be required to be modified so as to achieve such standards prior to approval. Implementation of Mitigation Measure 3.13-5 will reduce short-term impacts to police, fire, and medical services to a less-than-significant level because a TCP would be prepared that would require that construction activities are coordinated with affected agencies to ensure service providers' service levels are not substantially deteriorated. Therefore, with implementation of Mitigation Measure 3.13-5, Impact 3.13-5 would be **less than significant** for Modified Alternative 3.

# 6.9 HAZARDS AND PUBLIC SAFETY

## 6.9.1 SIGNIFICANT EFFECT: HAZARDOUS MATERIALS SITES (IMPACT 3.14-2)

### FINDING

Project sites could be located on sites that are included on a list of hazardous materials sites. Therefore, impacts related to exposure of the public or the environment to hazardous materials would be **potentially significant** for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.12-5 should be implemented by individual project proponents (TTD, Caltrans, NDOT, and TRPA).The Lahontan Regional Water Quality Control Board (LRWQCB), California Department of Toxic Substances Control (DTSC), or the Nevada Division of Environmental Protection will be responsible for enforcing the implementation of this measure, which would reduce the significant effects of the Plan to a less-than-significant level.

### FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measures that would reduce to less-than-significant levels the project's impacts from hazardous materials sites. Implementation of the measure is the responsibility of the project proponent, as enforced by LRWQCB, DTSC, or the Nevada Division of Environmental Protection.

### Mitigation Measure 3.14-1: Avoid Known Contaminated Sites

*In accordance with existing regulations, project proponents will require construction contractors to implement the following mitigation measures prior to any construction to prevent potential exposure to workers or the environment from contaminated sites:*

- *Prior to any construction activities, the project applicant will consult all known databases of contaminated sites. If it is determined that a project is located on or near a contaminated site, the implementing agency will consult with the appropriate regulatory agencies (LRWQCB or DTSC in California or Nevada Division of Environmental Protection in Nevada) to either devise a remediation plan or avoid disturbance of contaminated areas.*

- *All projects should avoid, to the extent feasible, locating any construction staging areas or new transportation facilities in areas that could have been used previously for industrial/manufacturing uses, or other uses that could have involved use, handling, transport, or storage of hazardous materials (including but not limited to auto maintenance, gas station, equipment yard, dry cleaner, railroad, agriculture, mining, etc.). If such areas cannot be avoided, prior to any construction within such areas, the proponent will hire a qualified professional to conduct a Phase 1 Environmental Site Assessment (Phase I ESA), limited to the area of proposed ground disturbance that will identify the presence of any soil or groundwater contamination at concentrations that could pose health risk to construction workers. If such levels of soil or groundwater contamination are identified, the proponent will follow the recommendations in the Phase 1 ESA, which may include removal of contaminated soil, treatment and proper disposal of contaminated groundwater, or other remediation measures, all of which will be subject to applicable regulatory approvals.*

Implementation of Mitigation Measure 3.14-1 would ensure that all necessary procedures are taken to identify sites that contain potentially hazardous materials. If sites containing hazardous materials are found to be on or near a proposed project, proper precautions would be taken to avoid contamination to construction workers or the environment. This impact would be reduced to **less than significant.** Therefore, with implementation of Mitigation Measure 3.14-1, Impact 3.14-1 would be less than significant for Modified Alternative 3.

# 6.10 CULTURAL RESOURCES

## 6.10.1 SIGNIFICANT EFFECT: HISTORICAL RESOURCES (IMPACT 3.15-1)

### FINDING

Demolition, alteration, or disturbance of existing features, buildings, and structures could result in changes to or destruction of historical resources. Roadway realignments, bicycle lanes, removal or replacement of bridges, and new or improved facilities (stormwater, parking, and restroom) could result in the disturbance or demolition of historic resources. Because future projects could result in demolition or alteration of historical resources, this impact is **potentially significant** for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.15-1 should be implemented by individual project proponents (TTD, Caltrans, NDOT, and TRPA). TRPA will be responsible for enforcing the implementation of this measure, which would reduce the significant effects of the Plan to a less-than-significant level.

## FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measures that would reduce to less-than-significant levels the project's impacts on historical resources. Implementation of the measure is the responsibility of the project proponent, as enforced by TRPA.

### Mitigation Measure 3.15-1a: Prepare a Site-Specific Historic Resources Inventory Report

*To adequately address the level of potential impacts for a specific project and thereby design appropriate mitigation measures, the project proponent (e.g., Tahoe Transportation District (TTD), local County, Caltrans, NDOT) will survey, inventory, and determine the significance of the historic resources within the defined area of potential effect (APE) of specific projects that include construction of facilities. The following are steps typically taken to assess and mitigate potential impacts to historic resources:*

- *Define the APE, based on relevant standards (i.e., California, Nevada, TRPA, and federal procedures, as applicable)*
- *Identify both previously recorded historic resources and those not previously recorded.*
- *Evaluate the significance of historic resources using California, Nevada, TRPA, and federal (Section 106) guidelines, as applicable.*
- *Identify the significance of impacts of the proposed project under California, Nevada, TRPA, and federal (Section 106) guidelines, as applicable.*
- *Develop and implement mitigation measures designed to avoid, minimize, rectify, reduce or eliminate the effects of the project on significant historic resources.*

*Minimally, an historic resources inventory will consist of an historic resources records search to be conducted at the North Central Information Center of the California Historical Resources Information System located at California State University, Sacramento or at the Nevada State Historic Preservation Office (depending on the location of the project); review of TRPA's cultural resources database and mapping of eligible sites; consultation with the Native American Heritage Commission (NAHC) and with interested Native Americans identified by the NAHC (i.e., Washoe Tribe in this Region); a field survey (if one has not previously been conducted); recordation of all identified historic buildings and structures on California Department of Parks and Recreation 523 Site Record forms (in California); and preparation of an historic resources inventory report describing the project setting, methods used in the investigation, results of the investigation, and recommendations for management of identified resources.*

*Identified historic resources in California jurisdictions that may be impacted by a project will be evaluated for eligibility on the California Register of Historical Resources (CRHR). Historic resources that are eligible for the CRHR are considered to be significant historic resources. Historic resources that are identified within project areas subject to federal approval, permits, or funding will also be evaluated for eligibility for listing on the National Register of Historic Places (NRHP), in accordance with Section 106 of the National Historic Preservation Act (NHPA). Historic resources determined to be eligible for listing on the NRHP are automatically eligible for listing on the CRHR and are considered to be significant historic resources.*

### Mitigation Measure 3.15-1b: Survey for Historic Resources

*In accordance with existing regulations, for any project that implements the RTP, the project proponent will survey and evaluate the area of potential effect of any development or other ground-disturbing activities that contain structures 50 years old or older for their historic significance prior to TRPA's approval of project plans. The survey will be carried out by a qualified historian or architectural historian who is acceptable to the lead agency and who meets the Secretary of the Interior's Standards for Architectural History. If potentially significant historic resources are encountered during the survey, demolition, substantial alteration, and other adverse effects to such resources will be avoided. If avoidance of identified historic resources is deemed infeasible, with TRPA concurrence, the project proponent will prepare a treatment plan to minimize adverse effect, relocate resources, if appropriate, and photo-document and interpret any adversely affected resource. Any alterations, including relocation, to historic buildings or structures will conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.*

### Mitigation Measure 3.15-1c: Record Historic Buildings or Structures

*As noted in Mitigation Measure 3.15-1b, to the extent feasible, proponents of a project that implements the RTP will avoid adverse effects to historic resources. If adverse effects cannot be avoided, the proponent will prepare and implement a treatment plan in accordance with existing regulations. If avoidance or implementation of a treatment plan to protect an historic resource is not feasible, the project proponent will ensure that a qualified architectural historian will be retained to document the impacted historical architectural resource to Historic American Buildings Survey (HABS) and Historic American Engineering Record (HAER) standards. HABS and HAER documentation packages will be entered into the Library of Congress as well as the North Central California Information Center of the California Historical Resources Information System.*

*The project proponent will engage a qualified or architectural historian who is acceptable to the lead agency for the project. The historian, in cooperation with the appropriate federal, state, and local agencies, will develop and implement the approach for data recovery and building recordation that is consistent with agency requirements.*

Implementation of Mitigation 3.15-1 would reduce potentially significant impacts to historic resources because site-specific cultural resources inventory reports and surveys for historic resources would be used in coordination with the appropriate federal, state, and/or local agency(ies) to avoid, move, record, or otherwise treat the resource appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid destruction of historic resources, this impact would be reduced to a less-than-significant level for all alternatives. Therefore, with implementation of Mitigation Measure 3.15-1, Impact 3.15-1 would be **less than significant** for Modified Alternative 3.

## 6.10.2 SIGNIFICANT EFFECT: ARCHAEOLOGICAL RESOURCES (IMPACT 3.15-2)

### FINDING

Archaeological artifacts and sites have been found throughout the Lake Tahoe Region, because people have inhabited it for approximately 10,000 years. Additional, unknown archaeological resources are likely to exist given that archaeological sites tend to be located in environments that were desirable for human settlement, such as Lake Tahoe. Construction and excavation activities associated with project activities could result in sediment disturbance and removal, which can adversely affect archaeological resources. Because RTP/SCS projects would allow excavation and other ground-disturbing activities, all of the alternatives could result in

adverse physical effects to known and unknown archaeological resources. This impact is **potentially significant** for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.15-1 should be implemented by individual project proponents (TTD, Caltrans, NDOT, and TRPA). TRPA will be responsible for enforcing the implementation of this measure, which would reduce the significant effects of the Plan to a less-than-significant level.

## FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts on archaeological resources. Implementation of the measure is the responsibility of the project proponent, as enforced by TRPA.

### Mitigation Measure 3.15-2a: Prepare a Site-Specific Archaeological Resources Inventory Report

*To adequately address the level of potential impacts for a specific project and thereby design appropriate mitigation measures, in accordance with existing regulations, the project proponent will survey, inventory, and determine the significance of the archaeological resources within the defined area of potential effect (APE) of specific projects that include construction of facilities. The following are steps typically taken to assess and mitigate potential impacts to archaeological resources:*

- *Define the APE, based on relevant standards (i.e., California, Nevada, TRPA, and federal procedures, as applicable)*
- *Identify both previously recorded archaeological resources and those not previously recorded.*
- *Evaluate the significance of archaeological resources using California, Nevada, TRPA, and federal (Section 106) guidelines, as applicable.*
- *Identify the significance of impacts of the proposed project under California, Nevada, TRPA, and federal (Section 106) guidelines, as applicable.*
- *Develop and implement mitigation measures designed to avoid, minimize, rectify, or reduce or eliminate the effects of the project on significant archaeological resources.*

*Minimally, an archaeological resources inventory will consist of an archaeological resources records search to be conducted at the North Central Information Center of the California Historical Resources Information System located at California State University, Sacramento or at the Nevada State Historic Preservation Office (depending on the location of the project); review of TRPA's cultural resources database and mapping of eligible sites; consultation with the Native American Heritage Commission (NAHC) and with interested Native Americans identified by the NAHC (i.e., Washoe Tribe in this Region); a field survey (if one has not previously been conducted); recordation of all identified archaeological resources on California Department of Parks and Recreation 523 Site Record forms (in California); and preparation of an archaeological resources inventory report describing the project setting, methods used in the investigation, results of the investigation, and recommendations for management of identified resources.*

*Identified archaeological resources in California jurisdictions that may be impacted by a project will be evaluated for eligibility on the California Register of Historical Resources (CRHR). Archaeological resources*

*that are eligible for the CRHR are considered to be significant archaeological resources. Archaeological resources that are identified within project areas subject to federal approval, permits, or funding will also be evaluated for eligibility for listing on the NRHP, in accordance with Section 106 of the NHPA. Archaeological resources determined to be eligible for listing on the NRHP are automatically eligible for listing on the CRHR and are considered to be significant.*

## Mitigation Measure 3.15-2b: Conduct Archaeological Testing and Data Recovery

*If it is infeasible to avoid impacts on significant archaeological sites that have been determined to be eligible for listing by the TRPA or on the CRHR or the NRHP, additional research will be conducted, in accordance with relevant procedures, based on the location of the project and the involved agencies. Archaeological excavation will be conducted (CCR Section 15126.4[b][3][C]). This work will be conducted by a qualified archaeologist and will include preparation of a research design, additional archival and historical research, archaeological excavation, analysis of artifacts, features, and other attributes of the resource, and preparation of a technical report documenting the methods and results of the investigation in accordance with the California Office of Historic Preservation Guidelines for Archaeological Research Design. The purpose of this work is to recover a sufficient quantity of data to compensate for damage to or destruction of the resource. The procedures to be employed in this data recovery program will be determined in consultation with responsible agencies and interested parties, as appropriate, potentially including the development and implementation of an Archaeological Research Design and Testing Plan (ARDTP) or Historic Properties Treatment Plan (HPTP). Where necessary, future project proponents would seek Native American input and consultation.*

## Mitigation Measure 3.15-2c: Conduct Archaeological Monitoring

*In accordance with existing regulations, for ground-disturbing activities that have the potential to impact archaeological remains and that will occur in an area that has been determined by a qualified archaeologist to be an area that is sensitive for the presence of buried archaeological remains, the project proponent (e.g., TTD, local county, Caltrans, NDOT) will require the construction contractor to retain a qualified archaeologist to monitor those activities. Archaeological monitoring will be conducted in areas where there is likelihood that archaeological remains may be discovered but where those remains are not visible on the surface. Monitoring will not be considered a substitute for efforts to identify and evaluate cultural resources prior to the project initiation. Where necessary, the project proponent will seek Native American input and consultation.*

## Mitigation Measure 3.15-2d: Stop Work in the Event of an Archaeological Discovery

*If potentially significant cultural resources are discovered during ground-disturbing activities associated with individual project preparation, construction, or completion, the project proponent will require the construction contractor to stop work in that area until a qualified archaeologist can access the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with TRPA and other appropriate agencies and interested parties. A qualified archaeologist will follow accepted professional standards in recording any find including submittal of the standard Department of Parks and Recreation (DPR) Primary Record forms (Form DPR 523) and location information to the California Historical Resources Information Center office (North Central Information Center) for California projects. The consulting archaeologist will also evaluate such resources for significance per California Register of Historical Resources eligibility criteria (PRC Section 5024.1; Title 14 CCR Section 4852). Consultation with the Nevada State Historic Preservation Officer will be undertaken for Nevada projects.*

*If the archaeologist determines that the find does not meet the TRPA standards of significance for cultural resources, construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, the lead agency will be notified and a data recovery plan will be prepared.*

Implementation of Mitigation 3.15-2 would reduce potentially significant impacts to archaeological resources because mitigation would be developed in coordination with the appropriate federal, state, and/or local agency(ies) to avoid, move, record, or otherwise treat the resource appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid disturbance, disruption, or destruction of archaeological resources, implementation of Mitigation Measure 3.15-2, would reduce Impact 3.15-2 to a **less-than-significant** level for Modified Alternative 3.

## 6.10.3 SIGNIFICANT EFFECT: ACCIDENTAL DISCOVERY OF HUMAN REMAINS (IMPACT 3.15-3)

### FINDING

The location of grave sites and Native American remains are potentially not known in advance, and can occur outside of identified cemeteries or burial sites. As with archaeological resources, disturbance of human remains are more likely to occur in previously undisturbed and undeveloped areas, where excavation and ground-disturbing activities have not already resulted in discovery. However, human remains may be discovered in developed and disturbed areas, as well, and may also be of recent origin.

Construction and excavation activities associated with development activities result in sediment disturbance and removal, which can unearth human remains if they are present. Because RTP/SCS projects would allow excavation and other ground-disturbing activities, all of the alternatives could result in accidental discovery of human remains. This impact is **potentially significant** for Modified Alternative 3.

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.15-3 should be implemented by individual project proponents (TTD, Caltrans, NDOT, and TRPA). TRPA, Caltrans, NDOT, or the local jurisdiction will be responsible for enforcing the implementation of this measure, which would reduce the significant effects of the Plan to a less-than-significant level.

### FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts from accidental discovery of human remains. Implementation of the measure is the responsibility of the project proponent, as enforced by TRPA.

#### Mitigation Measure 3.15-3: Stop Work if Human Remains are Discovered

*In accordance with existing regulations, if any human remains are discovered or recognized in any location on an individual project site, the project proponent will ensure that there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:*

- *The applicable County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and*
- *If the remains are of Native American origin,*
- *The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with*

*appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or*

- *The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission.*

Implementation of Mitigation 3.15-3 would reduce potentially significant impacts to human remains because mitigation would be developed in coordination with the appropriate federal, state, and/or local agency(ies) to avoid, move, record, or otherwise treat the resource appropriately, in accordance with pertinent laws and regulations. By providing an opportunity to avoid disturbance, disruption, or destruction of archaeological resources, this impact would be reduced to a less-than-significant level for all alternatives. Therefore, with implementation of Mitigation Measure 3.15-3, Impact 3.15-3 would be **less than significant** for Modified Alternative 3.

