

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the **Advisory Planning Commission** of the Tahoe Regional Planning Agency will conduct its regular meeting at **9:30 a.m. on Wednesday, October 14, 2020, via GoToWebinar**, the **Advisory Planning Commission** of the Tahoe Regional Planning Agency will conduct its regular meeting. Pursuant to the State of California's Executive Order No. N-29-20 and the State of Nevada's Declaration of Emergency Directive 006, the TRPA meeting will not be physically open to the public and all Advisory Planning Commission Members will be participating remotely via GoToWebinar. Please go to www.trpa.org for more information on how to participate. TRPA sincerely appreciates the patience and understanding of everyone concerned as we make accommodations to conduct business using best practices to protect public health. The agenda is attached hereto and made part of this notice.

October 7, 2020



Joanne S. Marchetta
Executive Director

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

Via GoToWebinar

October 14, 2020
9:30 a.m.

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PUBLIC INTEREST COMMENTS

All items on this agenda are action items unless otherwise noted. Items on the agenda, unless designated for a specific time, may not necessarily be considered in the order in which they appear and may, for good cause, be continued until a later date.

Members of the public may email written public comments to the Clerk to the Board, mambler@trpa.org. All public comments at the meeting should be as brief and concise as possible so that all who wish to participate may do so; testimony should not be repeated. The Chair shall have the discretion to set appropriate time allotments for individual speakers (3 minutes for individuals and group representatives as well as for the total time allotted to oral public comment for a specific agenda item). No extra time for participants will be permitted by the ceding of time to others. Written comments of any length are always welcome. In the interest of efficient meeting management, the Chairperson reserves the right to limit the duration of each public comment period to a total of 1 hour. All written comments will be included as part of the public record.

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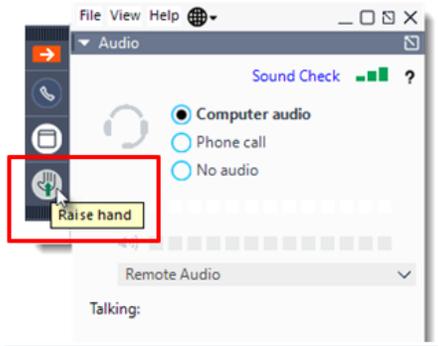
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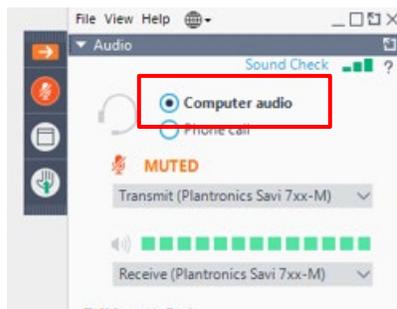
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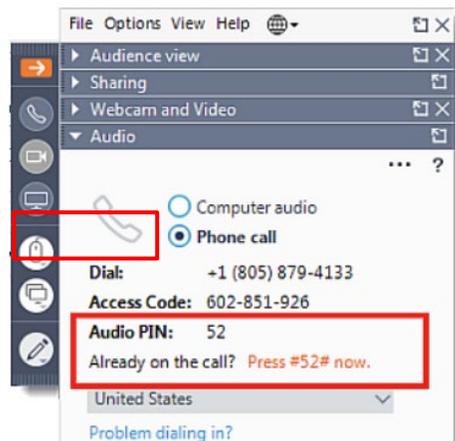
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IV. DISPOSITION OF MINUTES

V. PLANNING MATTERS

A. Climate Resiliency Initiative Briefing

Informational Only **Page 1**

VI. PUBLIC HEARINGS

A. Draft Tourist Core Area Plan amendments in the City of South Lake Tahoe: Amend the TCAP Tourist Center Gateway Zoning District/Town Center to add approximately 18 acres, or 49 parcels, currently located within the Bijou-Al Tahoe Community Plan and Town Center

Recommendation **Page 3**

VII. REPORTS

A. Executive Director

Informational Only

1) Upcoming Topics

Informational Only

B. General Counsel

Informational Only

C. APC Members

Informational Only

VIII. PUBLIC COMMENT

IX. ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

GoToWebinar

August 12, 2020

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Ferry called the meeting to order at 9:30 a.m.

Members present: Mr. Alling, Mr. Booth, Mr. Buelna, Mr. Callicrate, Ms. Carr, Mr. Drew, Mr. Ferry, Mr. Grego, Mr. Guevin, Mr. Hill, Mr. Letton, Mr. Plemel, Mr. Hitchcock for Ms. Roverud, Ms. Stahler, Mr. Teshara, Mr. Smokey, Mr. Young

Members absent: Mr. Drake

II. APPROVAL OF AGENDA

Mr. Ferry deemed the agenda approved as posted.

III. PUBLIC INTEREST COMMENTS

None.

IV. DISPOSITION OF MINUTES

Mr. Young moved approval of the July 8, 2020 minutes as presented.

Ms. Carr seconded the motion.

Mr. Drew abstained.

Motion carried.

V. PUBLIC HEARINGS

- A. Tahoe Keys Target Aquatic Weed Control Methods Test – Draft Joint TRPA Environmental Impact Statement and CEQA Environmental Impact Report, TRPA File# EIPC 2018-0011, Tahoe Keys, City of South Lake Tahoe, CA, Project Number 510-101-00

TRPA team members Ms. Caringer, presented on some of the background and context of the project, Mr. Zabaglo, discussed the aquatic invasive species program, the proposed project and alternatives, Mr. Norman, Lahontan Regional Water Quality Control Board presented on the regulatory framework, and Mr. Good, Environmental Science Associates presented on the technical work he provided for this document.

Ms. Caringer said part of the Environmental Improvement Program is to monitor, control, and eradicate the aquatic invasive species currently found in the Lake. Aquatic invasive weeds that are not native to Lake Tahoe are not only an unsightly nuisance to beach goers and people recreating, but they also degrade Lake Tahoe's water quality, clarity, and disrupt the natural ecosystem. The weeds proliferate and are persistent making them hard to eradicate. Public and private partners have joined together over the past decade to control the spread of the invasive weeds in the Lake by collaborating across different jurisdictions, engaging with scientists, prioritizing control areas, and trying new and innovated ways to remove weeds. Lake Tahoe scientists and natural resource managers have ranked the Tahoe Keys Lagoons as the top priority location for weed control because of the infestation size and boat use that can spread weed fragments to other areas of the Lake and spur new infestations. Despite the concerted efforts by the Tahoe Keys Property Owners Association to control the infestation, that population of weeds continues to grow.

Over the past few years, the homeowners and the Environmental Improvement Program partners including TRPA, the League to Save Lake Tahoe, and the Tahoe Resource Conservation District have worked together to determine where to start to solve such a daunting challenge. The infestation covers 172 acres of waterways and doesn't allow for an expedient or easy solution. The infestation is within the private residential area but is a major public recreation access point to Lake Tahoe. Solving the weed issue garners an interest from stakeholder's region wide. This is a lake wide problem, not just a Tahoe Keys problem.

The Tahoe Keys Property Owners have tried many methods of weed control over the past 40 years and engaged with experts to try and find solutions. In 2018, after years of research, TKPOA asked TRPA and the Lahontan Regional Water Quality Control Board if they could expand their toolbox to consider aquatic herbicides. While aquatic herbicides are used in many other parts of the country, they haven't been permitted as a control method in Lake Tahoe. While some believe it's the only solution to significantly knock back and gain control of the infestation in the Tahoe Keys, others would prefer it be the last option or never introduced. They agreed that before the agencies could make a determination on using herbicides there would need to be a comprehensive analysis of the potential environmental impacts. They also agreed to initiate a broad stakeholder engagement process.

Over the past few years, they've formed several stakeholder committees and what's resulted is a lot of good information sharing and discussion of different viewpoints. Through this process they've found that stakeholders want to work together to solve one the Lake's most pressing environmental challenges. People wanted to learn more about the different options before a full long term treatment strategy is developed. The stakeholder committee helped shape the current proposed project used to conduct a test of a variety of different control methods in the Tahoe Keys. This testing program would occur over three years with two additional years of project monitoring. It would allow TKPOA and resource managers to study, analyze, and compare the options in the unique environment of the Tahoe Keys. Both herbicide and non-herbicide options are on the table prior to developing, evaluating, and implementing a future large scale project in the Tahoe Keys.

The document provides the environmental analysis of the potential environmental effects of conducting that test project. It doesn't provide a project recommendation but rather provides the analysis that will be a tool to aid the lead agencies in the decision making process. The 60-day comment period is open until September 3, 2020. This document is a result of an intensive

scientific study over the last year. Staff is asking for input on the adequacy, completeness, and conclusions of that analysis. If a control methods test is approved, data from that test will inform the longer term strategy and another environmental analysis will be needed to analyze the environmental effects of that full scale project.

Mr. Zabaglo said they've been implementing aquatic invasive species weed control projects in the Lake for several years now with a lot of success. With that success, they've learned that multiple methods are needed. The Tahoe Keys is a huge challenge and number one priority. It's 30 times larger than any project they've attempted to date. Every marina around the Lake can fit within a small portion of the Tahoe Keys. The conditions are difficult with the size and the loose organic "muck" layer that resides at the bottom that cause poor visibility that makes other successful methods more difficult to employ. A test approach was shaped in this collaborative setting with the stakeholders and includes the examination of new tools.

The testing of herbicides has been proposed by the Tahoe Keys Property Owners Association but also included in this test is innovative methods such as ultraviolet light and laminar flow aeration. While ultraviolet light and laminar flow aeration have shown some exciting results in other locations, their use has been very limited in small scales. This approach aims to test all these methods in standalone applications and in combination.

A massive data collection effort resulted in over one million data points that allowed them to understand the existing conditions that are necessary to analyze the potential impacts of the test project. In addition, a nutrient cycling model was built with this information to understand how nutrients are moving through the system.

Multiple workshops were held last summer obtaining feedback during the scoping period. They received over 300 comments with a broad support for a test approach. There were numerous comments that suggested physical modification should be considered as well as support for and against herbicide use. The boat back up station at the Tahoe Keys Property Owners Association west side continues to be used and is complemented by the bubble curtain and sea bins to prevent fragments from leaving the Tahoe Keys.

Slide five represents the proposed project by the Tahoe Keys Property Owners Association and was refined by that stakeholder input. The test project would be implemented over a three year time frame and is intended to test the initial treatment methods that are likely to achieve extensive weed reduction in a one-time application in that first year. It would then be followed up with maintenance and spot treatment methods in years two and three.

The initial treatments in year one is referred to as Group A methods that include specific aquatic herbicides, ultraviolet light, and the laminar flow aeration. Group B methods are intended to be follow up or spot treatment methods that can handle plots of weeds after the initial treatment. That includes some of the more traditional methods with bottom barriers where feasible and suction and hand pulling. The ultraviolet light can also be used in this application.

Those alternatives include using only non-herbicidal methods such as the ultraviolet light, laminar flow aeration, and a dredging alternative that would remove the substrate at the bottom of the channels. Lastly, there's the no project alternative which is status quo. The goal of this test is to

understand what methods are likely to reduce weed infestations and bring them to manageable levels, reducing the chance of re-infestation, and improved beneficial use of the Tahoe Keys such as water quality and recreation.

The control methods test would be implemented in 21 locations. They were selected to ensure that the test accounts for the inherent variability within the Tahoe Keys and to have that triplicate testing of methods to ensure a scientifically rigorous design. In total, the test area would be little over 41 acres.

In response to comments received, the non-herbicide alternative would be similar to the proposed project but removing the herbicide component. It would include the use of ultraviolet light and laminar flow aeration as the primary control (Group A) methods. The ultraviolet light uses a specific wave length that when plants are exposed, cell walls in the DNA of the weeds are damaged and result in the dying of leaves and stems. Laminar flow aeration which is being piloted at the Ski Run Marina with some promising results and then at a larger scale currently happening within the Tahoe Keys. It's intended to provide a consistent oxygen level from the surface through the upper layers of sediment. The sediment is often lower in oxygen levels, so if that can be increased, it is expected to break down that "muck" layer and result in fewer plants in the affected area.

The second alternative would use dredging as a primary means of control and would rely on excavation of the bottom substrate to remove the plants, roots, turions, and the organic "muck" layer. It could then be replaced with a more core substrate that may be less suitable for plant growth. The team brought in a Geo-technical expert to help craft this alternative because of the number of comments received during the scoping period.

During scoping they received several comments on the no project alternative and strong suggestions that they take a hard look at what that would mean to the rest of the Lake. The team conducted a detailed analysis that's not typically done for a no project alternative. In this scenario, the Tahoe Keys Property Owners Association would continue with harvesting, fragment collection, and other activities allowed within their existing approvals. The test would not take place, nothing would be learned, and would increase the time to address the long term solution to treating these weeds in the Tahoe Keys.

Mr. Norman, Lahontan Regional Water Quality Control Board said following board consideration of the Final EIR/EIS by both TRPA and the Lahontan Water Board, permits will then have to be issued by both agencies to implement the project. Lahontan is the Federal Water Quality Permitting lead and will also be subject to the California water quality requirements and permitting. Methods proposed that do not involve chemical discharges could be permitted with existing permitting mechanisms that the Tahoe Keys Property Owners Association have. These would be under the Lahontan's water discharge requirements that they're operating under now along with the Clean Water Act 404 and 401 permits.

It is the discharge of chemical substances that create some challenges and leads to more time to evaluate the project and get it permitted, specifically, aquatic herbicide discharges. The other factor that leads to the time required to evaluate and permit this project is Lake Tahoe's Outstanding National Resource Waters status for its outstanding ecological and recreational value. The regulatory agencies consider the Tahoe Keys Lagoons to also be an ONRW since they're

connected to Lake Tahoe.

Those factors lead to the enhancement of permitting the environmental review requirements and as noted the chemical discharge brings in the federal water quality permitting in the form of a National Pollutant Discharge Elimination System (NPDES) permit requirement. Also, the Lahontan Basin Plan has a prohibition on the use of aquatic pesticides, so a prohibition exemption is required to jump that hurdle in terms of the permitting. Both the Lahontan Base Plan exemption and the NPDES permitting require an anti-degradation analysis. The policies and provisions state and federal anti-degradation provides the highest level of protection for ONRW's.

The requirements still have to be met to present a basin plan prohibition exemption for the discharge of aquatic pesticides including the California Environmental Quality Act analysis they're doing now. This CEQA has been triggered by the proposed discharge of aquatic herbicides. The applicant has to comply with the anti-degradation policies and will need to demonstrate the minimum discharge of chemical substances for an effective treatment, describe why non-chemicals measures have not effectively addressed the target weeds, and provide a peer reviewed, pre project biological monitoring, reporting, and mitigation program. These are just a few of the key requirements.

The anti-degradation policies require for ONRW's that there be no long term degradation of baseline water quality, but short term degradation is allowed within the aquatic herbicide application treatment areas. The current guidance for what constitutes short term degradation to baseline water quality is that degradation in baseline water quality is in weeks to months and not years. That will be a discretionary point of decision for the boards as to whether they feel the degradation predicted from the aquatic herbicide discharges are short or long term. That duration has been informed by the environmental review. In addition, a written anti-degradation analysis will accompany the basin plan exemption resolution and draft NPDES permit which will be available later this year or in January 2021. It will go through a similar public process with a 30 to 45 day public comment period. They'll possibly do a workshop with the Lahontan board on this. The draft NPDES permit and the other permitting documents would be adopted following approval of the Final EIR/EIS.

Mr. Good, Environmental Science Associates said like an environmental impact statement project, they've evaluated potential environmental effects for a broad range of resources from air quality to recreation and transportation. On this project, all the activities are proposed to be in lagoon waters. His presentation will focus on how they evaluated effects in the aquatic environment including water quality.

There were five steps in the approach to evaluating the water quality effects: First, they considered which water quality constituents could be affected by the project activities. Second, they put a lot of effort into looking at the existing baseline conditions. Third, they defined 13 specific potential water quality and environmental health issues that are evaluated in the EIS/EIR. For each of those 13 issues, they evaluated both direct and indirect effects. There's a lot of information available for public review that shows their work in detail on all these evaluations. There were five PhD specialists in different areas of aquatic science working on this project.

They started with a list of dozens of water quality standards that come from the TRPA thresholds and from the Basin Plan water quality objectives. For example, they say radioactivity couldn't possibly be affected by this project. They boiled it down to a list of ten constituents that could be affected by the proposed activities.

They collected data nearly every day for six months in the lagoons and that included characterizing all the physical, chemical, and biological components of these lagoon ecosystems. It was important to gain a thorough understanding of how the lagoon ecosystems function to better assess what the effects might be of the proposed activities.

These baseline data collection activities are described in Appendix E. They included continuous 15 minute data collections of water temperature, dissolved oxygen, and pH at 13 different stations throughout the three lagoons both near the surface and the bottom. There's a lot of variability of water quality in the lagoons so it's important to characterize both how the water quality is during the daytime when photosynthesis is active with big beds of aquatic weeds and then again at night when the photosynthesis shuts down. It's also important to characterize the difference between water quality near the surface and bottom particularly during periods of stratification which can be different and have an effect on other water quality characteristics. They had a rain gauge running around the clock during that period and were also monitoring the water level in Piezometers that were installed around the perimeter of the lagoons. Twice a month, they measured the depth to ground water in the wells and conducted water quality profile measurements to look at conditions at one foot intervals from the surface to the bottom. That is important for documenting the amount of water circulation or stratification that was happening which has a large bearing on other water quality components. Once per month, they collected water samples in the lagoons and had a laboratory analysis done for nutrients and chlorophyll. Several times during that six month period they collected ground water samples for lab analysis for nutrients and measured turbidity in the lagoons. In June and October, they did the fish and macroinvertebrates surveys. July was the one-time sediment sampling and when the TRC conducted the terrestrial biology and wetland delineation surveys.

The issues around water quality are in two different sections: Section 3.2, Environmental Health that has a lot to do with beneficial use protection. These included whether the workers applying herbicides would have health issues related to the herbicides. They also addressed the persistence or how long the herbicides might be present in the lagoon waters after application. They considered whether drinking water supplies were protected and looked at the toxicity to non-target plant species and animals. They looked at aluminum toxicity because of the aluminum that's present in the sediments of the lagoons and also considered whether the proposed activities might increase the occurrence of harmful algal blooms.

Water quality, Section 334 of the EIS identified seven different issues that are all related to whether there would be compliance with the water quality standards for these specific water quality constituents that had the greatest potential to be affected by the project.

The fourth step in evaluating direct and indirect water quality effects is starting with a description of the methods and assumptions for each one of those 13 issues which are summarized at the beginning of those environmental health and water quality sections. They focused on protecting the lagoon receiving waters because the water quality standards apply in

the lagoons as well. They can't rely on any dilution in the body of water in Lake Tahoe. If the standards are met within the lagoons, it will be pretty safe that the water quality would be protected in the main body of Lake Tahoe. The evaluations boiled down to three key questions: How long would herbicide chemicals be detectable? Would the water quality standards be met? and would beneficial uses be protected?

How long would herbicide chemicals be detectable? They started with the aquatic pesticide application plan that was prepared by the Tahoe Keys Property Owners Association in 2018. They eliminated penoxsulam from the list of herbicides that were proposed because it requires multiple applications to be effective and it has by far the longest persistence in the water. Second, they considered the application rates that TKPOA had proposed based on their mesocosm study and literature review. It was decided to conservatively base their evaluations on the maximum allowable application rates. They also needed to research the lowest attainable laboratory reporting limits. Through analysis of these herbicide chemicals they determined that one part per billion is the lowest reliable reporting limit. Using those maximum application rates, one part per billion reporting limits, herbicide active ingredients degradation rates, and assuming no dilution they came up with ranges of persistence for each of the herbicides. It was from 6 to 36 days for Florpyrauxifen-benzyl and up to less than 120 days for Triclopyr. It will be up to the Lahontan Water Board to make a determination on how these estimated persistence periods fit with the anti-degradation requirement that those herbicides cannot be detectable for more than weeks to months and not years.

Would water quality standards be met? The 2019 baseline survey showed that the water quality standards are not met even before this project for at least six of the water quality constituents. The question is would these water quality conditions get any worse for water quality compliance from any of the activities of the control methods tests or the alternatives. There were several considerations on their work to answer these questions. They looked at the timing and the extent of the activities. Second, they looked at protective measures that were built into how each of those weed control activities would be performed. Third, they considered whether real time monitoring of water quality could be used during implementation of these activities to adjust the methods or pace of the work to assure that water quality standards are met. They also prescribed additional mitigation measures to get a greater safety factor that water quality standards would be met. They considered literature including monitoring information from other similar projects. All of these considerations went into developing their expectations for what the extent and the duration of effects could be.

For turbidity they expect short term increases would occur during bottom barrier removal. Under the dredging alternative it would be during suction dredging or discharge of the dewatering effluent. The turbidity could be minimized or controlled by using turbidity curtains at the dredging sites and implementing spill control and treatment of dewatering effluent. Turbidity monitoring can be conducted in real time to adjust those activities as needed to meet turbidity standards.

For dissolved oxygen they found no concerns for direct oxygen demand from the herbicide products. As far as the oxygen demand from decomposing plants, those effects could be minimized by treating the plants when they're small so there's less biomass that's decaying. Second, by deploying aeration during decomposition of the plants which was one of the

mitigation measures that was added in. For pH there was also no concerns for direct pH changes from herbicides primarily because small quantities of products are applied compared to the volume of water at the test sites.

With phosphorus and nitrogen there was an in depth evaluation that was based on the nutrient loading and cycling model that can be found in Appendix F. Some of the key findings were that most of the nitrogen and phosphorus in the lagoons is not in the water, it's in the plant tissue.

Plant decay becomes the biggest nitrogen and phosphorous source in the main lagoon. It's a different situation in Lake Tallac where there's a much larger watershed area with stormwater runoff and more ground water input. Together those external sources are greater than the internal sources from weed decay in Lake Tallac. They've found that the algal productivity is correlated in the main lagoon to the concentrations of nitrogen and phosphorus in the water. However, that was not the case in Lake Tallac because the tannins in the water inhibit algal growth. In terms of the concern of an algal response to weed control is probably more important in the main lagoon than it is in Lake Tallac. There are ways to minimize this temporary increase during the weeks of plant decay. It's important to treat those plants when they're small to minimize the volume of plant decay. Another mitigation measure is applying Phoslock to inactivate phosphorus. Phoslock is a bentonite clay product and contains a rare earth mineral called lanthanum that binds with phosphorous. The Phoslock will bind to the phosphorous molecules as it moves down the water column. The phosphorous then remains bound in the sediment where it's not available for algae blooms for aquatic plant growth.

Would beneficial uses be protected? In terms of impacts to human health from herbicides, product registration and safety data sheets showed that there's no potential to exceed drinking water standards. There's also no acute risk or chronic exposure to workers applying the chemicals. Also, the containment and protective measures and the monitoring and contingency plans in the aquatic pesticide application plan provide a safety factor that they believe will protect people. In terms of the potential or increased harmful algal bloom occurrences at these test sites during the nutrient release from decomposing plants; the aeration system would create circulation so the water wouldn't be as stagnant and warm, therefore, it would be less conducive to algal blooms. The phosphorous activation (Phoslock) would effectively starve the algae of an essential nutrient. Since 2017, the Tahoe Keys Property Owners Association has undertaken a testing and public notice program. If during the course of test there was cyanobacteria identified, it would be sampled and depending on the level of those toxins, warning signs and other public notices would be issued.

Potential impacts to non-target aquatic life from the herbicides was informed by product registration and safety data sheet information. There are also the 2019 baseline surveys on what aquatic life is present. The US Environmental Protection Agency risk assessment methods were used for this part of the evaluation. One of the most important protections is to conduct pretreatment surveys and that adjustments can be made to the treatment area boundaries to protect non-target plants. They would expect there would be some loss of non-target plants but the overall impacts to those plant communities would be negligible.

There are some other potential impacts to non-target aquatic life. Some plants and invertebrates would be burned by ultraviolet light or buried by bottom barriers. They do expect

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at the community level those impacts to be minimal. Fish and other mobile organisms would swim or crawl away as soon as they sense the activities in the test sites. Deoxygenation during plant decomposition would be managed by aeration. The potential for aluminum toxicity to fish would be managed by controlling sediment disturbance by ongoing real time turbidity monitoring. The rapid recolonization and long term benefits to native plant and animal communities from aquatic weed control would be tested in more than 20 percent of the lagoon areas. They expect that it would create a net benefit for this area of beneficial uses of the non-target aquatic ecosystem.

Mr. Zabaglo said the anti-degradation analysis is a component required by the California Environmental Quality Act and the Lahontan Regional Water Quality Control Board if any aquatic herbicides are to be used. It was originally forecasted to release this document concurrently with the draft document. Because the anti-degradation analysis requires technical information that is presented in the draft documents, it will be released later in the process. The anti-degradation analysis summarizes the information in the draft document so a regulatory determination can be made about the duration of impacts. It requires review by the State Board and the Environmental Protection Agency which will occur over the upcoming months. There will be a separate comment period for this.

Mr. Good and a team of scientist conducted an independent analysis that looked at several natural resource areas. What's being reported by them is if a control methods test can be implemented with careful protective measures, impacts are expected to be less than significant. Some of those protective measures identified in the analysis is that regardless of the methods approved, treating the weeds at the right time is critical. The treatment needs to occur early in the growing season when the biomass of those plants is low and use aeration which would help prevent oxygen depletion and excessive nutrient release and potentially the formation of harmful algal blooms. Real time monitoring should also occur in order to make adjustments during implementation to ensure standards are being met. Pretreatment surveys would be completed to avoid non-target plant communities and having appropriate test sites. What they're trying to understand in this analysis of this test, is can all those proposed tests or methods be tested. They would like input on whether those potential impacts have been addressed adequately, are the protective measures sufficient, and is the range of alternatives reasonable?

The DEIR/DEIS can be found at www.trpa.org/document/projects-plans/. The 60-day comment period ends on September 3, 2020. Comments can be made via email to www.TahoeKeysWeeds@trpa.org or mailed to or mailed to Dennis Zabaglo, Aquatic Resources Manager, P.O. Box 5310, Stateline, NV 89449.

The anti-degradation piece will be available later this year and the final document response to comments will also be towards the end of the year. The possible board certification from the Lahontan Regional Water Quality Control Board and TRPA's Governing Board will be in the Spring of 2021 with potential implementation of a test project in the Spring of 2021.

Presentation can be found at:

[Agenda-Item-No.-V.A-Tahoe-Keys.pdf](#)

Commission Comments & Questions

Mr. Hill asked if there's a better time of year to apply the ultraviolet light and herbicide treatments. If it is during the summer, how is that coordinated with the boating activities in the lagoons.

Mr. Good, Environmental Science Associates said herbicide treatment needs to occur in the Spring around late May to early June to hit those weeds when they're small. That's so there is a limited number of dead weeds that are decaying and creating issues potentially with nutrient release and oxygen demand. For the ultraviolet light treatments there is two to three cycles of treatment that could be used. There would be a spring, summer, and potentially a fall treatment. The laminar flow aeration would be started in the Spring and run continuously through the three year test period.

Ms. Caringer said the test areas would be isolated from any boat traffic during the treatment period.

Mr. Good, Environmental Science Associates said there are some things that would interfere with boat navigation. There would be several double curtains and turbidity barriers that would interfere with boat navigation during that period when the herbicides were detectable in the water. That prevents migration of the chemicals into the large area of the main lagoon which connects to Lake Tahoe. If the dredging alternative were selected there would be barriers, turbidity curtains that would be used at each of the test sites to control how far the turbidity effect would reach during dredging.

Mr. Letton said most of his primary questions were answered because he was curious about the reference to the aquatic vegetation when it's in a small size or life stage and the timing of the different treatments. He asked if they've considered lake elevation changes. Also, what about the hydrology and the inputs to the Tahoe Keys and their lagoons in terms of the incoming feeder streams? If we do receive higher than expected flows as we move towards treatments, what is the contingencies, and would it effect the efficacy of those treatments and containment?

Mr. Good, Environmental Science Associates said the driver for the main lagoon water levels is that connection to Lake Tahoe. Another reason to do herbicide applications in the Spring is that there is a net flow of water coming from Lake Tahoe into the lagoons which keeps the water backed up at the test sites and limits the migration of the chemicals. The proposed test sites are at the east end of the Lake so that they would not be in the path of the in flow coming from that stream. The locations and adjustments to sites is something that could influence the timing of when applications would happen. You want to hit the plants when they're are small but also want to have favorable hydrology.

Mr. Grego said he's concerned about the public health impacts. For example, if you were to dilute the herbicides by 10,000, would it be safe to drink?

Mr. Good, Environmental Science Associates said he doesn't have the calculations at this time, but the answer is yes. If you look at the approved label rates for each of these herbicide products, those are rates that if they entered a drinking water supply there wouldn't be a concern for human health. There's information in the environmental document on the modes of action for these chemicals. They are designed to target functions that are specific to the plant kingdom and not the animal kingdom. If they attack a function of plants that humans and other animals don't have then they won't have that kind of effect at any concentration.

Mr. Callicrate thanked everyone for an exceptional presentation and appreciated all the aspects being discussed. This is an exciting move forward for all of the work that's been done over the past decade plus. There's been a lot of talk about the herbicides and is heartened to hear that the after effects aren't going to be as pronounced as some have expressed. He's been in the area for 35 years and this has been an on going issue with the invasive species. Tackling the Tahoe Keys is probably most important. He feels as the Washoe County representative that we can move forward cautiously.

Mr. Young said he doesn't have any issues with moving forward but sees an opportunity to do more studies. There's been a lot of work done to what they think is going to happen but let's do it and over the next several years make sure that we're studying what is happening.

Public Comments & Questions

David Blau, Board member and Program Chair, League to Save Lake Tahoe said they've been a key player in the stakeholder group. They helped design and fund the bubble curtain and the laminar flow aeration technology. He has just under 40 years' experience leading and preparing environmental impact statements and environmental impact reports. The draft document is very thorough and comprehensive. They appreciated the no action alternative which is often dismissed readily in an EIS/EIR. These authors took it all the way through as a distinct alternative. It has the greatest significant adverse impact of any alternative to do nothing and continue the status quo. The League's mission is to protect the Lake ecology. This makes a compelling case for action and not delaying.

The proposed project concludes that there's less than significant impacts to environmental health, water quality, and aquatic biology. They do have questions about Action Alternative One, the non-chemical alternative being the environmental superior alternative. The rationale is basically to test the herbicides using turbidity curtains and blocking boats from the Tahoe Keys for about three to four months in the Spring of year one. They feel that it's a small price to pay for a Tahoe Keys boater when they are going to have years and years of cleaner channels to navigate. However, they are not thrilled about herbicide use and have never endorsed it but do want to see all tools tested. They don't feel Alternative Action One has enough tools in the tool box. The Group A tools are laminar flow and ultraviolet light. As shown, ultraviolet light is done from a barge down the center of channels. There's 900 piers and docks in the Tahoe Keys and the ultraviolet light cannot get under those with the ultraviolet light and it doesn't kill the roots or the turions. Laminar flow will probably be best as a spot treatment. They're questioning whether Action Alternative One is robust enough to solve the problem as we cannot afford to lose three years.

The objective in the document is to reduce the plant biomass by 75 percent. The risk is that they waste three years if all the tools aren't tested.

Elise Fett thanked Mr. Zabaglo about mentioning the encouraging results that the laminar flow aeration is having at Ski Run Marina. While being used in a portion of the Tahoe Keys, but that's only less than six acres which is less than 3.5 percent of the Keys. The laminar flow aeration has been an option that she's presented to staff since 2017. This is something that can run all year long, but it didn't run in the Tahoe Keys last winter. We could have been using some of these tools more aggressively over the past 40 years. This is the first time to try something in large scale and suggested trying the non-herbicide alternatives in the proper scale first before trying the chemical

method. There's scientific knowledge in Minnesota about aquatic weeds mutating and getting stronger when they are subjected to aquatic herbicides.

Gavin Feiger, League to Save Lake Tahoe said the Tahoe Keys are ground zero for aquatic invasive species and there's almost 100 acres of infestation that has spread outside of the Keys into the Lake. The tools we have know have not proven sufficient for the complexity of the infestation. The League did pay for the laminar flow aeration and bubble curtain. This proposal isn't for a full scale project, the League isn't supportive of going all in on herbicides or any of these methods without doing a test. This is a three year test. The first year would have a few months of herbicides followed by 2.5 years of non-chemical methods. They've seen herbicides that have been effective and also not effective in other places but haven't seen degraded water quality due to herbicides in other places. There's no time to delay or spend time on unproven methods. They supported this test and the phasing proposed. They are not supporting the use of herbicides before seeing the anti-degradation analysis but based on the environmental review, they are supportive of this test project.

Trish Friedman said she's against the use of herbicides. It's inappropriate to put them anywhere near Lake Tahoe. She asked why fertilizer hasn't been banned in the Tahoe Keys which is contributing to the weed growth in addition to the harvester that's spreading thousands of fragments of weeds in the lagoons and Lake Tahoe. Cyanobacteria was left out of the environmental document and is an important part of this. It's not a good idea to add herbicides to cyanobacteria blooms. She said there is information missing on cyanobacteria from the environmental document. There needs to be a comprehensive study of cyanobacteria in the lagoons, including tests for all of the toxins and beta-Methylamino-L-alanine (BMAA). A comprehensive study of the aerosolized toxin BMAA from the cyanobacteria blooms are airborne. A comprehensive epidemiological of all the people who have died in the Lake Tahoe area from motor neurone diseases. She called the public health department and they have no record of these deaths. There should be a comprehensive study of the dogs and animals that have died from swimming in the lagoons, a study of the amount of fertilizer and Round Up in the lagoons, and a study of all the potential interactions between cyanobacteria fertilizer and Round Up in the lagoons. As well as the interaction with herbicides, and a list of all the chemicals in the lagoons that the homeowners have used on their properties over the past six years and how they react with cyanobacteria. People have died from Parkinson's and ALS at this Lake and no one is paying attention. Paul Alan Cox, Ph.D., Brain Chemistry Labs in Jackson Hole, Wyoming made a definitive connection between cyanobacteria blooms and motor neurone diseases. Jim Haney, Department of Biological Sciences at the University of New Hampshire has captured these aerosolized BMAA toxins around these blooms. This needs to be studied before anyone thinks about using herbicides in Lake Tahoe. She's the one who introduced Brian Kling, CLEAN FLO for the laminar flow aeration four years ago. You need to give him more time, it's taken 40 years for these weeds to grow and may take another three to five years to get that laminar flow aeration working.

Commission Comments & Questions

Mr. Guevin asked if there was any evaluation at what could happen if all these quantities of chemicals were to spill. What is the danger of using and storing these in larger quantities?

Mr. Good, Environmental Science Associates said there's more information in the aquatic pesticide

application plan that's available on www.TahoeKeysWeeds@trpa.org. It provides more detail about the requirements for herbicide applicators and their requirements for licensing, storing of products, etc.

Mr. Ferry asked if mutation and plant adaptations will be reviewed if they decide to move forward with herbicides.

Mr. Good, Environmental Science Associates said the experience in other places has been from repeated applications of herbicides over the years. This project contemplates a single application. In this method test there's not going to be an opportunity for a resistance to be built up through a mutation because it's only going to be a one time treatment. If the proposed project is approved, permitted, and performed and the herbicide products are determined to be acceptable and considered for a long term project to address the entire Tahoe Keys area, then that becomes more of a question because then you're going back for more of a full scale treatment.

B. Proposed amendments for TRPA Code of Ordinances Chapter 61, Section 61.3. Vegetation Management and Forest Health

TRPA team member Ms. McIntyre provided the presentation.

Ms. McIntyre said the code update is focusing on facilitating increased pace and scale of vegetation management while promoting forest health, community safety, resilient landscapes, and protecting the environment. The majority of code amendments to date have been to clarify the language and make this section of the code more user friendly.

Section 61.3 covers a few different areas including protections for old growth, stream environment zones, wildlife habitat, sensitive plant species, and historical resource protection. The recommended areas for amendment and code language have been developed collaboratively through conversations with partner agencies primarily through the Tahoe Fire and Fuels Team, including the Forest Service, Nevada Division of Forestry, California Tahoe Conservancy, and Lahontan Regional Water Quality Control Board. These amendments are focused on updating the code language to reflect current practices, streamlining where possible, and are mostly clerical edits.

The first recommended area of amendments focuses on the historical and cultural resource protection. These are minor edits for streamlining and clarifying language. Slide eight summarizes recommended changes.

The next area of recommended amendments included standardizing various references throughout 61.3. For example, if you look at the subsections that refer to old growth tree removal, the current code language varies between referencing cut versus felled, treated, or removed. Through conversations with the partners it was more appropriate to standardize throughout all those subsections as felled, treated, or removed. In terms of removal of old growth for ecosystem management goals, it currently references "qualified interdisciplinary team" but they feel that it would be more appropriate if it referenced a "qualified forester" as that is the person that will be on the ground with the localized expertise to make those decisions. Summary of changes can be found on slide 11.

The third area for potential amendments focuses on tree cutting within stream environment zones. Currently the Code of Ordinances allows for just “over snow” activity. Again, through conversation with partners, they feel it’s appropriate to open that up to not only just over snow but also frozen ground operations with frozen soil. This language was in consultation with the Forest Service and the Lahontan Regional Water Quality Board. Operations over frozen ground with certain criteria are more stable than snow and less environmentally impactful. Summary of changes can be found on slide 14.

The last area of potential amendments is innovative technologies and equipment used in stream environment zones. Currently tree cutting within stream environment zones involving innovative technologies need to be piloted and proven environmentally safe and approved by TRPA every time a partner does it. Again, through collaborative conversations it was important that once an innovative technology is properly demonstrated to TRPA, piloted, and proven environmentally safe that it should become a viable option for all partners in the Basin or permittee’s going forward. Summary of changes can be found on slide 17.

Presentation can be found at:

[Agenda-Item-No.-V.B-Forest-Health-Code-Amendments.pdf](#)

Commission Comments & Questions

Mr. Young asked what TRPA considers a “Qualified Forester.” He asked for further information on the statement about the qualified forester replacing the qualified interdisciplinary team. Was there an issue with having more than one person addressing those issues? He’s concerned if it’s appropriate to have just one person on that particular issue.

Ms. McIntyre said TRPA has a definition for a qualified forester. As written, it encompasses both qualifications that are needed for the State of Nevada and California because they differ. To her knowledge, when decisions are made by the qualified interdisciplinary team, it is generally being made by a qualified forester. It’s the qualified forester making decisions around old growth removal for ecosystem management goals.

Mr. Grego asked are the stream environment zones and tree removal being referenced in today’s presentation the same as the sloped areas where there is a lot of tree accumulation on the West Shore.

Ms. McIntyre said yes, these code amendments will apply Basin wide and apply to areas of stream environment zones on the West Shore on slopes that are less than 30 percent. The question may be more about the potential code change to allow mechanized equipment on 30 to 50 percent slopes. That analysis is separate and still underway.

Mr. Letton asked what has changed since the Code of Ordinances was originally written and comparing that to the condition that we have on the ground now to determine that there was a need to update this.

Ms. McIntyre said the majority of this stems from the Multi-Jurisdictional Committee that came together to look at how we ensure that regulation in the Basin is not hindering or adding to

potential wildfire risk after the Angora Fire. They worked with the Tahoe Fire and Fuels Team to understand what the implementors and other regulatory agencies needed. That then helped them to identify those areas where regulation can be clarified or streamlined to not only protect the environment but also ensure we're not getting in the way of treatments for fire risk mitigation or environmental protection.

Mr. Letton said there's been a lot that's been learned over the decades and particularly in the recent decades about the role that stream environment or riparian zones play in fire ecology and behavior. We've learned that those zones historically burn with some level of frequency. As a result, mitigated the abundance of fuel loading. We either turn fire to those zones or go in there and manage them appropriately so we can have the type of ecological function we're looking for and help with the overall objective of different fuel treatments across the landscapes. He supported the proposed code changes. He also asked who TRPA staff coordinated with at Lahontan and if they discussed whether or not this particular code change would then require Lahontan to make modifications to their timber waiver.

Ms. McIntyre said she worked closely with Doug Cushman, Adam Henriques, and Jim Carolan. Mr. Carolan used to sit on the regulations working group.

Mr. Letton said the objective is to increase the pace and scale of projects and Lahontan wants to do their part to ensure that their permitting helps facilitate that.

Mr. Hill said regarding the frozen ground work, was the intent to do work within the stream environment zones or was it aimed at using these areas as crossings to get to other parts of the forest treatments.

Ms. McIntyre said the frozen ground amendment would be to do work in the stream environment zones. Currently, tree removal is allowed in stream environment zones over snow. This amendment would allow tree removal over snow and frozen ground with frozen soil conditions.

Mr. Hill asked what the process was to approve the innovative technologies.

Ms. McIntyre said for example, the Heavenly stream environment zone pilot project is a good example where they had years of monitoring data that they needed to present to TRPA and the Lahontan Regional Water Quality Board to show that the technology wouldn't have long term or adverse environmental impacts. She can provide further detail on the process offline.

Mr. Marshall said what they're trying to do is not to have to go through that long intense process again when another proponent wants to use the same technology. So, it will be permitted the first time if it's allowable with all the bells and whistles. Then the next time, they can allow other people to utilize that technology.

Ms. Carr said there are numerous things she likes about these code changes and appreciated staff addressing these. She referred to page 24 of the staff packet in regard to vehicle restrictions where it discusses that Regional Waterboard granting an exemption from the prohibition. That would only apply on the California side, what about a process in Nevada? There is a variance committee in Nevada's Forestry law and wonders if that has a parallel? Also, if we're also talking

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about prohibitions on discharges within a stream environment zone which to her indicates that we might need input from Forestry under the variance committee, but we also may need input from the Nevada Division of Environmental Protection on potential permitting for either temporary discharge permits or a working in a waterways permit. That may be comparable to what is being stated about the Regional Waterboard.

Ms. McIntyre said the inclusion of the Regional Waterboard stating it as “or” means that it can apply but it doesn’t apply everywhere. Where the Regional Waterboard has granted an exemption then that applies.

Ms. Carr said the statute that should be reviewed for that is the Nevada Revised Statute 528.053. It also talks about needing variances when you’re doing work near a water body within 50 feet. It sounds like those exemptions in the Regional Waterboard process are probably similar to the variance committee requirements. She would like to see these proposed code amendments move forward today and suggested that the language be refined to have a recognition of comparable processes in both states before it goes to the Governing Board.

Mr. Marshall said staff can make the reference broader to encompass both the California and Nevada sides of the Basin.

Ms. Carr said it’s also important to recognize that water protection permitting is to be required in these processes as well.

Ms. Carr referred to page 25, new section (ix), innovative technology. It appears that there would be a similar need to wordsmith that based on requirements and prohibitions deemed necessary by the Regional Waterboard and/or a Nevada entity. The second item is on page 25, section (viii). She asked staff to review the new language: “A narrative for implementing corrective actions show monitoring determine such corrective action is necessary.” It appears that there may be words missing in this statement.

Mr. Marshall said there’s a missing “and” in between determine and such.

Ms. Carr referred to page 32 of the staff packet, Historic and Cultural Resource Protection. Her understanding is the first part looks like it’s talking about historic resources located within the project area shall be flagged and avoided. This is the existing language and looks like things that we know about in Section A. The eliminated Section B seems to be about things that we discover along the way. It appears that it’s handling two different things with the first being items we already know about when we start the project and then B is how to react to items we didn’t know about. What is the difference between the intent of those two paragraphs?

Ms. McIntyre said the deletion for number two is essentially covered in Chapter 67. The idea was that did it need to be included here if they’re trying to eliminate redundancy and have it be user friendly. It’s whether we need to include that reference if those are already stipulations that someone would have to meet if they were doing historic resource protection.

Ms. Carr said as long as the proponent knows that Chapter 67 rules over anything else.

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Public Comments & Questions

None.

Commission Comments & Questions

Steve Teshara said he's been tracking these proposed code amendments through TRPA's process and suggested that the Advisory Planning Commission address Ms. Carr's comments today and keep this process moving forward. There's been a lot of work put into this and would like to see her concerns addressed today without having to bring this back next month.

Mr. Marshall said the first motion can be made with the understanding that the findings will also be made for an amended language that includes: 1) Making Section 61.3.3.C.1 and the corresponding Subsection (ix) apply to waivers or exemptions authorized by the appropriate state entities of Nevada and California; 2) Add the word "and" on page 25, Subsection (viii).

Ms. Carr made a motion to recommend approval of the Required Findings, as described in Attachment B, including a Finding of No Significant Effect, for adoption of the Code of Ordinance amendments as described in the staff summary and amended with suggested changes to Section 61.3.3.C.1, Subsections (viii) and (ix) as summarized by Mr. Marshall above.

Mr. Grego seconded the motion.

Ayes: Mr. Alling, Mr. Booth, Mr. Buelna, Mr. Callicrate, Ms. Carr, Mr. Drew, Mr. Ferry, Mr. Grego, Mr. Guevin, Mr. Hill, Mr. Letton, Mr. Plemel, Mr. Hitchcock for Ms. Roverud, Ms. Stahler, Mr. Teshara, Mr. Smokey, Mr. Young

Absent: Mr. Drake

Motion carried.

Ms. Carr made a motion to recommend adoption of the Ordinance 2020 - __, amending Ordinance 87-9, to amend the Code of Ordinances as shown in Attachment A will additional amendments to be determined in Section 61.3.3.C.1 and Section 61.3.3.C.1.c.ix to either add referential language to the State of Nevada's processes or amend as such to indicate the applicability basin wide and not just to the Regional Waterboard.

Mr. Guevin seconded the motion.

Ayes: Mr. Alling, Mr. Booth, Mr. Buelna, Mr. Callicrate, Ms. Carr, Mr. Drew, Mr. Ferry, Mr. Grego, Mr. Guevin, Mr. Hill, Mr. Letton, Mr. Plemel, Mr. Hitchcock for Ms. Roverud, Ms. Stahler, Mr. Teshara, Mr. Smokey, Mr. Young

Absent: Mr. Drake

Motion carried.

C. Draft State Route 89 Recreation Corridor Management Plan

TRPA team member Mr. Middlebrook provided the presentation.

Mr. Middlebrook said the State Route 89 Corridor is home to many recreation opportunities for visitors, residents, and cultural sites that offer a variety of activities along the Camp Richardson corridor, Emerald Bay, Washoe Tribe, and resident's in the Meeks and Rubicon Bay neighborhood. We're all too familiar with the typical scene of an average summer day through Emerald Bay and this corridor with cars parking often times partially on the highway and parking in no parking zones on dirt which leads to erosion and fine sediment harming the lakes clarity.

This corridor plan is following the corridor planning framework that was first developed for the State Route 28 corridor which has had so much success. Through the Bi-State Consultation on Transportation over the past two years a corridor planning memorandum of understanding was signed by the Basin partners in order to memorialize this process and move forward. They are now working on the State Route 89 Corridor plan in addition to that the Main Street Management Plan, the Resort Triangle Plan, and the US 50 East Corridor Plan which are all in various stages of progress.

The corridor plans fit in the implementation vehicle of the Regional Transportation Plan. The recommendations outlined in the State Route 89 Corridor Plan will be built into TRPA's Regional Transportation Plan. This corridor plan is a joint project among many partners and individual agencies and partners will be taking their own actions in order to integrate recommendations from this corridor plan into their own planning process. For example, the Tahoe Transportation District is adding the recommendations of the transit into their short and long range transit plans, the Forest Service is implementing these recommendations and looking at how they do their concessionaire permits, forest plan, etc.

Visitation and demand for recreation in this corridor has exceeded infrastructure and it's impacting transportation systems, the visitor experience, and the environment.

There's been an extensive amount of outreach for this corridor plan over the past 2.5 years. In 2018, they completed 15 days of data collection, there's been dozens of meetings with agencies, businesses, nonprofits, homeowner associations, and homeowners throughout the corridor. They did an online survey with 1,300 responses. There were two in person open houses and two of three webinars have been done. The webinars have had over 325 viewers, the email list has over 950 contacts, and today is the ninth presentation on the draft plan since it was released last month.

The vision for the corridor overall is to preserve an icon by increasing the travel choices for those who want to reach the destination. It's all about balance, they need to balance infrastructure and operations, natural and cultural resources, environmental quality, and anticipated visitor experience. It's also about interconnected strategies. That's the success they've seen through the corridor planning framework. It's not just talking about a transit route to Emerald Bay, or a parking reservation system, this is a combination of all of these working throughout the corridor so when they are layered on and connect them there are multiple benefits, more bang for your buck, and achieve the changes wanted. You cannot add a transit route and not restrict parking and expect that transit route to offset traffic and congestion.

To do this, they've started at the base of the recommendations by developing a transit framework. That framework is the basis on how they can plan in the future for moving people

around in different modes. As part of this transit framework, they tested four different alternatives. The auto dominant alternative is today's visitation. The majority of people are arriving to the corridor by vehicle and then it goes to the envisioned car free future. This is where anyone visiting a recreation site within the corridor would arrive by either transit or by bike. They tested two scenarios in between which were the plan ahead visitors that has around a 50/50 split between modes and the savvy visitor who is more of a transit and bike mode. They looked and evaluated three transit routes that would connect the corridor to both north and south shore. When they tested those alternatives, they looked at existing visitation patterns for an average summer day based on 2018 visitation. The results varied widely between the four options (slide 12). In the auto dominant scenario that shows that while you could theoretically move that amount of people through, there would have to be a large number of parking lots within the corridor and that doesn't achieve the goals of reducing congestion, traffic, and preserving the environment. On the other hand, looking at the envisioned transit only car free option, while this would greatly achieve the environmental goals and reduce auto dependency, if you look at the 2045 projected buildout, there would need to be a bus going by a stop every two to three minutes and a fleet with spares of 124 buses which is not feasible in terms of financing and operations for running a system. If there's a bus every two to three minutes, is that really better than a car? If you look at the second one from the left on slide 12, it had a 50/50 split of mode share provided balanced between some feasibility and achieving the goals. Taking a step back, they still needed to look at what else needs to be done to move visitors around this corridor more efficiently.

Muir Woods was one of many case studies looked at around the country. When they implemented their transit and parking reservation system, they were able to reduce their average peak visitation demand by 45 percent. Majority of people are in Emerald Bay between 11:00 am and 2:00 pm during a summer day. Through parking management strategies and transit, you can shift those visitors over time. The assumption made for this planning purpose is that they were able to reduce the peak demand for Emerald Bay by 35 percent. They realized that they won't get everyone to that average because more people still want to go to Emerald Bay during the day and not necessarily early day or late evening. They recognize the reality of what people want from their visitor experience but also use the tools to spread that visitation out to reduce the demand on that transportation system at peak times.

To build the framework of the corridor starting with the first phase of the transit framework would be a pilot service from the existing Taylor Creek Sno-Park to Emerald Bay. This would be a fleet size of three with spares. The Tahoe Transportation District already has two buses that can serve this route, leaving one spare to be purchased. The projected fleet cost doesn't include any infrastructure needs such as an expanded yard for TTD to store the buses. Not included in the infrastructure cost is to have these buses be electric or alternative fuel in the future. This is similar to what is operated for the East Shore Express and would result in 7,500 fewer cars in Emerald Bay every summer month. With the interconnected strategies this is not as simple as just starting a bus route. They need to ensure that they do their parking management strategies with real time information. It would also utilize the Taylor Creek parking lot with the potential to expand and realize the Washoe Tribe's goal of having a cultural center at that location.

The second phase starts to build out those transit connections more to the North and South shores and getting people on alternate modes of transit before they get to the corridor. The idea of the water taxi would ideally be a public private partnership. Camp Richardson and Homewood

Marinas have both expressed interest in operating and expanding their water taxi services to the West Shore. With this expanded transit they are adding a route that leaves from Sugar Pine Point to Emerald Bay. You're talking about moving 29 percent of people by transit down to 66 percent auto mode share and 25,400 fewer cars in the corridor every summer month.

The final phase is expanding transit availability and implementing more of those infrastructure projects that help with the efficiency and at full build out it could reduce auto use by almost 60 percent within the corridor or 37,400 fewer cars in the corridor every summer month. While they do focus on the transit model with those summer months when they know that transit is going to be operating, the plan does accommodate and plan for the shoulder and off seasons including winter with back country skiing access and the availability of parking. Also, years such as 2014/2015 when there was not a lot of snow, there are still visitor's that still go to this corridor to go to the beach and Emerald Bay. As they move forward in the future especially under climate change, they'll see a longer seasonal demand for summer and non-winter activities through this corridor.

Layering on top of the transit framework is a set of overall corridor recommendations that again help everything work. Those include completion of the Tahoe Trail which is the paved path around the Lake. The transit includes restricting roadside parking throughout the corridor. One of the biggest challenges is that the parking spills over onto the highway. They've also explored congestion management solutions through Jameson Beach. There's also consideration of the winter and off season access. They understand that anything that they recommend needs to come with a conversation around increased operational resources and ensuring that the management approach is coordinated amongst the partnership. The success for State Route 28 planning process and continued success in implementation is that they've had that core collaborative team in place throughout.

They've been looking at this corridor in five segments: Pope to Baldwin; Emerald Bay; Rubicon; Meeks Bay; and Sugar Pine Point. They all have unique land use, recreation, and travel patterns. While the recommendations zoom in based on each of these segments, they understand that all of them need to communicate across the entire corridor and to the neighboring corridors to the north and south.

In the Pope to Baldwin segment it is all about managing congestion. On a busy summer day, the traffic can extend from this corridor all the way into town. They're looking at addressing those causes through an adaptive management context. It's about connecting those parking areas through the Forest Service historic sites, so people don't have to turn on and off the highway. It's about increasing the ability of people to enter Pope Beach and Camp Richardson more smoothly and quickly and expanding bicycle and pedestrian facilities.

During the corridor planning process, they focused on Jameson Beach road intersection which data and stakeholders indicated as a major cause of congestion. There was a pedestrian beacon installed by Caltrans several years ago that had mixed results. One of the challenges was that it didn't have the pedestrian stand and waiting for cars to go through for long enough periods of time. They went with a uniformed officer and held traffic and pedestrians for different time periods and found that the longer that they held pedestrians that more traffic flow could get through. They also looked at if those land uses were moved from the mountain side to the lake

side; if the ice cream shop, the bike shop, and the coffee shop were moved to the lake side along with relocating road side parking, crossings at that intersection could potentially be reduced by up to 90 percent.

Their recommendations following the adaptive management approach for this intersection would be to locate the crossing to the western side of the intersection. Those coming in and out of Camp Richardson from the South Shore would have a free turn while pedestrians are crossing and it would increase traffic flow. The recommendations would also include restricting road side parking and relocating those land uses. If they don't meet the reduction targets, then they'll examine putting in possibly a standard signal.

Through Emerald Bay they want to continue the parking restrictions and highlighting the need to get people on transit. There are roadway improvements that are needed through this corridor to ensure more winter access and that transit buses and vehicles have a place to turn around. This is still a state highway and they can't restrict any vehicle traffic coming through the area. There will also be people who still want to drive to Emerald Bay, take a picture and move on. Those aren't the type of people that will jump on transit.

The Rubicon segment is primarily privately owned with no public lake access through this segment. The main recommendations through here are public safety improvements such as more turn outs for emergency vehicles and the Tahoe Trail.

For the Meeks Bay segment, they recognize that there is a separate process happening for Meeks Bay restoration project. They've been in discussion and collaboration with that project to ensure that their recommendations work. They are looking at recreation speed limits that can be turned on during busy times of the year. They are also looking at emergency response and where the Tahoe Trail would meet up where it currently ends at Meeks Bay. The biggest improvement for Sugar Pine is for potential expansion of the parking lot at Sugar Pine Campground to provide a formal park and ride and transit turn around for the Tahoe Truckee Area Regional Transportation (TART) system. Currently, TART's west shore route ends at Sugar Pine and turns around through the Sugar Pine Campground kiosk driveway. The facilities aren't conducive to it so there needs to be a new mobility hub. They've also identified this location for a new pier to connect in with that water transit and serve as an access point for public safety, watercraft, and other vessels.

The Tahoe Trail on the west shore will be a Class 1 trail around Lake Tahoe. TRPA will be moving forward as a partnership with a feasibility study for this Tahoe Trail this year with the Forest Service, California State Parks, El Dorado County, and the Tahoe Transportation District through the next planning phase. Then it will be finding champions for implementation throughout the corridor.

At the end of the corridor planning process when this plan is complete, they will asking the partner agencies to sign on to a memorandum of understanding that recognizes that they acknowledge this plan, are committed to working together to implement, and it will also outline more detailed roles and responsibilities.

Out of this, there will be 37,400 fewer cars in the corridor every month that will make an amazing difference for the visitor experience, the quality of life for resident's and commuter's, for the

environment, and is exciting to see how all the partners can come together and work towards a comprehensive solution for such a large and complex section of the Basin.

The draft plan is available at: www.trpa.org/SR-89. They'll be making presentations this month to the boards of partner agencies. The final public webinar will be on September 22, 2020, 5:00-7:30 pm. The information to register can be found on the TRPA website. If you are a homeowner, a homeowners association, group or club within that corridor and would like a presentation, please email dmiddlebrook@trpa.org. The final corridor plan will be available the week of September 14-18.

Presentation can be found at:

[Agenda-Item-No.-V.C-SR89.pdf](#)

Commission Comments & Questions

Mr. Teshara said it was mentioned during the presentation but hasn't seen it in the document about the importance of having the corridor partners sign a memorandum of understanding. One of the keys to success of the State Route 28 corridor was the ability to get some 13 agencies and organizations to sign onto the MOU. If an agency changes leadership, they are still committed to the process in the long term.

Mr. Middlebrook said it's mentioned towards the end of the draft document and also includes the State Route 28 MOU in the Appendix as a template for the State Route 89 MOU. They're already working on that document so it will be ready for the final plan.

Mr. Teshara said there is a lot of information and recommendations in the plan that all come with a significant price tag. This is why he's a proponent of the ONE TAHOE transportation funding initiative because we have to generate our own source of revenue rather than traditionally relying on the federal or state governments. He appreciated that as the plan has evolved there's been more recognition of the importance of the corridor from an emergency services standpoint and that there's some considerations incorporated in the plan. The Tahoe Truckee Airport District which has a boundary that comes down quite a ways on the west shore, at least to the northern part of this corridor. For example, they have funds available to build a helicopter pad landing zone like the one at the Tahoe City Golf Course to help facilitate evacuations for accidents, etc. This plan has come a long way and is going to need funding and collaboration over the long term.

Mr. Guevin said it's addressing a big concern for fire and emergency services. He looks forward to helping implement the plan. He asked if there was funding and what the construction timeline is for the pier.

Mr. Middlebrook said those were new projects that were identified. Currently, the plan is recommending a pier at Sugar Pine and Emerald Bay. Right now, there's a pier at Emerald Bay but has fixed pillars and doesn't adjust with the Lake level and unless the Lake is high, large boats cannot dock there. California State Parks has put both of those projects in their planning for funding.

Mr. Guevin said there's some money that's been available that they're working with Nevada agencies and the Forest Service on to identify the locations for these piers. It's ongoing and is

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important along with what Mr. Teshara mentioned about the helicopter landing zones that will make a difference for fire rescue, evacuations, etc. He asked for contact information on the group who is working on the pier because the time is now to identify and secure that funding for the future.

Mr. Middlebrook said he'll provide Mr. Guevin with the contact information.

Mr. Ferry asked Mr. Middlebrook to speak about the Request for Proposal that TRPA is putting out for the Lake Trail.

Mr. Middlebrook said TRPA and the Forest Service were able to work through a contract in order to obtain some money from the Forest Service related to the Lake Tahoe Restoration Act for this corridor. That money will be used to conduct a feasibility study for the Tahoe Trail. It will look for potential alignments and serve as a high level planning document to get closer to an environmental analysis. They've been starting to have discussions with El Dorado County, California State Parks, and the Forest Service about serving on the steering committee to develop that plan and identify whether it's El Dorado County, the Forest Service, or California State Parks who would be the best implementor for different parts of the trail. They're working on the final RFP and it should be out sometime this month.

Public Comments & Questions

None.

Commission Comments & Questions

Mr. Guevin asked if they considered elevating the intersection where the ice cream parlor and other businesses are.

Mr. Middlebrook said they discussed options. Based on the design constraints and the historical nature of that corridor, to make a pedestrian overpass ADA accessible, it would have been a very large structure and would also need to include fencing along the highway. With the underpass, it was similar with scope, size, and engineering. With being able to move those land uses, they hope to be able to meet those congestion targets. If they do all those recommendations and still don't have the amount of pedestrian crossing reduced as planned, then other options would still be on the table for discussion.

VI. REPORTS

A. Executive Director

Mr. Hester said on August 19th, the Housing and Community Revitalization Work Group will meet. It's been established under the provisions of the charter for the Advisory Planning Commission. It has the seven local government representatives from APC, four Governing Board members, and ten stakeholders.

1) Quarterly Report: April – June 2020

No further report.

2) Upcoming Topics

Mr. Hester said currently, there's the City of South Lake Tahoe Area Plan Amendment for the September APC meeting.

B. General Counsel

Mr. Marshall said he filed the response to the open meeting complaint. Please contact him if you're interested in seeing the response. Also, the litigation in the Garmong cell tower case continues on.

C. APC Members

Mr. Buelna said Crystal Jacobsen has been appointed as the Placer County Advisory Planning Commission representative and he will continue as the alternate.

Mr. Guevin said the usage of the public and private lands around the Lake have greatly increased. They've seen a lot more visitation and many new comers to Lake Tahoe. They've been seeing human caused issues such as fire pits being left unattended. There are two working groups that have been established with the Forest Service Lake Tahoe Basin and the El Dorado National Forest to do outreach and public education for people coming into the Basin and our forests. They've been seeing a lot of trash and an increase of people on the Lake. He suggested additional signage regarding trash, etc. for the vacation home rentals as we continue to address some of these issues.

Mr. Letton said the Lahontan Regional Water Quality Control Board's Executive Officer, Patty Kouyoumdjian is retiring as of August 21, 2020. The Assistant Executive Officer Mike Plaziak will be the acting Executive Officer until their Board recruits and hires a new executive officer. Mr. Letton will continue to be the Advisory Planning Commission representative.

Mr. Hitchcock said the City of South Lake Tahoe recently received a grant from the California Tahoe Conservancy to begin work on the 56-acre master plan project. The City and El Dorado County will have a kick off meeting in the near future. The California Tahoe Conservancy awarded a request for proposal to Meea Kang who developed a housing project in the north shore and the St. Joseph Community Land Trust to develop the 10-acre parcel located behind their office on Tata Lane. They are also working with the St. Joseph Community Land Trust on a couple of moderate income housing projects on the river side lots near Lakeview Commons.

Mr. Teshara said the Tahoe Transportation District's board will meet on Friday, August 14, 9:30 am, via a Zoom webinar. There'll be continuing discussions on the ONE TAHOE transportation funding initiative. They'll also be receiving an update on the value pricing pilot program that they have up along the front of what used to be the Ponderosa Ranch. That pilot program which has variable costs depending on the time of day a person parks is off to a good start and could be a model that we might employ at some point on the State Route 89 corridor.

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Mr. Smokey said their environmental office is working on some items that will affect their current projects in the Meeks Meadow area and Meeks Bay. It will hopefully give them better access to work on those projects. The Washoe Tribe does have representatives involved in the State Route 89 corridor plan.

Ms. Carr said Nevada Division of Environmental Protection received their annual federal grant for the Nevada 319 Nonpoint Source Grant Program project. They're currently working on a request for projects for the \$1,000,000 that they have to grant out to others. That application process is now open in addition to the pre-application processes that are available if anyone needs to discuss a potential project with them.

VII. PUBLIC COMMENT

None.

VIII. ADJOURNMENT

Mr. Teshara moved to adjourn.

Chair Mr. Ferry adjourned the meeting at 12:37 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Marja Ambler".

Marja Ambler
Clerk to the Board

The above meeting was taped in its entirety. Anyone wishing to listen to the tapes of the above mentioned meeting may call for an appointment at (775) 588-4547. In addition, written documents submitted at the meeting are available for review

STAFF REPORT

Date: October 7, 2020

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Informational Update on *Building Resiliency*: Climate Change and Sustainability Strategic Initiative

Summary:

The TRPA Governing Board adopted the TRPA Operations Work Plan for fiscal year 2020-21 earlier this year. This work plan identified five strategic initiatives. Staff will provide an informational only update on the *Building Resiliency*: Climate Change and Sustainability Strategic Initiative status, next steps, and key milestones.

Project Description/Background:

TRPA and its partners in the Lake Tahoe Region have long been recognized as leaders in sustainability. A significant new environmental threat, one that many believe will affect sustainability of the entire planet, has emerged: climate change. The Lake Tahoe Basin is already experiencing the direct impacts of climate change. These include rapid change to the ecological composition of our natural environment, more severe and frequent hazard events, retreating snowpack, and socio-economic shifts (such as fluctuation of trends in visitation). Climate change directly impacts the ability of TRPA and regional partners to achieve and maintain thresholds and will cause major disruptions to the region's economic, social, and ecological systems.

Through a collaborative approach and in close collaboration with the states, Basin partners will collectively look at climate vulnerabilities, current regional and local plans, ongoing climate actions, identify gaps, and identify priority actions for the partnership to collaboratively plan and implement.

Implementation of this strategic initiative will synthesize ongoing state and local climate actions into a coherent prioritized strategy for Tahoe. Much of the framework is in place already and align with the priorities adopted by this board. Collaborative governance will help to identify what actions are being taken and where there is a need for TRPA to play a leading role. From these gaps an updated bi-state climate strategy that includes highest priority actions already underway and action strategies. This will be a comprehensive update to the existing Sustainability Action Plan. The strategy will support three approaches to climate action; development, infrastructure, and resource management.

Contact Information:

For questions regarding this agenda item, please contact Devin Middlebrook, Sustainability Program Manager, at (775) 589-5230 or dmiddlebrook@trpa.org

STAFF REPORT

Date: October 7, 2020

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Consideration and Possible Recommendation for Approval of Proposed Amendments to the Tourist Core Area Plan and Bijou-Al Tahoe Community Plan

Summary and Staff Recommendation:

TRPA staff asks the Advisory Planning Commission (APC) to review the materials provided in this packet to ensure the proposed amendments are in conformance with the Regional Plan and recommend approval to the Governing Board of the proposed amendments to the Tourist Core Area Plan and Bijou-Al Tahoe Community Plan.

Required Motions:

To recommend approval of the draft amendments, the Commission must make the following motions, based on the staff report:

- 1) A motion to recommend Governing Board approval of the required findings, including a finding of no significant effect, for adoption of draft amendments to the Tourist Core Area Plan and Bijou-Al Tahoe Community Plan as provided in Attachment C.
- 2) A motion to recommend Governing Board adoption of Ordinance 2020-04, amending Ordinance 2020-03, as previously amended, to amend the Tourist Core Area Plan and the Bijou-Al Tahoe Community Plan to include the changes referenced in Attachment B.

In order for motions to pass, an affirmative vote of a majority of the quorum is required.

Project Description/Background:

The City of South Lake Tahoe and the TRPA Governing Board adopted the Tourist Core Area Plan (TCAP) in 2013. The area within the TCAP boundaries functions as the South Shore's central tourist destination and provides services for tourists and permanent residents. Land uses within the TCAP are predominantly lodging, restaurants, and retail shops.

The proposed project would be the second set of amendments to the TCAP. The first amendment package, adopted by the TRPA Governing Board in April 2020 (Ordinance 2020-03), incorporated three parcels formerly located in Plan Area Statements 092 and 085, east of the intersection of Ski Run Boulevard and Pioneer Trail into the TCAP Tourist Center Mixed Use Corridor District boundary and

extended the Stateline/Ski Run Town Center boundary. These amendments were intended to encourage and facilitate an affordable housing development project on the subject parcels.

This proposal would amend the TCAP Tourist Center Gateway (TSC-G) Zoning District/Town Center and the Bijou Al Tahoe Community Plan Bijou District/Town Center (B/ATCP) boundaries to add approximately 18 acres, or 49 parcels, currently located east of the TCAP boundary and lakeward of Highway 50. (Reference map included in Attachment A.) Additionally, the amendments include increasing the maximum height allowed within the Tourist Center Gateway District to align with TRPA Code of Ordinances for allowable height in Town Centers, amendments to the permissible uses of the Tourist Center Gateway (TSC-G) Zoning District, and general administrative corrections.

The proposed amendment area is located within the existing Bijou Al Tahoe Town Center. The area is commonly known as the Bijou Center and includes businesses such as the Beach Retreat, CVS, Tahoe Wellness Co-op, Heidi's, Lakeshore Lodge, and Hotel Elevation. Existing uses within the area include tourist accommodations, commercial, residential, and outdoor recreation concessions. These uses are consistent with the existing and permissible uses within the Tourist Center Gateway Zoning District. The area consists of aging infrastructure and is currently out of scenic attainment along the highway. The amendment area is significantly overcovered, with several of the commercial properties exceeding 90% land coverage.

The proposed amendments are intended to:

1. encourage private investment in environmentally-beneficial redevelopment and rehabilitation of a densely developed, over-covered, and aging Town Center;
2. further environmental threshold attainment, specially water and scenic quality;
3. include comparable, tourist-oriented uses within the boundaries of the TCAP; and
4. revise allowable height within the TCAP Tourist Center Gateway Zoning District to align with TRPA development standards for allowable height within Town Centers.

The City of South Lake Tahoe is the lead agency for the proposed amendments. The amendments were initiated in 2018 by Urbana Tahoe TC, LLC (Beach Retreat) and Lakeview Lodging, LLC. Linchris Corporation purchased the Beach Retreat property in 2019 and authorized continued support of the amendments. A redevelopment project for the proposed amendment area has not been submitted to TRPA or the City at this time.

No changes to the TRPA Code of Ordinances or town center boundaries are proposed.

Additional detailed information on the proposed amendments can be seen in Attachment A-E.

Regional Plan Conformance Review

The City prepared the TCAP and B/ATCP amendments in consultation with TRPA staff pursuant to Chapter 13 of the TRPA Code of Ordinances. This code chapter allows a local jurisdiction to develop and amend Area Plans that contain policies and development ordinances. Area plans and subsequent amendments must be consistent with and further the goals and policies of the Regional Plan.

TRPA staff have reviewed the proposed amendments and found those to be in conformance with the Regional Plan. This packet includes a findings document, including a Finding of No Significant Effect (FONSE), as required by the TRPA Code of Ordinances and Rules of Procedure, as well as an Area Plan Conformance Checklist. (Attachments C and D)

Environmental Review

The applicant prepared a joint California Environmental Quality Act (CEQA) Initial Study/Negative Declaration (IS/ND) and a TRPA Initial Environmental Checklist/Finding of No Significant Effect (IEC/FONSE) for the amendments.

The draft environmental document provides an analysis of potential environmental impacts of the project. Areas of analysis include aesthetics, agriculture and forestry, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, utility and services systems, and additional mandatory significance findings related to potential cumulative impacts. The analysis demonstrates that the project either has no impacts or has less than significant impacts in all these areas.

City and TRPA staff have reviewed the environmental documentation and concur that the amendments would have no significant effect on the environment. The IS/ND/IEC/FONSE is provided as Attachment E, Exhibit 1.

Additionally, TRPA and City staff prepared the attached Threshold Indicators and Compliance Measures evaluations pursuant to TRPA Code Section 4.4 and found the amendments will not negatively impact a TRPA adopted threshold indicator or compliance measure. The evaluations are provided as Attachment E, Exhibits 2 and 3.

Public Comment and Noticing

The City followed public comment and noticing procedures as required by CEQA. A TRPA IEC does not require a public comment period or noticing. A summary of the public comment period and noticing is provided in the City's memo, Attachment A.

Additionally, the City hosted a public workshop on July 9, 2018 for interested stakeholders to learn more about the proposal and to submit comments directly to agency staff and the environmental consultants. The workshop was held at the Beach Retreat Conference Center, 3411 Lake Tahoe Blvd, South Lake Tahoe, California. Approximately five members of the public attended. Prior to the workshop, the City mailed a scoping notice to property owners with 300' of the project area.

To date, several property owners within the amendment area have submitted comments or provided testimony in support of the proposed amendments. At its June 18 regular meeting, the City Planning Commission received comments from the Tahoe Wellness Center requesting additional land uses within the Tourist Center Gateway Zoning District. These additional land uses were not included in this amendment package due to the necessary additional environmental review that would be necessary to fully evaluate the impacts of those changes. The Tahoe Wellness Center has had preliminary conversations with TRPA and City staff and intend to bring forward an amendment package at a later date.

Additional information on noticing and public hearings is provided in the "Approval Process & Public Hearings" section below.

Tribal Consultation

The City completed requirements for consultation with Native American tribes under Assembly Bill 52 and the California Environmental Quality Act (CEQA) Guidelines. The City did not receive any comments

from the United Auburn Indian Community or the Lone Bank of Miwok Indians. In addition, staff sent an email to Chairman Serrell Smokey as well as Darell Cruz of the Washoe Tribe of Nevada and California with a link to the Draft Initial Study/Negative Declaration. City staff did not receive any comments.

Approval Process & Public Hearings

Typically, area plans and area plan amendments are approved by both the local jurisdiction and the TRPA Governing Board. TRPA and City staff presented the draft amendments to TRPA's Regional Plan Implementation Committee (RPIC) as an informational item and public hearing in June 2019.

City staff presented the Draft IS/ND to the City Planning Commission on June 18, 2020 for informational purposes and public comment. Property owners within 300' of the amendment area were notified prior to the hearing. The City held a second public hearing before the City Planning Commission on July 16, 2020. Prior to this hearing the City noticed every property owner within the existing TCAP boundary and amendment area, as well as property owners within 300' of the amendment area. The City Planning Commission recommended adoption by the City Council on July 16, 2020. The City Council held a first reading of the amendment ordinance on August 11, 2020 and a second reading of the ordinance for final adoption on September 8, 2020. Prior to the August 11 hearing, the City placed a banner advertisement within the Tahoe Tribune.

On September 30, 2020, RPIC recommended approval of the required findings and adoption of Ordinance 2020-04 to amend the Tourist Core Area Plan and Bijou/Al Tahoe Community Plan as reflected in this packet. After the APC hearing on October 14, the City and TRPA staff will present the draft amendments and environmental documentation to the Governing Board for consideration of approval on October 28, 2020.

Contact Information:

For questions regarding this agenda item, please contact Jennifer Self, at (775) 589-5261 or jself@trpa.org.

Attachments:

- A. City of South Lake Tahoe Staff Memo Summarizing Proposed Amendments to the Tourist Core Area Plan and Bijou-Al Tahoe Community Plan
 - Exhibit 1: Amendment Area Map
- B. Proposed Amendments to the Tourist Core Area Plan and Bijou-Al Tahoe Community Plan
- C. Regional Plan Conformance Findings and Finding of No Significant Effect (FONSE)
- D. Area Plan Conformance Checklist
- E. Environmental Findings:
 - Exhibit 1: Tourist Core Area Plan and Bijou-Al Tahoe Community Plan Initial Study/Negative Declaration and Initial Environmental Checklist/Finding of No Significant Effect
 - Exhibit 2: Environmental Thresholds Indicators Evaluation
 - Exhibit 3: Compliance Measures Evaluation
- F. Draft TRPA Adopting Ordinance

Attachment A

City of South Lake Tahoe Staff Memo Summarizing Proposed Amendments to the Tourist Core
Area Plan and Bijou-Al Tahoe Community Plan

Attachment A



"We will reflect the National Treasure in which we live"

DEVELOPMENT SERVICES MEMO
Planning Division

TO: TRPA Advisory Planning Commission

FROM: John Hitchcock, Planning Manager
Candace H. Stowell, AICP, Associate Planner

DATE: October 7, 2020

RE: Proposed Amendments to Tourist Core Area Plan

This memo summarizes the proposed amendments to the Tourist Core Area Plan/Specific Plan and the Bijou AI Tahoe Community Plan and actions taken to date.

Background

The Tourist Core Area Plan/Specific Plan was adopted by the City of South Lake Tahoe City Council on October 15, 2013, and by the TRPA Governing Board on November 11, 2013. The TCAP replaced the former Stateline/Ski Run Community Plan and established seven new zoning districts, two overlay zoning districts, as well as design and development standards for each district. The TCAP covers approximately 281 acres beginning at the Nevada state line and continuing west along Lake Tahoe Blvd (US Highway 50) to Fairway Drive. The TCAP also includes the Ski Run Corridor, starting at the Ski Run Marina and continuing just past Pioneer Trail.

On April 25, 2018, Urbana Tahoe LLC (Beach Retreat) and Lakeview Lodging LLC submitted an application to the City of South Lake Tahoe to amend the boundary of the Tourist Core Area Plan/Specific Plan and the Bijou/AI Tahoe Community Plan. Linchris Corporation purchased Beach Retreat in 2019 and has authorized continued support for this amendment.