## 6.10.4 SIGNIFICANT EFFECT: ETHNIC AND CULTURAL VALUES (IMPACT 3.15-5)

Development in the Tahoe Region could result in physical changes to sites, structures, and areas that have religious or sacred significance or other cultural significance to the Washoe people. These could be permanent changes that alter, remove, or modernize features or temporary changes such as restriction of access from construction.

Because RTP/SCS projects could result in physical changes to historic and prehistoric sites, unique ethnic cultural values could be affected, and historic or prehistoric religious or sacred uses within the region could be restricted. Consultation with the Washoe tribe is required by federal, state and TRPA regulations, however, project activities could still uncover or destroy historic or archaeological resources as identified in Impacts 3.15-1 (historic) and 3.15-2 (archaeological). Additionally, as described in Impact 3.15-3 (human remains), project activities could result in accidental discovery of remains during grading and excavation. Accidentally discovered remains could be of Native American origin. Therefore, this impact is **potentially significant** for Modified Alternative 3.

### FINDING

Changes or alterations that would mitigate or avoid the significant effects on the environment are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. Mitigation Measure 3.15-5 should be implemented by individual project proponents (TTD, Caltrans, NDOT, and TRPA). TRPA will be responsible for enforcing the implementation of this measure, which would reduce the significant effects of the Plan to a less-than-significant level.

### FACTS IN SUPPORT OF FINDING

TMPO adopted the following mitigation measure that would reduce to less-than-significant levels the project's impacts on archaeological resources. Implementation of the measure is the responsibility of the project proponent, as enforced by TRPA.

### Mitigation Measure 3.15-5. Implement Other Cultural Resources Mitigation Measures

*Implement Mitigation Measures 3.15-1a, 3.15-1b, 3.15-1c, 3.15-2a, 3.15-2b, 3.15-2c, 3.15-2d, and 3.15-3.*

Mitigation Measures 3.15-1a, 3.15-1b, 3.15-1c, 3.15-2a, 3.15-2b, 3.15-2c, 3.15-2d, and 3.15-3 would reduce this impact to a **less-than-significant** level for Modified Alternative 3 because they would require 1) consultation with the Native American Heritage Commission and the Washoe Tribe; 2) require avoidance, preservation in place, excavation, documentation, and/or data recovery of historical and archaeological resources, and 3) require assessment of and adherence to a formal recommendation for any discovered human remains.

### 6.10.5 7.11 CUMULATIVE

### 6.10.6 SIGNIFICANT EFFECT: GREENHOUSE GAS EMISSIONS (IMPACT 3.5-1)

#### FINDING

Implementation of any of the RTP/SCS alternatives would occur in conjunction with land use development and population growth anticipated during the plan horizon. Although the RTP/SCS strategies would improve the efficiency of transportation-related GHG emissions of the five alternatives by increasing transit and non-motor vehicle travel, the combined influence of transportation projects, land use development, and population growth occurring during the RTP/SCS plan horizon would result in a substantial increase in GHG emissions that would result in a significant cumulative impact to global climate change. This cumulative impact would be **significant** for Modified Alternative 3**.**

Changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment. This mitigation would reduce the significant effect of the project, but not to a less-than-significant level; this impact would remain **significant and unavoidable**.

Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the implementation of other mitigation measures or alternatives that could reduce the impact to a less-than-significant level.

#### FACTS IN SUPPORT OF FINDING

Because of the nature of the RTP/SCS process, feasible operational mitigation measures have been considered within the context of the range of transportation strategies already included in one or more of the three strategy packages supporting RTP/SCS alternatives. Among the alternatives, Alternative 3 and Modified Alternative 3 provide the most GHG-efficient combinations of transportation strategies, so adoption of Modified Alternative 3 would provide the maximum feasible extent of GHG emission reduction for the Region's transportation sector. Thus, no additional feasible mitigation is available, making this a **considerable contribution to the cumulative impact of climate significant and an unavoidable impact** for Modified Alternative 3, as well as all of the other RTP/SCS alternatives.

# 7 STATEMENT OF OVERRIDING CONSIDERATIONS

As discussed in Section 6 of these CEQA Findings, the final EIR/EIS concludes that implementation of Modified Alternative 3, even with the incorporation of all feasible mitigation measures and consideration of alternatives, will nonetheless cause a significant unavoidable impact on the following resources:

- Greenhouse Gases – Increase in GHG Emissions (Impact 3.5-1)

TMPO has adopted all feasible mitigation measures with respect to this impact, which would further lessen the impact but would not reduce it below a level of significance.

Under CEQA, before a project which is determined to have a significant, unmitigated environmental effect can be approved, the public agency must consider and adopt a "statement of overriding considerations" pursuant to CEQA Guidelines Sections 15043 and 15093. As the primary purpose of CEQA is to fully inform the decision makers and the public as to the environmental effects of a proposed project and to include feasible mitigation measures and alternatives to reduce any such adverse effects below a level of significance, CEQA nonetheless recognizes and authorizes the approval of projects where not all adverse impacts can be fully lessened or avoided. However, that agency must explain and justify its conclusion to approve such project through the statement of overriding considerations, setting forth the proposed project's general social, economic, policy, or other public benefits that support the agency's informed conclusion to approve the proposed project.

TMPO finds that the RTP/SCS meets the following stated project objectives – which have substantial social, economic, policy, and other public benefits – justifying its approval and implementation, notwithstanding the fact that not all environmental impacts were fully reduced below a level of significance:

The Plan will provide for the following:

- Establish a safe, secure, efficient, and integrated transportation system that reduces reliance on the private automobile by investing in mixed-mode facilities that serve the transportation needs of the citizens and visitors of the Tahoe Region;
- Fulfill the requirements of the Tahoe Regional Planning Compact (Public Law 96-551);
- Attain and maintain the Environmental Threshold Carrying Capacities, and federal, state, and local transportation standards;
- Support reductions in vehicle emissions and stormwater runoff to meet federal, state, and local air quality standards and help meet the requirements of Tahoe's Total Maximum Daily Load (TMDL) program;
- Achieve greenhouse gas emissions reduction targets, in accordance with California Senate Bill 375, by supporting integrated land-use, transportation, and housing policies; and
- Coordinate potential mitigation activities and funding sources with the Environmental Improvement Program (EIP).

In addition, implementation of Modified Alternative 3 would result in the following beneficial effects:

- **Impact 3.2-1 Community Cohesion.** The goals of the RTP/SCS are to improve mobility for all users; improve vehicle, pedestrian, and bicycle safety and connectivity; advance multi-modal transportation opportunities; improve the environmental quality of the area; enhance visitor and community experience; and promote the economic vitality of the area. These actions would enhance community cohesion. Modified Alternative 3 would result in a long-term **beneficial** impact to community cohesion because of substantial enhancement of mobility, connectivity, character, and identity.
- **Impact 3.3-3 Vehicle Miles of Travel (VMT) per Capita.** VMT per capita is a measure of the efficiency of the transportation system and the degree to which the land use pattern would reduce personal motor vehicle travel. For the Tahoe Region, VMT per capita may be influenced by a number of variables, including land use pattern, emphasis on personal motor vehicle travel compared to other travel modes, and implementation of vehicle trip reduction strategies. When VMT per capita increases, it results in indirect environmental impacts (such as air pollutant emissions). VMT per capita would decrease for Modified Alternative 3. Reduced VMT per capita would be **beneficial**.

- **Impact 3.3-4 Transit Service.** Transit service enhancements are included in all five RTP/SCS alternatives. Modified Alternative 3 would implement Transportation Strategy Packages B and C, which include substantial transit improvements (including transit projects, programs, and efficiency strategies) that are expected to not only meet new demand, but offer substantial service improvements beyond those that exist today. Therefore, transit service impacts under Modified Alternative 3 would be **beneficial**.
- **Impact 3.3-5 Bicycle and Pedestrian Safety.** All RTP/SCS alternatives would enhance pedestrian and bicycle safety. Modified Alternative 3 would implement substantial pedestrian and bicycle facility improvements that are expected to not only meet new demand, but offer substantial improvements beyond those that exist today. Facility improvements offer opportunities to separate pedestrian and bicycle travel from roadway travel lanes (such as separated trails or striped, designated lanes), thus reducing the potential for conflicts. Therefore, pedestrian and bicycle safety impacts would be **beneficial**.
- **Impact 3.8-2 Stormwater Runoff, Drainage Capacity, Infiltration Related to Pollutants Reaching the Lake.** All five RTP/SCS alternatives would include development of many stormwater treatment and erosion/sediment control projects that would result in net decreases in sediment and nutrient transport to the Lake. Although some transportation projects (such as bicycle paths and realigned highways) would create new impervious surfaces and attendant runoff (including on erodible slopes and SEZ), drainage would be controlled and runoff would be treated, so that the capacity of receiving stormwater systems or natural drainages would not be exceeded and sediment transport to the Lake would not be increased. Any new transportation projects would be required to comply with the stringent stormwater and sediment control measures in the Lahontan Water Quality Control Plan, the Lake Tahoe TMDL Program, and existing NPDES permits. These controls would include permanent BMPs, low-impact development techniques, and onsite stormwater infiltration to accommodate at least a 20-year, one-hour storm, which would prevent an increase in volume or peak flows leaving the project sites. Over time, BMP maintenance is critical to proper functionality. Lack of maintenance could result in the transport of sediment and other pollutants to nearby water bodies; however, existing TRPA policy requires a maintenance program for BMPs. Because the Modified Alternative 3 alternatives would include new stormwater treatment and erosion control projects, and transportation projects would be required to control, treat, and infiltrate runoff produced from any increases in impervious area, the net impact on long-term stormwater runoff and potential for pollutants to reach the Lake would be **beneficial**.
- **Impact 3.8-3 Lake Tahoe TMDL Attainment and Lake Clarity.** All RTP/SCS alternatives would assist with attaining the Lake Tahoe TMDL program goals, because Transportation Strategy Packages A, B, and C include stormwater-control projects specifically designed to address TMDL requirements and help reach or maintain the Threshold Standard for water quality and Lake clarity. The benefits of reduced pollutant loads from stormwater-control projects would be substantial. Modified Alternative 3 would result in a **beneficial** impact in helping support TMDL program attainment and Lake clarity.
- **Impact 3.10-1 Sensitive Habitats.** Sensitive habitats in the Tahoe Basin include a variety of wetland/riparian communities such as wet meadows, riparian zones along streams, marshes, seasonal wetlands, drainages, springs, fens, bogs, and deep water plant communities of Lake Tahoe. Most of these communities are also designated by TRPA as SEZ and habitats of special significance. Depending on the specific locations, types, and objectives of water quality improvements under Modified Alternative 3, long-term impacts to stream and lake habitats are **potentially beneficial.**
- **Impact 3.10-3 Effects on Fish and Aquatic Habitat.** Depending on the specific locations, types, and objectives of water quality improvements under Modified Alternative3, long-term impacts to stream and lake habitats are potentially beneficial.
- **Impact 3.11-2 Capacity of Recreation Facilities and Resources.** All RTP/SCS alternatives would implement new bicycle and pedestrian trails that would enhance recreational trail facilities and opportunities for residents and visitors. The proposed RTP/SCS would not convert recreational facilities to a non-recreation use, nor designate lands currently used for recreation for another land use or purpose; therefore,

implementation of the proposed RTP/SCS would not reduce capacity of existing recreational facilities. The proposed RTP/SCS transportation strategy packages would not include new residential or commercial land uses that could directly increase use of existing, or demand for, new recreation facilities. The 1987 Regional Plan Recreation Threshold Standard includes indicators related to recreation that ensure appropriate Region-wide capacity for public outdoor recreation by assessing USFS user survey information and responding appropriately. Because of the enhancement of recreational trail opportunities, the overall impact to the capacity of recreation facilities and resources would be beneficial. This impact would be **beneficial** for Modified Alternative 3.

- **Impact 3.11-3 Public Access to Lake Tahoe, Public Lands and Recreation Areas.** All proposed RTP/SCS alternatives include transportation improvement projects that would increase public access throughout the Region, including enhancing access to the Lake, public lands, and recreation areas. Improvements involve primarily alternative transportation modes, such as transit, bicycle, and pedestrian projects. None of the RTP/SCS alternatives would obstruct public access to water or public land. Implementation of the RTP/SCS would result in a **beneficial** impact for Modified Alternative 3.

# 8 CONCLUSION

The mitigation measures listed in conjunction with each of the findings set forth above, as implemented through the MMRP, have eliminated or reduced, or will eliminate or reduce to a level of insignificance, all adverse environmental impacts, except for one impact described above in Sections 6 and 7. After thorough review and consideration, TMPO determines that the benefits of the Plan, as discussed above, outweigh the potentially unavoidable adverse environmental effects associated with the Plan. Therefore, TMPO further determines that these potentially unavoidable adverse environmental effects are an acceptable consequence of the approval and implementation of the Plan.

The MMRP, as adopted by TMPO at the time of project approval, is attached to these Findings.

# 9 REFERENCES

For complete lists of references used in preparing the Draft EIR/EIS, see Chapter 7, “References,” in the Draft EIR/EIS. For a complete list of references used in preparing the Final EIR/EIS, see Chapter 5, “References,” in the Final EIR/EIS.

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# ATTACHMENT A TO THE CEQA FINDINGS OF FACT AND OVERRIDING CONSIDERATIONS REGIONAL TRANSPORTATION PLAN LIST OF PROJECTS

| RTP List of Projects Included in Transportation Strategy Packages A, B, and C | | | | | | | |
|---|---|---|---|---|---|---|---|
| Transportation Strategy Package Alternative | Projects | Cost-2013 Dollars | Project Objective | Location | Implementing Agency | Est. Year Construction Complete | Constrained (C) or Unconstrained (U) |
| **Corridor Revitalization Projects** | | | | | | | |
| A, B, C | Kings Beach Commercial Core Improvement Project | $35,000,000 | Bike/Ped/WQ | Placer | Placer | 2015 | C |
| B, C | Sierra Boulevard Complete Streets Project from US Hwy 50 to Barbara Avenue (includes US 50 and Sierra Boulevard intersection improvements) | $3,155,000 | Safety/Bike/Ped/ WQ | CSLT | CSLT | 2015 | C |
| A, B, C | State Route 89/Fanny Bridge Community Revitalization Project | $20,000,000 | Bridge/ Intersection | Placer | Placer | 2018 | C |
| B, C | US 50 South Shore Community Revitalization Project | ~~$~~$75,000,000 | Bike/Ped/WQ | El Dorado/ Douglas | TTD | 2017 | C |
| **Corridor Revitalization Projects Sub-Total** | | **$133,155,000** | | | | | |
| **Transit Projects** | | | | | | | |
| A, C | Lake Tahoe Waterborne Transit Project | $42,200,000 | Transit Capital | NV/CA | TTD | 2015 | C |
| A, C | Lake Tahoe Waterborne Transit Operations | $4,600,000 | Transit Operations | NV/CA | TTD | Annual | C |
| B, C | BlueGO Service Operational Enhancements | $749,500 | Transit Operations | El Dorado/ Douglas | TTD | Annual | C |
| B, C | BlueGO Transit Capital Enhancements | $9,940,000 | Transit Capital | El Dorado/ Douglas | TTD | 2016-2022 | C |
| B, C | TART Service Operational Enhancements | $734,867 | Transit Operations | Placer | Placer | Annual | C |

| RTP List of Projects Included in Transportation Strategy Packages A, B, and C | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Transportation Strategy Package Alternative** | **Projects** | **Cost-2013 Dollars** | **Project Objective** | **Location** | **Implementing Agency** | **Est. Year Construction Complete** | **Constrained (C) or Unconstrained (U)** |
| B, C | TART Transit Capital Enhancements | $1,896,300 | Transit Capital | Placer | Placer | 2016 | C |
| B, C | East Shore Service Operational Enhancement | $518,000 | Transit Operations | Various locations | Various | Annual | C |
| B, C | East Shore Transit Capital Enhancement | $5,200,000 | Transit Capital | Various locations | TTD | 2016 | C |
| B,C | Inter-Regional Service Operational Enhancement (cost shown is annual subsidy required, not total cost) | $560,512 | Transit Operations | Various locations | Various | Annual | C |
| B, C | Inter-Regional Transit Capital Enhancement | $3,793,751 | Transit Capital | Various locations | Various | 2016 | C |
| B | Other Transit Operational and Capital Enhancements | $24,552,300 | Transit Operations/Capital | Various locations | Various | 2016-2035 | U |
| A,C | City of South Lake Tahoe Aviation Capital | $17,850,000 | AIP Capital | CSLT | CSLT | 2024~~3~~ | C |
| **Transit Projects Sub-Total** | | **$112,595,230** | | | | | |
| **Bike and Pedestrian Projects** | | | | | | | |
| B, C | Pioneer Trail Pedestrian Upgrades Project from Lake Tahoe Blvd/US Hwy 50 to Larch Avenue | $1,500,000 | Sidewalk | CSLT | CSLT | 2014 | C |
| B, C | Harrison Ave from Lakeview Ave to Los Angeles Avenue | $1,200,000 | C-I/Shared Use | CSLT | CSLT | 2014 | C |
| A, B, C | Nevada Stateline to Stateline Bikeway from Incline Village to Sand Harbor | $10,000,000 | C-I/Shared Use or Class II/Bike Lane | Washoe | Washoe/NDOT /TTD | 2023 | C |
| A, B, C | Sawmill Road from Echo View Estates to US Hwy 50 | $1,500,000 | C-I/Shared Use | El Dorado | El Dorado | 2014 | C |
| B, C | Lake Tahoe Blvd from D Street to Boulder Mountain Drive | $2,700,000 | C-I /Shared Use and Class II/Bike Lane | El Dorado | El Dorado | 2014 | C |

| RTP List of Projects Included in Transportation Strategy Packages A, B, and C | | | | | | | |
|---|---|---|---|---|---|---|---|
| Transportation Strategy Package Alternative | Projects | Cost-2013 Dollars | Project Objective | Location | Implementing Agency | Est. Year Construction Complete | Constrained (C) or Unconstrained (U) |
| B, C | Dollar Creek Shared-use Trail | $2,500,000 | C-I /Shared Use | Placer | Placer | 2015 | C |
| ~~B, C~~ | North Tahoe Bike Trail Phase II (Cedar Flats to North Tahoe Regional Park) | $13,500,000 | C-I /Shared Use | Placer | Placer | 2021 | U |
| A, B, C | South Tahoe Greenway from Sierra Tract to Stateline Phase I | $5,000,000 | C-I /Shared Use | CSLT | CTC | 2015 | C |
| ~~B, C~~ | Brockway Vista Multi-Use Trail | $3,000,000 | C-I /Shared Use | Placer | Placer | 2017 | U |
| A, B, C | Nevada Stateline to Stateline South Demo from Stateline to Round Hill Pines Beach | $9,000,000 | C-I/ Shared Use | Douglas | TTD | 2014 | C |
| A, B, C | US Hwy 50-El Dorado Beach Trail-from El Dorado Beach to Ski Run Boulevard | $2,950,000 | C-I/ Shared Use | CSLT | CSLT | 2015 | C |
| B, C | Homewood Multi-Use Trail from Fawn Street to Cherry Street | $1,950,000 | C-I/ Shared Use | Placer | TCPUD | 2014 | C |
| ~~B, C~~ | Lake Forest Road Bike Trails - from SR 28 | $242,783 | C-I/ Shared Use | Placer | Placer | 2015 | U |
| B, C | West Shore Bike Trail Extension – from Meeks Bay to Sugar Pine Point State Park | $2,000,000 | C-I/ Shared Use | Placer | TCPUD/TTD | 2015 | C |
| B, C | US Hwy 50 from Existing Linear Park Trail to Park Ave | $374,000 | C-I/ Shared Use | CSLT | CSLT | 2023 | C |
| ~~B, C~~ | Bijou Neighborhood Bicycle Route Improvements | $153,928 | C11 &C-III/Bike Lane | CSLT | CSLT | 2015 | U |
| ~~B, C~~ | Pope/Baldwin Path Reconstruction and Expansion - from 15th St to Spring Creek/Fallen Leaf Lake | $2,000,000 | C-I/ Shared Use | El Dorado | USFS | 2019 | U |
| B, C | South Lake Tahoe Bicycle Bridges Repair | $230,000 | C-I/ Shared Use | CSLT | CSLT | 2013 | C |

| RTP List of Projects Included in Transportation Strategy Packages A, B, and C | | | | | | | |
|---|---|---|---|---|---|---|---|
| Transportation Strategy Package Alternative | Projects | Cost-2013 Dollars | Project Objective | Location | Implementing Agency | Est. Year Construction Complete | Constrained (C) or Unconstrained (U) |
| B, C | US Hwy 50 - from Kingsbury Grade to Lake Parkway | $130,000 | Sidewalk | Douglas | Douglas | 2015 | C |
| B, C | Third Street - Safe Routes to School Improvements | $300,000 | C-III /Bike Route/ Sidewalk | CSLT | CSLT | 2016 | C |
| B, C | Tahoe Island Drive Safe Routes to School Project | $560,000 | C-III Bike Route/ Sidewalk | CSLT | CSLT | 2016 | C |
| B, C | Washington Avenue Safe Routes to School Project | $180,000 | C-III Bike Route/ Sidewalk | CSLT | CSLT | 2024 | C |
| B, C | Blackwood Avenue Safe Routes to School Project | $210,000 | Sidewalk | CSLT | CSLT | 2024 | C |
| B, C | Spruce Avenue Safe Routes to School Project | $300,000 | Sidewalk | CSLT | CSLT | 2024 | C |
| B, C | Nevada Stateline to Stateline Crystal Bay to Incline | $20,000,000 | C-I/Shared Use | Washoe | TTD | 2022 | C |
| A, B, C | Washoe County Master Plan Bike/Ped Improvements | $690,000 | C-I, C-II, C-III, Sidewalk | Washoe | Washoe | 2015 | C |
| A, B, C | Lake Parkway Sidewalk | $580,000 | Sidewalk | Douglas | NDOT | 2013 | C |
| B | Nevada Stateline to Stateline Bikeway - from Sand Harbor to Carson County Line | $11,400,000 | C-I /Shared Use or Class II/Bike Lane | Washoe | Washoe/NDOT / TTD | 2023 | U |
| B | Nevada Stateline to Stateline Bikeway - from Washoe County Line to Douglas County Line | $11,400,000 | C-I /Shared Use | Washoe/ Douglas | TTD | 2023 | U |
| B | South Tahoe Greenway - from Meyers to Sierra Tract | $14,187,000 | C-I /Shared Use | El Dorado | CTC | 2021 | U |
| B, C | Park Ave (West) - from Pine Blvd to US Hwy 50/End of Linear Park Path | $121,000 | C-I/ Shared Use | CSLT | CSLT | 2025 | C |
| B | US Hwy 50 - From H Street (South) to CSLT City Limits | $884,390 | C-I/ Shared Use | CSLT | CSLT | 2023 | U |

| RTP List of Projects Included in Transportation Strategy Packages A, B, and C | | | | | | | |
|---|---|---|---|---|---|---|---|
| Transportation Strategy Package Alternative | Projects | Cost-2013 Dollars | Project Objective | Location | Implementing Agency | Est. Year Construction Complete | Constrained (C) or Unconstrained (U) |
| B, C | US Hwy 50 - City of South Lake Tahoe City Limits to Sawmill Blvd | $2,900,000 | C-I/ Shared Use | El Dorado County | El Dorado County | 2024 | C |
| B, C | AL Tahoe Trail - from Lake Tahoe Blvd/US Hwy 50 to Al Tahoe Bike Trail | $793,000 | C-I /Shared Use | CSLT | CSLT | 2016 | C |
| B | Lakeside Trail Phase 2C- from Mackinaw to Commons Beach | $3,000,000 | C-I/ Shared Use | Placer | TCPUD | 2020 | U |
| B, C | West Shore Trail Improvements - from SR 28/89 to Tahoma | $700,000 | C-I/ Shared Use | El Dorado County/ TCPUD | El Dorado County/TCPUD | 2020 | C |
| B, C | Truckee River Trail Widening - from Tahoe City to Squaw Valley | $1,875,000 | C-I/ Shared Use | Placer | TCPUD | 2024 | C |
| B, C | Sunnyside to Sequoia Trail - from Sunnyside Resort to Lower Sequoia/SR 89 | $975,000 | C-I/ Shared Use | Placer | TCPUD | 2018 | C |
| B | National Avenue East Side - from Toyon Road to Existing Forest Service Path | $480,000 | C-I/ Shared Use | Placer | Placer | 2017 | C |
| B | State Route 28 (North Side) - from Preston Field to Northwood Blvd | $591,559 | C-I/ Shared Use | Washoe | Washoe/NDOT | 2018 | U |
| B, C | Venice Drive - from Tahoe Keys to 15th Street | $35,000 | C-III /Bike Route | CSLT | CSLT | 2019 | C |
| B, C | Class I Path Reconstruction | $700,000 | Class I | CSLT | CSLT | 2014 | C |
| B | NSR 207/Kingsbury Grade from Basin Bndy/US Hwy 50 | $20,000,000 | C-II /Bike Lane | Douglas | NDOT | 2030 | U |
| B | South Tahoe Greenway from Sierra Tract to Stateline Phase II *[project was formerly on the constrained list as a combined project with "South Tahoe Greenway "Y" Connector" project in the row below]* | $3,000,000 | C-I / Shared Use | CSLT | CSLT | 2018 | U |

| RTP List of Projects Included in Transportation Strategy Packages A, B, and C | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Transportation Strategy Package Alternative** | **Projects** | **Cost-2013 Dollars** | **Project Objective** | **Location** | **Implementing Agency** | **Est. Year Construction Complete** | **Constrained (C) or Unconstrained (U)** |
| B | South Tahoe Greenway "Y" Connector *[project was formerly on the constrained list as a combined project with "South Tahoe Greenway from Sierra Tract to Stateline Phase II" project in the row above]* | $3,000,000 | C-I / Shared Use | CSLT | CSLT | 2018 | U |
| B | Other Bike and Pedestrian Projects | $2,007,182 | C-1 &C-III /Bike Route & C-1 Shared Use | Various locations | Various | 2023 | U |
| **Bike and Pedestrian Subtotal** | | ~~**$174,811,562**~~ **$160,799,842** | | | | | |
| Stormwater Strategies – Caltrans (Capital) | | | | | | | |
| A, B, C | ED 50 EA 1A731 Meyers Road to Incline Road. PPNO 3233A | $21,672,000 | Erosion Control/WQ | El Dorado | Caltrans | 2014 | C |
| A, B, C | ED 50 EA 1A732 In and near South Lake Tahoe, from South Tahoe Airport entrance to South 89. PPNO 3233B | $18,761,000 | Erosion Control/WQ | El Dorado | Caltrans | 2014 | C |
| A, B, C | ED 89 EA 1A842 In and near South Lake Tahoe, from US Hwy 50 to Cascade Road. Stormwater + bike lanes from "Y" to SLT City limits. PPNO 3453B | $30,023,000 | Erosion Control/WQ | El Dorado | Caltrans | 2014 | C |
| A, B, C | ED 89 EA 1A843 Near South Lake Tahoe, from Cascade Rd. to north of Eagle Falls Sidehill Viaduct. PPNO 3453C | $21,553,000 | Erosion Control/WQ | El Dorado | Caltrans | 2016 | C |
| A, B, C | ED 89 EA 1A844 Near South Lake Tahoe, from north of Eagle Falls Viaducts to Meeks Creek. PPNO 3453D | $31,072,000 | Erosion Control/WQ | El Dorado | Caltrans | 2015 | C |
| A, B, C | ED 89 EA 1A845 Near Tahoma from Meeks Creek Bridge to Wilson.- PPNO 3453E | $18,879,000 | Erosion Control/WQ | El Dorado | Caltrans | 2017 | C |

| RTP List of Projects Included in Transportation Strategy Packages A, B, and C | | | | | | | |
|---|---|---|---|---|---|---|---|
| Transportation Strategy Package Alternative | Projects | Cost-2013 Dollars | Project Objective | Location | Implementing Agency | Est. Year Construction Complete | Constrained (C) or Unconstrained (U) |
| A, B, C | PLA 89 EA Near Tahoe City from 0.2 miles south of the El Dorado/Placer County Line to the Truckee River Bridge (PM27.2/27.4 and 0.0/T8.5). PPNO 3454 | $68,962,000 | Erosion Control/WQ | Placer | Caltrans | 2015 | C |
| A, B, C | ED 50 EA 3C380, In South Lake Tahoe, north of Route 89 to Trout Creek Bridge. Stormwater plus bike~~Bicycle~~ lanes and pedestrian improvements. PPNO 3258 | $39,290,000 | Erosion Control/WQ | El Dorado | Caltrans | 2016 | C |
| A, B, C | ED 50 EA 1A734 , In South Lake Tahoe west of Ski Run Blvd. to Nevada Stateline. PPNO 3233D | $7,640,000 | Erosion Control/WQ | El Dorado | Caltrans | 2013 | C |
| A, B, C | ED 50 EA 1F110 In South Lake Tahoe, from Herbert Avenue to Takela Drive. Stormwater runoff treatment. PPNO 3296 | $4,375,000 | Erosion Control/WQ | El Dorado | Caltrans | 2013 | C |
| A, B, C | PLA 89 EA 3F440 In Tahoe City, from Route89/28 junction to .05 mile north of Alpine Meadows Road. Install drainage facilities. PPNO 05286 | $4,000,000 | Erosion Control/WQ | Placer | Caltrans | 2014 | C |
| B | TMDL Projects – amount unknown to be determined | $0 | Erosion Control/WQ | El Dorado/Placer | Caltrans | 2035 | U |
| **Stormwater Strategies Projects - Subtotal Caltrans** | | **$266,227,000** | | | | | |
| Stormwater Strategies Projects - NDOT | | | | | | | |

| RTP List of Projects Included in Transportation Strategy Packages A, B, and C | | | | | | | |
|---|---|---|---|---|---|---|---|
| Transportation Strategy Package Alternative | Projects | Cost-2013 Dollars | Project Objective | Location | Implementing Agency | Est. Year Construction Complete | Constrained (C) or Unconstrained (U) |
| A, B, C | DO20090015-12 US 50 Spooner Summit Storm Drain project from Spooner Summit to CC/DO County line. DO 13.00 to 14.00 to conduct NEPA study for the construction of drop inlet replacement, placement of new drop inlets, slop flattening, grading, concrete curb and gutters, channel work | $45,000 | Erosion Control/WQ | Carson | NDOT | 2013 | C |
| A, B, C | CC 199808-12 SR 28 from the 0.13 ME of the CC/WA county line to the CC/WA county line. CC 3.82 to 3.95 | $729,000 | Erosion Control/WQ | Carson | NDOT | 2013 | C |
| A, B, C | WA20090176-12 SR 28 Tahoe Blvd at the intersection of MT Rose Highway (SR431). WA8.13 Construct a roundabout | $2,000,000 | Erosion Control/WQ | Washoe | NDOT | 2013 | C |
| A, B, C | DO2011001-13 US50 from Cave Rock to SR 28 Spooner Junction. Final design and construction of slope stability, water quality and erosion control improvements | $7,425,000 | Erosion Control/WQ | Washoe | NDOT | 2013 | C |
| B, C | New TMDL and Retrofit Projects ($1M per year for 5 years, starts 2016) | $1,000,000 | TMDL | Various locations | NDOT | 2023 | C |
| B | Tahoe Mobile BMP Project | $2,550,000 | Erosion Control/WQ | Douglas/ Washoe | NDOT | 2031 | U |
| B | Long-Term TMDL Strategies | $144,150,000 | Erosion Control/WQ | Douglas/ Washoe | NDOT | 2031 | U |
| **Stormwater Strategies Projects - Subtotal NDOT** | | **$157,899,000** | | | | | |
| Local Roadway TMDL Strategies | | | | | | | |
| A, B, C | CSLT Short-Term TMDL | $25,850,000 | Erosion Control/WQ | CSLT | CLST | 2015 | C |
| B, C | CSLT Long-Term TMDL Implementation | $1,000,000 | Erosion Control/WQ | CSLT | CLST | 2023 | C |

| RTP List of Projects Included in Transportation Strategy Packages A, B, and C | | | | | | | |
|---|---|---|---|---|---|---|---|
| Transportation Strategy Package Alternative | Projects | Cost-2013 Dollars | Project Objective | Location | Implementing Agency | Est. Year Construction Complete | Constrained (C) or Unconstrained (U) |
| A, B, C | El Dorado Short-Term TMDL | $17,609,076 | Erosion Control/WQ | El Dorado | El Dorado | 2015 | C |
| B, C | El Dorado Long-term TMDL Implementation | $ 1,200,000 | Erosion Control/WQ | El Dorado | El Dorado | 2023 | C |
| A, B, C | Placer Short-Term TMDL | $32,289,655 | Erosion Control/WQ | Placer | Placer | 2015 | C |
| B, C | Placer Long-Term TMDL Implementation | $5,065,000 | Erosion Control/WQ | Placer | Placer | 2023 | C |
| A, B, C | Stormwater Washoe Central Incline Village Phase I | $2,500,000 | Erosion Control/WQ | Washoe | Washoe | 2013 | C |
| A, B, C | Stormwater Washoe Central Incline Village Phase II | $3,000,000 | Erosion Control/WQ | Washoe | Washoe | 2013 | C |
| A, B, C | Stormwater Washoe West Incline Village Phase I | $3,000,000 | Erosion Control/WQ | Washoe | Washoe | 2014 | C |
| A, B, C | Douglas Short-Term TMDL | $2,750,000 | Erosion Control/WQ | Douglas | Douglas | 2015 | C |
| B, C | Douglas Long-Term TMDL | $250,000 | Erosion Control/WQ | Douglas | Douglas | 2023 | C |
| B | Other Long-term TMDL | $8,600,000 | Erosion Control/WQ | Various locations | Various | 2035 | U |
| B | Stormwater Washoe WC6 | $3,300,000 | Erosion Control/WQ | Washoe | Washoe | 2015 | U |
| B | Stormwater Washoe WC7 | $1,700,000 | Erosion Control/WQ | Washoe | Washoe | 2016 | U |
| **Total Local Roadway TMDL Projects** | | **$108,113,731** | | | | | |
| Transportation System Management and Transportation Demand Management Projects | | | | | | | |