Proposed Amendments

The proposed amendment would extend the western boundary of the Tourist Core Area Plan to incorporate 18.0 acres currently located in the Bijou/AI Tahoe Community Plan. This area is an existing town center. The area would be called Special Area # 1 of the Tourist Center Gateway (TSC-G) Zoning District (See Exhibit 1, Amendment Area Map). The purpose of the proposed amendment is to allow an increase in density and height to incentivize redevelopment that creates environmental and scenic benefits.

The majority of the properties were developed in the 1960s and 1970s and do not meet current City and TRPA development and design standards. The amendment area is

densely developed with a mix of primarily tourist accommodation and retail uses. Specifically, the area includes tourist accommodations (Beach Retreat, Lakeshore Lodge, and Howard Johnson), commercial (e.g., John’s Cleaners, CVS, tattoo & art gallery, restaurants, retail), residential, and recreation (outdoor recreation concessions). This mix of land uses is consistent with existing uses within the Tourist Center Gateway (TSC-G) Zoning District, which includes restaurants and retail shops at Ski Run Marina, the newly redeveloped Bijou Marketplace, Lakeland Village condominium complex, and motels along US Highway 50. Existing structures within the amendment area range in height from one to three stories. All of these properties are located north of US 50.

The purpose of the proposed amendments is to include comparable, tourist-oriented uses within the boundaries of the TCAP and encourage environmentally-beneficial redevelopment within a Town Center boundary by providing increased height allowances and land use density available to parcels located in the Tourist Center Gateway (TSC-G) Zoning District of the TCAP. The amendment is in keeping with the vision for the TSC-G district to “create an attractive mixed-use commercial and tourist accommodation corridor that provides a welcoming gateway to the South Shore area.”

The proposed amendments consist of the following:

1. Amend the TCAP and Bijou/Al Tahoe Community Plan boundaries to include 49 parcels into the TCAP Tourist Center Gateway (TSC-G) Zoning District. By amending this area, the proposed project would allow the following changes to those parcels:
 - Increase density allowances for multi-family residential from 15 units an acre to 25 units and acre;
 - Increase density allowances for tourist units from 40 units an acre if over 10 percent of the units have kitchens or 15 units per acre if more than 10 percent are without kitchens to 40 units per acre; and
 - Increase density allowances for timeshares from 15 units/acre to 40 units per acre¹
 - Allow single family condominiums at one unit per parcel²;
2. Amend permissible land uses in the TCAP Gateway District to ensure all existing land uses in the amendment area would continue to be allowed or allowed by special use. This amendment would carry over permissible uses from the Bijou/Al Tahoe Community Plan into the TCAP Gateway District. Only one land use, Collection Stations, currently permissible in the community plan would not continue to be permitted.
3. Amend height allowances within the TCAP Tourist Center Gateway (TSC-G) Zoning District to align with TRPA Code of Ordinances for maximum height within Town Centers. This amendment would include increasing the maximum height for all uses other than single family within the district from 42 feet to 56 feet (or three to four stories).³

¹ The TCAP and community plan both allow hotel and motel units at a density of 40 units per acre.

² Residential condominiums, located at the Lakeshore Lodge, currently exist within the community plan and amendment area boundaries as a non-conforming use at a density of 18 units per acre or one unit per parcel.

³ Pursuant to TRPA Code of Ordinances Sections 13.5.3 and 37.7.16, height up to 56 feet in Town Centers and 95 feet in the Regional Center is permitted with the adoption of a conforming Area Plan. To ensure compatibility with adjacent uses, viewshed protection, and mitigation for potentially significant scenic impacts resulting from three- or four-story buildings in the Town Centers and from three- to six-story buildings in the Regional Center, a project shall meet findings 1, 3, 5, and 9 of Section 37.7. The existing development and

4. Include general administrative revisions, such as:
 - Adopted development rights language and policies to align with TRPA Code of Ordinances;
 - Adopted green building policy to align with City standards;
 - Mapping corrections;
 - Community Noise Equivalent Level (CNEL) standards to be consistent with TRPA threshold standards;
 - Carry over of shorezone permissible uses previously within the Stateline/Ski Run community plan; and
 - Updates to existing conditions.

The amendments would include revisions and additions to the TCAP and Bijou/Al Tahoe Community Plan documents, maps, and development and design standards. No revisions or additions are proposed for the the TRPA Code of Ordinances or town center boundaries.

Issues and Discussion

Land Uses in the Tourist Core Area Plan

TCAP Table 1 of Appendix C of the plan, Permitted Uses, would be modified to include a new TSC-G Special Area # 1. This new special area would include most of the land uses currently allowed in District 1 of the Bijou/Al Tahoe Community Plan. The only uses in District 1 of the Bijou/Al Tahoe Community Plan that would not be carried over into the proposed Special Area # 1 would be Collection Stations and Local Post Offices.

Table 1 would also be modified to incorporate the shorezone uses previously included in the Stateline/Ski Run Community Plan.

Table 2, Definitions, would be modified to add Animal Husbandry Services, which is a use currently permitted in District 1 of the Bijou/Al Tahoe Community Plan. Shorezone uses would also be added to Table 2. Instead of expanding Table 2 to include all of the shorezone use definitions, Table 2 includes a reference to TRPA Code Chapter 90.

Density in the Tourist Core Area Plan

TCAP Table 4 of Appendix C of the plan would be modified to include a new mixed-use density category as well as a new standard to regulate the maximum densities in TSC-G Special Area # 1, as further described below.

Multi-Family Development: The proposed density for multi-family development in TSC-G Special Area # 1 would be 25 dwelling units per acre as opposed to the current density of 15 dwelling units per acre in District 1 of the Bijou/Al Tahoe Community Plan.

Tourist Uses: Similar to the existing TSC-G Zoning District, the proposed density for tourist accommodation uses in Special Area # 1 would be 40 units per acre for all types of tourist accommodation uses.

Mixed-Use Density: Table 4 would include a new mixed-use density category for each zoning district since Table 4 only lists the maximum density for single land use categories.

design standards for the Tourist Center Gateway (TSC-G) Zoning District are more restrictive than the TRPA Regional Plan and Code of Ordinances by allowing a maximum height of 42 feet. Districts within the TCAP adjacent to the TSC-G Zoning District allow a maximum height of 56 to 75 feet.

All the existing zoning districts in the Tourist Core Area Plan (except Open Space and Recreation) are permitted a maximum mixed-use density of 65 units per acre, including 40 tourist accommodation units and 25 residential units. However, the maximum mixed-use density for development in the proposed TSC-G Special Area # 1 would be limited to 40 units per acre.

Height in the Tourist Core Area Plan

TCAP Table 7 of Appendix C would be modified to include a footnote to indicate that the proposed height in TSC-G Special Area # 1 would be 42 feet (three stories) for single-family dwellings and 56 feet (four stories) for uses other than single-family dwellings.

The existing TSC-G Zoning District has a height limit of 42 feet, or three stories. Standard D, which relates to viewshed protection, would apply and require compliance with TRPA height findings.

Land Use and Community Design Goals in the Tourist Core Area Plan

The proposed amendment includes revisions to Section 5 of the TCAP. Policy LU-6.1, which addresses revitalization and consolidation of development, would be revised to reflect the TRPA development rights initiative for the conversion of different development rights.

Recreation Implementation Strategy of the Tourist Core Area Plan

The proposed amendment includes a new implementation strategy for Section 8, Recreation. The new strategy recognizes current efforts by the California Tahoe Conservancy to create a second access to Connelly Beach west of the Beach Retreat property.

Revised Maps and Technical Corrections in the Tourist Core Area Plan and Bijou/Al Tahoe Community Plan

The amendment includes revising maps in the Tourist Core Area Plan and the Bijou/Al Tahoe Community Plan to reflect the proposed boundary change.

In addition, the amendment includes technical corrections to the Tourist Core Area Plan and the Bijou/Al Tahoe Community Plan. Many of these technical corrections reflect TRPA Code Amendments adopted after 2013.

Public Input Process

On July 9, 2018, the City and TRPA held a public workshop at the Beach Retreat on the proposed amendment. The City of South Lake Tahoe provided notice of the project and environmental scoping to interested parties and property owners within and immediately surrounding the amendment area prior to the workshop. The meeting was attended by a few of the hotel and condominium property owners in the area, as well as the League to Save Lake Tahoe.

Property owners within and adjacent to the proposed amendment area were noticed on June 5. All properties within and adjacent to the boundary of the existing Tourist Core Area Plan as well as the proposed amendment area were mailed notices on July 3.

Several owners of residential property within the proposed amendment area have submitted comments in support of the proposed amendment. At its June 18 regular meeting, the Planning Commission received comments from the Tahoe Wellness Center requesting additional land uses within the Tourist Center Gateway Zoning District. Public

comments were also submitted for the July 16 public hearing. Staff has provided all comments on the proposed Tourist Core Area Plan received since 2018 as part of this staff report (See Attachment 3, Public Comments).

Contact Information

For questions regarding this agenda item, please contact John Hitchcock, Planning Manager, at 530-542-7472 or jhitchcock@cityofslt.us or Candace Stowell, Associate Planner, at 530-542-7405 or cstowell@cityofslt.us.

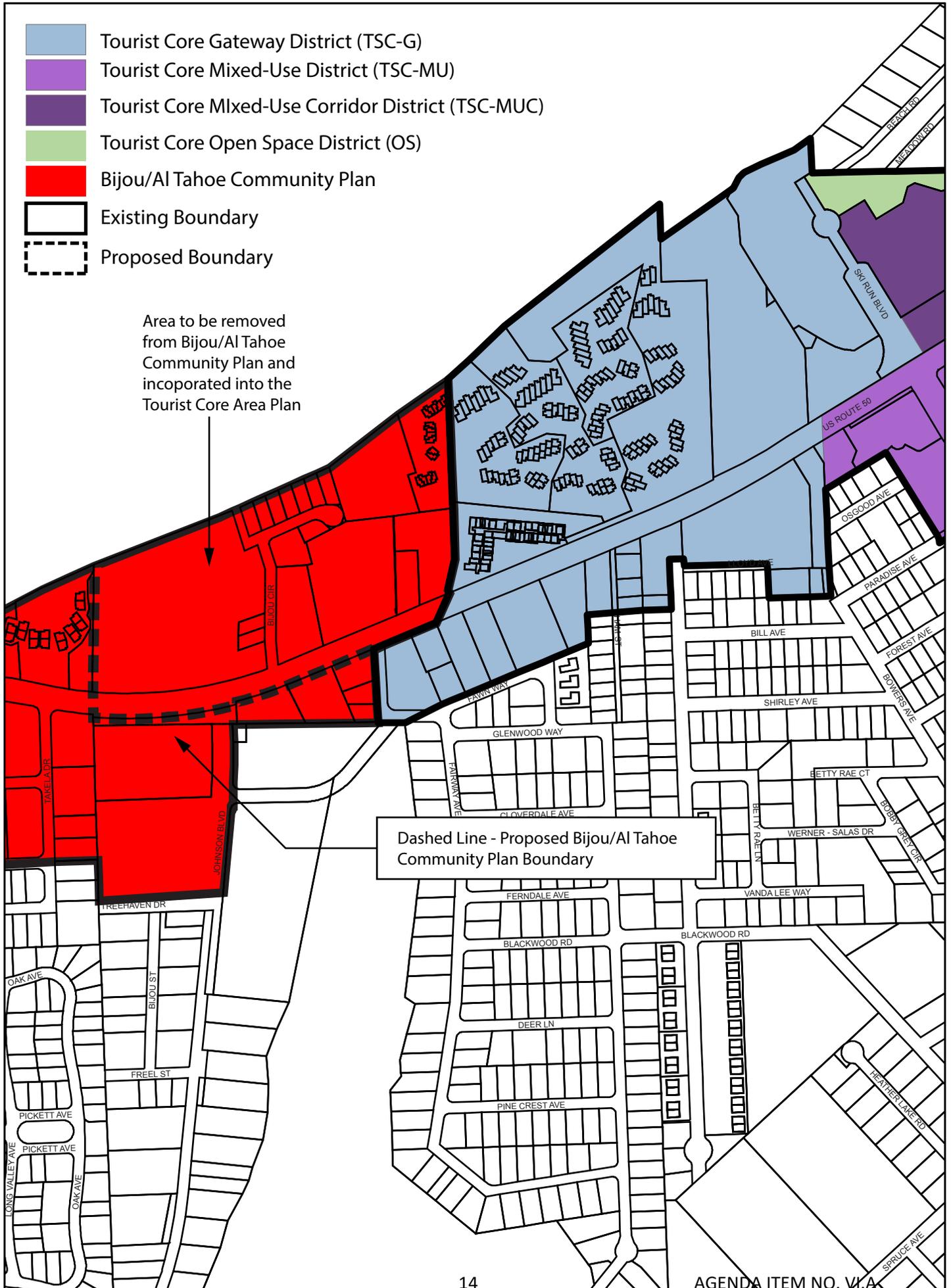
Exhibit 1: Amendment Area Map

Exhibit 1 to Attachment A
Amendment Area Map

- Tourist Core Gateway District (TSC-G)
- Tourist Core Mixed-Use District (TSC-MU)
- Tourist Core Mixed-Use Corridor District (TSC-MUC)
- Tourist Core Open Space District (OS)
- Bijou/Al Tahoe Community Plan
- Existing Boundary
- Proposed Boundary

Area to be removed from Bijou/Al Tahoe Community Plan and incorporated into the Tourist Core Area Plan

Dashed Line - Proposed Bijou/Al Tahoe Community Plan Boundary



Attachment B

Proposed Amendments to the Tourist Core Area Plan and Bijou-Al Tahoe Community Plan

PROPOSED AMENDMENTS TO THE TOURIST CORE AREA PLAN/SPECIFIC PLAN and BIJOU/AL TAHOE COMMUNITY PLAN, FILE # 18-068

Deleted Language is Struck Through and Proposed Language is Underlined

TOURIST CORE AREA PLAN AMENDMENTS

Table of Amendments

Ordinance 1060, October 14, 2013	City Council Adoption
Ordinance 2013-08, November 20, 2013	TRPA Governing Board Adoption
Ordinance 2014-2, January 14, 2014	City Council Amendments to Sections 1, 7, 10, Appendix C, and Figure 5-1, Zoning Map
<u>Resolution 2020-024, March 10, 2020</u>	<u>City Council Adoption of Tourist Core Area Plan/Specific Plan and Plan Area Statements 085 and 092 Boundary Amendment</u>
Ordinance 2020-03	<u>TRPA Governing Board Adoption, April 22, 2020</u>
<u>Ordinance XX</u>	<u>City Council Adoption of Tourist Core Area Plan/Specific Plan & Bijou/Al Tahoe Community Plan Boundary Amendment</u>
<u>Ordinance XX</u>	<u>TRPA Governing Board Adoption</u>

Section 1 Introduction

1.2 Organization of Area Plan

Policies and regulations in the TRPA Code of Ordinances apply to all development within the Tahoe Region. In some cases, the regulations, such as parking, design, and lighting standards adopted in the Area Plan will supersede the regulations in the TRPA Code of Ordinances. If compliant with this Area Plan, proposed projects will be reviewed and approved by the City of South Lake Tahoe pursuant to the provisions of the Memorandum of Understanding (MOU) with TRPA, as adopted by TRPA on December 18, 2014. However, projects determined to be of regional concern will require TRPA review and approval. Projects meeting any of the following criteria will require approval by the TRPA Governing Board or Hearings Officer:

- ~~Located within the High Density Tourist District~~
- Located within the Shorezone of Lake Tahoe

- Located within a Resort Recreation District
- Located within a Conservation District
- Any new building floor area meeting the criteria in the following table:

THRESHOLDS FOR GOVERNING BOARD REVIEW OF PROJECTS IN AREA PLANS			
	Regional Center	Town Center	<u>Outside Not in Center</u>
Residential	≥ 200,000 <u>100,000 sq. ft.</u>	≥ 100,000 <u>50,000 sq. ft.</u>	≥ 50,000 <u>25,000 sq. ft.</u>
	>100,000	> 50,000	> 25,000
Non-residential	<u>80,000 sq. ft.</u>	<u>40,000 sq. ft.</u>	<u>12,500 sq. ft.</u>

1.3 Plan Adoption

~~The South Lake Tahoe City Council and the TRPA Board will hold public hearings and take action on The Tourist Core Area Plan. Once found in conformance with the City's General Plan and TRPA's 2012 Regional Plan and adopted by both, this Area Plan will serve as the governing plan for the Tourist Core Area Plan for both the City of South Lake Tahoe and TRPA. This Aea Plan will supersede the Stateline/Ski Run Community Plan for the purposes of land use regulation for both the agencies and will provide management direction for all projects proposed within the Plan's boundaries.~~

The Tourist Core Area Plan was adopted by the South Lake Tahoe City Council on October 14, 2013 and by the TRPA Governing Board on November 11, 2013. The Area Plan was amended on January 14, 2014 to incorporate amendments requested by the TRPA Governing Board.

This Tourist Core Area Plan supersedes the Stateline/Ski Run Community Plan for the purposes of land use regulation for both the agencies and will provide management direction for all projects proposed within the Plan's boundaries.

Section 2. Legal Authority and Regulatory Setting

The purpose of the Tourist Core Area Plan is to define land use guidelines for planning decisions. The Tourist Core Area Plan presents principles, goals, policies and implementation strategies designed to encourage redevelopment, create a vibrant walkable pedestrian oriented community and provide for environmental improvements. The Area Plan is used by the ~~Community~~ Development Services staff, the City Planning Commission, and the City Council to review specific development proposals in the Tourist

Core. The Plan also provides direction to property owners, community groups, and interested individuals in formulating and review of development and redevelopment projects.

The Tourist Core Area Plan ~~once adopted~~ ~~is~~ ~~will become~~ a part of TRPA's 2012 Regional Plan and the City of South Lake Tahoe General Plan. It ~~will replaced~~ the Stateline/Ski Run Community Plan ~~which has been adopted by the City of South Lake Tahoe and TRPA and currently provides guidance for land use decisions in this area.~~

Section 2.1 Tahoe Regional Planning Agency

Town Center Overlay Districts: ~~As a~~ Areas that contain most of the region's non-residential services, Town Centers are

Regional Center Overlay Districts: Areas that includes a variety of land uses in the core of South Lake Tahoe, including the gondola and base lodge facilities for Heavenly Mountain Resort. Development patterns in the Regional Center have been, and should continue to be, more intensive than Town Centers and less intensive than the High Density Tourist District Overlay District (located in Stateline, NV). The Regional Center is targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities in the region. This district functions as a pedestrian- and transit oriented, mixed-use regional tourist and recreation activity center that encourages mix of uses that promotes convenience, economic vitality and improved access to a greater range of facilities and services for tourist and permanent residents.

Transfer of Development Rights Receiving Areas: Indicates areas that are eligible to receive the transfer of existing residential, tourist and commercial uses and ~~residential development rights~~ potential residential units of use pursuant to Chapter 51 of the TRPA Code of Ordinances. Receiving Areas designated for Existing Development are eligible to receive the transfer of existing uses that are permissible uses in the Tourist Core. Receiving Areas designated for Multi-Residential Units are eligible to receive the transfer of ~~residential development rights~~ potential residential units of use and parcels within this designation area are eligible to receive one or more development rights.

Scenic Restoration Area: Indicates one or more highway units or shoreline units in the Tourist Core that are not in compliance with the Scenic Threshold rating and that this area is therefore subject to the scenic quality provisions of Chapter 66: Scenic Quality of the TRPA Code of Ordinances.

Preferred Affordable Housing Areas: Areas with the preferred affordable housing designation are eligible for subdivision of post-1997 residential projects pursuant to TRPA Code of Ordinances subparagraph 39.2.5.F

AREA PLANS

The 2012 TRPA Regional Plan and TRPA Code of Ordinances, Chapter 13, *Area Plans*, include new provisions that allow for local, state, and federal agencies, in coordination with TRPA staff, to prepare coordinated Area Plans for the implementation of land use goals, policies, and ordinances. The Area Plans, which must include implementing ordinances and zoning designations, are required to be consistent with the 2012 Regional Plan. Once an Area Plan has been found in conformance with 2012 Regional Plan, local, state, or federal agencies may assume development review authority by Memorandum of Understanding (MOU) with TRPA. ~~For the City of South Lake Tahoe's planning purposes, the objective is to replace the existing Stateline/Ski Run Community Plan with this Area Plan and assume development review authority by entering into a MOU with TRPA.~~

Chapter 13 of the TRPA Code of Ordinances defines the required content of Area Plans and establishes that Area Plans may be approved by TRPA if they contain policies and development standards that are consistent with and further the goals and policies of the 2012 Regional Plan. With an adopted conforming Area Plan, local governments can opt to take over limited permitting authority from TRPA. Upon adoption, the provisions of the Area Plan supersede the underlying Plan Area Statements or Community Plans. Chapter 13 requires that the Area Plan incorporate minimum development and community design standards consistent with Chapter 13. For TRPA to make a general finding of conformance, the Area Plan shall at a minimum address and incorporate the following:

- Identify all zoning designations;
- Be consistent with the Regional Plan growth management system;
- Demonstrate consistency with the Regional Plan Conceptual Land Use Map;
- Recognize and support planned, new or enhanced Environmental Improvement Projects;
- Promote environmentally beneficial redevelopment and revitalization within centers;
- Preserve the character of established residential areas outside a center;
- Protect and direct development away from Stream Environment Zones;
- Identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities; and
- Where applicable, TRPA will use the local governments load reduction plans for registered catchments as the default water quality standards.

In addition, for Area Plans that include designated Town Centers or a Regional Center, the following provisions must be covered in the Area Plan:

- Include building and site design standards that reflect the unique character of each area;
- Include pPolicies and strategies to promote walking, bicycling, transit use and shared parking;
- Address the form of development that promotes pedestrian activity and transit use.
- Ensure adequate capacity for redevelopment;
- Identify an integrated community strategy for coverage reduction and enhanced storm water management; and
- Provide for threshold gain.

2.2. State of California

In addition to the TRPA requirements, the Tourist Core Area Plan is designed to meet the California requirements related to specific plans.

California State law requires every city and county in California to prepare a comprehensive, long-term general plan for the physical development of the county or city, and any land outside its boundaries which bears relation to its planning. The general plan acts as a constitution for future development, and expresses the community's development goals and policies relative to the distribution of future land uses, both public and private. Government Code Section 65302 requires that the general plan address at a minimum the following seven topics or elements to the extent they are relevant to the community:

- Land Use
- Circulation
- Housing
- Conservation
- Open Space
- Noise
- Safety

Through State law and code, the general plan must be implemented consistently through zoning, subdivision approvals, specific plans, public works projects, redevelopment plans, and many other implementation programs.

Under California State law, cities and counties may adopt specific plans for the "systematic implementation of the general plan" (Government Code Section 65450 et. Seq.). The law requires the following:

- A specific plan shall include a text and a diagram or diagrams which specify all the following in detail:
 - The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
 - The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste, disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
 - Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
 - A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the above bullets.
- The specific plan shall include a statement of the relationship of the specific plan to the general plan.

California Government Code Section 65452 provides that the specific plan may address any other subjects which in the judgment of the planning agency are necessary or desirable for the implementation of the general plan.

The Tourist Core Area Plan ~~was prepared to be~~ ~~ill be developed~~ consistent with the requirements of a specific plan under California State law and ~~will implements~~ the development goals and policies by establishing zoning districts, standards, and criteria for development and sets the distribution, location and extent of planned land uses consistent with the adopted City General Plan.

2.3 City of South Lake Tahoe

In 1999, the City of South Lake Tahoe adopted a General Plan under the requirements of California Planning Law. In conjunction with that adoption, the City adopted TRPA's system of Plan Area Statements and Community Plans in lieu of its previous traditional zoning system. The action eliminated inconsistencies between the City's and TRPA's land use plans. Subsequently, the City adopted three of four anticipated community plans including the Stateline/Ski Run Community Plan in March 1994. ~~The Community Plan provides land use and development guidance to the Stateline/Ski Run Area.~~

In 2011, the City of South Lake Tahoe updated its General Plan and amended its Land Use Element to include a policy that directs the City to periodically update and implement the three adopted Community Plans within the City's jurisdiction as a way to focus development commodities and revitalization efforts (see Policy LU-2.2, City of South Lake Tahoe General Plan, May 17, 2011).

The ~~development and~~ adoption of the Tourist Core Area Plan in 2013 meets the directive of LU-2.2 of the City's General Plan and the requirements of TRPA's Regional Plan. The Tourist Core Area Plan ~~when adopted would~~ replaced the Stateline/Ski Run Community Plan and provides future land use and development guidance.

Section 5 Land Use and Community Design

Goal LU-6 Transfer of Development

Policy LU-6.1

Encourage and allow for the revitalization and consolidation of development within centers by encouraging ~~allowing for the transfer and conversion~~ of residential units of use, and tourist accommodatios units, and commercial floor area ~~that have been converted to commercial floor area pursuant to TRPA Code Section 50.10 Chapter 51.~~

Section 8 Recreation

8.2 Implementation Strategies

This subsection outlines recreation improvements that implement the vision, guiding principles and the goals and policies of the Tourist Core Area Plan listed above.

- Expand the City’s Way-Finding program in the Tourist Center District to direct pedestrian and bicycle traffic to recreation opportunities including but not limited to: Van Sickle Bi-State Park, Lakeside Marina, Edgewood Golf Course, Heavenly Gondola and the Nevada Beach Trail.
- Prioritize the existing tourist accommodation uses east of the wildwood basins for SEZ restoration. Encourage property owners to use TRPA transfer incentives to relocate the tourist units to higher capability lands in the Tourist Core.
- Establish a dialogue with the CTC and the USFS to consider allowing access to open space parcels for passive recreation uses that conform to resource restrictions within the Tourist Core and its surroundings.
- Modify policies on CFA and coverage allocations from the City’s bank to incentivize businesses and facilities that promote the South Shore as an eco-tourism recreation destination.
- Support the California Tahoe Conservancy in its efforts to implement the Connelly Beach Public Access Project located west of the Beach Retreat parcel to provide a second access to Connelly Beach in addition to Timber Cove.

Appendix C

Table 1 Permitted Uses by Land Use Zoning District

Table 1: PERMITTED USES BY <u>LAND-USE ZONING</u> DISTRICT								
Permitted Uses Key: “A” – Allowed Use “S” – Special Use “T” – Temporary Use “TRPA” – TRPA Review Required “-” – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	<u>TSC-G Special Area 1</u>	REC	OS
	RESIDENTIAL							
Domestic Animal Raising	-	-	-	-	-	-	S	-
Employee Housing	S	S	A	S	S	<u>S</u>	A	
Multiple Family Dwelling	A	A	A	A	A	<u>A</u>	-	-
Multi-Person Dwelling	S	S	S	S	S	<u>S</u>	-	-
Single Family Dwelling (includes condominiums)	A8	A	A	A	A	<u>A</u>	S1	-

Table 1: PERMITTED USES BY LAND-USE ZONING DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "- " – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS
	TOURIST ACCOMMODATION							
Bed & Breakfast Facilities	-	A	A9	S	A	<u>A</u>	-	-
Hotel, Motel, Other Transient Dwelling Units	A	A	A9	S	A	<u>A</u>	-	-
Time Sharing	A	A	A9	S	S	<u>A</u>	-	-
RETAIL COMMERCIAL								
General Retail and Personal Services	A	A	A9	S	A	<u>A</u>	-	-
Building Material & Hardware	S6	-	-	-		<u>S</u>	-	-
Nursery	-	-	A9	-		<u>S</u>	-	-
Outdoor Retail Sales	A	-	S9	-		<u>S</u>	-	-
Eating & Drinking Places	A	S	A9	S	A	<u>A</u>	-	-
Service Stations ¹¹	S	S	-	-	S	<u>S</u>	-	-
ENTERTAINMENT COMMERCIAL								
Amusement & Recreation	S	S	-	-	-	<u>A</u>	-	-
Privately Owned Assembly and Entertainment	S	S	-	-	-	<u>S</u>	S	-
Outdoor Amusements	-	S	S9	-	S	<u>S</u>	S	-
SERVICE COMMERCIAL								

Table 1: PERMITTED USES BY LAND-USE ZONING DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "- " – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS
	<u>Animal Husbandry Services</u>	-					<u>A</u>	-
Business Support Services	A7	S	S9	-	S	<u>A</u>	-	-
Health Care Services	A2,5		A9	-	A	<u>A</u>	-	-
Professional Offices	A3,4	A	A9	A	A	<u>A</u>	-	-
Schools – Business & Vocational	S	-	S9	-	A	<u>A</u>	-	-
LIGHT INDUSTRIAL COMMERCIAL								
Small Scale Manufacturing	S	S	S9	S	-	-	-	-
WHOLESALE/STORAGE COMMERCIAL								
Vehicle Storage & Parking ¹¹	S	S	S9	S	S	<u>S</u>	-	-
GENERAL PUBLIC SERVICE								
Religious Assembly	-	S	S9	-	S	<u>A</u>	-	-
Cultural Facilities	S	S	S9	-	S	<u>A</u>	-	-
Daycare Centers/Preschool	A	A	A10	A	A	<u>A</u>	-	-
Government Offices	-	-	A9	-		<u>S</u>	-	-
Local Assembly & Entertainment	S	S	-	-		<u>S</u>	-	-
Local Public Health and Safety Facilities ¹¹	A	A	A	A	A	<u>A</u>	A	A

Table 1: PERMITTED USES BY LAND-USE ZONING DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "- " – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS
	Public Owned Assembly & Entertainment	S	S	-	-	-	-	S
Public Utility Centers ¹¹	-	S	-	-	-	-	-	-
Social Service Organizations	-	-	A9	-	A	A	-	-
LINEAR PUBLIC FACILITIES								
Pipelines & Power Transmission	S	S	S	S	S	S	S	S
Transit Stations & Terminals	S	S	S	S	S	S	S	S
Transportation Routes	S	S	S	S	S	S	S	S
Transmission & Receiving Facilities	S	S	S	S	S	S	S	S
RECREATION								
Beach Recreation	-	-	-	-	TRPA-A		-	-
Boat Launching Facilities	-	-	-	-	TRPA-S		-	-
Cross Country Ski Courses	-	-	-	-	-		S	-
Day Use Areas	A	A	A	A	A	A	A	A
Group Facilities	-	-	-	-	-		S	-
Marinas	-	-	-	-	TRPA-S		-	-

Table 1: PERMITTED USES BY LAND-USE ZONING DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "- " – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS
	Outdoor Recreation Concessions	-	-	-	-	S	S	-
Participant Sport Facilities[2]	S	-	-	-	-		-	-
Riding and Hiking Trails	-	-	-	-	-		S	-
Rural Sports	-	-	-	-	-		S	-
Snowmobile Courses	-	-	-	-	-		S	-
Visitor Information Centers	S	S	-	-	S	A	-	-
RESOURCE MANAGEMENT								
Forest and Timber Resource Management	A	A	A	A	A	A	A	A
Vegetation Resource Management	A	A	A	A	A	A	A	A
Water Quality Improvements and Watershed Management	A	A	A	A	A	A	A	A
Wildlife and Fisheries Resource Management	A	A	A	A	A	A	A	A
Range Management	-	-	-	-	-	-	A	-
OPEN SPACE								
Allowed in all areas of the Region	A	A	A	A	A	A	A	A
<u>SHOREZONE</u>								
<u>(Tolerance Districts 1 and 4)</u>								

Table 1: PERMITTED USES BY LAND-USE ZONING DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "- " – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS
	<u>Water Oriented Outdoor Recreation Concessions</u>					TRPA- A	TRPA- A	
<u>Beach Recreation</u>					TRPA- A	TRPA- A		
<u>Water Borne Transit</u>					TRPA- S	TRPA- S		
<u>Boat Launching Facilities</u>					TRPA- S	TRPA- S		
<u>Tour Boat Operations</u>					TRPA- S	TRPA- S		
<u>Safety and Navigation Devices</u> (Shorezone District 4)					TRPA- A	TRPA- A		
<u>Marinas</u>					TRPA- S	TRPA- S		
<u>Buoys</u>					TRPA- A	TRPA- A		
<u>Piers</u>					TRPA- S	TRPA- S		
<u>Fences</u>					TRPA- S	TRPA- S		
<u>Boat Ramps</u>					TRPA- S	TRPA- S		

Table 1: PERMITTED USES BY LAND-USE ZONING DISTRICT									
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "- " – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS	
	<u>Floating Docks and Platforms</u>					TRPA- S	TRPA- S		
	<u>Shoreline Protective Devices</u>					TRPA- S	TRPA- S		
	<u>Water Intake Lines</u>					TRPA- A	TRPA- A		

Note: In the Regional Center all residential projects equal to or exceeding 100,000 square feet of new floor area or non-residential projects equal to or exceeding 80,000 square feet of new floor area require TRPA review and approval. In the Town Center all residential projects equal to or exceeding 50,000 square feet of new floor area or non-residential projects equal to or exceeding 40,000 square feet of new floor area require TRPA review and approval.

1. Caretaker Residence Only
2. All Health Care Services are allowed except emergency outpatient or urgent care facilities which shall only be considered along Heavenly Village Way, formerly Park Avenue.
3. Allow Realty Offices within the district and limit financial services to ATMs.
4. Allow consideration for placement of Realty Offices within the district, and only when operated in conjunction with approved Park Avenue Redevelopment fractional ownership tourist accommodation projects. Such use shall occupy no more than five percent (5%) of the commercial floor area with any project area within the district.
5. All Health Care Services uses permissible throughout special district; provided that any Health Care Services uses proposed to front on either side of US Highway 50 and/or the intersections of Heavenly Village Way (formerly Park Avenue) and Stateline Avenue are limited to second floor or higher. See TRPA Ordinance 2009-05 Exhibit 2 for specific limitation locations.
6. Outdoor storage and display is prohibited.
7. Shall not front on US Highway 50.
8. Condominiums only.
9. Use not permitted in Special Area #1, which comprises of APNs 028-081-02, 028-081-04 & 028-081-15.
10. Daycare center allowed as an accessory use.
11. Land use category is identified in TRPA Code Section 60.3 as a "possible contaminating activity," triggering special requirements pursuant to TRPA Code Section 60.4 if located within a Source Water Protection Zone.

Table 2: List of Primary Uses and Definitions

SERVICE COMMERCIAL	
<u>Animal Husbandry Services</u>	<u>Establishments primarily engaged in performing services for animals, such as veterinary services, animal hospitals, and animal kennels. The use does not include publicly operated animal control and wildlife care (see “Local Public Health and Safety Facilities”).</u>
<u>SHOREZONE</u>	<u>Refer to TRPA Code Chapter 90 - Definitions</u>

Table 3: Community Noise Equivalent Level (CNEL)

TABLE 3: COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)								
DISTRICT	TSC-C	TSC-MU	TSC-MUC	TSC-G	TSC-NMX	REC	OS	US 50
CNEL	<u>65</u> <u>60</u>	<u>65</u> <u>60</u>	<u>65</u> <u>60¹</u>	<u>65</u> <u>60²</u> (55 within the shorezone)	<u>65-60</u>	55	55	65

1 Maximum CNEL for TSC-MU Special Area # 1, which comprises of APNs 028-081-02, 028-081-04, 028-081-15, is 55.

2. Maximum CNEL for TSC-G Special Area # 1 is identical to the TSC-G Zoning District.

Table 4 Lot and Density Standards

TABLE 4: LOT AND DENSITY STANDARDS									
DISTRICT	TSC-C	TSC-MU	TSC-MUC	TSC-G		TSC-NMX	REC	#	
Maximum Density: Employee Housing Family (dwelling units/ acre)	15	15	15	15		15	15		
Maximum Density: Multi-Person Dwelling (persons/ acre)	25	25	25	25		25	n/a		
Maximum Density: Multi-Family (dwelling units/ acre)	25	25	25	25		25	n/a		

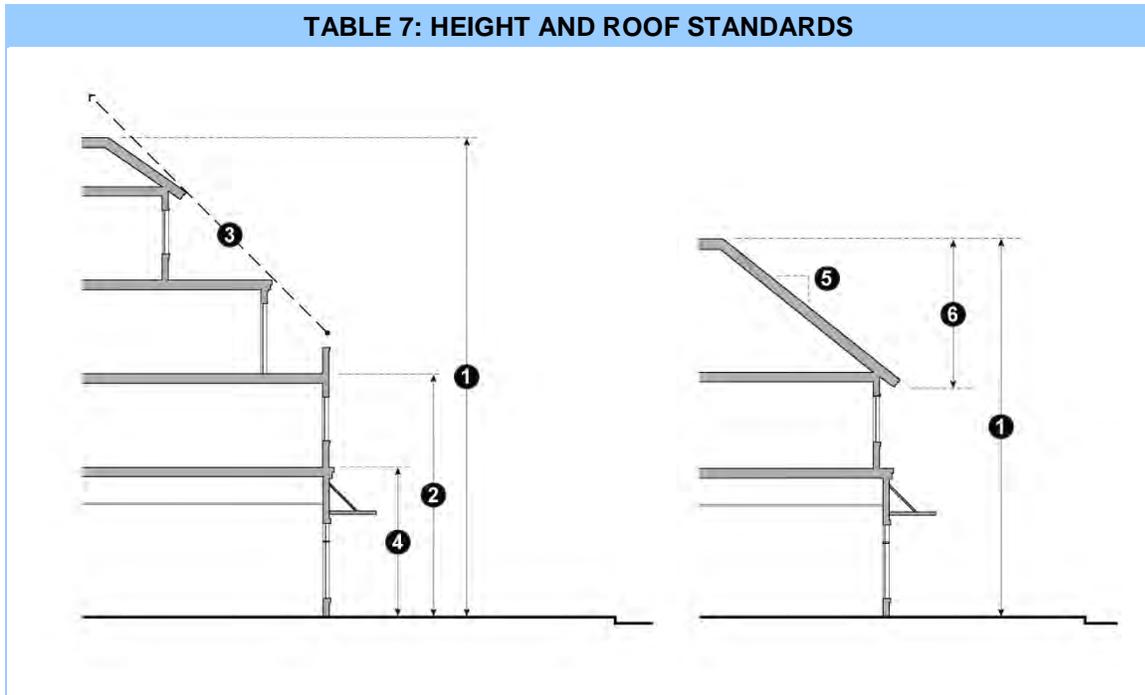
TABLE 4: LOT AND DENSITY STANDARDS									
DISTRICT	TSC-C	TSC-MU	TSC-MUC	TSC-G		TSC-NMX	REC	#	
Maximum Density: Single Family Dwelling	1 unit per parcel for parcels less than one acre 2 units per parcel for parcels greater than or equal to one acre, provided one unit is an authorized secondary residence								
Maximum Density: Tourist Accommodation (dwelling units/ acre)	40	40	40	40		40	n/a		
<u>Maximum Density: Mixed Use</u>	<u>65 (B)</u>	<u>65 (B)</u>	<u>65 (B)</u>	<u>65 (B)</u>		<u>65 (B)</u>			
Minimum Lot Size (sq ft)	10,000 (A)	10,000 (A)	10,000 (A)	10,000 (A)		6,000 (A)	10,000 (A)		
Minimum Lot Width (sq ft)	80 (A)	80 (A)	80 (A)	80 (A)		60 (A)	80 (A)		
Minimum Lot Depth (sq ft)	100 (A)	100 (A)	100 (A)	100 (A)		100 (A)	100 (A)		
Maximum Land Coverage-Base + Transferred (% of project area located within land capability districts 4-7)	Within 300 feet of the High Water Mark of Lake Tahoe, maximum coverage shall be 50 percent of the project area that is located within Land Capability Districts 4 through 7, inclusive. Further than 300 feet from the High Water Line of Lake Tahoe, maximum land coverage shall be 70 percent of the project area that is located within Land Capability Districts 4 through 7, inclusive. Also see Section 30.4 of the TRPA Code of Ordinances								

- A. **Reduced Minimum Lot Size and Dimensions.** Smaller lots may be approved as part of a condominium , or other airspace subdivision pursuant to City Code ~~Section 32-18~~ 6.55.190.
- B. **Mixed-Use Density.** The maximum density for mixed-use projects includes up to 40 Tourist Units per acre and up to 25 residential units per acre. If a project includes non-conforming tourist or residential density, any new tourist or residential density must take into account the overage in overall density and reduce the allowable density for new construction so that the total density does not exceed 65 units per acre.

In the case of a mixed-use project that includes a commercial use or other use that is not subject to a density calculation, combined with residential and/or tourist uses, the project may include the total allowable commercial square footage, and the maximum allowable tourist and residential units per acre, using the full parcel area as the denominator in the density calculation.

The maximum mixed-use density for TSC-G Special Area 1 is 40 units per acre. Otherwise, the lot and density standards for TSC-G Special Area 1 are identical to those in the TSC-G zoning district.

Appendix C – Development Standards – Table 7 Height and Roof Standards



DISTRICT	TSC-C	TSC-MU	TSC-MUC	TSC-G ¹	TSC-NMX	REC	#
Building Height Maximum (feet)	95 75 at the northeast corner of Ski Run/US Highway 50	56	56	42	36	36	①
Building Height Maximum (stories)	6 (D)	4 (D)	4 (D)	3 (D)	3 (D)	3 (D)	①
Minimum Number of Stories at the Street Wall along Hwy 50/Lake Tahoe Blvd	2 (Stateline Node Only)	n/a					②
Building Step Backs							
Street Facing	Structures shall not interrupt a line of a 1:1 slope extending upward from 30 feet above existing grade of the street facing setback line				n/a		③
Adjacent to Residential District	Structures shall not interrupt a line of a 1:1 slope extending upward from 25 feet above existing grade of the setback line adjacent to the residential district (E)				n/a		③

Ground Floor Minimum Height, Non-Residential Uses (ft)	15	15	15	n/a	n/a	④
Roof Slope	5:12 to 12:12 (F)					⑤
Roof Height	For buildings one to three stories, the height of the sloped roof must be a minimum 40% of the height of the building. (F)					⑥

¹ The maximum height for TSC-G Special Area 1 is 56 feet, or 4 stories, for uses other than single-family dwellings.

Appendix D – City of South Lake Tahoe Green Building Program

Level 2 – “Priority Plan Check, Allocation, and Recognition”

As part of this program, it is important to utilize the nationally recognized green building certification systems so that the City’s green building success is recognized beyond the City limits. Builders and building owners may also find this important in their marketing efforts. An article in the January 2010 issue of Find Homebuilding magazine emphasized this point when stating that, “builders are looking to certification programs not only because they want to build better homes but also because they want to differentiate themselves from those who aren’t building homes of similar quality.” Certification provides proof that the home has been built to a widely recognized standard. The article goes on to state that, “certification becomes a powerful marketing tool for builders as well as homeowners who plan to sell their home one day.”

Therefore, the second level of voluntary measures requires third party green building certification. Residential buildings that obtain LEED, Energy Star or GreenPoint Rated certification would be eligible for the following:

- Projects would receive priority plan check, over all other projects, by all City Departments.
- ~~Residential project would have priority on the residential allocation waiting list. 10% of residential allocations would be offered to Green Building projects before other projects on the waiting list.~~
- Projects would receive recognition at a televised City Council meeting and on the City Website.

~~When applicants are placed on the Residential Allocation waiting list, they would need to submit a signed testimony that they will pursue green building certification. Procedures for the allocation waiting list and distribution would not be changed, however, 10% of residential allocations received from TRPA each year would be offered to those pursuing green building certification before being offered to others on the waiting list. Once eligible to receive an allocation, the applicant will need to submit documentation demonstrating their pursuit of the third party certification (i.e., proof of application submittal, contract with a LEED professional, GreenPoint Rater, or Home Energy Rater) prior to receiving a building permit. Proof of final certification will be required prior to issuing a certificate of occupancy. If certification is not obtained when occupancy is required, the applicant may post a security equal to \$10,000 in order to receive a certificate of occupancy for the building. The security would be held until green building certification is obtained. If certification is not obtained within 1 year of occupancy, the security would be forfeited and deposited into the City fund to be used for City sustainability efforts. If the project is not requesting residential allocation(s) they can still qualify for the other incentives and would need to provide a signed testimony and documentation demonstrating their intent to obtain green building certification with their building permit application and provide final certification prior to occupancy.~~

REVISED FIGURES

Figure 1-1, Location Map

Figure 2-1, Conceptual Regional Land Use Map

Figure 2-2, General Plan Land Use Diagram

Figure 3-1, Existing Land Uses

Figure 3-2, Mapped Land Capability

Figure 3-3, Existing Land Coverage

Figure 3-4, Land Coverage Reduction

Figure 3-5, Existing Water Quality Improvements

Figure 3-6, Existing Scenic Resources Map

Figure 3-7, Existing Transportation Network

Figure 3-8, Existing Recreation Facilities

Figure 3-9, Existing Public/Quasi-Public Facilities

Figure 5-1, Zoning Map

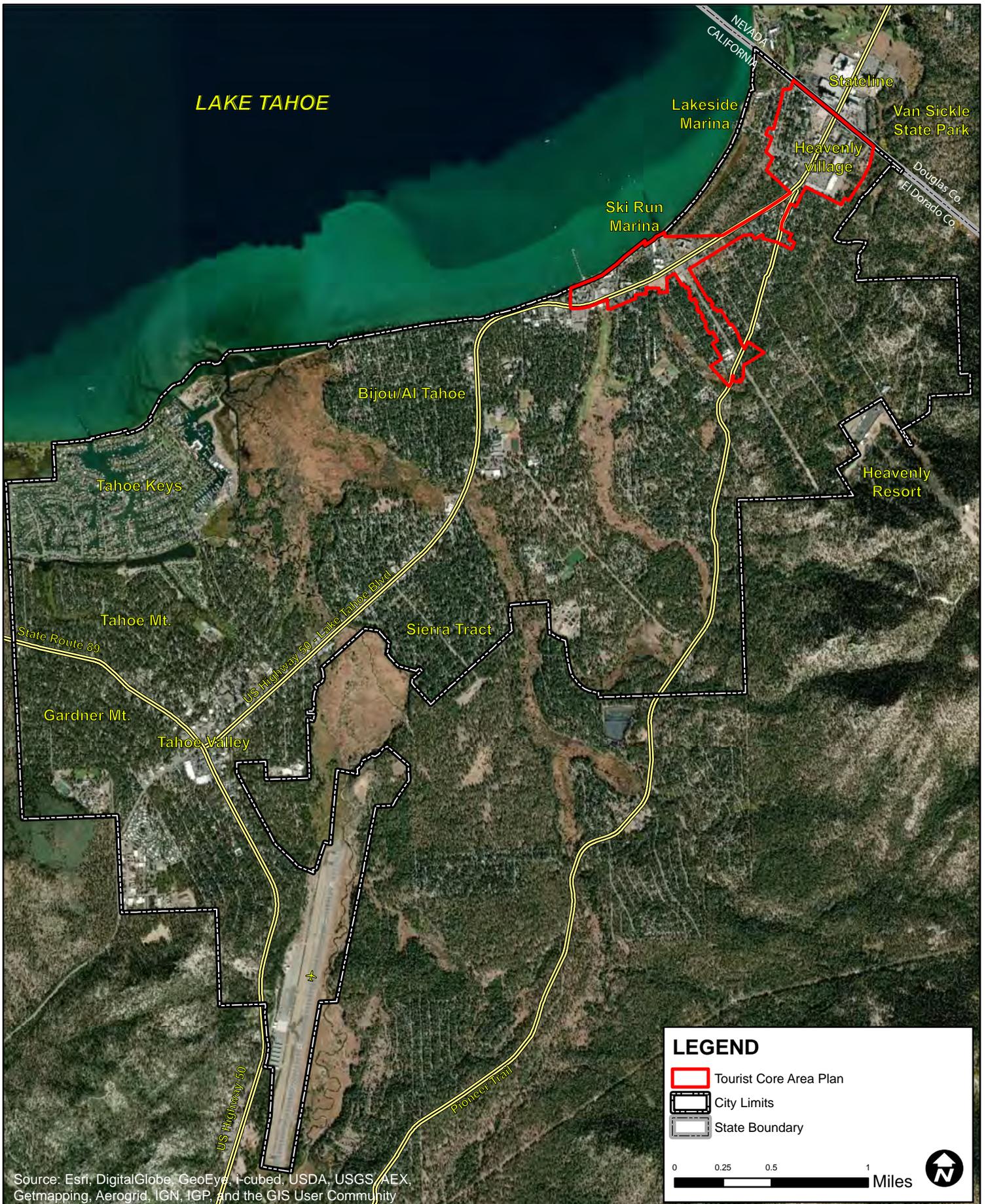
Figure 6-1, Proposed Transportation Network

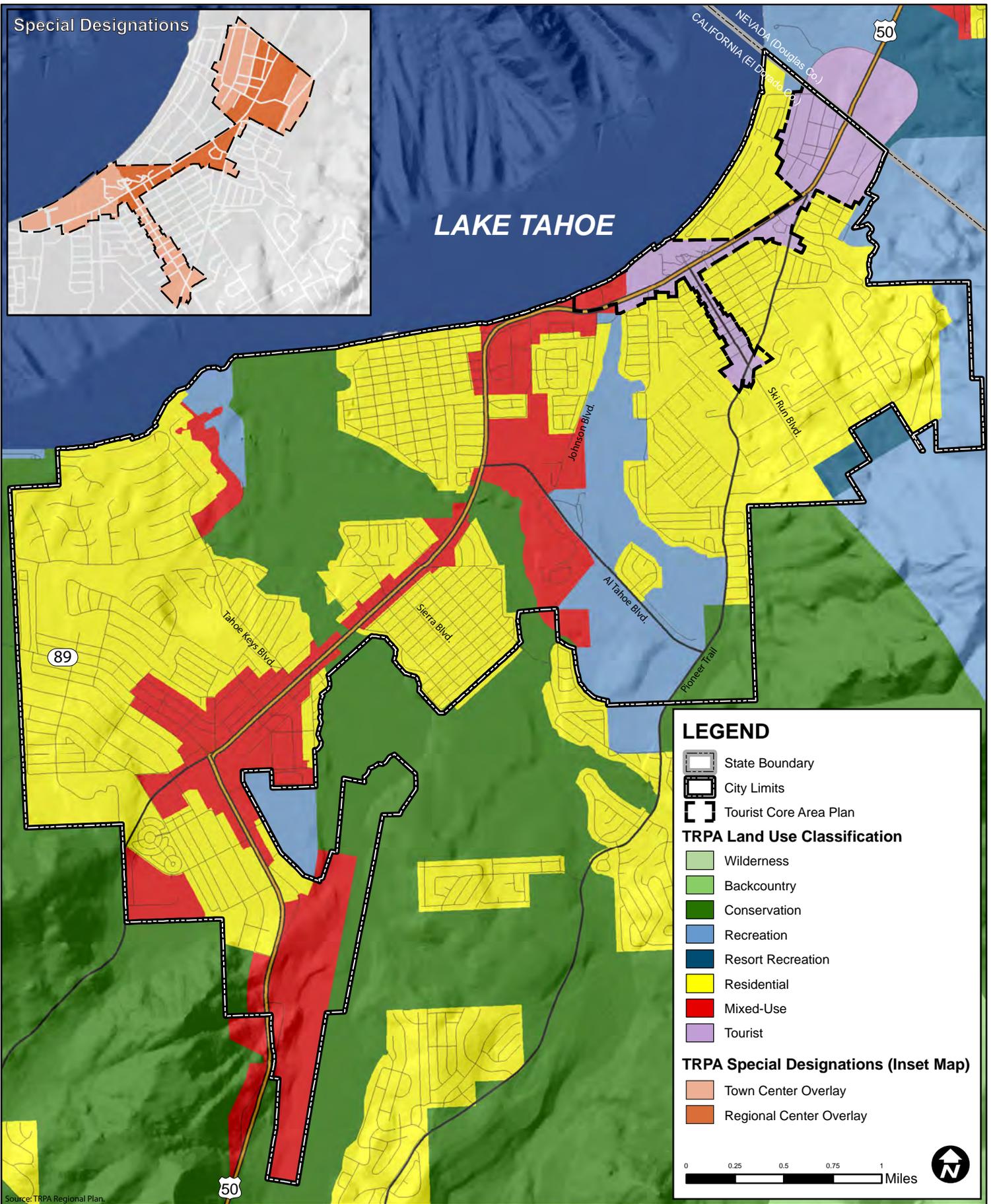
Figure 7-1, Proposed Scenic Resource Map

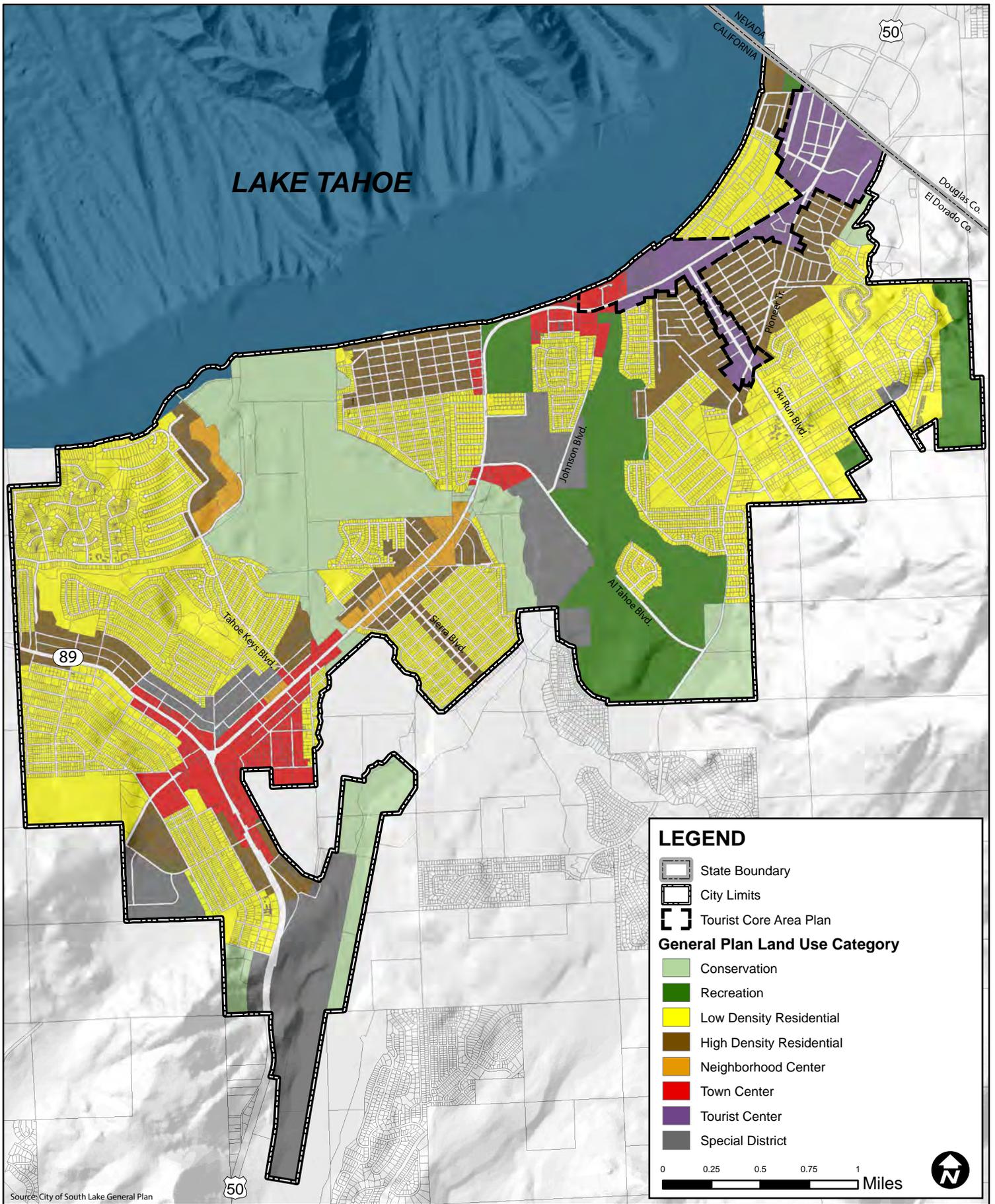
Figure 7-2, Proposed Water Quality Improvement Projects

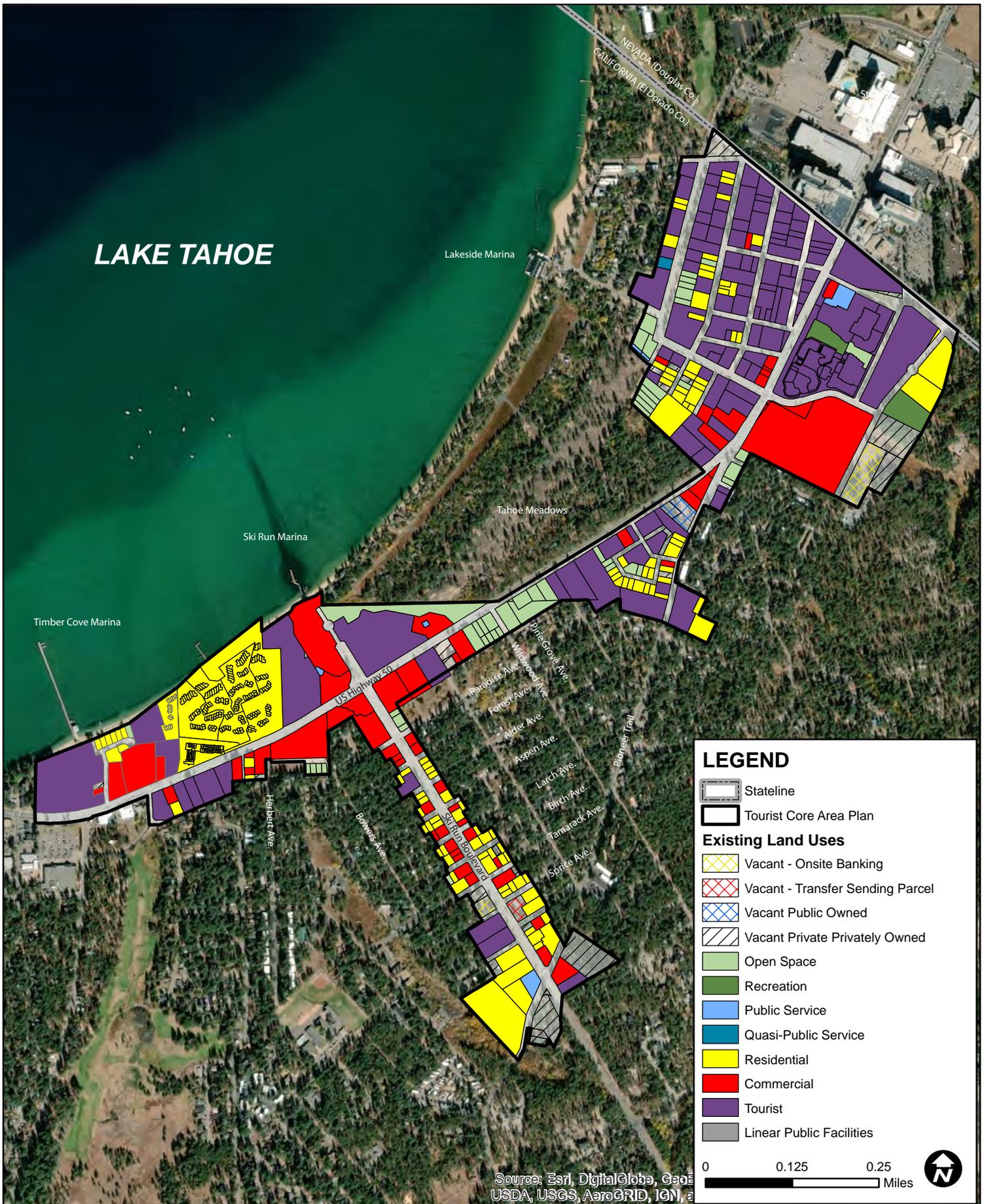
Figure 7-3, Proposed Registered Catchments

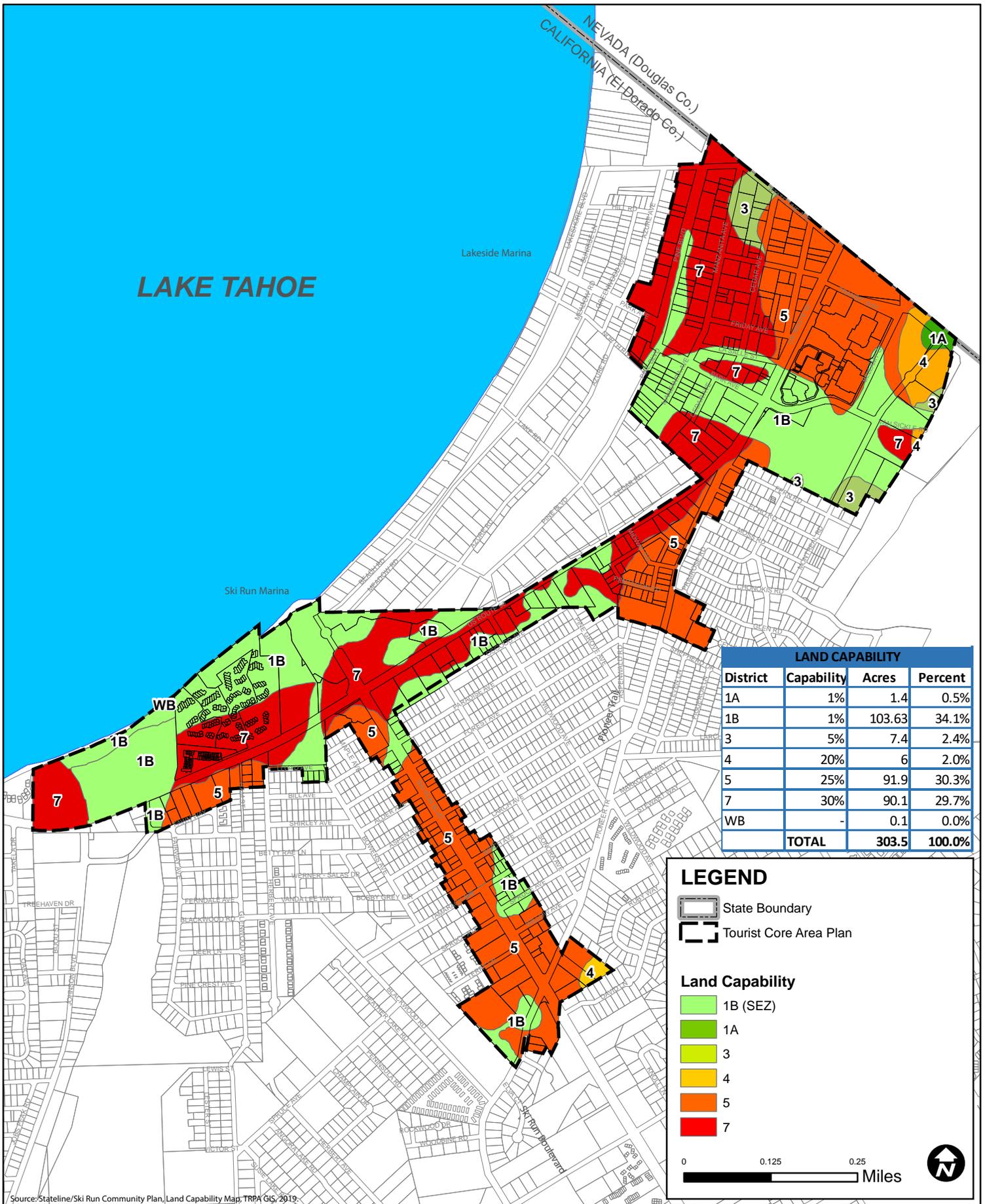
Figure 8-1, Proposed Recreation Facilities





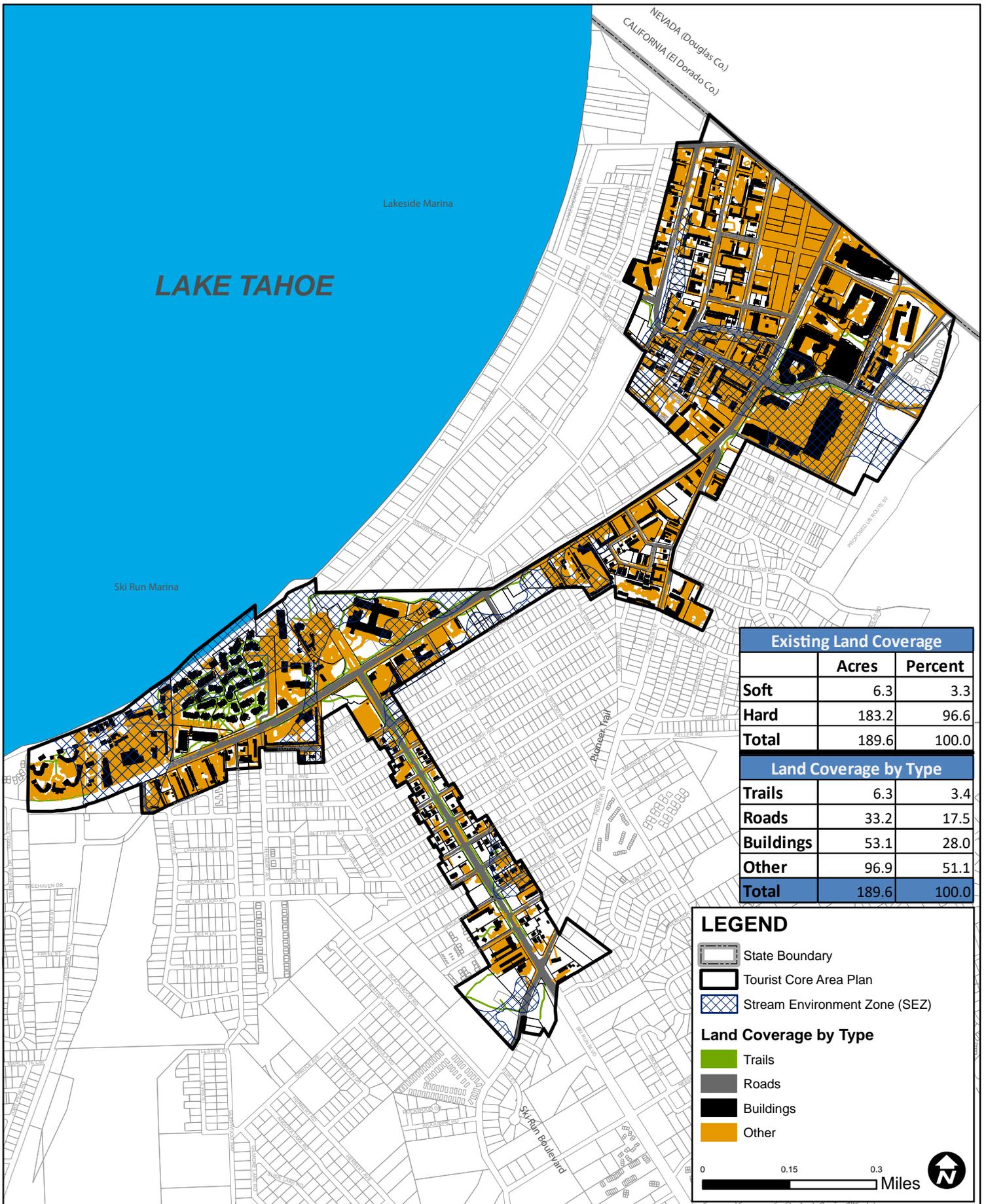






Source: Stateline/Ski Run Community Plan, Land Capability Map, TRPA GIS, 2019.