| RTP List of Projects Included in Transportation Strategy Packages A, B, and C | | | | | | | |
|---|---|---|---|---|---|---|---|
| Transportation Strategy Package Alternative | Projects | Cost-2013 Dollars | Project Objective | Location | Implementing Agency | Est. Year Construction Complete | Constrained (C) or Unconstrained (U) |
| A, B, C | US 50 Signal Synchronization-& Adaptive Signals / Enhancements | $5,000,000 | Signal Coordination | CSLT | Caltrans | 2016 | C |
| A, B, C | Tahoe City Traffic Management Program | $25,000 | Traffic Control | Placer | Placer | Annual | C |
| A, B, C | Intersection Detection Equipment (CSLT, various Locations) | $150,000 | ITS | CSLT | CSLT | 2016 | C |
| A, B, C | Changeable Message Signs in Nevada | $500,000 | ITS | NV | NDOT | 2018 | C |
| A, B, C | Sierra Traffic Operation System (ITS at Various Locations in CA) | $1,700,000 | ITS | El Dorado | El Dorado | 2018 | C |
| A, B, C | Traffic Monitoring Stations in Nevada | $200,000 | ITS | NV | NDOT | 2018 | C |
| A, B, C | NDOT Complete Streets Project | $100,000 | Complete Streets | NV | NDOT | 2018 | C |
| B, C | Meyers Corridor Operations Study | $700,000 | Complete Streets | El Dorado | El Dorado | 2016 | C |
| B, C | SR28 Circulation Improvements at Sand Harbor Entrance | $100,000 | Lane Configuration | Washoe County | TTD | 2019 | C |
| B, C | East Shore Parking Improvements | $2,000,000 | Parking Management | Washoe County | TTD | 2020 | C |
| B | South Lake Tahoe Basin Aquatic Invasive Species Inspection Station | $1,300,000 | AIS Capital | El Dorado | TRPA | 2013 | U |
| A, B, C | East Lake Tahoe Basin Aquatic Species Inspection Station | $1,300,000 | AIS Capital | Douglas | TRPA | 2013 | C |
| B | North East Lake Tahoe Basin Aquatic Invasive Species Inspection Station | $1,300,000 | AIS Capital | Washoe | TRPA | 2013 | U |
| B | North West Lake Tahoe Basin Aquatic Invasive Species Inspection Station | $1,300,000 | AIS Capital | Placer | TRPA | 2013 | U |
| B | Caltrans Complete Street | $100,000 | Complete Streets | El Dorado | Caltrans | 2020 | U |
| **Total Transportation System Management and TDM Projects** | | **$15,775,000** | | | | | |

| RTP List of Projects Included in Transportation Strategy Packages A, B, and C | | | | | | | |
|---|---|---|---|---|---|---|---|
| Transportation Strategy Package Alternative | Projects | Cost-2013 Dollars | Project Objective | Location | Implementing Agency | Est. Year Construction Complete | Constrained (C) or Unconstrained (U) |
| Operations and Maintenance | | | | | | | |
| A, B, C | Bike and Pedestrian Facilities O&M - Placer, TCPUD, ELDO, CSLT, Douglas, Washoe (existing) | $502,272 | Operations and Maintenance | Various | Various | Annual | C |
| A, B, C | Transit O&M - BlueGO, TART, Washoe, Placer, Douglas (existing) | $7,207,119 | Operations and Maintenance | Various | Various | Annual | C |
| A, B, C | Streets and Roads O&M - Placer, ELDO, CSLT, Douglas, NDOT, Caltrans, Washoe (existing, does not reflect future TMDL implementation) | $12,745,042 | Operations and Maintenance | Various | Various | Annual | C |
| A, B, C | Stormwater Treatment Facilities O&M - Placer, ELDO, CSLT, NDOT, Washoe (existing) | $1,810,601 | Operations and Maintenance | Various | Various | Annual | C |
| A, B, C | Safety and Rehabilitation Projects (Minor Projects-NV) | $1,800,000 | Roadway/ Rehabilitation | NV | NDOT | 2030 | C |
| A, B, C | ~~Safety and Rehabilitation Projects (~~Minor SHOPP Projects-CA | $2,800,000 | Roadway/ Rehabilitation | CA | Caltrans | 2030 | C |
| A, B, C | Emergency Roadway Repair Program | $100,000 | Roadway/ Rehabilitation | CA/NV | Caltrans/NDOT | Annual | C |
| **Total Operations and Maintenance** | | **$26,965,034** | | | | | |

# Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy Environmental Impact Report

## Mitigation Monitoring and Reporting Program

**California SCH# 2011082070**

PREPARED FOR:


**Tahoe Metropolitan Planning Organization**
**and**
**Regional Transportation Planning Agency for the Tahoe Region**
**PO Box 5310, Stateline, NV 89449**
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December 5, 2012

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# 10 MITIGATION MONITORING AND REPORTING PROGRAM

## 10.1 INTRODUCTION

This Environmental Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines to provide for the monitoring and reporting of mitigation measures required of the Mobility 2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) as set forth in the Final Environmental Impact Report/Environmental Impact Statement (FEIR/EIS) prepared for the plan.

Section 21081.6 of the California Public Resources Code and Section 15091(d) and 15097 of the State CEQA Guidelines require public agencies "to adopt a reporting or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment." A Mitigation Monitoring and Reporting Program (MMRP) is required for the proposed project because the EIR/EIS for the project identified potentially significant adverse impacts related to construction and implementation activities, and mitigation measures have been identified to reduce most of those impacts to a less-than-significant level.

Because the MMRP is required for compliance with California law, the monitoring related to CEQA compliance described in this program is only mandatory for TMPO to conduct for project actions implementing the RTP/SCS that occur in California. Consequently, references to "in California" will appear in appropriate descriptions of monitoring actions. TRPA will implement mitigation related to its jurisdiction in accordance with the Code of Ordinances and Rules of Procedure.

This MMRP is being adopted by the Tahoe Metropolitan Planning Organization (TMPO) and Regional Transportation Planning Agency (RTPA) as part of CEQA compliance for the RTP/SCS approval.

This MMRP will be kept on file at TMPO, 128 Market Street, Stateline, Nevada, 89449.

## 10.2 PURPOSE OF THE MMRP

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during RTP/SCS implementation, as required. The MMRP may be modified by TMPO during plan implementation, as necessary, in response to changing conditions or other refinements. A summary table (attached) has been prepared to assist the responsible parties in implementing and monitoring compliance with the MMRP. The table identifies individual mitigation measures, monitoring/mitigation timing, responsible person/agency for implementing the measure, monitoring procedures, and a record of implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the EIR/EIS.

## 10.3 ROLES AND RESPONSIBILITIES

Some mitigation measures include preparation of best-practices policies or programs. The Tahoe Regional Planning Agency (TRPA) will take the lead in preparing the policies and programs, in coordination with TMPO. Both TRPA and TMPO will adopt the best-practices policies and programs. Because TMPO has a role in this preparation, it has been

assigned monitoring responsibility for these mitigation measures. For implementation of the project-specific measures, monitoring responsibility has been assigned to TRPA, because the projects would require TRPA permitting.

## 10.4 MMRP SUMMARY TABLE

The MMRP Summary Table that follows should guide TMPO in its evaluation and records of the implementation of mitigation measures.

The column categories identified in the MMRP Summary Table are described below:

**Impact Number –** lists the impacts requiring mitigation by number.

**Mitigation Measure –** provides the text of the mitigation measures identified in the EIR.

**Monitoring Action** – identifies the elements of the mitigation that will be monitored for compliance with the MMRP.

**Implementation Responsibility –** identifies the entity responsible for complying with the requirements of the mitigation measure.

**Timing/Schedule –** lists the time frame in which the mitigation will take place.

| Regional Transportation Plan/Sustainable Communities Strategy<br>Tahoe Metropolitan Planning Organization<br>Mitigation Monitoring and Reporting Program | | | | |
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| 3.3 TRANSPORTATION | | | | |
| **Impact 3.3-1 Roadway Segment Operations.** Because implementation of any of the RTP/SCS alternatives would cause at least one roadway segment to degrade from an acceptable to an unacceptable level, and/or substantially degrade the LOS of a roadway segment that is already operating at unacceptable levels, all Alternatives (1, 2, 3, 4, and 5), would result in a **significant** impact on roadway operations. Alternatives 1and 2 would each result in a **significant** impact to four study roadways. Alternative 3 would result in a **significant** impact to two study roadways. Alternative 4 would result in a **significant** impact to nine study roadways. Alternative 5 would result in **significant** impacts to ten study roadways. | **Mitigation Measure 3.3-1. Phased Release of Allocations/LOS Monitoring/Travel Demand Management.** The level of service standard under evaluation for Impact 3.3-1 is oriented toward alleviating congestion for vehicles during the peak hour of peak travel times in the Region. The Compact directs TRPA to focus transportation improvements on transit investments and enhancements to non-auto modes, rather than new roadway capacity. Therefore, the mitigations below seek to first provide additional travel capacity in the form of bicycle, pedestrian, and transit improvements, with an ongoing monitoring program. New roadway improvements beyond those already listed in the RTP are proposed if other measures are not able to meet community needs during peak travel times.<br>TRPA will develop and implement a program for the phased release of land use allocations in four-year cycles in conjunction with future updates of the Regional Plan and RTP. Two years after each release, monitoring of existing and near-term LOS will occur at intersections and roadways to evaluate compliance with applicable LOS policies. Should LOS projections indicate that applicable LOS goals and policies will not be met, actions will be undertaken through TRPA approved plans, project-permitting, or projects/programs developed in coordination with local or other governments to maintain compliance. Actions may include, but are not limited to the following:<br>1. TRPA will prioritize, and cause to be implemented, if feasible, enhanced non-motorized and public transportation projects and services to accommodate the additional travel demand.<br>2. TRPA will modify the land use allocation releases to reduce travel demand.<br>3. To the extent that roadway capacity expansions do not result in significant, unavoidable environmental impacts, | 1. Monitor TRPA's development of a program for the phased release of land use allocations in four-year cycles in conjunction with future updates of the Regional Plan and RTP | 1. *Implementation:* TRPA<br>*Monitoring:* TMPO | 1. Within 12 months of the approval of the Regional Plan Update |
| | | 2. Monitor LOS at intersections and roadways in the Region to evaluate compliance with applicable LOS policies | 2. *Implementation and monitoring:* TMPO | 2. Two years after each release of land use allocations |
| | | 3. If LOS monitoring determines that goals and policies are not being met, implement actions as outlined in Mitigation Measure 3.3-1 | 3. *Implementation:* TRPA<br>*Monitoring:* TMPO | 3. Two years after each release of land use allocations |

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| | TRPA will investigate and cause to be implemented, if feasible, additional multi-modal corridor improvements (beyond those listed in the RTP project list). The following is an example list of potential candidate improvements based on the identified significant impacts of the RTP/SCS alternatives:<br>〉 US 50 between the South Y and South Stateline – modify US 50 to consist of enhanced access control (e.g., raised median with channelized turn lanes at selected locations, driveway consolidation to limit turning locations on the highway, etc.), to the extent that planned traffic signal coordination does not provide sufficient capacity increases.<br>〉 US 50 between SR 89 and Pioneer Trail – modify US 50 to consist of enhanced access control (e.g., raised median with channelized turn lanes, driveway consolidation, etc.) to increase the capacity of the highway. | | | |
| 3.4 AIR QUALITY | | | | |
| **Impact 3.4-2 Short-Term Construction Emissions of ROG, $NO_X$, $PM_{10}$, and $PM_{2.5}$.** Implementation of the transportation projects would involve construction that would result in the temporary generation of ROG, $NO_X$, $PM_{10}$ and $PM_{2.5}$ emissions from site preparation (e.g., excavation, grading, and clearing); off-road equipment, material import/export, worker commute exhaust emissions, paving, and other miscellaneous activities. Typical construction equipment associated with | **Mitigation Measure 3.4-2: Reduce Temporary Construction Emissions of ROG, $NO_X$, $PM_{10}$ and $PM_{2.5}$.** Within 12 months of adoption of an updated Regional Plan, TRPA will coordinate with local governments to develop and effectuate the implementation of Best Construction Practices for Construction Emissions that require, as a condition of project approval, implementation of feasible measures and Best Management Practices to reduce construction-generated emissions to the extent feasible. Until that time, TRPA will continue existing practice to require measures developed on a project-specific basis. Such measures shall include those listed below to the extent they are not already addressed in local requirements. In addition to the mitigation measures identified below, construction of the projects located in California will be | 1. Monitor the development of Best Construction Practices for construction emissions, per Mitigation Measure 3.4-2 | 1. *Implementation:* TRPA and TMPO<br>*Monitoring:* TMPO | 1. Within 12 months of adoption of the Regional Plan Update |
| | | 2.For projects in California, include measures from Best Construction Practices in project-specific environmental review document for | 2. *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies )<br>*Monitoring:* TRPA | 2. During project-specific environmental review |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| development and redevelopment projects includes dozers, graders, excavators, loaders, and trucks. Construction emissions of these pollutants have the potential to be substantial, and would result in a **potentially significant** impact to air quality for Alternatives 1, 2, 3, 4, and 5. | required to comply with all applicable PCAPCD or EDCAQMD rules, as appropriate, including Rule 202 (PCAPCD and EDCAQMD) regarding visible emissions, Rule 228 (PCAPCD) and 223 (EDCAQMD) regarding fugitive dust, Rule 218 (PCAPCD) and 215 (EDCAQMD) regarding the application of architectural coatings, and Rule 217(PCAPCD) and 224 (EDCAQMD) regarding cutback and emulsified asphalt paving materials. For projects located in Washoe County, projects will comply with Washoe County Health District Rules Governing Air Quality, including 040.005 Visible Emissions, 040.030 Dust Control, 040.090 Cutback Asphalts, and 040.200 Diesel Engine Idling.<br>Where local rules and regulations pertaining to construction emissions exist, projects developed pursuant to the Regional Plan shall comply with local requirements.<br>For projects located in California, specifically, TRPA will require the following:<br>〉 Project proponents shall submit to the PCAPCD or EDCAQMD, as applicable, and receive approval of, a Construction Emission/Dust Control Plan prior to any groundbreaking or tree removal activities.<br>〉 Prime contractors shall submit to the PCAPCD or EDCAPCD, as applicable, a comprehensive inventory (i.e., make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower of greater) that will be used an aggregate of 40 or more hours for the construction project. The project representative shall provide the PCAPCD or EDCAQMD, as applicable, with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. The project representative shall provide a plan for approval by the PCAPCD or EDCAQMD, as applicable, demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the | inclusion in construction contracts | | |

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| | construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average of 20 percent NOX reduction and 45 percent particulate reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.<br>〉 As a condition of approval of California transportation projects, TRPA will require individual project environmental review to confirm and demonstrate that project-generated emissions associated with construction will be within the regulatory limits of PCAPCD or EDCAQMD, as applicable, following implementation of mitigation measures.<br>For all projects implementing the RTP/SCS, TRPA will require the following:<br>〉 Fugitive dust shall not exceed 40 percent opacity and not go beyond the property boundary at any time during project construction.<br>〉 No open burning of removed vegetation shall occur during infrastructure improvements.<br>〉 Minimize idling time to 5 minutes for all diesel-power equipment.<br>〉 Apply water to control dust as needed to prevent dust impacts offsite. Operational water truck(s) shall be onsite, as required, to control fugitive dust. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.<br>〉 Apply approved chemical soil stabilizers, vegetative mats, or other appropriate Best Management Practices to | | | |