Existing Land Coverage		
	Acres	Percent
Soft	6.3	3.3
Hard	183.2	96.6
Total	189.6	100.0

Land Coverage by Type		
Trails	6.3	3.4
Roads	33.2	17.5
Buildings	53.1	28.0
Other	96.9	51.1
Total	189.6	100.0

LEGEND

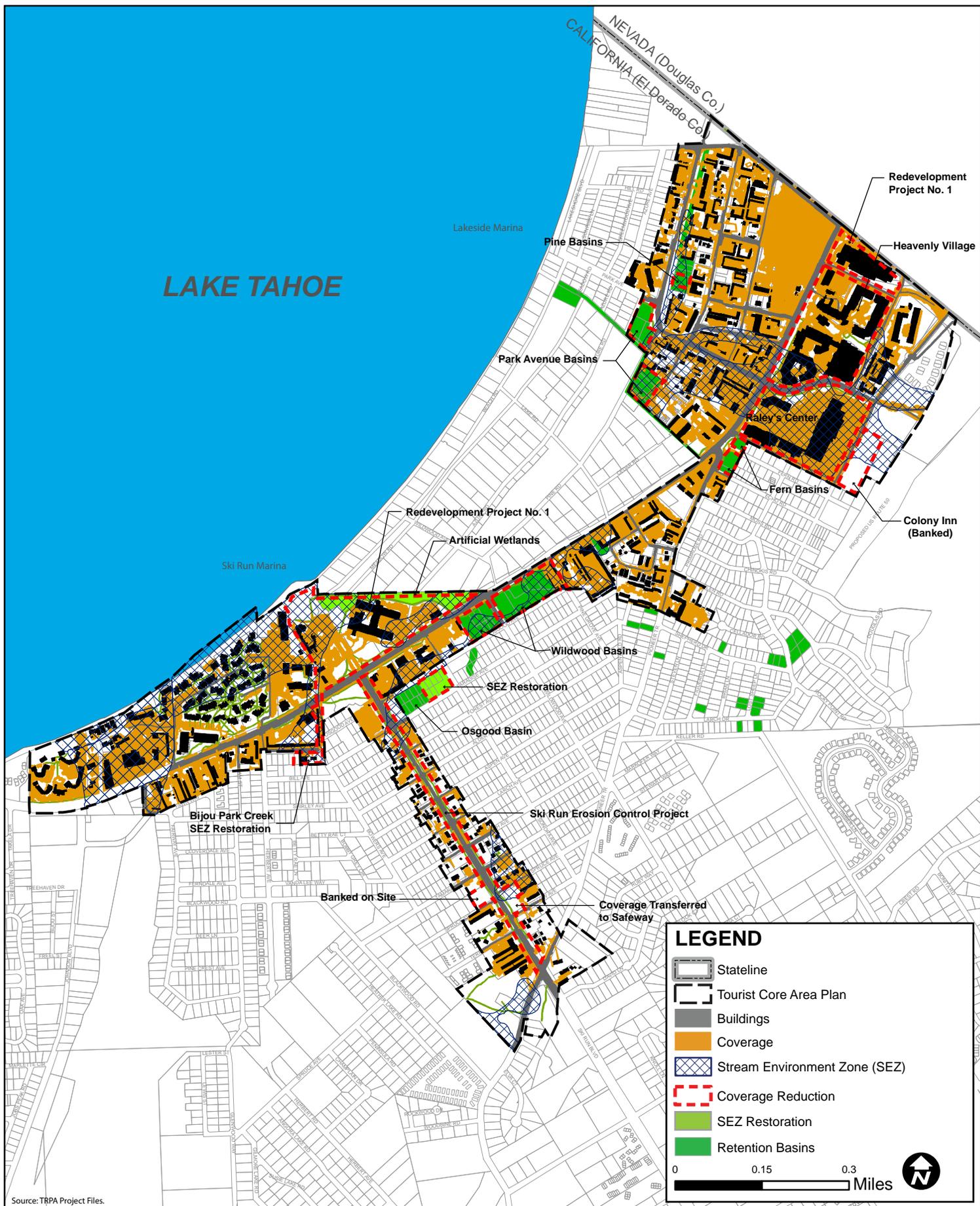
- State Boundary
- Tourist Core Area Plan
- Stream Environment Zone (SEZ)

Land Coverage by Type

- Trails
- Roads
- Buildings
- Other

0 0.15 0.3 Miles





LEGEND

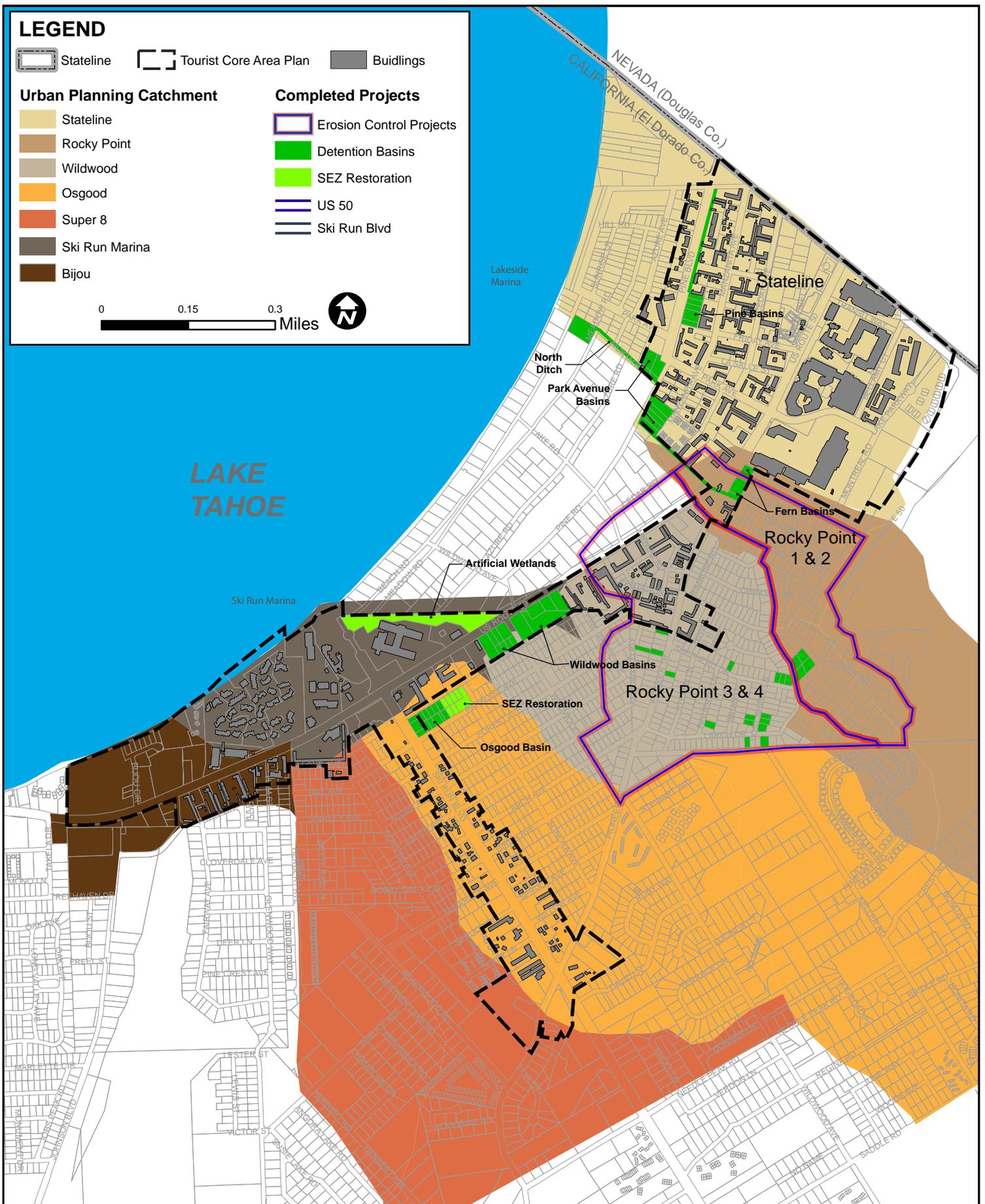
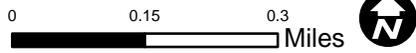
- Stataline
- Tourist Core Area Plan
- Buildings

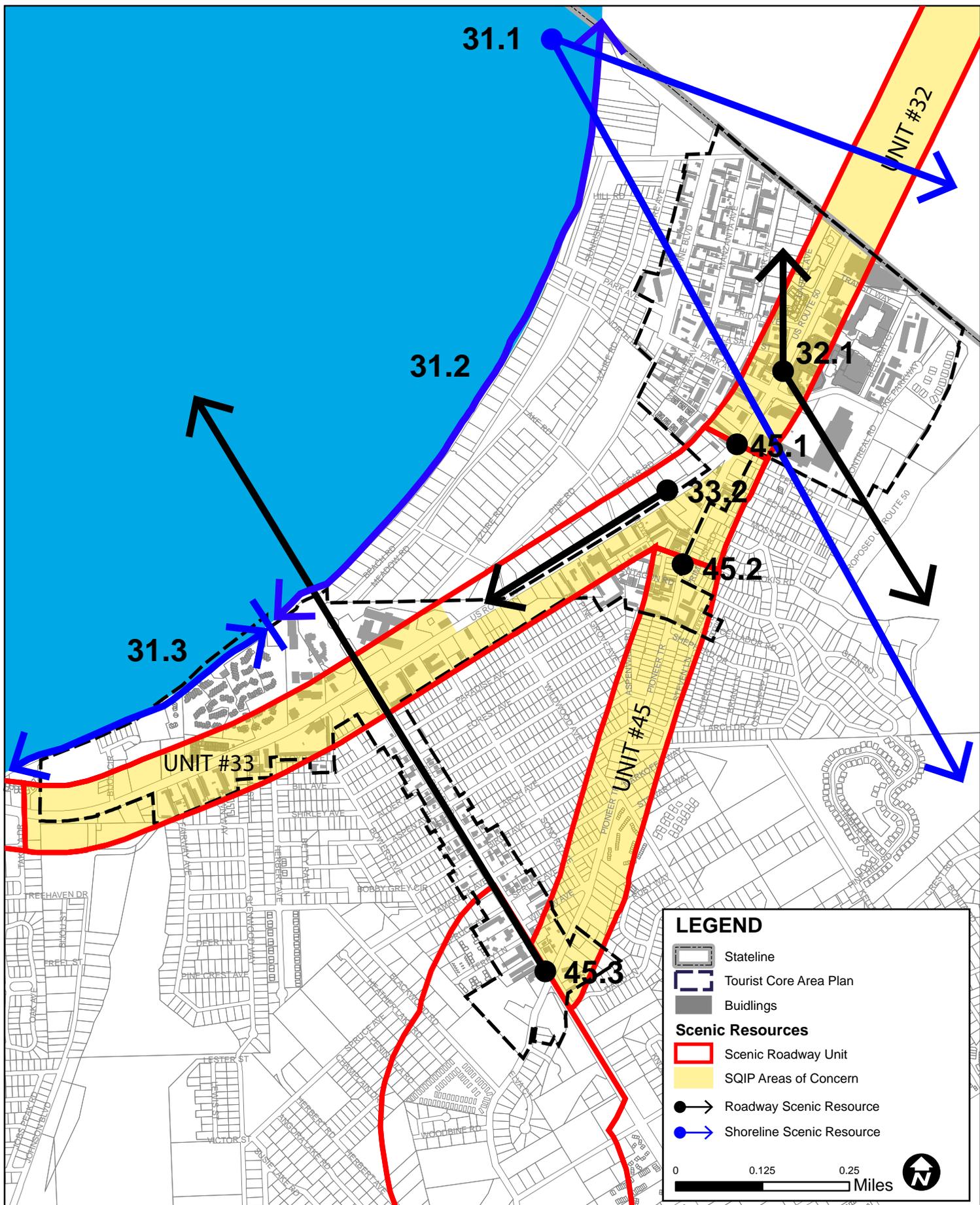
Urban Planning Catchment

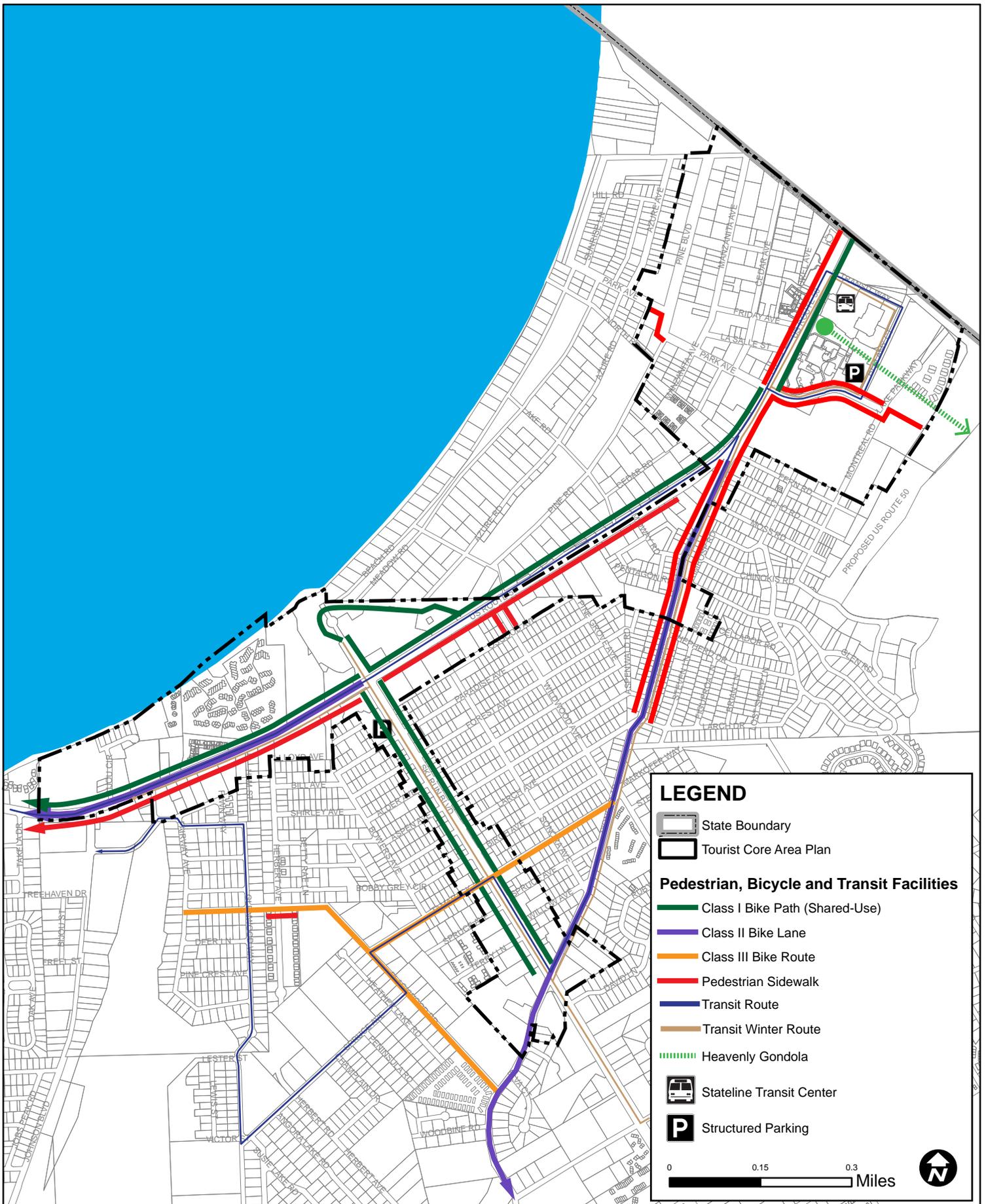
- Stataline
- Rocky Point
- Wildwood
- Osgood
- Super 8
- Ski Run Marina
- Bijou

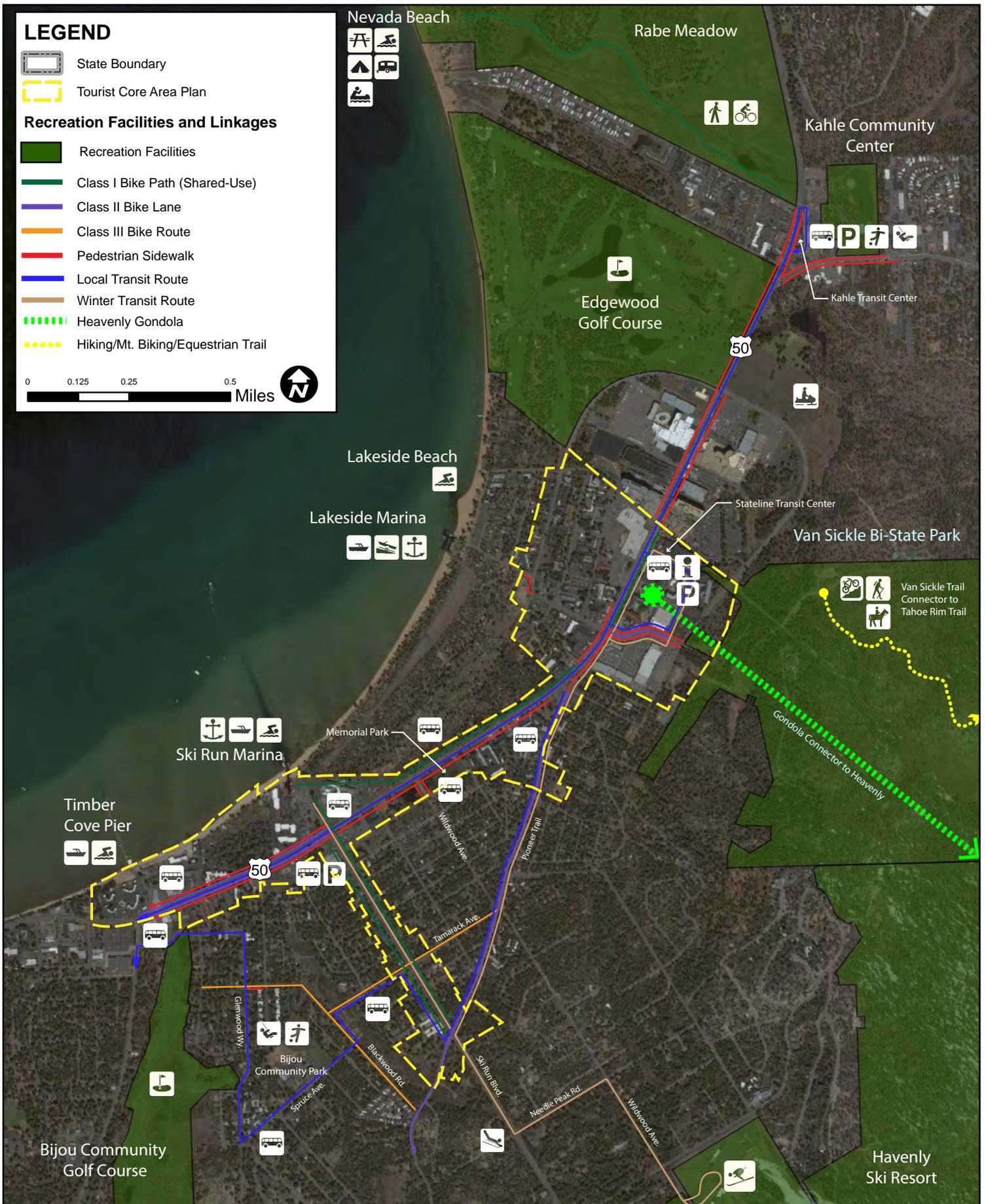
Completed Projects

- Erosion Control Projects
- Detention Basins
- SEZ Restoration
- US 50
- Ski Run Blvd









LEGEND

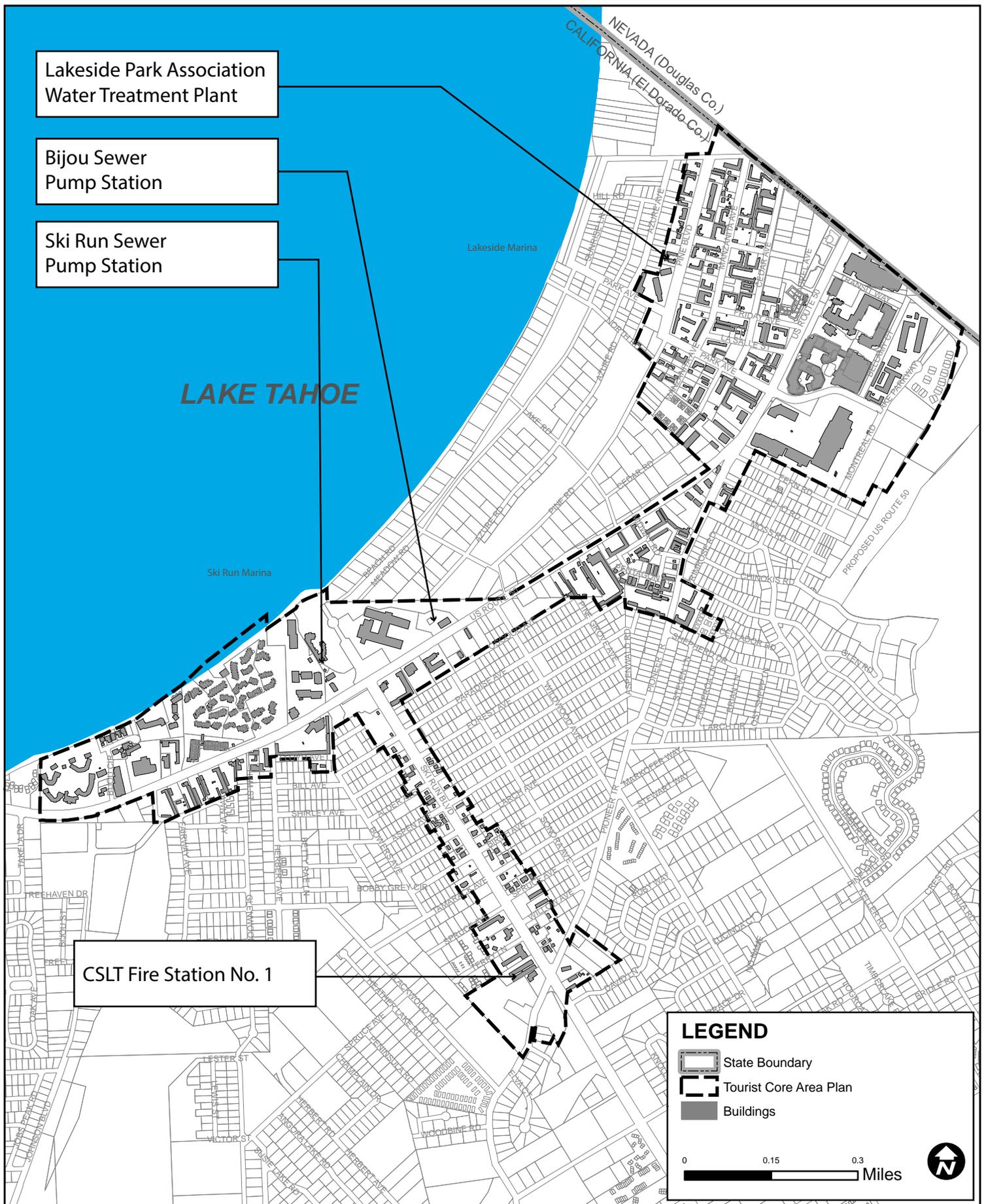
- State Boundary
- Tourist Core Area Plan

Recreation Facilities and Linkages

- Recreation Facilities
- Class I Bike Path (Shared-Use)
- Class II Bike Lane
- Class III Bike Route
- Pedestrian Sidewalk
- Local Transit Route
- Winter Transit Route
- Heavenly Gondola
- Hiking/Mt. Biking/Equestrian Trail

0 0.125 0.25 0.5 Miles





Lakeside Park Association
Water Treatment Plant

Bijou Sewer
Pump Station

Ski Run Sewer
Pump Station

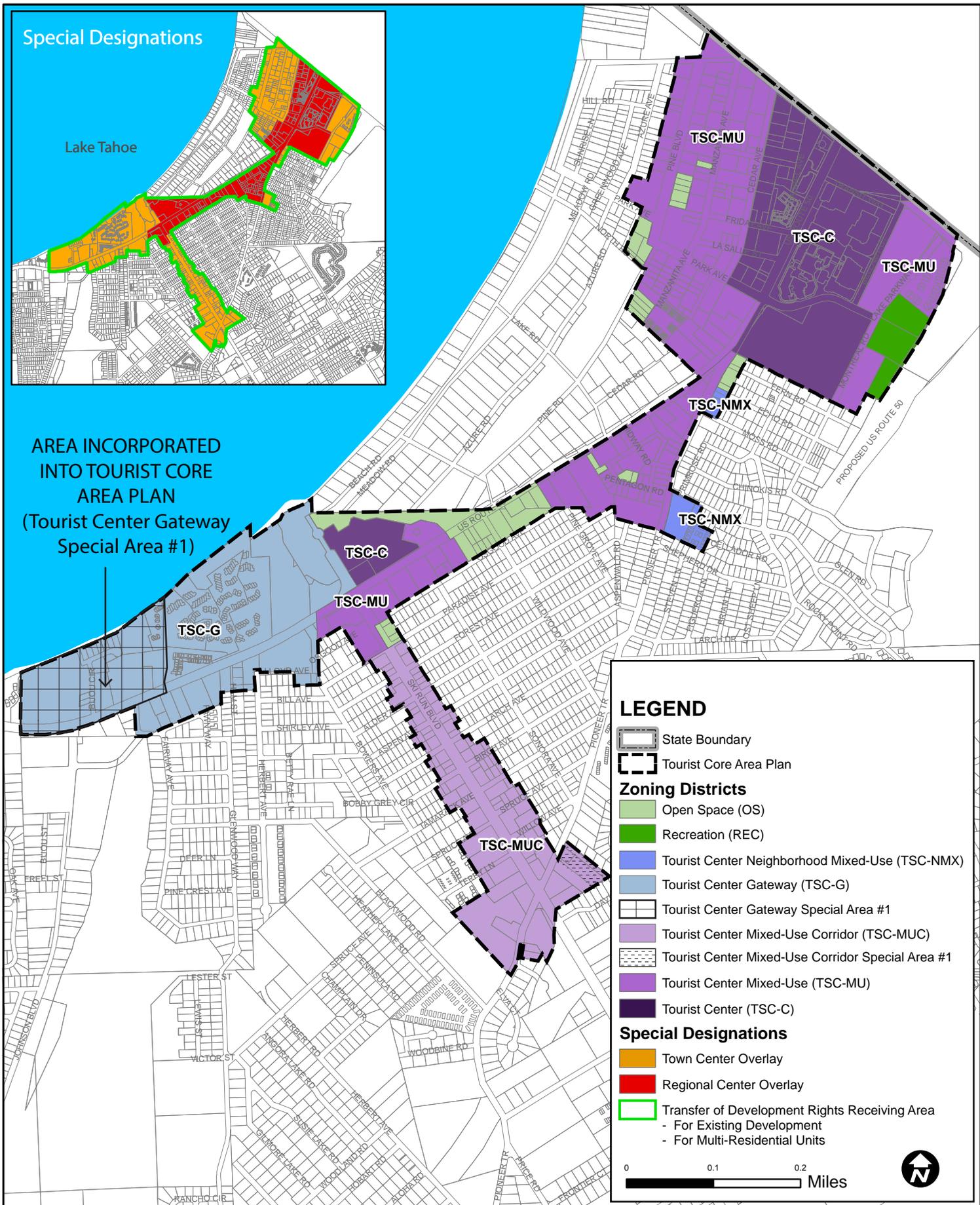
CSLT Fire Station No. 1

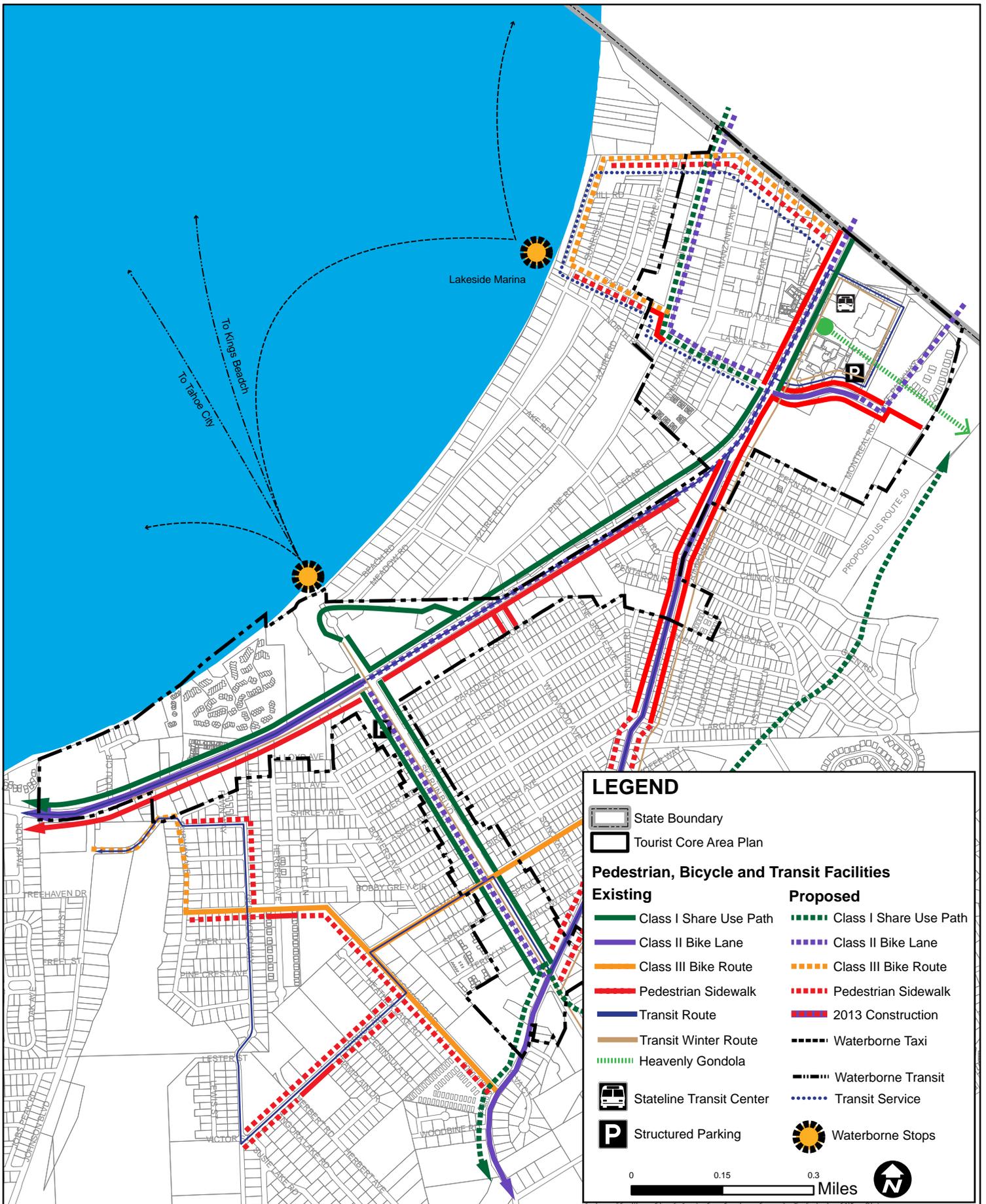
LEGEND

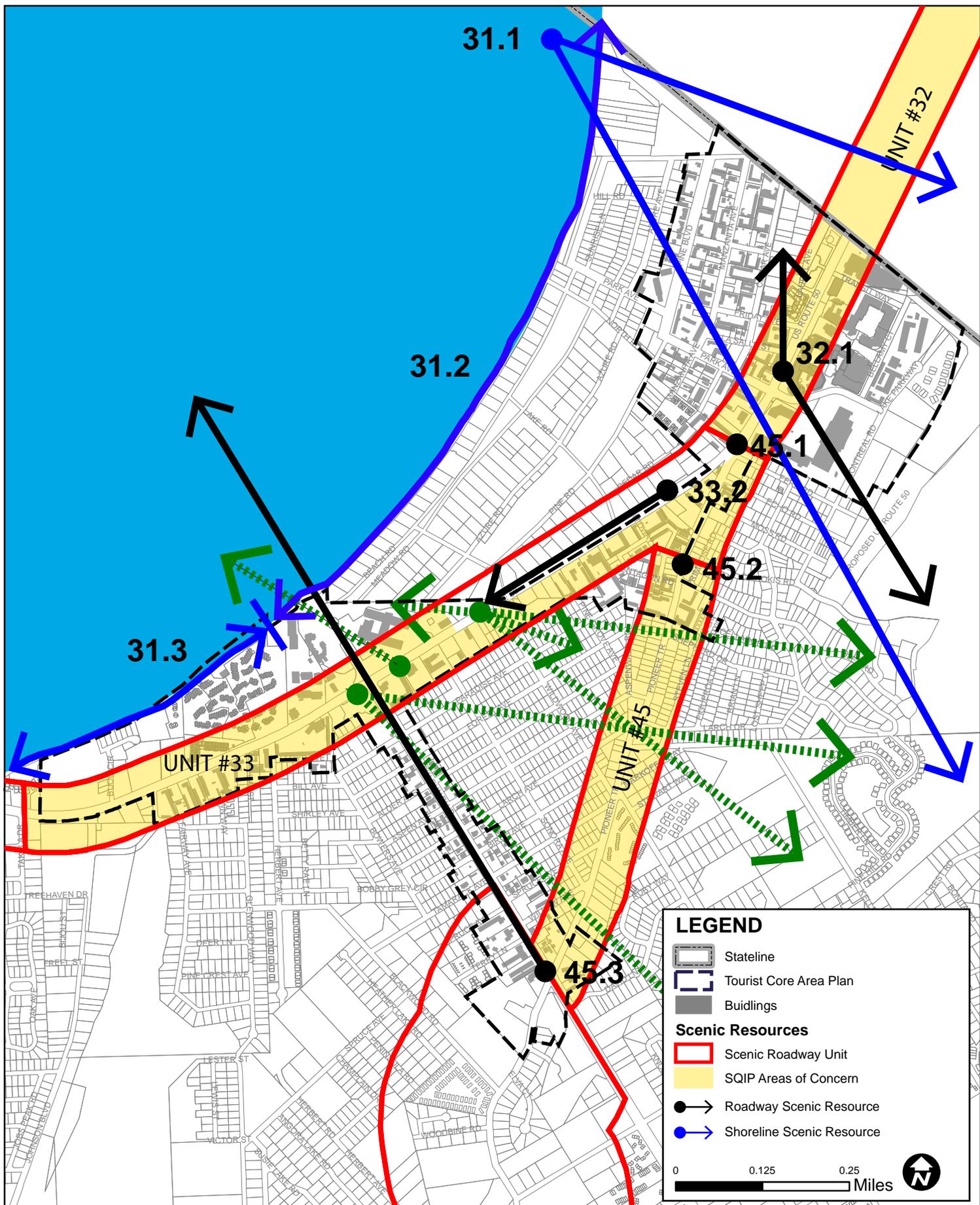
-  State Boundary
-  Tourist Core Area Plan
-  Buildings

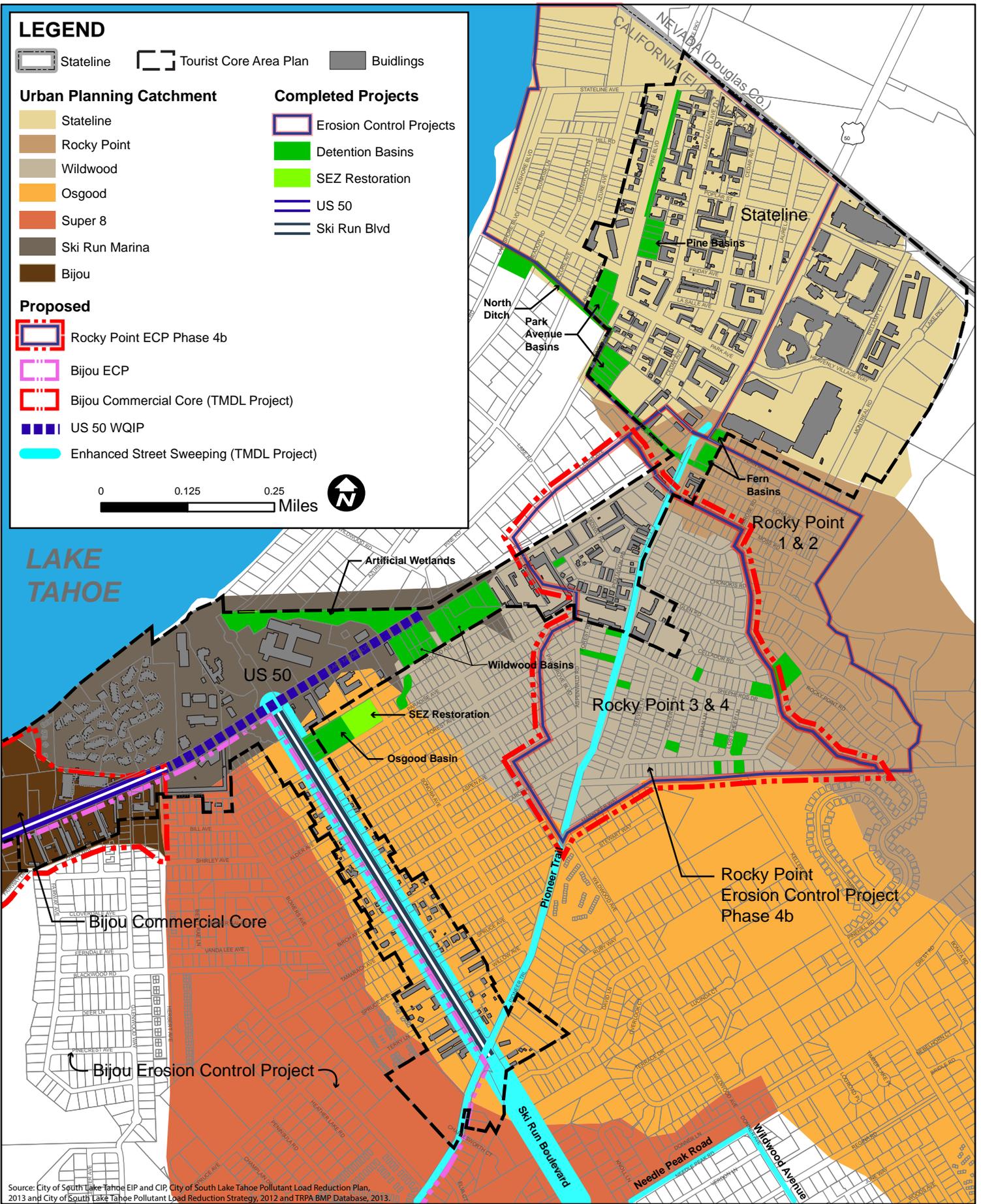
0 0.15 0.3 Miles







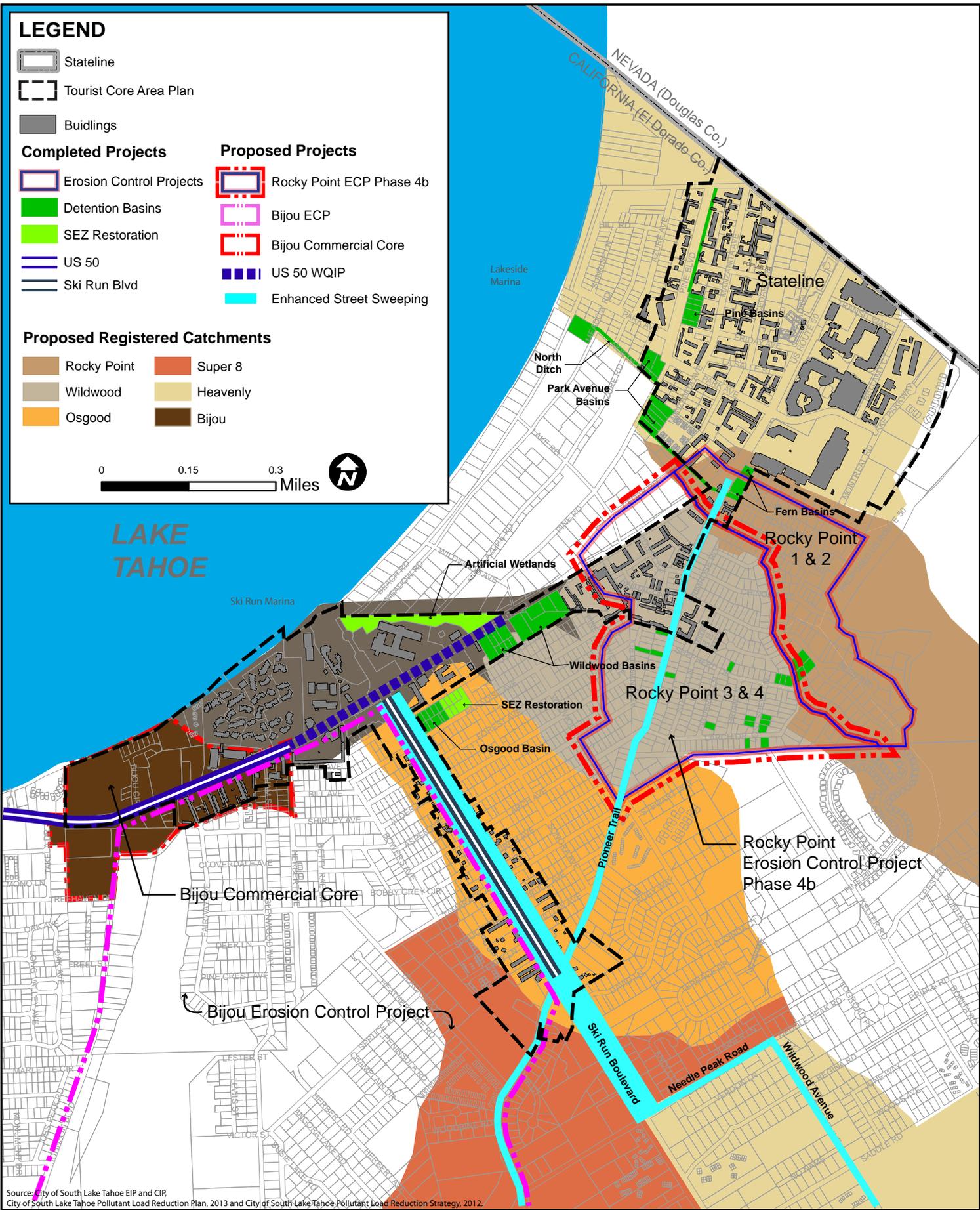


Source: City of South Lake Tahoe EIP and CIP, City of South Lake Tahoe Pollutant Load Reduction Plan, 2013 and City of South Lake Tahoe Pollutant Load Reduction Strategy, 2012 and TRPA BMP Database, 2013.



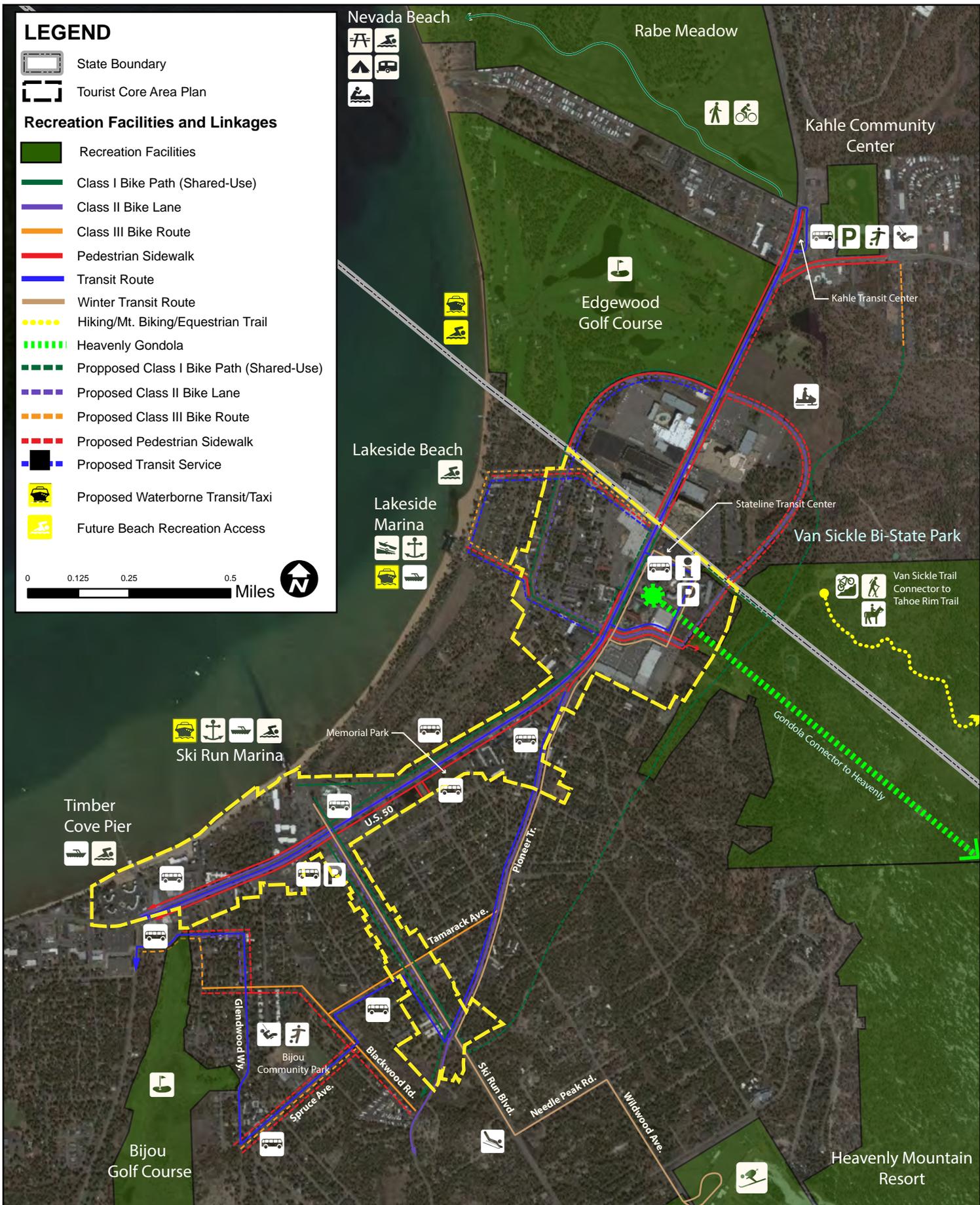
City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 7-2



Source: City of South Lake Tahoe EIP and CIP, City of South Lake Tahoe Pollutant Load Reduction Plan, 2013 and City of South Lake Tahoe Pollutant Load Reduction Strategy, 2012.





BIJOU/AL TAHOE COMMUNITY PLAN AMENDMENTS

List of Amendments

1. Ordinance 2000-02, Chapter II, Land Use Element
February 23, 2000
2. Ordinance 2000 -04, Chapter II, Land Use Element
March 22, 2000
3. Ordinance 2001-19, Chapter II, Land Use Element
November 28, 2001
4. Ordinance 2002-02, Chapter II, Land Use Element
January 23, 2002
5. Ordinance 2006-05, Chapter II, Land Use Element
October 25, 2006
6. Ordinance 2008-10, Chapter II, Land Use Element
December 22, 2008
7. Ordinance 2008-10, Chapter II, Land Use Element
Vacated by Federal Court Judge, September 16, 2010
8. Ordinance 2020-XXX

Chapter I Introduction

A. PURPOSE

The Bijou/Al Tahoe (PAS 98) Community Plan (CP) is designed to serve as the guiding doctrine for land use related decisions in the area, ~~until the year 2007. In addition to the CP for the Bijou/Al Tahoe area, CPs have been prepared for the Stateline/Ski Run (PAS 089B & 91) area, and will be prepared for the South Y (PAS 110)/Industrial Tract (PAS 113) area.~~

The Community Plan established goals and objectives, special policies, programs, and strategies for funding and implementation. Elements of the Plan address land use, transportation, conservation, recreation and public service.

B. BACKGROUND

The Community Plan was prepared as a joint effort between the Tahoe Regional Planning Agency (TRPA), the City of South Lake Tahoe, and the Bijou/ Tahoe Community Plan Team. The Planning Team was comprised of representatives from the City of South Lake Tahoe staff, TRPA staff and citizens appointed by the City Council and the TRPA Governing Board. The citizen volunteers of the

Team included William Conlon (Chairperson), Mary Avila (Vice Chair), Frank Auten, Hal Cole, Joseph Hansen, Guy Lease, Steve Winters and John Wynn. Citizens who participated thru the Preliminary Plan included Rich Fischer, Lon Hathway, Marv Lee, John Metz, and Mary Ann VanBuskirk. The Plan is also a product of numerous workshops, public meetings, and input from a wide range of agencies, organization and individuals. The Team meetings served as a forum for public comment on the Plan.

The CP area generally extends from ~~Fairway Avenue~~ Takela Drive along US 50, just west of Al Tahoe Boulevard, as well as property between Johnson Boulevard and Hwy 50, including property on Al Tahoe Boulevard terminating at the west boundary of Bijou Park and at the east boundary of Lake Tahoe Community College. Land use patterns in this area are widely varied, although the predominant theme of businesses is retail oriented including restaurants and a sizable area devoted to public service uses.

An inventory of the Community Plan area identified a total of approximately 387,000 sq. ft. of commercial floor space. This CP has approximately 620 of the 7,100 CSLT tourist accommodation.

Much of the area has a fairly high percentage of impervious land coverage, in excess of what would normally be permitted under the Bailey Land Capability system, although the CP rules do allow coverage "bonuses" under certain circumstances. The Plan will present strategies for coverage reductions, where necessary and environmentally desirable.

D. VISION FOR 2007

The Community Plan serves as a guide for the enhancement of the Bijou/Al Tahoe area as a regional commercial node and tourist area. Through a series of programs and policies found in the Plan Elements, it provides a guide to the achievement of the Goals and Objectives. The policies and programs of the Plan are designed to be flexible enough to incorporate the changes that will come through implementation.

Recognizing that there are many possible variations of project design and location established in the Community Plan, the Vision Map is provided to give guidance when making the required TRPA Code Section ~~6-3~~ 4.4 findings of consistency. The Vision Map represents the summation and coordination of the Bijou/Al Tahoe CP Elements.

The text and map in this section are provided to indicate the overall planning direction of the Community Plan. They are intended for planning purposes and not as a specific set of enforceable standards. The actual standards of the Community Plan are found in the following Community Plan Elements and the Appendices.

Chapter II Land Use Element

A. BIJOU/AL TAHOE COMMUNITY PLAN LAND USE REGULATIONS

Community planning is an option in which the local community in partnership with TRPA and local government may prepare their own plans and propose their own standards. Chapter ~~44~~ 13 of the TRPA Code sets forth the provisions for community planning. This section indicates which

provisions of the TRPA Regional Plan are applicable and which standards are replaced with equal or superior standards.

This is a brief summary of standards applicable to the Bijou/Al Tahoe Community Plan. In general the standards of the TRPA Code apply except as noted by:

1. the policies of the six elements of this plan,
2. the mitigation fee program of Chapter VII,
3. the City Wide Sign Standards (Appendix B),
4. the City Wide Parking, Driveway, & Loading Standards (Appendix B); and
5. the City Wide Design Manual (Appendix B).

Pursuant to Subsection ~~14.5.B~~ 12.6.2 of the TRPA Code, the following community plan statement replaces the TRPA Plan Area Statements' regulations for this area and the City of South Lake Tahoe Zoning Code. The detailed checklist of applicable standards in Appendix A is provided to assist in the review of projects within the Bijou/Al Tahoe Community Plan area. The checklist also indicates which regulations are special to the Community Plan.

RESIDENTIAL BONUS UNITS: Pursuant to Chapter ~~35~~ 52 (TRPA Code) the maximum number of residential bonus units which may be permitted for this Community Plan Area is 20 units.

TOURIST ACCOMMODATION BONUS UNITS: Pursuant to Chapter ~~35~~ 52 (TRPA Code), the maximum number of tourist accommodation bonus units which may be permitted for this Community Plan Area is 0.

ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter ~~43~~ 12 (TRPA Code) to be located within the Community Plan Area. Specific projects and their timing are addressed in Chapter V and the TRPA five-year Recreation Program pursuant to Chapter ~~33~~ 50 (TRPA Code) allocation of Development. The following additional capacities allowed are measured in "persons at one time":

SUMMER DAY USES **0 PAOTs**

WINTER DAY USE **0 PAOTs**

OVERNIGHT USES **0 PAOTs**

MARINA **0 PAOTs**

COMMERCIAL FLOOR AREA ALLOCATION: ^{§§}Pursuant to Chapter ~~33~~ 50 (TRPA Code) the maximum amount of commercial floor area which may be allocated for additional development in the Community Plan Area [§] is 14,900 sq. ft.

^{§§} Amended 10/25/06

[§] Amended 3/22/2000

(2) Land Use Strategy and Economic Feasibility Goals: Maintain a balance between economic health and the environment, correcting past deficiencies in land use and being responsive to the needs and opportunities within the Bijou/Al Tahoe area.

Objective 2: Define receiving areas within the community plan boundaries and institute a system for distribution of commercial allocation. Incentive programs should assign priority to commercial development projects which emphasize area-wide improvements, rehabilitation of substandard development, restoration of stream environment zones or creation of scenic view corridors. The distribution of allocation may be reconsidered two years after the adoption of this plan.

Policy A: Consistent with the findings of the "Economic Analysis", distribute the 10,800 sq. ft. available as bonus allocation and the 4100 sq. ft. available outside community plan boundaries to eligible projects within the Bijou/Al Tahoe Plan area. Commercial floor area shall be issued by TRPA upon project approval pursuant to Chapter ~~33~~ 52, however, TRPA shall only consider for approval, projects recommended by the CSLT.

D. LAND USE PROVISIONS

PERMISSIBLE USES MATRIX: Pursuant to the TRPA Code Chapter 4 21- Permissible Uses; ~~and 7 22 – Temporary Activities~~ Temporary Uses, Structures, and Activities; ~~Chapter 18 Permissible Uses~~ and, if applicable, Chapter ~~5~~ 81 - Permissible Uses and Accessory Structures in the Shorezone and Lakezone, the following matrix describes primary uses, which are allowed by right (A), allowed subject to design review by the City of South Lake Tahoe (A1) or, must be considered under the provisions for a special use (S) within each of the land use districts. Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited, unless the matrix is amended to add it as an allowed or special use, within this Plan Area.

MAXIMUM DENSITIES: Pursuant to the TRPA Code, Chapter ~~2~~ 31 Density, the following matrix establishes the maximum allowable densities that may be permitted for any parcel located within the Community Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive programs, special use determinations, allocation limitations, and general site development standards.

SHOREZONE (not reflected in the matrix) PERMITTED USES: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter ~~18-81~~ 81 (TRPA Code). The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing use, allowed use located on the same or adjoining littoral parcel:

Chapter III Transportation Element

Corrections to TRPA Code Sections

Chapter IV Conservation Element

Corrections to TRPA Code Sections

Chapter VII Implementation Element

Corrections to TRPA Code Sections

Appendix A

Corrections to TRPA Code Sections

Exhibits 1, 3 & 5

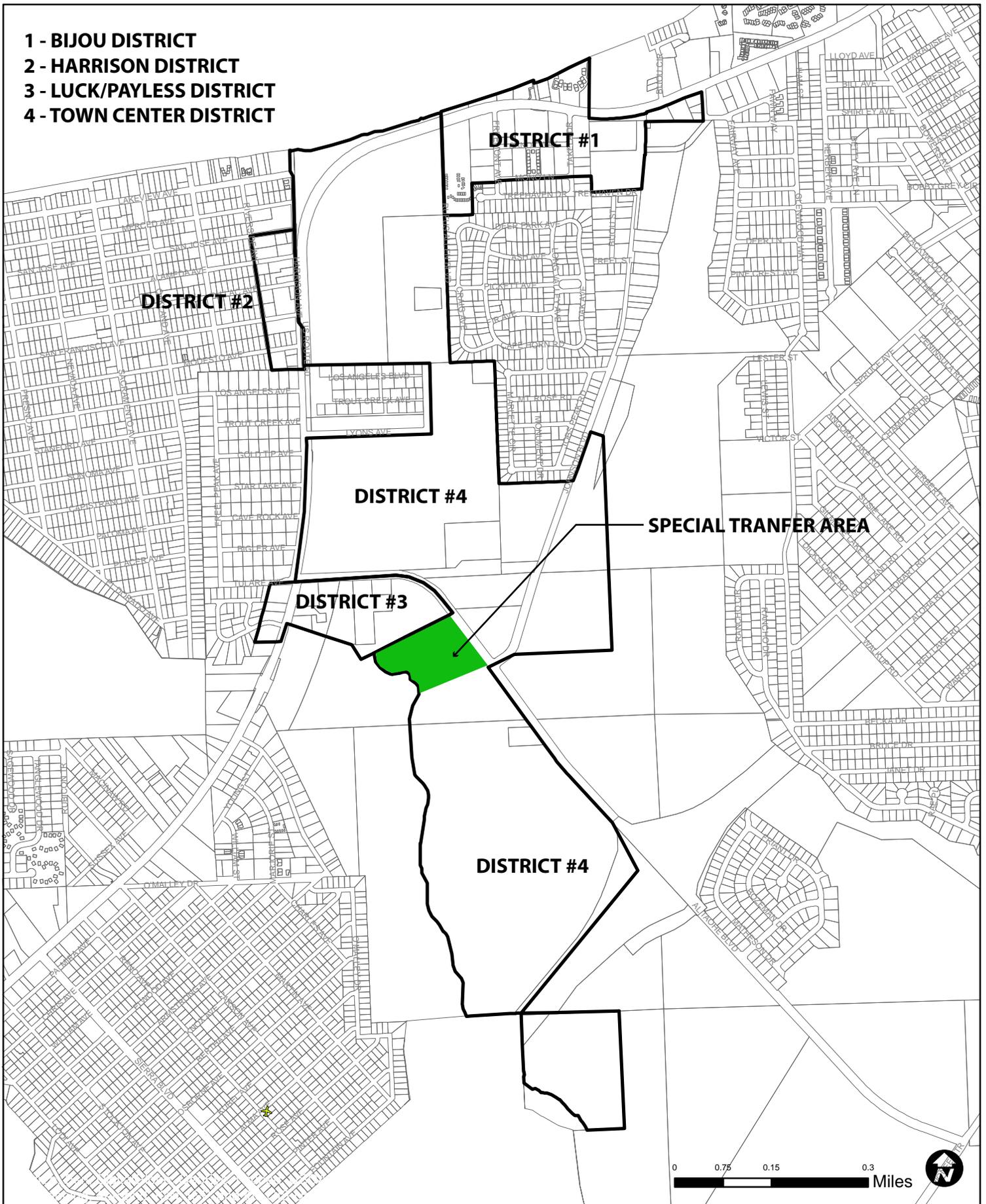
Exhibit 1: Al Tahoe/Bijou Community Plan Location Map

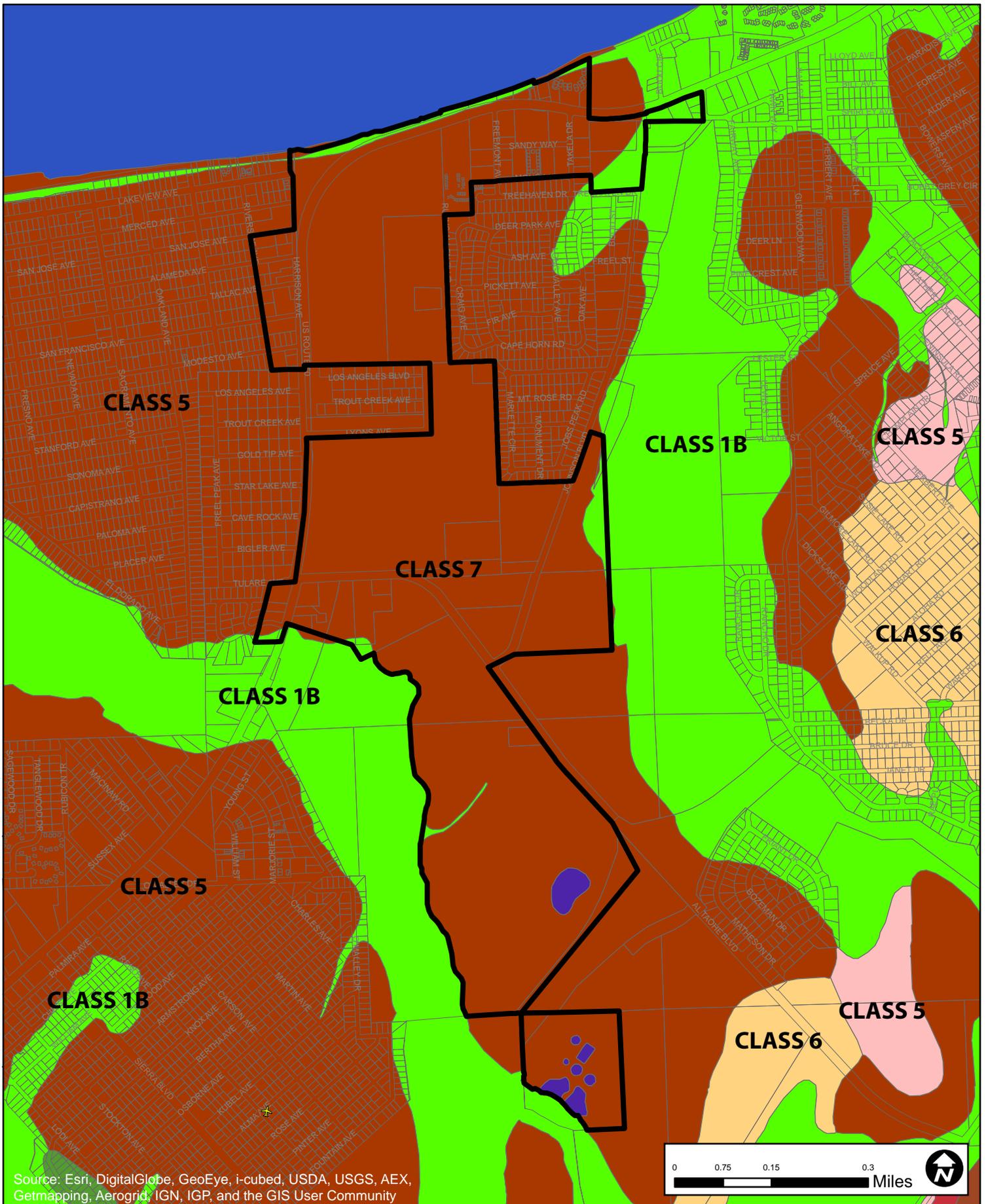
Exhibit 3: Land Use Districts

Exhibit 5: Land Capability



- 1 - BIJOU DISTRICT
- 2 - HARRISON DISTRICT
- 3 - LUCK/PAYLESS DISTRICT
- 4 - TOWN CENTER DISTRICT





Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community



Attachment C

Regional Plan Conformance Findings and Finding of No Significant Effect (FONSE)

**ATTACHMENT C:
REQUIRED FINDINGS & FINDING OF NO SIGNIFICANT EFFECT FOR
AMENDMENTS OF THE CITY OF SOUTH LAKE TAHOE’S TOURIST CORE AREA PLAN AND
BIJOU-AL TAHOE COMMUNITY PLAN**

This document contains required findings per Chapter 3, 4, 12, and 13 of the TRPA Code of Ordinances for amendments to the City of South Lake Tahoe’s Tourist Core Area Plan (TCAP) and Bijou-Al Tahoe Community Plan (B/ATCP):

Chapter 3 Findings: The following finding must be made prior to amending the TCAP:

1. Finding: The proposed amendments could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA’s Rules of Procedure.

Rationale: Based on the completed California Environmental Quality Act (CEQA) Initial Study/Negative Declaration (IS/ND) and Initial Environmental Checklist/Finding of No Significant Effect (IEC/FONSE), no significant environmental impacts have been identified as a result of the proposed amendments. The IS/IEC was prepared to evaluate the potential environmental impacts of the amendments and tiers from and incorporates by reference specific analyses contained in the following environmental review documents:

- TRPA, *Regional Plan Update EIS*, certified by the TRPA Governing Board on December 12, 2012 (RPU EIS)
- TRPA/Tahoe Metropolitan Planning Organization (TMPO), *Mobility 2035: Regional Transportation Plan/Sustainable Communities Strategy EIR/EIS*, certified by the TMPO Board and the TRPA Governing Board on December 12, 2012 (RTP EIR/EIS)
- TRPA/TMPO, *Transportation Plan/Sustainable Communities Strategy IS/MND/IEC/FONSE*, certified by the TMPO Board and the TRPA Governing Board on April 25, 2017 (RTP IS/IEC)
- City of South Lake Tahoe, *General Plan Update EIR*, certified by City Council on May 17, 2011 (CSLT EIR)

These program-level environmental documents include a regional and county-wide cumulative scale analysis and a framework of mitigation measures that provide a foundation for subsequent environmental review at an Area Plan level. Because the amendments are consistent with the Regional Plan, Regional Transportation Plan (RTP), and General Plan, which have approved program-level EISs/EIRs, the TCAP amendment is within the scope of these program-level EISs/EIRs.

The proposed project evaluated by the IS/IEC are the amendments of the TCAP and B/ATCP as summarized in this packet.

This IS/IEC is tiered from the TRPA 2012 Regional Plan Update EIS in accordance with Section 6.12 of the TRPA Rules of Procedures. The 2012 RPU EIS is a Program EIS that was prepared pursuant to Article VI of TRPA Rules of Procedures (Environmental Impact Statements) and Chapter 3 (Environmental Documentation) of the TRPA Code of Ordinances. The 2012 Regional Plan Update (RPU) is a comprehensive land use plan that guides physical development within the Lake Tahoe Region through 2035. The 2012 RPU EIS analyzes full implementation of uses and physical development proposed under the 2012 RPU, and it identifies measures to mitigate the significant adverse program-level and cumulative impacts associated with that growth. The proposed project is an element of the growth that was anticipated in the 2012 RPU and evaluated in the 2012 RPU EIS. By tiering from the 2012 RPU EIS, this IEC relies on the 2012 RPU EIS for the following:

- a discussion of general background and setting information for environmental topic areas;
- overall growth-related issues;
- issues that were evaluated in sufficient detail in the 2012 RPU EIS for which there is no significant new information or change in circumstances that would require further analysis; and
- assessment of cumulative impacts.

This IS/IEC evaluates the potential environmental impacts of the proposed project with respect to the 2012 RPU EIS to determine what level of additional environmental review, if any, is appropriate. As shown in the Determination in Section 5.3 of the IS/IEC and based on the analysis contained in the IS/IEC, it has been determined that the proposed project would not have significant effects on the environment. Therefore, a Finding of No Significant Effect will be prepared.

This IS/IEC concludes that many potentially significant project impacts are addressed by the measures that have been adopted as part of the approval of the 2012 RPU. Therefore, those 2012 RPU EIS mitigation measures that are related to, and may reduce the impacts of, this project are identified in the IS/IEC. There are no new mitigation measures required for the TCAP amendments. Nothing in this IS/IEC in any way alters the obligations of the City or TRPA to implement the mitigation measures adopted as part of the RPU.

The zoning changes to these parcels, boundary modifications, increases in height, and other amendments that are described in this packet will become part of the Regional Plan and will replace existing plans, maps,

and ordinances for this geographical area within the City of South Lake Tahoe.

The IS/IEC assessed potential impacts to the affected physical environment from the land use change on the 18 acres resulting from the amendments but did not evaluate project specific environmental impacts. Project level environmental analysis will be required based on the specific project design once submitted. Based on the review of the evidence, the analysis and conclusion in the IS/IEC determined the amendments will not have a significant impact on the environment not otherwise evaluated in the RPU, RTP, and General Plan EISs/EIRs and potential significant impacts will be mitigated or addressed through implementation of the RPU, RTP, and General Plan.

Chapter 4 Findings: The following findings must be made prior to adopting the TCAP and B/ATCP Amendments:

1. Finding: The proposed Area Plan Amendment is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Community Plan/Plan Area Statements, the TRPA Code of Ordinances, and other TRPA plans and programs.

Rationale: Land Use Policy 4.6 of TRPA’s Goals and Policies encourages the development of Area Plans that improve upon existing Plan Area Statements and Community Plans or other TRPA regulations in order to be responsive to the unique needs and opportunities of the various communities in the Tahoe Region. The amendments include all required elements identified in Land Use Policies 4.8, 4.9 and 4.10 as demonstrated in the Conformance Review Checklist.

The amendments were prepared in conformance with the substantive and procedural requirements of the Goals and Policies, as implemented through TRPA Code of Ordinances, Chapter 13, *Area Plans*. The TCAP is consistent with the Tahoe Regional Plan and TRPA Code of Ordinances, as shown in the Conformance Review Checklist and as demonstrated by the IS/IEC. The amendments consist of a site-specific boundary change, height increase allowances, and administrative revisions that do not modify the intent of the TCAP.

Pursuant to Code Section 4.4.2, TRPA considers, as background for making the Section 4.4.1.A through C findings, the proposed project's effects on compliance measures (those implementation actions necessary to achieve and maintain thresholds), supplemental compliance measures (actions TRPA could implement if the compliance measures prove inadequate to achieve and maintain thresholds), the threshold indicators (adopted measurable physical phenomena that relate to the status of threshold attainment or maintenance), additional factors (indirect measures of threshold status, such as funding levels for Environmental Improvement Program (EIP) projects), and interim and target dates for threshold achievement. TRPA identifies and reports on threshold compliance measures, indicators, factors and targets in the Threshold Evaluation Reports prepared pursuant to TRPA Code of Ordinances, Chapter 16, *Regional Plan and Environmental Threshold Review*.

TRPA relies upon the project's accompanying environmental documentation, Staff's professional analysis, and prior plan level documentation, including findings and EISs, to reach the fundamental conclusions regarding the project's consistency with the Regional Plan and thresholds. A project that is consistent with all aspects of the Regional Plan and that does not adversely affect any threshold is, by definition, consistent with compliance measures, indicators and targets. In order to increase its analytical transparency, TRPA has prepared worksheets related specifically to the 4.4.2 considerations, which set forth the 222 compliance and supplemental compliance measures, the 178 indicators and additional factors, and interim and final targets. Effects of the proposed project (here the amendments) on these items, if any, are identified and to the extent possible described. TRPA cannot identify some target dates, status and trend for some threshold indicators because of a lack of available information. TRPA may still determine whether the project will affect the 4.4.2 considerations (and ultimately consistency with the Regional Plan and impact on thresholds) based on the project's specific environmental impacts related to those threshold indicators.

Based on the IS/IEC, the RPU, RTP, and General Plan EISs/EIRs, the RPU and RTP findings made by the TRPA Governing Board, and the Section 4.4.2 staff analysis, and using applicable measurement standards consistent with the available information, the amendments will not adversely affect applicable compliance and supplemental compliance measures, indicators, additional factors, and attainment of targets by the dates identified in the 2015 Threshold Evaluation. The TCAP incorporates and/or implements relevant compliance measures, and with the implementation of the measures with respect to development within the TCAP, the effects are not adverse, and with respect to some measures, are positive. (See Threshold Indicators and Compliance Measures Worksheets)

TRPA anticipates that implementation of the amendments will accelerate threshold gains as demonstrated below.

Section 4.4.2.B also requires TRPA to disclose the impact of the proposed project on its cumulative accounting of units of use (e.g., residential allocations, commercial

floor area). The TCAP Amendment does not affect the cumulative accounting of units of use as no additional residential, commercial, tourist, or recreation allocations are proposed or allocated as part of these amendments. For any specific development project proposed within the TCAP, accounting for units of use, resource utilization and threshold attainment will occur as a part of the review and approval process.

Similarly, Section 4.4.2.C requires TRPA to confirm whether the proposed project is within the remaining capacity for development (e.g., water supply, sewage, etc.) identified in the environmental documentation for the Regional Plan. The amendments do not affect the amount of the remaining capacities available, identified and discussed in the RPU EIS. The TCAP does not allocate capacity or authorize any particular development. To the extent the amendments enable the use of redevelopment incentives, those incentives are within the scope of the incentives analyzed by the RPU and RTP EISs/EIRs.

TRPA therefore finds that the amendments are consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Community Plans, Plan Area Statements, the TRPA Code or Ordinances, and other TRPA plans and programs.

2. Finding: The proposed ordinance and rule amendments will not cause the environmental threshold carrying capacities to be exceeded.

Rationale: As demonstrated in the completed IS/IEC, no significant environmental effects were identified as a result of the proposed amendments, and the IS/IEC did not find any thresholds that would be adversely affected or exceeded. As found above, the proposed Area Plan is consistent with and will help to implement the Regional Plan.

TRPA reviewed the proposed amendment in conformance with the 222 compliance measures and supplemental compliance measures, the over 178 indicators and additional factors that measure threshold progress and threshold target, and interim attainment dates. The amendments will not adversely affect applicable compliance measures, indicators, additional factors and supplemental compliance measures and target dates as identified in the 2015 Threshold Evaluation indicator summaries. TRPA anticipates that implementation of the TCAP will accelerate threshold gains as demonstrated below. Because the principal beneficial impacts of implementation of the TCAP depend upon the number and size of redevelopment projects, the specific extent and timing or rate of effects of the TCAP cannot be determined at this time. However, pursuant to Chapter 13 of the TRPA Code of Ordinances, TRPA will monitor all development projects within the TCAP through quarterly and annual reports. These reports will then be used to evaluate the status and trend of the threshold every four years.

The amendments do not affect the cumulative accounting of units of use as no additional residential, commercial, tourist or recreation allocations are proposed or allocated as part of this Regional Plan amendment. Any allocations used as a result of these amendments would be taken from available pools held by the City of South Lake Tahoe or TRPA, transferred, or converted through the transfer of development rights program (TRPA Code Chapter 51). Accounting for units of use, resource utilization and threshold attainment will occur as a part of the project review and approval process.

The amendments do not affect the amount of the remaining capacity available, as the remaining capacity for water supply, sewage collection and treatment, recreation and vehicle miles travelled have been identified and evaluated in the RPU or RTP EIR/EIS. No changes to the overall capacity are proposed in these amendments. TRPA therefore finds that the amendments will not cause the thresholds to be exceeded.

3. Finding: Wherever federal, state or local air and water quality standards applicable for the Region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact.

Rationale: Based on the following: (1) TCAP Amendment IS/IEC; (2) RPU EIS; (3) RTP EIR/EIS; (4) General Plan EIR; and (5) 2015 Threshold Evaluation Report, adopted by the Governing Board or City Council, no applicable federal, state or local air and water quality standard will be exceeded by adoption of the amendments. The proposed amendments do not affect or change the Federal, State or local air and water quality standards applicable for the Region. Projects developed under the TCAP will meet the strictest applicable air quality standards and implement water quality improvements consistent with TRPA Best Management Practices (BMPs) requirements and the Lake Tahoe Total Maximum Daily Load (TMDL) and County's Pollutant Load Reduction Plan (PLRP). Federal, State, and local air and water quality standards remain applicable for all parcels in the TCAP, thus ensuring

environmental standards will be achieved or maintained pursuant to the Bi-State Compact.

4. Finding: The Regional Plan and all of its elements, as amended, achieves and maintains the thresholds.

Rationale: **I. Introduction**

In 1980, Congress amended the Compact to accelerate the pace of environmental progress in the Tahoe Region by tasking TRPA with adopting a regional plan and implementing regulations that protect the unique national treasure that is Lake Tahoe. First, Article V(b) required that TRPA, in collaboration with Tahoe’s other regulatory agencies, adopt “environmental threshold carrying capacities” (“thresholds” or “standards”) establishing goals for a wide array of environmental criteria, including water quality, air quality, and wildlife. Second, Article V(c) directed TRPA to adopt a “regional plan” that “achieves and maintains” the thresholds, and to “continuously review and maintain” implementation of the plan.

The 1980 Compact inaugurated an era of establishing and enforcing rigorous controls on new development. In 1982, TRPA adopted the necessary thresholds for the Tahoe Region. These thresholds are a mix of both long- and short-term goals for the Tahoe Region. The Region was “in attainment” of a number of these thresholds shortly after the adoption of the Regional Plan and remains in attainment today. Other thresholds address more intractable problems; for example, TRPA established numeric water quality standards that, even under best-case conditions, could not be attained for decades. *See, e.g., League to Save Lake Tahoe v. Tahoe Reg’l Planning Agency*, 739 F. Supp. 2d 1260, 1265 (E.D. Cal. 2010).

The second phase in this process was establishing a regional plan that, when implemented through rules and regulations, would ultimately “achieve and maintain” the thresholds over time. In 1987, following years of negotiation and litigation, TRPA adopted its Regional Plan. The 1987 Regional Plan employed a three-pronged approach to achieve and maintain the adopted environmental thresholds. First, the plan established a ceiling on development in Tahoe and restricted the placement, timing, and extent of new development. Second, the plan sought to prevent new harm to the environment as well as repair the environmental damage caused by existing development, particularly for projects that pre-dated TRPA’s existence (i.e., correcting the “sins of the past”); to this end, the plan created incentives to redevelop urbanized sites under more protective regulations and to transfer development out of sensitive areas that would then be restored. Third, TRPA adopted a capital investment program that was largely but not exclusively publicly funded to achieve and maintain thresholds by improving infrastructure and repairing environmental damage. In 1997, TRPA replaced this program with its “Environmental Improvement Program” (“EIP”). In subsequent years, TRPA generated investments of well over \$1 billion in public and private money to restore ecosystems and improve infrastructure under the EIP. Recent litigation confirmed that the Regional Plan as established in 1987 and subsequently

amended over time will achieve and maintain the adopted environmental thresholds. *Sierra Club v. Tahoe Reg'l Planning Agency*, 916 F.Supp.2d 1098 (E.D. Cal. 2013) [Homewood litigation].

Regional Plan Update Process

Even though implementation of the 1987 Regional Plan would achieve and maintain the thresholds, in 2004 TRPA began public outreach and analysis of the latest science and monitoring results to identify priority areas in which the Regional Plan could be comprehensively strengthened to accelerate the rate of threshold attainment. TRPA's policymakers realized that the challenges facing the Region differed from those confronting the agency when it adopted its original Regional Plan in 1987. Uncontrolled new growth that had been the primary threat decades earlier had been brought into check by the strict growth limitations in the 1987 Regional Plan. Today's problems differed, resulting from the continuing deterioration and lack of upgrades to existing "legacy" development. In essence, to make the greatest environmental difference, the Tahoe Region needed to fix what was already in place. In addition, TRPA realized some existing land-use controls could be improved to remove barriers to redevelopment that would address ongoing environmental degradation caused by sub-standard development constructed before TRPA had an adopted Regional Plan or even came into existence. Land use regulations and public and private investment remain essential to attaining the thresholds for Lake Tahoe.

Furthermore, TRPA recognized that the social and economic fabric of the Tahoe Region could not support the level of environmental investment needed. The economic foundation of gaming had fallen away, and the level of environmental investment needed could not be supported solely by an enclave of second homes for the wealthy. Businesses and the tourism sector were faltering. Affordable housing and year-round jobs were scarce. Local schools were closing, and unemployment was unusually high. In light of these realities, TRPA sponsored an ongoing outreach program to obtain input on how to advance TRPA's environmental goals. Between 2004 and 2010, TRPA conducted over 100 public meetings, workshops, and additional outreach. More than 5,000 people provided input regarding their "vision" for TRPA's updated Regional Plan. Based on this input, TRPA identified a number of priorities to be addressed by the updated Regional Plan, including:

1. Accelerating water quality restoration and other ecological benefits by supporting environmental redevelopment opportunities and EIP investments.
2. Changing land-use patterns by focusing development in compact, walkable communities with increased alternative transportation options.
3. Transitioning to more permitting by local governments to create "one-stop" and "one permit" for small to medium sized projects, where local

government wanted to assume these duties.

On December 12, 2012, TRPA's nine-year effort culminated with the approval of the Regional Plan Update.

Regional Plan Update Amendments

The Regional Plan Update ("RPU") uses multiple strategies targeting environmental improvements to accelerate achieving and maintaining threshold standards in the Region. First, the RPU maintains both regulatory and implementation programs that have proven effective in protecting Lake Tahoe's environment. TRPA's regional growth control regulatory system, strict environmental development standards, and inter-agency partnerships for capital investment and implementation (e.g., EIP) remain in place.

Second, the RPU promotes sensitive land restoration, redevelopment, and increases the availability of multi-modal transportation facilities. The implementation of the RPU will facilitate transferring existing development from outlying, environmentally-sensitive areas into existing urbanized community centers. The RPU provides incentives so that private capital can be deployed to speed this transformation.

Third, the RPU authorizes the Area Plan process for communities and land management agencies in the Tahoe Region in order to eliminate duplicative and unpredictable land use regulations that deterred improvement projects. Area Plans, created pursuant to Chapter 13 of the TRPA Code of Ordinances, also allows TRPA and local, state, federal, and tribal governments to expand the types of projects for which local, state, federal, and tribal governments apply TRPA rules to proposed projects within the Tahoe Region. After approval of an Area Plan by TRPA, this process allows a single government entity to review, permit, and inspect projects in their jurisdiction. All project approvals delegated to other government entities may be appealed to the TRPA for final decision. In addition, the performance of any government receiving delegated authority will be monitored quarterly and audited annually to ensure proper application of TRPA rules and regulations.

As noted above, a variety of strategies in the Regional Plan will work together to accelerate needed environmental gains in the categories where threshold benefits are most needed – water quality, restoration of sensitive lands, scenic quality advances in developed roadway units, and efforts to continue maintenance and attainment of air quality standards. Area Plans that include "Centers" play a key role in the Regional Plan's overall strategy by activating environmental redevelopment incentives (e.g., increases in density and height) that also provide the receiving capacity for transfers of units from sensitive lands. The next section of this finding establishes how the City of South Lake Tahoe's TCAP fulfills the role anticipated by the RPU and RTP and the expected threshold gain resulting from its implementation.

II. TCAP Amendments and Threshold Gain

The TCAP Amendments accelerate threshold gain including water quality restoration and other ecological benefits, by supporting environmental redevelopment opportunities and Environmental Improvement Program (EIP) investments. The amendments will help to accelerate environmental redevelopment within an existing town center by allowing increased density and height provisions that serve as an incentive for private investment in redevelopment projects. These redevelopment incentives are intended to increase the rate of redevelopment and will likewise increase the rate of threshold gain by accelerating the application of controls designed to enhance water quality, air quality, soil conservation, scenic quality and recreational improvements to projects that wouldn't otherwise be redeveloped absent TCAP provisions.

The TCAP's Development and Design Standards represent a significant step forward in enhancing the aesthetics of the built environment and will result in improvements to the scenic threshold as projects are approved and built. Redevelopment of existing Town Centers and the Regional Center is identified in the Regional Plan as a high priority.

As described in more specific detail below, the amendments beneficially affect multiple threshold areas.

A. Water Quality

The 2015 Threshold Evaluation found that the trend in reduced lake clarity has been slowed. The continued improvement is a strong indication that the actions of partners in the Region are contributing to improved clarity and helping TRPA attain one of its signature goals.

An accelerated rate of redevelopment within the TCAP will result in accelerated water quality benefits. Each redevelopment project is required to comply with strict development standards including water quality Best Management Practices ("BMP") and coverage mitigation requirements and will provide additional opportunities for implementing area wide water quality systems.

Today, all developed commercial and tourist properties exceed the 50 percent maximum land coverage allowed in the Community Plan. Although the boundary change would allow up to 70%, the existing land capability and existing land coverage on the developed parcels would not afford the creation of new coverage. The benefit of the boundary change is for the mitigation of this excess land coverage.

B. Air Quality

The 2015 Threshold Evaluation found that the majority of air quality standards are in attainment and observed change suggests that conditions are improving or stable. Actions implemented to improve air quality in the Lake Tahoe Region occur at the national, state, and regional scale. The U.S. Environmental Protection Agency

and state agencies, such as the California Air Resources Board, have established vehicle tail-pipe emission standards and industrial air pollution standards. These actions have resulted in substantial reductions in the emissions of harmful pollutants at state-wide and national scales and likely have contributed to improvement in air quality at Lake Tahoe. At a regional scale, TRPA has established ordinances and policies to encourage alternative modes of transportation and to reduce vehicle idling by prohibiting the creation of new drive-through window establishments.

Facilitating projects within the approved Area Plans is an integral component in implementing regional air quality strategies and improvements at a community level. (TRPA Goals and Policies: Chapter 2, Land Use). Because the land use and transportation strategies identified in the TCAP lead to implementation of the Regional Plan, they directly contribute to achieving and maintaining the Air Quality threshold.

One of the main objectives of the TCAP is to encourage the redevelopment of the existing built environment and to provide access to recreational opportunities from walking and bike paths, as well as provide greater access to transit. Replacing older buildings with newer, more energy efficient buildings that take advantage of the City of South Lake Tahoe's Green Building Program will also help to improve air quality and ensure the attainment of air quality standards. (TCAP, Appendix D, City of South Lake Tahoe Green Building Program.)

TRPA's 2017 *Regional Transportation Plan: Linking Tahoe (RTP)* includes an analysis of its conformity with the California State Implementation Plan to ensure that the RTP remains consistent with State and local air quality planning work to achieve and/or maintain the national ambient air quality standards (NAAQS). The proposed amendment does not propose substantial changes to land use assumptions for mixed-use assigned to the amendment area and the TCAP would continue to promote higher density residential uses within one-quarter mile of transit, commercial, and public service uses, and therefore would not change the conformity determination by state regulators.

The area to be amended is currently developed. Although the amendments would increase the potential development density, the number of additional potential units would not be substantial because of the density of existing development as demonstrated in the IS/IEC. Furthermore, the "Lot and Density" policy would limit the combined density of mixed-use projects to 40 units per acre in TSC-G Special Area 1, and would therefore not conflict with implementation of an applicable air quality plan. The mixed-use density limit of 65 units per acre in the remainder of the districts within TCAP allowing mixed-use development was already addressed through the Regional Plan Update EIS and results in no additional impacts as it complies with the Regional Plan Update.

The amendment area is located within an existing Town Center and includes existing transit routes and multi-use shared path. This indicates that redevelopment is in the appropriate location to potentially generate the shorter trip lengths and lower

vehicle-miles traveled needed to meet the air quality goals of the Regional Plan and the City's General Plan.

C. Soil Conservation

The 2015 Threshold Evaluation found negligible change in the total impervious cover in the Region over the last five years and the majority of soil conservation standards in attainment. While the permitting process of partners has been effective in focusing development on less sensitive lands and encouraging removal of impervious cover from sensitive areas, there is still much work to be done. Plans for large scale SEZ restoration, recent improvements in the Development Rights program, and implementation of the Area Plans will continue to help achieve SEZ restoration goals.

All but one parcel in the amendment area is located in Land Capability Class 1b (SEZ). Today, all developed commercial and tourist properties exceed the 50 percent maximum land coverage allowed in the Community Plan. The four commercial properties within the amendment area average 90% coverage. This indicates that future redevelopment would be required to implement excess land coverage mitigation. Furthermore, redevelopment permitting would require these properties to come into modern site design standards including landscaping, BMPs, setbacks, etc. These standards would likely result in the removal of existing land coverage for properties that are severely overcovered. Therefore, the amendments will help to accelerate threshold gain through soil conservation.

D. Scenic Quality

The 2015 Threshold Evaluation found that scenic gains were achieved in developed areas along roadways and scenic resources along the lake's shoreline, the areas most in need of additional scenic improvement. Overall, 93% of the evaluated scenic resource units met the threshold standard and no decline in scenic quality was documented in any indicator category.

The amendment area is located within the Shoreline Scenic Unit #31, which is in attainment, and Urban Roadway Scenic Corridor Unit #33, which is not in attainment.

Future redevelopment within the amendment area is likely to result in a significant improvement to scenic quality from the roadway and will not be allowed to degrade the shoreline scenic attainment. Redevelopment will be required to comply with the following TCAP Goals and Policies:

Goal NCR-1 Scenic Resources

To protect and enhance the visual connection between South Lake Tahoe and the Lake Tahoe Region's scenic resources.

Policy NCR-1.1

Improve the visual quality of the built environment consistent with the general recommendations for site planning found in the TRPA Scenic Quality Improvement Program (SQIP) to attain threshold attainment for Scenic Roadway Units #32, 33 and 45.

Policy NCR-1.2

Maintain Stream Environment Zone (SEZ) restoration sites and stormwater drainage basins as view corridors and scenic resources to relieve the strip commercial character along US 50 within the Tourist Core.

Policy NCR-1.3

Adopt siting and building design standards and guidelines to protect, improve, and enhance the scenic quality of the natural and built environment and take full advantage of scenic resources through site orientation, building setbacks, preservation of viewsheds, and height limits.

Furthermore, redevelopment projects will be required to comply with the Design Review Guidelines and Standards and the TRPA Code for shoreline projects.

E. Vegetation

The 2015 Threshold Evaluation found that vegetation in the Region continues to recover from the impacts of legacy land use. The majority of vegetation standards that are currently not in attainment relate to common vegetation in the Region. This finding is consistent with those of past threshold evaluations. As the landscape naturally recovers from the impacts of historic logging, grazing, and ground disturbance activities over the course of this century, many of the standards are expected to be attained.

The proposed amendment area is developed and overcovered with minimal native vegetation. The proposed amendments would not alter or revise the regulations pertaining to native vegetation protection during construction. Consistent with existing conditions, vegetation surrounding the construction site of a future redevelopment project would be required to comply with Section 33.6, Vegetation Protection During Construction, of the TRPA Code of Ordinances. Protective requirements include installation of temporary construction fencing, standards for tree removal and tree protection, standards for soil and vegetation protection, and revegetation of disturbed areas.

Amending the boundary would not result in tree or vegetation removal. Future projects on the parcels in the amendment area would be subject to project-level environmental review and removal of any native, live, dead or dying trees would be required to be consistent with Chapter 61, Vegetation and Forest Health, of the TRPA

Code of Ordinances. The area is not within TRPA's Conservation or Recreation land use classifications.

F. Recreation

The 2015 Threshold Evaluation found that land acquisition programs and the Lake Tahoe Environmental Improvement Program have contributed to improved access and visitor and resident satisfaction with the quality and spectrum of recreation opportunities. Partner agencies have improved existing recreation facilities and created new ones, including providing additional access to Lake Tahoe, hiking trailheads, and bicycle trails. Today's emerging concerns are transportation access to recreation sites and maintaining quality recreation experiences as demand grows, concerns that may require the Region to revisit policies and goals for the recreation threshold standards.

The TCAP contains numerous recreational opportunities within its boundaries and in the immediate vicinity (i.e. Ski Run Marina and Beach, Lakeside Marina, Heavenly Resort California base, Heavenly Gondola at Heavenly Village, Van Sickle Bi-State Park, Bijou Golf course, Kahle Community Park and Community Center, Edgewood Tahoe Golf Course [golf and public beach], the Nevada Stateline-to-Stateline Bikeway, Nevada Beach, Round Hill Pines Beach, and other hiking and mountain bicycle trails).

The TCAP includes goals and policies regarding maintaining, improving and expanding recreation facilities and providing enhanced access through the construction of sidewalks and bike paths and improving public transit. The area included in the TCAP Amendment is immediately adjacent to recreation opportunities, a multi-use path, Connelley Beach, and Timber Cove pier. Development proposed within this area would be required to comply with the TCAP policies related to improving and enhancing access to these recreation opportunities.

The TCAP and B/ATCP amendments do not proposed changes to existing recreation facilities, but an amendment to the TCAP Recreation Implementation Strategies is proposed. This would be a beneficial impact by supporting the improvement of public access to Lake Tahoe. In support of Goal R-4, the following Implementation Strategy is proposed:

Support the [California Tahoe Conservancy (CTC)] in its efforts to implement the Connelley Beach Public Access Project located west of the Beach Retreat parcel to provide a second access to Connelley Beach in addition to Timber Cove.

The approval of any project proposing the creation of additional recreational capacity would be subject to subsequent project-level environmental review and permitting and, if applicable, would be subject to the Persons At One Time (PAOT) system of recreation allocations administered by TRPA as described in Section 50.9 (Regulation of Additional Recreation Facilities) of the TRPA Code of Ordinances. No

additional PAOTs are proposed by the amendment, nor are any changes to recreational land uses or policies.

G. Fisheries

While the 2015 Threshold Evaluation found standards for fisheries to generally be in attainment, the standards focus on physical habitat requirements that may not reflect the status of native fish populations. Recent population surveys in Lake Tahoe suggest significant declines in native fish species in parts of the nearshore. Declines are likely the result of impacts from the presence of aquatic invasive species in the lake. While efforts to prevent new invasive species from entering the lake have been successful, mitigating the impact of previously introduced existing invasive species remains a high priority challenge. Invasive species control projects are guided by a science-based implementation plan. Ensuring native fish can persist in the Region and the restoration of the historic trophic structure to the lake will likely require partners to explore novel methods to control invasive species and abate the pressure they are placing on native species. Climate change driven shifts in the timing and form of precipitation in the Region pose a longer-term threat to native fish that may need to be monitored.

The project area does include fish habitat near Timber Cove pier. BMPs required for project development would improve water quality and thus could contribute to improved riparian and lake conditions in receiving water bodies. The TCAP Amendment will not alter the Resource Management and Protection Regulations, Chapters 60 through 68, of the TRPA Code of Ordinances. Chapter 63: Fish Resources includes the provisions to ensure the protection of fish habitat and provide for the enhancement of degraded habitat. Development within The TCAP could benefit the Fisheries Threshold through Goals and Policies aimed at the restoration of SEZs and implementation of BMPs.

H. Wildlife

The 2015 Threshold Evaluation found that twelve of the 16 wildlife standards are in attainment. Over 50 percent of the land area in the Tahoe Region is designated for protection of listed special status species. Populations of special interest species are either stable or increasing.

Future redevelopment projects in the amendment area would be subject to project-level environmental review and permitting at which time the proposals would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of animal species. (Section 62.4 of the TRPA Code). At a project-level, potential effects on animal species would be determined based on the species' distribution and known occurrences relative to the project area and the presence of suitable habitat for the species in or near the project area. TRPA's existing policies and Code provisions address potential impacts to special-status species through site-specific environmental review, development and implementation of project-specific measures to minimize or avoid impacts through

the design process, and compensatory or other mitigation for any adverse effects on special-status species as a condition of project approval (Sections 61.3.6 and 62.4 of the TRPA Code).

Implementation of the proposed amendments would not result in the reduction in the number of any unique, rare, or endangered species of animals, including waterfowl. Future redevelopment projects would be subject to subsequent project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations in Chapter 62 and 63 (Wildlife Resources and Fish Resources, respectively) of the TRPA Code of Ordinances. While the boundary amendments allow for some different land uses or use densities and heights in the amendment area, they do not propose specific new development or amendments that threaten protection of listed species or their habitat, and do not affect policies that protect biological resources.

I. Noise

The 2015 Threshold Evaluation found that Ambient noise levels in seven of nine land-use categories are in attainment with standards, but because of the proximity of existing development to roadways just two of seven transportation corridors are in attainment with ambient targets. Due to insufficient data, status determinations were not possible for nearly half of the single event noise standards. Limited noise monitoring resources were prioritized towards collecting more robust information to analyze ambient noise standards, which are more conducive to influential management actions than are single event sources. TRPA continues to update and evaluate its noise monitoring program to ensure standards are protective and realistically achievable.

As discussed in the IS/IEC, the TCAP and B/ATCP amendments would not alter noise policies and would reduce the existing maximum CNEL levels within the TCAP to meet the adopted TRPA CNEL threshold standards, and Regional Plan and General Plan noise policies would continue to be applied. The area is currently near maximum buildout densities as shown in Table 1-1 and all land is developed within the amendment area. Given the small number of potential additional units or traffic from redevelopment, and the similar noise generation of condominiums and timeshares to single-family units and tourist accommodation units, no notable increase in noise would occur. Noise increases associated with traffic under redevelopment buildout conditions would be similar to existing noise levels as traffic levels are relatively the same between existing and new allowed uses. Redevelopment projects would be required to implement project-specific noise reduction measures established in the Regional Plan EIS, General Plan EIR, and the TCAP. The amendments would not create a significant noise level increase. Implementation of the amendment to the CNEL

limit would result in a beneficial impact. For these reasons, TCAP and B/ATCP amendments would not contribute to an adverse cumulative increase in noise levels.

Furthermore, Policy LU7-2 of the TCAP requires an acoustical analysis as part of the environmental review process when noise-sensitive land uses are proposed in areas exposed to existing or project exterior noise levels exceeding the levels shown in Table HS-1 and HS-2 of the City General Plan, so noise mitigation may be included in the project design. The City and/or TRPA would only approve projects that can demonstrate compliance with the applicable noise standards.

To ensure that the generation of noise levels in excess of standards established for the TCAP is not exceeded, the TCAP incorporates a noise policy which is designed toward reducing traffic-related noise. Policy LU7-1 requires the mitigation of new transportation noise sources to the levels shown in Table HS-2 of the City General Plan (CSLT 2011b, page HS-10) at all outdoor activity areas and interior spaces of existing noise-sensitive land uses. Further, the City and/or TRPA would continue to evaluate individual projects within the TCAP amendment area at a project level and would enforce CNEL standards on a project-by-project basis pursuant to the noise limitations in Chapter 68 (Noise Limitations) of the TRPA Code of Ordinances.

III. Conclusion

Based on the foregoing: the completion of the IS/IEC; the previously certified RPU EIS, RTP IS/ND/IEC; and the findings made on December 12, 2012 for the RPU, TRPA finds the Regional Plan and all of its elements, as amended by the project achieves and maintains the thresholds. As described above in more detail, the amendments actively promotes threshold achievement and maintenance by, *inter alia*, (1) incentivizing environmentally beneficial redevelopment, (2) requiring the installation of Best Management Practices improvements for all projects in the Area Plan, (3) requiring conformance with the Development and Design Standards that will result in improvements to scenic quality and water quality, (4) facilitating multi-use development in proximity to alternative modes of transportation in order to reduce vehicle miles traveled (VMT); and (5) incorporating projects identified in the City's Pollutant Load Reduction Plan (PLRP) to guarantee the assigned reductions necessary to meet water quality objectives. In addition, as found in Chapter 4 Findings 1 through 3 and the Chapter 13 Findings, no element of the amendments interferes with the efficacy of any of the other elements of the Regional Plan. Thus, the Regional Plan, as amended by the project, will continue to achieve and maintain the thresholds.

Chapter 12 Findings: The following findings must be made prior to amending the boundary of the Bijou-Al Tahoe Community Plan:

1. Finding The area within the boundaries is an area where commercial, tourist, and related uses are concentrated or where commercial, tourist, or affordable residential uses should be concentrated; is served or easily served by transit systems; which has

adequate highway access; which has or can have housing in the vicinity available for employees working in the area; and which otherwise qualifies as an area suitable for continued or increased levels of commercial activity. In areas where existing and proposed development patterns are found to support affordable housing, the community plan shall limit the applicable community plan incentives to uses classified as deed restricted affordable housing or employee housing with the employment base nexus identified within close proximity to the proposed employee housing.

Rationale The project would amend the TCAP boundary to incorporate 18 acres located in the Bijou-Al Tahoe Community Plan. The 49 parcels that comprise the 18 acres, are located east of the existing TCAP boundary and north (or lakeward) of Highway 50.

The proposed amendments would not alter or conflict with the policies in the TRPA Regional Plan or City General Plan, nor would these amend policies in the adopted Bijou-Al Tahoe Community Plan. Existing land uses within the community plan but outside of the amendment area consists of commercial and residential uses. This area is served by existing transit routes and an existing multi-use path. The area outside of the amendment is bisected by Highway 50 and all areas have adequate access to the highway. The residential areas of the community plan maintain a diverse socio-economic range and have numerous opportunities for infill development, including affordable housing. Remaining commercial uses within the community plan include the revitalized Harrison Avenue area and commercial complex at the corner of Highway 50 and Al Tahoe Boulevard.

2. Finding The nature and intensity of uses proposed for the area within the boundaries is demonstrably consistent with the achievement of VMT reduction policies and level of service goals for street and highway traffic established for the plan area.

Rationale The amendments to the community plan are only for a boundary change and do not alter the existing nature and intensity of uses within the plan boundary.

3. Finding The area within the boundaries will encourage concentration of commercial development, discourage the maintenance or exacerbation of strip commercial development and shall not allow isolated areas of commercial or tourist accommodations unrelated to the central commercial area.

Rationale The community plan outside of the amendment area includes an existing Town Center boundary. The Regional Plan and TRPA Code of Ordinance establish redevelopment incentives for Town Center across the region and to concentrate commercial and tourist uses. The amendments do not alter the goals and policies, permissible uses, or development incentives within the existing community plan or TRPA Code. Additionally, the amendments would not alter the existing community plan design review guidelines and standards

which ensure redevelopment and new development within the plan area is in keeping desirable architectural and aesthetic conditions.

Chapter 13 Findings: The following findings must be made prior to adopting amendments to the TCAP:

1. Finding: The proposed Area Plan Amendment is consistent with and furthers the goals and policies of the Regional Plan.

Rationale: Regional Plan Land Use Policy 4.6 encourages the development of area plans that supersede existing plan area statements and community plans or other TRPA regulations in order to be responsive to the unique needs and opportunities of communities. The proposed TCAP amendments were found to be consistent with the goals and policies of the Regional Plan, as described in the Area Plan Findings of Conformance Checklist (Attachment D to the staff summary), and as described in Chapter 4, Finding #1, above. The amendments provide the density and height necessary to facilitate redevelopment in the overcovered, aging town center and further the attainment of environmental thresholds.

The amended area will be subject to the TCAP General Review Standards, the Load Reduction Plans, and Additional Review Standards for Area Plans with Town Centers or Regional Centers.



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STATEMENT OF NO SIGNIFICANT EFFECT

Project Description: Proposed amendments to the City of South Lake Tahoe’s Tourist Core Area Plan and Bijou-Al Tahoe Community Plan.

Staff Analysis: In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.6 of the TRPA Rules of Procedure, TRPA staff reviewed the information submitted with the subject project.

Determination: Based on the joint Initial Study/Initial Environmental Checklist, Agency staff found that the subject project will not have a significant effect on the environment.

A handwritten signature in black ink, appearing to read "Jennifer J. J.", positioned above a horizontal line.

TRPA Executive Director/Designee

August 25, 2020

Date

Attachment D

Area Plan Conformance Checklist

Area Plan Finding of Conformance Checklist

Project Name: Tourist Core Area Plan Amendment
 Lead Agency: City of South Lake Tahoe
 Submitted to TRPA: 04/25/2018
 TRPA File No: PLAN2018-0001
 Lead Agency Area Plan Approval Date:
 APC Hearing Date:
 Governing Board Hearing Date:
 Appeal Deadline:
 MOU Approval Deadline: N/A (no changes to the approved MOU are required)
 Geographic Area and Description: CSLT Tourist Core
 Land Use Classifications Included in Area Plans: Tourist
 Alternative Development Specific Standards: Lighting, Landscaping and Signage

Contents of Area Plans	Code	Conformance
<p>General</p> <p>An Area Plan shall consist of applicable policies, maps, ordinances, and any other related materials identified by the lead agency, sufficient to demonstrate that these measures, together with TRPA ordinances that remain in effect, are consistent with and conform to TRPA’s Goals and Policies and all other elements of the Regional Plan. In addition to this Section 13.5, additional specific requirements for the content of Area Plans are in subsection 13.6.5.A. The Memorandum of Understanding (MOU) that is associated with an approved Area Plan is a separate, but related, approval and is not part of the Area Plan.</p>	13.5.1	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The Tourist Core Area Plan (TCAP), as amended, consists of applicable policies, maps, ordinances and related materials that conform to the Regional Plan (RP). Annexation of approximately 18 acres of land developed with urban uses into the TCAP Gateway District and the height allowance for which certain tourist accommodation uses may be eligible are consistent with the policies of the TCAP and the TRPA Regional Plan.</p>		

<p>Relationship to Other Sections of the Code</p> <p>This section is intended to authorize development and design standards in Area Plans that are different than otherwise required under this Code. In the event of a conflict between the requirements in this section and requirements in other parts of the Code, the requirements in this section shall apply for the purposes of developing Area Plans. Except as otherwise specified, Code provisions that apply to Plan Area Statements (Chapter 11), Community Plans (Chapter 12), and Specific and Master Plans (Chapter 14) may also be utilized in a Conforming Area Plan. If an Area Plan proposes to modify any provision that previously applied to Plan Area Statements, Community Plans, or Specific and Master Plans, the proposed revision shall be analyzed in accordance with Code Chapters 3 and 4.</p>	13.5.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The TCAP Amendment proposes standards consistent with Section 15.5.2 and height allowances applicable to Town Centers for certain tourist accommodation uses in the Gateway District provided performance standards are met.</p>		

Development and Community Design Standards for Area Plans		
Area Plans shall have development standards that are consistent with those in Table 13.5.3-1.		
Maximum Building Height	Code	Conformance
Area Plans shall have development standards that are consistent with those in Table 13.5.3-1.		
Outside of Centers building height standards consistent with Code Section 37.4	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<p>Notes: The TCAP Amendment does not propose any changes to existing height ordinances outside of Centers.</p>		
Within Town Centers up to 4 stories (56 ft.) maximum	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The TCAP Amendment's proposed height is consistent with Table 13.5.3-1.</p>		
Within the Regional Center up to 6 stories (95 ft.) maximum	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<p>Notes:</p>		
Within the High-Density Tourist District up to 197 feet maximum	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<p>Notes: The TCAP does not have any areas designated as High-Density Tourist District.</p>		

Density	Code	Conformance
Single Family Dwelling consistent with Code Section 31.3	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The TCAP proposed density is consistent with Section 31.3.		
Multiple-Family Dwelling outside of Centers consistent with Code Section 31.3	13.5.3	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes:		
Within Centers Multi-Family Dwelling Residential 25 units/acre maximum Tourist 40 units/acre maximum	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The TCAP Amendment's proposed density is consistent with multi-family dwelling and tourist density standards outlined in Table 13.5.3-1.		
Land Coverage	Code	Conformance
Land coverage consistent with Section 30.4 of the TRPA Code	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The TCAP Amendment does not involve changes to the coverage standards that are in place and consistent with Section 30.4.		
Alternative Comprehensive Coverage Management System (see below)	13.5.3.B.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The TCAP Amendment does not propose an Alternative Comprehensive Coverage Management System.		
Complete Streets	Code	Conformance
Area Plan conforms to Section 36.5 of the Code of Ordinances.	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The TCAP Amendment is consistent with Section 36.5.		
Within Centers plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporation the Regional Bike and Pedestrian Plan	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: See the Transportation and Circulation Element. See policies T-2.2, 2.4 and 2.5. The polices promote the expansion of adequate pedestrian and bicycle facilities such as continuous sidewalks, bike paths and bike lanes throughout the plan area, implementation of the planned bicycle and pedestrian projects identified in the City General Plan, TRPA Regional Plan, Area Plans and TRPA Bike and Pedestrian Master Plan, and requiring sidewalks as conditions of approval for projects. The TCAP Amendment does not involve changes to these policies.		

Alternative Development Standards and Guidelines Authorized in Area Plans		
Comprehensive Coverage Management Systems	Code	Conformance
An Area Plan may propose a comprehensive coverage management system as an alternative to the parcel-level coverage requirements outlined in Sections 30.4.1 and 30.4.2, provided that the alternative system shall: 1) reduce the total coverage and not increase the cumulative base allowable coverage in the area covered by the comprehensive coverage management system; 2) reduce the total amount of coverage and not increase the cumulative base allowable coverage in Land Capability Districts 1 and 2; and 3) not increase the amount of coverage otherwise allowed within 300 feet of high water of Lake Tahoe (excluding those areas landward of Highways 28 and 89 in Kings Beach and Tahoe City Town Centers within that zone). For purposes of this provision, “total” coverage is the greater of existing or allowed coverage.	13.5.3.B.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The TCAP Amendment does not propose a Comprehensive Coverage Management System.		
Alternative Parking Strategies	Code	Conformance
<p>Area Plan includes shared or area-wide parking strategies to reduce land coverage and make more efficient use of land for parking and pedestrian uses. Shared parking strategies may consider and include the following.</p> <ul style="list-style-type: none"> ○ Reduction or relaxation of minimum parking standards; ○ Creation of maximum parking standards; ○ Shared parking; ○ In-lieu payment to meet parking requirements; ○ On-street parking; ○ Parking along major regional travel routes; ○ Creation of bicycle parking standards; ○ Free or discounted transit; ○ Deeply discounted transit passes for community residents; and ○ Paid parking management 	13.5.3.B.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The TCAP as adopted includes such strategies and this amendment does not involve any changes.		

Area-wide Water Quality Treatments and Funding Mechanisms	Code	Conformance
<p>Area Plan includes water quality treatments and funding mechanisms in lieu of certain site-specific BMPs, subject to the following requirements.</p> <ul style="list-style-type: none"> ○ Area-wide BMPs shall be shown to achieve equal or greater effectiveness and efficiency at achieving water quality benefits to certain site-specific BMPs and must infiltrate the 20-year, one-hour storm; ○ Plans should be developed in coordination with TRPA and applicable state agencies, consistent with applicable TMDL requirements; ○ Area-wide BMP project areas shall be identified in Area Plans and shall address both installation and ongoing maintenance; ○ Strong consideration shall be given to areas connected to surface waters; ○ Area-wide BMP plans shall consider area-wide and parcel level BMP requirements as an integrated system; ○ Consideration shall be given to properties that have already installed and maintained parcel-level BMPs, and financing components or area-wide BMP plans shall reflect prior BMP installation in terms of the charges levied against projects that already complied with BMP requirements with systems that are in place and operational in accordance with applicable BMP standards. ○ Area-wide BMP Plans shall require that BMPs be installed concurrent with development activities. Prior to construction of area-wide treatment facilities, development projects shall either install parcel-level BMPs or construct area-wide improvements. 	13.5.3.B.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: Policies NCR-3.2 and 3.3 refer to implementation of EIP water quality improvement projects (WQIPs) and recommendations outlined in the CSLT Pollutant Load Reduction Plan. Figure 7.2 identifies the WQIPs implemented by the TCAP. A portion of the Bijou Commercial Core WQIP, which provides area-wide treatment for constrained properties, falls within the western end of the TCAP boundary. The TCAP Amendment does not propose any changes.</p>		
Alternative Transfer Ratios for Development Rights	Code	Conformance
<p>Within a Stream Restoration Plan Area as depicted in Map 1 in the Regional Plan, an Area Plan may propose to establish alternative transfer ratios for development rights based on unique conditions in each jurisdiction, as long as the alternative transfer ratios are determined to generate equal or greater environment gain compared to the TRPA transfer ratios set forth in Chapter 51: Transfer of</p>	13.5.3.B.4	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Development.		
Notes: There is no Stream Restoration Plan Area located within the boundaries of the TCAP.		
Development Standards and Guidelines Encouraged in Area Plans	Code	Conformance
Urban Bear Strategy In Area Plans, lead agencies are encouraged to develop and enforce urban bear strategies to address the use of bear-resistant solid waste facilities and related matters.	13.5.3.C.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The TCAP Amendment does not propose an urban bear strategy. However, City Code, Chapter 23 Refuse and Garbage, Section 23.12.4 permits the City to mandate bear-proof refuse containers for repeat violators of single-family residences and multifamily residential properties who allow excess refuse or rubbish or waste to collect and accumulate upon or in the premises or structure for a period of time longer than allowed by law		
Urban Forestry In Area Plans, lead agencies are encouraged to develop and enforce urban forestry strategies that seek to reestablish natural forest conditions in a manner that does not increase the risk of catastrophic wildfire.	13.5.3.C.2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The TCAP Amendment does not propose an urban forestry strategy.		
Development on Resort Recreation Parcels In addition to recreation uses, an Area Plan may allow the development and subdivision of tourist, commercial, and residential uses on the Resort Recreation District parcels depicted on Map 1 of the Regional Plan and subject to the following conditions: <ul style="list-style-type: none"> ○ The parcels must become part of an approved Area Plan; ○ Subdivisions shall be limited to “air space condominium” divisions with no lot and block subdivisions allowed; ○ Development shall be transferred from outside the area designated as Resort Recreation; and ○ Transfers shall result in the retirement of existing development. 	13.5.3.C.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: There are no districts zoned Resort Recreation within the boundaries of the TCAP.		

Community Design Standards

To be found in conformance with the Regional Plan, Area Plans shall require that all projects comply with the design standards in this subsection. Area Plans may also include additional or substitute requirements not listed below that promote threshold attainment.

Site Design	Code	Conformance
<p>Development in All Areas</p> <p>All new development shall consider, at minimum, the following site design standards:</p> <ul style="list-style-type: none"> ○ Existing natural features retained and incorporated into the site design; ○ Building placement and design that are compatible with adjacent properties and designed in consideration of solar exposure, climate, noise, safety, fire protection, and privacy; ○ Site planning that includes a drainage, infiltration, and grading plan meeting water quality standards, and ○ Access, parking, and circulation that are logical, sage, and meet the requirements of the transportation element. 	13.5.3.D.1.a	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The TCAP, as amended, complies with these standards. In addition, existing provisions of the City-Wide Design Manual for preserving natural features are still applicable in the TCAP.</p>		
<p>Development in Regional Center or Town Center</p> <p>In addition to the standards above, development in Town Centers or the Regional Center shall address the following design standards:</p> <ul style="list-style-type: none"> ○ Existing or planned pedestrian and bicycle facilities shall connect properties within Centers to transit stops and the Regional Bicycle and Pedestrian network. ○ Area Plans shall encourage the protection of views of Lake Tahoe. ○ Building height and density should be varied with some buildings smaller and less dense than others. ○ Site and building designs within Centers shall promote pedestrian activity and provide enhanced design features along public roadways. Enhanced design features to be considered include increased setbacks, stepped heights, increased building articulation, and/or higher quality building materials along public roadways. ○ Area Plans shall include strategies for protecting undisturbed sensitive lands and, where feasible, establish park or open space corridors connecting undisturbed sensitive areas within Centers to undisturbed areas outside of Centers. 	13.5.3.D.1.b	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The TCAP addresses these design standards; no changes are proposed in the Amendment</p>		

<p>Building Height</p> <ul style="list-style-type: none"> ○ Area Plans may allow building heights up to the maximum limits in Table 13.5.3-1 of the Code of Ordinances ○ Building height limits shall be established to ensure that buildings do not project above the forest canopy, ridge lines, or otherwise detract from the viewshed. ○ Area Plans that allow buildings over two stories in height shall, where feasible, include provisions for transitional height limits or other buffer areas adjacent to areas not allowing buildings over two stories in height. 	13.5.3.D.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The TCAP Amendment proposes to adopt the Town Center Overlay height allowance in Table 13.5.3-1 for certain tourist accommodation uses in the Gateway District and includes performance standards that must be met to be eligible for the increased height.</p>		
<p>Building Design</p> <p>Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:</p> <ul style="list-style-type: none"> ○ Buffer requirements should be established for noise, snow removal, aesthetic, and environmental purposes. ○ The scale of structures should be compatible with existing and planned land uses in the area. ○ Viewsheds should be considered in all new construction. Emphasis should be placed on lake views from major transportation corridors. ○ Area Plans shall include design standards for building design and form. Within Centers, building design and form standards shall promote pedestrian activity. 	13.5.3.D.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The TCAP Amendment proposes no changes to the standards adopted in the TCAP.</p>		

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<p>Landscaping</p> <p>The following should be considered with respect to this design component of a project:</p> <ul style="list-style-type: none"> ○ Native vegetation should be utilized whenever possible, consistent with Fire Defensible Space Requirements. ○ Vegetation should be used to screen parking, alleviate long strips of parking space, and accommodate stormwater runoff where feasible. ○ Vegetation should be used to give privacy, reduce glare and heat, deflect wind, muffle noise, prevent erosion, and soften the line of architecture where feasible. 	13.5.3.D.4	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Notes: The TCAP Amendment makes no changes to the approved parking and loading location standards in Appendix C which are intended to enhance walkability and reduce the visual dominance of surface parking lots in the area by setting them back from the street and requiring them to be screened.

<p>Lighting</p> <p>Lighting increases the operational efficiency of a site. In determining the lighting for a project, the following should be required:</p> <ul style="list-style-type: none"> ○ Exterior lighting should be minimized to protect dark sky views, yet adequate to provide for public safety, 	13.5.3.D.5	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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<p>and should be consistent with the architectural design.</p> <ul style="list-style-type: none"> ○ Exterior lighting should utilize cutoff shields that extend below the lighting element to minimize light pollution and stray light. ○ Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well-placed, low-intensity lights. ○ Lights should not blink, flash, or change intensity except for temporary public safety signs. 		
<p>Notes: The TCAP Amendment makes no changes to the exterior lighting standards in Appendix C designed to provide adequate level of lighting while protecting the night time sky.</p>		
<p>Signing</p> <p>Area Plans may include alternative sign standards. For Area Plans to be found in conformance with the Regional Plan, the Area Plan shall demonstrate that the sign standards will minimize and mitigate significant scenic impacts and move toward attainment or achieve the adopted scenic thresholds for the Lake Tahoe region.</p>	<p>13.5.3.D.6</p>	<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No <input type="checkbox"/>N/A</p>
<p>Notes: The TCAP Amendment proposed no changes to the previously approved sign standards in the TCAP</p>		
<p>Signing</p> <p>In the absence of a Conforming Area Plan that addresses sign standards, the following policies apply, along with implementing ordinances:</p> <ul style="list-style-type: none"> ○ Off-premise signs should generally be prohibited; way-finding and directional signage may be considered where scenic impacts are minimized and mitigated; ○ Signs should be incorporated into building design; ○ When possible, signs should be consolidated into clusters to avoid clutter; ○ Signage should be attached to buildings when possible; Standards for number, size, height, lighting, square footage, and similar characteristics for on-premise signs shall be formulated and shall be consistent with the land uses permitted in each district. 	<p>13.5.3.D.6</p>	<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No <input type="checkbox"/>N/A</p>
<p>Notes: See discussion above.</p>		

Modification to Centers (Town Center, Regional Center and High Density Tourist District Boundary)

When Area Plans propose modifications to the boundaries of a Center, the modification shall comply with the following:

- o Boundaries of Centers shall be drawn to include only properties that are developed, unless undeveloped parcels proposed for inclusion have either at least three sides of their boundary adjacent to developed parcels (for four-sided parcels), or 75 percent of their boundary adjacent to developed parcels (for non-four-sided parcels). For purposes of this requirement, a parcel shall be considered developed if it includes any of the following: 30 percent or more of allowed coverage already existing on site or an approved but unbuilt project that proposes to meet this coverage standard.
- o Properties included in a Center shall be less than ¼ mile from existing Commercial and Public Service uses.
- o Properties included in a Center shall encourage and facilitate the use of existing or planned transit stops and transit systems.

13.5.3.E

Yes No N/A

Notes: The Amendment will annex approximately 18 acres of developed land currently situated in the Bijou/Al Tahoe Community Plan into the TCAP's Gateway District which has a Town Center overlay. The properties within the annexation area contain existing land coverage in excess of 30 percent and are located less than 1/4 mile from existing commercial and public service uses. Existing transit stops are located within and adjacent to the annexation area on both sides of US 50.

Conformity Review Procedures For Area Plans

Initiation of Area Planning Process by Lead Agency
 The development of an Area Plan shall be initiated by a designated lead agency. The lead agency may be TRPA or a local, state, federal, or tribal government. There may be only one lead agency for each Area Plan.

13.6.1

Yes No N/A

Notes: The City of South Lake Tahoe is the lead agency for the Tourist Core Area Plan

<p>Initial Approval of Area Plan by Lead Agency</p> <p>When TRPA is Not the Lead Agency If the lead agency is not TRPA, then the Area Plan shall be approved by the lead agency prior to TRPA's review of the Area Plan for conformance with the Regional Plan under this section. In reviewing and approving an Area Plan, the lead agency shall follow its own review procedures for plan amendments. At a minimum, Area Plans shall be prepared in coordination with local residents, stakeholders, public agencies with jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.</p> <p>When TRPA is the Lead Agency If the lead agency is TRPA, the Area Plan shall require conformity approval under this section by TRPA only. No approval by any other government, such as a local government, shall be required.</p>	13.6.2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: As stated above, the City of South Lake Tahoe is the lead agency for the Tourist Core Area Plan		
<p>Review by Advisory Planning Commission</p> <p>The TRPA Advisory Planning Commission shall review the proposed Area Plan and make recommendations to the TRPA Governing Board. The commission shall obtain and consider the recommendations and comments of the local government(s) and other responsible public agencies, as applicable. jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.</p>	13.6.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: It is anticipated the TCAP Amendment will be scheduled for consideration by the TRPA Advisory Planning Commission in or around February 2019.		
<p>Approval of Area Plan by TRPA</p> <p>For Area Plans initiated and approved by a lead agency other than TRPA, the Area Plan shall be submitted to and reviewed by the TRPA Governing Board at a public hearing. Public comment shall be limited to issues raised by the public before the Advisory Planning Commission and issues raised by the Governing Board. The TRPA Governing Board shall make a finding that the Area Plan, including all zoning and development Codes that are part of the Area Plan, is consistent with and furthers the goals and policies of the Regional Plan. This finding shall be referred to as a finding of conformance and shall be subject to the same voting requirements as approval of a Regional Plan amendment.</p>	13.6.4	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: It is anticipated the TCAP will be considered by the TRPA Governing Board in or around March 2019.		

Findings of Conformance with the Regional Plan		
In making the general finding of conformance, the TRPA Governing Board shall make the general findings applicable to all amendments to the Regional Plan and Code set forth in Sections 4.5 and 4.6, and also the following specific review standards:		
General Review Standards For All Area Plans	Code	Conformance
The submitted Area Plan shall:		
Identify zoning designations, allowed land uses and development standards throughout the plan area.	13.6.5.A.1	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: See Land Use Element and Appendix C – Development and Design Standards		
Be consistent with all applicable Regional Plan policies, including but not limited to the regional growth management system, development allocations and coverage requirements.	13.6.5.A.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The TCAP Amendment does not propose any additional growth, allocations or coverage beyond that anticipated and analyzed for the Regional Plan Update.		
Either be consistent with the Regional Land Use Map or recommend and adopt amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan policies and provide threshold gain.	13.6.5.A.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The TCAP Amendment's proposed change to the Regional Land Use Map complies with Regional Plan Policies and is intended to further threshold gain by encouraging redevelopment of dated properties.		
Recognize and support planned, new, or enhanced Environmental Improvement Projects. Area Plans may also recommend enhancements to planned, new, or enhanced Environmental Improvement Projects as part of an integrated plan to comply with Regional Plan Policies and provide threshold gain.	13.6.5.A.4	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: Policy NCR-3.2 and the EIP Projects portion of subsection 7.2 Implementation Strategies for Natural and Cultural Resources refers to implementation of EIP water quality improvement projects (WQIPs) in the TCAP.		
Promote environmentally beneficial redevelopment and revitalization within town centers, regional centers and the High Density Tourist District.	13.6.5.A.5	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The TCAP, as amended, will promote environmentally beneficial redevelopment and revitalization within Town Centers and Regional Center by promoting TRPA transfer incentives and providing incentives outlined in section 10.3 for property investment resulting in scenic, water quality, and transportation improvements as well as land coverage reduction.		
Preserve the character of established residential areas outside of town centers, regional centers and the High Density Tourist District, while seeking opportunities for	13.6.5.A.6	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

environmental improvements within residential areas.		
Notes: The TCAP, as amended, will preserve the character of established residential areas outside of Town Centers and Regional Center.		
Protect and direct development away from Stream Environment Zones and other sensitive areas, while seeking opportunities for environmental improvements within sensitive areas. Development may be allowed in disturbed Stream Environment zones within town centers, regional centers and the High Density Tourist District only if allowed development reduces coverage and enhances natural systems within the Stream Environment Zone.	13.6.5.A.7	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: See the Stream Environment Zone portion of Section 7.2 Implementation Strategies of the Natural and Cultural Resources Chapter, which prioritizes the existing tourist accommodation uses east of the wildwood basins for SEZ restoration and encourages property owners to use TRPA transfer incentives to relocate the tourist units to higher capability lands in the Tourist Core. The TCAP Amendment involves no changes to existing TCAP policies addressing SEZ restoration.		
Identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.	13.6.5.A.9	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: See Figure 6.1 for the Proposed Transportation Network, which enhances pedestrian and bicycle facilities and expands transit opportunities intending to reduce automobile dependency within the TCAP. The Amendment does not alter these policies.		
TRPA Utilization of Load Reduction Plans	Code	Conformance
TRPA shall utilize the load reduction plans for all registered catchments or TRPA default standards when there are no registered catchments, in the conformance review of Area Plans.	13.6.5.B	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: See Natural and Cultural Resources Policies NCR-3.3 and 3.4 pertaining to the CSLT Pollutant Load Reduction Plan as well as Figure 7.3 which depicts the proposed registered catchments in the TCAP. The TCAP Amendment involves no changes.		
Additional Review Standards for Town Centers and the Regional Center	Code	Conformance
Address all requirements of <i>Policy LU-4.8</i>	13.6.5.C	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
LU-4.8 IN ORDER TO BE FOUND IN CONFORMANCE WITH		

<p>THE REGIONAL PLAN, ALL AREA PLANS SHALL INCLUDE POLICIES, ORDINANCES AND OTHER IMPLEMENTATION MEASURES TO:</p> <ol style="list-style-type: none"> 1) Identify zoning designations, allowed land uses and development standards throughout the plan area. 2) Be consistent with all applicable Regional Plan policies, including but not limited to the regional growth management system, development allocations and coverage requirements. 3) Either be consistent with the Regional Land Use Map or recommend and adopt amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan policies and provide threshold gain. 4) Recognize and support planned, new, or enhanced Environmental Improvement Projects. Area Plans may also recommend enhancements to planned, new, or enhanced Environmental Improvement Projects as part of an integrated plan to comply with Regional Plan Policies and provide threshold gain. 5) Promote environmentally beneficial redevelopment and revitalization within Centers. 6) Preserve the character of established residential areas outside of Centers, while seeking opportunities for environmental improvements within residential areas. 7) Protect and direct development away from Stream Environment Zones and other sensitive areas, while seeking opportunities for environmental improvements within sensitive areas. Development may be allowed in disturbed Stream Environment Zones within Centers only if allowed development reduces coverage and enhances natural systems within the Stream Environment Zone. 8) Identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency. 		
<p>Notes: See previous comments demonstrating conformance with all components of LU-4.8.</p>		
<p>Include building and site design standards that reflect the unique character of each area, respond to local design issues and consider ridgeline and viewshed protection.</p>	<p>13.6.5.C.1</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>
<p>Notes: Appendix C provides development and design standards appropriate for the TCAP. Table 7 Height and Roof Standards specifies transitional height standards intended to respond</p>		

to the unique local issues of the TCAP.		
Promote walking, bicycling, transit use and shared parking in town centers and regional centers, which at a minimum shall include continuous sidewalks or other pedestrian paths and bicycle facilities along both sides of all highways within town centers and regional centers, and to other major activity centers.	13.6.5.C.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: See Policy T-2.2 requiring a connected pedestrian and bicycle network and Figure 6.1 for the Proposed Transportation Network enhancing pedestrian and bicycle facilities and expands transit opportunities intending to reduce automobile dependency within the TCAP. See Transportation and Circulation policies T-6.1 and 6.2 which encourages underground parking where feasible, shared parking, reduce parking, or on-street parking in TSC-C, TSC-MUC and TSC-MU districts to promote a pedestrian friendly main street. Allow projects in pedestrian areas, areas with concentration of overnight accommodations, and in areas served by transit to reduce the parking requirement of the Citywide Parking Ordinances and waive the onsite parking requirement if a parking study and a plan is completed and approved by the City. Also see Chapter V, Article VIII of the City Code (Part III, Section 3 of the Stateline/Ski Run Community Plan). The TCAP Amendment proposes no changes.		
Use standards within town centers and regional centers addressing the form of development and requiring that projects promote pedestrian activity and transit use.	13.6.5.C.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: Policies LU-1.3, 1.5, 1.7, 2.3 and policies under Traffic and Circulation Goal T-2 all encourage development that promotes pedestrian activity and transit use. Also see Table 5: Building Placement Standards, Table 7: Height and Roof Standards and Table 8: Building Form Standards in Appendix C. The TCAP Amendment maintains these policies.		
Ensure adequate capacity for redevelopment and transfers of development rights into town centers and regional centers.	13.6.5.C.4	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The proposed height and density allowances provide adequate capacity for redevelopment and transfers. See Appendix C Table 4: Lot and Density Standards and Table 7: Height and Roof Standards.		
Identify an integrated community strategy for coverage reduction and enhanced stormwater management.	13.6.5.C.5	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: See Section 10.3 where the TCAP provides incentives for property investments resulting in water quality improvements and land coverage reduction. The TCAP Amendment involves no changes.		

Water quality improvements and implementation of BMPs is addressed under Section 7.2 and through policies under Water Quality Goal NCR-3. No changes are proposed.

Demonstrate that all development activity within Town Centers and the Regional Center will provide for or not interfere with Threshold gain, including but not limited to measurable improvements in water quality.	13.6.5.C.6	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No N/A
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Notes: The performance standards prescribed in the Amendment will ensure development will not interfere with threshold gain.

Additional Review Standards for the High Density Tourist District	Code	Conformance
<p>Address all requirements of <i>Policies LU-4.8 and LU-4.9</i>.</p> <p>LU-4.8 IN ORDER TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, ALL AREA PLANS SHALL INCLUDE POLICIES, ORDINANCES AND OTHER IMPLEMENTATION MEASURES TO:</p> <ol style="list-style-type: none"> 1) Identify zoning designations, allowed land uses and development standards throughout the plan area. 2) Be consistent with all applicable Regional Plan policies, including but not limited to the regional growth management system, development allocations and coverage requirements. 3) Either be consistent with the Regional Land Use Map or recommend and adopt amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan policies and provide threshold gain. 4) Recognize and support planned, new, or enhanced Environmental Improvement Projects. Area Plans may also recommend enhancements to planned, new, or enhanced Environmental Improvement Projects as part of an integrated plan to comply with Regional Plan Policies and provide threshold gain. 5) Promote environmentally beneficial redevelopment and revitalization within Centers. 6) Preserve the character of established residential areas outside of Centers, while seeking opportunities for environmental improvements within residential areas. 7) Protect and direct development away from Stream Environment Zones and other sensitive areas, while seeking opportunities for environmental improvements within sensitive areas. Development may be allowed in 	13.6.5.D	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

<p>disturbed Stream Environment Zones within Centers only if allowed development reduces coverage and enhances natural systems within the Stream Environment Zone.</p> <p>8) Identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.</p> <p>LU-4.9 IN ORDER TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, ALL AREA PLANS THAT INCLUDE TOWN CENTERS OR THE REGIONAL CENTER SHALL INCLUDE POLICIES, ORDINANCES AND OTHER IMPLEMENTATION MEASURES TO:</p> <p>1) Address all requirements of Policy LU-4.8.</p> <p>2) Include building and site design standards that reflect the unique character of each area, respond to local design issues and consider ridgeline and viewshed protection.</p> <p>3) Promote walking, bicycling, transit use and shared parking in town centers and the Regional Center, which at a minimum shall include continuous sidewalks or other pedestrian paths and bicycle facilities along both sides of all highways within town centers and the Regional Center, and to other major activity centers.</p> <p>4) Use standards within town centers and the Regional Center addressing the form of development and requiring that projects promote pedestrian activity and transit use.</p> <p>5) Ensure adequate capacity for redevelopment and transfers of development rights into town centers and the Regional Center.</p> <p>6) Identify an integrated community strategy for coverage reduction and enhanced stormwater management.</p> <p>7) Demonstrate that all development activity within town centers and the Regional Center will provide threshold gain, including but not limited to measurable improvements in water quality.</p>		
<p>Notes: The TCAP does not have any areas designated at High-Density Tourist District.</p>		
<p>Include building and site design standards that substantially enhance the appearance of existing buildings in the High Density Tourist District.</p>	<p>13.6.5.D.1</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>
<p>Notes: The TCAP does not have any areas designated at High-Density Tourist District.</p>		

Provide pedestrian, bicycle and transit facilities connecting the High Density Tourist District with other regional attractions.	13.6.5.D.2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The TCAP does not have any areas designated at High-Density Tourist District.		
Demonstrate that all development activity within the High-Density Tourist District will provide or not interfere with Threshold gain, including but not limited to measurable improvements in water quality. If necessary to achieve Threshold gain, off-site improvements may be additionally required.	13.6.5.D.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The TCAP does not have any areas designated at High-Density Tourist District.		
Conformity Review for Amendments to Area Plans		
	Code	Conformance
Following approval of an Area Plan, any subsequent amendment to a plan or ordinance contained within the approved Area Plan shall be reviewed by the Advisory Planning Commission and Governing Board for conformity with the requirements of the Regional Plan. Public comment before the Governing Board shall be limited to consideration of issues raised before the Advisory Planning Commission and issues raised by the Governing Board. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the APC and Governing Board's review shall be limited to determining the conformity of the specific amendment only. If the Governing Board finds that the amendment to the Area Plan does not conform to the Regional Plan, including after any changes made in response to TRPA comments, the amendment shall not become part of the approved Area Plan.	13.6.6	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The TCAP Amendment will be reviewed and, subject to the required findings, by the APC and GB in early 2019.		
Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan		
	Code	Conformance
TRPA shall provide lead agencies with reasonable notice of pending amendments that may affect Area Plans. TRPA also shall provide lead agencies with notice of Area Plan topics that may require amendment following adopted Regional Plan amendments pursuant to this section.	13.6.7.A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: No pending amendments to the Regional Plan may affect the TCAP.		
If TRPA approves an amendment to the Regional Plan that would also require amendment of an Area Plan to maintain conformity, the lead agency shall be given one year to amend the Area Plan to demonstrate conformity with the TRPA amendment. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the Governing Board's review shall be limited to determining the conformity of only those amendments made by the lead agency to conform to the TRPA amendment. If the Governing Board	13.6.7.B	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

finds that the other government fails to demonstrate conformity with the TRPA amendment following the one-year deadline, then the Board shall identify the policies and/or zoning provisions in the Area Plan that are inconsistent and assume lead agency authority to amend those policies and provisions.		
Effect of Finding of Conformance of Area Plan		
	Code	Conformance
By finding that an Area Plan conforms with the Regional Plan pursuant to the requirements of this chapter and upon adoption of an MOU pursuant to Section 13.7, the Area Plan shall serve as the standards and procedures for implementation of the Regional Plan. The standards and procedures within each Area Plan shall be considered and approved individually and shall not set precedent for other Area Plans.	13.6.8	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: An MOU for the TCAP has been adopted. The proposed TCAP Amendment does not affect the MOU.		

Procedures for Adoption of Memorandum of Understanding		
	Code	Conformance
Area Plan is consistent with Procedures for Adoption of Memorandum of Understanding	13.7	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: An MOU for the TCAP has been adopted and is not affected by the TCAP Amendment.		

Monitoring, Certification, and Enforcement of Area Plan		
	Code	Conformance
Area Plan includes Notification, Monitoring, Annual Review, and Recertification procedures consistent Code Section 13.8	13.8	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The TCAP contains the required procedures which are unaffected by this Amendment.		

Appeals		
	Code	Conformance
Area Plan Appeal Procedure is consistent with Code Section 13.9	13.9	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Attachment E
Environmental Findings

**ATTACHEMENT E:
ENVIRONMENTAL ANALYSIS**

EXHIBIT 1: FINAL TOURIST CORE AREA PLAN/SPECIFIC PLAN AND BIJOU/AL TAHOE COMMUNITY PLAN BOUNDARY AMENDMENT INITIAL STUDY/NEGATIVE DECLARATION AND INITIAL ENVIRONMENTAL CHECKLIST/FINDING OF NO SIGNIFICANT EFFECT

EXHIBIT 2: ENVIRONMENTAL THRESHOLD INDICATORS EVALUATION

EXHIBIT 3: COMPLIANCE MEASURES EVALUATION

Exhibit 1 to Attachment E

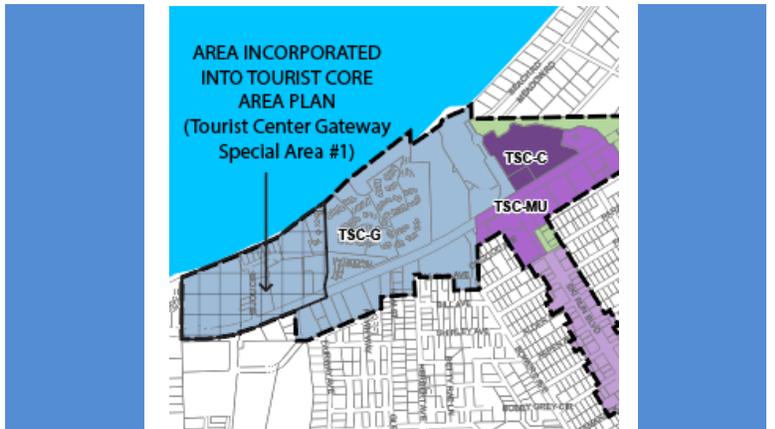
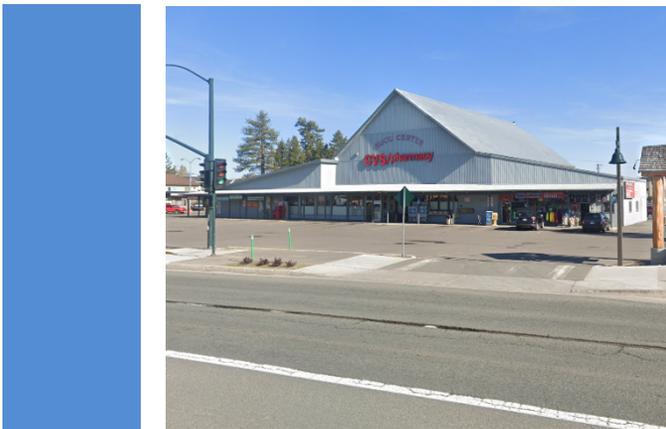
Tourist Core Area Plan and Bijou-Al Tahoe Community Plan Initial Study/Negative Declaration and Initial Environmental Checklist/Finding of No Significant Effect



**Final Tourist Core Area Plan/Specific Plan and Bijou/Al Tahoe Community Plan
Boundary Amendment Initial Study/Negative Declaration and Initial
Environmental Checklist/Finding of No Significant Effect**

July 9, 2020

SCH # 2020060135



**Tourist Core Area Plan and Bijou/Al Tahoe Community Plan Amendment
Initial Study/Negative Declaration**

Errata Sheet

Page 36. Policy LU-3.2 is not being deleted

Page 127. Community Noise Equivalent Table should also show the CNEL for the TSC-NMX Zoning District changing from 65 CNEL to 60 CNEL.

Page 134. Paragraph discussing Vacation Home Rentals (VHRs) is incorrect in stating that the amendment would allow existing VHRs (one single family and the Lakeshore Condos) to continue operating. These VHRs are already located within a commercial area and would be allowed to continue operating, regardless of the amendment.

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APPENDIX A – LSC TECHNICAL TRAFFIC MEMORANDUM

1.0 INTRODUCTION

1.1 INITIAL STUDY/INITIAL ENVIRONMENTAL CHECKLIST

This Initial Study/Initial Environmental Checklist (IS/IEC) has been prepared to address the potential environmental effects of amending the Tourist Core Area Plan (TCAP) and Bijou/Al Tahoe Community Plan (B/ATCP), located in the City of South Lake Tahoe, California. An Initial Study is a preliminary environmental analysis that is used by the California Environmental Quality Act (CEQA) lead agency as a basis for determining whether an EIR, a Mitigated Negative Declaration, or a Negative Declaration is required for a project under CEQA guidelines. An Initial Environmental Checklist is a preliminary environmental analysis that is used for determining whether an EIS, a Mitigated Finding of No Significant Effect, or a Finding of No Significant Effect is required for a project under TRPA Rules of Procedure.

The IS/IEC contains a project description, description of environmental setting, identification and explanation of environmental effects, discussion of mitigation for potentially significant environmental effects, evaluation of the project's consistency with existing, applicable land use controls, and the names of persons who prepared the study.

The IS has been prepared pursuant to the California Environmental Quality Act (CEQA) of 1970, Cal. Pub. Res. Code §21000 et seq. The City of South Lake Tahoe is the CEQA lead agency for this project. The IEC has been prepared pursuant to the requirements of Article VI of the TRPA Rules of Procedures and Chapter 3 of TRPA's Code of Ordinances. TRPA serves as lead agency pursuant to its own regulations.

The City of South Lake Tahoe is processing an application from private property owners for an amendment pursuant to Chapter 13 of the Tahoe Regional Planning Agency (TRPA) Code of Ordinances, which allows local governments to adopt conforming Area Plans that contain policies and development ordinances that are consistent with and further the goals and policies of the TRPA Regional Plan. Chapter 13 established a conformity process that:

- Allows local governments to adopt an Area Plan that supersedes TRPA plans and ordinances if the plan is found to be in conformance with the Regional Plan;
- Defines required content in an Area Plan that includes but is not limited to applicable policies, maps, ordinances and development and design standards; and
- Defines which development activities will not have a substantial effect on the natural resources in the Region and allows TRPA to transfer limited development permitting authority to local governments.

1.2 TIERING PROCESS

California Environmental Quality Act

The CEQA concept of "tiering" refers to the evaluation of general environmental matters in a broad program-level EIR, with subsequent focused environmental documents for individual projects that implement the program. This environmental document incorporates by reference and tiers from the discussions in the 2011 General Plan EIR (the Program EIR) and concentrates on issues specific to the TCAP and B/ATCP. CEQA and the CEQA Guidelines encourage the use of tiered environmental documents to reduce delays and excessive paperwork in the environmental review process. This is

accomplished in tiered documents by eliminating repetitive analyses of issues that were adequately addressed in the Program EIR and by incorporating those analyses by reference.

Section 15168(d) of the State CEQA Guidelines provides for simplifying the preparation of environmental documents on individual parts of the program by incorporating by reference analyses and discussions that apply to the program as a whole. Where an EIR has been prepared or certified for a program or plan, the environmental review for a later activity consistent with the program or plan should be limited to effects that were not analyzed as significant in the prior EIR or that are susceptible to substantial reduction or avoidance (CEQA Guidelines Section 15152[d]).

This Initial Study is tiered from the City of South Lake Tahoe General Plan EIR, in accordance with Sections 15152 and 15168 of the CEQA Guidelines and Public Resources Code Section 21094. The 2011 General Plan EIR is a Program EIR that was prepared pursuant to Section 15168 of the CEQA Guidelines. The 2011 General Plan is a comprehensive land use plan that guides physical development within the City of South Lake Tahoe through 2030. The 2011 General Plan EIR analyzes full implementation of uses and physical development proposed under the General Plan, and it identifies measures to mitigate the significant adverse program-level and cumulative impacts associated with that growth.

This IS/IEC will evaluate the potential environmental impacts of the proposed TCAP and B/ATCP Amendments with respect to the 2011 General Plan EIR to determine what level of additional environmental review, if any, is appropriate. As shown in the Determination in Section 5.2 of this document and based on the analysis contained in this IS/IEC, it has been determined that the proposed amendments would not have significant effects on the environment that were not adequately addressed in the 2011 General Plan EIR; therefore, a Negative Declaration will be prepared.

The IS/IEC incorporates the 2013 TCAP IS/IEC by reference. While the 2013 TCAP IS/IEC does not propose mitigation measures, it incorporates mitigation measures adopted under the 2011 General Plan EIR and the TRPA RPU EIS. These mitigation measures would continue to be applicable to the area, and no change to the application of such mitigation measures are proposed.

This IS/IEC concludes that potentially significant impacts are addressed by adopted policies and regulations applicable to the area, and the mitigation measures that have been adopted as part of the approval of the 2011 General Plan. These mitigation measures, to the extent they are applicable to the TCAP, will be incorporated into project approval. Nothing in this Initial Study in any way alters the obligations of the City to implement the General Plan mitigation measures. All future projects within the TCAP boundary would be subject to project-level environmental review and permitting by the City and/or TRPA, with the permitting agency determined based on the size, nature and location of the project (Section 13.7.3 of the TRPA Code).

Tahoe Regional Planning Agency

The TRPA concept of "tiering" refers to the coverage of general matters in a broader EIS (Program EIS) and subsequent documents incorporating by reference the general discussions and concentrating solely on the issues specific to the document subsequently prepared. Therefore, when an EIS has been certified for a project or matter, TRPA shall limit the analysis for a later related or consistent project or matter, to effects which were not examined as significant effects in the prior EIS or which are susceptible to substantial reduction or avoidance by revisions in the project or matter through conditions of approval or mitigation. Tiering is limited to situations where a later project or matter is consistent with a program, plan, policy or ordinance for which an EIS was prepared, is consistent with applicable TRPA plans, and a supplemental EIS is not required.

This Initial Environmental Checklist is tiered from the TRPA 2012 RPU EIS in accordance with Section 6.12 of the TRPA Rules of Procedures. The 2012 RPU EIS is a Program EIS that was prepared pursuant to Article VI of TRPA Rules of Procedures (Environmental Impact Statements) and Chapter 3 (Environmental Documentation) of the TRPA Code of Ordinances. The 2012 RPU is a comprehensive land use plan that guides physical development within the Lake Tahoe Region through 2035. The 2012 RPU EIS analyzes full implementation of uses and physical development proposed under the 2012 RPU, and it identifies measures to mitigate the significant adverse program-level and cumulative impacts associated with that growth. The proposed project is an element of the growth that was anticipated in the 2012 RPU and evaluated in the 2012 RPU EIS. By tiering from the 2012 RPU EIS, this Initial Environmental Checklist will rely on the 2012 RPU EIS for the following:

- a discussion of general background and setting information for environmental topic areas;
- overall growth-related issues;
- issues that were evaluated in sufficient detail in the 2012 RPU EIS for which there is no significant new information or change in circumstances that would require further analysis; and
- assessment of cumulative impacts.

This Initial Environmental Checklist evaluates the potential environmental impacts of the proposed project with respect to the 2012 RPU EIS to determine what level of additional environmental review, if any, is appropriate. As shown in the Determination in Section 5.3 of this document, and based on the analysis contained in this Initial Environmental Checklist, it has been determined that the proposed project would not have significant effects on the environment. Therefore, a Finding of No Significant Effect will be prepared.

This Initial Environmental Checklist concludes that many potentially significant project impacts are addressed by the measures that have been adopted as part of the approval of the 2012 RPU. Therefore, those 2012 RPU EIS mitigation measures that are related to, and may reduce the impacts of, this project will be identified in this Initial Environmental Checklist. These mitigation measures will be incorporated into the approval for this project. Nothing in this Initial Environmental Checklist in any way alters the obligations of the City or TRPA to implement the mitigation measures adopted as part of the RPU.

1.3 BACKGROUND

All of the land within the Lake Tahoe Basin falls under the jurisdiction of the Tahoe Regional Planning Agency. This includes land under the local jurisdiction of the City of South Lake Tahoe. In order to be responsive to the unique needs and opportunities of the Region and local communities, the TRPA Regional Plan encourages and authorizes local jurisdictions to develop and adopt individual Area Plans that provide more specific development objectives and standards that are adapted to the needs of the specified area. Local jurisdictions are permitted to develop, adopt, and implement regulations so long as they are consistent with the TRPA Regional Plan. The General Plan and Zoning Ordinances are the City's primary policy documents that guide land use, transportation, infrastructure, community design, housing, environmental, and other decisions in a manner consistent with the planning statutes for the State of California. The TCAP and B/ATCP are designed to supplement the City's General Plan and Zoning Ordinance by designating zoning districts and providing specific guidance for the area included within the new Area Plan boundaries. The Area Plan is considered a specific plan pursuant to California State Law.

The process of amending a specific plan is provided in CA Government Code Section 65359 and generally follows the general plan amendment process outlined in Sections 65350 through 65358. This includes

public hearings with public notice, and adoption by resolution or by ordinance. Specific plans may be amended as often as necessary by the local legislative body, but the amendments must be consistent with the adopted general plan for the area. TRPA Code of Ordinances Chapter 13 also indicates plan amendments require public hearing, and must be consistent with the Regional Plan. Amendments require findings, conformance review (conformance checklist), and threshold and compliance measure evaluations.

The TCAP serves as a comprehensive land use plan, consistent with the Lake Tahoe Regional Plan (Regional Plan) and the City of South Lake Tahoe General Plan (General Plan). The plan is intended to realize the area vision, assist in achieving and maintaining TRPA's Environmental Threshold Carrying Capacities, implement the Tahoe Metropolitan Planning Organization's Sustainable Communities Strategy, and implement the policy direction of both the Regional Plan and General Plan. The TCAP Vision Statement was developed by the community through a series of public workshops, and is stated below:

"The area is envisioned as a central destination that provides full services for tourists and permanent residents and offers unique experiences related to the many outdoor recreation possibilities that surround the core area. The Revitalization of the South Shore will catalyze the transformation from a failing and vestigial gaming economy into a sustainable outdoor tourism recreational destination by incorporating active streetscapes, shopping, entertainment and outdoor dining opportunities. In addition, transit and alternative travel will provide an essential part of the envisioned destination resort experience resulting in significant environmental gain and improvised scenic quality."

The 1995 B/ATCP serves as a comprehensive land use plan, consistent with the Regional Plan and General Plan at the time it was written, although it does not address all the issues identified in the current Regional and General Plans due to age, with its most recent amendments occurring in 2006. Like the TCAP, the B/ATCP establishes the area vision and is intended to support and implement the City's and TRPA's goals, policies and strategies. The B/ATCP includes vision statements for land use, transportation, conservation, recreation, and public service. The Planning Statement indicates, "The area should be developed to provide regional commercial, recreational and public services for the South Shore." The amendment area is within the Bijou District whose vision is to:

"Increase the commercial and tourist accommodation development to offer a variety of services to the tourist and local citizen. The lake and beach access in this area should also be expanded to provide additional recreational opportunities within the district."

The Project amends the 2013 TCAP and the 1995 B/ATCP but maintains the vision and the same priorities in each plan. The amendment takes lands outside of the existing TCAP from a portion of the B/ATCP Bijou District (District 1) and integrates them into Special Area 1 within the TCAP Gateway District. Upon adoption by the City Council and TRPA Governing Board, the TCAP and B/ATCP serve as mutual plans for both the City and TRPA.

1.4 PROJECT LOCATION, SETTING AND SURROUNDING LAND USES

The TCAP functions as the central tourist destination in the South Lake Tahoe area. The boundaries of the TCAP are entirely within the City of South Lake Tahoe, located centrally along US Highway 50 and Ski Run Boulevard between Stateline and Fairway Avenue on US Highway 50 and between US Highway 50 and approximately Pioneer Trail along Ski Run Boulevard. This area serves as a direct recreation access point to Heavenly Mountain Ski Resort, Edgewood Golf Course, Ski Run and Lakeside Marinas, and Van Sickle Bi-State Park, and as such is predominantly tourist related, with numerous hotels, motels, restaurants, and retail land uses. The area is served by transit, with a Route 50 stop at Beach Retreat & Lodge at US 50 and Takela Drive and at Safeway at US 50 and Johnson Blvd., with links to other Tahoe Transportation

District routes. Additionally, the South Shore water taxi stops at Timber Cove, within the amendment area, among three other stops within the South Shore area. A bike lane within US 50 and multi-use path parallel to US 50 in the amendment area run through the City and link to other bike lanes, bike routes, and multi-use trails in the South Shore with connections extending to Stateline, Meyers, Tahoe Keys, and Camp Richardson. Currently, the TCAP covers approximately 281 acres (232 acres excluding roadway infrastructure) and the proposed amendments would add approximately 18 acres and 49 parcels within the TCAP boundary. Of these parcels, one is right-of-way (0.1 acre), one is identified as “sensitive land” where no development shall occur (0.15 acre or 1 percent of the total amendment area), and 31 are individual condominium units and the common area serving the condominium units (1.54 acres or 9 percent of the total amendment area). The remaining 16 parcels consist of commercial (24 percent of the amendment area) and tourist accommodation uses (58 percent of the amendment area), and single family residential dwellings (6 percent of the amendment area). The proposed amendment area is currently within a portion of District 1 (Bijou District) of the B/ATCP, which is a commercial and tourist accommodation district, with a TRPA land use classification of Mixed-Use.

The amendment area is a Town Center adjacent to the Ski Run commercial/tourist center, which provides a traditional commercial/tourist land use setting. This area encompasses the land uses between Lake Tahoe, US Highway 50 (Lake Tahoe Boulevard), the existing western boundary of TCAP near Fairway Drive, and extends the boundary further west to encompass tourist accommodations and commercial uses located just east of Takela Drive. Under the amendments, the area would become part of the TCAP Tourist Center Gateway (TSC-G) Zoning District that extends to Ski Run Blvd. Existing uses in the TSC-G district include restaurants and retail shops at Ski Run Marina, portions of the newly redeveloped Bijou Marketplace (partially in the TSC Mixed Use district), the Lakeland Village condominium complex, and motels and commercial uses along US Highway 50. The proposed amendment area would become TSC-G Special Area 1. Existing development in the proposed amendment area includes structures ranging from one to four stories, and ranging in age from newly remodeled buildings to units built in the 50s or 60s. Many of the buildings and infrastructure in the amendment area are aging and some of the development reflects an era when land coverage was not regulated. Therefore, there is extensive over-coverage of land, as demonstrated in Table 1-1. This also affects the visual quality of the area, with various architectural and building styles employed in a relatively small area, resulting in little cohesion or landscaping, and a roadway unit in non-attainment. The area is highly developed with existing tourist accommodations and retail uses. Existing uses within the amendment area include tourist accommodations (Beach Retreat, Lakeshore Lodge, and Hotel Elevation), commercial (e.g., John’s Cleaners, CVS, tattoo & art gallery, restaurants, retail), residential and recreation (outdoor recreation concessions). Existing density of tourist accommodation units within the amendment area is approximately 36 units/acre for the Beach Retreat (APN 027-090-25), 25 units/acre for the Lakeshore Lodge (APN 027-090-17), and 51 units/acre for Hotel Elevation (APN 027-020-10). Table 1-1 provides a listing of the parcels within the amendment area, their existing use, density, and land coverage. Figure 1-1 shows the boundary of the proposed amendment area, shown as Special Area 1. Forty-nine parcels are located therein.

Table1-1: Existing Amendment Area

APN	Use/Units	Acreage	Density (units/ acre or parcel)	Class 7	Class 1b	Total Area	Existing Land Coverage			
							Soft	Hard	Total	% Covered
027-020-17	Tourist (Lakeshore Hotel) /46 units	1.82	25		79,336.48	79,336.48	65.43	51,801.81	51,867.24	65%
027-371-15	Sensitive land/0 units	0.15	0		6,336.16	6,336.16	241.01	549.20	790.21	12%
027-371-14	Vacant	0.13	0		5,649.47	5,649.47	-	-	-	0%
027-371-13	Single Family/1 unit	0.13	1		5,460.18	5,460.18	95.16	2,673.22	2,768.38	51%
027-371-12	Single Family/1 unit	0.13	1		5,460.17	5,460.17	203.58	2,269.62	2,473.20	45.30%
027-371-11	Single Family/1 unit	0.13	1		5,481.65	5,481.65	159.83	2,455.94	2,615.77	47.72%
027-371-10	Single Family/1 unit	0.13	1		5,448.72	5,448.72	228.58	2,300.79	2,529.37	46.42%
027-371-09	Single Family/1 unit	0.13	1		5,448.76	5,448.76	1,145.85	2,576.46	3,722.31	68.31%
027-020-10	Tourist (Hotel Elevation) /59 units	1.15	51		49,841.60	49,841.60		43,764.84	43,764.84	87.81%
027-370-04	Multifamily/5-6 units	0.12	42		5,336.30	5,336.30	498.71	4,211.11	4,709.82	88.26%
027-020-15	Commercial (CVS)	2.63	--		114,260.63	114,260.63	331.02	112,754.53	113,085.55	98.97%
027-090-17	Single Family/1 unit	0.35	1		15,121.80	15,121.80		6,880.58	6,880.58	45.50%
027-020-09	Commercial (Heidis)	0.40	--		17,564.15	17,564.15		16,549.41	16,549.41	94.22%
027-090-16	Commercial (Tahoe Wellness Center building)	1.05	--		45,611.55	45,611.55		44,661.33	44,661.33	97.82%
027-371-03	Vacant (parking lot)	0.11	0		4,713.50	4,713.50		2,133.00	2,133.00	45.25%
027-371-02	Commercial (rental/service)	0.11	--		4,717.98	4,717.98		3,186.33	3,186.33	67.54%
027-090-25	Tourist (Beach Retreat)/262 units	7.28	36	210,740.16	106,191.45	316,931.61	672.59	202,113.38	202,785.97	63.98%
027-431-31	Lakeshore Lodge Condo Common Area/30 units*	1.24*	24*		79336.48*	79336.48*		38,596.38	38,596.38	48.65%
027-431-29	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-27	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-25	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-23	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-21	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-19	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%

INITIAL STUDY/INITIAL ENVIRONMENTAL CHECKLIST

APN	Use/Units	Acreage	Density (units/ acre or parcel)	Class 7	Class 1b	Total Area	Existing Land Coverage			
							Soft	Hard	Total	% Covered
027-431-17	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-15	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-13	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-11	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-09	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-05	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-07	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-01	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-03	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-06	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-10	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-12	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-14	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-16	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-18	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-20	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-22	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-24	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-28	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-26	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-30	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-02	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-04	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-431-08	Condominium/1 unit	0.01	1		435.60	435.60		435.60	435.60	100%
027-370-02	Right-of-Way	0.01	0		435.60	435.60		435.60	435.60	100%
	TOTAL AREA	17.59		2107,40.16	495,484.15	706,224.31	3,641.76	552,981.53	556,623.29	79%

*Includes the 30 individual condominium parcels listed below

Surrounding land uses include a similar mix of tourist and commercial uses. Lake Tahoe is directly north of the area to be amended. Land to the east and south up to Fairway Drive are within the TCAP and include various tourist accommodations including the Aston Lakeland Village Resort directly east, and several motel units to the south, such as the Beverly Lodge, Budget Inn South Lake Tahoe, Lake Tahoe Inn, Days Inn, and Travel Inn, as well as a few restaurants. From Fairway Drive west to Takela Drive the area within the B/ATCP is primarily commercial. Land uses include strip mall/commercial centers with various commercial uses ranging from restaurants to a Safeway grocery store and gas station, a bank, pawn shop, bakery, salon, bicycle rental and State, County, and local public and government service buildings, California Tahoe Conservancy land and Sierra Shores to the west.

1.5 PROJECT OBJECTIVES/PURPOSE AND NEED

The purpose of the Area Plan amendments is to include tourist-oriented uses within the boundaries of the TCAP, which would more appropriately address these uses than the B/ATCP's commercial focus. The intent of this action is to 1) include comparable existing uses in the TCAP, which more effectively addresses such uses as compared to the B/ATCP, 2) revise the height standards in the TCAP TSC-G Special Area 1 to align with the TRPA Code for Town Centers, 3) encourage redevelopment in this aging Town Center, characterized by excess land coverage, and 4) implement administrative corrections to the TCAP, including a revision to the maximum CNEL to conform to adopted TRPA Regional Plan standards. The overall objective is to encourage redevelopment of an area in need of substantial improvement in order to enhance the Town Center. Redevelopment would include a public benefit through scenic and water quality improvements, formalized public beach access, and enhanced community amenities.

These plan amendments are intended to apply consistent and integrated land use planning and development regulations for the City and TRPA in relation to tourist uses and to further the goals and policies of the Regional Plan of the Lake Tahoe Basin and the City's General Plan. The vision for the Bijou District in the B/ATCP seeks to increase the commercial and tourist accommodation development outside SEZ areas to offer a variety of services to the tourist and local citizen and lake and beach access in this area should be expanded to provide additional recreational opportunities within the district. While the existing uses fit within this vision in the B/ATCP, the amendments are intended to assist the environmentally-beneficial redevelopment of densely developed, over-covered and outdated Town Center by providing greater height limits and land use densities available to parcels within the TCAP TSC-G Special Area 1, reflecting the standards established by TRPA for Town Centers. The Project would also amend TCAP Appendix C, Development Design Standards, to allow non-single-family dwelling uses in TSC-G Special Area 1 to be eligible for maximum height of up to 56 feet with findings.

There are five specific amendments proposed to achieve these objectives:

1. Expand the boundaries of the TCAP and amend the B/ATCP boundaries;
2. Amend the permissible land uses in TSC-G Special Area 1;
3. Add a special policy limiting the combined density for residential and tourist units in mixed-use areas of TSC-G Special Area 1, to 40 units per acre (combined);
4. Amend the height allowances for non-single-family residential dwellings in TSC-G Special Area 1; and
5. Implement the following general administrative corrections:
 - TCAP:
 - a. Adopt development rights language and policies to align with TRPA Code of Ordinances;
 - b. Adopt green building policy to align with City standards;
 - c. Correct mapping inconsistencies;
 - d. Carry over of shorezone permissible uses previously within the Stateline/Ski Run community plan;

- e. Update Recreation Implementation Strategies; and
 - f. Correct maximum CNEL limits throughout the TCAP to conform to adopted standards.
- B/ATCP:
- a. Update Chapter 1 Introduction to remove outdated text
 - b. Correct outdated chapter references to TRPA Code.

The City of South Lake Tahoe adopted the TCAP on October 14, 2013 and by the TRPA Governing Board on November 11, 2013. The TCAP was amended on January 14, 2014 to incorporate amendments requested by the TRPA Governing Board. This plan provides land use guidance for future development and redevelopment and addresses land use regulations, development and design standards, transportation, recreation, public service and environmental improvements for the area. It encourages general improvement and enhancement for the built environment and provides a framework to change the existing conditions into opportunities for redevelopment with a focus on achieving environmental improvements. The TCAP is the center of tourist services and recreation access and has traditionally been the area with the highest concentration of services and density.