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| | manufacturer's specifications, to all inactive construction areas (previously graded areas which remain inactive for 96 hours). Spread soil binders on unpaved roads and employee/equipment parking areas and wet broom or wash streets if silt is carried over to adjacent public thoroughfares.<br>Use existing power sources (e.g., power poles) or clean-fuel generators rather than temporary diesel power generators, wherever feasible. | | | |
| **Impact 3.4-5 Exposure to Toxic Air Contaminant (TAC) Emissions.** Because the proposed RTP/SCS does not involve siting of sensitive receptors or siting of any new stationary sources of TAC emissions, it would not result in exposure of sensitive receptors to substantial TAC concentrations. In addition, long-term, mobile-source diesel PM would decline over the plan implementation period compared to existing conditions, because of more stringent motor vehicle emissions standards. However, construction emissions may occur in proximity to sensitive receptors and may result in temporary exposure of receptors to substantial TAC concentrations in Alternatives 1 through 5. Long-term exposure of sensitive receptors in the Region to TACs would be **less than significant** for all alternatives. Short-term TAC exposure would be | **Mitigation Measure 3.4-5: Minimize Exposure of Sensitive Receptors to TAC Emissions during Construction.** To reduce exposure of sensitive receptors to construction-related TAC emissions, TRPA will implement Mitigation Measure 3.4-2 for all alternatives, "Reduce Temporary Construction Emissions of ROG, $NO_X$, $PM_{10}$, and $PM_{2.5}$." This measure includes emissions control strategies for construction equipment that would also reduce diesel PM emissions, including limiting idling time to five minutes maximum and submitting an inventory of construction equipment to PCAPCD or EDCAQMD to demonstrate that emissions from the construction fleet would be better than statewide averages.<br>In addition, for all alternatives, TRPA will require contractors to implement the following measures for all projects constructed pursuant to the RTP/SCS:<br>〉 Equip heavy-duty construction equipment with diesel particulate traps.<br>〉 Locate construction staging areas as far away as possible on the project site from off-site receptors.<br>〉 As a condition of approval, individual project environmental review shall demonstrate that current district-recommended BMPs are implemented to ensure sensitive receptors are not exposed to substantial TAC | 1. Monitor the development of Best Construction Practices for construction emissions, per Mitigation Measure 3.4-2, which will also be applicable to Mitigation Measure 3.4-5. | 1. See Measure 3.4-2 | 1. See Measure 3.4-2 |
| | | 2. For projects in California, include measures listed in Mitigation Measure 3.4-5 in project-specific environmental review for inclusion in construction contracts | 2. *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | 2. During project-specific environmental review |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| **potentially significant** for construction related to projects listed in all alternatives. | concentrations.<br>Mitigation Measure 3.4-2 includes the opportunity to implement measures developed as part of the Best Construction Practices Policy for Construction Emissions. For projects that are permitted prior to the completion of the Best Construction Practices, TRPA will require the specific strategies listed in Mitigation Measure 3.4-2 for project approval to the extent they are not already addressed in applicable local requirements. | | | |
| 3.5 GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE | | | | |
| **Impact 3.5-1 Increase in GHG Emissions.** Implementation of any of the RTP alternatives would occur in conjunction with land use development and population growth anticipated during the plan horizon. Although the RTP strategies would improve the efficiency of transportation-related GHG emissions by increasing transit and non-motor vehicle travel, the combined influence of transportation projects, land use development, and population growth occurring during the RTP plan horizon would result in a substantial increase in overall GHG emissions (in contrast to GHG per capita) that would make a **cumulatively considerable** contribution to the significant cumulative impact of global climate change. Among the RTP alternatives, Alternative 5 would result in the largest increase in GHG emissions, | **Mitigation Measure 3.5-1: Minimize Construction-Related GHG Emissions.** For all the alternatives, GHG emissions from construction will be reduced to the maximum extent feasible. During construction of transportation infrastructure projects, TRPA will require the following mitigation measures to reduce GHG emissions. Other measures that are as effective may be substituted depending on the emissions control technology available at the time of project construction.<br>〉 Limit equipment idling time to a maximum of five (5) minutes.<br>〉 Recycle or reuse construction waste and demolition material to the maximum extent feasible.<br>〉 Use electrified or alternative-fueled construction equipment to the maximum extent feasible. Use local and sustainable building materials to the extent possible.<br>TRPA is considering the implementation of a Best Construction Practices Policy to maintain a range of potential construction-period environmental impacts at less-than-significant levels, including GHG emission impacts. When the Best Construction Practices Policy is completed and adopted, the applicable requirements listed in the adopted policy may be implemented in lieu of the actions listed above. | 1. For projects in California, include measures listed in Mitigation Measure 3.5-1 in project-specific environmental review for inclusion in construction contracts | 1. *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | 1. During project-specific environmental review |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| followed by Alternatives 4, 2, 3, and 1. Alternative 3 would result in the most GHG-efficient transportation system; however, increased GHG emissions would be a **significant** impact for Alternatives 1, 2, 3, 4, and 5 | | | | |
| 3.6 NOISE | | | | |
| **Impact 3.6-1 Short-Term Construction Noise Levels.** Development under each of the five alternatives of the RTP/SCS would involve construction activity that could potentially expose nearby noise-sensitive receptors to noise levels that exceed TRPA's applicable CNEL standards for affected land uses; expose noise-sensitive receptors to noise levels that exceed applicable noise standards established by the general plan or noise ordinance of the local city or county; and/or result in a noticeable increase (i.e., 3 dBA or greater) in ambient noise levels at noise-sensitive land uses during the more noise-sensitive early morning, evening, and nighttime periods of the day that are not exempt by TRPA (i.e., 8:00 a.m. to 6:30 p.m., daily [TRPA Code Section 68.9]) or the local city or county noise ordinance. This would be a **significant** impact for all alternatives. | **Mitigation Measure 3.6-1: Reduce Exposure to Construction Noise.** Where local rules and regulations exist, project-related construction activity will comply with local requirements. In addition to local requirements, TRPA will develop and implement a Best Construction Practices Policy for the Minimization of Exposure to Construction-Generated Noise and Ground Vibration. The policy will require implementation of measures for the reduction of noise generated by demolition and construction activity in the Region. TRPA will require, as conditions of project approval, all applicable control measures identified by the policy. Measures for reducing exposure to construction-related noise may include, but are not limited to, the following:<br>〉 All construction equipment shall be equipped with properly operating mufflers and engine shrouds, in accordance with manufacturers' specifications.<br>〉 Equipment engine doors shall be kept closed during equipment operation.<br>〉 Inactive construction equipment shall not be left idling for prolonged periods of time (i.e., more than 5 minutes).<br>〉 Stationary equipment (e.g., power generators) and staging area for other equipment shall be located at the maximum distance feasible from nearby noise-sensitive receptors. | 1. Monitor the development of Best Construction Practices Policy for the Minimization of Exposure to Construction-Generated Noise and Ground Vibration, per Mitigation Measure 3.6-1 | 1. *Implementation:* TRPA and TMPO<br>*Monitoring:* TMPO | 1. Within 12 months of adoption of the Regional Plan Update |
| | | 2. In California, include measures from Best Construction Practices Policy in project-specific environmental review for inclusion in construction contracts | 2. *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | 2. During project-specific environmental review |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | 〉 Temporary sound walls shall be installed along the boundaries of the construction site to protect nearby noise-sensitive receptors, where feasible and applicable.<br>〉 Trucks hauling materials and goods to and from the construction site shall only do so during active construction periods.<br>〉 All construction and demolition activity using heavy-duty, off-road equipment shall be performed during the daytime hours between 8:00 a.m. and 6:30 p.m., which is the time period exempt from TRPA noise standards by TRPA Code Section 68.9, and during any daytime hours that are exempt from the noise standards of the local jurisdiction (e.g., Placer County, El Dorado County, Douglas County, City of South Lake Tahoe). Noise-generating construction activity may occur during other times of the day if a site-specific, project-specific, technically adequate noise analysis determines that the resultant noise levels would not exceed TRPA noise standards or any applicable standards established by the local jurisdiction.<br>For projects that are permitted prior to the completion of the Best Construction Practices Policy for the Minimization of Exposure Construction-Generated Noise and Ground Vibration, TRPA will require the mitigation measures listed above for project approval to the extent they are not already addressed in applicable local requirements. | | | |
| **Impact 3.6-2 Ground Vibration.** Implementation of the proposed RTP/SCS alternatives would include construction activities that could expose nearby buildings, structures, and people to excessive levels of | **Mitigation Measure 3.6-2: Reduce Exposure to Construction-Generated Ground Vibration.**<br>The Best Construction Practices Policy for the Minimization of Exposure to Construction-Generated Noise and Ground Vibration, which is required by Mitigation Measure 3.6-2, will also include measures to address vibration generated during | 1. In California, include measures listed in Mitigation Measure 3.6-2 in project-specific environmental review for inclusion in | 1. *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | 1. During project-specific environmental review until Best Construction Practices are developed. |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| ground vibration. This would be a **significant** impact for all alternatives | construction and demolition activity. TRPA's Best Construction Practices Policy may include required setback distances for various types of construction equipment that generate ground vibration, as well as criteria for conducting site-specific studies where these setback distances cannot be maintained. Measures required by the policy to minimize exposure to ground vibration may include, but are not limited to, the following:<br>Where local rules and regulations exist regarding ground vibration, projects will comply with local requirements. In addition to local requirements, TRPA will require proponents of transportation projects to implement the following mitigation measures during construction, to the extent they are not already addressed in applicable local requirements:<br>〉 Sonic pile driving shall be performed instead of impact pile driving, wherever feasible;<br>〉 To further reduce pile-driving ground vibration impacts, holes shall be predrilled to the maximum feasible depth to reduce the number of blows required to seat the pile;<br>〉 All construction equipment on construction sites shall be operated as far away from vibration-sensitive sites as reasonably possible;<br>〉 Earthmoving and ground-impacting operations shall be phased so as not to occur simultaneously in areas close to off-site sensitive receptors, to the extent feasible. The total vibration level produced could be significantly less when each vibration source is operated at separate times;<br>〉 No construction or demolition activity shall be performed that would expose an existing structure to levels of ground vibration that exceeds 0.20 in/sec PPV. The vibration control program shall include minimum setback requirements for different types of ground vibration-producing activities (e.g., pile driving, blasting) for the | construction contracts | | |
| | | 2. Monitor development of Best Construction Practices Policy for the Minimization of Exposure to Construction-Generated Noise and Ground Vibration, per Mitigation Measure 3.6-1 | 2. *Implementation:* TRPA and TMPO<br>*Monitoring:* TMPO | 2. Within 12 months of adoption of the Regional Plan Update |
| | | 3. In California, include measures from Best Construction Practices Policy in project-specific environmental review for inclusion in construction contracts | 3. *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies )<br>*Monitoring:* TRPA | 3. During project-specific environmental review |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | purpose of preventing damage to nearby structures. Established setback requirements can be breached if a project-specific, site specific analysis is conducted by a qualified geotechnical engineer or ground vibration specialist that indicates that no structural damage would occur at nearby buildings or structures.<br>〉 No construction or demolition activity shall be performed that would expose human activity in an existing building to levels of ground vibration that exceed FTA's 80 VdB standard. The vibration control program shall also include minimum setback requirements for different types of ground vibration-producing activities (e.g., pile driving, blasting) for the purpose of preventing negative human response. Established setback requirements can be breached only if a project-specific, site-specific, technically adequate ground vibration study indicates that the buildings would not be exposed to ground vibration levels in excess of 80 VdB, and ground vibration measurements performed during the construction activity confirm that the buildings are not being exposed to levels in excess of 80 VdB; or at least two weeks' advanced notice is provided to owners and renters of residential buildings that would be exposed to ground vibration levels within the applicable setback distance; and hotel accommodations are offered to inhabitants of residences within the applicable setback distance at the expense of the project applicant.<br>TRPA will only approve projects that would comply with the requirements of the Best Construction Practices Policy for the Minimization of Exposure to Construction-Generated Noise and Ground Vibration. For projects that are permitted prior to the completion of the Best Construction Practices Policy, TRPA will require the mitigation measures listed above for project | | | |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | approval to the extent they are not already addressed in applicable local requirements | | | |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| **Impact 3.6-4 Long-Term Traffic Noise Levels along Existing Roadway Alignments.** Each of the RTP/SCS alternatives would include a particular transportation strategy package and reflects different numbers and types of new allocations for development authorized by TRPA that could be constructed over the planning horizon of the RTP/SCS. Different policies and redevelopment incentives proposed under each of the alternatives would influence the rate and location of new development, the modes of transportation that would serve the Region, and ultimately the increase in new vehicle trips on highways. Traffic modeling was conducted for each alternative that projected ADTs for road segments in the Region, which were used as inputs to the traffic noise model. Long-term traffic noise levels under any of the five SCS/RTP alternatives could exceed threshold standards established by TRPA for different land use categories and highway corridors; and/or result in a long-term noise level increase in an area where the applicable TRPA threshold standard is already exceeded. This would be a **significant** impact. | **Mitigation Measure 3.6-4: Reduce Highway Traffic Noise Levels.** TRPA will develop and effectuate the implementation of a traffic noise reduction program in coordination with local governments to attain traffic noise levels along highways in the Region where they currently exceed applicable TRPA standards and to maintain traffic noise levels along highways in the Region where they currently do not exceed TRPA standards. Until that time, TRPA will continue its existing practice of requiring measures to be developed on a project-specific basis. Measures may include those required as conditions of approval for development projects and those to be implemented by TRPA to address cumulative, regional noise levels. Traffic noise mitigation measures will be implemented through local government and/or TRPA permitting activities. When the traffic noise reduction program is adopted and implemented, the applicable requirements listed in the adopted policy may be implemented in lieu of the actions listed below.<br>Where local rules and regulations exist, projects will comply with local requirements regarding the exposure of pre-existing noise-sensitive receptors to traffic noise levels. Generally, standards established by local jurisdictions in the Region are less stringent (i.e., higher) than TRPA-established noise standards. In addition to local requirements, TRPA will require proponents of land use development projects to implement the following mitigation measures, where feasible, and to the extent they are not already addressed in applicable local requirements, to protect both on- and off-site noise-sensitive receptors:<br>〉 Construction/use of barriers, berms, and/or acoustical shielding (reductions of 3 dB to 5 dB)—Any barriers shall blend into the overall landscape and have an aesthetically pleasing appearance that agrees with the color and rural character of the general area, and not become the dominant visual element of the community. Relocation of | 1. Monitor the development of a traffic noise reduction program, per Mitigation Measure 3.6-4 | 1. *Implementation:* TRPA and TMPO<br>*Monitoring:* TMPO | 1. Within 12 months of adoption of the Regional Plan Update |
| | | 2. In California, include measures from traffic noise reduction program in project-specific environmental review of r inclusion in construction contracts | 2. *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | 2. During project-specific environmental review after the traffic noise reduction program is adopted |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | existing vegetation and/or landscaping may also be necessary to achieve an aesthetically pleasing appearance;<br>〉 Replacing driveways that provide access from highways to individual buildings with a common access way that routes ingress and egress traffic to nearby intersections in order to reduce the number of gaps in barriers and berms (reductions site-specific);<br>〉 Planting of dense vegetation in key locations where noise absorption is needed (reductions site-specific);<br>〉 Utilizing noise-reducing pavement, including repaving existing roadways with noise-reducing pavement (reductions of 2-5dB)—All pavement must be suitable for the Tahoe climate and snow removal needs;<br>〉 Reducing speed limits and/or implementing traffic-calming measures that slow travel speeds, if feasible and practical (reductions of 1-2 dB);<br>〉 Realigning segments of the highway to reduce noise-sensitive areas to exposure of traffic noise from that highway segment (reductions site-specific);<br>〉 Funding the acquisition of additional right-of-way adjacent to the particular roadway segments to remove existing noise-sensitive receptors, including existing residences (reductions site-specific);<br>〉 Funding acoustical treatment of buildings (reductions of 3-5 dB); and/or<br>〉 Any measures that would, based on substantial evidence, reduce the number of vehicle trips associated with project operations, such as an employee carpool or vanpool program, shuttle bus service for residents or tourists, parking fees, and bicycle amenities. | | | |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | Prior to adoption of the traffic noise reduction program, TRPA will continue to evaluate individual projects at the project level and enforce its CNEL standards on a project-by–project basis pursuant to the noise limitations in Chapter 68 of the TRPA Code.<br>For projects that do not require environmental documentation beyond a checklist, TRPA may apply general noise reduction measures in the twelve months preceeding adoption of the Region-wide traffic noise reduction plan. | | | |
| **Impact 3.6-5 Long-Term Traffic Noise Levels along Realigned Roadways.** Projects involving the realignment of existing roadways would relocate traffic and attendant noise to locations that were previously more quiet and to where future traffic noise levels could exceed the CNEL standards established by the applicable Community Plan and/or PASs and/or local jurisdictions. This would be a **significant** impact. | **Mitigation Measure 3.6-5: Reduce Traffic Noise Levels Along Realigned Roadways.** TRPA will require the project proponents of roadway realignment projects to perform detailed noise studies for their respective projects, including the State Route 89/Fanny Bridge Community Revitalization Project and/or the US 50 South Shore Community Revitalization Project, if the selected alternative results in the location of the highway alignment closer to noise sensitive land uses. Each study will account for site-specific and project-level details not available at this time (e.g., selection of preferred alternative, precise routing of the new or revised alignment, changes in grade, pavement type, travel speed, roadway dimensions [lane widths, median size], and surrounding land coverage). Each project-specific study will determine whether applicable TRPA noise standards would be exceeded, including the applicable CNEL standards established by the local Community Plan or PASs, and whether noise-sensitive receptors would be exposed to noise levels that exceed local city or county noise standards. Project-level studies and all necessary mitigation for each roadway alignment will be funded by the agency or agencies responsible for the project implementation.<br>Sufficient measures will be implemented to ensure that CNEL standards established by the applicable Community Plan and PASs would not be exceeded, including in those areas located | 1. Require the completion of a project-level noise study, per Mitigation Measure 3.6-5 | 1. *Implementation:* Project proponent (TRPA, TTD, other, California proponent agencies)<br>*Monitoring:* TRPA | 1. Prior to project construction |
| | | 2. Include mitigation measures recommended in project-level noise study prepared, per Mitigation Measure 3.6-5, in project-specific environmental review for inclusion in construction contracts | 2. *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | 2. During project-specific environmental review |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | outside the corridor in which TRPA's highway-specific CNEL standards apply (i.e., 55 CNEL for SR 89 and 65 CNEL for US 50 within 300 feet of the road edge), and also to ensure that traffic noise levels that would expose noise-sensitive receptors to levels that exceed applicable standards of local jurisdictions would be reduced to the extent necessary (levels below the applicable CNEL standard). TRPA will not approve any roadway realignment that would cause traffic noise levels to exceed a threshold standard designated by TRPA for any land use category, including the CNEL standards designated for different land use types by Community Plans and PASs. In addition, TRPA will not approve any roadway realignment that would result in a long-term noise level increase, of any magnitude, in an area where the applicable TRPA threshold standard is already exceeded. Similarly, the local city or county will not approve any roadway realignment project that would expose noise-sensitive receptors to noise levels that exceed its applicable standards after implementation of all feasible mitigation. Such mitigation may include, but will not necessarily be limited to the following:<br>〉 Refinement of the roadway realignment design to minimize the area affected by increased noise levels that exceed applicable Community Plan or PAS standards and to minimize traffic noise levels where they expose noise-sensitive receptors to levels that exceed local noise standards;<br>〉 Revision to the Community Plan/PAS/community center boundaries to encompass realigned roadways and modify the TRPA-designated CNEL standards within community centers to allow for higher noise levels, consistent with the goal of creating compact, higher intensity land uses in the centers;<br>〉 Revision to the applicable Community Plans and PASs so that they specify that the CNEL standards for the | | | |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | realigned highways, which override the Community Plan- and PAS-established land-use based CNEL standards in areas within 300 feet from the roadway edge, also apply to the corridors of all realigned highways inside the respective planning areas;<br>〉 Expansion of the highway corridor that is exempt from TRPA-established CNEL standards for nearby land uses;<br>〉 Acquisition of additional right-of-way adjacent to the realigned roadways to remove existing noise-sensitive receptors, including existing residences.<br>〉 Construction of noise barriers, berms, walls, and/or acoustical shielding to reduce traffic noise levels along the new alignments. Any barriers shall blend into the overall landscape and have an aesthetically pleasing appearance that agrees with the color and rural character of the general area, and not become the dominant visual element of the community. Relocation of existing vegetation and/or landscaping may also be necessary to achieve an aesthetically pleasing appearance;<br>〉 Replacement of driveways that provide access from highways to individual buildings with a common access way that routes ingress and egress traffic to nearby intersections in order to reduce the number of gaps in barriers and berms;<br>〉 Planting of dense vegetation in key locations where noise absorption is needed;<br>〉 Use of noise-reducing pavement, including repaving existing roadways with noise-reducing pavement—all pavement must be suitable for the Tahoe climate and snow removal needs;<br>〉 Reduction of speed limits and/or implementing traffic-calming measures that slow travel speeds, if feasible and | | | |