1.6 DOCUMENT ORGANIZATION

This IS/IEC includes the standard content for environmental documents under CEQA and TRPA Code of Ordinances and Rules of Procedures. An EIR/EIS was determined to be unnecessary, as there are not potentially significant environmental effects associated with the implementation of proposed amendments to the TCAP and B/ATCP. This IS/IEC is a full disclosure document, describing the plan amendments and their environmental effects in sufficient detail to aid decision-making.

Chapter 1 includes a description of the IS/IEC process, the tiering process, project background, the location of the Project and surrounding land uses, Project Objectives and Purpose and Needs Statement, the public involvement process and history, and the relationship of the TCAP to other land use plans, policies, and regulations.

Chapter 2 contains a description of the TCAP and B/ATCP amendments, including an overview of the proposed changes to the Area Plan and Area Plan mapping.

Chapter 3 provides the baseline conditions for the environmental analysis.

Chapter 4 contains the methods and assumptions used to analyze the potential environmental effects of the amendments.

Chapter 5 contains a detailed analysis of the environmental effects and necessary mitigation measures if applicable.

1.7 PUBLIC INVOLVEMENT

Opportunities for public participation in the amendment process included a mailed scoping notice and community workshop held on July 9, 2018. In addition to the applicant's consultants and agency planning staff, five members of the public attended the meeting. Questions posed at the meeting related to timeshares, vacation home rentals, land use consistency, and additional height allowances, as well as general comments on the amendment process and schedule. Five comment letters were received, including one from the League to Save Lake Tahoe with suggestions about height standards, development on sensitive lands and tiering from past environmental documents, and four from property owners in favor of the proposed expansion. The scoping notice was prepared and mailed to potential stakeholders and adjacent property

owners on June 29, 2018. Opportunities to comment on the environmental review process was provided in order to promote open communication and better decision-making. All persons and organizations having a potential interest in the proposed amendments are invited to provide comments during the thirty (30) day comment period for the CEQA Initial Study. The City also conducted additional public outreach with the individual property owners within the amendment area.

Pursuant to the requirements of CEQA, this IS/IEC will be sent, along with a Notice of Completion, to the California State Clearinghouse. In addition, copies of this document will be distributed to other Lake Tahoe Region reviewing agencies and interested stakeholders for review. A Notice of Availability and Notice of Public Hearing will be published in the Tahoe Daily Tribune and a Planning Commission hearing will be conducted to solicit comments during a 30-day public review period. After closure of the public review period, the City of South Lake Tahoe and TRPA staff will respond to comments. City staff will then prepare an agenda item for the City Planning Commission's recommendation and City Council's action that include the IS/IEC, comments on the IS/IEC, and responses to the comments. If the City Council determines that the amendments would not have significant adverse impacts, the City Council may adopt a Negative Declaration of environmental impact and adopt the amendments. Following City Council approval, a Notice of Determination would be filed with the El Dorado County recorder-clerk's office and with the California State Clearinghouse.

Pursuant to the TRPA's Rules of Procedure and Chapter 3 of the TRPA Code of Ordinances, the agencies IEC will be made available for public review along with the project staff report at least 14 days prior to hearings held to consider the proposed amendments. TRPA staff will prepare agenda items for the TRPA Regional Plan Implementation Committee, TRPA Advisory Planning Commission's, and TRPA Governing Board consideration. If it is determined that no significant adverse impacts would result from the proposed project, the TRPA Governing Board may issue a Finding of No Significant Effect and adopt the amendments.

1.8 RELATIONSHIP TO LAND USE PLANS, POLICIES AND REGULATIONS

The TCAP falls under the direct jurisdiction of both The City of South Lake Tahoe and the Tahoe Regional Planning Agency. In addition, federal and state agencies exercise varying levels of control concerning specific parcels or resources. This section identifies each agency's responsibility relative to the proposed amendments; it also identifies the plans and policies to which the TCAP and B/ATCP must show compliance.

Federal

The US Environmental Protection Agency (EPA) has designated Lake Tahoe an Outstanding National Resource Water (ONRW). ONRWs are provided the highest level of protection under EPA's Anti-degradation Policy. Although the amendments do not require approval from the EPA the incentives related to coverage is dependent upon EPA certifying TRPA's updated Water Quality Management Plan for the Tahoe Region (208 Plan). The 208 Plan is not area plan specific and Section 10.2.B of the 208 Plan indicates, "The WQMP shall not be amended before January 1, 2017, to alter the terms of the Bi-State Recommendations incorporated herein, with the understanding that the terms of the Bi-State Recommendations: 1) allow adoption and updating of Area Plans by local governments as appropriate, and 2) shall not be used to support or deny applications for "Resort Recreation" designation."

Regional

The Tahoe Regional Planning Agency (TRPA) is a bi-state planning agency with authority to regulate growth and development within the Lake Tahoe Region. TRPA implements that authority through a Bi-State Compact and the TRPA Regional Plan. The Regional Plan Goals and Policies establish an overall framework for development and environmental conservation in the Lake Tahoe Region.

In December 2012, the TRPA Governing Board adopted an updated Lake Tahoe Regional Plan. General priorities of the updated Regional Plan that apply to these amendments include:

- Accelerating water quality restoration and other threshold gains by supporting environmental beneficial redevelopment opportunities, restoration of disturbed lands and Environmental Improvement Program (EIP) investments.
- Transitioning to more permitting delegated to local governments to create one-stop-shopping for homeowner improvements in order to return TRPA to a more regional role that the Bi-State Compact originally intended.
- Creating walkable communities and increasing alternative transportation options.

Important policies addressed in the Lake Tahoe Regional Plan include:

- Retaining the established regional growth control system. Under this system, rampant overdevelopment was stopped and open spaces preserved. Most of the policies from the 1987 Regional Plan stayed in place.
- Creating a more efficient planning system that integrates TRPA requirements into the plans and permits of other applicable government agencies.
- Encouraging property owners to transfer development rights from sensitive and remote areas into Town/Regional Centers with the goal of restoring these lands.
- Eliminating regulatory barriers to support upgrades and environmentally beneficial redevelopment of rundown buildings with aging infrastructure.
- Simplifying overly complicated regulations for homeowners while achieving threshold gain.
- Incorporating the Linking Tahoe: Regional Transportation Plan (adopted in 2017) and the Active Transportation Plan (adopted in 2015) to support sidewalk and bike trail projects that reduce automobile dependency and increase walkability and safety.
- Continuing to deliver restoration projects under the EIP which achieves erosion control on roadways and restore forests and wetlands.

The updated TRPA Code of Ordinance allows for the development of Area Plans to refine and implement the Regional Plan policies appropriate to specific areas. Chapter 13, *Area Plans*, of the TRPA Code of Ordinances includes new provisions that allow for local, state, and federal agencies, in coordination with TRPA staff, to prepare coordinated Area Plans for the implementation of land use goals, policies, and ordinances. The Area Plans, which must include implementing ordinances and zoning, are required to be consistent with the Regional Plan. Once an Area Plan has been found in conformance with the Regional Plan and is adopted, the associated local, state, or federal agencies may assume applicable development

review authority through a Memorandum of Understanding (MOU) between TRPA and the other associated agency or organization. For City planning purposes, the objective is to amend the existing TCAP.

Chapter 13 (Area Plans) of the TRPA Code of Ordinances defines the required content of Area Plans and establishes that Area Plans may be approved by TRPA if they contain policies and development standards that are consistent with and further the goals and policies of the Regional Plan. With an adopted conforming Area Plan, local governments can opt to take over limited permitting authority from TRPA.

In addition, for Area Plans containing a designated Town Center, the following provisions shall be included:

- Building and site design standards that reflect the unique character of each area and consider ridgeline and viewshed protection;
- Community design standards to vary height and density and promote pedestrian activity and transit use;
- Policies and strategies to promote walking, bicycling, transit use, and shared parking;
- Ensure adequate capacity for redevelopment;
- Identify an integrated community strategy for coverage reduction and enhanced storm water management; and
- Demonstrate that all development activity within the Town Center will provide for and not interfere with environmental gains.

Under the 2012 Regional Plan update, Community Plans are intended to be replaced by Area Plans; however, Chapter 12 (Community Plans) of the TRPA Code of Ordinances addresses Community Plans, their applicability, contents, and process. Specifically, Section 12.8 addresses the maintenance and modification of Community Plans, stating:

“Adopted community plans shall be reviewed by TRPA at five-year intervals to determine conformance with approved schedules of development and adequacy of programs, standards, mitigation, and monitoring. TRPA may defer approval of projects within community plans if the review indicates approved goals, targets, and requirements are not being achieved. Community plans may be modified as a result of such reviews as deemed appropriate by TRPA to achieve environmental thresholds or to otherwise improve the community plans. The procedure for modification shall be consistent with this chapter.”

Section 12.7.4 indicates modification approvals occur through review of the modification and recommendation by the TRPA Advisory Planning Commissions, followed by Governing Board review, or an alternate process (Section 12.7.5) that may better facilitate the planning process.

Regional Plan Policy LU-4.3 indicates, “Community plans have been approved for some properties in the region to refine and supersede the plan area statements. These community plans were adopted in accordance with the 1987 regional plan and shall remain in effect until superseded by area plans that are developed in accordance with and found in conformance with this regional plan. If any community plan contains provisions that contradict newer provisions of the regional plan or development code, the newer provisions of the regional plan or development code shall prevail, but only to the extent that specific provisions conflict.”

State of California

Several State agencies may play a role in development decisions within the Tahoe Region. As such, these State agencies must grant permits or other forms of permission prior to physical development. Affected agency staff will review the proposed amendments for consistency with adopted plans and policies. State agencies that may have a responsible agency role in projects that may be implemented include:

California Department of Transportation (Caltrans): Caltrans is responsible for planning, designing, constructing, and maintaining all state highways (e.g., US 50). The jurisdictional interest of Caltrans extends to improvements to roadways on the state highway system (including roadways designated as U.S. highways). Any federally funded transportation improvements would be subject to review by Caltrans staff and the California Transportation Commission, either on or off of the state highway system.

California Tahoe Conservancy: The mission of the California Tahoe Conservancy (CTC) is to protect and restore the natural environment of Lake Tahoe, including the lake's exceptional clarity and diversity of wildlife habitat in the Region. The CTC implements a comprehensive set of programs to affirmatively address resource needs in the Tahoe Region, including the protection and restoration of the natural environment, especially water quality; enhancement of wildlife habitat; provision of public access and recreation opportunities; and management of acquired public land at Lake Tahoe.

Within the TCAP, the CTC has ownership of four parcels, none of which are within the amendment area. One parcel was acquired to meet excess land coverage mitigation, for bicycle trail or other public service projects, or to sell. Another parcel was purchased to provide recreation access to Van Sickle Bi-State Park. The other two parcels were purchased under the Sensitive Lands Acquisition Program. CTC has also acquired former Caltrans right-of-way for bicycle trail use.

The CTC also manages a Land Bank Program that is designed to facilitate a number of natural resource objectives, assist the needs of the general public and environmental projects, and provide funding benefits. An MOU originally signed with the Tahoe Regional Planning Agency (TRPA) in early 1988, and more recently updated in 2018, enables CTC to sell rights from the Land Bank on the open market.

The retirement of development potential on properties purchased by the CTC can generate a wide range of development rights or credits that are then available for purchase, depending on what existed or was credited to the property at the time of acquisition (either land coverage or other marketable rights). CTC periodically acquires these development rights, including those for tourist accommodations, sewer connections, residential units, and commercial floor area. Such rights are usually sold to parties building or remodeling a commercial site or a multi-family unit(s), typically located in eligible development receiving areas. The rights are recognized by the various regulatory agencies within the Region and can therefore be sold or transferred under proper circumstances. The use of these rights is reserved for projects in the areas where the rights originated in order to maintain the economic base of those communities.

Lahontan Regional Water Quality Control Board: Lahontan has water quality responsibilities including the California-side of the Lake Tahoe Region. This agency establishes water quality standards, subject to the approval of the State Board, and has broader enforcement power than TRPA. By issuing waste discharge permits and requiring monitoring to show compliance, among other activities, Lahontan actively enforces attainment of standards.

Any party responsible for construction activity over one acre must obtain a National Pollution Discharge Elimination System Permit (NPDES Permit) form Lahontan to eliminate or reduce pollutants from construction related storm water discharged to surface waters, which include riparian zones.

Lahontan is also responsible for incorporating the Lake Tahoe Daily Maximum (TMDL) pollutant load reduction targets into the NPDES permit for California municipalities in the Tahoe Region. This permit regulates stormwater discharge from El Dorado County's stormwater management infrastructure and Federal rules require that El Dorado County implement programs to control pollutant runoff. The NPDES permit issued to El Dorado County stipulates a September 30, 2020 deadline to reduce estimated 2004 baseline jurisdictional pollutant loads of fine sediment particles by 21%, total nitrogen by 14% and total phosphorus by 14%. Lahontan is expected to update the NPDES permit every five years to include additional load reduction targets. Attainment of the 2026 target, termed the Clarity Challenge, is estimated to return Lake Tahoe to an average annual transparency of 80 feet (Lahontan 2010).

The NPDES Permit requires the City to prepare an updated Pollutant Load Reduction Plan (PLRP) by March 15, 2018 detailing the approach for meeting pollutant load reduction requirements. The City Council adopted a PLRP in January 2013 that outlined the proposed strategy for meeting the first 2016 load reduction targets.

California Trustee Agencies: State agencies with trustee responsibility in the TCAP boundary include: California Division of Forestry (tree removal and forest resource concerns), State Historic Preservation Officer (cultural resources), and California Department of Fish and Wildlife (plant and wildlife resources), and State Lands Commission, which oversees state-owned sovereign lands (Lake Tahoe).

City of South Lake Tahoe

The City of South Lake Tahoe implements its regulatory authority through its General Plan and City Code. The City's 1999 General Plan adopted TRPA's Plan Area Statements (PASs) and Community Plans to replace its previous local zoning. In the City's 2011 General Plan update, the City adopted new land use designations for PASs located within the County's jurisdiction but retained the PASs and Community Plans in the Lake Tahoe Region as its zoning system. The existing PASs and Community Plan will remain in effect until superseded by an adopted conforming Area Plan or amendments to existing Area Plans.

2.0 PROJECT DESCRIPTION

2.1 AREA PLAN OVERVIEW AND DESCRIPTION OF CHANGES

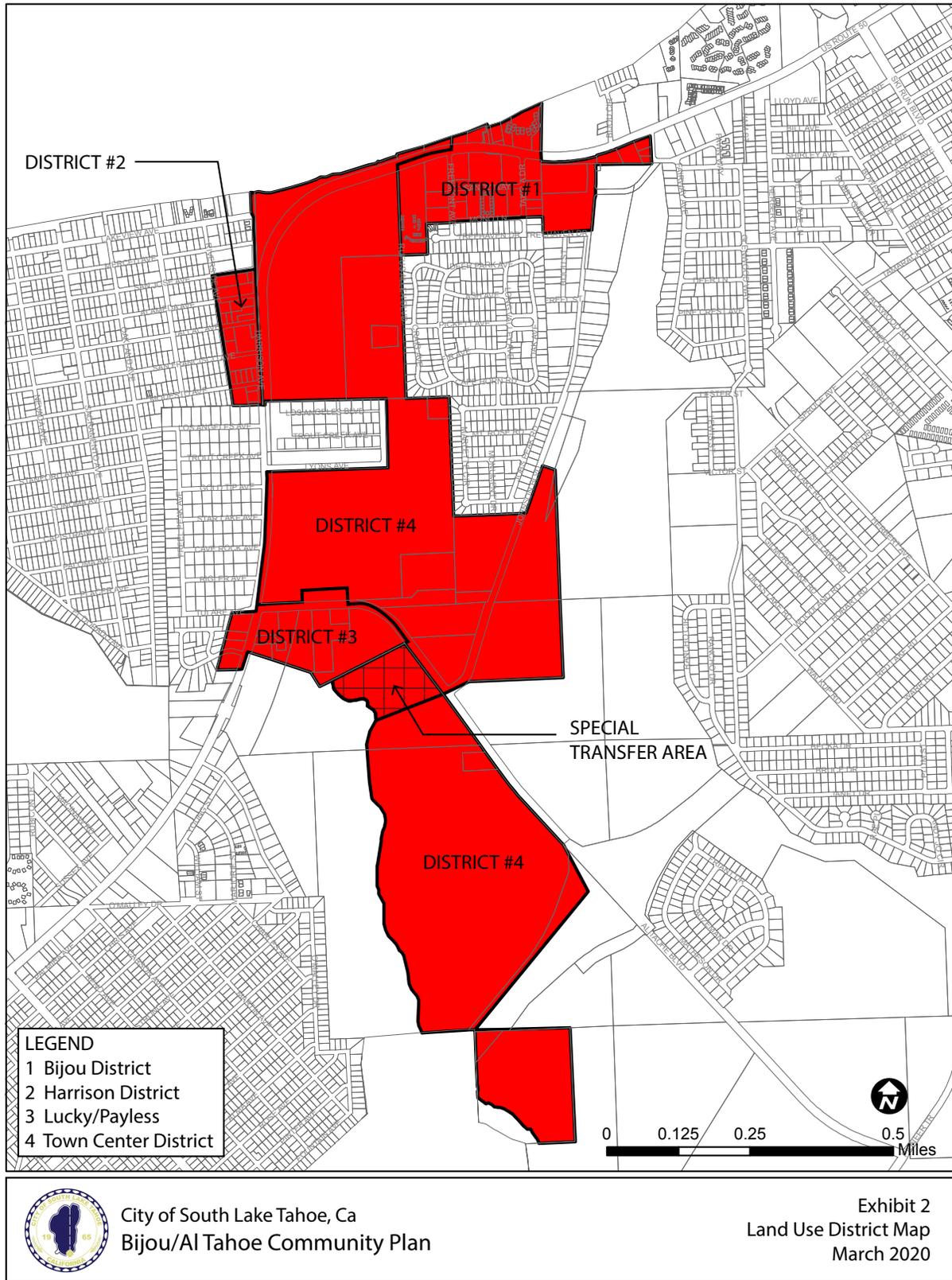
The proposed project includes five amendments to the existing TCAP and B/ATCP, specifically:

2. Expand the boundaries of the TCAP and amend the B/ATCP boundaries;
3. Amend the permissible land uses in the TSC-G Special Area 1;
4. Add a special policy limiting the combined density for residential and tourist units in mixed-use areas of the TCAP TSC-G Special Area 1, to 40 units per acre (combined);
5. Amend the height allowances for non-single-family residential dwellings in the TSC-G Special Area 1; and
6. Implement the following general administrative corrections:
 - TCAP:
 - a. Adopt development rights language and policies to align with TRPA Code of Ordinances;
 - b. Adopt green building policy to align with City standards;
 - c. Correct mapping inconsistencies;
 - d. Carry over of shorezone permissible uses previously within the Stateline/Ski Run community plan;
 - e. Update Recreation Implementation Strategies; and
 - f. Correct maximum CNEL limits throughout the TCAP to conform to adopted standards.
 - B/ATCP:
 - a. Update Chapter 1 Introduction to remove outdated text
 - b. Correct outdated chapter references to TRPA Code.

The Project is often referenced as the TCAP amendments in this document and includes amendments to both the B/ATCP and TCAP boundaries. The amended plan will serve as a mutual plan for the City of South Lake Tahoe and TRPA by providing direction for how the area should be regulated to achieve regional environmental and land use objectives. The development standards and the specific policies referenced in the amendments are the land use standards intended to administer and regulate the land use for area to be amended to the TCAP TSC-G Special Area 1.

Under the proposal, lands currently within the boundary of the B/ATCP would be amended to a new Special Area 1 within the TCAP Gateway District, extending the Gateway District from Ski Run Blvd to the western property line of Beach Retreat and Lodge. This amendment would remove 49 parcels totaling nearly 18 acres from B/ATCP District 1 and include that area within TSC-G Special Area 1. The TCAP amendments would revise the Zoning Map boundary line for the Gateway District to relocate tourist uses from an area focused on general commercial, recreational and public services for the South Shore (a portion of B/ATCP District 1) to Special Area 1 within the TCAP Gateway District, which is more focused on tourist services, and would more accurately address the existing uses in the amendment area. The amendments generally conform to the B/ATCP, but current terms and design standards from TSC-G Special Area 1 will be applied to the amendment area. Figure 1-1 depicts the area to be amended into TSC-G Special Area 1. Figure 2-1a depicts the area to be amended into TSC-G Special Area 1 and removed from the B/ATCP. Figure 2-1b (Exhibit 2 in the B/ATCP) depicts the B/ATCP area that would be removed from the B/ATCP. The boundary adjustment excludes the commercial and motel uses on the South side of US Highway 50 because the amendment was initiated by private property owners on the north side of US Highway 50, and uses on the south side would not benefit from the increased incentives afforded in the TCAP due to parcel size. Additionally, owners of these properties did not express interest in inclusion in the amendment area when they were contacted.

Figure 2-1b – Proposed Bijou/Al Tahoe Community Plan



The second portion of the amendment would alter the list of permissible land uses in TSC-G Special Area 1. The amendment includes building material and hardware, nursery, outdoor retail sales, privately owned assembly and entertainment, government offices, and local assembly and entertainment as special uses, and amusement and recreation and animal husbandry, as allowed uses. It also revises business support services, schools – business & vocational, cultural facilities, visitor information centers, and religious assembly as allowed uses, rather than special uses. It also revises marinas to be special uses, rather than allowed uses. Each of these changes reflects the allowed or special uses currently applicable to the amendment area under the B/ATCP.

Third, the TCAP “Lot and Density” standards would be amended to include a special policy limiting development density that would be applied to mixed uses in the TCAP TSC-G Special Area 1. Although the Regional Plan Update allows maximum densities of 25 units per acre for multi-family residential development and 40 units per acre for tourist accommodation with the adoption of an Area Plan, this special policy would limit density for mixed-use projects in Special Area 1 to 40 units per acre so that projects proposing both residential and tourist units would be limited to a maximum combined use density of 40 units per acre. Mixed-use development projects may include commercial and residential development or tourist and residential development. This maintains the existing maximum density levels in this amendment area.

An amendment to the height allowance for non-single-family detached residential dwellings in TSC-G Special Area 1 is also proposed. This amendment would increase the maximum allowable height for all uses other than single-family detached residential dwellings from 42 feet to 56 feet, with additional height findings established in the TCAP and TRPA Code of Ordinances. To be authorized this additional height, projects would need to demonstrate compatibility with adjacent uses and viewshed protection, may not project above the forest canopy, ridgelines, or otherwise detract from the viewshed, and Findings 1, 3, 5, and 9 of Section 37.7 of the TRPA Code of Ordinances must be made. In addition, buildings permitted the additional height adjacent to residential uses must include additional buffering in addition to the required setback. This additional buffering may include reduced height, increased side yard or rear yard setback, building orientation, and landscape buffering with oversized trees. These findings and protections are existing and currently apply to other portions of the TCAP allowing heights in excess of 42 feet. This amendment to the height allowance in TSC-G Special Area 1 revises the allowance to meet TRPA Code for allowable height in Town Centers, rather than maintain an additional height constraint applied only to this Town Center in conflict with TRPA Code.

A fifth amendment implements general administrative corrections to the TCAP and B/ATCP. Corrections to the B/ATCP text simply remove outdated text or correct chapter references to the TRPA Code. In the TCAP these corrections update-recreation implementation strategies, correct mapping inconsistencies, carry over the list of shorezone permissible uses previously within the Stateline/Ski Run Community Plan that were not included in the list of permissible uses in the adopted TCAP, adopt green building policy to align with City standards, and adopt the development rights language and policies to align with the TRPA Code of Ordinances. In regard to development rights language and policies, Policy LU-6.1 is proposed to be revised as follows, “Encourage and allow for the revitalization and consolidation of development within centers by encouraging the transfer and conversion of residential units of use, tourist accommodation units, and commercial floor area pursuant to TRPA Code Chapter 51.” The City of South Lake Tahoe Green Building Program is included in the TCAP in Appendix D. This program recommends measures for residential and commercial projects, implementation of which offers incentives in addition to energy savings, such as priority plan check and public recognition. Shorezone uses were left off of the list of permissible uses in the adopted TCAP, and were generally discussed. This amendment would include an actual listing of permissible shorezone uses per shorezone tolerance districts 1 and 4. The adopted CNEL standard in the TCAP is 65, which exceeds TRPA Regional Plan standards. Therefore, the maximum CNEL for the TCAP districts will be amended 55 or 60, with distinct limits per TCAP district. For example, the

shorezone portion of the TSC-G will have a maximum CNEL of 55, with the remaining TSC-G area granted a maximum CNEL of 60 due to the current types of land uses and associated noise levels in that area. Also, the CNEL noise limit for TSC-MUC Special Area 1, would be 55 dBA, as opposed to 60 dBA in the remainder of the district. The administrative corrections also include a new TCAP Recreation Implementation Strategy: “Support the CTC in its efforts to implement the Connolley Beach Public Access Project located west of the Beach Retreat parcel to provide a second access to Connolley Beach in addition to Timber Cove.” This addition further supports Goal G-4 in Section 8 of the TCAP. Administrative corrections are also proposed for the text in Section 1.2 Organization of Area Plan and the “Thresholds for Governing Board Review for Projects in Area Plans” table, Section 1.3 Plan Adoption, and Section 2.1 Tahoe Regional Planning Agency.

There are seven existing districts in the TCAP: Tourist Center Core (TSC-C), Tourist Center Mixed-Use (TSC-MU), Tourist Center Mixed-Use Corridor (TSC-MUC), Tourist Center Gateway (TSC-G), Tourist Center Neighborhood Mixed-Use (TSC-NMX), Recreation (REC), and Open Space (OS). The amendment area would be located in Special Area 1 within the Tourist Center Gateway District (TSC-G).

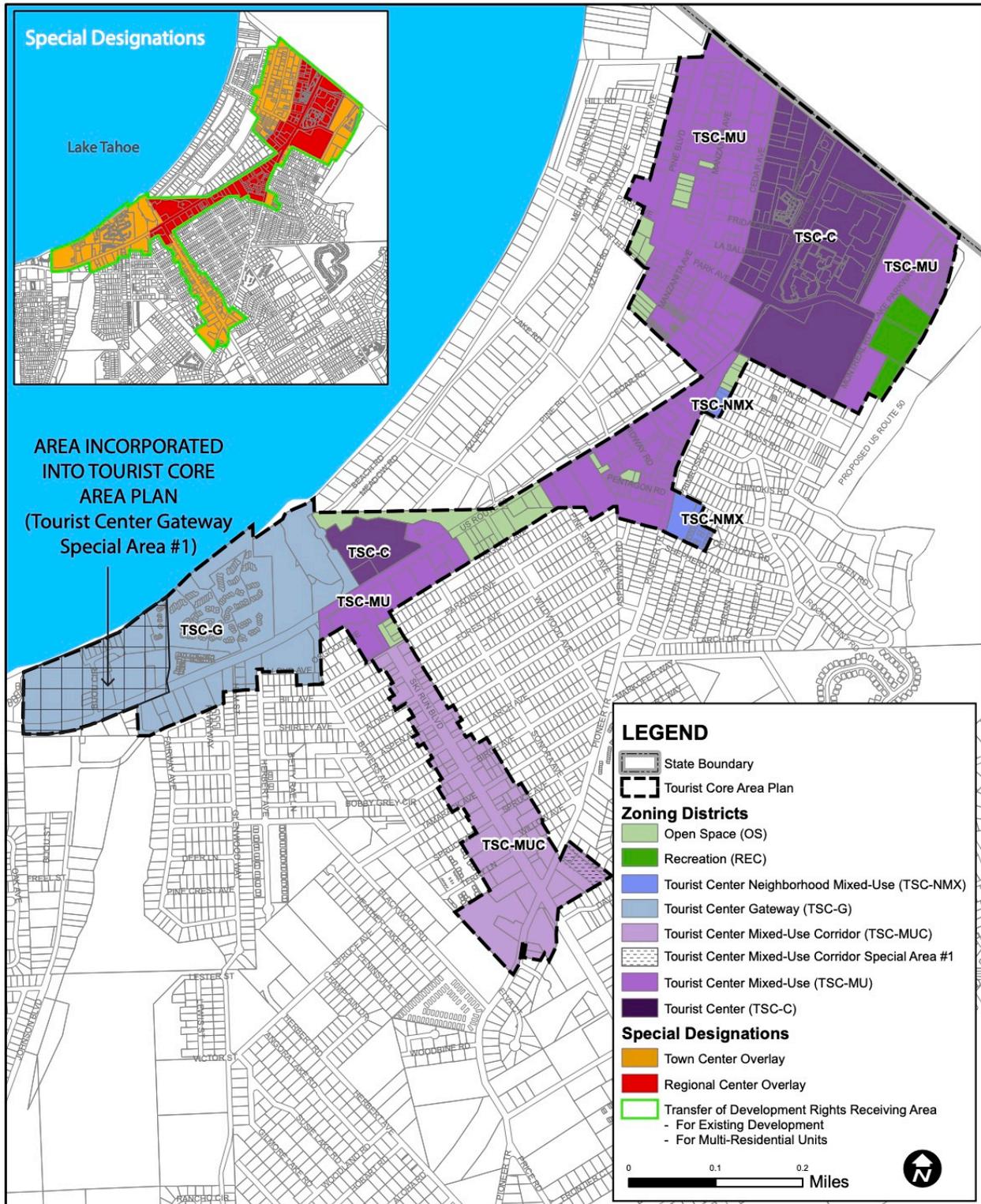
Tourist Center Gateway (TSC-G)

The existing TCAP defines the Tourist Center Gateway District as follows:

“This district is intended to create an attractive mixed-use commercial and tourist accommodation corridor that provides a welcoming gateway to the South Shore area. The physical form varies to reflect the mixed-use character of the gateway corridor and to transition to the more intensive Tourist Center Core District. Permissible uses include tourist accommodation, residential, commercial, restaurants, and recreation.”

The uses in the amendment area are consistent with the existing uses in the TSC-G. Revisions to the TCAP Zoning Map are depicted in Figure 2-2 (Figure 5-1 in the TCAP). The height amendment would alter TCAP Table 7, amending the Gateway District building height maximum from three stories to four stories and from 42 feet to 56 feet for land uses other than single family residential units within the Gateway District, subject to additional findings required for all projects as stated in the TCAP Development and Design Standards and as follows (amendment additions shown underlined):

Figure 2-2 Proposed Zoning Map – Tourist Core Area Plan



Amendment to the TCAP Design Standards include the following height allowance amendments (Appendix C, Table 7: Height and Roof Standards).

TCAP Table 7: Height and Roof Standards						
District	TSC-C	TSC-MU	TSC-MUC	TSC-G¹	TSC-NMX	REC
Building Height Maximum (feet)	95 75 at the northeast corner of Ski Run/US Highway 50	56	56	42	36	36
Building Height Maximum Stories	6 (D)	4 (D)	4 (D)	3 (D)	3 (D)	3 (D)
Minimum Number of Stories at the Street Wall along Hwy 50/Lake Tahoe Blvd.	2 (Stateline Node Only)	n/a				
Building Step Backs						
Street Facing	Structures shall not interrupt a line of a 1:1 slope extending upward from 30 feet above existing grade of the street facing setback line.				n/a	
Adjacent to Residential District	Structures shall not interrupt a line of a 1:1 slope extending upward from 25 feet above existing grade of the setback line adjacent to the residential district (E ₂)				n/a	
Ground Floor Minimum Height, Non-Residential Uses (ft)	15	15	15	n/a	n/a	n/a
Roof Slope	5:12 to 12:12 (F)					
Roof Height	For buildings one to three stories, the height of the sloped roof must be a minimum 40% of the height of the building. (F)					

¹ The maximum height for TSC-G Special Area 1 is 56 feet, or 4 stories, for uses other than single-family dwellings.

Unlike the B/ATCP, Vacation Home Rentals (VHRs) in the TCAP are allowed with no cap on the number of permits issued within the TCAP boundaries. There are two single family homes and 16 condos in the amendment area that are already permitted to operate as VHRs and will be removed from the cap imposed for areas outside the TCAP; thereby potentially opening up VHR permits for homes located outside of the TCAP. In all, there are six single family dwelling units, one multi-family structure composed of five units,

and 30 condominium units, of which 18 (16 condominium and two single family dwellings) are actively permitted VHRs.

The proposed amendment area is currently located within a portion of District 1 of the B/ATCP and would be located within TSC-G Special Area 1. The primary list of permissible uses (A: Allowable or S: Special Use or --: not permissible) and maximum densities for the Community Plan and TCAP Gateway District are compared in Table 2-1. The expansion of the TCAP boundary will:

- Increase the density allowance for multi-family residential from 15 units per acre to 25 units per acre;
- Increase the density allowances for tourist units from 40 units per acre if over 10 percent of the units have kitchens or 15 units per acre if more than 10 percent are without kitchens to 40 units per acre;
- Increase density allowances for timeshares from 15 units per acre to 40 units per acre; and
- Allow single family condominiums at one unit per parcel.

The primary changes are in relation to multiple-family housing and timeshare densities. In the TCAP Gateway District, multiple family housing is an allowed use rather than a special use and density can be up to 25 units per acre compared to 15 units per acre for the B/ATCP. Timeshares, while allowed in a select few parcels in the B/ATCP, are not currently an allowed use in the amendment area. The proposed amendments would allow timeshares in the amendment area as a special use, consistent with the TCAP Gateway District, and at a maximum density of 40 units per acre, which is the allowed density for hotel/motel uses in both the TCAP and the B/ATCP. It should be noted that in the B/ATCP, hotel/motel timeshares are not permissible and residential timeshares are only allowed on the Sierra Shores property at 15 units per acre, but are not allowed within the amendment area. Additionally, residential condominiums, which are not currently allowed in the B/ATCP yet currently exist on the Lakeshore Lodge property at a density of approximately 18 units per acre or one unit per parcel (30 units within 1.66 acres), would be allowed in the TCAP at one unit per parcel. The B/ATCP currently allows hotel/motel units at 40 units per acre if over 10 percent of the units have kitchens or 15 units per acre if more than 10 percent of the units are without kitchens. The amendments would allow 40 hotel/motel units per acre with or without kitchen units.

An amendment to the TCAP “Lot and Density” standards is proposed to limit the combined density of projects in TSC-G Special Area 1 proposing both residential and tourist units to 40 units per acre. Currently, the Regional Plan Update allows projects in Area Plans to develop to the maximum density limit of both residential and tourist units separately. This new policy would limit those combined uses in a mixed-use project in TSC-G Special Area 1 so as not to exceed a combined total of 40 units per acre. The amendment maintains the density levels:

TCAP TABLE 4: LOT AND DENSITY STANDARDS							
DISTRICT	TSC-C	TSC-MU	TSC-MUC	TSC-G	TSC-NMX	REC	#
Maximum Density: Employee Housing Family (dwelling units/ acre)	15	15	15	15	15	15	
Maximum Density: Multi-Person Dwelling (persons/ acre)	25	25	25	25	25	n/a	
Maximum Density: Multi-Family (dwelling units/ acre)	25	25	25	25	25	n/a	
Maximum Density: Single Family Dwelling	1 unit per parcel for parcels less than one acre 2 units per parcel for parcels greater than or equal to one acre, provided one unit is an authorized secondary residence						
Maximum Density: Tourist Accommodation (dwelling units/ acre)	40	40	40	40	40	n/a	
<u>Maximum Density: Mixed Use</u>	<u>65 (B)</u>	<u>65 (B)</u>	<u>65 (B)</u>	<u>65 (B)</u>	<u>65 (B)</u>	<u>n/a</u>	
Minimum Lot Size (sq ft)	10,000 (A)	10,000 (A)	10,000 (A)	10,000 (A)	6,000 (A)	10,000 (A)	
Minimum Lot Width (sq ft)	80 (A)	80 (A)	80 (A)	80 (A)	60 (A)	80 (A)	
Minimum Lot Depth (sq ft)	100 (A)	100 (A)	100 (A)	100 (A)	100 (A)	100 (A)	
Maximum Land Coverage-Base + Transferred (% of project area located within land capability districts 4-7)	Within 300 feet of the High Water Mark of Lake Tahoe, maximum coverage shall be 50 percent of the project area that is located within Land Capability Districts 4 through 7, inclusive. Further than 300 feet from the High Water Line of Lake Tahoe, maximum land coverage shall be 70 percent of the project area that is located within Land Capability Districts 4 through 7, inclusive. Also see Section 30.4 of the TRPA Code of Ordinances						

- A. **Reduced Minimum Lot Size and Dimensions.** Smaller lots may be approved as part of a condominium , or other airspace subdivision pursuant to City Code ~~Section 32-18~~ 6.55.190.
- B. **Mixed-Use Density.** The maximum density for mixed-use projects includes up to 40 Tourist Units per acre and up to 25 residential units per acre. If a project includes non-conforming tourist or residential density, any new tourist or residential density must take into account the overage in overall density and reduce the allowable density for new construction so that the total density does not exceed 65 units per acre.

In the case of a mixed-use project that includes a commercial use or other use that is not subject to a density calculation, combined with residential and/or tourist uses, the project may include the total allowable commercial square footage, and the maximum allowable tourist and residential units per acre, using the full parcel area as the denominator in the density calculation.

The maximum mixed-use density for TSC-G Special Area 1 is 40 units per acre. Otherwise, the lot and density standards for TSC-G Special Area 1 are identical to those in the TSC-G zoning district.

The amendments would alter the range of permissible uses currently allowed within the proposed amendment area. Additionally, the following special uses currently allowed in the B/ATCP would be allowed uses: printing and publishing, local public health and safety facilities, social service organizations, insect and diseases suppression, and threshold related research facilities. Collection stations and post offices, special uses in the B/ATCP, would not be allowed in TSC-G Special Area 1, while regeneration harvest, fuels treatment and management, and prescribed fire/burning management, which are not currently allowed in the amendment area, would be allowed uses under the TCAP. It should be noted that the existing TCAP does not currently address shorezone land uses such as the existing boat launch facility and waterborne taxi, as they were inadvertently not carried over from the Stateline/Ski Run Community Plan when the TCAP was adopted. The proposed TCAP amendments address this omission for the entirety of the TCAP boundary. These changes are shown in the table below.

Land Use Category	Existing		Proposed	
	B/ATCP (District 1)		TCAP Gateway District Special Area 1	
	PERMISSIBLE	DENSITY	PERMISSIBLE	DENSITY
RESIDENTIAL				
Employee Housing	S	15 DU/acre	S	15 DU/acre
Multiple Family Dwelling	S	15 DU/acre	A	25 DU/acre
Multi-Person Dwelling	S	25 persons/acre	S	25 persons/acre
Single Family Dwelling	S	1 DU/parcel	A (includes condos)	1 unit per parcel for parcels less than one acre, 2 units per parcel for parcels greater than or equal to one acre, provided one unit is an authorized secondary residence.
TOURIST ACCOMMODATION				
Bed & Breakfast	A	10 units/acre	A	10 units/acre
Hotel, Motel, Other Transient Dwellings	A	40 units/acre (<10% with kitchen)	A	40 units/acre
		15 units/acre (>10% with kitchen)		
Time Share – Residential Design	--	--	S	40 units/acre
Time Share Hotel/Motel Design	--	--	A	40 units/acre
RETAIL COMMERCIAL				
General Retail and Personal Services (General Merchandise)	A		A	
Building Material and Hardware	S		<u>S</u>	

Table 2-1: Comparison of Permissible Uses				
	Existing		Proposed	
	B/ATCP (District 1)		TCAP Gateway District Special Area 1	
Land Use Category	PERMISSIBLE	DENSITY	PERMISSIBLE	DENSITY
Mail Order and Vending	A		A (General Retail)	
Nursery	S		S	
Outdoor Retail Sales	S		S	
Eating & Drinking Places	A		A	
Food & Beverage Retail Sales	A		A (General Retail)	
Furniture, Home Furnishings & Equipment	A		A (General Retail)	
Service stations	S		S	
ENTERTAINMENT COMMERCIAL				
Amusement & Recreation	A		A	
Privately Owned Assembly & Entertainment	S		S	
Outdoor Amusements	S		S	
SERVICE COMMERCIAL				
Animal Husbandry	A		<u>A</u>	
Broadcasting Studios	A		A (Professional Offices)	
Business Support Services	A		<u>SA</u>	
Health Care Services	A		A	
Personal Services	A		A (Personal Services)	
Professional Offices	A		A	
Repair Services	S		S (Business Support Services)	
Schools (Business/Vocational)	A		<u>SA</u>	
LIGHT INDUSTRIAL				
Printing and Publishing	S		A (Professional Offices)	
WHOLESALE/STORAGE COMMERCIAL				
Vehicle Storage and Parking	S		S	
GENERAL PUBLIC SERVICE				
Churches/Religious Assembly	A		<u>SA</u>	
Collection Stations	S		--	
Cultural Facilities	A		<u>SA</u>	
Daycare Centers/Preschools	A		A	
Government Offices	S		S	
Post Office	S		--	

Table 2-1: Comparison of Permissible Uses				
Land Use Category	Existing		Proposed	
	B/ATCP (District 1)		TCAP Gateway District Special Area 1	
	PERMISSIBLE	DENSITY	PERMISSIBLE	DENSITY
Local Assembly/Entertainment	S		S	
Local Public Health and Safety Facilities	S		A	
Social Service Organizations	S		A	
LINEAR PUBLIC FACILITIES				
Pipelines & Power Transmission	S		S	
Transit Stations & Terminals	S		S	
Transportation Routes	S		S	
Transmission & Receiving	S		S	
Threshold Related Research Facilities	S		A (Professional Offices)	
RECREATION				
Day Use Areas	A		A	
Outdoor Recreation Concessions	S		S	
Visitor Information Centers	A		SA	
SHOREZONE ⁷				
Water Oriented Outdoor Recreation Concessions ⁷	A		TRPA-A (Outdoor Recreation Concessions)	
Beach Recreation	A		TRPA-A	
Water Borne Transit	S		TRPA-S	
Boat Launching Facilities	S		TRPA-S	
Tour Boar Operations	S		TRPA-S	
Marinas	S		TRPA- SA	
Safety and Navigation Devices	A		TRPA-A (Shorezone District 4)	
Buoys	A		TRPA-A	
Piers	S		TRPA-S	
Fences	S		TRPA-S	
Boat Ramps	S		TRPA-S	
Floating Docks and Platforms	S		TRPA-S	
Shoreline Protective Devices	S		TRPA-S	
Water Intake Lines	A		TRPA-A	

Table 2-1: Comparison of Permissible Uses				
	Existing		Proposed	
	B/ATCP (District 1)		TCAP Gateway District Special Area 1	
Land Use Category	PERMISSIBLE	DENSITY	PERMISSIBLE	DENSITY
RESOURCE MANAGEMENT				
Forest & Timber Resource Management	A		A	
Reforestation	A		A	
Sanitation Salvage Cut	A		A	
Selection Cut	A		A	
Special Cut	A		A	
Thinning	A		A	
Timber Stand Improvement	A		A	
Regeneration Harvest	--		A	
Vegetation Resource Management			A	
Fire Detection & Suppression	A		A	
Insect & Disease Suppression	S		A	
Fuels Treatment & Management	--		A	
Prescribed Fire/Burning Management	--		A	
Sensitive Plant Management	A		A (Vegetation Resource Management)	
Uncommon Plant Community Management	A		A (Vegetation Resource Management)	
Water Quality Improvements & Watershed Management (Erosion Control/Runoff Control)	A (excluding SEZ restoration)		A	
Wildlife & Fisheries Resource Management/Early Successional Vegetation Management (CP)	A (excluding nonstructural fish habitat management)		A	
OPEN SPACE				
Allowed in all areas of Region	A		A	

The exact changes to TCAP Appendix C, Table 1 and 4 Permissible Uses table are as follows, and a definition for Animal Husbandry Services and Shorezone would be added to Table 2:

TCAP Appendix C Table 1: PERMITTED USES BY LAND USE DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "-" – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS
RESIDENTIAL								
Domestic Animal Raising	-	-	-	-	-	-	S	-
Employee Housing	S	S	A	S	S	<u>S</u>	A	-
Multiple Family Dwelling	A	A	A	A	A	<u>A</u>	-	-
Multi-Person Dwelling	S	S	S	S	S	<u>S</u>	-	-
Single Family Dwelling (includes condominiums)	A8	A	A	A	A	<u>A</u>	S1	-
TOURIST ACCOMMODATION								
Bed & Breakfast Facilities	-	A	A9	S	A	<u>A</u>	-	-
Hotel, Motel, Other Transient Dwelling Units	A	A	A9	S	A	<u>A</u>	-	-
Time Sharing	A	A	A9	S	S	<u>A</u>	-	-
RETAIL COMMERCIAL								
General Retail and Personal Services	A	A	A9	S	A	<u>A</u>	-	-
Building Material & Hardware	S6	-	-	-	-	<u>S</u>	-	-
Nursery	-	-	A9	-	-	<u>S</u>	-	-
Outdoor Retail Sales	A	-	S9	-	-	<u>S</u>	-	-
Eating & Drinking Places	A	S	A9	S	A	<u>A</u>	-	-
Service Stations ¹¹	S	S	-	-	S	<u>S</u>	-	-
ENTERTAINMENT COMMERCIAL								
Amusement & Recreation	S	S	-	-	-	<u>A</u>	-	-
Privately Owned Assembly and Entertainment	S	S	-	-	-	<u>S</u>	S	-
Outdoor Amusements	-	S	S9	-	S	<u>S</u>	S	-
SERVICE COMMERCIAL								
Animal Husbandry Services	-	-	-	-	-	<u>A</u>	-	-
Business Support Services	A7	S	S9	-	S	<u>A</u>	-	-
Health Care Services	A2,5	-	A9	-	A	<u>A</u>	-	-
Professional Offices	A3,4	A	A9	A	A	<u>A</u>	-	-
Schools – Business & Vocational	S	-	S9	-	A	<u>A</u>	-	-
LIGHT INDUSTRIAL COMMERCIAL								
Small Scale Manufacturing	S	S	S9	S	-	-	-	-
WHOLESALE/STORAGE COMMERCIAL								
Vehicle Storage & Parking ¹¹	S	S	S9	S	S	<u>S</u>	-	-
GENERAL PUBLIC SERVICE								
Religious Assembly	-	S	S9	-	S	<u>A</u>	-	-
Cultural Facilities	S	S	S9	-	S	<u>A</u>	-	-
Daycare Centers/Preschool	A	A	A10	A	A	<u>A</u>	-	-
Government Offices	-	-	A9	-	-	<u>S</u>	-	-
Local Assembly & Entertainment	S	S	-	-	-	<u>S</u>	-	-
Local Public Health and Safety Facilities ¹¹	A	A	A	A	A	<u>A</u>	A	A

TCAP Appendix C Table 1: PERMITTED USES BY LAND USE DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "–" – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS
Public Owned Assembly & Entertainment	S	S	-	-	-	-	S	
Public Utility Centers ¹¹	-	S	-	-	-	-	-	-
Social Service Organizations	-	-	A9	-	A	A	-	-
LINEAR PUBLIC FACILITIES								
Pipelines & Power Transmission	S	S	S	S	S	S	S	S
Transit Stations & Terminals	S	S	S	S	S	S	S	S
Transportation Routes	S	S	S	S	S	S	S	S
Transmission & Receiving Facilities	S	S	S	S	S	S	S	S
RECREATION								
Beach Recreation	-	-	-	-	TRPA-A		-	-
Boat Launching Facilities	-	-	-	-	TRPA-S		-	-
Cross Country Ski Courses	-	-	-	-	-		S	-
Day Use Areas	A	A	A	A	A	A	A	A
Group Facilities	-	-	-	-	-		S	-
Marinas	-	-	-	-	TRPA-S		-	-
Outdoor Recreation Concessions	-	-	-	-	S	S	-	-
Participant Sport Facilities[2]	S	-	-	-	-		-	-
Riding and Hiking Trails	-	-	-	-	-		S	-
Rural Sports	-	-	-	-	-		S	-
Snowmobile Courses	-	-	-	-	-		S	-
Visitor Information Centers	S	S	-	-	S	A	-	-
RESOURCE MANAGEMENT								
Forest and Timber Resource Management	A	A	A	A	A	A	A	A
Vegetation Resource Management	A	A	A	A	A	A	A	A
Water Quality Improvements and Watershed Management	A	A	A	A	A	A	A	A
Wildlife and Fisheries Resource Management	A	A	A	A	A	A	A	A
Range Management	-	-	-	-	-	-	A	-
OPEN SPACE								
Allowed in all areas of the Region	A	A	A	A	A	A	A	A
SHOREZONE (Tolerance Districts 1 and 4)								
Water Oriented Outdoor Recreation Concessions					TRPA-A	TRPA-A		
Beach Recreation					TRPA-A	TRPA-A		
Water Borne Transit					TRPA-S	TRPA-S		

TCAP Appendix C Table 1: PERMITTED USES BY LAND USE DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "–" – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area 1	REC	OS
<u>Boat Launching Facilities</u>					TRPA-S	TRPA-S		
<u>Tour Boat Operations</u>					TRPA-S	TRPA-S		
<u>Safety and Navigation Devices</u> (Shorezone District 4)					TRPA-A	TRPA-A		
<u>Marinas</u>					TRPA-S	TRPA-S		
<u>Buoys</u>					TRPA-A	TRPA-A		
<u>Piers</u>					TRPA-S	TRPA-S		
<u>Fences</u>					TRPA-S	TRPA-S		
<u>Boat Ramps</u>					TRPA-S	TRPA-S		
<u>Floating Docks and Platforms</u>					TRPA-S	TRPA-S		
<u>Shoreline Protective Devices</u>					TRPA-S	TRPA-S		
<u>Water Intake Lines</u>					TRPA-A	TRPA-A		

Note: In the Regional Center all residential projects equal to or exceeding 100,000 square feet of new floor area or non-residential projects equal to or exceeding 80,000 square feet of new floor area require TRPA review and approval. In the Town Center all residential projects equal to or exceeding 50,000 square feet of new floor area or non-residential projects equal to or exceeding 40,000 square feet of new floor area require TRPA review and approval.

1. Caretaker Residence Only
2. All Health Care Services are allowed except emergency outpatient or urgent care facilities which shall only be considered along Heavenly Village Way, formerly Park Avenue.
3. Allow Realty Offices within the district and limit financial services to ATMs.
4. Allow consideration for placement of Realty Offices within the district, and only when operated in conjunction with approved Park Avenue Redevelopment fractional ownership tourist accommodation projects. Such use shall occupy no more than five percent (5%) of the commercial floor area with any project area within the district.
5. All Health Care Services uses permissible throughout special district; provided that any Health Care Services uses proposed to front on either side of US Highway 50 and/or the intersections of Heavenly Village Way (formerly Park Avenue) and Stateline Avenue are limited to second floor or higher. See TRPA Ordinance 2009-05 Exhibit 2 for specific limitation locations.
6. Outdoor storage and display is prohibited.
7. Shall not front on US Highway 50.
8. Condominiums only.
9. Use not permitted in Special Area #1, which comprises of APNs 028-081-02, 028-081-04 & 028-081-15.
10. Daycare center allowed as an accessory use.
11. Land use category is identified in TRPA Code Section 60.3 as a "possible contaminating activity," triggering special requirements pursuant to TRPA Code Section 60.4 if located within a Source Water Protection Zone.

TCAP Table 2: LIST OF PRIMARY USES AND USE DEFINITIONS	
USE	DEFINITIONS
SERVICE COMMERCIAL	
<u>Animal Husbandry Services</u>	<u>Establishments primarily engaged in performing services for animals, such as veterinary services, animal hospitals, and animal kennels. The use does not include publicly operated animal control and wildlife care (see “Local Public Health and Safety Facilities”).</u>
<u>Shorezone</u>	<u>Refer to TRPA Code Chapter 90 - Definitions</u>

Other general administrative corrections to the TCAP are also proposed. These include correcting the maximum CNEL limits throughout the TCAP, updating recreation implementation strategies, correcting mapping inconsistencies, adopting green building policy to align with City standards, and adopting development rights language and policies to align with TRPA Code of Ordinances. Other minor grammatical or typographical updates are also proposed, along with minor language updates to reflect completed projects. These corrections are listed below:

Mapping corrections include changes to the following figures in the TCAP to include the amendment area:

- Figure 1-1: Location Map
- Figure 2-1: Conceptual Regional Land Use Map
- Figure 2-2: General Plan Land Use Diagram
- Figure 3-1: Existing Land Uses
- Figure 3-2: Mapped Land Capability
- Figure 3-3: Existing Land Coverage
- Figure 3-4: Land Coverage Reduction
- Figure 3-5: Existing Water Quality Improvements
- Figure 3-6: Existing Scenic Resources Map
- Figure 3-7: Existing Transportation Network
- Figure 3-8: Existing Recreation Facilities
- Figure 3-9: Existing Public/Quasi-Public Facilities
- Figure 5-1: Zoning Map
- Figure 6-1: Proposed Transportation Network
- Figure 7-1: Proposed Scenic Resources Map
- Figure 7-2: Proposed Water Quality Improvement Projects
- Figure 7-3: Proposed Registered Catchments
- Figure 8-1: Proposed Recreation Facilities

Proposed updates to the bulleted list and threshold table under Section 1.2 Organization of Area Plan include:

- ~~Located within the High Density Tourist District~~
- Located within the Shorezone of Lake Tahoe
- Located within a Resort Recreation District

- Located within a Conservation District
- Any new building floor area meeting the criteria in the following table:

THRESHOLDS FOR GOVERNING BOARD REVIEW OF PROJECTS IN AREA PLANS			
	Regional Center	Town Center	Outside Not in Center
Residential	≥ 200,000 100,000 sq. ft.	≥ 100,000 50,000 sq. ft.	≥ 50,000 25,000 sq. ft.
Non-residential	>100,000 80,000 sq. ft.	> 50,000 40,000 sq. ft.	> 25,000 12,500 sq. ft.

Text revisions are also proposed under TCAP Section 1.3 Plan Adoption, as follows:

~~The South Lake Tahoe City Council and the TRPA Board will hold public hearings and take action on The Tourist Core Area Plan. Once found in conformance with the City's General Plan and TRPA's 2012 Regional Plan and adopted by both, this Area Plan will serve as the governing plan for the Tourist Core Area Plan for both the City of South Lake Tahoe and TRPA. This Area Plan will supersede the Stateline/Ski Run Community Plan for the purposes of land use regulation for both the agencies and will provide management direction for all projects proposed within the Plan's boundaries.~~

The Tourist Core Area Plan was adopted by the South Lake Tahoe City Council on October 14, 2013 and by the TRPA Governing Board on November 11, 2013. The Area Plan was amended on January 14, 2014 to incorporate amendments requested by the TRPA Governing Board.

This Tourist Core Area Plan supersedes the Stateline/Ski Run Community Plan for the purposes of land use regulation for both the agencies and will provide management direction for all projects proposed within the Plan's boundaries.

TCAP Section 2 – Legal Authority and Regulatory Setting would be updated to remove outdated text and reflect current terminology:

The purpose of the Tourist Core Area Plan is to define land use guidelines for planning decisions. The Tourist Core Area Plan presents principles, goals, policies and implementation strategies designed to encourage redevelopment, create a vibrant walkable pedestrian oriented community and provide for environmental improvements. The Area Plan is used by the Community Development Services staff, the City Planning Commission, and the City Council to review specific development proposals in the Tourist Core. The Plan also provides direction to property owners, community groups, and interested individuals in formulating and review of development and redevelopment projects.

~~The Tourist Core Area Plan once adopted is will become a part of TRPA's 2012 Regional Plan and the City of South Lake Tahoe General Plan. It will replaced the Stateline/Ski Run Community Plan which has been adopted by the City of South Lake Tahoe and TRPA and currently provides guidance for land use decisions in this area.~~

Section 2.1 Tahoe Regional Planning Agency

Town Center Overlay Districts: As a Areas that contain most of the region's non-residential services.

Regional Center Overlay Districts: Areas that includes a variety of land uses in the core of South Lake Tahoe, including the gondola and base lodge facilities for Heavenly Mountain Resort. Development patterns in the Regional Center have been, and should continue to be, more intensive than Town Centers and less intensive than the High Density Tourist District Overlay District (located in Stateline, NV). The Regional Center is targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities in the region. This district functions as a pedestrian- and transit oriented, mixed-use regional tourist and recreation activity center that encourages mix of uses that promotes convenience, economic vitality and improved access to a greater range of facilities and services for tourist and permanent residents.

Transfer of Development Rights Receiving Areas: Indicates areas that are eligible to receive the transfer of existing residential, tourist and commercial uses and ~~residential development rights~~ potential residential units of use pursuant to Chapter 51 of the TRPA Code of Ordinances. Receiving Areas designated for Existing Development are eligible to receive the transfer of existing uses that are permissible uses in the Tourist Core. Receiving Areas designated for Multi-Residential Units are eligible to receive the transfer of ~~residential development rights~~ potential residential units of use and parcels within this designation area are eligible to receive one or more development rights.

Scenic Restoration Area: Indicates one or more highway units or shoreline units in the Tourist Core that are not in compliance with the Scenic Threshold rating and that this area is therefore subject to the scenic quality provisions of Chapter 66: Scenic Quality of the TRPA Code of Ordinances.

Preferred Affordable Housing Areas: Areas with the preferred affordable housing designation are eligible for subdivision of post-1997 residential projects pursuant to TRPA Code of Ordinances subparagraph 39.2.5.F.

AREA PLANS

The 2012 TRPA Regional Plan and TRPA Code of Ordinances, Chapter 13, *Area Plans*, include new provisions that allow for local, state, and federal agencies, in coordination with TRPA staff, to prepare coordinated Area Plans for the implementation of land use goals, policies, and ordinances. The Area Plans, which must include implementing ordinances and zoning designations, are required to be consistent with the 2012 Regional Plan. Once an Area Plan has been found in conformance with 2012 Regional Plan, local, state, or federal agencies may assume development review authority by Memorandum of Understanding (MOU) with TRPA. ~~For the City of South Lake Tahoe's planning purposes, the objective is to replace the existing Stateline/Ski Run Community Plan with this Area Plan and assume development review authority by entering into a MOU with TRPA.~~

Chapter 13 of the TRPA Code of Ordinances defines the required content of Area Plans and establishes that Area Plans may be approved by TRPA if they contain policies and development standards that are consistent with and further the goals and policies of the 2012 Regional Plan. With an adopted conforming Area Plan, local governments can opt to take over limited permitting authority from TRPA. Upon adoption, the provisions of the Area Plan supersede the underlying Plan Area Statements or Community Plans. Chapter 13 requires that the Area Plan incorporate minimum development and community design standards consistent with Chapter 13. For TRPA to make a general finding of conformance, the Area Plan shall at a minimum address and incorporate the following:

- Identify all zoning designations;
- Be consistent with the Regional Plan growth management system;
- Demonstrate consistency with the Regional Plan Conceptual Land Use Map;
- Recognize and support planned, new or enhanced Environmental Improvement Projects;
- Promote environmentally beneficial redevelopment and revitalization within centers;
- Preserve the character of established residential areas outside a center;
- Protect and direct development away from Stream Environment Zones;
- Identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities; and
- Where applicable, TRPA will use the local governments load reduction plans for registered catchments as the default water quality standards.

In addition, for Area Plans that include designated Town Centers or a Regional Center, the following provisions must be covered in the Area Plan:

- Include building and site design standards that reflect the unique character of each area;
- Include pPolicies and strategies to promote walking, bicycling, transit use and shared parking;
- Address the form of development that promotes pedestrian activity and transit use.
- Ensure adequate capacity for redevelopment;
- Identify an integrated community strategy for coverage reduction and enhanced storm water management; and
- Provide for threshold gain.

2.2. State of California

....

The Tourist Core Area Plan was prepared to be ~~will be developed~~ consistent with the requirements of a specific plan under California State law and will implements ~~the~~ the development goals and policies by establishing zoning districts, standards, and criteria for development and sets the distribution, location and extent of planned land uses consistent with the adopted City General Plan.

2.3 City of South Lake Tahoe

In 1999, the City of South Lake Tahoe adopted a General Plan under the requirements of California Planning Law. In conjunction with that adoption, the City adopted TRPA's system of Plan Area Statements and Community Plans in lieu of its previous traditional zoning system. The action eliminated inconsistencies between the City's and TRPA's land use plans. Subsequently, the City adopted three of four anticipated community plans including the Stateline/Ski Run Community Plan in March 1994. The Community Plan provides land use and development guidance to the Stateline/Ski Run Area.

In 2011, the City of South Lake Tahoe updated its General Plan and amended its Land Use Element to include a policy that directs the City to periodically update and implement the three adopted Community Plans within the City's jurisdiction as a way to focus development commodities and revitalization efforts (see Policy LU-2.2, City of South Lake Tahoe General Plan, May 17, 2011).

The ~~development and~~ adoption of the Tourist Core Area Plan in 2013 meets the directive of LU-2.2 of the City's General Plan and the requirements of TRPA's Regional Plan. The Tourist Core Area Plan ~~when adopted would~~ replaced the Stateline/Ski Run Community Plan and provides future land use and development guidance.

Development rights language and policies in Section 5 are proposed to be updated as follows:

Goal LU-3 Housing

~~Policy LU-3.2: Promote home ownership by allowing for condominium units in TSC-NMX district.~~

LU-6.1: Encourage and allow for the revitalization and consolidation of development within centers by encouraging allowing for the transfer and conversion of residential units of use, and tourist accommodation units, and commercial floor area that have been converted to commercial floor area pursuant to TRPA Code Section 50.10 Chapter 51.

The amendments propose to add a new Recreation Implementation Strategy under Section 8.2 in support of CTC efforts to improve public access to Connolley Beach and Timber Cove. This addition supports TCAP Recreation Goal G-4 to increase public access to the lake. The following Implementation Strategy is proposed:

- Support the California Tahoe Conservancy in its efforts to implement the Connelley Beach Public Access Project located west of the Beach Retreat parcel to provide a second access to Connelley Beach in addition to Timber Cove.

Proposed Amendment to TCAP Appendix C: Development and Design Standards, not already discussed above in terms of land use, height, or density includes an update to the CNEL limits for consistency with TRPA adopted threshold standards. The noise limits would be revised as follows:

COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)

The maximum community noise equivalent level for this Area Plan is as follows:

TCAP TABLE 3: COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)								
DISTRICT	TSC-C	TSC-MU	TSC-MUC	TSC-G	TSC-NMX	REC	OS	US 50
CNEL	65 60	65 60	65 60 ¹	65 60 ² (55 within the shorezone)	65	55	55	65

1. Maximum CNEL for TSC-MUC Special Area #1, which comprises of APNs 028-081-02, 028-081-04, 028-081-15 is 55
2. Maximum CNEL for TSC-G Special Area #1 is identical to the TSC-G Zoning District.

This project also includes amendment to TCAP Appendix D: City of South Lake Tahoe Green Building Program. The following text changes are proposed under Level 2- “Priority Plan Check, Allocation, and Recognition”:

Therefore, the second level of voluntary measures requires third party green building certification. Residential buildings that obtain LEED, Energy Star or GreenPoint Rated certification would be eligible for the following:

- Projects would receive priority plan check, over all other projects, by all City Departments.
- ~~Residential projects would have priority on the residential allocation waiting list –10% of residential allocations would be offered to Green Building projects before other projects on the waiting list.~~
- Projects would receive recognition at a televised City Council meeting and on the City Website.

~~When applicants are placed on the Residential Allocation waiting list, they would need to submit a signed testimony that they will pursue green building certification. Procedures for the allocation waiting list and distribution would not be changed, however, 10% of residential allocations received from TRPA each year, would be offered to those pursuing green building certification before being offered to others on the waiting list. Once eligible to receive an allocation, the applicant will need to submit documentation demonstrating their pursuit of the third party certification (i.e., proof of application submittal, contract with a LEED professional, GreenPoint Rater, or Home Energy Rater) prior to receiving a building permit. Proof of final certification will be required prior to issuing a certificate of occupancy. If certification is not obtained when occupancy is required, the applicant may post a security equal to \$10,000 in order to receive a certificate of occupancy for the building. The security would be held until green building certification is obtained. If certification is not obtained within 1 year of occupancy, the security would be forfeited and deposited into the City fund to be used for City sustainability efforts. If the project is not requesting residential allocation(s) they can still qualify for the other incentives and would need to provide a signed testimony and documentation demonstrating their intent to obtain green building~~

certification with their building permit application and provide final certification prior to occupancy.

As part of the TCAP Amendments, compliance with all aspects of the TRPA Regional Plan and Code of Ordinances not specifically substituted by standards within the Area Plan including mitigation measures from the RPU EIS certified by the TRPA Governing Board on December 12, 2012 is required. The adoption of these measures includes compliance with measures that have already been incorporated into the TRPA Code, Initial Environmental Checklist, and standard conditions of approval for residential and grading projects.

Amendment to the B/ATCP consists of minor text changes to remove outdated text and to correct and update chapter references to TRPA Code. Only the minor text changes are listed below as the references to the updated TRPA Code chapters are numerous and administrative:

Chapter 1 Introduction

A. PURPOSE

The Bijou/Al Tahoe (PAS 98) Community Plan (CP) is designed to serve as the guiding doctrine for land use related decisions in the area. ~~until the year 2007. In addition to the CP for the Bijou/Al Tahoe area, CPs have been prepared for the Stateline/Ski Run (PAS 089B & 91) area, and will be prepared for the South Y (PAS 110)/Industrial Tract (PAS 113) area.~~

B. BACKGROUND

The CP area generally extends from ~~Fairway Avenue~~ Takela Drive along US 50, just west of Al Tahoe Boulevard, as well as property between Johnson Boulevard and Hwy 50, including property on Al Tahoe Boulevard terminating at the west boundary of Bijou Park and at the east boundary of Lake Tahoe Community College. Land use patterns in this area are widely varied, although the predominant theme of businesses is retail oriented including restaurants and a sizable area devoted to public service uses.

3.0 BASELINE

As specified in Section 13.3.1 of the TRPA Code, all plans, policies, and regulations in the Regional Plan and the TRPA Code shall remain in effect unless superseded by the provisions of an adopted conforming Area Plan. Thus, existing baseline conditions for the purposes of this IS/IEC reflect current environmental conditions with the updated Regional Plan, TRPA Code, City of South Lake Tahoe General Plan and Zoning Ordinance in effect, and the existing TRPA plans (e.g., B/ATCP and adjacent area plans), maps, and ordinances also in effect. The TCAP has approximately 15 years left of a 20-year planning horizon.

The proposed project evaluated in this IS/IEC is the amendment of the TCAP. With approval, the TCAP amendments would become part of the TRPA Regional Plan and would amend the existing TCAP. The focus of the analyses herein is on the amendment of the existing plan, maps, and ordinances to reflect the revised boundary and the potential environmental effects of implementing the amendments to the TCAP over its plan horizon.

4.0 METHODOLOGY AND ASSUMPTIONS

This IS/IEC was prepared to evaluate the potential environmental effects of the TCAP and B/ATCP amendments using as a tool the CEQA initial study and TRPA initial environmental checklist questions, responses, and supporting narrative. The analysis tiers and incorporates by reference specific analyses contained in the following environmental review documents, as appropriate:

- TRPA, *Regional Plan Update EIS*, certified by the TRPA Governing Board on December 12, 2012 (RPU EIS)
- TRPA/Tahoe Metropolitan Planning Organization (TMPO), *Mobility 2035: Regional Transportation Plan/Sustainable Communities Strategy EIR/EIS*, certified by the TMPO Board and the TRPA Governing Board on December 12, 2012 (RTP EIR/EIS)
- TRPA/Tahoe Metropolitan Planning Organization (TMPO), *2017 Linking Tahoe: Regional Transportation Plan/Sustainable Communities Strategy IS/MND/IEC/FONSE*, certified by the TMPO Board and the TRPA Governing Board in April 2017 (RTP IS/IEC)
- City of South Lake Tahoe, *General Plan Update EIR*, certified by the City Council on May 17, 2011 (City GP EIR)
- City of South Lake Tahoe, *Tourist Core Area Plan IS/ND/IEC/FONSE*, certified by the City Council on October 15, 2013 and adopted by TRPA on November 11, 2013.

These program-level environmental documents include a regional and city-wide scale analysis and a framework of mitigation measures that provide a foundation for subsequent environmental review at an area plan level. These documents serve as first-tier documents for the TRPA review of the proposed TCAP Amendments. To the extent that the Area Plan is consistent with the Regional Plan and the RTP, for which the program EISs were prepared, the TCAP Amendments could be found to be “within the scope” of the program EISs.

The TCAP Amendments IS/IEC is also a program-level environmental document. No specific development projects are proposed at this time or analyzed herein. All future projects within the TCAP boundary would be subject to project-level environmental review and permitting by the City of South Lake Tahoe and/or TRPA, with the permitting agency determined based on the size, nature and location of the project (Section 13.7.3 of the TRPA Code). Project-level environmental documents would require identification of, and mitigation for any potentially significant environmental impacts.

TRPA has prepared an Area Plan Environmental Analysis Guidelines flowchart intended to assist local jurisdictions in considering environmental review requirements associated with the zoning districts and regional land uses proposed in area plans. The guidance poses the following questions:

- Does a land use district in the area plan allow a use that has a greater potential impact than the corresponding regional land use classification in the Regional Plan? This includes any community plans and/or PASs that would be wholly or partially, replaced by the area plan.
- Does a zoning district in the area plan allow a use that has a greater potential impact than the corresponding land use district in the PAS or community plan?
- Does the project have a greater potential impact than the use allowed by the zoning district in the area plan/PAS?

These questions contemplate whether land use/zoning changes resulting from the adoption or amendment of an area plan would result in new uses that could result in potential environmental impacts not previously contemplated by the community plans, PASs, and Regional Plan. The amendments do not create new districts, but shifts land within existing districts between two existing planning areas (B/ATCP and TCAP).

The amendments would allow timeshares in the amendment area as a special use, which is currently not allowed in the B/ATCP, and would define multi-family and single-family dwellings as allowable uses rather than special uses. The allowed density for multi-family dwellings and tourist accommodation units would increase from the current density allowed in the B/ATCP, but no density increase above what is currently allowed in the existing TCAP is proposed. An amendment to the TCAP “Lot and Density” policy would limit use density for mixed-use projects in TSC-G Special Area 1 to a combined 40 units per acre so that sites are not developed at the maximum density for both separate uses, which is currently allowed in Area Plans under the Regional Plan Update. Within other areas of TCAP, except for the Recreation District, the maximum mixed-use density would be 65 units per acre, in conformance with the Regional Plan Update. The amendments would also allow condominium units, not currently allowed in the B/ATCP on the parcels within the amended TCAP boundary. Since the amendments do not alter the allowances or limits established in the TCAP, except in compliance with the Regional Plan, but shifts parcels from an existing Community Plan to an Area Plan, the analysis will address the impacts of this shift within the amendment area. The checklist responses include cross-referencing to other checklist items to reduce redundancy, where appropriate.

5.0 ENVIRONMENTAL CHECKLIST AND IMPACT ANALYSIS

1. Project title: Tourist Core Area Plan Amendment

2. Lead agency name and address:

The City of South Lake Tahoe is the California Environmental Quality Act (CEQA) lead agency responsible for preparing an Initial Study/Negative Declaration (IS/ND) and the Tahoe Regional Planning Agency (TRPA) will serve as the lead agency for the Initial Environmental Checklist (IEC) under the Tahoe Regional Planning Compact.

City of South Lake Tahoe
1052 Tata Lane
South Lake Tahoe, California 96150

Tahoe Regional Planning Agency
P.O. Box 5310
Stateline, Nevada 89449

3. Contact person(s) and phone number(s):

City of South Lake Tahoe: John Hitchcock, Planning Manager, (530) 542-7472,
jhitchcock@cityofslt.us

Tahoe Regional Planning Agency: Jennifer Self, Senior Planner, (775) 589-5261, jself@trpa.org

4. Project location:

The TCAP and B/ATCP are located within the City of South Lake Tahoe, and the area proposed for amendment from the B/ATCP into the TCAP is located between US Highway 50 and Lake Tahoe, from the western end of Aston Lakeland Village Resort up to and including Beach Retreat and Lodge at Tahoe as shown on Figure 1-1.

5. Project sponsor's name and address:

LCOF Lake Tahoe Operating, LLC (Beach Retreat)
225 Water Street, Suite A-125
Plymouth, MA 02360

Lakeview Lodging, LLC
930 Bal Bijou
South Lake Tahoe, CA 96150

6. General Plan designation: The City's General Plan designates the land use as Town Center and TRPA's Conceptual Land Use Map designates it as Mixed-Use.

7. Zoning: Commercial/Public Service

8. Description of project: Refer to Chapter 2 of this document.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

Refer to Section 1.4 in Chapter 1 of this document.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

Amendment of the TCAP and B/ATCP requires the City of South Lake Tahoe City Council and the TRPA Governing Board approval. Projects that may move forward as a result of the implementation of these amendments will undergo project-level environmental review and may also require approval by the California Department of Fish and Wildlife, the California Regional Water Quality Control Board, Lahontan Region, El Dorado County Air Quality Management District, and/or the California Department of Transportation (Caltrans).

5.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

If environmental factors are checked below, there would be at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages. As discussed in the IS/IEC checklist, there are no potentially significant impacts associated with the TCAP amendment. Applicable mitigation measures for general and cumulative impacts associated with the General Plan and the RPU are incorporated into the project approval.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture/Forest Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Energy
<input type="checkbox"/> Geology Resources	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards/Hazardous Materials
<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Wildfire	<input type="checkbox"/> Mandatory Findings of Significance
	<input checked="" type="checkbox"/> None	<input type="checkbox"/> None with Mitigation Incorporated

5.2 CEQA ENVIRONMENTAL DETERMINATION

On the basis of this Initial Study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

Candace H. Stowell

July 9, 2020

Candace H. Stowell, AICP
City of South Lake Tahoe

Date

5.3 TRPA ENVIRONMENTAL DETERMINATION (TO BE COMPLETED BY TRPA)

On the basis of this TRPA Initial Environmental Checklist:

- a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedures Yes No
- b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedures. Yes No
- c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and TRPA's Rules of Procedures. Yes No

Signature of Evaluator

Date

Title of Evaluator

5.4 EVALUATION OF ENVIRONMENTAL IMPACTS

The following environmental analysis has been prepared using the CEQA Guidelines Appendix G: Environmental Checklist Form to complete an Initial Study (IS). This checklist also includes analysis of environmental impacts required in the TRPA Initial Environmental Checklist (IEC) found at: http://www.trpa.org/wp-content/uploads/Initial_Environmental_Checklist.pdf.

5.4.1 CEQA

CEQA requires a brief explanation for answers to the Appendix G: Environmental Checklist except "No Impact" responses that are adequately supported by noted information sources (see Table 5-1). Answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

Table 5-1: CEQA Defined Levels of Impact Significance	
Impact Severity	Definition
No Impact	A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
Less than Significant Impact	"Less than Significant Impact" applies where the Project's impact creates no significant impacts based on the criterion or criteria that sets the level of impact to a resource and require no mitigation to avoid or reduce impacts.
Less than Significant Impact after Mitigation	"Less than Significant Impact after Mitigation" applies where the incorporation of mitigation measures has reduced an effect from potentially "Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
Significant Impact	"Significant Impact" is appropriate if there is substantial evidence that an effect is potentially significant, as based on the criterion or criteria that sets the level of impact to a resource. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
Source: CEQA Appendix G Environmental Checklist Form 2018	

5.4.2 TRPA

Article VI of the TRPA Rules of Procedures presents the rules governing the preparation and processing of environmental documents pursuant to Article VII of the Compact and Chapter 3 of the Revised TRPA Code of Ordinances.

TRPA uses an IEC, in conjunction with other available information, to determine whether an EIS will be prepared for a project or other matter. This could include preparation of an Environmental Assessment, in accordance with Section 3.4 of the TRPA revised Code, when TRPA determines that an IEC will not provide sufficient information to make the necessary findings for a project.

The IEC includes a series of questions categorized by and pertaining to resources regulated by TRPA. Each checklist item requires a checked response of "Yes," "No," "No, with Mitigation," or "Data Insufficient." A checked response of "Data Insufficient" or a determination that a project may have a significant effect on the environment (Section 3.3.2 of the TRPA Code) indicates that additional environmental review in the

form of an Environmental Assessment (EA) or Environmental Impact Statement (EIS) would be required. The IEC form indicates that all “Yes” and “No, with Mitigation” responses require written explanations. This IEC provides supporting narrative for all responses. Where a checked response may not be intuitive or easily understood by the reader, that response has been marked with an asterisk (*) and a brief clarifying statement supporting the rationale for the checked response is included. Based on an initial review of the Project, TRPA and City staff determined that an IEC would provide sufficient information regarding the Project to make one of the findings below. As set forth in Code Subsection 3.3.1, based on the information submitted in the IEC, and other information known to TRPA, TRPA shall make one of the following findings and take the identified action:

1. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA’s Rules of Procedure.
2. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA’s Rules of Procedure.
3. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this Chapter and TRPA’s Rules of Procedure.

When completed, TRPA reviews the IEC to determine the adequacy and objectivity of the responses. When appropriate, TRPA consults informally with federal, state, or local agencies with jurisdiction over the project or with special expertise on applicable environmental impacts.

5.4.3 Aesthetics (CEQA), Scenic Resources/Community Design and Light and Glare (TRPA)

This section presents the analyses for potential impacts to aesthetics, scenic resources/community design and light and glare. Table 5-2 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-2: Aesthetics, Scenic Resources/Community Design and Light and Glare				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.3-1. Have a substantial adverse effect on a scenic vista? (CEQA Ia)			X	
5.4.3-2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (CEQA Ib)				X
5.4.3-3. Substantially degrade the existing visual character or quality of the site and its surroundings? (CEQA Ic)			X	
5.4.3-4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (CEQA Id)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.3-5. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe? (TRPA item 18a)				X
5.4.3-6. Be visible from any public recreation area or TRPA designated bicycle trail? (TRPA item 18b)				X
5.4.3-7. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area? (TRPA item 18c)				X
5.4.3-8. Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan? (TRPA item 18d)				X
5.4.3-9. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines? (TRPA item 18e)				X

5.4.3-10. Include new or modified sources of exterior lighting? (TRPA item 7a)				X
5.4.3-11. Create new illumination which is more substantial than other lighting, if any, within the surrounding area? (TRPA item 7b)				X
5.4.3-12. Cause light from exterior sources to be cast off-site or onto public lands? (TRPA item 7c)				X
5.4.3-13. Create new sources of glare through the siting of the improvements or through the use of reflective materials? (TRPA item 7d)				X

5.4.3-1. Would the Project have a substantial adverse effect on a scenic vista? (CEQA Ia)

The TCAP contains scenic vistas visible from public roadways; however, none of those vistas are visible within the amendment area. The amendment area is characterized by aging infrastructure and design, with excessive asphalt pavement and little to no landscaping, particularly the predominating area visible from U.S. 50. There is little cohesion in the design of the structures visible from the roadway and the aging design does not reflect the current design standards and practices in South Lake Tahoe. Some landscaping was included along the pedestrian walkway although minimal in extent due the existing setback limitations of existing structures to the walkway. While redevelopment could occur in the future, such changes are likely to be positive by improving the visual quality of the built environment consistent with the TRPA Code of Ordinances, City Design Guidelines, City Code Title 6, the standards of the TCAP, and the general recommendations for site planning found in the TRPA Scenic Quality Improvement Program (SQIP). Any redevelopment would improve the visual quality of the amendment area because the redevelopment would be required to implement adopted design and landscaping standards. Redevelopment would generally require a reduction in impervious coverage, increased landscaping particularly along U.S. 50, modified signage, use of materials characteristic to the area such as wood and natural stone, the use of a natural color scheme, screening of service areas and mechanical equipment, appropriate building articulation, and various other design aspects. Since many of the structures predate the B/ATCP Design Standards and Guidelines (1995), as well as City and TRPA standards, redevelopment would improve the visual quality of the amendment area.

The portion of US 50 in the amendment area is associated with Scenic Roadway Unit 33 (The Strip) viewshed #1. Views from this Roadway Unit area towards the west and east consist of mid-distant ridgelines (south and east), long-distant views of peaks through the road corridor (west), and intermittent views of Lake Tahoe (northwest). The lake is only briefly visible from U.S. 50 in the amendment area traveling west between CVS and Heidi’s restaurant. The primary near view from this corridor is urban commercial. The 2011 rating for this area included a travel route rating threshold composite score of 14 (nonattainment) and a scenic quality rating of 9 (attainment). Visual improvements to the built environment in the area occurred between 2006 and 2011 with redevelopment at the Sierra Center at Highway 50 and Ski Run, Sierra Shores Townhomes immediately west of the amendment area, and the gas station at Takela Drive; however, the analysis suggests additional improvements are warranted, particularly in terms of landscaping, variety, lake views and road structure. The 2015 evaluation rated Unit 33 as somewhat below target (non-attainment) with a threshold composite rating of 14.5, but with moderate improvement due to sidewalk and landscaping improvements and redevelopment of the Lake Tahoe Vacation Resort, which is outside the

area proposed for amendment. The project area also includes Shoreline Unit 31 (Bijou), which was in attainment with a 2011 threshold composite rating of 9.5 and scenic quality rating of 8. The 2015 evaluation identifies Shoreline Unit 31 as at target (attainment), but with little to no change as the threshold composite score remained at 9.5. Suggested improvements include removal of the sheet pile/break east of the Lakeside Marina outside the proposed amendment area and removal of the white tent at Timber Cove.

In addition to the amendment of land from B/ATCP to TCAP, the project proposes the following changes to be applied to the amendment area within the TCAP in relation to scenic resources and the visual quality of the area:

- In TSC-G Special Area 1, modifies the height standard to a maximum building height of 56 feet for structures other than single-family dwelling units that meet the findings for additional height in TCAP Appendix B and retains the existing maximum height of 42 feet for single-family dwelling unit structures or such structures that do not meet the existing findings for additional height (TCAP Appendix B).
- Increases the maximum density for multiple family units and single family condominiums to 25 units per acre (current maximum density in the TCAP TSC-G).
- Allows timeshares in the amendment area, which, except for Sierra Shores located adjacent to Beach Retreat Lodge, are not currently allowed by the B/ATCP, at a maximum density of 40 units per acre, which is the same density allowed for hotel/motel units.
- Allows hotel/motel units at a maximum density of 40 units per acre, rather than 40 units per acre if more than 10 percent of units have kitchens or 15 units per acre if more than 10 percent of the units are without kitchens.
- Although they already exist in the amendment area, allows condominium units, which were not allowed in the B/ATCP, at the same density as single-family residential uses.
- Allows timber regeneration harvest, fuels treatment and management, and prescribed fire/burning management in the amendment area, which are not currently allowed by the B/ATCP in the Bijou District.
- Prohibits collection stations and post offices, which are currently allowed as special uses in the B/ATCP Bijou District, although none currently exist in the amendment area.
- Permits printing and publishing, threshold related research facilities, local public health and safety facilities and social service organizations as allowed uses in the TCAP TSC-G, rather than allowed special uses in the B/ATCP.
- Allows cultural facilities and visitor information centers as allowed uses in TSC-G Special Area 1, as is allowed in the B/ATCP, rather than special uses in the remainder of the TSC-G.

No other changes are proposed that would affect the existing Design Standards in the TCAP. No changes are proposed to the content of the B/ATCP other than amendment of the plan maps to exclude the amendment area and minor edits to improve grammar, correct typographical errors, or update references.

Maximum building heights (42 feet with applicable findings) for Town Center areas are in accordance with the adopted TCAP and the height allowed by TRPA Code of Ordinances Section 37.7.16 and with Table 13.5.3-1 (Minimum Development Standards for Area Plans) of the Code of Ordinances, which allows

structures up to 56 feet within Town Centers if findings can be made. The height standard in the B/ATCP defers to the TRPA Code of Ordinances as 42 feet. With the requirement to meet the additional height findings for maximum building height, no adverse impact to scenic vistas would occur.

TRPA requires structures of up to 56 feet in Town Centers to meet height findings 1, 3, 5, and 9 as indicated in Section 37.7 of the TRPA Code of Ordinances. These findings ensure the additional height does not dominate views, particularly within the shoreline, is appropriately screened from public views, minimizes interference with existing views, and does not reduce the scenic threshold travel route rating. If the finding can't be made, the additional height would not be permitted. This ensures no significant impact would result from the increased height allowance within the amendment area.

37.7.1 Finding 1: When viewed from major arterials, scenic turnouts, public recreation areas, or the waters of Lake Tahoe, from a distance of 300 feet, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline. For height greater than that set forth in Table 37.4.1-1 for a 5:12 roof pitch, the additional height shall not increase the visual magnitude beyond that permitted for structures in the shoreland as set forth in subsection 66.3.7, Additional Visual Magnitude, or Appendix H, Visual Assessment Tool, of the Design Review Guidelines.

37.7.3. Finding 3: With respect to that portion of the building that is permitted the additional height, the building has been designed to minimize interference with existing views within the area to the extent practicable.

37.7.5. Finding 5: The portion of the building that is permitted additional building height is adequately screened, as seen from major arterials, the waters of lakes, and other public areas from which the building is frequently viewed. In determining the adequacy of screening, consideration shall be given to the degree to which a combination of the following features causes the building to blend or merge with the background: a) the horizontal distance from which the building is viewed; b) the extent of screening; and c) proposed exterior colors and building materials.

37.7.9. Finding 9: When viewed from a TRPA scenic threshold travel route, the additional building height granted a building or structure shall not result in the net loss of views to a scenic resource identified in the 1982 Lake Tahoe Basin Scenic Resource Inventory. TRPA shall specify the method used to evaluate potential view loss.

The 2013 TCAP IS/IEC found that impacts from the TCAP Design Standards on scenic vistas were less than significant based on a 42-foot height limitation in the Gateway District. The height amendment would allow an additional 14 feet of height in TSC-G Special Area 1 for uses other than single family dwellings; however, height findings are required for this additional height to be permitted. If the findings cannot be made, the additional height allowance would not be approved, thereby avoiding a significant impact. The findings require that the additional height: doesn't extend above the forest canopy or a ridgeline when viewed from public areas, does not increase the visual magnitude, is designed to minimize interference with views, is screened, and results in no net loss of views to a scenic resource along scenic travel routes. The additional height would not be approved unless these findings are met. Therefore, the additional height allowance would not result in a significant impact because these findings that protect scenic resources and the scenic quality of the area are required to be met. It should be noted that the current heights of Lakeshore Lodge and Lakeland Village are 50 feet and 56 feet, respectively. Since this amendment proposes no other changes to Design Standards other than the possibility of earning additional height (up to 56 feet), no significant impact is anticipated. Implementation of the Design Standards and compliance with TRPA and

City requirements during any potential redevelopment projects would ensure no significant impact to scenic vistas would occur as these standards offset the impacts of additional height.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.3-2. Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (CEQA Ib)

US 50 is not an officially designated state scenic highway in the project area. Other than distant views of the ridgelines and tree canopy outside the area proposed for amendment, the area footprint does not contain other unique visual resources such as rock outcroppings, trees, or historical buildings, as the parcels have been substantially developed with commercial, tourist and residential structures and infrastructure. Therefore, the Project has no impact on state designated scenic highways.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.3-3. Would the Project substantially degrade the existing visual character or quality of the site and its surroundings? (CEQA Ic)

As discussed above in Question 5.4.3-1, the existing visual character of a majority of the project area consists of cluttered foreground views from urban development and traffic, signs, and other current features within the expansive US 50 right of way that limit the visual experience on the roadway by distracting viewers from high quality mid-distant and long-distant views of the lake and nearby ridgelines and mountain peaks. Views of Lake Tahoe from the roadway are virtually non-existent and only a brief, intermittent view occurs at the western end of the proposed amendment area and from the existing developed tourist units along the lakeshore. Therefore, the existing visual character of the area is urban, with little landscaping or uniformity.

The existing TCAP includes detailed design standards that are intended to ensure that the built environment complements the natural appearing landscape in the Tahoe Region while improving the quality of life and promoting livability, sustainability and walkability. The TCAP specifically regulates building form, materials and colors and includes the following: buildings shall provide adequate articulation and detail to avoid a bulky box-like appearance; a unified palette of quality materials shall be used; colors shall be used to help delineate windows are architectural features of interest; a variety of natural-appearing materials should be used on building facades to create contrast; colors should blend with the setting, with limits on bright colors, and roofs and roof-mounted equipment shall have a non-glare, earth tone finish.

The TCAP allows for higher density residential and tourist uses to promote mixed-use, walkable, and transit oriented development. Existing views from the lake and US 50 include land uses within and adjacent to the amendment area that exceed the existing density limits. A change in the amount, distribution, and type of development may occur as a result of the amendments but would not result in a significant change to visual character or quality of the area for the following reasons: the extent of existing development and development density that is currently at or above proposed density limits; the quality of built environment within and adjacent to the amendment area; the prevalence of excess land coverage; the presence of existing structures with additional height allowance in the area; and the proposal of a special “Lot and Density” policy that limits the density of future mixed-use developments in TSC-G Special Area 1 to a combined density of 40 units per acre. In compliance with the Regional Plan Update, the remainder of mixed-use

areas in TCAP would be allowed a combined density limit of 65 units per acre, which has already been evaluated under the Regional Plan Update EIS. As discussed under Impact 5.4.3-1, redevelopment would be visually beneficial to the amendment area. Redevelopment would most likely be in relation to improvements upon the existing tourist and commercial uses and no adverse impact on the visual character or quality of the area or its surroundings would occur as redevelopment would be required to adhere to current design standards and guidelines. The character and quality is expected to improve as a result of redevelopment that would incorporate the TCAP design standards discussed above, as well as the additional height design requirements established by the TRPA and City should additional height be requested. In addition, due to the volume of excess land coverage in the area, some redevelopment projects would be required to implement the excess land coverage reduction program, either by removal onsite, offsite, or payment into a mitigation banking program, as all of the parcels are within or contain land coverage within land capability Class 1b. Finally, changes to allowable building height will not impact existing US 50 or shoreline viewsheds due to the required findings for additional height which includes screening of the additional height or limits height to below the tree canopy when viewed from major roadways, the waters of the lake or public viewpoints, and also requires no net loss of views along a scenic travel route, among other findings.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.3-4. Would the Project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (CEQA Id)

The parcels to be amended are currently fully developed and no additional development is proposed. Future redevelopment of the parcels would include new or modified sources of exterior lighting that would be required to follow adopted TCAP design standards regarding light and glare (TCAP Appendix C Development and Design Standards) and would be subject to City and TRPA review. The existing lighting standards are found in Section H of the Substitute Design Standards and address exterior, pedestrian zone, street, and safety/security lighting. The standards are designed to reduce light pollution, protect nighttime views, and reduce light splay onto adjoining parcels.

The TCAP requires the use of a variety of natural-appearing material and colors that blend in with the natural setting and prohibits the use of flood lighting, reflective materials, or lighting strips, including neon/fluorescent tubing to minimize reflectivity and glare. Therefore, glare or reflectivity from a project proposed under the TCAP would not change compared to projects developed under the existing Community Plan, and will not adversely affect day or nighttime views in the area. No significant impact would occur.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.3-5. Would the Project be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe? (TRPA 18a)

The project is visible from Lake Tahoe and US 50, which is not a Caltrans Officially Designated State Scenic Highway at this location, but is a TRPA scenic corridor. US 50 is a federal highway and forms the southern border of the proposed amendment area. US 50 is designated by TRPA as an Urban Scenic Corridor. Urban Scenic Corridors are generally urbanized where man-made development is the dominant visual feature, but development still blends with the natural environment (TRPA Code Chapter 66, Scenic Quality).

As discussed in Question 5.4.3-1, the project area includes Scenic Roadway Travel Unit #33 – Bijou. The 2015 Threshold Evaluation indicates nonattainment despite recent improvements in the visual quality of the built environment. As stated in the TCAP IS/ND/IEC, the detailed design standards in Appendix C of the TCAP ensure that the built environment complements the natural appearing landscape in the Tahoe Region while improving the quality of life, promoting livability, sustainability and walkability. The TCAP specifically regulates building form, materials and colors to avoid bulky and “box-like appearance, to promote materials and colors that blend with the natural setting, to reduce glare and reflectivity, and preserve views of the lake, ridgelines and meadows. With application of the design standards, the overall visual quality and character of the amendment area is expected to improve as redevelopment occurs. Changes to the area are not expected to adversely affect the shoreline scenic unit or the scenic quality ratings for individual resources but would improve scenic conditions resulting in threshold gains. Thus, implementation of the amendments will not result in adverse impacts on views from any state or federal highway, Pioneer Trail or from Lake Tahoe.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.3-6. Would the Project be visible from any public recreation area or TRPA designated bicycle trail? (TRPA 18b)

Portions of the area may be visible from El Dorado Beach and the area would be visible from Lake Tahoe. There is a newly constructed Class I bike trail along US Highway 50 within the project area. Visual impacts have the potential to occur along the lakefront, since the area is visible from the public recreation area behind Beach Retreat and Lodge, and along US Highway 50; however, visual conditions are fair due to the existing urban environment.

Redevelopment within the amendment area would be consistent with the TCAP’s Design Standards and Chapter 66 (Scenic Quality) of the TRPA Code of Ordinances that would prohibit buildings to protrude above the forest canopy or ridgeline, include site-specific design features that minimize ground disturbance, incorporate screening, use of earth tone colors, materials and architectural style that complements the Tahoe landscape. Thus, redevelopment within the amendment area is not likely to result in impacts to views from any public recreation area or TRPA designated bicycle trails. All projects would comply with TRPA Code provisions and the TCAP Design Standards, which would result in generally improved scenic conditions.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.3-7. Would the Project block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area? (TRPA 18c)

As discussed above in Questions 5.4.3-1 (CEQA Checklist 1a) and 5.4.3-6 (TRPA 18b) scenic viewsheds designated in the TCAP are outside of the amendment area, but the amendment area is visible from the public highway and is visible from the lake and shoreline. Since the area is currently highly developed, the views of Lake Tahoe from US 50 are primarily nonexistent within the amendment area.

Redevelopment projects within the amendment area would involve development and redevelopment consistent with the TCAP’s Development and Design Standards and Chapter 66 (Scenic Quality) of the TRPA Code of Ordinances that would prohibit buildings to protrude above the forest canopy or ridgeline, include site-specific design features that minimize ground disturbance, incorporate screening, use of earth

tone colors, materials and architectural style that complements the Tahoe landscape. Signage and structures would be visible from US 50; however, impacts to overall scenic vistas would be less than significant and would not detract from the visual experience. Thus, the TCAP and B/ATCP amendments would not result in new obstructed views to and from Lake Tahoe or other scenic vistas.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.3-8. Would the Project be inconsistent with the height and design standards required by the applicable ordinance or Community Plan? (TRPA 18d)

The TCAP includes design standards with which future redevelopment in the amendment area would be required to comply. The B/ATCP, in which the area proposed for amendments is currently located, also includes design standards. The B/ATCP Design Standards and Guidelines for District 1 (Bijou) primarily defer to the TRPA Code of Ordinances, City Zoning and Sign Ordinances, City Wide Design Manual, City Lighting Standards, and South Tahoe Redevelopment Design Element. Special standards for District 1 (Bijou) include an emphasis on the use of natural wood, development of a landscape boulevard theme, parking lot landscaping, and public art. Since the B/ATCP was adopted in 1995, both the City and TRPA have revised planning documents to reflect the current direction on design. Current TRPA and City design standards are reflected in the TCAP. The TCAP amendments would not alter the adopted design standards other than the change in maximum height within TSC-G Special Area 1, which would apply only to the amendment area.

Pursuant to the Chapter 13 of the TRPA Code of Ordinances, the TCAP incorporates the height standards permitted in Table 13.5.3-1: Minimum Development Standards for Area Plans (TRPA Code, page 13-3). Table 13.5.3-1 permits up to a maximum of 56' (four stories) in areas designated as Town Centers. The amendment area is designated by TRPA as a Town Center on the Conceptual Land Use Map (TRPA 2012d). The TCAP amendments would apply the 56 foot height allowance for TSC-G Special Area 1, if the existing additional height findings can be met. Therefore, the height allowance would remain in compliance with TRPA height limits. As discussed in the Regional Plan Update EIS, there are benefits to increased height and density within Town Centers. This incentivizes redevelopment, and by concentrating development in the Town Center, development is removed elsewhere, creating a more compact development pattern to decrease use intensity outside of the area. Redevelopment and removal of excess land coverage within the amendment area, combined with development removal elsewhere in the community creates a beneficial impact. It should also be noted that the height of some existing structures in the amendment area and TCAP Gateway area, which extends to Ski Run Blvd., are at or near the 56-foot height limit, including Lakeshore Lodge (50 feet at 3 to 4 stories) and Lakeland Village (56 feet/4 stories). The increased height allowance for non-single-family residential units from the existing limit of 42 feet to 56 feet would allow for taller redeveloped structures in TSC-G Special Area 1, but the increase in height reflects the Regional Plan and other district limits in the TCAP. Combined with the other design standards, and protective measures incorporated into the adopted TCAP Design Standards, the visual quality and character of the affected area would be protected; therefore, no significant impact would result from implementing the height standards within the amendment area.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.3-9. Would the Project be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines? (TRPA 18e)

The SQIP addresses the segment of US 50 in the TCAP, which is non-attainment and designated as a restoration area by the SQIP. The SQIP promotes restoration of disturbed areas and requires that visual quality ratings be maintained and that non-attainment areas improve. Therefore, development that degrades this rating constitutes a significant impact.

The evaluation presented above for Questions 5.4.3-1 through 5.4.3-7 (CEQA Checklist 1a through 1d) concludes that redevelopment within the amendment area would be subject to TCAP Design Standards, as well as TRPA and City standards and ordinances and redevelopment activity would not result in significant impacts when the design standards and protective measures of the TCAP are implemented. Furthermore, the roadway segments located within the TCAP are designated by TRPA as an Urban Scenic Corridor, which recognizes that development can be the dominant visual features provided that the development complements the natural environment.

Due to the fact that this segment of US 50 is in non-attainment and identified in the SQIP, the planning recommendations for improving the scenic quality in the roadway segments are required as appropriate during project review by the TRPA Code of Ordinances (Section 36.4, Scenic Quality Improvement Program). Recommendations include improved parking lot landscaping and utility screening and undergrounding, as appropriate.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.3-10. Would the Project include new or modified sources of exterior lighting? (TRPA 7a)

See discussion and analysis for Question 5.4.3-4, which concludes no significant impact.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.3-11. Would the Project create new illumination, which is more substantial than other lighting, if any, within the surrounding area? (TRPA 7b)

See discussions and analysis and for Question 5.4.3-4, which concludes no significant impact.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.3-12. Would the Project cause light from exterior sources to be cast off-site or onto public lands? (TRPA 7c)

See discussions and analysis for Question 5.4.3-4, which concludes no significant impact.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.3-13 Would the Project create new sources of glare through the siting of the improvements or through the use of reflective materials? (TRPA 7d)

See discussion and analysis for Question 5.4.3-4, which concludes no significant impact.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.4 Agriculture and Forestry Resources

This section presents the analyses for potential impacts to agriculture and forestry resources. Some TRPA checklist items concern impacts to vegetation, which are addressed in Section 5.4.6, Biological Resources. Table 5-3 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-3: Agriculture and Forestry Resources				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.4-1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA Resources Agency, to a non-agricultural use? (CEQA IIa)				X
5.4.4-2. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (CEQA IIb)				X
5.4.4-3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g), timberland (as defined by Public Resource Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (CEQA IIc)				X
5.4.4-4. Result in the loss of forest land or conversion of forest land to non-forest use? (CEQA II d)				X
5.4.4-5. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (CEQA IIe)				X

5.4.4-1. Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use? (CEQA IIa)

The amendment area is developed and is not located in an area identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, and therefore poses no impact to such lands.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.4-2. Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract? (CEQA IIb)

No conflicts with zoning for agricultural use or a Williamson Act contract would occur because no contracts exist within the project area.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.4-3. Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g), timberland (as defined by Public Resource Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (CEQA IIc)

Public Resources Code section 12220(g) defines forest land as, “land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.” Since this area is already highly developed, such canopy coverage does not exist in the project area. The area is not currently identified as a commercial timber harvest zone. The amendments conflict with no zoning of and causes no rezoning of forest land, timberland or timberland zoned Timberland Production.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.4-4. Would the Project result in the loss of forest land or conversion of forest land to non-forest use? (CEQA II d)

The loss of substantial forest land, defined above for Question 5.4.4-3, or conversion of forest land to non-forest use creates a significant impact if appropriate permits are not obtained.

See Question 5.4.4-3, which concludes no significant impacts to forest land would occur.

Environmental Analysis: *No Impact*

Required Mitigation: **None.**

5.4.4-5. Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (CEQA IIe)

See discussions and analyses for Questions 5.4.4-2, -3, and -4 which conclude no impacts to farmland or forest land.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.5 Air Quality

This section presents the analyses for potential impacts to air quality. Table 5-4 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-4: Air Quality				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.5-1. Conflict with or obstruct implementation of the applicable air quality plan? (CEQA IIIa)				X
5.4.5-2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standards? (CEQA IIIb)			X	
5.4.5-3. Expose sensitive receptors to substantial pollutant concentrations? (CEQA IIIc)			X	
5.4.5-4. Result in other emissions, such as objectionable odors, adversely affecting a substantial number of people? (CEQA III d)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.5-5. Substantial air pollutant emissions? (TRPA 2a)				X
5.4.5-6. Deterioration of ambient (existing) air quality? (TRPA 2b)				X
5.4.5-7. Creation of objectionable odors? (TRPA 2c)				X

5.4.5-1. Would the Project conflict with or obstruct implementation of the applicable air quality plan? (CEQA IIIa)

The TCAP amendments would not alter, revise, conflict or obstruct the regulations pertaining to air quality and proposes no changes to air quality policies. No changes would occur to the B/ATCP other than modification of the map boundary.

The area to be amended is currently developed. Although the amendments would increase the potential development density, the number of additional potential units would not be substantial because of the

density of existing development as shown in Table 1-1 in Section 1.4 of this IS/IEC, and the amendment to the “Lot and Density” policy would limit the combined density of mixed-use projects to 40 units per acre in TSC-G Special Area 1, and would therefore not conflict with implementation of an applicable air quality plan. The mixed use density limit of 65 units per acre in the remainder of the districts within TCAP allowing mixed-use development was already addressed through the Regional Plan Update EIS and results in no additional impacts as it complies with the Regional Plan Update. While some use density could increase slightly in the amendment area from B/ATCP to TACP for multiple family housing and timeshares, and density could change through redevelopment of a lower density use to a higher density use, limits on commercial floor area or the number of units allowed per acre, such as proposed in the amendment to the “Lot and Density” policy, maintain an overall development limit in the area that is similar to current conditions. As shown in the table, some development already exceeds the 40 unit/acre density limit for tourist accommodations, which is the highest density ratio of allowed uses. Additionally, all but one parcel is located in Land Capability Class 1b and already exceed land coverage limits, indicating that future redevelopment would be required to implement some degree of excess land coverage mitigation. Lakeshore Hotel and Beach Retreat could add 26 to 29 more units each based strictly on the allowed density ratio; however, these additional units would have to be designed in buildings with a smaller footprint since these properties already exceed land coverage limitations and redevelopment would need to decrease land coverage. Conversion of existing tourist accommodations to multi-family residential use would result in a decrease in units as the tourist accommodations currently exceed the multi-family density ratio. Conversion of all the commercial and vacant uses to tourist accommodation could increase the number of units in the area, but it is infeasible to assume that every parcel in the amendment area would be converted to tourist accommodation due to the size of each parcel, the presence of other tourist accommodations in the area and requirement for a market demand for such a change, and due to the need for commercial services that support both the community and these existing tourist accommodations. The 2018 Development Rights System Update IEC found no significant adverse impacts on the environment as a result of conversion between different types of development rights.

Consistent with existing conditions, future projects that could occur within the amendment area would be subject to subsequent environmental review and permitting, and would be required to comply with Chapter 65 (Air Quality/Transportation) of the TRPA Code of Ordinances. Chapter 65 includes standards that apply to mobile and direct sources of air pollution in the Tahoe Region, including certain motor vehicles registered in the region (vehicle inspection and maintenance program), combustion appliances and heaters installed in the region, open burning, stationary sources of air pollution, and idling combustion engines.

TRPA’s 2017 Regional Transportation Plan: Linking Tahoe (RTP) includes an analysis of its conformity with the California State Implementation Plan to ensure that the RTP remains consistent with State and local air quality planning work to achieve and/or maintain the national ambient air quality standards (NAAQS). The TCAP amendments do not propose substantial changes to land use assumptions for mixed-use assigned to the amendment area included in the RTP as the B/ATCP currently identifies the area as a mixture of tourist and commercial and the TCAP would continue to promote tourist and commercial uses within the amendment area, and therefore would not change the conformity determination by state regulators.

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to air quality. Consistent with existing conditions, redevelopment projects within the amendment area would be subject to subsequent environmental review and permitting, and would be required to comply with Chapter 65 (Air Quality/Transportation) of the TRPA Code of Ordinances. Chapter 65 includes provisions that apply to direct sources of air pollution in the Tahoe region, including combustion heaters installed in the region, open burning, stationary sources of air pollution, and idling combustion engines.

The Lake Tahoe Region is in attainment or designated as unclassified for all National Ambient Air Quality Standards (NAAQS) and is designated a nonattainment/transitional area for ozone and nonattainment for the PM10 California ambient air quality standards (CAAQS). New development has the potential to produce air pollutant emissions during project construction and operation, as discussed below.

Short-Term Construction Emissions

Future redevelopment projects in the area proposed for amendments would involve some degree of construction activity and construction emissions. Redevelopment activities could be as simple as interior remodeling or as complex as demolition and reconstruction. Construction emissions are described as short-term or temporary in duration. Reactive Organic Gases (ROG), Carbon Monoxide (CO) and Nitrogen Oxides (NOx) (ozone precursors) emissions are primarily associated with gas and diesel equipment exhaust and the application of architectural coatings. Fugitive dust emissions (PM10 and PM2.5) are primarily associated with site preparation and vary as a function of such parameters as soil silt content, soil moisture, wind speed, acreage or disturbance area, and vehicle travel by construction vehicles on- and off-site.

No redevelopment projects are proposed, and the details of future redevelopment projects are not known at this time, but these projects would likely involve construction that would result in the temporary generation of ozone precursor and fugitive dust emissions from site preparation; off-road equipment, material import/export, worker commute exhaust emissions; paving; and other miscellaneous activities. Typical construction equipment associated with redevelopment projects includes dozers, graders, excavators, loaders, and trucks. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities.

Since no construction is proposed by the TCAP and B/ATCP amendments and the amendment area is currently developed, no modeling of potential construction emissions was performed. However, future development would be anticipated to result in an increase in short-term construction-generated emissions. Depending on the activities conducted, emissions associated with individual construction projects may exceed the El Dorado County Air Quality Management District's (EDCAQMD) significance thresholds.

As part of the TRPA RPU mitigation to reduce construction-generated emissions, TRPA adopted additional best construction practices policies. In Section 65.1.8.A. (Air Quality/Transportation, Idling Restrictions) of the TRPA Code of Ordinances, a new subsection was added that limits construction vehicle idling time to 15 minutes in Nevada and 5 minutes in California (previous restriction was 30 minutes). In addition to reduced idling time policies, the TRPA Standard Conditions of Approval for Grading Projects (TRPA Permit Attachment Q) and Standard Conditions of Approval for Residential Projects (TRPA Permit Attachment R) includes new construction provisions that call for the use of existing power sources (e.g. power poles) or clean-fuel generators rather than temporary diesel power generators wherever feasible, location of construction staging areas as far as feasible from sensitive air pollution receptors (e.g. schools or hospitals), closure of engine doors during operation except for engine maintenance, location of stationary equipment (e.g. generators or pumps) as far as feasible from noise-sensitive receptors and residential areas, installation of temporary sound barriers for stationary equipment, and use of sonic pile driving instead of impact pile driving, wherever feasible. Best management practices include, but are not limited to, the following, which are also included in TCAP Policy NCR-5.1, which states, "The City shall incorporate measures to reduce construction-generated emissions to the extent feasible on a project-specific basis. Such measures may include, but are not limited to, the following:

- Implement measures recommended by the El Dorado County Air Quality Management District.
- Prohibit open burning of debris from site clearing unless involved with fuels reduction project.
- Utilize low emission construction equipment and/or fuels and use existing power sources (e.g., power poles), wherever feasible.

- Restriction of idling of construction equipment and vehicles.
- Apply water to control dust as needed to prevent dust impacts offsite.”

Future development projects that are subject to discretionary review shall be evaluated in comparison to EDCAQMD-recommended thresholds of significance and, if they exceed those thresholds, shall incorporate emission-reduction measures sufficient to reduce potentially significant short-term air quality impacts to a less-than-significant level. In addition to compliance with El Dorado County Air Quality Management District-recommended measures and TRPA Code of Ordinance requirements to reduce construction-related emissions (emissions from construction vehicles, off-road equipment, and fugitive dust), mitigating measures shall be implemented for discretionary projects exceeding thresholds of significance. Examples of such measures may include, but are not necessarily limited to, the following:

- Use of low- or zero-emission construction equipment and use of existing electrical power, to the extent locally available;
- Use of low- or zero-VOC content architectural coatings, and prefinished/painted building materials, to the extent locally available; and
- Increased diversion of demolition and construction-generated waste for recycling/reuse, to the extent feasible.

Long-Term Operational Emissions

Subsequent redevelopment projects under the TCAP amendments have limited potential to affect regional air quality and create localized exposure to CO emissions because the area is already heavily developed at densities that are on average at the densities proposed by the amendments as shown in Table 1-1 and discussed above. Some existing developments currently exceed the proposed limits, and some are below, but the average is close to the density limit, indicating little additional growth potential. The amendment to the “Lot and Density” policy would further limit density increases by limiting mixed uses to a combined density of 40 units per acre in TSC-G Special Area 1. Likewise, the range of uses allowed in the TCAP amendments for the amendment area is generally the same as the range of uses allowed in the B/ATCP District 1. The mixed use density limit of 65 units per acre in the remainder of the districts within TCAP allowing mixed-use development was already addressed through the Regional Plan Update EIS and results in no additional impacts as it complies with the Regional Plan Update. Although collection stations and post offices would not be allowed, other allowed or special uses would continue to be allowed or may be allowed as a special use. Some uses requiring a special use permit in the B/ATCP would be allowed under the TCAP, such as multiple family dwellings, which occur in the amendment area, local public health and safety facilities, social service organizations, printing and publishing facilities and threshold related research facilities, and insect and disease suppression. Currently not allowed uses that would be allowed in the TCAP Gateway District include prescribed fire/burning management, fuels treatment and management, and regeneration harvest.

Consistent with the TRPA Regional Plan and the General Plan, the TCAP accommodates potential growth to improve traffic flow and resident/tourist mobility to reduce localized traffic congestion and related CO concentrations. As discussed in the 2013 TCAP IS/ND/IEC/FONSE, because the TCAP seeks to implement and is within the scope of what was envisioned in the General Plan and the Regional Plan, it would not result in congestion at intersections that would result in a violation of a CO air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. .

As discussed in the Transportation Impact Memorandum prepared for the project (Appendix A), no increase in daily vehicle trips (Community Plan versus Area Plan) is expected to occur due to similar vehicle use patterns between residential units and vacation home rentals, the decrease in trip rates for residential timeshare units as compared to hotel units, the existing development density at or above the proposed density levels, the potential reduction in trips if tourist accommodation units are converted to multi-family units in a mixed-use redevelopment, and the similarities in trip generation for different types of tourist accommodation units (see Appendix A, LSC Transportation Consultants, 2018). No increase in vehicle trip generation over what was estimated for Regional Plan build-out by the TRPA in the RPU EIS is anticipated.

With respect to other regional criteria air pollutants (ozone precursors, PM_{10} , and $PM_{2.5}$), consistent with the TRPA Regional Plan, subsequent redevelopment projects could generate long-term operational emissions, including mobile and area source emissions; however, these emissions could be expected to occur at the same rate as the existing conditions. The potential for such emissions does not increase as a result of the TCAP amendments as discussed above because no notable increase in vehicle trips or increase in daily trips of more than 100 would occur and the land use density changes or potential use changes from redevelopment result in no increase in traffic or vehicle miles traveled. Therefore, the potential for future emissions is the same with or without the amendment. If a future massive-scale redevelopment project had the potential to significantly increase trip generation (more than 100 new vehicle trips) and vehicle miles traveled, it would be required to complete a traffic analysis under TRPA requirements; however, no redevelopment project of such a scale is proposed by these amendments or has measurable potential to occur. Cumulatively, if multiple sites were to be redeveloped separately, trip generation levels would remain relatively unchanged due to the area being built out to nearly the maximum capacity at present. Because the TCAP is required to be consistent with the Regional Plan, implementation of the TCAP amendments would also be expected to result in a substantial long-term reduction in emissions of ozone precursors and CO. Because the increase in emissions of PM associated with build-out of the entire Regional Plan would be below the project-level increment considered significant by TRPA (82 lb/day), the amendments would not be anticipated to lead to nonattainment of national standards.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.5-2. Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (CEQA IIIb)

The Lake Tahoe Air Basin is designated non-attainment for PM_{10} , as presented in Table 5-5. A significant cumulative impact results if the Project causes a considerable increase in PM_{10} .

In the project area, these pollutants relate to automobile use and potential impacts measured with VMT calculations and wood burning fireplaces and stoves. No single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. With respect to PM_{10} , consistent with the Regional Plan, future redevelopment projects could generate long-term operational emissions, including mobile and area source emissions.

Pollutant	State Designation	National Designation
Ozone	Attainment	Unclassified/Attainment
PM ₁₀	Non-Attainment	Unclassified/Attainment
PM _{2.5}	Attainment	Unclassified/Attainment
Carbon Monoxide	Attainment	Unclassified/Attainment
Nitrogen Dioxide	Attainment	Unclassified/Attainment
Sulfur Dioxide	Attainment	Unclassified/Attainment
Sulfates	Attainment	Not Applicable (NA)
Lead	Attainment	Unclassified/Attainment
Hydrogen Sulfide	Unclassified	NA
Visibility Reducing Particles	Unclassified	NA
Source: EPA 2018; CARB 2019.		

Based on the results of the emissions modeling conducted in support of the RPU EIS, RTP EIR/EIS, and 2017 RTP IS/IEC, emissions of ozone precursors in the Region would be expected to decrease substantially by 2035. This can be explained by the fact that vehicle emissions standards would be improved substantially over the next 20 years, and limited development could occur within the Tahoe Region. Any additional population growth and associated increase in operational ozone precursor emissions in the Region would be more than offset by more stringent vehicle emissions standards, fuel economy standards, and truck and bus emission rules, over the planning period (TRPA 2012a, page 3.4-33 and TMPO 2012, page 3.4-331, TMPO 2017, page 3-17).

Emissions of PM₁₀ and PM_{2.5} were projected to increase slightly by 2035 (approximately 4 tons per year (TPY) or 21 lb/day). However, Section 65.1.4 of the TRPA Code requires that only wood stoves that meet EPA Phase II emissions standards would be installed and would allow air quality mitigation fees to be used for regional projects, which could include incentives to remove non-conforming heating appliances. The General Plan requires that all feasible EDCAQMD measures to reduce operational emissions be incorporated into project design and projects need to demonstrate compliance with TRPA’s air quality mitigation program. Compliance with these requirements as well as efforts by TRPA and the EDCAQMD to replace woodstoves with air quality compliant heating fixtures, would be expected to continue the existing trend of decreasing PM emissions in the Region.

Because the TCAP amendments are consistent with the Regional Plan, implementation of the amendments would result in a substantial long-term reduction in emissions of ozone precursors. Because the increase in emissions of PM associated with full build-out densities in the amendment area would be below the project-level increment considered significant by TRPA (82 lb/day), the TCAP amendments would not be anticipated to lead to nonattainment of national standards.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.5-3. Would the Project expose sensitive receptors to substantial pollutant concentrations? (CEQA IIIc)

Typical sensitive receptors include residences, hospitals, and schools. The area proposed for amendment is currently completely developed with tourist accommodations, commercial uses, and residences. No new

uses other than residential condominiums and timeshares, regeneration harvest, fuels treatment and management, and prescribed fire/burning management are proposed as allowed uses under the amendments and the amendments would eliminate collection stations, which are currently allowed, and have the potential to emit non-mobile emissions. If the area were to be redeveloped primarily with the highest density uses, the resulting increase in pollutant concentrations would not be substantial. Please refer to the analysis for Question 5.4.5-1, above.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.5-4. Would the Project result in other emissions, such as objectionable odors, adversely affecting a substantial number of people? (CEQA III d)

The occurrence and severity of odor effects depend on the nature, frequency, and intensity of the odor source, wind speed and direction, and the presence of sensitive receptors. Offensive odors rarely cause physical harm, but odors can be unpleasant and generate citizen complaints to regulatory agencies and local governments. Typical sensitive receptors include residences, hospitals, and schools. There are no hospitals or schools located within the TCAP; however, a few residences are within the boundary of the TCAP amendment area and residences are located nearby.

As a general matter, the types of land use development that pose potential odor problems include wastewater treatment plants, refineries, landfills, composting facilities and transfer stations, none of which are allowed in the TCAP Gateway District. No such uses currently occupy the amendment area. The proposed uses in TSC-G Special Area 1 are listed in Table 2-1, and are not characteristic of the types of uses that would result in the development of a major source of objectionable odor. While idling associated with the existing boat launch facilities can produce odors within the immediate vicinity of the marina boat launch area during peak usage periods, this is an existing use and not a new use resulting from the amendment. The amendments do not alter the use of Timber Cove, nor do the odors resulting from idling motors exceed thresholds as they dissipate rapidly and are seasonal.

In the short-term, odor impacts occur from the use of diesel engines and asphalt concrete paving during construction. These odors are both temporary and localized, affecting only the area immediately adjacent to the active construction area. Diesel exhaust emissions and asphalt concrete paving odors dissipate rapidly away from the source and cease upon completion of construction activities and would be addressed by the Chapter 65 (Air Quality/Transportation) of the TRPA Code of Ordinances idling restrictions. Implementation of the TCAP amendments do not result in substantial direct or indirect exposure of sensitive receptors to offensive odors.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.5-5. Would the Project result in substantial air pollutant emissions? (TRPA 2a)

See analysis for Question 5.4.5-1.

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore the analysis is tiered from and consistent with the RPU EIS. The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to air quality. Consistent with existing conditions, future redevelopment projects would be subject to subsequent environmental review and permitting, and would

be required to comply with Chapter 65 of the TRPA Code. Chapter 65 includes provisions that apply to direct sources of air pollution in the Tahoe region, including certain motor vehicles registered in the region, combustion heaters installed in the region, open burning, stationary sources of air pollution, and idling combustion engines. Because future redevelopment projects are required to implement air quality attainment measures established by the TRPA, City, and EDCAQMD, as well as those policies established in the TCAP regarding air quality, implementation of the TCAP amendments would not be anticipated to lead to nonattainment of emissions standards

Environmental Analysis: *No Impact*

Required Mitigation: **None.**

5.4.5-6. Would the Project result in deterioration of ambient (existing) air quality? (TRPA 2b)

See analyses for Question 5.4.5-1, which conclude a less than significant impact and Question 5.4.5-5, which concludes no impact to ambient air quality.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.5-7. Would the Project result in creation of objectionable odors? (TRPA 2c)

See discussion and analysis for Question 5.4.5-3, which addresses the creation of objectionable odors and concludes a less than significant odor impact to short-term and long-term effects to sensitive receptors.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.6 Biological Resources (Stream Environment Zones, Wetlands, Wildlife and Vegetation)

This section presents the analyses for potential impacts to biological resources, including impacts to SEZs, wetlands, wildlife and vegetation. Table 5-6 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-6: Biological Resources				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.6-1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (CEQA IVa)			X	
5.4.6-2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (CEQA IVb)			X	
5.4.6-3. Have a substantial adverse effect on federally protected (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (CEQA IVc)				X
5.4.6-4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (CEQA IVd)			X	
5.4.6-5. Conflict with any local policies or ordinances protecting biological resources, such as tree				X

preservation policy or ordinance? (CEQA IVe)				
5.4.6-6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (CEQA IVf)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.6-7. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system? (TRPA 4a)				X
5.4.6-8. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table? (TRPA 4b)				X
5.4.6-9. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species? (TRPA 4c)				X
5.4.6-10. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora and aquatic plants)? (TRPA 4d)				X
5.4.6-11. Reduction of the numbers of any unique, rare or endangered species of plants? (TRPA 4e)				X
5.4.6-12. Removal of streambank and/or backshore vegetation, including woody vegetation such as willows? (TRPA 4f)				X
5.4.6-13. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications? (TRPA 4g)				X

5.4.6-14. A change in the natural functioning of an old growth ecosystem? (TRPA 4h)				X
5.4.6-15. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)? (TRPA 5a)				X
5.4.6-16. Reduction of the number of any unique, rare or endangered species of animals? (TRPA 5b)				X
5.4.6-17. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? (TRPA 5c)				X
5.4.6-18. Deterioration of existing fish or wildlife habitat quantity or quality? (TRPA 5d)				X

5.4.6-1. Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (CEQA IVa)

The boundary of the proposed amendment area was reviewed against 1) the California Department of Fish and Wildlife’s California Natural Diversity Database (CNDDDB), 2) the U.S. Fish and Wildlife Service’s online Planning and Conservation System (IPaC) database, and 3) TRPA’s Special Interest Species Map to identify potential habitat for candidate, sensitive, or special status species. The IPaC database identified the following: North American Wolverine (*Gulo gulo luscus*) (proposed threatened), Sierra Nevada yellow-legged frog (*Rana sierrae*) (federal endangered), and Lahontan cutthroat trout (*Oncorhynchus clarkii henshawi*) (threatened). Seven migratory birds were also listed in the IPaC database: bald eagle (*Haliaeetus leucocephalus*), Cassin’s finch (*Carpodacus cassinii*), golden eagle (*Aquila chrysaetos*), olive-sided flycatcher (*Contopus cooperi*), rufous hummingbird (*selasphorus rufus*), Williamson’s sapsucker (*Sphyrapicus thyroideus*), and willow flycatcher (*Empidonax traillii*). However, the project area is completely developed and provides no habitat for these species, particularly since Bijou Creek is culverted and piped beneath pavement and structures within the amendment area.

The CNDDDB database identified the following species within the South Lake Tahoe quadrangle: Sierra Nevada yellow-legged frog (*Rana sierrae*) (state threatened), willow flycatcher (*Empidonax traillii*) (state endangered), and Tahoe yellow cress (*Rorippa subumbellata*) (state endangered). Tahoe yellow cress has been observed within the TCAP amendment area near Lakeshore Lodge and Spa, and in other locations in the vicinity of the TCAP and B/ATCP. Plants found near Lakeshore Lodge and Spa were transplanted to a mitigation site, but the presence of the species in this area indicates suitable habitat within the beach area. Sierra Nevada yellow-legged frog and willow flycatcher were not observed in the area according to the CNDDDB records.

Future redevelopment projects would be subject to project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of animal species. (Section 62.4 of the TRPA Code). At a project-level, potential effects on animal species would be determined based on the species' distribution and known occurrences relative to the project area and the presence of suitable habitat for the species in or near the project area. TRPA's existing policies and Code provisions address potential impacts to special-status species through site-specific environmental review, development and implementation of project-specific measures to minimize or avoid impacts through the design process, and compensatory or other mitigation for any adverse effects on special-status species as a condition of project approval (Sections 61.3.6 and 62.4 of the TRPA Code). Implementation of the TCAP amendments would not result in the reduction in the number of any unique, rare, or endangered species of animals, including waterfowl. Future redevelopment projects would be subject to subsequent project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations in Chapter 62 and 63 (Wildlife Resources and Fish Resources, respectively) of the TRPA Code of Ordinances. While the TCAP and B/ATCP amendments allow for some different land uses or use densities and heights, they do not propose specific new development or amendments that threaten protection of listed species or their habitat, and do not affect policies that protect biological resources.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.6-2. Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (CEQA IVb)

The U.S. Fish and Wildlife Service's IPaC database identifies Lake Tahoe and Bijou Creek (intermittent riverine streambed) as wetlands, but no critical habitat is identified. The proposed amendment area includes TRPA land capability district 1b (SEZs), which receive a high level of protection against new ground disturbance or activities that affect riparian and other vegetation important to wildlife. However, the area is fully developed and contains no undeveloped land.

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to existing fish or wildlife habitat quantity or quality or pertaining to resource protection measures for SEZs, which encompasses riparian habitat. The B/ATCP addresses Bijou Creek generally, and does not specifically address the portion of Bijou Creek within the amendment area. The B/ATCP indicates area-wide drainage improvements are needed, and states that proposed projects are required to demonstrate storm water containment. The completed Bijou Erosion Control Project is one such project that has addressed this need through the construction of a regional treatment system for runoff in commercial areas which is pumped through an underground force main to infiltration basins in the upper Bijou Creek watershed and replacement of the Bijou Creek storm drain systems that conveys storm water from the watershed through the commercial core area and into Lake Tahoe. In addition, the B/ATCP's conservation vision includes SEZ restoration. These objectives are reflected in the Code of Ordinances and the TCAP include policies that promote the restoration of disturbed SEZs and reduction of excess land coverage. While the amendments would hinder the B/ATCP from achieving these goals within the B/ATCP by removing an area with large potential for drainage improvements, the amendment area remains viable for achieving these improvements, although within the boundary of the TCAP rather than the B/ATCP. Restoration efforts within the boundaries of the TCAP have restored over 4.7 acres of SEZ. TCAP Figure 7-2 identifies the Bijou Commercial Core area, which includes the amendment area, as an area suitable for proposed TMDL stormwater improvement projects.

Consistent with existing conditions, redevelopment projects would be subject to subsequent project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of riparian areas. Section 61.3.3 (Vegetation Protection and Management) of the TRPA Code of Ordinances includes provision for protecting SEZ vegetation, other common vegetation, uncommon vegetation, and sensitive plants species. Chapters 62 and 63 (Wildlife Resources and Fish Resources, respectively) of the TRPA Code of Ordinances include provisions to protect and enhance fisheries and wildlife habitats. Project-level planning and environmental analysis would identify potentially significant effects, minimize or avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval. Therefore, implementation of the TCAP amendments would not result in the deterioration of riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.6-3. Would the Project have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (CEQA IVc)

U.S. Fish and Wildlife Service IPaC database identifies Bijou Creek as a riverine wetland, although the area overlapping the creek in the amendment area is primarily paved and developed with structures. There is no recognizable channel within the beach area adjacent to Lake Tahoe. Future redevelopment would be subject to subsequent project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of riparian area. New land disturbance and activities within these areas are also subject to protection and mitigation in Chapters 30 (Land Coverage), 33 (Grading and Construction), 35 (Natural Hazard Standards), 60 (Water Quality), 61 (Vegetation and Forest Health), 62 (Wildlife Resources), and 63 (Fish Resources), and other provisions of the TRPA Code of Ordinances.

Environmental Analysis: *No Impact.*

Required Mitigation: **None**

5.4.6-4. Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (CEQA IVd)

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to the migration or movement of animals. Due to the existing development of the amendment area, the area provides poor habitat for wildlife migration or nursery sites. Future redevelopment projects would be subject to subsequent project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations in Chapter 62 and 63 (Wildlife Resources and Fish Resources, respectively) of the TRPA Code of Ordinances.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.6-5. Would the Project conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance? (CEQA IVe)

The TCAP and B/ATCP amendments do not alter or conflict with existing local policies or ordinances protecting biological resources. Redevelopment projects would be subject to project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations in Chapter 62 and 63 (Wildlife Resources and Fish Resources, respectively) of the TRPA Code of Ordinances.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.6-6. Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (CEQA IVf)

The TCAP and B/ATCP amendments do not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan because no such plans exist for the project area.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.6-7. Would the Project result in removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system? (TRPA 4a)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

The proposed amendment area is highly developed with little native vegetation. The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to native vegetation protection during construction. Consistent with existing conditions, vegetation surrounding the construction site of a future redevelopment project would be required to comply with Section 33.6, Vegetation Protection During Construction, of the TRPA Code of Ordinances. Protective requirements include installation of temporary construction fencing, standards for tree removal and tree protection, standards for soil and vegetation protection, and revegetation of disturbed areas.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.6-8. Would the Project result in removal of riparian vegetation other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table? (TRPA 4b)

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to vegetation removal and groundwater management. Water supply within the area is primarily obtained from groundwater sources through the South Tahoe Public Utility District. Consistent with existing conditions, any redevelopment project permitted in accordance with the TCAP would be required to meet TRPA

requirements for water supply. TRPA regulations prohibit the approval of any development requiring water unless there is adequate water supply within an existing water right (Section 32.4.1 of the TRPA Code). Additionally, Section 33.3.6 (Excavation Limitations) of the TRPA Code of Ordinances prohibits excavation that intercepts or interferes with groundwater except under specific circumstances and with prior approval by TRPA (Section 33.3.6.A.2). For these reasons, consistent with existing conditions, projects approved under the TCAP amendments would not directly or indirectly lower the groundwater table.

Further, vegetation removal would be required to comply with existing TRPA, federal, and state regulations, permitting requirements, and environmental review procedures that protect habitat that supports riparian vegetation and critical wildlife. Specifically, riparian vegetation and wildlife habitat are protected by Sections 61.1.6 (Management Standards for Tree Removal), 61.3.3 (Protection of Stream Environment Zones), and 63.3 (Fish Habitat Protection), and Chapter 62 (Wildlife Resources) of the TRPA Code of Ordinances. For these reasons, redevelopment associated with the TCAP amendment area is not expected to result in the removal of riparian or other vegetation associated with critical wildlife habitat.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.6-9. Would the Project result in introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species? (TRPA 4c)

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to new vegetation. Consistent with existing conditions, implementation of new development or redevelopment projects associated with the TCAP would be required to comply with the TRPA Code provisions (e.g., Section 61.4, Revegetation) and Goals and Policies that prohibit the release of non-native species in the Tahoe Region. Generally, native species require less fertilizer and water than non-native species. Provisions for fertilizer management and preparation of fertilizer management plans that address the type, quantity, and frequency of use of fertilizers are included in Section 60.1.8 of the TRPA Code. Projects would be subject to subsequent project-level environmental review and permitting, and at that time they would be required to demonstrate that any proposed new vegetation would not require excessive fertilizer or water, or provide a barrier to the normal replenishment of existing species.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.6-10. Would the Project result in change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora and aquatic plants)? (TRPA 4d)

See discussion and analyses in Questions 5.4.6-7 through 5.4.6-9, and 5.4.6-11 through 5.4.6-14.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.6-11. Would the Project result in reduction of the numbers of any unique, rare or endangered species of plants? (TRPA 4e)

The amendment area is highly developed and contains no unique, rare, or endangered plant species. The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to unique, rare, or endangered species of plants. The natural resource protection provisions of Chapters 61 (Vegetation and Forest Health) and 62 (Wildlife Resources) of the TRPA Code of Ordinances are still applicable to the area. Future redevelopment projects in the amendment area would be subject to subsequent project-level environmental review and permitting. At a project-level, potential effects on plant species 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. TRPA's existing policies and Code provisions address potential impacts to special-status species through site-specific environmental review, require development and implementation of project-specific measures to minimize or avoid impacts through the design process, and require compensatory or other mitigation for any adverse effects on special-status species as a condition of project approval (Sections 61.3.6, Sensitive and Uncommon Plant Protection and Fire Hazard Reduction and 62.4, Special Interest, Threatened, Endangered, and Rare Species of the TRPA Code of Ordinances). Project-level planning and environmental analysis would identify potentially significant effects, minimize or avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval. Therefore, implementation of the TCAP and B/ATCP amendments would not result in the reduction in the number of any unique, rare, or endangered species of plants.

Environmental Analysis: *No Impact.*

Required Mitigation: **None**

5.4.6-12. Would the Project result in removal of streambank and/or backshore vegetation, including woody vegetation such as willows? (TRPA 4f)

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to removal of streambank and backshore vegetation. See discussion and analysis for Question 5.4.6-8 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.6-13. Would the Project result in removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications? (TRPA 4g)

The area is currently developed, contains few trees, and is not within TRPA's Conservation or Recreation land use classifications.

Environmental Analysis: *No Impact.*

Required Mitigation: **None**

5.4.6-14. Would the Project result in a change in the natural functioning of an old growth ecosystem? (TRPA 4h)

See discussion and analysis for Question 5.4.6-13 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.6-15. Would the Project result in change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)? (TRPA 5a)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

The TCAP and B/ATCP amendments would not alter the regulations pertaining to the protection of animal species. The resource management provisions contained in Chapters 60 through 68 of the TRPA Code are still applicable. Any subsequent projects allowed within the TCAP amendment area would be subject to subsequent project-level environmental review and permitting. Consistent with existing conditions, permit applicants would be required to demonstrate that any proposals would occur consistent with TRPA Code provisions related to resource management, including specifically the provisions of Chapters 62 and 63 that address protection of wildlife and fish resources, respectively. For these reasons, adoption of the TCAP amendments would not result in the change in the diversity or distribution of species, or numbers of any species or animals.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.6-16. Would the Project result in reduction of the number of any unique, rare or endangered species of animals? (TRPA 5b)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

See discussion and analyses for Question 5.4.6-1. The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to unique rare or endangered species of animals and the natural resource provisions of chapters 61 and 62 of the TRPA Code remain applicable.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.6-17. Would the Project result in introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? (TRPA 5c)

See discussion and analysis for Question 5.4.6-4 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.6-18. Would the Project result in deterioration of existing fish or wildlife habitat quantity or quality? (TRPA 5d)

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to existing fish or wildlife habitat quantity or quality. Consistent with existing conditions, redevelopment projects associated with the amendment area could affect fish and wildlife depending on the type, timing, and specific nature

of proposed actions. However, any such projects would be subject to subsequent project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of fish and wildlife contained in Chapters 62 (Wildlife Resources) and 63 (Fish Resources) of the TRPA Code. Project-level planning and environmental analysis would identify potentially significant effects, minimize or avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval. Therefore, implementation of the TCAP and B/ATCP amendments would not result in the deterioration of existing fish or wildlife habitat quantity.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.7 Cultural Resources (CEQA) and Archaeological/Historical (TRPA)

This section presents the analyses for potential impacts to cultural, archaeological and historical resources, discussing the Project impacts on cultural resources related to the disturbance of archaeological, historical, architectural, and Native American/traditional heritage resources. The section also addresses disturbance of unknown archaeological resources, as well as paleontological resources (fossils). Table 5-7 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-7: Cultural Resources and Archaeological/Historical				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.7-1. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (CEQA Va)				X
5.4.7-2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (CEQA Vb)				X
5.4.7-3. Disturb any human remains, including those interred outside of formal cemeteries? (CEQA Vc)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.7-4. Will the proposal result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building? (TRPA 20a)				X
5.4.7-5. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records? (TRPA 20b)				X
5.4.7-6. Is the property associated with any historically significant events and/or sites or persons? (TRPA 20c)				X

5.4.7-1. Would the Project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (CEQA Va)

The amendments do not alter regulations pertaining to historical or cultural resources. As such, the potential effect is the same as those analyzed in the RPU EIS.

The El Dorado County General Plan EIR lists properties included on the National Register of Historic Places (NRHP) and California Register of Historic Places (CRHR) and California State Historic Landmarks. Tahoe Meadows (National Register) and Vikingsholm (National Register) are the two NRHP/CRHR listed properties in the vicinity of South Lake Tahoe, neither of which is located in the amendment area boundaries. There is no evidence of intact, potentially significant prehistoric, archaeological or Washoe cultural sites, or historical sites within the existing TCAP or proposed amendment area. There are historical sites in the surrounding area, including the Lapham Hotel which was located near the intersection of Pioneer Trail and US 50 and McCombers Station located near the intersection of Pioneer Trail and Ski Run Blvd. The TRPA RPU EIS also identifies Lake Bigler House in the immediate vicinity. The TCAP indicates the Lake Valley Lumber Pier and Railroad were located adjacent to the current Timber Cove Pier, but were demolished in the mid-1980s due to safety and navigation concerns. Currently, the amendment area is completely developed with no visible evidence of resources remaining onsite.

Federal and state regulations, the TRPA Code (Chapter 67) and City General Plan policies address protection of cultural, historical and archaeological resources and provide processes to avoid or minimize impacts to such resources. Any building, object or structure over 50 years of age is required to have a historic determination. Redevelopment within the amendment area would be required to comply with federal and state regulations, TRPA Code and General Plan policies, during project specific review, and therefore, would not alter or adversely affect archeological or historical resources.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.7-2. Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (CEQA Vb)

See discussion and analysis for Question 5.4.7-1 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.7-3. Would the Project disturb any human remains, including those interred outside of formal cemeteries? (CEQA Vc)

Section 7050.5(b) of the California Health and Safety Code and Section 5097.98 of the State Public Resources Code specify protocol when human remains are discovered. If human remains are discovered, the Codes require work to cease within the immediate area and notification of the County Coroner. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed. The City's General Plan Policy NCR-4.5 requires notification of the City if human remains are discovered during ground disturbing activities. Redevelopment within the amendment area would be required to comply with these requirements during ground-disturbance activities; therefore, the amendments would not alter, adversely affect or result in the loss of these resources and their associated ethnic and cultural values.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.7-4. Will the Project result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building? (TRPA 20a)

The South Lake Tahoe area has been subject to archaeological survey during the preparation of Community Plans, Redevelopment Plans, and during review of development projects. There is no evidence of intact, potentially significant prehistoric, archaeological or Washoe cultural sites within the TCAP or the amendment area. However, several potential significant historic properties located within the vicinity of the area are identified in TRPA's historic resources database, including the Lapham Hotel which was located near the intersection of Pioneer Trail and US 50 and McCombers Station located near the intersection of Pioneer Trail and Ski Run Blvd. The TRPA RPU EIS also identifies Lake Bigler House in the immediate vicinity; however, the amendment area is completely developed with no visible evidence of resources remaining onsite. The potential exists within the amendment area, like elsewhere in the Tahoe Basin and consistent with existing conditions, for previously undiscovered archaeological or historic resources to be discovered during any earth-moving activities.

Federal and state regulations, TRPA Code (Chapter 67) and General Plan policies address protection of these resources and provide processes to avoid or minimize impacts to historic and archaeological resources. Because any redevelopment in the amendment area would be required to comply with these regulations, consistent with existing practices, it would not alter or adversely affect archeological or historical resources.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.7-5. Is the Project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records? (TRPA 20b)

See discussion in Questions 5.4.7-1 and 5.4.7-4 above regarding the mapped resources. TRPA and City policies and regulations have been established to ensure protection of such resources. Because any redevelopment within the amendment area would be required to comply with TRPA regulations (Chapter 67, Historic Resource Protection) that prohibits grading, operation of equipment, or other soil disturbance in areas where a designated historic resource is present, except in accordance with a TRPA-approved resource protection plan, and with City General Plan Policies that prohibit modification of listed properties that would alter their listing status or eligibility, the amendments would not alter or adversely affect cultural, historical, and/or archaeological resources identified on TRPA's or other regulatory official maps.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.7-6. Is the Project associated with any historically significant events and/or sites or persons? (TRPA 20c)

See discussions and analyses discussions for Questions 5.4.7-1 through 5.4.7-5 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.8 Energy (CEQA/TRPA)

This section presents the analyses for potential impacts to energy. Table 5-8 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-8: Energy				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.8-1. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (CEQA VIa)				X
5.4.8-2. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (CEQA VIb)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.8-3. Use of substantial amounts of fuel or energy? (TRPA 15a)				X
5.4.8-4. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? (TRPA 15b)				X

5.4.8-1. Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (CEQA VIa)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

The use of energy resources, beyond existing conditions would occur incrementally if existing developments are remodeled or improved. Since the area is already developed, a substantial increase in the rate of use would not occur. The RPU EIS (TRPA 2012a, page 5-3) acknowledged the potential increase in the use of energy resources resulting from increased development and redevelopment within the Tahoe Region, however any project permitted through the TCAP would be subject to project level environmental review and site-specific mitigation measures if necessary. Therefore, any increase in the rate of use of energy resources would be negligible and would not be in quantities that would result in a significant effect.

Non-renewable energy resources such as gasoline and diesel are consumed during the construction of development projects; however, the potential for new development would be limited through restrictions to TRPA regulated commodities (see project description) such as commercial floor area, residential allocations and tourist accommodation units. Furthermore, the area proposed for amendment is already developed. Because construction would be limited and would not require quantities of energy resources beyond those of typical residential and commercial construction, projects associated with the TCAP would not result in substantial depletion or wasteful use of energy resources during construction or operation.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.8-2. Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (CEQA VIb)

The City of South Lake Tahoe has committed to a goal of 100 percent renewable energy by 2032 and is working with the local electricity provider to reach that goal and invest in greater renewable energy sources. Businesses within the city, including those within the amendment area are eligible for free solar assessments. The TCAP and B/ATCP amendments would not conflict with or obstruct these renewable energy goals. The City Code includes requirements for water conservation devices in new or replacement facilities and requires energy efficient outdoor lighting, which conserves energy consumption and are incorporated into the Development and Design Standards of the TCAP Amendment (TCAP Amendment Appendix C). The City has also adopted the 2016 California Energy Code within the City's building regulations. The City also has a Green Building Program with recommended energy efficiency measures for residential and commercial projects. The Green Building Program is incorporated into the TCAP amendment as Appendix D.

TRPA Regional Plan Land Use Element AQ-1.5 encourages the construction of energy efficient buildings, replacement of energy inefficient buildings, and improvements to the efficiency of existing buildings. Transportation Element Goal 1 is to "Protect and enhance the environment, promote energy conservation, and reduce greenhouse gas emissions." Furthermore, Policy 1.6 states, "Require new and encourage existing. Major commercial interests providing gaming, recreational activities, excursion services, condominiums, timeshares, hotels, and motels to participate in transportation demand programs and projects." The Conservation Element Goal E-1 is "Promote energy conservation programs and development of alternative energy sources to lessen dependence on scarce and high-cost energy supplies." These goals and policies

Redevelopment within the amendment area has the potential to improve energy efficiency through the utilization of new, energy efficient materials, fixtures, and designs. Therefore, redevelopment activity would not obstruct plans for renewable energy or energy efficiency. Redevelopment within the amendment area would be required to comply with federal and state regulations, TRPA Code and General Plan policies, during project specific review, and therefore, would not obstruct energy efficiency goals. The amendments do not propose changes that would conflict with or obstruct state or local plans for renewable energy or energy efficiency.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.8-3. Would the Project use substantial amounts of fuel or energy? (TRPA 15a)

This potential impact was previously analyzed as part of the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

All redevelopment permitted through the amendments would occur in accordance with the Regional Plan and City Code. While any new construction would require electric and natural gas service as part of the basic services (Chapter 32, Basic Services of the TRPA Code of Ordinances) the entire area within the TCAP amendment area is currently served by existing electric and gas infrastructure. Additionally, projects requiring new or modified connections would be subject the requirements and fees of the applicable utility providers. The utility companies project that, based on their forecasting and recent growth trends, the available capacity would far exceed the demand generated at build-out of the Regional Plan (TRPA 2012a, page 3.13-20).

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.8-4. Will the Project substantially increase the demand upon existing sources of energy, or require the development of new sources of energy? (TRPA 15b)

This potential impact was previously analyzed as part of the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

See discussion in Question 5.4.8-3 above that concludes that the available capacity would far exceed the demand generated at build-out of the TRPA Regional Plan; therefore, demand created by implementation of the amendments would not exceed available capacity, or require the development of new sources of energy.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.9 Geology and Soils (CEQA) and Land (TRPA)

This section presents the analyses for potential impacts to geology, soils and land. Table 5-9 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-9: Geology and Soils and Land				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
<p>5.4.9-1. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <ul style="list-style-type: none"> i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides? (CEQA VIIa) 			X	
<p>5.4.9-2. Result in substantial soil erosion or the loss of topsoil? (CEQA VIIb)</p>			X	
<p>5.4.9-3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (CEQA VIIc)</p>			X	
<p>5.4.9-4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (CEQA VIId)</p>			X	

5.4.9-5. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (CEQA VIIe)				X
5.4.9-6. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (CEQA VIII f)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.9-7. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)? (TRPA 1a)				X
5.4.9-8. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions? (TRPA 1b)				X
5.4.9-9. Unstable soil conditions during or after completion of the proposal? (TRPA 1c)				X
5.4.9-10. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet? (TRPA 1d)				X
5.4.9-11. The continuation of or increase in wind or water erosion of soils, either on or off the site? (TRPA 1e)				X
5.4.9-12. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake? (TRPA 1f)				X
5.4.9-13. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards? (TRPA 1g)				X

5.4.9-1. Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

5.4.9-1.i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? (CEQA VIIa).

The amendment area is located within the Sierra Nevada-Great Basin seismic belt. Based on the Division of Mines and Geology Special Publication 42 and the Index to Official Maps of Earthquake Fault Zones (Hart and Bryant 1997), the project area is not located in the Alquist-Priolo Earthquake Fault Zone. The closest Alquist-Priolo Earthquake Fault Zone is the Genoa fault located southeast of the area and outside the Tahoe Basin.

There are four known faults that run through the City. One of these is located in the TCAP in the general vicinity of Ski Run Boulevard. These are approximately located fault traces, some associated with the Tahoe Valley Fault Zone, and are not known to be active. The relatively minor and inactive faults have shown no history of fault ruptures and do not meet the criteria for building restrictions under the Alquist-Priolo Earthquake Fault Zone Act. The risk of fault rupture is considered relatively low (CSLT 2011, pages 4.8-13 and 4.8-28).

According to the California Building Code (CBC), the amendment area is located in Seismic Zone D, a region of relatively high seismicity, and has the potential to experience strong ground shaking from earthquakes. As such, all structures must be designed to meet the regulations and standards associated with Zone D hazards as set forth in the CBC. Compliance with these existing regulations ensures that all new or redeveloped structures would be capable of withstanding anticipated ground shaking in the Region and would not create significant public safety risks or property damage in the event of an earthquake.

The City has adopted California Building Code within Title 6 of the City Code. All structures associated with redevelopment in the amendment area would be designed and constructed in accordance with design requirements of the Seismic Zone D which would minimize risks associated with seismic ground shaking and seismic related ground failure. The risk of fault rupture and ground shaking is a less than significant impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.9-1.ii) Strong seismic ground shaking?

See discussion and analysis for Question 5.4.9-1.i above.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.9-1.iii) Seismic-related ground failure, including liquefaction?

The potential for seismic-related ground shaking in the Region could also contribute to public safety risks and property damage associated with ground failure including liquefaction, lateral spreading, collapse, and settlement. Relatively high ground water levels in the area can contribute to the potential for ground failure,

particularly during excavation and construction of below-grade structures (CSLT 2011, page 4.8-29). Hazards associated with seismic-related ground failure are regulated by the California Building Standards Code adopted by the City in Title 6 of the City's Code to ensure that structures are properly designed and constructed to withstand anticipated ground failure. The risk of injury or property damage from strong ground shaking or resulting ground failure would not substantially increase with the expansion or adoption of the TCAP and B/ATCP amendments and this is a less than significant impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.9-1.iv) Landslides?

The varied topography within the Lake Tahoe Region makes many areas susceptible to landslide hazards. The main hazards are associated with rock falls on steep slopes of massive granite and erosion of decomposed granite on both gentle and steep slopes. The amendment area is highly paved and generally flat. The TRPA Land Use Element Natural Hazards Subelement, Goal 1, Policy 1 of the TRPA Regional Plan restricts construction, reconstruction, or replacement of structures in identified avalanche or mass instability hazard areas. There is no significant risk of exposing people or structures to potential landslides in the amendment area and is a less than a significant impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.9-2. Would the Project result in substantial soil erosion or the loss of topsoil? (CEQA VIIb)

See discussions and analyses for Questions 5.4.9-8, 5.4.9-9 and 5.4.9-10 below.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.9-3. Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (CEQA VIIc)

See discussions and analyses for Questions 5.4.9-1.i through 5.4.9-1.iv above and Question 5.4.9-4 below.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.9-4. Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (CEQA VIId)

According to the Swelling Clays Map of The Conterminous United States, the Tahoe Basin Region falls within an area that is underlain with little to no clays with swelling potential (USGS 1989). However, soil units mapped within the Tahoe Basin Region contain soils with low to high shrink/well potential (NRCS 2007).

Redevelopment and infrastructure projects in the amendment area may be constructed on areas of unstable or expansive soils or geologic units, thereby increasing the risk to people and structures. Projects would be required to undergo site-specific environmental review and, as appropriate, geotechnical analysis (TRPA Code of Ordinances Section 33.4, Special Information Reports and Plans and City Code Chapter 7.20) to determine the design, grading, and construction practices required to avoid or reduce geologic hazards including those associated with unstable, expansive soils and slope failure. Adherence to existing regulations would ensure impacts would be less than significant.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.9-5. Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (CEQA VIIe)

The Porter-Cologne Water Quality Act requires all sewage and wastewater to be disposed of outside the Lake Tahoe Basin. Therefore, use of septic tanks or alternative wastewater disposal are prohibited in the Lake Tahoe Region.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.9-6. Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (CEQA VIII f)

There is little potential that unknown paleontological resources may be located in the area due to the extensive development and coverage in the amendment area, and the potential to destroy such features is not affected by the amendments. Paleontological remains are found in sedimentary rock formations. El Dorado County's geology is predominantly igneous (volcanic) in nature, and the type of sedimentary deposits where such remains might be present, are virtually nonexistent (GP DEIR, page 5.13-1). As stated in the 2013 IS/IEC for the TCAP and the City's General Plan EIR, "A search of the University of California Museum of Paleontology collections database identified 22 paleontological resource finds in El Dorado County; however, none were identified in the City of South Lake Tahoe" (CSLT 2011 and CSLT 2013). To ensure the protection of paleontological resources that may be discovered during construction, the City adopted General Plan Policy NCR-4.4 that requires a paleontological resource evaluation be prepared and measures to mitigate impacts to paleontological resources be identified when fossils are discovered during ground-disturbing activities (CSLT 2011b, page NCR-7).

Federal and state regulations and TRPA Code (Chapter 67, Historic Resource Protection) also address protection of paleontological resources and provide processes to avoid or mitigate impacts to identified and discovered resources. Development associated with the TCAP would be required to comply with these requirements during project specific review and construction activity. Therefore, implementation of the amendments would not alter or adversely affect paleontological resources.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.9-7. Would the Project result in compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)? (TRPA 1a)

This potential impact was previously analyzed as part of the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

The TCAP amendments would not alter or revise the regulations pertaining to land capability and IPES. The land coverage limitations of the adopted Regional Plan (Chapter 30 of the TRPA Code) and existing TCAP, which allows up to 70 percent land coverage on high capability lands (Class 4 through 7) with coverage transfer, remain in effect. Since the amendment area is primarily Class 1b, higher land coverage levels would not apply to all parcels except a portion of Beach Retreat which partially lies within Class 7. The potential effects of these changes were analyzed in the RPU EIS (TRPA 2012, page 3.7-40) and were found to be less than significant.

“The additional coverage allowed in higher capability lands within Town Centers, the Regional Center, and the High Density Tourist District would be directly offset by coverage transferred from sensitive land or more than offset on an acre-by-acre basis by transfers from higher capability land, resulting in an overall reduction in coverage for the Region and, importantly, reduction in coverage from SEZs and other sensitive lands.”

Neither the existing TCAP, nor the TCAP amendments propose an alternative comprehensive land coverage management system as defined in Section 13.5.3B of the TRPA Code of Ordinances. However, adopted policy NRC-4.2 in the Natural and Cultural Resources Element directs the City to consider opportunities for land coverage reduction in all public and private redevelopment projects within community centers. Therefore, future redevelopment projects in the amendment area and elsewhere in the TCAP would be subject to permitting by the City and/or TRPA and permit applicants would be required to demonstrate that proposed compaction and land coverage would be within the limits allowed in Chapters 30 and 53 of the Code or demonstrate reduction or other mitigation of existing excess land coverage. Due to the existing excess land coverage, there is no potential for additional land coverage in the amendment area as all parcels currently exceed land coverage limits, as shown in Table 1-1.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.9-8. Will the Project result in a change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions? (TRPA 1b)

This potential impact was previously analyzed as part of the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to grading. Consistent with existing requirements, grading and construction activities would be required to comply with the provisions of Chapter 33, “Grading and Construction,” of the TRPA Code and Chapter 7.20 of the City Code. Chapter 33 includes specific provisions for timing of grading, winterization of construction sites, specifications for cut and fills areas, protection of vegetation during construction, and preparation of a Slope Stabilization Plan for projects at the request of TRPA. The City Code (Chapter 7.20) requires all projects to implement temporary best management practices (BMPs) in accordance with the *Handbook of Best Management Practices*. The BMPs must be maintained throughout the construction period until winterization and installation of permanent BMPS occurs at construction finalization.