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| | practical;<br>〉 Implementation of programs to pay for noise mitigation such as low-cost loans to owners of noise-impacted property or establishment of developer fees;<br>〉 Acoustical treatment of buildings; and<br>Additional measures that would, based on substantial evidence, reduce the number of vehicle trips associated with project operations, such as an employee carpool or vanpool program, shuttle bus service for residents or tourists, parking fees, and bicycle amenities. | | | |
| 3.9 SCENIC RESOURCES | | | | |
| **Impact 3.9-1 Effects on Existing Scenic Quality or Scenic Resources.** Transportation projects included in the RTP would be designed consistently with TRPA scenic requirements. Many projects would provide the opportunity to enhance scenic quality and community design in urban areas through community revitalization, urban trail corridors, or implementation of complete streets. Nonetheless, new transportation facilities may alter or cause degradation to the existing scenic quality of Roadway or Shoreline Travel Units or damage scenic resources in rural areas as a result of construction activities and the introduction of new or expanded facilities or structures. TRPA scenic requirements in the Code | **Mitigation Measure 3.9-1a: Require Construction Screening.** As a condition of approval for all construction projects related to all five RTP/SCS alternatives, the project proponent (e.g., Tahoe Transportation District (TTD), local County, Caltrans, NDOT) will ensure that construction-related activity is screened and maintained by installing visual screen fencing, storing building materials and equipment within the proposed construction staging areas or in areas that are as far away or hidden from public view as feasible and removing construction debris promptly.<br>**Mitigation Measure 3.9-1b: Implement Scenic Impact Avoidance and/or Mitigation Through TRPA Design Review.** Considerable discretion is involved in determining how new structures will either avoid adverse scenic impacts or if needed, apply compensatory scenic mitigation. Transportation facilities, including new buildings and structures, will be required to undergo detailed design review and determinations of consistency with TRPA scenic requirements during project planning and environmental review. For the Lake Tahoe Waterborne Transit Project, ferry berthing and maintenance facilities will be limited to existing marina piers and buildings, if | 1. In California, include screening measures, per Mitigation Measure 3.9-1 in project-specific environmental review for inclusion in construction contracts | 1. *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | 1. During project-specific environmental review |
| | | 2. Review project design for compliance with scenic requirements and threshold standards. For projects with inconsistencies, modify project design or include mitigation measures per Measure 3.9-1 in project-specific environmental | 2. *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | 2. During project-specific environmental review |

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| of Ordinances would avoid and reduce adverse effects and many projects would improve existing scenic quality; however, the potential for development of transportation facilities to degrade scenic quality in rural areas and the shorezone/shoreland cannot be entirely dismissed. Although attaining and maintaining threshold standards, including those protecting scenic quality, is an inherent objective of the RTP/SCS, there would be a potential for a significant scenic impact related to implementation of new projects, because considerable discretion needs to be applied to projects to determine how scenic impacts would be avoided, or if needed, what compensatory scenic mitigation may be required. A **potentially significant** impact on scenic quality and scenic resources is recognized for all five RTP/SCS alternatives. | feasible. If not, the visible mass of new or expanded piers and buildings will be designed in accordance with TRPA Shorezone and Shoreland scenic requirements, including compensatory scenic mitigation, if needed. All projects will be required to help attain and maintain scenic threshold standards.<br>If projects are found during the project review to be potentially inconsistent with scenic requirements or potentially may not help attain and maintain scenic threshold standards, project proponents will work with TRPA to modify project design or identify project-specific scenic mitigation measures to ensure that all required scenic requirements and threshold standards are met, specifically: Travel Route Ratings, Scenic Quality Ratings, Public Recreation Areas and Bike Trails Scenic threshold standards, and Community Design. | review for inclusion in construction contracts | | |
| **Impact 3.9-2 Effects on Scenic Vistas from a Public Road or other Public Area.** Proposed new pedestrian and bicycle trails would, in some locations, provide enhanced public access to vistas of the Lake. Waterborne transit offers a new type of high viewer-volume, public, on-lake access to Lake and Basin rim vistas. If | Alternative 2 does not require mitigation. For Alternatives 1, 3, 4, and 5, TRPA will implement Mitigation Measure 3.9-1b. See above, for a description of the mitigation measure under Impact 3.9-1. | See Mitigation Measure 3.9-1 | See Mitigation Measure 3.9-1 | See Mitigation Measure 3.9-1 |

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| new or expanded ferry piers are needed in the shorezone, or if parking, ferry terminal, or ferry maintenance structures and buildings are needed in the shoreland, the potential for blockage or interference with scenic Lake vistas is conceivable; however, shorezone and shoreland scenic requirements are designed to avoid such effects. Nonetheless, the potential for development of ferry facilities that may interfere with Lake vistas cannot be entirely dismissed. Transportation projects that would involve roadway, trail, stormwater, and other public works improvements would not block or interfere with scenic vistas, because they either consist of "horizontal" infrastructure (such as grading, drainageways, or paving) or involve smaller, "vertical" structures that would not be large enough to interfere with scenic vistas (such as transit shelters, low bridge railings, unobstructive trail alignments). Nearly all of the transportation projects in the RTP would enhance public access to scenic vistas, or would not be of a size or height that would create the potential for interference with scenic vistas. For alternatives that include the Lake Tahoe Waterborne Transit Project, the potential for shorezone and | | | | |

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| shoreland structures to adversely affect Lake vistas cannot be entirely dismissed, which would constitute a **potentially significant** impact for Alternatives 1, 3, 4 and 5. Effects on scenic vistas from public areas would be a **less-than-significant** impact for Alternative 2. | | | | |
| **3.10 BIOLOGICAL RESOURCES** | | | | |
| **Impact 3.10-1 Sensitive Habitats.** Sensitive habitats in the Tahoe Basin include a variety of wetland/riparian communities such as wet meadows, riparian zones along streams, marshes, seasonal wetlands, drainages, springs, fens, bogs, and deep water plant communities of Lake Tahoe. Most of these communities are also designated by TRPA as SEZ and habitats of special significance. Implementation of projects under all alternatives (Alternatives 1, 2, 3, 4, and 5), depending on their specific locations, could result in removal or disturbance of habitats considered sensitive by USACE and TRPA, including riparian vegetation, SEZ, and potential jurisdictional wetlands. Construction-related disturbances could occasionally occur in or otherwise directly or indirectly affect areas that may support sensitive habitats, | **Mitigation Measure 3.10-1a: Implement Vegetation Protection Measures and Revegetate Disturbed Areas**. Vegetation will not be disturbed, injured or removed, except in accordance with the Code or conditions of Project approval. All trees, major roots, and other vegetation, not specifically designated and approved for removal in connection with a project will be protected according to methods approved by TRPA. All vegetation outside the construction site boundary, as well as other vegetation designated on the approved plans, will be protected by installing temporary fencing pursuant to subsections 33.6.9 and 33.6.10. Areas outside the construction site boundary that sustain vegetation damage during construction will be revegetated according to a revegetation plan in accordance with Section 61.4.<br>**Mitigation Measure 3.10-1b: Conduct Delineation of Waters of the United States and Obtain Authorization for Fill and Required Permits**. Prior to the start of on-site construction activities, a qualified biologist will survey the project area for sensitive natural communities. Sensitive natural communities or habitats are those of special concern to resource agencies or those that are afforded specific consideration, based on Section 404 of the Clean Water Act (CWA) and other applicable regulations. If sensitive natural communities or habitats that are afforded specific consideration, based on Section 404 of the | 1. In California, include vegetation protection measures, per Mitigation Measure 3.10-1a, in project-specific environmental document for inclusion in construction contracts | 1. *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | 1. During project-specific environmental review |
| | | 2. Include wetland delineation measures, per Mitigation Measure 3.10-1b, in project-specific environmental review for inclusion in construction contracts | 2. *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | 2. During project-specific environmental review |

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| including SEZs, outside of existing disturbed areas. This potential habitat loss would be a **potentially significant** impact to SEZs and other sensitive habitats in the Basin for all alternatives. Depending on the specific locations, types, and objectives of water quality improvements under Alternatives 1, 2, 3, 4, and 5, long-term impacts to stream and lake habitats are **potentially beneficial** | Clean Water Act (CWA) are determined to be present, a delineation of waters of the United States, including wetlands that would be affected by the project, will be prepared by a qualified biologist through the formal Section 404 wetland delineation process. The delineation will be submitted to and verified by USACE. If, based on the verified delineation, it is determined that fill of waters of the United States would result from implementation of the project, authorization for such fill will be secured from USACE through the Section 404 permitting process. The acreage of riparian habitat (deciduous riparian vegetation) that would be removed or disturbed during project implementation will be quantified and replaced or restored/enhanced in accordance with USACE and TRPA regulations. Habitat restoration, enhancement, and/or replacement will be at a location and by methods agreeable to USACE as determined during the permitting processes for CWA Section 404 and by TRPA during the permitting process for SEZ. | | | |
| **Impact 3.10-2 Tree Removal.** Under all alternatives (Alternatives 1, 2, 3, 4, and 5), construction of several RTP projects would likely require the removal of native trees. Provisions for tree removal are provided in the TRPA Code of Ordinances (Chapter 61, and Chapters 33 and 36), and tree removal requires the review and approval of TRPA. For specific projects under all alternatives (Alternatives 1, 2, 3, 4, and 5), project-level planning and environmental analysis would identify potential tree removal. Tree removal as a result of specific transportation projects would be a | **Mitigation Measure 3.10-2: Minimize Tree Removal and Develop a Tree Removal and Management Plan.** Where feasible, the project will avoid and minimize the removal of trees, especially those 30 inches in DBH or larger. This avoidance and minimization will be achieved through project design to the greatest extent feasible. Tree removal that cannot be avoided will be mitigated with the following measures. In accordance with Chapter 61, Section 61.1.5.C of the TRPA Code of Ordinances, a tree removal and management plan will be prepared by a qualified forester and will be submitted to a TRPA Registered Professional Forester (RPF) or other qualified TRPA professional for review and approval. TRPA approval of the plan will be obtained before project approval. Alternatively, if a timber harvesting plan is required to be submitted to California Department of Forestry and Fire Protection and meets the requirements described in this mitigation measure, the timber | 1. Review project design for minimization of tree removal and revise project to avoid tree removal, if feasible. For tree removal, include mitigation measures per Measure 3.10-1 in project-specific environmental review for inclusion in construction contracts | 1. *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies) *Monitoring:* TRPA | 1. During project-specific environmental review |

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| **potentially significant** impact for all alternatives. | harvesting plan may be submitted to TRPA for review and approval in lieu of a separate tree removal and management plan.<br>The tree removal and management plan will adhere to the provisions in Chapter 61 of the TRPA Code of Ordinances, including the preservation of trees larger than 30 inches DBH (Section 61.1.4.A). The plan will include protection measures for snags and coarse woody debris. In accordance with the TRPA criteria Standards for Common Vegetation, the plan will maintain relative species richness, relative abundance, and relative age class, as appropriate and feasible, to contribute to the attainment of the region-wide Threshold Standard.<br>Permanent disturbance (i.e., disturbance after project construction caused by the proposed project) and temporary disturbance (i.e., disturbance from construction activities) of all trees to be preserved will be minimized. This will include minimizing cuts, fills, grade changes, paving or other coverage, soil compaction, and landscaping effects within the critical root zone of all trees, as determined by a qualified environmental professional. Creation of detailed site plans and construction documents will be coordinated with a qualified environmental professional to minimize permanent and temporary disturbance. The tree removal and management plan will demonstrate how site development design will minimize the permanent disturbance of all trees to be preserved, and how construction planning will minimize temporary disturbance of all trees to be preserved.<br>To minimize temporary disturbance, the tree removal and management plan will provide for vegetation protection during construction in accordance with Chapters 33 and 36 of the TRPA Code of Ordinances.<br>All tree protection obligations required in the tree removal and management plan will be incorporated into construction contracts. Tree protection measures will be installed, and will | | | |

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| | be inspected by staff from TRPA before issuance of a grading permit.<br>As part of the tree removal and management plan, a tree replacement plan may be prepared by a qualified forester, in accordance with Chapters 36 and 61 of the TRPA Code of Ordinances. Tree replacement needs and specifications will be determined in cooperation with TRPA during development of the tree removal and management plan. Determining whether tree replacement is appropriate, and the amount of project-related tree removal subject to mitigation by tree replacement, should be based on several considerations related to local and Basin-wide vegetation and fuels management goals and opportunities. These considerations include: (1) the condition, stocking level, and encroachment potential of stands where trees would be removed relative to vegetation/fuels management objectives, desired ecological conditions, and relevant TRPA threshold standards for those areas (e.g., stands proposed for removal that are presently overstocked, encroaching into other native vegetation types, or otherwise undesirable may not warrant full replacement); (2) whether on- or offsite tree replacement, which could increase tree density and cover at replanting sites, would either contribute to or conflict with fuels/vegetation and forest health goals for those locations or Basin-wide; and (3) how tree replacement may affect attainment of TRPA threshold standards for vegetation. If a tree replacement plan is required, it would be submitted to and approved by a TRPA RPF or other qualified TRPA professional before tree removal or the issuance of a grading permit. Tree replacement will only be implemented in a manner that is also consistent with fire fuel management objectives for the replanted properties. | | | |
| **Impact 3.10-3 Effects on Fish and Aquatic Habitat.** Under all | **Mitigation Measure 3.10-3: Conduct Preconstruction Surveys and Develop and Implement Native-Fish Capture and** | In California include preconstruction survey | *Implementation:* Project proponent | During project-specific environmental review |