Future projects proposed in the amendment area would be subject to permitting by the City and/or TRPA. Consistent with existing requirements, permit applicants would be required to demonstrate that all proposed grading is consistent with TRPA Code and City Code provisions protecting topography and ground surface relief features intended to retain natural conditions.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.9-9. Will the Project result in unstable soil conditions during or after completion of the proposal? (TRPA 1c)

This potential impact was previously analyzed as part of the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to BMPs for soil erosion. Consistent with existing requirements, soil disturbance associated with future projects in the amendment area would be required to comply with Chapters 33 (Grading and Construction) and 60 through 68 (Various Resource Management Chapters) of the TRPA Code of Ordinances and Chapter 7.20 of the City Code. Future projects would be subject to permitting by the City and/or TRPA would be required to demonstrate that any proposed soil disturbance would be consistent with TRPA and City Code provisions related to BMPs. See discussion under Question 5.4.9-8 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.9-10. Will the Project result in changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet? (TRPA 1d)

This potential impact was previously analyzed as part of the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to grading, excavation, and new disturbance. Consistent with existing requirements, redevelopment projects could result in new soil disturbance, changes to native geologic substructures, and grading in excess of 5 feet. However, all projects would be required to comply with the provisions of Chapter 30 (Land Coverage) of the TRPA Code of Ordinances and Chapter 7.20 of the City Code regarding permanent disturbance and Section 33.3.6 of the TRPA Code regarding protection of subsurface groundwater.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.9-11. Will the Project result in the continuation of or increase in wind or water erosion of soils, either on or off the site? (TRPA 1e)

See discussion and analysis for Question 5.4.9-8 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.9-12. Will the Project result in changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake? (TRPA 1f)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to the deposition of beach sand, or changes in siltation, deposition, or erosion, including natural littoral processes. Parcels within the existing Gateway District abut Lake Tahoe as would the proposed amendment area parcels. Bijou Creek is also mapped within the area. In accordance with Section 13.7.3 of the TRPA Code, TRPA would retain responsibility for enforcing and implementing Shorezone regulations as described in Chapters 80 through 85 of the TRPA Code. Future projects that could occur in the amendment area under the TCAP with subsequent approval that would alter structures in Lake Tahoe, river or a stream would be subject to the resource management and protection and Shorezone provisions in Chapters 60 through 85 of the TRPA Code.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.9-13. Will the Project result in exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mudslides, ground failure, or similar hazards? (TRPA 1g)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to geologic hazards. Chapter 35, Natural Hazard Standards, of the TRPA Code includes provisions addressing avalanche, floodplains, and wildfire and Chapter 6.15 of the City Code, addresses CBC and IBC building standards that include protections for persons and property from seismic and geologic hazards. In accordance with Section 13.7.3 of the TRPA Code, TRPA would retain responsibility for enforcing and implementing regulations specific to the backshore environment as described in Chapter 85 of the TRPA Code. Consistent with existing conditions, any subsequent project allowed within the amendment area would be subject to project-level permitting and environmental review by the City and/or TRPA. Such projects would be required to meet all applicable building codes and standards and would be required to undergo site-specific geotechnical analysis as specified by Section 33.4 (Special Information Reports and Plans) of the TRPA Code of Ordinances and Chapter 7.20 of the City Code. The TCAP amendments would not expose people or property to geologic hazards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.10 Greenhouse Gas Emissions (CEQA) and Air Quality (TRPA)

This section presents the analyses for potential impacts to greenhouse gas (GHG) emissions. Table 5-10 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-10: Greenhouse Gas Emissions and Air Quality				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.10-1. Greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (CEQA VIIIa)			X	
5.4.10-2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (CEQA VIIIb)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.10-3. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? (TRPA 2d)				X
5.4.10-4. Increased use of diesel fuel? (TRPA 2e)				X

5.4.10-1. Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (CEQA VIIIa)

Implementation of the TCAP and B/ATCP amendments could result in a small increase in development density if redevelopment of existing uses to multi-family dwellings or tourist accommodation uses occurs. Impacts of conversion have already been analyzed through previous Code amendments and impacts of specific projects will be analyzed through their project-specific environmental analyses. The amendments affect greenhouse gas emissions in that they allow 10 additional multi-family residential units over what is currently allowed in the B/ATCP, and the amendments also allow for timeshares, amusement and recreation, privately owned assembly and entertainment, local assembly and entertainment, government offices, threshold-related research facilities, regeneration harvest, fuels treatment, and prescribed fire/burning management, and would no longer allow post offices or collection stations in the amendment area. These additional land new uses do not result in the generation of emissions at a higher rate than those uses already allowed in the area. Elimination of collection stations results in a potential beneficial impact for greenhouse gas emissions. The amendment area is currently fully developed, and, in most cases, tourist accommodation developments are already at or near maximum densities allowed in the TCAP (e.g., each

tourist accommodation property is developed at densities above the multi-family residential maximum density of 25 units/acre).

Emissions would not significantly increase from traffic due to: 1) similar vehicle use patterns between residential units and vacation home rentals, 2) the existing development density is already at or above the proposed density levels, 3) the potential reduction in trips if tourist accommodation units are redeveloped into multi-family units, and 4) the similarities in trip generation for different types of tourist accommodation units (see Appendix A, LSC Transportation Consultants, 2018). Some commercial or retail uses such as restaurants or strip commercial uses can generate a higher number of trips per acre (1,200 and 400, respectively) than 40 unit motels and hotels (360), but these are all uses that are currently allowed in the TCAP and B/ATCP, and therefore, the amendments would not result in an increased potential for emissions over existing conditions. The potential loss of commercial uses serving tourist uses does not increase as a result of the amendments, and the potential to convert uses from commercial to tourist accommodation also does not increase from current conditions.

Greenhouse gas (GHG) emissions are global pollutants and addressed on a regional scale through the TRPA RPU and City General Plan rather than just at the Area Plan scale. Increases in GHG emissions are primarily attributed to mobile-source emissions, and to a lesser extent, electricity and natural gas consumption and use of wood-burning devices. Although development and population growth occurring during the planning horizon of the TRPA Regional Plan would result in an increase in overall GHG emissions that would make a cumulative contribution to global climate change, many of the sustainability- and conservation-oriented land use and transportation policies of the Regional Plan, General Plan, and TCAP would reduce VMT, increase opportunities for transit and non-motor vehicle travel, and allow or encourage redevelopment that would improve energy efficiency. The Regional Plan and General Plan include methods to substantially reduce GHG emissions through actions such as increased and improved pedestrian, bicycle and transit access, intersection improvements to reduce vehicle emissions associated with traffic delays, incentives to concentrate development in Centers, incentives for sustainable design, and encouraging replacement of woodstoves and combustion heaters with cleaner-burning, TRPA-approved units. The TCAP amendments would not alter existing GHG policies and redevelopment of aging structures in the amendment area would improve energy efficiency to reduce GHG emissions and offset GHG increases that could result from additional residential or tourist accommodation units.

An increase in greenhouse gas emissions would be considered significant if the project would obstruct implementation of any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions. This standard of significance approach for analysis of climate change impacts is generally supported by the California Air Resources Board (Preliminary Draft Staff Proposal - Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act, October 2008 and ARB Climate Change Scoping Plan, December 2008). The 2014 First Update to the Climate Change Scoping Plan indicates the state is poised to maintain and continue GHG reductions beyond 2020 (ARB 2014:ES_2) through the Plan's statewide measures, such as the Low Carbon Fuel Standard, energy efficiency measures, and renewable electricity standards. AB 32 requires total statewide GHG emissions to be reduced to the 1990 emissions levels by 2020, which represents an approximate 15 percent reduction, in comparison to current GHG emissions. Given that TRPA's TransCAD region-wide traffic model is designed to provide VMT data for the entire Tahoe Region and cannot provide reliably accurate vehicle miles travel (VMT) data for the TCAP amendment area, the mobile emission analysis was based on a comparison of year 2030 conditions under the 1987 TRPA Regional Plan to the TRPA Regional Plan Update. The amendments would be considered to have a significant impact if proposed policies and actions would be inconsistent with GHG reduction measures recommended by the California Attorney General. In addition, the proposed amendments would be considered to have a significant impact from global climate change if it would result in the exposure of residents to hazards associated with climate change.

It is important to note that estimated increases in mobile-source GHG emissions attributable to future development are based on net changes in VMT that are region-wide (i.e., within the entire Lake Tahoe Air Basin) and are not limited to VMT within the TCAP and B/ATCP amendment boundaries. It is typically not possible to determine the extent to which proposed amendment-generated GHGs would contribute to global climate change or the physical effects often associated with global climate change (e.g., loss of snowpack and clarity changes to Lake Tahoe) because of the negligible amount of GHGs attributed to the TCAP and B/ATCP amendments compared to the overall Tahoe Region.

As part of the TRPA RPU EIS mitigation measure to reduce stationary sources of GHG emissions, TRPA recently (November 20, 2013) adopted several provisions intended to reduce GHG emissions. The GHG reduction provisions include additional best construction practices policies, a requirement to include a Greenhouse Gas (GHG) reduction strategy in Area Plans, a woodstove rebate program, and revisions to TRPA Code sections to remove unintended barriers to sustainable design. In Section 65.1.8.A. (Air Quality/Transportation, Idling Restrictions) of the TRPA Code of Ordinances, a new subsection was added that limits construction vehicle idling time to 5 minutes in California (previous restriction was 30 minutes). In addition to reduced idling time policies, the TRPA Standard Conditions of Approval for Grading Projects (TRPA Permit Attachment Q) and Standard Conditions of Approval for Residential Projects (TRPA Permit Attachment R) include new construction provisions that call for the use of existing power sources (e.g. power grid) or clean-fuel generators rather than temporary diesel power generators wherever feasible, location of construction staging areas as far as feasible from sensitive air pollution receptors (e.g. schools or hospitals), and closure of engine doors during operation except for engine maintenance. Lastly, the TRPA Code of Ordinances Section 36.6.1 General Standards, Design Standards removes barriers for incorporating alternative energy or emission reducing vegetated roofs into structures.

The City's General Plan contains policies and specific, enforceable requirements or restrictions and performance standards applicable to the TCAP amendment area that reduce VMT and air quality emissions such as construction and operational-related GHG emissions. These policies promote the use of alternative fuels, alternative transportation, energy conservation, strategies to reduce travel demand, and promotion of sustainable development. The General Plan also contains sustainability policies including measures such as energy conservation, sustainable development, and green building, as well as actions to reduce VMT and mobile-source GHG emissions.

The TCAP also includes policies to address short-term construction emissions, such as implementing EDCAQMD recommended measures, prohibition of burning debris, restriction of equipment and vehicle idling, dust control measures, and utilization of low emission construction equipment. Due to the age of the B/ATCP, it does not currently include GHG-specific policies, although RPU and General Plan policies are applicable; therefore, integrating the amendment area into the current TCAP increases the potential for future projects to comply with GHG-specific policies established in the TCAP, as well as the RPU and General Plan. The policies in the existing TCAP would not be amended and these policies are consistent with measures established by the California Office of the Attorney General and efforts by the state under AB 32 to reduce GHG emissions to the reduction goals.

Future development projects that are subject to discretionary review shall be evaluated in comparison to EDCAQMD-recommended thresholds of significance and shall incorporate emission-reduction measures sufficient to also reduce potentially significant GHG impacts, if identified, to a less-than-significant level.

Because implementation of the Regional Plan, General Plan, and existing TCAP policies would not change under the TCAP amendment, and because the new allowable land-uses and associated densities would not generate more VMT than what is already allowable in the B/ATCP, redevelopment under the proposed amendments is not expected to make a measurable increase in GHG emissions. Thus, this impact is less than significant.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.10-2. Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (CEQA VIIIb)

The TCAP amendments do not alter adopted TCAP policies regarding GHG, and the existing TCAP is consistent with applicable plans, policies and regulations adopted in the TRPA Regional Plan, Sustainable Communities Strategy, and City General Plan to reduce emissions of greenhouse gases. As discussed in Question 5.4.10-1 above, the TRPA would continue to implement existing practices described in Mitigation Measure 3.5-1 of the RPU EIS, General Plan Policy NCR-5.10, and TCAP Policy NCR-5.1 which includes developing GHG reduction measures on a project-specific basis within the TCAP. The TCAP would continue to implement policies of the TRPA Regional Plan which calls for concentrating development in town centers in a pedestrian- and transit-oriented environment that focuses on enhancing non-auto modes such as walking, biking, and transit as a strategy to reduce greenhouse gas emissions.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.10-3. Would the Project result in alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? (TRPA 2d)

The proposed TCAP amendments would result in the same potential for redevelopment activity as compared to the B/ATCP, although the density of development could increase for multi-family housing, depending on the redevelopment proposal. While increased redevelopment and construction activity could occur, resulting in an increase in overall greenhouse gas (GHG) emissions, TRPA concluded that this impact (analyzed in the TRPA RPU EIS) was cumulatively significant, mitigated to the extent feasible, and otherwise unavoidable.

Redevelopment at higher unit densities would contribute some level of greenhouse gas emissions (GHG) to the regional output; however, even if the development density increased, the impact would not be greater than what was previously allowed, and the amendments would not result in a new impact. Construction-related emissions associated with future redevelopment projects would primarily be associated with heavy-duty construction equipment and truck and vehicle exhaust associated with subsequent project development. Operational sources of GHG emissions associated with subsequent projects in the amendment area under the TCAP amendments would include area sources (e.g., landscaping and snow removal equipment), mobile sources (e.g., vehicle exhaust), energy consumption (e.g., electricity and natural gas), solid waste (e.g., emissions that would occur at a landfill associated with solid waste decomposition), and water consumption (e.g., electricity used to deliver and treat water to serve the Region).

Because many of the sustainability- and conservation-oriented land use and transportation policies and strategies of the TRPA Regional Plan, General Plan and the TCAP would effectively reduce VMT, increase transit and non-motor vehicle travel, and allow or encourage mixed-use redevelopment that would improve energy efficiency, the combined influence of planned development and population growth would by itself result in a less-than-significant increase in overall GHG emissions (approximately 3,330 metric tons of carbon dioxide equivalent (MT CO₂e)/year, well below the 25,000 MTO CO₂e/year significance threshold [TRPA 2012a, page 3.5-14]). However, when the emissions are considered in combination with basin-wide GHG emission resulting from TRPA Regional Plan implementation, the emissions would be a cumulatively

considerable contribution to global climate change as identified in the RPU EIS and described below (TRPA 2012a, page 3.5-15).

TRPA adopted several provisions intended to reduce GHG emissions in November, 2013. The GHG reduction provisions include additional best construction practices policies, a requirement to include a Greenhouse Gas (GHG) reduction strategy in Area Plans, a woodstove rebate program, and revisions to TRPA Code sections to remove unintended barriers to sustainable design. In Section 65.1.8.A. (Air Quality/Transportation, Idling Restrictions) of the TRPA Code of Ordinances, a new subsection was added that limits construction vehicle idling time to 15 minutes in Nevada and 5 minutes in California (previous restriction was 30 minutes). In addition to reduced idling time policies, the TRPA Standard Conditions of Approval for Grading Projects (TRPA Permit Attachment Q) and Standard Conditions of Approval for Residential Projects (TRPA Permit Attachment R) include new construction provisions that call for the use of existing power sources (e.g. power grid) or clean-fuel generators rather than temporary diesel power generators wherever feasible, location of construction staging areas as far as feasible from sensitive air pollution receptors (e.g. schools or hospitals), and closure of engine doors during operation except for engine maintenance. As described above, TRPA and the EDCAQMD have funded state and locally administered woodstove incentive programs in the Lake Tahoe Region, resulting in reductions in long-term GHG emissions.

Additionally, the TCAP incorporates General Plan policies to address short-term construction emissions and incorporate measures to reduce construction related GHG emissions on a project specific basis, such as equipment idling restriction, application of dust suppressants, and utilization of low emission equipment, as well as additional measures recommended by the EDCAQMD. Long-term operational GHG emissions reduction measures include increasing the use renewable energy sources, providing credits and incentives for “green buildings”, utilizing energy efficient appliances and fixtures, rehabilitating the housing stock to achieve greater energy efficiency, and others.

Since the TCAP amendments do not alter existing policies related to GHG emissions, and the existing policies and regulations addressing GHG emissions would remain in effect, and because the amendment area is currently developed, the potential to increase GHG emissions as a result of the TCAP amendments is insignificant. The existing measures adopted by the TRPA, City, and EDCAQMD would remain applicable and no new impact would occur.

Environmental Analysis: *No (new) Impact.*

Required Mitigation: **None.**

5.4.10-4. Would the Project result in increased use of diesel fuel? (TRPA 2e)

As with construction of projects under the B/ATCP, construction in the amendment area associated with subsequent projects under the TCAP would require the use of diesel fuel for the operation of construction equipment. From an air quality perspective, one of the primary concerns related to diesel fuel consumption is the resultant exposure of sensitive receptors to emissions of toxic air contaminants (TACs) that can occur during both the construction and operational phases of a project. Based on a review of the proposed permissible uses in the TCAP Gateway District, the amendments would not include the construction or operation of any major sources of TAC emissions such as power-generating plants or other heavy industrial uses.

The construction of redevelopment projects under the TCAP amendments could result in short-term diesel exhaust emissions, including diesel particulate matter (PM), from the use of off-road diesel equipment required for site grading and excavation, paving, and other construction activities. Diesel PM was identified

as a TAC in 1998. The potential cancer risk from the inhalation of diesel PM is a more serious risk than the potential non-cancer health impacts (TRPA 2012a, page 3.4-39). However, the TCAP amendments do not include changes in land use or design standards that would increase exposure over what is allowed in the B/ATCP. Therefore, the exposure of sensitive receptors to TACs or potential for exposure would not increase as a result of the TCAP amendment.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.11 Hazards and Hazardous Materials (CEQA) and Risk of Upset and Human Health (TRPA)

This section presents the analyses for potential impacts to hazards and hazardous materials and risk of upset and human health. Table 5-11 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-11: Hazards and Hazardous Materials and Risk of Upset and Human Health				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.11-1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (CEQA IXa)			X	
5.4.11-2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (CEQA IXb)			X	
5.4.11-3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (CEQA IXc)			X	
5.4.11-4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (CEQA IXd)				X
5.4.11-5. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (CEQA IXe)				X

5.4.11-6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (CEQA VIII f)				X
5.4.11-7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (CEQA IX g)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.11-8. Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions? (TRPA 10a)				X
5.4.11-9. Involve possible interference with an emergency evacuation plan? (TRPA 10b)				X
5.4.11-10. Creation of any health hazard or potential health hazard (excluding mental health)? (TRPA 17a)				X
5.4.11-11. Exposure of people to potential health hazards? (TRPA 17b)				X

5.4.11-1. Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (CEQA IXa)

Redevelopment as a result of implementation of the TCAP and B/ATCP amendments could result in increasing the transport, storage, use and/or disposal of hazardous materials as a result of normal construction and operation of land uses and improvement. However, all development would be required to adhere to federal, state, ad local regulations regarding the handling, transportation, and disposal of hazardous materials.

Transportation of hazardous materials on area roadways is regulated by the California Highway Patrol, US Department of Transportation, and Caltrans. The Resource Conservation and Recovery Act gives the USEPA the authority to control the generation, transportation, treatment, storage, and disposal of hazardous waste. The El Dorado County Department of Environmental Management is responsible for consolidating, coordinating and making consistent the administration requirements, permits, inspection, and enforcement activities of state standards regarding the transportation, use, and disposal of hazardous materials in the county and the Tourist Core. The City has incorporated specific, enforceable requirements and/or restrictions and corresponding performance standards that address hazardous materials. General Plan Policy HS-6.4 would require private waste collectors to provide household hazardous waste collection programs and Policy HS-6.5 requires private waste collectors to transport hazardous waste during non-peak hours (CSLT 2011b, page HS-7).

All existing and new development in the amendment area would be required to comply with federal, state, and local regulations regarding the handling and transportation, disposal, and cleanup of hazardous materials. The amendment area is already developed with residential, recreational, tourist, and commercial uses, and the amendments do not allow new uses not previously prohibited that have the potential to increase the transport, use or disposal of hazardous materials. Since the amendments would not allow collection stations, which are currently allowed in the amendment area, the risk of a hazardous release decreases. Therefore, this impact would be less than significant.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.11-2. Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (CEQA IXb)

The GP EIR (2011) identified that development and redevelopment within the City limits could result in the release of hazardous materials into the environment under reasonably foreseeable upset or accident conditions. Exposure to such materials could occur either through routine use or due to accidental release and concluded that this was a potentially significant impact requiring mitigation (CSLT 2011, pages 4.3-38-39). The GP EIR identified two mitigation measures that were incorporated into the final adopted General Plan (2011). Policy HS-6.1 requires existing and new commercial and industrial uses involving the use, handling, transport, or disposal of hazardous materials within the city to disclose their activities in accordance with El Dorado County guidelines and the requirements of state law. Policy HS-6.2 requires that all construction activity cease if contamination is discovered on construction projects. Remediation is required to the satisfaction of the appropriate responsible agency (i.e., El Dorado County Department of Environmental Management, Lahontan Regional Water Quality Control Board, Department of Toxic Substances Control, or the City of South Lake Tahoe) (CSLT 2011b, page HS-7). All existing and future development is required to and will implement and is consistent with regional, federal, state, and local regulations regarding the release of hazardous materials into the environment due to reasonably foreseeable upset and accident conditions. Therefore, this impact would be less than significant.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.11-3. Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (CEQA IXc)

The nearest schools are the South Tahoe Middle School, located approximately three-quarters of a mile from the amendment area, and the Bijou Community School, located over a half-mile from the amendment area. The use, storage, and transport of hazardous materials are required to be in compliance with local, state, and federal regulations during project construction and operation. Facilities that use hazardous materials are required to obtain permits and comply with appropriate regulatory agency standards and the discovery of contamination requires construction sites to cease operations. Since all existing and future development in the amendment area is required to comply with regional, federal, state, and local regulations addressing safety from hazards, including hazardous materials, the impacts of this impact are anticipated to be less than significant impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.11-4. Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (CEQA IXd)

No hazardous waste facilities or contaminated sites are identified within the amendment area. There are two GeoTracker Leaking Underground Storage Tank (LUST) cleanup sites in the area: one at the Lakeside Service Station and one at Timber Cove Marina. The cleanup status for each of these sites is complete and each case has been closed.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.11-5. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the project area? (CEQA IXe)

The TCAP and amendment area are not located within the City's Airport Comprehensive Land Use Overlay district as depicted in the 2019 Airport Land Use Compatibility Plan, and therefore have no impact on public safety in the vicinity of a public-use airport or FAA safety regulations.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.11-6. Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (CEQA IXf)

The City is responsible for emergency operations within the city limits, which includes the amendment area. The City's Natural Hazard Mitigation Plan was approved by the Federal Emergency Management Agency (FEMA) and included as a local appendix to the El Dorado County Natural Hazard Mitigation Plan. This plan provides guidance for the development of pre-mitigation and post-mitigation recovery for disasters in all hazard classification. Title 1 of the City Code addresses plans for the protection of persons and property within the City in the event of an emergency and the coordination of the emergency functions of the City with all other public agencies, corporations, organizations, and affected private persons. The City's Disaster Council is responsible for reviewing and recommending emergency operation plans for adoption by the City Council, and is also responsible for the review and potential amendments to the Emergency Management Plan. Moreover, the City's adopted General Plan policies in the Health and Safety Element include: Policy HS-1.1 requires the City to periodically review and update the City's Local Emergency Operations Plan; Policy HS-1.3 requires the City to maintain a reverse 911 system; and HS- 1.4 requires the City to identify pre-planned areas for disaster staging and evacuations (CSLT 2011b, page HS-2).

The amendments would not alter or revise the existing regulations or amend the City's Local Emergency Operations Plan or Emergency Management Plan. The amendments also would not impair the implementation of or physically interfere with the City Natural Hazard Management Plan or Emergency Management Plan and therefore results in no impact.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.11-7. Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (CEQA IXg)

The amendment area is currently fully developed with a mix of commercial, residential, and tourist accommodation units. There are few trees located within the amendment area due to the prevalence of existing development. Amending the area into the TCAP and future redevelopment would not increase the risk of exposing people and structures to hazards involving wildland fires in wildland-urban interface areas. Redevelopment is required to be consistent with and will implement state, regional, and local regulations designed to reduce the risk of wildfire. All new structures are required to comply with the California Fire Code, which establishes minimum standards for materials and material assemblies to provide a reasonable level of exterior wildfire exposure protection for buildings in wildland-urban interface areas. Chapter 5.05 of the City Code, which is currently applicable to the proposed amendment area, contains fire regulations adopted to safeguard life and property from fire and explosion hazards. City General Plan policies require the use of fire resistant materials, installation and maintenance of defensible space, and meeting fire flow requirements in new or rehabilitated structures. Implementation of these policies, in conjunction with the existing California Fire Code and City Code requirements would reduce impacts associated with wildland fires to a less than significant level.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.11-8. Will the Project involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions? (TRPA 10a)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

Future redevelopment construction activities could involve the storage, use, and transport of hazardous materials. However, use of hazardous materials would be typical of urban development projects in the Tahoe Region and would occur in compliance with all local, state, and federal regulations. Further, the types of uses that would be permissible within the area are not of the nature that would involve storage, use, and transport of large quantities of hazardous substances that would increase the risk of incident. The types of uses (e.g., commercial, residential, and tourist) are consistent with the types of uses already allowed under existing conditions, such that the TCAP amendments would not be expected to create a new risk of accident or upset conditions. Therefore, the TCAP and B/ATCP amendments would not result in a risk of explosion or the release of hazardous substances.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.11-9. Will the Project involve possible interference with an emergency evacuation plan? (TRPA 10b)

See discussion and analysis for Question 5.4.11-6 above that concludes that implementation of the TCAP and B/ATCP amendments will not impact existing emergency evacuation plans.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.11-10. Will the Project result in creation of any health hazard or potential health hazard (excluding mental health)? (TRPA 17a)

See discussions and analyses for Questions 5.4.11-1 through 5.4.11-4 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.11-11. Will the Project result in exposure of people to potential health hazards? (TRPA 17b)

See discussions and analyses for Questions 5.4.11-1 through 5.4.11-4 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.12 Hydrology and Water Quality

This section presents the analyses for potential impacts to hydrology and water quality. Table 5-12 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-12: Hydrology and Water Quality				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.12-1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (CEQA Xa)				X
5.4.12-2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (CEQA Xb)			X	
5.4.12-3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would i) Result in substantial erosion or siltation on- or off-site; ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) Impede or redirect flood flows? (CEQA Xc)			X	
5.4.12-4. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (CEQA Xd)			X	

5.4.12-5. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (CEQA Xe)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.12-6. Changes in currents, or the course or direction of water movements? (TRPA 3a)				X
5.4.12-7. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site? (TRPA 3b)				X
5.4.12-8. Alterations to the course or flow of 100-year flood waters? (TRPA 3c)				X
5.4.12-9. Change in the amount of surface water in any water body? (TRPA 3d)				X
5.4.12-10. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? (TRPA 3e)				X
5.4.12-11. Alteration of the direction or rate of flow of ground water? (TRPA 3f)				X
5.4.12-12. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? (TRPA 3g)				X
5.4.12-13. Substantial reduction in the amount of water otherwise available for public water supplies? (TRPA 3h)				X
5.4.12-14. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches? (TRPA 3i)				X
5.4.12-15. The potential discharge of contaminants to the				X

groundwater or any alteration of groundwater quality? (TRPA 3j)				
5.4.12-16. Is the Project located within 600 feet of a drinking water source? (TRPA 3k)				X

5.4.12-1. Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (CEQA Xa)

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to discharge into groundwater or surface waters and groundwater and surface water quality applicable to the amendment area. Chapter 60 of the TRPA Code of Ordinances (Water Quality) includes standards for discharge limits to surface and ground waters. Chapter 7.15 of the City Code regulates urban runoff and stormwater quality. All redevelopment and infrastructure improvements within the amendment area would be required to meet the discharge standards of the Lahontan Regional Water Control Board. Projects that would create more than one acre of disturbance are required to prepare a Storm Water Pollution Prevention Plan (SWPPP). The TCAP amendments do not alter these requirements and no change in the application of these requirements and standards would occur. Since all existing state and local protections for surface water would remain in place and would not be altered by the TCAP amendment, and water quality BMPs (in accordance with Chapter 60 of the TRPA Code) would continue to be required for all development (existing and proposed), the amendments would not result in adverse discharges to surface waters or alteration of surface water quality.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.12-2. Would the Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (CEQA Xb)

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to surface water management. Surface water and water rights in California are managed by the California State Water Resources Control Board. Consistent with existing conditions, future projects that require additional water supply affecting the amount of surface water in Lake Tahoe or another water body would be required to comply with Chapters 32 (Basic Services) and 60 (Water Quality) of the TRPA Code of Ordinances. These regulations pertain to the provision of basic services to projects and the protection of source water.

Although there is potential for redevelopment projects to increase unit density from existing conditions with implementation of the TCAP amendment, the potential increase in units above existing conditions is not substantial as the area is fully developed at or near the proposed density limits, and in some cases currently exceeds allowed density limits. Due to the existing excess land coverage, there is no potential for additional land coverage in the amendment area as all parcels currently exceed land coverage limits; therefore, new impediments to groundwater recharge or management would not occur. Because TRPA Code of Ordinances Section 32.4 (Water Service) requires demonstration of adequate available water supply within an existing water right prior to permit approval, implementation of the amendments would not result in a substantial reduction in the amount of surface water or the water available for public water supplies.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.12-3. Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would (CEQA Xc):

5.4.12-3.i) Result in substantial erosion or siltation on- or off-site?

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to the course or direction of water movements. In accordance with Section 13.7.3 of the TRPA Code, TRPA would retain responsibility for enforcing and implementing Shorezone regulations as described in Chapters 80 through 86 of the TRPA Code. Section 80.4.1 of the TRPA Code includes measures designed to preserve the natural littoral processes driven by currents and wave action within Lake Tahoe. Stream modifications are limited by the provisions of Chapter 63 (Fish Resources) of the TRPA Code of Ordinances, which requires protection of fish resources, and Sections 61.3.3 (Protection of Stream Environment Zones) and 30.5 (Prohibition of Additional Land Coverage in Land Capability Districts 1a, 1c, 2, 3, and 1b referred to as Stream Environment Zones-SEZ), which requires protection of SEZ areas, thereby protecting streams as well. Consistent with existing requirements, redevelopment projects that could occur in the amendment area that could alter the course or direction of water movements would be subject to subsequent permitting and environmental review, and TRPA Code of Ordinances sections described above as well as all other federal, state, and local regulations pertaining to the course or direction of water movements. Due to the existing excess land coverage, there is no potential for additional land coverage or impervious surfaces in the amendment area as all parcels currently exceed land coverage limits.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.12-3.ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to surface water runoff. All projects must demonstrate compliance with the land capability and land coverage provisions of Chapter 30 (Land Coverage) of the TRPA Code of Ordinances, which is incorporated into the existing TCAP (see TCAP Development and Design Standards). For parcels located within the Gateway district and within 300 feet of the high water line of Lake Tahoe, these provisions allow a maximum land coverage of 50 percent on high capability lands or up to 70 percent on high capability lands outside the high water line. The amendment area is currently highly developed, with the majority of the area covered by pavement or structures. All the developed commercial and tourist properties already exceed the 50 percent maximum allowed in a Community Plan. Although amendment of the area into the TCAP would allow up to 70 percent land coverage on properties in land capability Classes 4 through 7, all but a portion of one parcel is located entirely in land capability Class 1b, so no new land coverage can be created. One parcel (APN 027-090-25) as shown in Table 1-1 includes land capability Class 7 and does not exceed 70 percent land coverage, but the existing land coverage in the land capability Class 7 portion already exceeds 70 percent. Alternatively, the amendments provide a beneficial opportunity for redevelopment through which mitigation of excess land coverage could occur, thereby creating potential to decrease runoff.

Bijou Creek is mapped within the area, but no stream channel is visible due to the prevalence of development and waters are piped through an outfall into the lake. The completed Bijou Erosion Control Project constructed a regional treatment system for runoff in commercial areas which is pumped through an underground force main to infiltration basins in the upper Bijou Creek watershed and replaced the Bijou

Creek storm drain system that conveys storm water from the watershed through the commercial core area and into Lake Tahoe. Due to the existing amount of development in the amendment area, and the prevalence of existing excess land coverage due to a high percentage of land coverage in an area predominantly comprised of Class 1b soils or general excess land coverage on Class 7 soils, no new land coverage would occur and an increase in surface runoff or additional coverage to alter the drainage pattern is not anticipated. Redevelopment within the amendment area would be required to meet existing BMP standards to control stormwater runoff and pollutant loading and redevelopment has the potential to improve runoff management. Since each of the parcels in the amendment area exceeds land coverage limits as shown in Table 1-1, redevelopment would not be allowed to add additional excess land coverage and runoff rates can be expected to either remain the same or decrease in the future. As specified in Section 60.4.6 of the TRPA Code of Ordinances (Standard BMP Requirements), except where special conditions exist and are approved by TRPA, infiltration facilities designed to accommodate the volume of runoff generated by a 20-year one-hour storm are required for approval of all projects within the Lake Tahoe Region. Therefore, future projects would not inhibit the ability to infiltrate surface water runoff from a 20-year one-hour storm event.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.12-3.iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Redevelopment within the TCAP amendment area would be required to meet existing BMP standards to control potential increases in stormwater runoff and pollutant loading onsite. As specified in Section 60.4.6 of the TRPA Code of Ordinances (Standard BMP Requirements), except where special conditions exist and are approved by TRPA, infiltration facilities designed to accommodate the volume of runoff generated by a 20-year one-hour storm are required for approval of all projects within the Lake Tahoe Region. Therefore, future redevelopment projects in the amendment area are not expected to create or contribute additional runoff that would exceed the capacity of existing or planned stormwater drainage system. Redevelopment has the potential to improve drainage systems to meet current standards.

Recent drainage improvements (2014) in the TCAP include the Bijou Erosion Control Project Phase 1 which focused on replacing the Bijou Creek storm drain system that conveys runoff from the 1,300-acre Bijou Creek watershed to Lake Tahoe and constructing a comprehensive regional treatment system for runoff generated in the Bijou commercial core, which includes the amendment area.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.12-3.iv) Impede or redirect flood flows?

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to floodplains in Section 35.4 of the TRPA Code of Ordinances (Floodplains) or Chapter 6.65 of the City Code. Portions of the amendment area are located within the FEMA-mapped flood hazard area (primarily the commercial uses in Bijou Center, a few residences, Lakeshore Lodge, and the shoreline). Future redevelopment projects would be required to meet both the requirements of Chapter 35 (Natural Hazard Standards) of the TRPA Code of Ordinances and Chapter 6.65 of the City Code related to floodplain management. Chapter 35 of the TRPA Code of Ordinances (or more specifically Section 35.4.2) prohibits additional development, grading or filling within the 100-year floodplain except for public outdoor recreation, public service and water quality control facilities, and floodplain crossings. Chapter 6.65 of the City Code restricts or prohibits

uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities; requires that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction; controls the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters; controls filling, grading, dredging, and other development which may increase flood damage; and prevents or regulates the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.12-4. Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (CEQA Xd)

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to water-related hazards. Future development projects would be required to meet the requirements of Chapter 35 (Natural Hazard Standards) of the TRPA Code of Ordinances and Chapter 6.65 of the City Code related to floodwater management. Consistent with existing conditions, because the TRPA Code prohibits the development, grading, or filling of lands within the 100-year floodplain and in the area of wave run-up (TRPA Goals and Policies, Policy NH-1.2), implementation of the TCAP amendments would not expose people or property to flooding or wave action from 100-year storm events.

There are active faults in the Lake Tahoe Basin, which could be sources of ground shaking at locations within the amendment area boundaries during a seismic event. Seismic events could also result in tsunami or seiche within Lake Tahoe, potentially affecting low-lying areas. Structures redeveloped within the amendment area would be designed and constructed in accordance with the current design requirements of the California Building Code and International Building Code Seismic Zone D. Therefore, there would be no substantial increased risk of loss, injury or death or property damage from ground shaking alone. Based on studies by Ichinose et al. (2000), a potential exists for tsunami and seiche-related waves between 10 and 30 feet in height to occur along the shore of Lake Tahoe, potentially threatening low-lying lakeside communities. While experts have characterized the risk as far less than the risk of an approaching wildfire in the Tahoe Region, they have called for the risk of inundation to be factored into emergency plans for the region (Kaye 2011).

The TCAP and B/ATCP amendments would continue to implement the policies of the Regional Plan (TRPA 2012d) which provides for increased density of development in Town Centers and the Regional Center. The amendment area is located in a low-lying area adjacent to Lake Tahoe and could be at risk from tsunami or seiche. Increasing the density of development within this area could place additional people and properties at risk to tsunami and seiche; however, as discussed previously, and shown in Table 1-1, the amendment area is already highly developed and if redeveloped, the number of total structures and density/population would not measurably change. New land uses that have the potential to release pollutants if inundated by a seiche are not proposed under the TCAP and B/ATCP amendments. The City has prepared and adopted a Natural Hazard Mitigation Plan which provides guidance to the City for the development of pre-mitigation and post-mitigation recovery for disasters in all hazard classifications. Emergency procedures in the City are guided by South Lake Tahoe's Emergency Management Plan (EMP) and the South Lake Tahoe Fire Department's Fire Planning Process. The EMP provides a framework to guide the City's efforts to mitigate and prepare for, respond to, and recover from major emergencies or disasters. Future projects within the amendment area would be required to undergo subsequent project-level permitting and environmental review, which would require the evaluation of hazards related to earthquake-

related tsunami and seiche and measures (e.g., site-specific notification and evacuation procedures) may be required as appropriate.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.12-5. Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (CEQA Xe)

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to water quality control plans or sustainable groundwater management plans applicable to the amendment area. Chapter 60 of the TRPA Code of Ordinances (Water Quality) includes standards for discharge limits to surface and ground waters. Chapter 7.15 of the City Code regulates urban runoff and stormwater quality. The TRPA Lake Tahoe Water Quality Management Plan (208 Plan) would continue to apply to the area and the amendments propose no changes to this plan. The City of South Lake Tahoe Pollutant Load Reduction Plan would also continue to apply to the area. The TCAP recognizes these plans and TRPA Water Quality Improvement Projects, none of which are altered by the amendments. All redevelopment and infrastructure improvements within the amendment area would be required to meet the discharge standards of the Lahontan Regional Water Control Board. Projects that would create more than one acre of disturbance are required to prepare a Storm Water Pollution Prevention Plan (SWPPP). The TCAP amendments do not alter these requirements and no change in the application of these requirements and standards would occur.

South Tahoe Public Utility District implements the Tahoe Valley South Basin Groundwater Management Plan, which includes the entire STPUD service area in which the amendment area is located. The TCAP and B/ATCP amendments do not propose to change groundwater management and do not propose new uses that would affect the groundwater management plan.

Since all existing state and local protections for surface water and groundwater would remain in place and would not be altered by the amendments, and water quality BMPs (in accordance with Chapter 60 of the TRPA Code) would continue to be required for all development (existing and proposed), the amendments would not result in adverse discharges to surface or groundwaters or alteration of surface or groundwater quality, and would not conflict with or obstruct implementation of plans protecting surface water and groundwater resources.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.12-6. Will the Project result in changes in currents, or the course or direction of water movements? (TRPA 3a)

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to the course or direction of water movements. TRPA would retain responsibility for enforcing and implementing Shorezone regulations as described in Chapters 80 through 85 of the TRPA Code. Section 80.4.1 of the TRPA Code includes measures designed to preserve the natural littoral processes driven by currents and wave action within Lake Tahoe. Stream modifications are limited by the provisions of Chapter 63 (Fish Resources) of the TRPA Code of Ordinances, which requires protection of fish resources, and Sections 61.3.3 (Protection of Stream Environment Zones- SEZs) and 30.5 (Prohibition of Additional Land Coverage in Land Capability Districts 1a, 1c, 2, 3, and 1b – SEZs), which require protection of SEZ areas.

In this area, Bijou Creek is routed to Lake Tahoe via underground piping, culverts, and outfalls and no stream channel is visible due to the existing intensity of development. Future projects would be subject to subsequent permitting and environmental review, and TRPA Code sections described above as well as all other federal, state, and local regulations pertaining to the course or direction of water movements.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.12-7. Will the Project result in changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site? (TRPA 3b)

See discussions and analyses for Question 5.4.12-3.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.12-8. Will the Project result in alterations to the course or flow of 100-year floodwaters? (TRPA 3c)

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to floodplains in Section 35.4 (Floodplains) of the TRPA Code of Ordinances or Chapter 6.65 of the City Code. Portions of the amendment area are located within the 100-year floodplain, as discussed under Question 5.4.12-3 above. All future redevelopment within the amendment area would be required to meet both the requirements of the TRPA Code of Ordinances and City Code related to floodplain management and structural development.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.12-9. Will the Project result in change in the amount of surface water in any water body? (TRPA 3d)

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to surface water management. Surface water and water rights in California are managed by the California State Water Resources Control Board. Future redevelopment projects that would require additional water supply affecting the amount of surface water in Lake Tahoe or another water body would be required to comply with Chapters 32 (Basic Services) and 60 (Water Quality) of the TRPA Code of Ordinances, which address the provision of basic services to projects and the protection of source water.

The potential impact of development and redevelopment within the Tahoe Region on the availability of public water supplies was analyzed in the RPU EIS (TRPA 2012a, page 3.13-11). While the TCAP amendments would slightly increase the maximum allowable density for multiple family and timeshare units, the amendment area is currently highly developed and the potential increase in use as a result of redevelopment projects would not be substantial as existing uses are at, near or even exceed the current allowable density limits. Because the regional water demand at build-out would be less than the regional surface water allocation, and because TRPA Code of Ordinances Section 32.4 requires demonstration of adequate available water supply within an existing water right prior to permit approval, implementation of

the TCAP and B/ATCP amendments would not result in a substantial reduction in the amount of surface water or the water available for public water supplies.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.12-10. Will the Project result in discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? (TRPA 3e)

See discussions and analyses for Question 5.4.12-1 above. The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to discharge into surface waters and surface water quality. Chapter 60 (Water Quality) of the TRPA Code of Ordinances includes standards for discharge limits to surface and ground waters and Chapter 7.15 of the City Code regulates urban runoff and stormwater quality. All redevelopment and infrastructure improvements within the amendment area would be required to meet the discharge standards of the Lahontan Regional Water Quality Control Board and applicable stormwater discharge permits. All projects that would create more than one acre of disturbance are required to prepare a Storm Water Pollution Prevention Plan (SWPPP) in compliance with the City's Stormwater Management Plan.

Since all existing state and local protections for surface water would remain in effect, including requirements for water quality BMPs (per Chapter 60 of the TRPA Code of Ordinances), the TCAP amendments would not result in discharges to surface waters or alteration of surface water quality.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.12-11. Will the Project result in alteration of the direction or rate of flow of ground water? (TRPA 3f)

The TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to excavations that could intercept or otherwise interfere with groundwater. Section 33.3 (Grading Standards) of the TRPA Code of Ordinances prohibits excavations, except under certain defined and permitted conditions, that interfere with or intercept the high water table by: altering the direction of groundwater flow; altering the rate of flow of groundwater; intercepting groundwater; adding or withdrawing groundwater; or raising or lowering the groundwater table. Additionally, excavation in excess of 5 feet below ground surface (or less in areas of known high groundwater) is generally prohibited because of the potential to intercept or interfere with groundwater (Section 33.3.6 Excavation Limitations, TRPA Code of Ordinances). Such excavations may be permitted under certain defined conditions (Section 33.3.6.B of the TRPA Code of Ordinances), and in such cases it must be demonstrated in a soils/hydrologic report that no interference or interception of groundwater would occur as a result of the excavation. Future projects in the amendment area would be subject to subsequent environmental review and permitting by the City and/or TRPA, and the project applicant would be required to demonstrate compliance with Chapter 33 (Grading and Construction) of the TRPA Code of Ordinances and the protection of groundwater.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.12-12. Will the Project result in change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? (TRPA 3g)

See discussions and analyses for Questions 5.4.12-9 through 5.4.12-11 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.12-13. Will the Project result in substantial reduction in the amount of water otherwise available for public water supplies? (TRPA 3h)

See discussion and analysis in Question 5.4.12-9 above and analyses in Questions 5.4.21-1 and 5.4.21-2 below which conclude that potential impact of redevelopment on the availability of public water supplies would not have an impact.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.12-14. Will the Project result in exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches? (TRPA 3i)

See discussions and analyses for Questions 5.4.12-3, 5.4.12-4, and 5.4.12-8 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.12-15. Will the Project result in potential discharge of contaminants to the groundwater or any alteration of groundwater quality? (TRPA 3j)

See discussions and analyses for Questions 5.4.12-9 through 5.4.12-11 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.12-16. Is the Project located within 600 feet of a drinking water source? (TRPA 3k)

Although there are no wells onsite, the amendment area is located within 600 feet of drinking water sources; however, the TCAP and B/ATCP amendments would not alter or revise the regulations pertaining to source water protection and is therefore consistent with the goals of the Regional Plan and the RPU EIS. Chapter 60 (Water Quality) of the TRPA Code of Ordinances includes protections for drinking water sources. Section 60.3.3.C.1 of the TRPA Code of Ordinances identifies a Source Water Protection Zone that includes a 600-foot radius around wells, lake intakes, and springs assessed by TRPA. TRPA's Source Water Assessment Map identifies four (4) wells located just outside the boundary of the amendment area; however, the buffer of these wells (600 ft. radius around the well) intersects portions of the western and southern borders of the amendment area. All development within Source Water Protection Zones is subject to the requirements of Section 60.3.3.D (Review of Proposed Possible Contaminating Activities Located in Source Water Protection Zones), including installation of water quality BMPs and development of a spill control plan. Any subsequent projects allowed in the area would be subject to permitting by the City and/or

TRPA. Permit applicants within 600 feet of a drinking water source would be required to demonstrate compliance with the source water protection provisions in Chapter 60 (Water Quality) of the TRPA Code of Ordinances and Section 60.3, Source Water Protection.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.13 Land Use and Planning

This section presents the analyses for potential impacts to land use and planning. Table 5-13 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-13: Land Use and Planning				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.13-1. Physically divide an established community? (CEQA XIa)				X
5.4.13-2. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (CEQA XIb)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.13-3. Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan? (TRPA 8a)				X
5.4.13-4. Expand or intensify an existing non-conforming use? (TRPA 8b)				X

5.4.13-1. Would the Project physically divide an established community? (CEQA XIa)

The amendment area is already fully developed and there are no plans to divide the area with roads, trenches, railroads, fences or other divisive features. While the TCAP amendments would amend the Bijou Center area from the B/ATCP, the amendments would not physically divide the community and would result in little change from existing conditions as the area would remain subject to TRPA and City policies and regulations.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.13-2. Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (CEQA XIb)

The TCAP and B/ATCP amendments would not alter or conflict with the policies in the TRPA Regional Plan or City General Plan, nor would they amend policies in the adopted TCAP or B/ATCP. However, the amendments would result in changes to the boundaries of the TCAP and B/ATCP and the land use designation within the amendment area. The City’s General Plan designates the area as “Town Center” and as an “Economic/Tourist Center” while the adjacent area in the TCAP Gateway District is designated as “Tourist”. The TRPA Regional Plan identifies the amendment area as “Mixed-Use” and the adjacent parcels in the TCAP Gateway District as “Tourist”. The B/ATCP identifies the Bijou District as “Commercial and Tourist Accommodation”. The amendment area is part of the Town Center Special Planning District Overlay on the Regional Plan Land Use Map, which includes adjacent areas in the existing TCAP boundary as well as adjacent areas in the B/ATCP. While the TCAP area is clearly identified as “Tourist” the amendment area is labeled by various land use plans as both Commercial and Tourist or Mixed-Use, which reflects the commercial and tourist accommodation units currently in the area. The area is identified by each of the plans as a Town or Economic/Tourist Center, which would not be affected by the amendments.

While the designations between the TCAP and B/ATCP differ, and this difference is reflected in the General Plan and Regional Plan, the uses allowed in and that are present within the amendment area are relatively the same between the two plans, and are indicative of both a Commercial or a Tourist designation/zone. The allowed uses within the amendment area would change slightly from the range of existing uses applied under the B/ATCP, as shown in Table 2-1 and simplified in the table below:

Land Use Category	B/ATCP (District 1)	Existing TSC-G	Proposed TSC-G Special Area 1
Multiple Family Dwelling	S 15 DU/acre	A 25 DU/acre	A 25 DU/acre
Single Family Dwelling	S (excludes condos) 1 DU/parcel	A (includes condos) 1 unit per parcel for parcels less than one acre, 2 units per parcel for parcels greater than or equal to one acre, provided one unit is an authorized secondary residence.	A (includes condos) 1 unit per parcel for parcels less than one acre, 2 units per parcel for parcels greater than or equal to one acre, provided one unit is an authorized secondary residence.
Time Share – Residential Design	--	S 40 units/acre	A 40 units/acre
Time Share Hotel/Motel Design	--	S 40 units/acre	A 40 units/acre
Building Material and Hardware	S	--	S
Nursery	S	--	S
Outdoor Retail Sales	S	--	S
Amusement & Recreation	A	--	A
Privately Owned Assembly & Entertainment	S	--	S
Animal Husbandry	A	--	A
Business Support Services	A	S	A
Schools (Business/Vocational)	A	A	A
Printing and Publishing	S	A (Professional Offices)	A (Professional Offices)
Churches/Religious Assembly	A	S	A

Land Use Category	B/ATCP (District 1)	Existing TSC-G	Proposed TSC-G Special Area 1
Collection Stations	S	--	--
Cultural Facilities	A	S	A
Government Offices	S	--	S
Post Office	S	--	--
Local Assembly/Entertainment	S	--	S
Local Public Health and Safety Facilities	S	A	A
Social Service Organizations	S	A	A
Threshold Related Research Facilities	S	A (Professional Offices)	A (Professional Offices)
Boat Launching Facilities	--	TRPA-S	TRPA-S
Marinas	S	TRPA-S	TRPA-S
Visitor Information Centers	A	S	A
Regeneration Harvest	--	A	A
Insect & Disease Suppression	S	A	A
Fuels Treatment & Management	--	A	A
Prescribed Fire/Burning Management	--	A	A
SEZ Restoration	--	A	A
Structural/Nonstructural Fish/Wildlife Habitat Management	--	A	A

The uses are primarily the same although some allowed uses in one plan are special uses in the other. The primary changes address multiple family and timeshare units. Implementation of the TCAP amendments would increase the maximum number of permissible multiple family units in the amendment area from 15 units per acre to 25 units per acre. In addition, timeshare uses would be allowed in the amendment area and at a maximum density of 40 units per acre, which is the same density allowed for hotel units in both the TCAP and the B/ATCP. Uses currently allowed in the B/ATCP either as an allowed or special use that would not be allowed in the TCAP TSC-G Special Area 1 include only post offices and collection stations. Although not specifically listed in the TCAP list of permissible uses, the following uses are allowed under the definition of “General Retail”: mail order and vending, furniture, home furnishings an equipment, and food and beverage retail sales. Likewise, printing and publishing, threshold related research facilities, and broadcast studios are allowed and included under “professional offices” while repair services are allowed as a special use under “business support services”. Special or allowed uses in TSC-G Special Area 1, not allowed in District 1 of the B/ATCP include timeshares, condominiums, boat launching facilities, SEZ restoration, structural/non-structural fish/wildlife habitat management, regeneration harvest, fuels treatment and management, and prescribed fire/burning management. Special uses in District 1 of the B/ATCP that would be allowed uses in the TCAP Gateway District include multiple family and single family dwellings, local public health and safety facilities, social service organizations, threshold related research facilities, printing and publishing, and insect and disease suppression.

Within TCAP TSC-G Special Area 1, the amendments would add amusement and recreation and animal husbandry as allowed uses and local assembly and entertainment, government offices, privately owned assembly and entertainment, outdoor retail, nursery, and building material and hardware as special uses. In addition, the amendments would permit business support services, schools – business and vocational, and religious assembly as allowed uses instead of special uses in TSC-G Special Area 1, whereas marinas would become special uses rather than allowed uses. Although the list of uses changes, the changes in allowed land uses do not alter the land use direction of the area or conflict with goals and implementation measures in the Regional Plan or General Plan.

The amendments also propose to limit mixed-use density in TSC-G Special Area 1. An amendment is proposed for the “Lot and Density” policy, which states, “The maximum mixed-use density for TSC-G Special Area 1 is 40 units per acre. Otherwise, the lot and density standards for TSC-G Special Area 1 are identical to those in the TSC-G zoning district.” Although the Regional Plan Update allows Area Plans maximum densities of 25 units per acre for multi-family residential plus 40 units per acre for tourist accommodation units, for a combined mixed-use density of 65 units per acre, this amendment limits the density to a maximum of 40 units per acre for a mixed use project in TSC-G Special Area 1, regardless of whether the use is residential or tourist so that development densities cannot exceed the 40 unit per acre limit. Within the remainder of the TCAP Districts that allow mixed-use, the maximum density would be 65 units as established in the Regional Plan Update. This special policy maintains development density within the amendment area and avoids potentially significant density impacts.

The amendment area, as well as other developed areas in the Lake Tahoe Basin, can be characterized as legacy development, or development constructed prior to the initial Regional Plan, which typically does not include environmental or design features that correspond to the environmental requirements and design standards and guidelines in the Regional Plan. These older developments often did not account for land coverage, water quality enhancement, sprawl, sensitive habitat, or other considerations that are prioritized today. Although environmental improvement programs (EIPs) can be implemented to treat particular problems, they focus on a particular aspect, such as stormwater runoff treatment, rather than the multitude of issues surrounding legacy developments, which can only be addressed through redevelopment. The Regional Plan’s priority is to redevelop legacy development and Town Centers (Policy LU-1.2), which states, “Many of the Region’s environmental problems can be traced to past and existing development which often occurred without recognition of the sensitivity of the area’s natural resources. To correct this, environmentally beneficial redevelopment and rehabilitation of identified Centers is a priority.” LU-4.1 also indicates that Town Centers are “areas where sustainable redevelopment is encouraged.....Town centers are targeted for redevelopment in a manner that improves environmental. Conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities in the Region.” Although the Project proposes to alter the allowed density of some uses (multi-family and timeshare) within the amendment area, and revises the allowable uses within the Gateway District, these revisions to the TCAP boundary and the uses allowed within that boundary and the Gateway District support the Regional Plan’s redevelopment goals and vision for Town Centers by encouraging redevelopment and allowing a range of uses appropriate for Town Center purposes and densities.

The General Plan description of Town Center states, “This designation provides for a mixture of uses including tourist accommodation, commercial, intensive recreation, high-density residential, and mixed-use residential. This designation is applied to areas that are currently developed as commercial/visitor centers, have excess land coverage, where vertical mixed-use projects are appropriate, and are near commercial, employment, transit, and public services.” The General Plan also identifies the amendment area as an “Economic and/or Tourist Center.” The existing Gateway District area adjacent to the amendment area is considered Tourist Center by the TCAP, but with a Town Center overlay, and the Gateway District is defined similarly in the TCAP to the description for Town Center in the General Plan. The amendments would not hinder the existing allowable uses in the remainder of the B/ATCP, and would not limit the uses in the existing TCAP Gateway District, but would change the range of uses allowed in the amendment area as discussed above. The General Plan does not indicate the types of land uses allowed, prohibited, or that are special uses to the degree the community and area plans establish. The General Plan categorizes areas into different types of commercial, residential, recreation, or conservation areas, but does not establish of list of specific allowed uses, such as single family dwellings, professional offices, bed and breakfasts, marinas, or other uses. Since the amendment area is a Town Center that provides for a mixture of uses including residential, commercial, tourist, and recreation, the proposed uses under the amendments would not conflict with the General Plan. Like the TCAP amendment, the General Plan allows for land coverage

of up to 70% within Class 4 through 7 lands within the Town Center, resulting in no conflict between the two planning documents in regard to land coverage limits.

In addition to changes in the allowed uses from what is currently applied to the amendment area, the TCAP amendments would also apply the additional height allowance for non-single family dwellings that meet the height findings in the TCAP to the amendment area (TSC-G Special Area 1). The maximum building height would be raised from 42 feet to 56 feet, subject to additional findings, as is currently allowed in other districts in the TCAP and by the Regional Plan for Town Centers. Single-family dwelling structures and structures unable to make the additional height allowance findings would continue to be limited to a maximum of 42 feet, which is consistent with the B/ATCP and TRPA Code. Although the maximum allowable height would increase in the amendment area (TSC-G Special Area 1) under the amendment, the additional height allowance reflects existing conditions within the area, where the height or stories of some structures already exceeds 42 feet, and also reflects the existing height standards established in the TCAP. The number of allowable stories would be from three to four stories for non-single-family dwelling structures that meet the existing, required findings for additional height as discussed above.

The amendment area currently includes a number of residential homes that are used as vacation home rentals (VHRs). The TCAP allows VHRs without limit to the number of VHRs which can be permitted. Since there are existing VHRs in the amendment area (two residential properties and many of the Lakeshore condominium units), moving the area from the B/ATCP into the TCAP would more appropriately place these VHRs in the tourist core. The City is the only jurisdiction that reserves allocations specifically for the development of housing in its area plans and is working with several developers for large multi-family projects either within or outside the TCAP. Currently there is no waiting list for multi-family allocations. The City is working with developers to move forward with affordable housing projects throughout all areas of the City, although none are within the amendment area.

The proposed revisions more accurately reflect existing uses, and are consistent with and do not obstruct implementation of the Regional Plan and General Plan policies.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.13-3. Will the Project include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan? (TRPA 8a)

As discussed in Question 5.4.13-2, the TCAP amendments would result in a different range of allowed land uses applied to the amendment area as the land would be relocated to within the boundaries of the TCAP, rather than the B/ATCP. Uses permissible in the Gateway District, but not currently permissible in the portion of District 1 to be amended include timeshares, condominiums, regeneration harvest, fuels treatment and management, prescribed fire/burning management, SEZ restoration, boat launching facilities, and structural/nonstructural fish/wildlife habitat management. While the Community Plan does allow timeshares on specific parcels, none of these parcels are within the amendment area, and timeshare uses are not currently allowed. Timeshare units, while different from hotel/motel units, are similar in nature as a tourist accommodation, and would be allowed at the same density (40 units per acre) as the already allowed hotel/motel uses. Although they already exist in the amendment area, the amendments allow condominium units, which were not allowed in the B/ATCP, at the same density as single-family residential uses. Since condominiums function in the same way as a single-family dwelling, no impact from this addition would occur. No significant change in the mix of land uses currently in the amendment area is expected and it would continue to accommodate a mixture of predominantly commercial and tourist uses.

The amendments would allow boat launching facilities and marinas as a special use with TRPA review and approval. Timber Cove Marina currently exists and has the capacity to place boats into the water, so additional boat launching facilities within the amendment area would not be feasible. Given the developed nature of the area and the presence of other boat launch and marina facilities in the vicinity, no new marina or boat launch facilities are anticipated as a result of future redevelopment outside of public access improvements. It is expected the existing marina and beach access would continue to operate in the same way into the future, with public access improvements as identified in the proposed TCAP Recreation Implementation Strategy, "Support the CTC in its efforts to implement the Connelley Beach Public Access Project located west of the Beach Retreat parcel to provide a second access to Connelley Beach in addition to Timber Cove."

Other uses allowed under the TCAP that are special uses in the B/ATCP include multi-family dwellings, single family dwellings, social service organizations, insect and disease suppression, printing and publishing, threshold related research facilities and local public health and safety facilities. Since these uses are permissible with special review, and since single family and multi-family dwellings already exist in the amendment area, allowing them as permissible instead of special uses would not cause an impact as these uses would not be further limited by the amendment.

Two uses currently allowed as a special use in the B/ATCP, collection stations and post offices, would no longer be allowed under TCAP. There are no collection stations or post offices currently within the amendment area, and the amendment area is developed with tourist and commercial uses that would not encourage the siting of a collection station, nor would a collection station be desirable within an area focused on tourism and commercial services. A few resource management uses that are not currently allowed within the B/ATCP would be allowed under the TCAP, including regeneration harvest, fuels treatment and management, and prescribed fire/burning management. The amendment area is urbanized and does not include lands that would be considered "forest", therefore, this change in allowed use would have little impact. Adding SEZ restoration and structural/nonstructural fish/wildlife habitat management would be beneficial.

The amendments would also change the permissibility of uses within the Gateway District to absorb the uses identified in B/ATCP District 1 to avoid creation of non-conforming uses. These changes are shown in the table in 5.4.13-2 and include new special uses (building material and hardware, nursery, outdoor retail, privately owned assembly and entertainment, government offices, and local assembly and entertainment) and new allowed uses (amusement and recreation and animal husbandry). Marinas would change from an allowed use to a special use and business support services, schools – business and vocational and religious assembly would change from special uses to allowed uses.

Also the amendments to the TCAP addresses the erroneous exclusion of shorezone uses from the TCAP, including water oriented outdoor concessions, waterborne transit, tour boat operations, safety and navigation devices, buoys, piers, fences, boat ramps, floating docks and platforms, shoreline protective devices, and water intake lines, all of which would have the same allowed or special use designation as in the B/ATCP. These uses were previously allowed in the Stateline/Ski Run Community Plan that was replaced by the TCAP in 2013.

No other changes to the land use matrix in the adopted TCAP are proposed by the amendments and no significant impact is anticipated.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.13-4. Will the Project expand or intensify an existing non-conforming use? (TRPA 8b)

Implementation of the TCAP amendments would result in changes to permissible uses applied within the amendment area as discussed in Questions 5.4.13-2 and 5.4.13-3. None of the uses currently in the amendment area are non-conforming uses in the TCAP, however, the existing condominiums are actually not allowed in the B/ATCP. Timeshares and condominiums are not allowed in the B/ATCP area. While timeshares are a non-conforming use in the B/ATCP, they would be an allowed use in the TCAP and could be developed per TRPA standards and City Code. Timeshares are also consistent with the types of uses envisioned in the TCAP and Regional Plan and typical of uses found in tourist/commercial area and within the amendment area. Residential condominiums would also be an allowed use as single-family dwellings. There are currently 30 condominium units in the amendment area. No land use conflict would be expected as a result of implementing the TCAP amendment. Furthermore, if uses not conforming with the TCAP were within the amendment area, they would be prohibited from expanding by provision of TRPA Code of Ordinances Section 21.2.3 and City Code Chapter 6.55; however, there are currently no non-conforming uses.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.14 Mineral Resources (CEQA) and Natural Resources (TRPA)

This section presents the analyses for potential impacts to mineral resources and natural resources. Table 5-14 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-14: Mineral Resources and Natural Resources				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.14-1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (CEQA XIIa)				X
5.4.14-2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (CEQA XIIb)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.14-3. A substantial increase in the rate of use of any natural resources? (TRPA 9a)				X
5.4.14-4. Substantial depletion of any non-renewable natural resource? (TRPA 9b)				X

5.4.14-1. Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (CEQA XIIa)

There are no mapped mineral resources within the TCAP or the proposed amendment area in the B/ATCP, nor does any specific plan or other applicable plan identify any sites within the amendment area as an important mineral recovery site.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.14-2. Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (CEQA XIIb)

See discussion and analysis for Question 5.4.14-1 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.14-3. Will the Project result in a substantial increase in the rate of use of any natural resources? (TRPA 9a)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

The use of natural resources, such as construction wood or metals, or gasoline would occur incrementally if existing developments are remodeled or improved. Since the area is already developed, a substantial increase in the rate of use would not occur. The RPU EIS (TRPA 2012a, page 5-3) acknowledged the potential increase in the use of natural resources resulting from increased development and redevelopment within the Tahoe Region, however any project permitted through the TCAP would be subject to project level environmental review and site-specific mitigation measures if necessary. Therefore, any increase in the rate of use of natural resources would be negligible and would not be in quantities that would result in a significant effect.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.14-4. Will the Project result in a substantial depletion of any non-renewable natural resource? (TRPA 9b)

Non-renewable natural resources such as gasoline and diesel are consumed during the construction of development projects; however, the potential for new development would be limited through restrictions to TRPA regulated commodities (see project description) such as commercial floor area, residential allocations and tourist accommodation units. Furthermore, the area proposed for amendment is already developed. Because construction would be limited and would not require quantities of non-renewable resources beyond those of typical residential and commercial construction, projects associated with the TCAP would not result in substantial depletion of any non-renewable natural resource.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.15 Noise

This section presents the analyses for potential impacts related to noise. Table 5-15 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-15: Noise				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.15-1. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or other applicable local, state, or federal standards? (CEQA XIIIa)			X	
5.4.15-2. Generation of excessive groundborne vibration or groundborne noise levels? (CEQA XIIIb)			X	
5.4.15-3. For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? (CEQA XIIIc)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.15-4. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan? (TRPA 6a)				X
5.4.15-5. Exposure of people to severe noise levels? (TRPA 6b)				X
5.4.15-6. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold? (TRPA 6c)				X

TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.15-7. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible? (TRPA 6d)				X
5.4.15-8. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses? (TRPA 6e)				X
5.4.15-9. Exposure of existing structures to levels of ground vibration that could result in structural damage? (TRPA 6f)				X

5.4.15-1. Would the Project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or other applicable local, state, or federal standards? (CEQA XIIIa)

The TCAP amendments alter the CNEL standards set forth in the TCAP, but no change is proposed to the noise standards in the B/ATCP. The existing TCAP noise standard for the Gateway District is 65 CNEL, which is also the applicable CNEL for the US 50 corridor and for the B/ATCP. However, TRPA Threshold Standards indicate the following maximum background noise level CNEL limits:

N16) 55 dBA CNEL (Average Noise Level) in the High Density Residential Areas Land Use Category.

N18) 60 dBA CNEL (Average Noise Level) in the Hotel/Motel Areas Land Use Category.

N19) 60 dBA CNEL (Average Noise Level)) in the Commercial Areas Land Use Category.

TRPA threshold standards only allow 65 dBA CNEL in industrial areas and along major transportation corridors. The existing CNEL limit in the TCAP exceeds these threshold standards and therefore, the amendments propose to correct this inconsistency. The amendments will limit the maximum CNEL to either 55 or 60 dBA in the TCAP per the uses in each TCAP district, and will maintain the 65 CNEL limit along the US 50 corridor.

COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)

The maximum community noise equivalent level for this Area Plan is as follows:

DISTRICT	TSC-C	TSC-MU	TSC-MUC	TSC-G	TSC-NMX	REC	OS	US 50
CNEL	6560	6560	6560 ¹	6560 ² (55 within the shorezone)	65	55	55	65

1. **Maximum CNEL for TSC-MUC Special Area #1, which comprises of APNs 028-081-02, 028-081-04, 028-081-15 is 55**
2. **Maximum CNEL for TSC-G Special Area #1 is identical to the TSC-G Zoning District**

The maximum CNEL in the TSC-G would be reduced from 65 dBA to 60 dBA in accordance with current TRPA threshold standards for a predominantly tourist use area. Although no CNEL amendment is proposed for the US 50 corridor, the reduction in maximum CNEL applied within the amendment area would not result in an increased noise impact and would ensure the CNEL limits are in compliance with the current TRPA CNEL standards. Therefore, no increase in allowed CNEL is proposed.

The amendment area is fully developed with commercial, tourist, and residential uses. The potential for noise level increases would not change from the baseline existing conditions because newly allowed uses (condominiums and timeshares) produce similar noise levels as single-family dwellings and tourist accommodation units, which are already allowed and exist in the amendment area. Although timber regeneration harvest, fuels treatment and management, and prescribed fire and burning management would also be newly allowed uses in the amendment area, these uses would not occur other than general wildfire safety management that is already applied, given the developed nature of the amendment area. Although development density for tourist accommodation and multi-family units would increase with the amendment, the proposed density limits are similar to the density of existing land uses. The amendment to the “Lot and Density” policy that limits the maximum combined mixed-use density to 40 units per acre within TSC-G Special Area 1 would also ensure that no noise increase over adopted threshold standards would occur. Redevelopment of commercial, tourist, recreational, and residential uses may result in short-term construction-related noise increases (discussed in Question 5.4.15-5 below), and redevelopment associated with the TCAP amendments would not result in a significant long-term increase in existing CNEL levels, as discussed below. Furthermore, future redevelopment projects in the amendment area would be subject to subsequent environmental review and permitting by the City and/or TRPA, and the project applicant would be required to demonstrate compliance with noise limits.

Noise/Land Use Compatibility

Policy LU7-2 of the TCAP requires an acoustical analysis as part of the environmental review process when noise-sensitive land uses are proposed in areas exposed to existing or project exterior noise levels exceeding the levels shown in Table HS-1 and HS-2 of the City General Plan, so noise mitigation may be included in the project design. The City and/or TRPA would only approve projects that can demonstrate compliance with the applicable noise standards.

Traffic-Related Noise

Code of Ordinances Section 68.8.3 requires all substantial transportation projects in transportation corridors that are not in attainment of adopted CNEL standards incorporate mitigating design features to achieve

adopted standards. Redevelopment projects under the TCAP amendments could result in some increases in vehicle travel and traffic volumes on roadways; however, as indicated in the traffic memo (Appendix A), no increase in traffic would occur as a result of the amendment; therefore, no increase in traffic-related noise would occur as a result of the amendment. The addition of timeshares, which operate as tourist accommodations, and condominiums, which already exist in the area and function similarly to single-family dwellings, as allowed uses in the amendment area would not increase traffic related noise conditions above the baseline condition. The proposed amendment to the “Lot and Density” policy ensures mixed-use development densities do not exceed 40 units per acre within TSC-G Special Area 1. Existing development would need to be converted to another more noise intensive use or expanded for any noticeable change in traffic-related noise to occur.

To ensure that the generation of noise levels in excess of standards established for the TCAP is not exceeded, the TCAP incorporates a noise policy which is designed toward reducing traffic-related noise. Policy LU7-1 requires the mitigation of new transportation noise sources to the levels shown in Table HS-2 of the City General Plan (CSLT 2011b, page HS-10) at all outdoor activity areas and interior spaces of existing noise-sensitive land uses. Further, the City and/or TRPA would continue to evaluate individual projects within the TCAP amendment area at a project level and would enforce CNEL standards on a project-by-project basis pursuant to the noise limitations in Chapter 68 (Noise Limitations) of the TRPA Code of Ordinances.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.15-2. Would the Project generate excessive groundborne vibration or groundborne noise levels? (CEQA XIIIb)

The TCAP and B/ATCP amendments would not alter existing noise policies. The amendment area is fully developed with commercial, tourist accommodation and residential uses, but redevelopment could occur within the area, regardless of which area plan or community plan in which it is located. Future construction activities associated with redevelopment projects could potentially expose noise-sensitive receptors to levels that exceed TRPA noise standards and/or expose noise-sensitive receptors to excessive noise levels. Construction activities redevelopment could include site preparation (e.g., demolition, clearing, excavation, grading), foundation work, paving, building construction, utility installation, finishing, and cleanup. These activities typically involve the use of noise-generating equipment such as cranes, excavators, dozers, graders, dump trucks, generators, backhoes, compactors, and loaders. Noise levels associated with these types of equipment are typically between 70 and 85 dBA L_{max} at 50 feet. In unique circumstances, specialized construction equipment (such as pile drivers) or techniques (such as blasting) that are inherently louder than typical construction equipment (typically between 94 and 101 dBA L_{max} at 50 feet) may be required (TRPA 2012a: pages 3.6-16 and 3.6-17).

During construction, residents and tourists could be exposed to noise levels that exceed TRPA standards outside of the exempt hours between 8:00 a.m. and 6:30 p.m., and/or expose nearby noise-sensitive receptors to excessive or severe noise levels. Therefore, construction activities could expose people to severe and/or nuisance noise levels unless measures are incorporated on a project-specific basis. TRPA adopted (November 20, 2013) additional best construction practices policies and revisions to the Initial Environmental Checklist (IEC) to address these issues. The TRPA Standard Conditions of Approval for Grading Projects (TRPA Permit Attachment Q) and Standard Conditions of Approval for Residential Projects (TRPA Permit Attachment R) include new construction provisions that call for the location of construction staging areas as far as feasible from sensitive air pollution receptors (e.g. schools or hospitals), closure of engine doors during operation except for engine maintenance, location of stationary equipment

(e.g. generators or pumps) as far as feasible from noise-sensitive receptors and residential areas, installation of temporary sound barriers for stationary equipment, and use of sonic pile driving instead of impact pile driving, wherever feasible. As required by TRPA Code Chapter 3, any project with potentially significant impacts would require mitigation.

The TCAP incorporates the City's General Plan noise policies and provides expanded protection from groundborne vibration and groundborne noise levels. Policy LU7-3 requires an analysis of a vibration impact be conducted for all construction activities that include impact equipment and activities such as pile driving, soil compaction, or vibratory hammers that occur within 200 feet of existing structures. These policies ensure that construction operations are designed to avoid or mitigate for vibrations above 0.02 inches/second (0.5 mm/second).

With implementation of policies and regulations already applicable to the project area the TCAP and B/ATCP amendments would not result in significant groundborne vibration or noise levels.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.15-3. For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? (CEQA XIIIc)

The amendment area is not within the vicinity of a private airstrip or within two miles of a public airport or public use airport and therefore does not expose people working in the project area to excessive noise levels from aircrafts.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.15-4. Would the Project result in increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan? (TRPA 6a)

See the response to Question 5.4.15-1, above. The maximum CNEL for the amendment area would be reduced with the amendments to comply with current TRPA threshold standards.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.15-5. Would the Project result in exposure of people to severe noise levels? (TRPA 6b)

See the response to Question 5.4.15-1, above. The maximum CNEL allowed in the B/ATCP is the same as the maximum allowed in the TCAP Gateway District. The amendments propose to reduce the maximum CNEL levels in the TCAP to comply with TRPA threshold standards. Therefore, future redevelopment within the amendment area would be required to meet a lower maximum CNEL than is currently required in the TCAP and B/ATCP. No land use changes proposed by the TCAP amendments would result in exposing persons to severe noise above existing conditions.

Construction activities associated with redevelopment projects in the amendment area could include site preparation (e.g., demolition, clearing, excavation, grading), foundation work, paving, building construction, utility installation, finishing, and cleanup. These activities typically involve the use of noise-generating equipment such as cranes, excavators, dozers, graders, dump trucks, generators, backhoes, compactors, and loaders. Noise levels associated with these types of equipment are typically between 70 and 85 dBA L_{max} at 50 feet. In unique circumstances, specialized construction equipment (such as pile drivers) or techniques (such as blasting) that are inherently louder than typical construction equipment (typically between 94 and 101 dBA L_{max} at 50 feet) may be required (TRPA 2012a: pages 3.6-16 and 3.6-17). Construction activities that occur between 8:00 a.m. and 6:30 p.m. are exempt from TRPA CNEL standards.

TRPA adopted (November 20, 2013) additional best construction practices policies regarding noise generation. The TRPA Standard Conditions of Approval for Grading Projects (TRPA Permit Attachment Q) and Standard Conditions of Approval for Residential Projects (TRPA Permit Attachment R) include new construction provisions that call for the location of construction staging areas as far as feasible from sensitive air pollution receptors (e.g. schools or hospitals), closure of engine doors during operation except for engine maintenance, location of stationary equipment (e.g. generators or pumps) as far as feasible from noise-sensitive receptors and residential areas, installation of temporary sound barriers for stationary equipment, and use of sonic pile driving instead of impact pile driving, wherever feasible.

The TCAP incorporates a General Plan Mitigation Measure 4.6.6 (CSLT 2011, page 4.6-33) to reduce the impacts of ground borne vibration and noise as a result of construction activity that would provide expanded protection. Policy LU7-3 requires an analysis of a vibration impact be conducted for all construction activities that include impact equipment and activities such as pile driving, soil compaction, or vibratory hammers that occur within 200 feet of existing structures. The City will ensure that construction operations are designed to avoid or mitigate for vibrations above 0.02 inches/second (0.5 mm/second).