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| alternatives (Alternatives 1, 2, 3, 4, and 5), aquatic habitats could be affected by project construction activities associated with new or improved stream crossings, transportation facilities adjacent to aquatic habitats, and stormwater control projects. Construction could temporarily result in increased turbidity and downstream sedimentation, small amounts of fill placed in aquatic habitats, and the release and exposure of construction-related contaminants. Construction-related disturbances to fish and aquatic habitat would be a potentially significant for all alternatives. Depending on the specific locations, types, and objectives of water quality improvements under Alternatives 1, 2, 3, 4, and 5, long-term impacts to stream and lake habitats are potentially beneficial. | **Translocation Plan.** The project proponent shall develop and implement measures to prevent the construction-related loss of native fish occupying habitat within the project-specific area. In accordance with existing regulations, before any construction activities that require dewatering commence, a qualified biologist shall conduct preconstruction surveys and implement native-fish relocation activities within the construction dewatering area. All captured native fish species shall be immediately released to a suitable habitat near the project area. The qualified biologist shall place nets with 1/8-inch mesh at the upstream and downstream extents of the area to be dewatered to keep fish out of the area during fish removal activities. After completion of removal activities, the work area will be cleared for dewatering. Fish rescue and relocation will continue until the area is completely dewatered or until it is determined that no fish remain in the dewatering area. This fish translocation plan will apply only to native fish species. Nonnative species captured during the pre-dewatering effort will be humanely killed and disposed of. These activities shall take place in consultation with TRPA and the Nevada Department of Wildlife (NDOW) or California Department of Fish and Game. | measures, per Mitigation Measure 3.10-3, in project-specific environmental review document | (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | |
| **Impact 3.10-4 Special-Status Plant and Wildlife Species.** Under all alternatives (Alternatives 1, 2, 3, 4, and 5), construction of some RTP projects could affect special-status plant or animal species, depending on the specific locations, presence of suitable habitat and the type, timing, and specific nature of the project actions. During project-level planning | **Mitigation Measure 3.10-4a: Conduct Follow-up, Pre-construction Surveys and Avoid, Minimize, or Compensate for Impacts on Special-Status Plant Species**. To avoid, minimize, or compensate for possible adverse effects on special-status plant species resulting from a proposed RTP project, the following management requirements would be implemented in the following order, in accordance with existing regulations:<br>1. A qualified botanist familiar with the vegetation of the Tahoe Basin will conduct preconstruction surveys for special-status plants that could occur in the project area | In California, include special-status measures, per Mitigation Measure 3.10-4, in project-specific environmental review document | *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | During project-specific environmental review |

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| and evaluation, species with potential to be affected would be determined based on the species' distribution and known occurrences relative to the project area, the presence of suitable habitat for the species in or near the project area, and preconstruction surveys. If special-status plant or wildlife species are found where RTP project-specific ground disturbance is planned, then implementing Alternative 1, 2, 3, 4, or 5 could result in their removal or disturbance. This impact would be **potentially significant**. | and be affected by the proposed project. Surveys will be conducted during appropriate blooming periods when target species are clearly identifiable and will follow CDFG's Guidelines for Assessing the Effects of Proposed Development on Rare, Threatened, and Endangered Plants and Plant Communities (CDFG 2000).<br>2. If no special-status plants are found during the survey, the results of the survey will be documented in a letter report to the lead agencies that would become part of the project environmental record, and no further actions will be required.<br>3. If occurrences of special-status plants are documented during the survey, they will be clearly identified in the field and protected from impacts associated with construction activities. Protective measures will include flagging and fencing of known plant locations and avoidance where possible. No construction-related activities will be allowed within areas fenced for avoidance, and construction personnel will be briefed about the presence of the plants and need to avoid effects on the populations.<br>4. If avoidance is not possible, a mitigation plan to reduce impacts on special-status plants to a less-than-significant level will be developed in coordination with the lead agencies, CDFG (for CNPS List 2 species), and USFS (for forest sensitive species), depending on the species affected. The mitigation plan will include provisions for minimizing impacts on special-status plant populations during construction and for relocation and establishment of plants at new protected locations in the study area. The mitigation plan will also include provisions for follow-up monitoring to determine mitigation success, and remedial measures should the initial efforts to mitigate fail. The plan will be adopted and implemented by the project proponent.<br>**Mitigation Measure 3.10-4b: Conduct Pre-construction** | | | |

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| | **Surveys for Nesting Special-Status Birds, and Implement a Limited Operating Period if Necessary**. In accordance with existing regulations, for construction activities that would occur in suitable habitat during the nesting season (generally April 1–August 31, depending on species and weather), a qualified wildlife biologist will conduct focused surveys for active nest sites of special-status birds. The biologist should be able to identify Sierra Nevada bird species audibly and visually. If an active special-status bird nest is located during the preconstruction surveys, the biologist will notify TRPA and CDFG. If necessary, modifications to the project design to avoid removal of occupied habitat while still achieving project objectives will be evaluated, and implemented to the extent feasible. If avoidance is not feasible or conflicts with project objectives, appropriate limited operating periods will be established through consultation with TRPA and CDFG and will apply to avoid disturbances during the sensitive nesting season.<br>**Mitigation Measure 3.10-4c: Conduct Pre-construction Surveys for Special-Status Bats, Avoid Removal of Important Roosts, and Implement a Limited Operating Period if Necessary**. In accordance with existing regulations, bat surveys will be conducted by a qualified wildlife biologist within 14 days before any tree removal or clearing each construction season. Locations of vegetation and tree removal or excavation will be examined for potential bat roosts. Potential roost sites identified will be monitored on two separate occasions for bat activity, using bat detectors to help identify species. Monitoring will begin 30 minutes before sunset and will last up to 2 hours at any potential roost identified. Removal of any significant roost locations discovered will be avoided to the extent feasible. If avoidance is not feasible, roost sites will not be disturbed by project activities until September 1 or later, when juveniles at maternity roosts would be volant (i.e., able to fly). | | | |

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| **Impact 3.10-5 Introduction and Spread of Invasive Weeds and Aquatic Invasive Species.** Construction of some RTP projects under all alternatives would involve ground-disturbing activities in disturbed and native vegetation types. These activities would temporarily create areas of open ground that could be colonized by nonnative, invasive weed species from inside or outside of the project area. Invasive weeds and other species could inadvertently be introduced or spread in the project area during grading and construction activities, if nearby source populations passively colonize disturbed ground, or if construction and personnel equipment is transported to the site from an infested area. Under Alternatives 1, 3, 4, and 5, construction and operation of the Lake Tahoe Waterborne Transit Project, including the initial deployment of transit boats on Lake Tahoe, could facilitate the spread of aquatic invasive species into Lake Tahoe. Boats or construction equipment could harbor aquatic invasive species that could invade Lake Tahoe, if boats or equipment were exposed to those species in another water body and are not | **Mitigation Measure 3.10-5a: Implement Weed Management Practices during Project Construction**. In consultation with TRPA, the project proponent will implement appropriate weed management practices during project construction. Recommended practices include the following:<br>〉 A qualified biologist with experience in the Tahoe Basin will conduct a preconstruction survey to determine whether any populations of invasive/noxious weeds are present within areas proposed for ground-disturbing activities. This could be conducted in coordination with the focused special-status plant survey recommended above under Mitigation Measure 3.10-4a, —Conduct Follow-up, Pre-construction, Focused Surveys and Avoid, Minimize, or Compensate for Impacts on Special-Status Plants. If noxious weed species are documented, they will be removed or their spread otherwise prevented before the start of construction. Control measures may include herbicide application, hand removal, or other means of mechanical control. This would help eliminate the threat of spreading the species throughout the study area and adjacent areas.<br>〉 All equipment entering the study area from weed-infested areas or areas of unknown weed status will be cleaned of all attached soil or plant parts before being allowed into the study area.<br>〉 To ensure that fill material and seeds imported to the study area are free of invasive/noxious weeds, the project will use on-site sources of fill and seeds whenever available. Fill and seed materials that need to be imported to the study area will be certified weed-free. In addition, only certified weed-free imported materials (or rice straw in upland areas) will be used for erosion control. | In California, include invasive weeds and aquatic invasive species measures, per Mitigation Measure 3.10-5, in project-specific environmental review document | Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | During project-specific environmental review |

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| sufficiently cleaned and sanitized. The potential introduction and spread of invasive species as a result of implementing any alternative would be **potentially significant** for all alternatives. | After project construction, the study area will be monitored on an annual basis for infestations of invasive weeds until the restored vegetation has become fully established. If new populations of invasive weeds are documented during monitoring, they will be treated and eradicated to prevent further spread.<br>**Mitigation Measure 3.10-5b: Implement Aquatic Invasive Species Management Practices during Project Construction**. In consultation with TRPA, the project proponent will implement appropriate aquatic invasive species management practices during project construction. Recommended practices include the following:<br>All equipment, including individual equipment such as waders, wading boots, etc., entering the project area that will be used in or around Lake Tahoe will be decontaminated using recommended methods before being allowed into the project area. | | | |
| **3.12 POPULATION, EMPLOYMENT, AND HOUSING** | | | | |
| **Impact 3.12-2 Displacement of Residences and Businesses.** Acquisition of land and buildings necessary for highway realignments and other transportation improvements could displace existing residences and businesses. The number of residences and businesses that would be displaced as a result of a project is undetermined at this time, because project design and right-of-way planning are needed to determine the extent of necessary displacement. This would be a **significant** impact for Alternatives 1, | **Mitigation Measure 3.12-2: Prepare a Relocation Assistance Plan, or Equivalent Plan.** The project proponent will consider project alternatives that avoid displacement of homes or businesses. For projects that would result in the displacement of residences or business, the project proponent will comply with federal and state requirements for the preparation a relocation assistance plan (RAP), or equivalent document. For projects on the highway system or that receive federal transportation funds, preparation of a RAP will follow the requirements of the Federal Highway Administration Relocation Assistance Program in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended) and Title 49 Code of Federal Regulations (CFR) Part 24. RAP-equivalent documents will comply with applicable regulations that may include the California Relocation | For projects in California subject to NEPA that result in displacement of homes or businesses, monitor the preparation of a relocation assistance plan or equivalent document and implement recommendations of the RAP. For projects in California not subject to NEPA that | *Implementation*: Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* FHWA, or, if delegated, Caltrans or NDOT, or the City of South Lake Tahoe, or appropriate county | During project-specific environmental review |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| 2, 3, 4, and 5. | Assistance Law (California Government Code Section 7260 et seq.), the California Relocation and Real Property Acquisition Guidelines (California Code of Regulations, Title 25 and Chapter 6, Section 6000 et seq.), and Caltrans' Right of Way Manual, Chapter 10. Relocation plan typically consider:<br>〉 Criteria for replacement housing,<br>〉 Reimbursement criteria for moving costs and/or different housing costs (including rents); and<br>Reimbursement criteria for businesses, including costs associated with searching for a new space, and business lost. | result in displacement of homes or businesses, include relocation mitigation measures, per Mitigation Measure 3.12-2, in project-specific environmental review | | |
| **3.13 PUBLIC SERVICES AND UTILITIES** | | | | |
| **Impact 3.13-4 Demand for Wastewater Collection and Treatment.** RTP projects may include toilets, sinks, and drinking water fountains, which would require wastewater treatment. These facilities would increase demand for wastewater treatment. Based on Small and Decentralized Wastewater Management Systems, demand for domestic water for public restrooms is estimated at five gallons of domestic water per person per day (Crites 1998, 171). Because the level of use related to public restrooms constructed to support bicycle paths, recreation projects, and other projects is unknown, the levels could become substantial and this impact would be **potentially significant** for Alternatives 1, 2, 3, 4, and 5. | **Mitigation Measure 3.13-4: Prepare and Submit PUD- or GID-Specific Requests for New Wastewater Collection and/or Treatment.** In accordance with applicable regulations, the project proponent will prepare and submit calculations for wastewater collection and treatment needs to the applicable PUD or GID. Calculations will include, but not be limited to:<br>〉 location of the proposed project;<br>〉 site design documents providing the location of existing and proposed wastewater facilities;<br>〉 the number of potential dwelling units, anticipated recreation users, or other applicable quantification of user type;<br>〉 the number of fixture units (e.g., sinks, showers, toilets, washer, etc.); and<br>〉 anticipated wastewater collection and treatment demand.<br>The project proponent will obtain authorization for new wastewater collection and treatment from the applicable PUD or GID before the start of construction activities. Potential impacts resulting from construction of wastewater | For projects in California, prepare calculations for wastewater collection and treatment to the applicable project PUD or GID during project-specific environmental review. Include mitigation measures, as needed per Mitigation Measure 3.13-4, in project-specific environmental document for inclusion in construction contracts | *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* Affected GID or PUD | During project-specific environmental review |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | infrastructure improvements or construction will be addressed. Mitigation measures will be proposed to reduce potentially significant impacts, as feasible, and in accordance with TRPA Code of Ordinances and other state and federal requirements (e.g., CEQA Statues and Guidelines). | | | |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| **Impact 3.13-5 Access for Emergency Services.** Construction projects associated with RTP implementation could affect police services, fire protection, and emergency medical services response time and delivery of emergency services. Depending on the timing, location, and duration of construction activities, several of the projects included in the RTP/SCS, including intersection improvements, roadway and bikeway enhancements, and maintenance activities, could delay emergency vehicle response time or otherwise disrupt delivery of emergency services. By closing off one or more lanes of a roadway, emergency routes could be impaired; causing traffic delays and ultimately preventing access to calls for service. Thus, this impact would be project-specific and would be a **potentially significant** impact for Alternatives 1, 2, 3, 4, and 5**.** | **Mitigation Measure 3.13-5: Prepare and Implement a Traffic Control Plan in Coordination with Affected Agencies.** To minimize effects on emergency vehicle and existing public vehicular access, the project proponent for construction projects will, in accordance with applicable regulations, prepare a traffic control plan (TCP) that will address locations that will involve construction in existing roadways and rights-of-ways. The TCP will be prepared in accordance with professional traffic engineering standards and in compliance with the requirements of the affected agency's encroachment permit requirements (e.g., the affected county, Caltrans, NDOT) and will include measures that will provide notification to emergency service providers and adequate circulation around construction sites for emergency vehicle and existing public vehicular access. The TCP may include, but not be limited to, the following elements:<br>〉 The specific methods to maintain traffic flows on affected streets.<br>〉 The maximum amount of travel lane capacity during non-construction periods.<br>〉 Locations of flagger control for sensitive sites to manage traffic control and flows.<br>〉 Construction work zones width limits that, at a minimum, maintain alternate one-way traffic flow past the construction zones.<br>〉 Alternative routes to ensure that local residents, school buses, or emergency vehicles maintain access.<br>〉 Coordinated construction activities (time of year and duration) to minimize traffic disturbances.<br>〉 Advanced warning posts of construction activities to allow motorists to select alternative routes in advance.<br>〉 Appropriate warning signage and lighting for construction | For projects in California, prepare a traffic control plan, per Mitigation Measure 3.13-5, during the project-specific environmental review. Submit the TCP to affected agencies for review and comment. | *Implementation:* Project proponent (TRPA, TTD, other proponent agencies) *Monitoring:* TRPA, counties, City of South Lake Tahoe, other responsible agencies | During project-specific environmental review |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | zones.<br>〉 Appropriate and safe detour route identification if closure of a roadway is required, and signage that warns of road closures and detour routes.<br>The TCP will be submitted to the affected agencies (county, city, NDOT, Caltrans) for review and comment. | | | |
| **3.14 HAZARDS AND PUBLIC SAFETY** | | | | |
| **Impact 3.14-2 Hazardous Materials Sites.** Project sites could be located on sites that are included on a list of hazardous materials sites. Therefore, impacts related to exposure of the public or the environment to hazardous materials would be **potentially significant** for Alternatives 1, 2, 3, 4, and 5. | **Mitigation Measure 3.14-2: Avoid Known Contaminated Sites.** In accordance with existing regulations, project proponents will require construction contractors to implement the following mitigation measures prior to any construction to prevent potential exposure to workers or the environment from contaminated sites:<br>〉 Prior to any construction activities, the project applicant will consult all known databases of contaminated sites. If it is determined that a project is located on or near a contaminated site, the implementing agency will consult with the appropriate regulatory agencies (LRWQCB or DTSC in California or Nevada Division of Environmental Protection in Nevada) to either devise a remediation plan or avoid disturbance of contaminated areas.<br>All projects should avoid, to the extent feasible, locating any construction staging areas or new transportation facilities in areas that could have been used previously for industrial/manufacturing uses, or other uses that could have involved use, handling, transport, or storage of hazardous materials (including but not limited to auto maintenance, gas station, equipment yard, dry cleaner, railroad, agriculture, mining, etc.). If such areas cannot be avoided, prior to any construction within such areas, the proponent will hire a qualified professional to conduct a Phase 1 Environmental Site Assessment (Phase I ESA), limited to the area of proposed | In California, include measures to prevent potential exposure of workers or the environment from contaminated sites, per Mitigation Measure 3.14-2, in project-specific environmental review for inclusion in construction contracts | *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* LRWQCB, California DTSC, or the Nevada Division of Environmental Protection | During project-specific environmental review |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | ground disturbance that will identify the presence of any soil or groundwater contamination at concentrations that could pose health risk to construction workers. If such levels of soil or groundwater contamination are identified, the proponent will follow the recommendations in the Phase 1 ESA, which may include removal of contaminated soil, treatment and proper disposal of contaminated groundwater, or other remediation measures, all of which will be subject to applicable regulatory approvals. | | | |
| **3.15 CULTURAL RESOURCES** | | | | |
| **Impact 3.15-1 Historical Resources.** Demolition, alteration, or disturbance of existing features, buildings, and structures could result in changes to or destruction of historical resources. Roadway realignments, bicycle lanes, removal or replacement of bridges, and new or improved facilities (stormwater, parking, and restroom) could result in the disturbance or demolition of historic resources. Because future projects constructed under all of the alternatives could result in demolition or alteration of historical resources, this impact is **potentially significant** for Alternatives 1, 2, 3, 4, and 5. | **Mitigation Measure 3.15-1a: Prepare a Site-Specific Historic Resources Inventory Report.** To adequately address the level of potential impacts for a specific project and thereby design appropriate mitigation measures, the project proponent (e.g., Tahoe Transportation District (TTD), local County, Caltrans, NDOT) will survey, inventory, and determine the significance of the historic resources within the defined area of potential effect (APE) of specific projects that include construction of facilities. The following are steps typically taken to assess and mitigate potential impacts to historic resources:<br>〉 Define the APE, based on relevant standards (i.e., California, Nevada, TRPA, and federal procedures, as applicable)<br>〉 Identify both previously recorded historic resources and those not previously recorded.<br>〉 Evaluate the significance of historic resources using California, Nevada, TRPA, and federal (Section 106) guidelines, as applicable.<br>〉 Identify the significance of impacts of the proposed project under California, Nevada, TRPA, and federal (Section 106) guidelines, as applicable. | For projects in California, prepare a site-specific historic resources inventory report, per Mitigation Measure 3.15-1, in project-specific environmental review | *Implementation*: Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | During project-specific environmental review |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | 〉 Develop and implement mitigation measures designed to avoid, minimize, rectify, reduce or eliminate the effects of the project on significant historic resources.<br><br>Minimally, an historic resources inventory will consist of an historic resources records search to be conducted at the North Central Information Center of the California Historical Resources Information System located at California State University, Sacramento or at the Nevada State Historic Preservation Office (depending on the location of the project); review of TRPA's cultural resources database and mapping of eligible sites; consultation with the Native American Heritage Commission (NAHC) and with interested Native Americans identified by the NAHC (i.e., Washoe Tribe in this Region); a field survey (if one has not previously been conducted); recordation of all identified historic buildings and structures on California Department of Parks and Recreation 523 Site Record forms (in California); and preparation of an historic resources inventory report describing the project setting, methods used in the investigation, results of the investigation, and recommendations for management of identified resources. Identified historic resources in California jurisdictions that may be impacted by a project will be evaluated for eligibility on the California Register of Historical Resources (CRHR). Historic resources that are eligible for the CRHR are considered to be significant historic resources. Historic resources that are identified within project areas subject to federal approval, permits, or funding will also be evaluated for eligibility for listing on the National Register of Historic Places (NRHP), in accordance with Section 106 of the National Historic Preservation Act (NHPA). Historic resources determined to be eligible for listing on the NRHP are automatically eligible for listing on the CRHR and are considered to be significant historic resources. | | | |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | **Mitigation Measure 3.15-1b: Survey for Historic Resources.** In accordance with existing regulations, for any project that implements the RTP, the project proponent will survey and evaluate the area of potential effect of any development or other ground-disturbing activities that contain structures 50 years old or older for their historic significance prior to TRPA's approval of project plans. The survey will be carried out by a qualified historian or architectural historian who is acceptable to the lead agency and who meets the Secretary of the Interior's Standards for Architectural History. If potentially significant historic resources are encountered during the survey, demolition, substantial alteration, and other adverse effects to such resources will be avoided. If avoidance of identified historic resources is deemed infeasible, with TRPA concurrence, the project proponent will prepare a treatment plan to minimize adverse effect, relocate resources, if appropriate, and photo-document and interpret any adversely affected resource. Any alterations, including relocation, to historic buildings or structures will conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.<br>**Mitigation Measure 3.15-1c: Record Historic Buildings or Structures.** As noted in Mitigation Measure 3.15-1b, to the extent feasible, proponents of a project that implements the RTP will avoid adverse effects to historic resources. If adverse effects cannot be avoided, the proponent will prepare and implement a treatment plan in accordance with existing regulations. If avoidance or implementation of a treatment plan to protect an historic resource is not feasible, the project proponent will ensure that a qualified architectural historian will be retained to document the impacted historical architectural resource to Historic American Buildings Survey (HABS) and Historic American Engineering Record (HAER) | | | |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | standards. HABS and HAER documentation packages will be entered into the Library of Congress as well as the North Central California Information Center of the California Historical Resources Information System.<br>The project proponent will engage a qualified or architectural historian who is acceptable to the lead agency for the project. The historian, in cooperation with the appropriate federal, state, and local agencies, will develop and implement the approach for data recovery and building recordation that is consistent with agency requirements. | | | |
| **Impact 3.15-2 Archaeological Resources.** Archaeological artifacts and sites have been found throughout the Lake Tahoe Region, because people have inhabited it for approximately 10,000 years. Additional, unknown archaeological resources are likely to exist given that archaeological sites tend to be located in environments that were desirable for human settlement, such as Lake Tahoe. Construction and excavation activities associated with project activities could result in sediment disturbance and removal, which can adversely affect archaeological resources. Because RTP/SCS projects would allow excavation and other ground-disturbing activities, all of the alternatives could result in adverse physical effects to known and unknown archaeological resources. | **Mitigation Measure 3.15-2a: Prepare a Site-Specific Archaeological Resources Inventory Report.** To adequately address the level of potential impacts for a specific project and thereby design appropriate mitigation measures, in accordance with existing regulations, the project proponent will survey, inventory, and determine the significance of the archaeological resources within the defined area of potential effect (APE) of specific projects that include construction of facilities. The following are steps typically taken to assess and mitigate potential impacts to archaeological resources:<br>〉 Define the APE, based on relevant standards (i.e., California, Nevada, TRPA, and federal procedures, as applicable)<br>〉 Identify both previously recorded archaeological resources and those not previously recorded.<br>〉 Evaluate the significance of archaeological resources using California, Nevada, TRPA, and federal (Section 106) guidelines, as applicable.<br>〉 Identify the significance of impacts of the proposed project under California, Nevada, TRPA, and federal (Section 106) guidelines, as applicable.<br>〉 Develop and implement mitigation measures designed to | For projects in California, prepare a site-specific archaeological resources inventory report, per Mitigation Measure 3.15-2, in project-specific environmental review | *Implementation:* Project proponent (TRPA, TTD, other California proponent agencies)<br>*Monitoring:* TRPA | During project-specific environmental review |

| Regional Transportation Plan/Sustainable Communities Strategy<br>Tahoe Metropolitan Planning Organization<br>Mitigation Monitoring and Reporting Program | | | | |
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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| This impact is **potentially significant** for Alternatives 1, 2, 3, 4 and 5. | avoid, minimize, rectify, or reduce or eliminate the effects of the project on significant archaeological resources.<br>Minimally, an archaeological resources inventory will consist of an archaeological resources records search to be conducted at the North Central Information Center of the California Historical Resources Information System located at California State University, Sacramento or at the Nevada State Historic Preservation Office (depending on the location of the project); review of TRPA's cultural resources database and mapping of eligible sites; consultation with the Native American Heritage Commission (NAHC) and with interested Native Americans identified by the NAHC (i.e., Washoe Tribe in this Region); a field survey (if one has not previously been conducted); recordation of all identified archaeological resources on California Department of Parks and Recreation 523 Site Record forms (in California); and preparation of an archaeological resources inventory report describing the project setting, methods used in the investigation, results of the investigation, and recommendations for management of identified resources. Identified archaeological resources in California jurisdictions that may be impacted by a project will be evaluated for eligibility on the California Register of Historical Resources (CRHR). Archaeological resources that are eligible for the CRHR are considered to be significant archaeological resources. Archaeological resources that are identified within project areas subject to federal approval, permits, or funding will also be evaluated for eligibility for listing on the NRHP, in accordance with Section 106 of the NHPA. Archaeological resources determined to be eligible for listing on the NRHP are automatically eligible for listing on the CRHR and are considered to be significant.<br>**Mitigation Measure 3.15-2b: Conduct Archaeological Testing and Data Recovery.** If it is infeasible to avoid impacts on significant archaeological sites that have been determined to be | | | |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | eligible for listing by the TRPA or on the CRHR or the NRHP, additional research will be conducted, in accordance with relevant procedures, based on the location of the project and the involved agencies. Archaeological excavation will be conducted (CCR Section 15126.4[b][3][C]). This work will be conducted by a qualified archaeologist and will include preparation of a research design, additional archival and historical research, archaeological excavation, analysis of artifacts, features, and other attributes of the resource, and preparation of a technical report documenting the methods and results of the investigation in accordance with the California Office of Historic Preservation Guidelines for Archaeological Research Design. The purpose of this work is to recover a sufficient quantity of data to compensate for damage to or destruction of the resource. The procedures to be employed in this data recovery program will be determined in consultation with responsible agencies and interested parties, as appropriate, potentially including the development and implementation of an Archaeological Research Design and Testing Plan (ARDTP) or Historic Properties Treatment Plan (HPTP). Where necessary, future project proponents would seek Native American input and consultation.<br>**Mitigation Measure 3.15-2c: Conduct Archaeological Monitoring.** In accordance with existing regulations, for ground-disturbing activities that have the potential to impact archaeological remains and that will occur in an area that has been determined by a qualified archaeologist to be an area that is sensitive for the presence of buried archaeological remains, the project proponent (e.g., TTD, local county, Caltrans, NDOT) will require the construction contractor to retain a qualified archaeologist to monitor those activities. Archaeological monitoring will be conducted in areas where there is likelihood that archaeological remains may be discovered but where those remains are not visible on the surface. Monitoring will not be | | | |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| | considered a substitute for efforts to identify and evaluate cultural resources prior to the project initiation. Where necessary, the project proponent will seek Native American input and consultation.<br>**Mitigation Measure 3.15-2d: Stop Work in the Event of an Archaeological Discovery.** If potentially significant cultural resources are discovered during ground-disturbing activities associated with individual project preparation, construction, or completion, the project proponent will require the construction contractor to stop work in that area until a qualified archaeologist can access the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with TRPA and other appropriate agencies and interested parties. A qualified archaeologist will follow accepted professional standards in recording any find including submittal of the standard Department of Parks and Recreation (DPR) Primary Record forms (Form DPR 523) and location information to the California Historical Resources Information Center office (North Central Information Center) for California projects. The consulting archaeologist will also evaluate such resources for significance per California Register of Historical Resources eligibility criteria (PRC Section 5024.1; Title 14 CCR Section 4852). Consultation with the Nevada State Historic Preservation Officer will be undertaken for Nevada projects.<br>If the archaeologist determines that the find does not meet the TRPA standards of significance for cultural resources, construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, the lead agency will be notified and a data recovery plan will be prepared. | | | |
| **Impact 3.15-3 Accidental Discovery of Human Remains.** The location of grave sites and Native | **Mitigation Measure 3.15-3: Stop Work if Human Remains are Discovered.** In accordance with existing regulations, if any human remains are discovered or recognized in any location on | For projects in California, include mitigation for | *Implementation:* Project proponent (TRPA, TTD, other | During project-specific environmental review |

| Regional Transportation Plan/Sustainable Communities Strategy<br>Tahoe Metropolitan Planning Organization<br>Mitigation Monitoring and Reporting Program | | | | |
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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| American remains are potentially not known in advance, and can occur outside of identified cemeteries or burial sites. As with archaeological resources, disturbance of human remains are more likely to occur in previously undisturbed and undeveloped areas, where excavation and ground-disturbing activities have not already resulted in discovery. However, human remains may be discovered in developed and disturbed areas, as well, and may also be of recent origin.<br>Construction and excavation activities associated with development activities result in sediment disturbance and removal, which can unearth human remains if they are present. Because RTP/SCS projects would allow excavation and other ground-disturbing activities, all of the alternatives could result in accidental discovery of human remains. This impact is **potentially significant** for Alternatives 1, 2, 3, 4 and 5. | an individual project site, the project proponent will ensure that there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:<br>a) The applicable County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and<br>b) If the remains are of Native American origin,<br>1. The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or<br>2. The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission. | discovery of human remains, per Mitigation Measure 3.15-3, in project-specific environmental review for inclusion in construction contracts | proponent agencies)<br>*Monitoring:* TRPA, other proponent agencies, or local jurisdiction | |
| **Impact 3.15-5 Ethnic and Cultural Values.** Development in the Tahoe Region could result in physical changes to sites, structures, and areas that have religious or sacred significance or other cultural significance to the Washoe people. | **Mitigation Measure 3.15-5. Implement Other Cultural Resources Mitigation Measures**<br>Implement Mitigation Measures 3.15-1a, 3.15-1b, 3.15-1c, 3.15-2a, 3.15-2b, 3.15-2c, 3.15-2d, and 3.15-3. | See Mitigation Measures 3.15-1 through 3.15-3 | See Mitigation Measures 3.15-1 through 3.15-3 | See Mitigation Measures 3.15-1 through 3.15-3 |

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| **Impacts** | **Mitigation Measures** | **Monitoring Action** | **Responsibility** | **Timing** |
| These could be permanent changes that alter, remove, or modernize features or temporary changes such as restriction of access from construction.<br>Because RTP/SCS projects could result in physical changes to historic and prehistoric sites, unique ethnic cultural values could be affected, and historic or prehistoric religious or sacred uses within the region could be restricted. Consultation with the Washoe tribe is required by federal, state and TRPA regulations, however, project activities could still uncover or destroy historic or archaeological resources as identified in Impacts 3.15-1 (historic) and 3.15-2 (archaeological). Additionally, as described in Impact 3.15-3 (human remains), project activities could result in accidental discovery of remains during grading and excavation. Accidentally discovered remains could be of Native American origin. Therefore, this impact is **potentially significant** for Alternatives 1, 2, 3, 4, and 5. | | | | |

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# EXHIBIT B - ACTION 2

- **ADOPTION OF MOBILITY 2035: LAKE TAHOE REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY**

- **MOTION**

- **RTPA RESOLUTION 2012-24**

# CERTIFICATION OF THE MOBILITY 2035: LAKE TAHOE REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY FINAL ENVIRONMENTAL IMPACT REPORT AND ADOPTION OF CEQA FINDINGS

Regional Transportation Planning Agency

A motion to approve RTPA Resolution 2012-24, adopting Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy in accordance with California Government Code Section 65080 and all other applicable federal and state regulations

**TAHOE REGIONAL PLANNING AGENCY**
**ACTING AS REGIONAL TRANSPORTATION PLANNING AGENCY**
**RTPA RESOLUTION 2012-24**

**RTPA ADOPTION OF**
**MOBILITY 2035: LAKE TAHOE REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY**

WHEREAS, the Tahoe Regional Planning Agency (TRPA) is designated under California Government Code Section 29532.1(b) as a Regional Transportation Planning Agency (RTPA) for the portion of the Tahoe Basin in the State of California; and

WHEREAS, as an RTPA under California Government Code Section 65080, the TRPA has certain responsibilities associated with transportation planning and programming, including the requirement to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, including but not limited to mass transportation, highway, railroad, maritime, bicycle, pedestrian, goods movement and aviation facilities and services; and

WHEREAS, "Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy" (Mobility 2035) has been prepared in accordance with state regulations and requirements, and Mobility 2035 identifies all transportation facilities and assesses capital investment and other measures necessary to preserve the existing transportation system and make the most efficient use of existing transportation facilities to relieve congestion, improve public mobility and address environmental impacts of the transportation system; and

WHEREAS, a Regional Transportation Plan Checklist has been prepared and is incorporated into Mobility 2035 as an Appendix as required by Caltrans and the California Transportation Commission.

NOW, THEREFORE, BE IT RESOLVED, that the TRPA Governing Board, sitting as the Regional Transportation Planning Agency, adopts Mobility 2035: Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy in compliance with California regulations.

PASSED AND ADOPTED by the Governing Board of the Regional Transportation Planning Agency at its regular meeting held on December 12, 2012, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Norma Santiago, Governing Board Chair
Tahoe Regional Planning Agency