Therefore, the TCAP amendments would not expose onsite-sensitive receptors to levels that exceed TRPA noise standards and/or expose noise-sensitive receptors to excessive noise levels.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.15-6. Will the Project result in single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold? (TRPA 6c)

This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

Single-event noise standards are set forth in Section 68.3.1 of the TRPA Code of Ordinances for aircraft, water craft, motor vehicles, motorcycles, off-road vehicles, and over-snow vehicles. Development allowed within the existing PASs and community plans, as well as with adoption of the TCAP amendment, could involve uses that include these types of motorized vehicles. As is the case under existing conditions, new uses generating an increase in the use of motorized vehicles would be required to meet the TRPA Code provisions pertaining to single-event noise. The TCAP and B/ATCP amendments do not propose a change in the current land uses and no significant noise increase is expected.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.15-7. Will the Project result in the placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible? (TRPA 6d)

The existing allowable CNEL within the amendment area is 65 dBA in both the TCAP and the B/ATCP. The amendments would reduce the allowed maximum CNEL in the TCAP to 60 dBA in the TSC-G, thereby reducing the allowed noise level to comply with TRPA standards. The TCAP amendments do not propose uses that are substantially different from the Community Plan. The TCAP and B/ATCP amendments would not increase incompatible uses or alter the existing noise policies to allow an increase in noise levels, nor does it propose new projects in the amendment area. It can be expected that the existing noise levels and types of uses would persist. Any new project subsequent to these proposed amendments would be subject to environmental review and approval.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.15-8. Will the Project result in the placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses? (TRPA 6e)

The TCAP amendments remove the Bijou Center area from the B/ATCP. Land uses allowed in the Gateway district of the TCAP, would be applied to the amendment area; however, the land uses are, for the most part, the same as those currently allowed in the B/ATCP as shown in Table 2-1, although collection stations and post offices would no longer be allowed in the amendment area under the TCAP and regeneration harvest, fuels treatment and management, and prescribed fire/burning management would be allowed. The amendment area is currently developed with commercial, tourist accommodation, and some residential uses. Redevelopment projects in the amendment area subject to environmental review would be required to comply with TRPA and City noise standards. Since it is already a mixed-use area, continuation of the uses and types of allowed uses through the TCAP amendments would not result in incompatible uses.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.15-9. Will the Project expose existing structures to levels of ground vibration that could result in structural damage? (TRPA 6f)

See the response to Question 5.4.15-2, above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.16 Population and Housing

This section presents the analyses for potential impacts to population and housing. Table 5-16 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-16: Population and Housing				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.16-1. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (CEQA XIVa)			X	
5.4.16-2. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (CEQA XIVb)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.16-3. Alter the location, distribution, density, or growth rate of the human population planned for the Region? (TRPA 11a)				X
5.4.16-4. Include or result in the temporary or permanent displacement of residents? (TRPA 11b)				X

TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
<p>5.4.16-5. Affect existing housing, or create a demand for additional housing?</p> <p>To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions: (1) Will the proposal decrease the amount of housing in the Tahoe Region? (2) Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households? (TRPA 12a)</p>				X
<p>5.4.16-6. Will the proposal result in the loss of housing for lower-income and very-low-income households? (TRPA 12b)</p>				X

5.4.16-1. Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (CEQA XIVa)

The TCAP amendments transfers 49 developed parcels into the TCAP Gateway District from a portion of the B/ATCP District 1, increases the development density for multiple family and timeshare units, and allows for an increase in the maximum allowable height of tourist accommodation units within TSC-G Special Area 1. With the limited growth allowed by the TRPA Regional Plan that results in a projected growth rate of 10.8% for the next twenty years or 0.58% a year (TRPA 2012a, page 3.12-12) the implementation of the TCAP and B/ATCP amendments is not expected to exceed the existing capacity or result in a need for new development. While the population within the TCAP boundary would increase, and equivalently decrease in the B/ATCP, the overall population in this portion of the City would be unchanged, as it would just transfer existing uses from the B/ATCP to the TCAP. The increased density of multiple family dwellings from 15 units to 25 units could increase future population in the TCAP area, however this growth is consistent with what was envisioned and allowed for in the Regional Plan, as it concentrates development in centers, and overall population growth in the Region would still be limited by the available development rights allowable under the Regional Plan. The density of hotel units would not change as kitchen units are already allowed at 40 units/acre, and while timeshare units would be allowed, and at a density equivalent to hotel units, these are tourist units and would not entice resident population growth. Should future redevelopment convert tourist units or commercial uses to multifamily units, the allowable density of units would increase if the change occurred under the TCAP, as opposed to the B/ATCP, by 10 units per acre. Five existing tourist or commercial parcels are an acre or more, and only one is not entirely within Land Capability Class 1b. There are also two other commercial parcels sized less than one half acre in the amendment area. If all the commercial and tourist units were completely converted to multifamily units, the increase in units from the amendments would be 143 units. The area is primarily commercial and tourist accommodation units, with many of the single family units currently used as vacation rentals; therefore, the potential to develop a multi-family or non-vacation rental residential unit is low. The limits on development through the Regional Plan prevent unplanned population growth, resulting in insignificant

potential for future full time resident population growth. The TCAP and B/ATCP amendments propose no new development of homes, businesses, or extension of infrastructure. Since the amendments do not actually propose substantial population growth, the impact is less than significant.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.16-2. Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (CEQA XIVb)

The Project does not displace housing or necessitate the construction of replacement housing elsewhere. While residential units could be converted to other uses, such a change could already occur without the amendments and the amendments do not create an impact or intensify displacement. The amendment area is currently fully developed and there are six single family homes in the amendment area, one multi-family unit composed of five units, 30 condominium units, and no employee or multi-person housing units. The TCAP and B/ATCP amendments do not propose to eliminate any residential units. As shown in Table 2-1, the same types of residential uses are allowed in the TCAP Gateway District as the B/ATCP District 1, except the TCAP amendments acknowledge condominium units, which are not acknowledged in the B/ATCP, as single-family dwellings and would increase the allowable density for multiple family dwellings from 15 to 25 units per acre. The existing multi-family use is developed at a density of 42 units/acre, which greatly exceeds both the existing and proposed density limits. As discussed in Question 5.4.16-1, redevelopment in the amendment area could occur that changes one use to another type of use; however, such redevelopment could occur with or without the amendment. The TCAP amendments do not propose to remove or construct any units.

Unlike in the B/ATCP, VHRs are an allowable use in the TCAP and there is no maximum quantity of VHR permits that can be issued in the TCAP. Currently, two single-family dwellings, and 16 condominiums at Lakeshore have active VHR permits, leaving 4 single-family homes, five multi-family units, and 14 condominiums with the potential to be converted to VHRs. By placing these units in the TCAP rather than the B/ATCP, those 18 units already permitted to operate as VHRs would be removed from the maximum limit imposed in the B/ATCP; thereby opening up 18 units for VHRs outside the TCAP. However, the potential to convert units to VHRs already exists, as disclosed in the 2012 Regional Transportation Plan and 2010 General Plan, and the amendments do not alter that potential or create a new impact. Although the proposed amendments could increase the number of VHRs within the City outside the TCAP, the number of new potential VHRs is low given the small number of residential units in the amendment area. With passage of Measure T, new VHR permits will not be available outside of the TCAP boundary and eventually existing VHRs would cease to operate in those locations. The City is the only jurisdiction that reserves allocations specifically for the development of housing in its area plans and is working with several developers for large multi-family projects either within or outside the TCAP. Currently there is no waiting list for multi-family allocations. The City is working with developers to move forward with affordable housing projects throughout all areas of the City, although none are within the amendment area.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.16-3. Will the Project alter the location, distribution, density, or growth rate of the human population planned for the Region? (TRPA 11a)

See discussion and analysis for Question 5.4.16-1 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.16-4. Will the Project include or result in the temporary or permanent displacement of residents? (TRPA 11b)

See discussion and analysis for Question 5.4.16-1 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.16-5. Will the Project affect existing housing, or create a demand for additional housing?

(1) Will the proposal decrease the amount of housing in the Tahoe Region? (2) Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households? (TRPA 12a)

- (1) The amendment area is currently fully developed and there are six single family homes, a multi-family use with 5 units, and 30 condominium units in the amendment area and no employee or multi-person housing units. The TCAP and B/ATCP amendments do not propose to eliminate any residential units. As shown in Table 2-1, the same types of residential uses are allowed in the TCAP Gateway District as the B/ATCP District 1, except the TCAP amendments would increase the allowable density for multiple family dwellings from 15 to 25 units per acre, which would potentially increase the number of units available, and residential condominium units would be allowed as single-family units. The TCAP amendments do not propose the removal of housing, nor does it reduce the housing density. While the TCAP allows multiple family and single family dwellings to be used as vacation rentals (VHRs) with the appropriate permit, VHRs are limited in the B/ATCP and other areas outside Town Centers in the City, making it more difficult to utilize residential units as vacation rentals in the B/ATCP. Although the TCAP amendments increase the potential for housing units to be used as vacation rentals, it does not eliminate housing units or require existing housing units to be used as vacation rentals. Therefore, the TCAP amendments would not result in a decrease in the amount of housing available in the Lake Tahoe Region.
- (2) This potential effect is the same as those analyzed in the TRPA Regional Plan Update, and therefore this analysis incorporates by reference the RPU EIS.

There are no deed-restricted affordable housing units within the amendment area; however, the TRPA Regional Plan Conceptual Land Use Map classifies the amendment area as Town Center District, and the TCAP area is a preferred affordable housing area. Since there are currently no such units in the amendment area, none would be removed. The TCAP amendments do not propose any new development or redevelopment, nor does it alter the area's status or policies as a preferred affordable housing area. Such projects could be constructed within the amendment area, subject to appropriate review and approval and the amendments do not include any policies that would limit such use. However, since the area is currently highly developed and tourist accommodations and commercial uses very active, the likelihood of redeveloping the existing uses for affordable housing is low.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.16-6. Will the Project result in the loss of housing for lower-income and very-low-income households? (TRPA 12b)

See discussion and analysis for Question 5.4.16-5 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.17 Public Services

This section presents the analyses for potential impacts to public services. Table 5-17 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-17: Public Services				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.17-1. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities? (CEQA XVa)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas?				
5.4.17-2. Fire protection? (TRPA 14a)				X
5.4.17-3. Police protection? (TRPA 14b)				X
5.4.17-4. Schools? (TRPA 14c)				X
5.4.17-5. Parks or other recreational facilities? (TRPA 14d)				X
5.4.17-6. Maintenance of public facilities, including roads? (TRPA 14e)				X
5.4.17-7. Other governmental services? (TRPA 14f)				X

5.4.17-1. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection? Police protection? Schools? Parks? Other public facilities? (CEQA XVa)

The TCAP amendments would facilitate localized increases in density and redevelopment within the amendment area. These changes could result in localized population increases that create an additional demand for police, fire protection, emergency services and to a lesser degree, schools. With respect to police protection services, the South Lake Tahoe Police Department provides law enforcement services within the area. The California Highway Patrol (CHP) Valley Division, which includes the greater Sacramento area and the Sierra Nevada foothills to the west, is responsible for all traffic related incidents and assists the Police Department when necessary. The CHP area office is located at 2063 Hopi Avenue in Meyers. The Valley Division oversees four major highways and miles of county roads in the Region including US 50 and SR 89. Jail facilities are managed by the El Dorado County Sheriff's Department and are located at 1051 Al Tahoe Boulevard. The jail is a Type II facility and may house both pre-sentenced and post-sentenced male and female defendants. The jail has a capacity of 158 beds.

The proposed amendment area is currently served by the South Lake Tahoe Police Department, CHP, and County jail so the amendments would not result in any change to service demand. The proposed amendments would increase the allowed density of development for multiple family, condominiums and timeshare units, which could increase the population within the amendment area if the existing commercial and tourist accommodation uses are converted to residential uses. The City's public service policies ensure that the City provides adequate law enforcement services and the necessary funding to ensure adequate law enforcement services and future facilities to meet demands. The density increase in multiple family dwelling units within the amendment area (25 units per acre) would result in an allowed increase of 10 units per acre over the existing allowance in B/ATCP (15 units per acre). Since the use density of multiple family, condominium or timeshare units, although greater than what is currently allowed in the B/ATCP, would be equal to or less than the density of the existing tourist accommodations, no significant increase in demand for law enforcement would occur. Likewise, uses that have the potential to increase demand, such as assembly and entertainment uses allowed in the B/ATCP, would continue to have the same use permission in the TCAP, although local public health and safety facilities would be allowed uses, rather than special uses. Future projects developed within the amendment area are subject to environmental review and would be required to ensure that staffing needs are identified and any physical effect on the environment is properly mitigated. Therefore, impacts associated with implementation of the amendments would be less than significant.

The South Lake Tahoe Fire Department is a municipal fire department that is primarily organized, equipped, and trained to perform fire suppression duties in structural firefighting, initial attack wildland firefighting, vehicular fires, and initial attack for most incipient events. They operate three fire stations in the City at Fire Station One, Fire Station Two, and Fire Station Three, and their equipment includes a ladder truck, two engines, a reserve engine, two brush trucks, medic trucks, a squad truck and battalion vehicle. Currently, the Department operates with eight personnel on duty within the City and has the capability to ladder to a maximum of 18 feet (Meston, 2018). A new ladder truck with a maximum reach of 100 feet for rescue and master stream use will be available in 2020 (Drennan, 2020). Emergency medical services are delivered through Advanced Life Support paramedic engine companies; however, ambulance service is provided by Cal Tahoe Ambulance through the Cal Tahoe Joint Powers Authority. The Fire Department currently serves the amendment area, and the amendments would not affect current service or demand. The amendments would increase allowable development density in the amendment area for timeshare and multiple family units; however, future new or redevelopment projects would be required to ensure adequate

fire protection services per the City's General Plan and permitting process. General Plan policies also require the installation of fire resistant materials, and incorporation of fire safe landscaping and defensible space in all remodeled or new construction. Furthermore, new construction or redevelopment would be required to follow current California Fire Code to prevent or minimize fires. The proposed amendments would allow structures of up to four stories in TSC-G Special Area 1, an increase compared to the current limit of three, and would increase the maximum allowable building height from 42 feet to 56 feet. The Department's new ladder truck is capable of responding to fire incidents in new or redeveloped multi-story structures with the allowed additional height.

The Lake Tahoe Unified School District (LTUSD) serves a 10.1 square mile area that includes the TCAP area as well as the B/ATCP area and the entire City of South Lake Tahoe. LTUSD operates eight schools, but has had to close schools in the recent past due to declining enrollment. Given the current facilities and stagnant enrollment, LTUSD is not experiencing any capacity issues and does not expect any such issue to occur in the future. With the limited growth allowed by the TRPA Regional Plan that results in a projected growth rate of 10.8% for the next twenty years or 0.58% a year (TRPA 2012a, page 3.12-12) the implementation of the TCAP amendments is not expected to exceed the existing capacity or result in a need for new or physically altered governmental facilities. The TCAP amendments slightly increase the allowable development density of multiple family units in the amendment area, which could increase population density if a residential redevelopment project is proposed, but given the small area of amendment, significant population increases that would affect schools are not anticipated. Therefore, impacts associated with implementation of the TCAP amendments would be less than significant.

See discussion and analysis in Question 3.4.17-5, below, for parks and recreation impacts.

Within the TCAP, other public facilities include Fire Station #1, the transit center, and Explore Tahoe Visitor Center at Heavenly Village, none of which are in the proposed amendment area. Implementation of the TCAP amendments is not expected to result in increased demand for community facilities and services or a need for new or physically altered governmental facilities as the amendment area is currently fully developed and the amendments to the TCAP would not substantially create new populations. Redevelopment is possible, that would allow increased density of development for multiple family and timeshare units than is currently allowed in the B/ATCP. However, the changes in demand to community services and facilities are not expected to be significant or result in substantial effects to the physical environment. As with other future projects proposed in the City, and environmental review of specific projects would be required to ensure that physical impacts on the environment area fully mitigated.

Given current public service staffing levels, the proximity of services, implementation of City policies to minimize fire risk and reduce demand, declining school enrollment, and since the amendment area is already served by these services, it is not anticipated that implementation of the TCAP amendments would create a need to construct new facilities that, in turn, could require new or improved facilities, the construction of which could result in adverse effects to the environment. As with other projects developed within the City, environmental review of specific projects would be required to ensure that staffing needs are identified and properly mitigated.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.17-2. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services: fire protection? (TRPA 14a)

See discussion and analysis for Question 5.4.17-1 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.17-3. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services: police protection? (TRPA 14b)

See discussion and analysis for Question 5.4.17-1 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.17-4. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services: schools? (TRPA 14c)

See discussion and analysis for Question 5.4.17-1 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.17-5. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services: parks or other recreational facilities? (TRPA 14d)

Redevelopment associated with the TCAP amendment area could generate recreation demand by insignificantly increasing the number of residents and visitors in the area. However, existing recreation opportunities are numerous and can meet that potential increase in demand within and in the immediate vicinity of the TCAP (i.e. Timber Cove Marina, Connelley Beach, Ski Run Marina and Beach, Lakeside Marina, Heavenly Resort California Base, Heavenly Gondola, Van Sickle Bi-State Park, Bijou Golf Course [and public beach], the Nevada Stateline to Stateline Bikeway at Rabe Meadow, Nevada Beach, Round Hill Pines Beach and other bike paths, hiking and mountain bicycle trails, and other public parks). The existing TCAP includes policies and implementing strategies to enhance public recreation facilities, as does the City's General Plan. By providing access to a wider range of public recreation opportunities within and outside the boundary, visitor usage is spread out, avoiding demand that causes substantial deterioration of any one facility. Therefore, the increased use of existing neighborhood and regional parks or other recreational facilities as a result of implementing the TCAP amendments is not expected to result in a substantial physical deterioration of recreation facilities to occur or be accelerated, and demand created by redevelopment could be easily met. In addition, recreation demand would be considered at a project-level during subsequent environmental review and permitting of individual proposed projects.

The TCAP and B/ATCP amendments do not proposed changes to existing recreation facilities, but an amendment to the TCAP Recreation Implementation Strategies is proposed. This would be a beneficial impact by supporting the improvement of public access to Lake Tahoe. In support of Goal R-4, the following Implementation Strategy is proposed:

- Support the CTC in its efforts to implement the Connelley Beach Public Access Project located west of the Beach Retreat parcel to provide a second access to Connelley Beach in addition to Timber Cove.

The approval of any project proposing the creation of additional recreational capacity would be subject to subsequent project-level environmental review and permitting and, if applicable, would be subject to the

Persons At One Time (PAOT) system of recreation allocations administered by TRPA as described in Section 50.9 (Regulation of Additional Recreation Facilities) of the TRPA Code of Ordinances. No additional PAOTs are proposed by the amendment, nor are any changes to recreational land uses or policies.

Environmental Analysis: *No Impact*

Required Mitigation: **None.**

5.4.17-6. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services in maintenance of public facilities, including roads? (TRPA 14e)

The TCAP and B/ATCP amendments would not alter or revise policies and practices pertaining to public facility and roadway maintenance. The City's existing policies in the Public/Quasi-Public Facilities and Services Element regarding public facility and road maintenance remain in effect (Goal PQP-1.1, Policy PQP-1.5, and Policy PQP-1.8). Subsequent projects in the amendment area would be required to pay all appropriate fees associated with the maintenance of public facilities and would be subject to permitting by City and/or TRPA. Permit applicants would be required to demonstrate how any additional public maintenance requirements would be accomplished.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.17-7. Will the Project have an unplanned effect upon, or result in a need for new or altered governmental services in other governmental services? (TRPA 14f)

There are no other known governmental services that would be directly affected by redevelopment associated with the amendment.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.18 Recreation

This section presents the analyses for potential impacts to recreation. Table 5-18 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-18: Recreation				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.18-1. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (CEQA XVIa)			X	
5.4.18-2. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (CEQA XVIa)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.18-3. Create additional demand for recreation facilities? (TRPA 19a)				X
5.4.18-4. Create additional recreation capacity? TRPA 19b)				X
5.4.18-5. Have the potential to create conflicts between recreation uses, either existing or proposed? (TRPA 19c)				X
5.4.18-6. Result in a decrease or loss of public access to any lake, waterway, or public lands? (TRPA 19d)				X

5.4.18-1. Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (CEQA XVIa)

Redevelopment associated with the amendment area could generate recreation demand by insignificantly increasing the number of residents and visitors in the area. However, existing recreation opportunities are numerous and can meet increases in demand within and in the immediate vicinity of the TCAP (i.e. Timber

Cove Marina, Connolley Beach, Ski Run Marina and Beach, Lakeside Marina, Heavenly Resort California Base, Heavenly Gondola, Van Sickle Bi-State Park, Bijou Golf Course [and public beach], the Nevada Stateline to Stateline Bikeway at Rabe Meadow, Nevada Beach, Round Hill Pines Beach and other bike paths, hiking and mountain bicycle trails, and other public parks). The existing TCAP includes policies and implementing strategies to enhance public recreation facilities, as does the City's General Plan. By providing access to a wider range of public recreation opportunities within and outside the boundary, visitor usage is spread out, avoiding demand that causes substantial deterioration of any one facility. Therefore, the increased use of existing neighborhood and regional parks or other recreational facilities as a result of implementing the amendments is not expected to result in a substantial physical deterioration of recreation facilities to occur or be accelerated, and demand created by redevelopment could be easily met. In addition, recreation demand would be considered at a project-level during subsequent environmental review and permitting of individual proposed projects.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.18-2. Would the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (CEQA XVib)

Redevelopment associated with the TCAP amendments could generate recreation demand by insignificantly increasing the number of residents and visitors in the area if commercial uses are converted to residential or tourist accommodation uses. However, existing recreation opportunities are numerous and can meet an increase in demand within and in the immediate vicinity of the Gateway District and TCAP as discussed in Question 5.4.18-1 above. Therefore, any new demand that is created by redevelopment within the amendment area is expected to be easily met. In addition, recreation demand would be considered at a project-level during subsequent environmental review and permitting of individual proposed projects. The approval of any project proposing the creation of additional recreational capacity would be subject to subsequent project-level environmental review and permitting and, if applicable, would be subject to the Persons At One Time (PAOT) system of recreation allocations administered by TRPA as described in Section 50.9 (Regulation of Additional Recreation Facilities) of the TRPA Code of Ordinances. No additional PAOTs are proposed by the amendment, nor are any changes to recreational land uses or policies.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.18-3. Will the Project create additional demand for recreation facilities? (TRPA 19a)

As discussed in Question 5.4.18-1, existing recreation opportunities are abundant in the area and can meet an increase in demand from redevelopment within and in the immediate vicinity of the TCAP. In addition, the existing TCAP includes expansion of public recreation opportunities within the TCAP boundary limits. Any increase in demand is expected to be easily met by existing, as well as future, recreation facilities. In addition, recreation demand would be considered at a project-level during subsequent environmental review and permitting of individual proposed projects.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.18-4. Will the Project create additional recreation capacity? (TRPA 19b)

See discussions and analyses in Questions 5.4.18-1 and 5.4.18-2 above that conclude that any potential new demand that is created by redevelopment within the amendment area is expected to be easily met. Furthermore, the existing TCAP includes policies and implementing strategies to enhance transit, and biking and pedestrian linkages to recreation uses within and beyond the boundaries of the TCAP. The TCAP and B/ATCP amendments do not affect recreation capacity.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.18-5. Will the Project have the potential to create conflicts between recreation uses, either existing or proposed? (TRPA 19c)

No specific projects are being considered under the amendments and the amendment actions would not affect recreation. Future projects permitted through the TCAP would be subject to project-level environmental review and permitting. Goal R-5 of the Regional Plan specifically addresses incompatibility of recreational uses and the associated system for regulating PAOTs (Section 50.9 of the TRPA Code), which would preclude any conflicts between existing or proposed recreational uses (TRPA 2012d, pages 5-7 and 5-8). Additionally, the potential for expanded land uses to create conflicts between existing land uses was analyzed in Impact 3.11-2 of the RPU EIS (TRPA 2012a, page 3.11-21) and was found to be less than significant due to the existing protections in the goals and policies of the Regional Plan.

The TCAP amendments propose to add a Recreation Implementation Strategy. This would be a beneficial impact by supporting the improvement of public access to Lake Tahoe at Connolley Beach and Timber Cove. In support of Goal R-4, the following Implementation Strategy is proposed:

- Support the CTC in its efforts to implement the Connelley Beach Public Access Project located west of the Beach Retreat parcel to provide a second access to Connelley Beach in addition to Timber Cove.

Support of CTC's efforts to improve public beach access would not create recreation use conflicts.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.18-6. Will the Project result in a decrease or loss of public access to any lake, waterway, or public lands? (TRPA 19d)

Direct public access to Lake Tahoe and public lands within the amendment area is available at Connolley Beach near Timber Cove Marina. Public parking and signage are available at the beach at the end of Balbijou Rd. Access is also available to guests of private lakefront tourist accommodation uses that provide access to paying guests. There are other public access areas in other portions of TCAP. The amendments would not affect access to these parcels and the number and variety of existing recreation uses allowed in the area would not decrease as a result of the amendment. The proposed TCAP Implementation Strategy supports lake access improvements to Connolley Beach and Timber Cove, resulting in a beneficial impact.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.19 Transportation (CEQA) and Traffic and Circulation (TRPA)

This section presents the analyses for potential impacts to transportation, traffic and circulation. Table 5-19 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level. A technical memorandum regarding transportation impacts of the TCAP amendments is attached (Appendix A).

Table 5-19: Transportation, Traffic and Circulation				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.19-1. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (CEQA XVIIa)			X	
5.4.19-2. Conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (CEQA XVIIb)			X	
5.4.19-3. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (CEQA XVIIc)			X	
5.4.19-4. Result in inadequate emergency access? (CEQA XVIId)			X	
TRPA Initial Environmental Checklist Item	Yes,	No, With Mitigation	Data Insufficient	No
5.4.19-5. Generation of 100 or more new Daily Vehicle Trip Ends (DVTE)? (TRPA 13a)				X
5.4.19-6. Changes to existing parking facilities, or demand for new parking? (TRPA 13b)				X
5.4.19-7. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities? (TRPA 13c)				X
5.4.19-8. Alterations to present patterns of circulation or movement of people and/or goods? (TRPA 13d)				X

5.4.19-9. Alterations to waterborne, rail or air traffic? (TRPA 13e)				X
5.4.19-10. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? (TRPA 13f)				X

5.4.19-1. Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (CEQA XVIIa)

The TCAP, B/ATCP, City General Plan, City Code, TRPA Linking Tahoe Regional Transportation Plan, TRPA Regional Plan, and TRPA Code of Ordinances contain traffic goals, policies, implementation measures, and mitigation requirements applicable to the amendment area. Performance levels are established through level of service (LOS) criteria, which is set at LOS C for rural recreation roads, and D on rural and urban developed roads and signalized intersections, and may be LOS E during peak hours in urban hours of less than four hours per day (TRPA Regional Plan Transportation Element Policy 4.6). Likewise, the standard in General Plan Policy TC-1.2, B/ATCP Objective 8 Policy A, and TCAP Policy T-1.2 is LOS D on all streets and intersections, with up to 4 hours of LOS E acceptable during peak periods. Other policies seek to increase multi-modal and non-motorized travel, although there is no performance threshold for these policies.

The TCAP and B/ATCP amendments do not propose to alter or revise and would not conflict with an applicable plan, ordinance or policy establishing the measures of effectiveness for the performance of the circulation system. Existing plans, ordinances, and policies would continue to be applicable and implemented in the project area. The amendment area is currently fully developed, and the amendments would not significantly increase vehicle trips so as to conflict with LOS standards because the traffic impacts of newly allowed uses and densities (condominiums, timeshare units and multi-family) are the same or lower than what is already allowed through the B/ATCP. As stated in the traffic memo prepared for the project (Appendix A), no increase in traffic would occur as a result of the amendments. Future projects in the area would be required to complete a traffic analysis under TRPA rules if they may generate an increase in daily trips of 100 or more. The amendment area would be subject to the policies in the TCAP rather than the older B/ATCP. Likewise, redevelopment projects would be required to meet current transportation policies and ordinances regarding LOS, transit, and non-motorized travel, which would also improve non-auto transportation systems.

The TCAP and B/ATCP amendments would continue to implement policies of the adopted TRPA Regional Plan and City General Plan, which encourages a land use pattern that promotes the use of alternative modes of transportation. These policies currently apply to the amendment area and would continue to apply regardless of its location within the TCAP or the B/ATCP. The TCAP policies regarding transit, bicycle and pedestrian facilities would apply to the amendment area. The existing TCAP goals include promoting the area as a pedestrian and transit oriented center and seek to establish development and design standards that improve the pedestrian and transit environment through complete streets. Recent improvements in the vicinity include enhanced pedestrian sidewalks and bike lanes along U.S. 50. The amendment area is currently served by sidewalks and transit routes. No adverse change to the existing facilities is proposed. Future redevelopment projects would be subject to review to ensure a decrease in performance or safety of transit, bicycle, or pedestrian facilities would not result.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.19-2. Would the Project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (CEQA XVIIIb)

The TCAP and B/ATCP amendments would not alter, revise or conflict with an applicable congestion management program including but not limited to, level of service standards and travel demand measures, or other standards established by the congestion management agency for designated roads or highways.

Increasing development density and amending high-density use areas into TCAP TSC-G Special Area 1 allows for increased concentration of development within an existing mixed-use area. This area is already served by transit, bicycle, and pedestrian facilities, and includes a mixture of residential, tourist and commercial uses within walking distance of each other. As Town Centers redevelop, a balance of uses within walking distance or adjacent to transit, reduces vehicle dependence and VMT. Therefore, these amendments and future redevelopment can result in a beneficial impact.

Since the City has not adopted separate VMT thresholds, TRPA thresholds are used. TRPA is the designated Regional Transportation Planning Agency in the Lake Tahoe Region and has established Level of Service (LOS) standards for roadways and intersections and Vehicle Miles of Travel (VMT) standards. TRPA and TMPO administer regional programs to reduce Vehicle Miles Travelled (VMT) and achieve regional VMT standards in the Tahoe Basin. The effect of daily trip generation is important as it relates to region-wide VMT. VMT is dependent on the origin and destination of persons traveling to and from uses within the TCAP boundary and the net increase in region-wide trips after accounting for transferred development. VMT is a measure of automobile travel within the transportation system, and an indicator of the degree of integration between the transportation system and planned uses (i.e., a lower VMT indicates greater beneficial integration of transportation systems and land uses to reduce personal vehicle travel). VMT is also a proxy for regional traffic congestion, as well as for air quality. TRPA adopted a VMT Threshold Standard of 2,067,600 VMT for air quality purposes, which represents a 10 percent reduction from the 1981 VMT level. The most recent estimate of annual VMT provided by TRPA is 1,937,070 (Linking Tahoe: Regional Transportation Plan, 2017).

With the proposed amendment, greater building height limits and land use densities would be available to parcels within TCAP TSC-G Special Area 1. However, even if the area were redeveloped, there would be no significant impact because new land uses and densities proposed in the amendments result in substantively the same or lower impacts than what is currently allowed, and no notable transportation impacts are identified. The notable land use changes resulting from the amendments are as follows:

- The maximum density for multi-family dwellings would increase from 15 to 25 units per acre. Although there are no existing vacant lands, it is possible that a future redevelopment project could include a multi-family or residential condominium component that could potentially increase the theoretical number of dwelling units in the amendment area. There are two scenarios for potential development of multi-family dwellings. One would see them added under the redevelopment of one of the three existing tourist properties. The other would see them constructed under the redevelopment of one of the commercial properties. Under both scenarios, the total number of multi-family units could potentially be higher under the amended TCAP compared to the existing B/ATCP. However, given the fact that tourist accommodation uses were already allowed under the B/ATCP to be constructed at 40 units per acre and residential units will only be allowed to be constructed at up to 25 units per acre under the amendment, the total unit count for a mixed-use redevelopment project would likely go down if multi-family units were included, and would be capped at 40 total units. If commercial properties are redeveloped for residential, tourist or mixed-uses, the number of trips associated with those uses is typically less, as discussed in the traffic memo (Appendix A), and mixed-uses would reduce reliance on motorized trips due to walkability or transit access. Multi-family residential units have lower trip generation rates than

hotel units, and considering that the three existing hotels in the amendment area are constructed near the maximum allowable density of 40 units per acre, there is no potential that a future redevelopment project would result in a substantial traffic impact. Finally, as a measurable increase in traffic (100 daily vehicle trips) is not anticipated, per the “Guidance for Assessment of Vehicle Miles Traveled (VMT) Impacts of Projects in the Tahoe Basin,” the impacts on Vehicle Miles Traveled (VMT) in the Tahoe Basin would not be substantial.

- Under the second scenario where an existing commercial parcel would be redeveloped with only multi family residential uses, the number of multi-family units available would be higher under the TCAP standard than the B/ATCP. There are four parcels totaling approximately four acres of commercial uses in the proposed amendment area and as a result, the multi-family residential unit count could be up to 40 units greater under the proposed amendment. Each commercial parcel includes existing development that must be removed to realize the maximum number of units. Removal of the existing commercial floor area would offset the traffic generated from the construction of multi-family residential units. In summary, an increase in traffic would not occur, and the impacts on Vehicle Miles Traveled (VMT) in the Tahoe Basin would also not occur.
- The maximum density for hotel and motel units (with more than 10% of the units including a kitchen) would increase from 15 to 40 units per acre. The B/ATCP and former Stateline/Ski Run Community Plan (the predecessor to the TCAP) included two types of hotel and motel land uses – one with less than 10% kitchen units (40 units/acre) and one with more than 10% kitchen units (15 units/acre). With the adoption of the TCAP, the City simplified the hotel and motel land use description and removed the limit on number of units with kitchens. For traffic purposes, there is no difference between the trip rate for hotel units with and without kitchens. As such, the amendments would result in no measurable increase in traffic or VMT.
- Residential timeshares, which are not allowed under the existing B/ATCP, would be allowed at 40 units per acre. Trip generation rates for timeshares (9.73 trips per unit) is lower than hotels (12.23 trips per occupied room and 14.34 trips per employee). As such, any potential replacement of hotel units with timeshares would be result in reduced traffic and VMT.
- The number of Vacation Home Rentals (VHRs) is not capped in the TCAP. There are six single-family residences in the amendment area that currently require approval from the City to be operated as a VHR. However, an increase in the number of residential homes used as VHRs would not be expected to result in transportation impacts during busy season conditions, as both types of units are assumed to be occupied during busy periods.

Increases in trip generation and VMT would not be significant or conflict with applicable congestion management plans. Measures and policies to address VMT and vehicle trips included in the existing TCAP would be applicable to the amendment area. A future redevelopment project in the amendment area would be required to complete a traffic analysis under TRPA rules if it may generate an increase in daily trips of 100 or more. Therefore, potential impacts related to the VMT standard are considered to be less than significant.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.19-3. Would the Project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (CEQA XVIIc)

Consistent with the TRPA Regional Plan and City General Plan, implementation of the TCAP amendments does not increase hazards. The amendment area is currently fully developed and no roadway design changes are proposed. A future redevelopment project would be required to comply with appropriate federal state,

and local roadway, sidewalk, and intersection design standards (e.g., ASHTOO, MUTCD, Caltrans Highway Design Manual and City Roadway Design Standards) for public health and safety reasons. The uses allowed in the amendment area under the TCAP amendments are the same or similar to the existing allowed uses and no incompatible uses are allowed.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.19-4. Would the Project result in inadequate emergency access? (CEQA XVIII)

See discussion and analysis for Questions 5.4.11-6, 5.4.11-9, and 5.4.17-1 above that conclude that implementation of the TCAP and B/ATCP amendments will not impact emergency evacuation plans or access. The amendments do not include changes to roadways that would impair access and does not propose new public roadways. Likewise, the TCAP amendments do not propose new land uses or developments that would impair existing access. Redevelopment projects would be required to meet state and/or local requirements for roadway design to ensure emergency vehicles have appropriate access and turning radius for emergency response.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.19-5. Will the Project result in generation of 100 or more new Daily Vehicle Trip Ends (DVTE)? (TRPA 13a)

As discussed in Question 5.4.19-2, no increase in traffic above the 100 DVTE threshold would occur as a result of the amendments. The amendment area is currently fully developed at or near the densities proposed by the amendment. As discussed in the Transportation Impact Analysis Memo prepared for the project (Appendix A), a new redevelopment project would not generate more than 100 trips because trip generation rates would decrease under a change in use given the existing uses in the amendment area. Redevelopment of a hotel into multi-family or timeshare units results in a decrease in trips as both the density and trip generation rate would decrease. Given that proposed land use changes in the annexation area do not differ with respect to trip and VMT generation from what is currently allowable, the potential to exceed the threshold does not increase with implementation of the amendments.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.19-6. Will the Project result in changes to existing parking facilities, or demand for new parking? (TRPA 13b)

Proposed land use changes in the annexation area do not differ with respect to trip and VMT generation from what is currently allowable. Future redevelopment projects would be subject to the existing parking requirements in the TCAP, City parking ordinance, and TRPA Code, and would be reviewed by the City and/or TRPA prior to issuance of permits. Consistent with existing conditions, permit applicants would be required to demonstrate that adequate parking would be provided for any new parking demand that is created and for any changes in parking facilities, in accordance with the City Code. It is anticipated that redevelopment projects would have no increase in trip generation, and have the potential to promote pedestrian and non-auto access, potentially resulting in beneficial impacts.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.19-7. Will the Project result in substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities? (TRPA 13c)

See discussions and analyses for Questions 5.4.19-3, 5.4.19-5, 5.4.19-6, 5.4.19-8, 5.4.19-9 and 5.4.19-10.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.19-8. Will the Project result in alterations to present patterns of circulation or movement of people and/or goods? (TRPA 13d)

As discussed in Question 5.4.19-2, no measurable increase in trip generation or VMT would occur. Proposed land use changes in the annexation area do not differ with respect to trip and VMT generation from what is currently allowable. The list of allowed land uses is the same or similar to the existing range of allowed uses, and no change would occur that would significantly alter the circulation pattern or movement of people or goods. As discussed in the Transportation Impact Analysis Memo (Appendix A), new projects could not generate more than 100 trips and therefore would not exceed the threshold. Any impacts on roadway or intersection LOS would require mitigation at a project level.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.19-9. Will the Project result in alterations to waterborne, rail or air traffic? (TRPA 13e)

No alterations to waterborne, rail or air traffic are proposed.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.19-10. Will the Project result in increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? (TRPA 13f)

See Questions 5.4.19-1, 5.4.19-3, and 5.4.19-4. The TCAP and B/ATCP amendments would not alter existing policies or requirements in regard to traffic safety or the provision of bicycle and pedestrian facilities. The existing TCAP, City, and TRPA policies regarding traffic safety would continue to be applied to the amendment area. By placing the amendment area within TSC-G Special Area 1, as opposed to the B/ATCP, the enhanced pedestrian and bicycle facilities proposed in the TCAP would apply, potentially resulting in improvements. No changes to U.S. 50 or the existing roadway system within the amendment area is proposed. Future redevelopment projects would be subject to review to ensure traffic hazards would not result.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.20 Tribal Cultural Resources (CEQA) and Archaeological/Historical (TRPA)

This section presents the analyses for potential impacts to tribal cultural, archaeological and historical resources, discussing the Project impacts on tribal cultural resources related to the disturbance of archaeological, historical, and Native American/traditional heritage resources. Table 5-20 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-20: Tribal Cultural Resources and Archaeological/Historical				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
Has a California Native American Tribe requested consultation in accordance with Public Resources Code section 21080.3.1(b)? Yes: X No:				
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
5.4.20-1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? (CEQA XVIIIa)				X
5.4.20-2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (CEQA XVIIIb)				X
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.20-3. Does the proposal have the potential to cause a physical change which would affect unique				X

ethnic cultural values? (TRPA 20d)				
5.4.20-4. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area? (TRPA 20e)				X

5.4.20-1. Would the Project cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? (CEQA XVIIIa)?

The proposed amendments do not alter regulations pertaining to cultural resources.

There is no evidence of intact, potentially significant Washoe cultural sites within the existing TCAP or proposed amendment area. Pursuant to AB 52, the City of South Lake Tahoe contacted the Ione Band of Miwok Indians and the United Auburn Indian Community on August 23, 2018. No response has been received to date. Since the timeline for response established in AB 52 (30 days) has been exceeded, no further consultation action is required with those tribes. The City will send a Notice of Availability and Notice of Intent to the Washoe Tribe of Nevada and California office and will follow up those efforts with an email.

Federal and state regulations, the TRPA Code (Chapter 67) and City General Plan policies address protection of cultural resources and provide processes to avoid or minimize impacts to such resources. Redevelopment within the amendment area would be required to comply with federal and state regulations, TRPA Code and General Plan policies during project specific review, and therefore, would not alter or adversely affect tribal cultural resources.

Environmental Analysis: *No Impact.*

Required Mitigation: **None**

5.4.20-2. Would the Project cause a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (CEQA XVIIIb)

See discussion and analysis for Question 5.4.20-1 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None**

5.4.20-3. Does the Project have the potential to cause a physical change which would affect unique ethnic cultural values? (TRPA 20d)

See discussions and analyses for Questions 5.4.7-1, 5.4.7-4, and 5.4.7-5 above. Implementation of, federal and state regulations, TRPA Code (Chapter 67) and General Plan policies address protection of historic, cultural, archaeological and paleontological resources and provide processes to avoid or mitigate impacts to these resources. Therefore, any development associated with the amendments would not result in a physical change that would affect unique ethnic cultural values.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.20-4. Will the Project restrict historic or pre-historic religious or sacred uses within the potential impact area? (TRPA 20e)

See discussion and analysis for Questions 5.4.7-1, 5.4.7-4, and 5.4.7-5 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.21 Utilities and Service Systems (CEQA) and Utilities (TRPA)

This section presents the analysis for potential impacts to utilities and service systems. Table 5-21 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-21: Utilities and Service Systems				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.21-1. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects? (CEQA XIXa)				X
5.4.21-2. Have sufficient water supplies available to serve the and reasonably foreseeable future development during normal, dry, and multiple dry years? (CEQA XIXb)				X
5.4.21-3. Result in a determination by the wastewater treatment provider that serves or may serve the Project that it has adequate capacity to serve the Project’s projected demand in addition to the provider’s existing commitments? (CEQA XIXc)				X
5.4.21-4. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (CEQA XIXd)			X	
5.4.21-5. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (CEQA XIXe)				X

TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:				
5.4.21-6. Power or natural gas? (TRPA 16a)				X
5.4.21-7. Communication systems? (TRPA 16b)				X
5.4.21-8. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider? (TRPA 16c)				X
5.4.21-9. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider? (TRPA 16d)				X
5.4.21-10. Storm water drainage? (TRPA 16e)				X
5.4.21-11. Solid waste and disposal? (TRPA 16f)				X

5.4.21-1. Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects? (CEQA XIXa)

Amendment of the project area and amendment of the TCAP and B/ATCP would not require additional wastewater conveyance or treatment capacity. In the South Tahoe Public Utility District, existing average wastewater flow rates are little more than half of the total export capacity (see Table 5-22 below). Additionally, the area to be amended is already developed and connected to/served by the wastewater treatment system. Although density could increase with redevelopment, the redevelopment would not double wastewater flow rates, thus, it is reasonable to assume that sufficient capacity would be available.

Furthermore, all development permitted by the TCAP would be required to comply with Section 32.5 (Waste Water Treatment Service) of the TRPA Code of Ordinances, which requires that all projects be served by facilities that provide treatment and export of wastewater from the Tahoe Region. Section 50.5.1(C.4) of the TRPA Code of Ordinances prohibits distribution of allocations to jurisdictions with insufficient wastewater capacity to support residential development.

Additionally, any project proposing construction, reconstruction, or expansion of a structure would be required to meet the Basic Services and Facilities Standards contained in the TRPA Code of Ordinances. Therefore, implementation of the amendments would not cause sewage treatment capacity to exceed the permitted capacity of the service provider.

Table 5-22: Average Flow Rates and Total Capacity			
Export District	Average Flow (mgd)	Total Capacity (mgd)	Average Remaining Capacity (mgd)
South Tahoe Public Utility District	4.0	7.7	3.7
Source: STPUD 2015			

All redevelopment permitted through the TCAP would be required to meet TRPA BMP standards to reduce runoff and pollutant loading from impervious cover. As specified in Section 60.4.6 (Standard BMP Requirements) of the TRPA Code of Ordinances, except where special conditions exist and are approved by TRPA, infiltration facilities designed to accommodate the volume of runoff generated by a 20-year, one-hour storm are required for approval of all projects. Therefore, there would be no unplanned alterations or improvements to existing stormwater drainage systems associated with the TCAP amendment.

See Question 5.4.8-3 above that concludes that the available capacity would far exceed the demand generated at build-out of the TRPA Regional Plan; therefore, demand created by implementation of the amendments would not result in a need for new or altered power or natural gas systems.

The amendment area is currently served by telecommunications systems. The City Code requires any communication wires to be installed underground (Chapter 6.15 SLTCC). Any redevelopment permitted through the TCAP would be located within existing service areas for communication systems providers, and each project would be responsible for any elected connection or subscription to communication systems within the region. Additionally, the potentially increased redevelopment density could stimulate investment in improved broadband service, which was identified as a need in the Lake Tahoe Basin Prosperity Plan (WNDD 2010).

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.21-2. Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? (CEQA XIXb)

Implementation of the TCAP amendments could result in some increased demand for water supply if redevelopment occurs in the amendment area. However current surface water allocation to the Tahoe Region pursuant to the Truckee River Operating Agreement (TROA) is 34,000 acre feet/year (afy), and current Region-wide demand is approximately 28,079 afy (TRPA 2012, page 3.13.-11). Additional demand generated by the TRPA Regional Plan is approximately 1,725 afy which, given remaining water supply availability, could be accommodated with existing supplies. Thus, it is reasonable to assume that sufficient capacity would be available to accommodate redevelopment at higher densities in the TCAP amendment area.

Furthermore, all redevelopment permitted by the TCAP would be required to comply with Section 32.4 (Water Service) of the TRPA Code of Ordinances, which requires that a project applicant demonstrate the availability of adequate water quantity and quality for both domestic consumption and fire protection prior to project approval. This is demonstrated at a project-level through the acquisition of a Will Serve Letter from the applicable water purveyor.

Additionally, any project proposing construction, reconstruction, or expansion of a structure would be required to meet the Basic Services and Facilities Standards contained in the TRPA Code of Ordinances. Therefore, implementation of the TCAP amendments would not create water use in excess of the maximum permitted capacity of the service provider.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.21-3. Would the Project result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments? (CEQA XIXc)

Redevelopment under the TCAP would be required to comply with Section 32.5 (Waste Water Treatment Service) of the TRPA Code of Ordinances, which requires that all projects be served by facilities that provide treatment and export of wastewater from the Tahoe Region. Section 50.4.1(C) of the TRPA Code of Ordinances prohibits distribution of allocations to jurisdictions with insufficient wastewater capacity to support residential development, and Section 13.10.7 of the TRPA Code of Ordinances requires demonstration of adequate sewer capacity prior to occupancy of a transferred unit (TRPA 2012a, page 3.13-16).

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.21-4. Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (CEQA XIXd)

South Tahoe Refuse (STR) is under contract with the City to collect solid waste from area households and businesses as well as to process and transfer all solid waste for disposal or recycling. STR's main facility, which consists of a transfer station and materials recovery facility located at the transfer station, has a total permitted capacity of 370 tons per day, but currently receives approximately 275 tons per day. The remaining capacity of 95 tons per day is sufficient to serve the anticipated growth. Any additional staffing or equipment required to increase service to the area would be funded through the additional service rates that would be collected by STR from the new development. Solid waste is disposed of at the Lockwood Regional Landfill in Sparks, Nevada. This landfill has a total capacity of approximately 302 million cubic yards as a result of recent expansion, currently contains 32.8 million cubic yards of waste and is not expected to reach capacity for over 100 years, with implementation of approved expansions (NDEP, 2013 and Washoe County, 2016).

Both the STR main facility and the Lockwood Regional Landfill have sufficient capacity to manage additional growth. Therefore, this impact is considered to be less than significant.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.21-5. Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (CEQA XIXe)

The Lockwood Regional Landfill receives solid waste generated within the City and has sufficient capacity to serve the needs as discussed in 5.4.21-4 above. Existing resource recovery operations provide recycling of various materials, including green waste and construction material, which further reduces the quantity of waste sent to the landfill pursuant to state law. All projects proposed within the TCAP are subject to TRPA Regional Plan Land Use Element Goal 5, Policy 1 Public Services Element Goal 3, Policy 2, requiring the transport of solid waste outside the Basin in compliance with California state laws and the City General Plan Policies PQP-3.3 and PQP-3.4 requiring determination of adequate public utilities and services, including solid waste capacity, prior to development approval. Thus, the TCAP amendments comply with federal, state, and local statutes and regulations related to solid waste.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.21-6. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to power or natural gas? (TRPA 16a)

See Question 5.4.8-3 above that concludes that the available capacity would far exceed the demand generated at build-out of the TRPA Regional Plan; therefore, demand created by implementation of the amendments would not result in a need for new or altered power or natural gas systems.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.21-7. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to communication systems? (TRPA 16b)

Communication systems are not listed as a required basic service by TRPA Code of Ordinances; however, the City Code requires any communication wires to be installed underground (Chapter 6.15 SLTCC). Any redevelopment permitted through the TCAP would be located within existing service areas for communication systems providers, and each project would be responsible for any elected connection or subscription to communication systems within the region. Additionally, the potentially increased redevelopment density could stimulate investment in improved broadband service, which was identified as a need in the Lake Tahoe Basin Prosperity Plan (WNDD 2010).

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.21-8. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to utilize additional water which amount will exceed the maximum permitted capacity of the service provider? (TRPA 16c)

See Questions 5.4.21-1 and 5.4.21-2 above that conclude additional capacity exists in the Tahoe Region and therefore a need for new systems, or substantial alterations to utilize additional water would not occur.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.21-9. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider? (TRPA 16d)

See Questions 5.4.21-1 and 5.4.21-3 above, which conclude additional sewage capacity exists in the Tahoe Region and therefore a need for new systems, or substantial alterations to utilize additional treatment capacity would not occur.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.21-10. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to storm water drainage? (TRPA 16e)

See discussion and analysis for Question 5.4.21-1 above.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.21-11. Except for planned improvements, will the Project result in a need for new systems, or substantial alterations to solid waste and disposal? (TRPA 16f)

Implementation of the proposed amendments may result in redevelopment that could increase the Region's overall solid waste generation. Solid waste generation under the TRPA Regional Plan is anticipated to increase to 115,200 tons per year with some portion of that attributable to the amendment area. Given the substantial existing capacity of 22 million tons, and planned expansion that would allow for a total capacity of 204 million tons at the Lockwood Regional Landfill, waste disposal needs for redevelopment under the TCAP could be adequately served in the future.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.22 Wildfire (CEQA)

This section presents the analysis for potential impacts related to wildfire. Table 5-23 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-23: Wildfire				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
Is the Project located in or near state responsibility areas or lands classified as high fire hazard severity zones? Yes: X No:				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
5.4.22-1. Substantially impair an adopted emergency response plan or emergency evacuation plan? (CEQA XXa)				X
5.4.22-2. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (CEQA XXb)			X	
5.4.22-3. Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (CEQA XXc)				X
5.4.22-4. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (CEQA XXd)				X

5.4.22-1. Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan? (CEQA XXa)

Portions of the project area are located within the local responsibility area very high fire hazard severity zone as mapped by CAL FIRE.

See discussion and analysis for Questions 5.4.11-6, 5.4.11-9, and 5.4.17-1 above that conclude that implementation of the TCAP and B/ATCP amendments will not impact emergency evacuation plans or access. The amendments do not include changes to roadways that would impair access and does not propose new public roadways. Likewise, the TCAP amendments do not propose new land uses or developments that would impair existing access. Redevelopment projects would be required to meet state and/or local requirements for roadway design to ensure emergency vehicles have appropriate access and turning radius for emergency response.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.22-2. Due to slope, prevailing winds, and other factors, would the Project exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (CEQA XXb)

The amendment area is currently fully developed with a mix of commercial, residential, and tourist accommodation units. There are few trees located within the amendment area due to the prevalence of existing development. Amending the area into the TCAP and future redevelopment would not increase the risk of exposing people and structures to hazards involving wildland fires in wildland-urban interface areas. Redevelopment is required to be consistent with and will implement state, regional, and local regulations designed to reduce the risk of wildfire. All new structures are required to comply with the California Fire Code, which establishes minimum standards for materials and material assemblies to provide a reasonable level of exterior wildfire exposure protection for buildings in wildland-urban interface areas. Chapter 5.05 of the City Code, which is currently applicable to the proposed amendment area, contains fire regulations adopted to safeguard life and property from fire and explosion hazards. City General Plan policies require the use of fire resistant materials, installation and maintenance of defensible space, and meeting fire flow requirements in new or rehabilitated structures. Implementation of these policies, in conjunction with the existing California Fire Code and City Code requirements would reduce impacts associated with wildland fires to a less than significant level.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.22-3. Would the Project require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (CEQA XXc)

See discussion and analysis for Question 5.4.22-2 above. The amendment area is currently fully developed and only redevelopment of the area could occur; therefore, new roads, fuel breaks, utilities lines, and water would not be constructed. Utilities are required to be located below ground, and no increased fire risk would occur.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.22-4. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (CEQA XXd)

See discussion and analysis for Questions 5.4.9-1, 5.4.9-8, 5.4.9-11, 5.4.9-13, and 5.4.12-3 above. As discussed above, the amendment area is relatively flat and highly paved and developed. Downstream flooding or landslides following a fire would not occur. The TCAP and B/ATCP amendments would not affect wildfire risk.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.23 Mandatory Findings of Significance

This section presents the analyses for mandatory findings of significance. Table 5-24 identifies the applicable impacts, anticipated level of impact, and whether mitigation measures are required to reduce impacts to a less than significant level.

Table 5-24: Mandatory Findings of Significance				
CEQA Environmental Checklist Item	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
5.4.23-1. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened species, or eliminate important examples of the major periods of California history or prehistory? (CEQA XXIa)			X	
5.4.23-2. Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (CEQA XXIIb)			X	
5.4.23-3. Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (CEQA XXIc)			X	
TRPA Initial Environmental Checklist Item	Yes	No, With Mitigation	Data Insufficient	No
5.4.23-4. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish				X

population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory? (TRPA 21a)				
5.4.23-5. Does the Project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.) (TRPA 21b)				X
5.4.23-6. Does the Project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?) (TRPA 21c)				X
5.4.23-7. Does the Project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly? (TRPA 21d)				X

5.4.23-1. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened species, or eliminate important examples of the major periods of California history or prehistory? (CEQA XX1a)

Fish and Aquatic Habitat

The TCAP and B/ATCP amendments would not affect, alter, or revise any TRPA Regional Plan or City General Plan policies pertaining to the Shorezone and Lakezone, management of aquatic resources, or permitting of projects affecting these habitats. The TCAP amendments would permit development and redevelopment only in accordance with the TRPA Regional Plan and City General Plan, and any projects proposed within the plan area that could affect aquatic habitats would be subject to TRPA’s existing regulations requiring project-specific environmental review and development and implementation of

project-specific measures for any significant effects on fish habitat as a condition of project approval. This potential impact was analyzed in the RPU EIS and, with implementation of TRPA's existing policies and code provisions, found to be less than significant (TRPA 2012a). Construction activities could result in temporary increases in sedimentation, small amounts of fill placed in aquatic habitats, and the release and exposure of construction-related contaminants. As under existing conditions, these impacts would be minimized and mitigated through construction BMPs and compensatory mitigation requirements as specified in TRPA and City policies and code provisions, and other applicable federal and state regulations.

Rare, Threatened, or Endangered Species and Communities

The TCAP and B/ATCP amendments would not affect, alter, or revise TRPA Regional Plan policies regarding the protection of rare, endangered, or sensitive plant and animal communities. Compliance with all provisions in Chapter 67 of the TRPA Code of Ordinances is still required for all project review. Future redevelopment could only occur in accordance with the TRPA Regional Plan, City General Plan, and the existing TCAP, and any projects proposed within the amendment area that could affect sensitive plant or animal communities would be subject to TRPA's existing regulations requiring project-specific environmental review and development and implementation of project-specific measures for any significant effects on habitat as a condition of project approval. This potential impact was analyzed in the RPU EIS and, with implementation of TRPA's existing code provisions and requirements, found to be less than significant (TRPA 2012a, page 3.10-50). During project-level environmental review, potential impacts to protected plant or animal communities would be identified and minimized through design and/or mitigation, as required under TRPA, federal, and state regulations.

Cultural, Historical, and Archeological Resources

The TCAP and B/ATCP amendments would not affect, alter, or revise TRPA Regional Plan policies regarding the protection of cultural, historical, or archeological resources. Compliance with Chapter 67 of the TRPA Code of Ordinances is still required for all project review. In addition, federal and state regulations address protection of these resources and provide mechanisms to minimize impacts. The amendment area is fully developed, leaving little potential for resources to persist in the area. The TCAP amendments would permit redevelopment only in accordance with the TRPA Regional Plan and the City General Plan, some of which could occur on properties with unknown buried resources. During project-level environmental review, on-site cultural, historical, and archeological resources, if any, would be identified, significance determined, and appropriate mitigation implemented in accordance with federal, state, City, and TRPA regulations.

The adopted TCAP is consistent with the TRPA Regional Plan and City General Plan, which achieve environmental improvement and maintain environmental threshold carrying capacities. Since no changes to existing policies regarding habitats, special status plant or animal communities, or to cultural, historical, and archeological resources are proposed by the amendment, and federal, state, and TRPA protections are already in place, implementation of the TCAP amendments would not result in the degradation of these resources.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.23-2. Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (CEQA XXIIb)

The adopted TCAP is a collection of both short- and long-term goals, policies, and measures designed to guide the development of the plan area and support the Region in attaining environmental thresholds and other important objectives. These goals, policies, and measures are inherently cumulative in nature as they are applied over a long-term basis, for the planning area as a whole, and in compliance with City and TRPA goals, policies, measures, and thresholds. The TCAP and B/ATCP amendments do not propose new policies or alterations to existing policies that would be cumulatively considerable. TCAP amendment text that allows for greater flexibility in design is limited to a distinct location and with additional limitation and standards that must be met, thereby restricting the potential for cumulatively considerable impacts. The area is currently fully developed, resulting in little cumulative impact potential should redevelopment occur in the future.

Cumulative projects contemplated in the RPU EIS (TRPA 2012a) include Environmental Enhancement, Land Management Plans, TTD/TMPO projects and programs, and other development projects. These projects and programs also apply to the TCAP, B/ATCP, and therefore, the proposed amendment area. The TCAP amendments do not propose specific projects for which cumulative impacts could be analyzed. The Regional Plan EIR cumulative impacts analysis applies to the amendment area regardless of the Community or Area Plan in which it is located.

Air Quality/GHG Emissions

As discussed in Questions 5.4.10-3 and 5.4.8-1, although redevelopment could occur that could increase development density from existing conditions and therefore contribute to an increase in overall greenhouse gas (GHG) emission that would cumulatively contribute to global climate change, redevelopment also has the potential to decrease emissions through increased energy efficiency. Also, the potential increase in development density is small given the existing development densities and fully developed nature of the amendment area. The City General Plan EIR identified significant GHG emissions impacts and the City adopted mitigation measures to address this issue, which remain in effect. The TCAP amendments would not interfere with implementation of these measures, GHG reduction targets, or GHG emissions reduction strategies. Because development and potential population increases are low in association with the TCAP amendment, it is not anticipated to contribute considerably to global climate change and the impact is less than significant.

Traffic

The amendments would not affect, alter, revise or conflict with applicable plans, ordinances or policies establishing the measures of effectiveness for the performance of the circulation system. Increasing development density and amending high-density use areas into the TCAP allows for increased concentration of development within an existing mixed-use area. This area is already served by transit, bicycle, and pedestrian facilities, and includes a mixture of residential, tourist and commercial uses within walking distance of each other. As Town Centers redevelop, a balance of uses within walking distance or adjacent to transit, reduces vehicle dependence and VMT. Therefore, these amendments and future redevelopment can result in a beneficial impact. Due to the existing development within the amendment area, there is no potential for significant traffic increases. Redevelopment could increase land use density, and thereby increase vehicle trips however, the area is fully developed at, over, or near the density limits. Increases in vehicle trips associated with redevelopment at the proposed density limits would not be significant. Consistent with the Regional Plan, individual redevelopment projects in the TCAP that would

generate a net increase of 200 daily vehicle trips or more would be required to prepare a project-level traffic analyses in accordance with Sections 65.2.4.B and 65.2.5.B of the TRPA Code. For any new trips that are generated, TRPA requires an applicant to offset the potential regional traffic and air quality effects of the new trips by requiring an applicant either to: (1) contribute to the Air Quality Mitigation Fund, or (2) implement regional and cumulative mitigation measures equivalent or greater in cost than the calculated Air Quality Mitigation Fee. Regional and cumulative mitigation measures may include, but are not limited to transit facility construction; transportation system management measures (such as bicycle and pedestrian facilities and use of alternative fuels in fleet vehicles); or transfer and retirement of offsite development rights. The air quality mitigation fee amount would be assessed in accordance with the current mitigation fee schedule in the TRPA Rules of Procedure. Furthermore, all individual projects would be required to meet all applicable LOS standards for roadways and intersection and Vehicle Miles of Travel (VMT) standards. For these reasons, the TCAP amendments would not contribute to an increase in traffic levels that results in cumulatively adverse impacts.

Water Quality

Redevelopment within the area would be required to meet existing BMP standards to control potential increases in stormwater runoff and pollutant loading onsite. Except where special conditions exist and are approved by TRPA, infiltration facilities designed to accommodate the volume of runoff generated by a 20-year 1-hour storm are required for approval of all projects within the Tahoe Basin (TRPA Code Ordinances, Section 60.4.6). Therefore, new development within the TCAP is not expected to cumulatively create or contribute additional runoff that would exceed the capacity of existing or planned stormwater drainage system. The area is also fully developed, with little potential for an increase in stormwater volumes from future projects. Since existing land coverage in the amendment area averages 79% and the majority of the area is Land Classification 1b, redevelopment of the area has potential to reduce excessive asphalt pavement with coverage reduction and increased landscaping, which would improve water quality. The amendment area is also part of Bijou Erosion Control Project (EIP#01.01.01.0002) and while some owners have installed their own BMPs, there is an option to be included in the project, further improving water quality in the area.

Cultural Resources

Because federal and state regulations, the TRPA Code of Ordinances (Chapter 67), and City General Plan policies address protection of these resources and provide processes to avoid or minimize impacts to historic and archaeological resources, the amendment area is fully disturbed and developed, and any redevelopment would be required to comply with federal and state regulations, TRPA Code of Ordinances and the City General Plan policies during project specific review, the amendments would not contribute to an adverse cumulative effect on archeological or historical resources.

Noise

The TCAP and B/ATCP amendments would not alter noise policies and would reduce the existing maximum CNEL levels within the TCAP to meet the adopted TRPA CNEL threshold standards, and Regional Plan and General Plan noise policies would continue to be applied. The area is currently near maximum buildout densities as shown in Table 1-1 and all land is developed within the amendment area. Given the small number of potential additional units or traffic from redevelopment, and the similar noise generation of condominiums and timeshares to single-family units and tourist accommodation units, no notable increase in noise would occur. Noise increases associated with traffic under redevelopment build-out conditions would be similar to existing noise levels as traffic levels are relatively the same between existing and new allowed uses. Redevelopment projects would be required to implement project-specific noise reduction measures established in the Regional Plan EIS, General Plan EIR, and the TCAP. Therefore,

the amendments would not create a significant noise level increase. Implementation of the amendment to the CNEL limit would result in a beneficial impact. For these reasons, TCAP and B/ATCP amendments would not contribute to an adverse cumulative increase in noise levels.

Geologic Hazards

The TCAP and B/ATCP amendments would not alter any policies regarding geologic resources or hazards. Because existing TRPA and City protections are in place, the area is fully developed, and project-specific environmental review would be required for all redevelopment projects, implementation of the TCAP and B/ATCP amendments would not result in increased exposure of people or property to geologic hazards.

Scenic Resources

As discussed in the analysis, the TCAP amendments would alter height standards and density limits in TSC-G Special Area 1; however, the proposed changes would be highly limited and subject to TRPA's additional height findings to ensure the scenic threshold is maintained, if not improved. Roadway Unit 33 is in non-attainment, the lakefront is in attainment and the amendment area includes no scenic vistas. Redevelopment would improve the scenic quality of the amendment area. The existing TCAP scenic protections would not be altered, and all permitted projects would still be required to meet the TRPA scenic threshold non-degradation standard. Therefore, the TCAP amendments would not contribute to an adverse cumulative effect on scenic resources. Application of more current TCAP design standards on the amendment area, as compared to the older B/ATCP design standards also increases the potential for improvements in the scenic value of the built environment.

Recreation

The TCAP protects existing recreational resources and provides for the development of increased recreation opportunities through the construction of trailheads, bike paths and lanes, and the TCAP and B/ATCP amendments would not alter these improvement measures. The TCAP amendments include a Recreation Implementation Strategy to support beach access improvements to Connolley Beach and Timber Cove. This amendment would be a beneficial impact. No restrictions to public access or new limitations on recreational resources is proposed by the TCAP and B/ATCP amendments.

Implementation of the TCAP and B/ATCP amendments would be consistent with policies contemplated and analyzed in the General Plan EIR, from which this analysis tiers, including their potential to contribute to cumulative environmental effects. The General Plan EIR identified resources with localized cumulative issues such as traffic, water quality, cultural resources, noise, geologic hazards, and scenic impacts, which were analyzed in the TCAP IS/IEC and this IS/IEC and were not found to have adverse cumulative effects. Therefore, implementation of the TCAP and B/ATCP amendments would not result in a considerable contribution to cumulative adverse conditions.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.23-3. Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (CEQA XIXc)

As described above, projects permitted under the TCAP amendments would require project-level environmental review and would be required to comply with applicable TRPA, federal, state, and City regulations, including protections for human health and safety. The area is already fully developed and the

potential for new impacts is low. Therefore, implementation of the amendments would not create a substantial direct or indirect adverse effect on human beings.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

5.4.23-4. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory? (TRPA 21a)

See analysis in Question 5.4.23-1 that concludes implementation of the TCAP and B/ATCP amendments would not degrade the quality of the environment, reduce habitat of a fish population, threaten or eliminate a plant or animal community or eliminate important examples of a major period of California or Nevada history or prehistory.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.23-5. Does the Project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (TRPA 21b)

The TCAP implements the TRPA Regional Plan's policies, ordinances, and land use controls designed specifically to achieve long-term environmental goals, and the City's policies, ordinances, and land use controls which are also designed to achieve long-term goals and guide City development over a period of decades. The TCAP implements these policies, which promote concentrating development and redevelopment in town centers, such as the Gateway District, combined with transfer of land coverage and development rights from sensitive lands and lands more distant from community center, and restoration of those areas (TRPA 2012a). The TCAP and B/ATCP amendments would not alter this long-term goal, nor does it propose changes to land use or design that would be substantially different from what is currently allowed or that achieve a short-term goal at the expense of long-range planning for the area. While short-term impacts could occur during redevelopment activities, redevelopment projects have the potential to achieve long-term goals. Since the proposed amendment area is currently fully developed, with sensitive land protected, new permanent alterations to raw land would not occur, and redevelopment projects are anticipated to support environmental, social, and economic improvements.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.23-6. Does the Project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?) (TRPA 21c)

Like the Regional Plan, the TCAP is a collection of goals, policies, and measures designed to guide the development of the plan area and support the Region in attaining environmental thresholds and other important objectives. Because these policies are implemented in the TCAP over the long-term (i.e., 20

years) and are applicable to all programs and projects over this period, they are inherently cumulative in nature. The TCAP amendments do not propose changes to these goals, policies, and measures, but propose to amend a fully developed area from the B/ATCP, to which the TCAP goals, policies, and measures would be applied, and to which the TRPA Regional Plan and City General Plan goals, policies, and measures would continue to be applied. The amendments would alter the development density allowed for some uses (timeshares and multiple family dwellings) and would increase the height limit for tourist accommodation uses with the application of additional conditions in TSC-G Special Area 1.

The cumulative projects contemplated in the RPU EIS (TRPA 2012a, pages 4-2 through 4-10) include Environmental Enhancement, Land Management Plans, TTD/TMPO projects and programs, and other development projects. These projects and programs also apply to both the TCAP and the B/ATCP, and their scope and characteristics are not known to have substantially changed. Since the TCAP and amendments are consistent with the Regional Plan and because no specific projects are proposed for which contributions to cumulative impacts may be defined and assessed, the cumulative impacts analysis prepared for the Regional Plan is also applicable to the TCAP.

Additional consideration is provided in Question 5.4.23-2 above for those resources that could result in more localized cumulative effects, including noise, geologic hazards, scenic resources, and recreation, as well as regional cumulative effects such as GHG emissions.

Implementation of the TCAP and B/ATCP amendments would be consistent with policies contemplated and analyzed in the RPU EIS, including their potential to contribute to cumulative environmental effects. The RPU EIS identified resources with localized cumulative issues such as noise, geologic hazards, scenic impacts, and recreation impacts, which were further analyzed in the TCAP IS/ND/IEC as well as this IS/IEC and were not found to have adverse cumulative effects. The proposed TCAP and B/ATCP amendments would not result in a considerable contribution to cumulative adverse conditions.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.4.23-7. Does the Project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly? (TRPA 21d)

See discussion and analysis for Question 5.4.23-3 above that concludes that future projects permitted through the TCAP would require project-level environmental review and would be required to comply with all applicable TRPA, federal, state, and City regulations, including protections for human health and safety. Therefore, implementation of the TCAP and B/ATCP amendments would not create a substantial direct or indirect adverse effect on human beings.

Environmental Analysis: *No Impact.*

Required Mitigation: **None.**

5.5 CERTIFICATION [TRPA ONLY]

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

IEC Preparer

Date

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APPENDIX A – LSC TECHNICAL TRAFFIC MEMORANDUM



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TECHNICAL MEMORANDUM

Date: September 12, 2018

TO: Rob Brueck, Hauge Brueck Associates

FROM: Sara Hawley, PE, LSC Transportation Consultants, Inc.

RE: Tourist Core Area Plan Amendment - Transportation Impacts

This memorandum presents a limited evaluation of the potential transportation impacts resulting from the land use changes associated with the proposed Tourist Core Area Plan (TCAP) and Bijou/Al Tahoe Community Plan Amendment, located along US 50 in the City of South Lake Tahoe. The approximately 18-acre project area that would be annexed from the Bijou/Al Tahoe Community Plan into the TCAP is located on the north side (lake side) of the highway at Balbijou Road and opposite Johnson Boulevard and Fairway Drive. The following existing uses are included:

- Beach Retreat
- Bijou Center/CVS
- Lakeshore Lodge
- Howard Johnson
- Single-family homes
- Recreational uses (outdoor concessions)

With the proposed amendment, greater building height limits and land use densities would be available to parcels within the TCAP. Specifically, additional height may be designated for the tourist accommodation uses in the project area. However, as this would not result in additional units, no notable transportation impacts are identified. Additionally, if a public beach is located within the parcel – approval of additional height must include an improvement to the existing public access. As there would be no increase in public beach parking spaces, there would be no increase in traffic. Improving public access would be expected to result in beneficial transportation impacts, especially for non-auto travel modes.

The notable land use changes resulting from the annexation are as follows:

- The maximum density for multi-family dwellings would increase from 15 to 25 units per acre. Although there are no existing vacant lands, it is possible that a future redevelopment project could include a multi-family component that could potentially increase the theoretical number of multi-family dwelling units in the annex area. That is, the total number of units could potentially be higher under the amended Area Plan compared to the existing Community Plan. However, given the fact that tourist accommodation uses can be constructed at 40 units per acre and residential units can only be constructed at 25 units per acre, the total unit count for a mixed-use redevelopment project would likely go down if multi-family units were included. Furthermore, multi-family residential units have lower trip generation rates than hotel units. Considering that the three existing hotels in the annex area are constructed near the maximum allowable density, the potential that a future redevelopment project would result in a substantial traffic impact is extremely low. Finally, as a notable increase in traffic is not anticipated, the impacts on Vehicle Miles Traveled (VMT) in the Tahoe Basin would also not be substantial.
- The maximum density for hotel and motel units (with more than 10% of the units including a kitchen) would increase from 15 to 40 units per acre. The Bijou/Al Tahoe Community Plan and former Stateline/Ski Run Community Plan (the predecessor to the TCAP) included two types of hotel and motel land uses – one with less than 10% kitchen units (40 units/acre) and one with more than 10% kitchen units (15 units/acre). With the adoption of the TCAP, the City simplified the hotel and motel land use description and removed the limit on number of units with kitchens. For traffic purposes, there is no difference between the trip generation rates for hotel units with and without kitchens. As such, the maximum density under the amendment would result in no measurable increase in traffic or VMT.
- Residential timeshares, which are not allowed under the existing Bijou/Al Tahoe Community Plan, would be allowed at 40 units per acre. It is unlikely that timeshares would be included in a future project. Daily and PM peak-hour trip generation rates for timeshares (8.63 and 0.63 trips per unit, respectively) are slightly higher but very similar to hotels (8.36 and 0.60). As such, replacement of hotel units with timeshares would not be expected to result in a notable increase in traffic or VMT.
- The number of Vacation Home Rentals (VHRs) is not capped in the TCAP. There are single-family residences in the annex area that currently require discretionary approval from the City to be operated as a VHR. However, an increase in the number of residential homes used as VHRs would not be

expected to result in transportation impacts during busy season conditions, as both single-family homes and VHRs are assumed to be occupied during busy periods.

Conclusion

In summary, the change in trip generation and Vehicle Miles Traveled (VMT) resulting from the project is not expected to be notable or substantial. Furthermore, a future redevelopment project in the annex area would be required to complete a traffic analysis under TRPA rules if it may generate an increase in daily trips of more than 100.

Exhibit 2 to Attachment E
Environmental Thresholds Indicators Evaluation

Attachment E, Exhibit 2: Threshold Indicators Evaluation

ID	Threshold Category	TRPA 2006 Threshold Evaluation "Threshold Indicators"	Applicable Indicator Reporting Category	Name of Threshold Standard Addressed (see Resolution 82-11 for adopted standard)	Interim Target for 2016 (See 2011 Threshold Evaluation)	Status (2011)	Trend (2011)	Threshold Indicator	Unit of Measure	Addition Factors (i.e., alternative indicators used in 2011 Threshold Evaluation)	Source
1	Air Quality	AQ-1	Carbon Monoxide	Highest 1-hour Carbon Monoxide Concentration	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Rapid Improvement	Highest annual 1-hour concentration CO	ppm	Threshold indicator Used	2011 Threshold Evaluation
2	Air Quality	AQ-1	Carbon Monoxide	Highest 8-hour Carbon Monoxide Concentration	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Rapid Improvement	Highest annual 8-hour concentration CO	ppm	Threshold indicator Used	2011 Threshold Evaluation
3	Air Quality	AQ-2	Ozone	Highest 1-hour Ozone Concentration	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Ozone Concentration - highest 1-hour	ppm	Threshold indicator Used	2011 Threshold Evaluation
4	Air Quality	AQ-2	Ozone	Highest 8-hour Ozone Concentration	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Ozone Concentration - highest 8-hour	ppm	Threshold indicator Used	2011 Threshold Evaluation
5	Air Quality	AQ-3	Visibility	Annual Average PM ₁₀	Insufficient data to determine interim target	Unknown	Unknown	Annual Average Concentration of PM ₁₀	micrograms/cubic meter (ug/m ³)	Threshold indicator Used	2011 Threshold Evaluation
6	Air Quality	AQ-3	Visibility	Highest 24 hour PM ₁₀ Concentrations	59 ug/m ³ by 2016	Somewhat Worse Than Target	Moderate Improvement	Highest 24 hour PM ₁₀ concentration	microgram/cubic meter (ug/m ³)	Threshold indicator Used	2011 Threshold Evaluation
7	Air Quality	AQ-4	Visibility	Regional Visibility 50th percentile	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	extinction coefficient - visibility	Mm ⁻¹	Threshold indicator Used	2011 Threshold Evaluation
8	Air Quality	AQ-4	Visibility	Regional Visibility 90th Percentile	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	extinction coefficient - visibility	Mm ⁻¹	Threshold indicator Used	2011 Threshold Evaluation
9	Air Quality	AQ-4	Visibility	Sub-Regional Visibility 50th percentile	Insufficient data to determine interim target	Unknown	Unknown	extinction coefficient - visibility	Mm ⁻¹	Threshold indicator Used	2011 Threshold Evaluation
10	Air Quality	AQ-4	Visibility	Sub-Regional Visibility 90th Percentile	Insufficient data to determine interim target	Unknown	Unknown	extinction coefficient - visibility	Mm ⁻¹	Threshold indicator Used	2011 Threshold Evaluation
11	Air Quality	AQ-5	Carbon Monoxide	Winter Traffic Volume	N/A-Indicator already in attainment with standard	At or Better Than Target	Moderate Improvement	Volume of vehicle traffic measured on presidents weekend (Saturday) between 4pm and midnight	Number of Vehicles	Threshold indicator Used	2011 Threshold Evaluation

12	Air Quality	AQ-7	Visibility	VMT	N/A-Indicator already in attainment with standard	At or Better Than Target	Moderate Improvement	VMT Estimated from Peak Traffic Volumes in 2nd weekend in August	Vehicle Mile Traveled	Ratio of current year VMT estimate to Traffic Volume was used as a constant to backcast historic annual VMT values	2011 Threshold Evaluation
13	Air Quality	AQ-8	Nitrate Deposition	Reduce external and In-Basin NOx emissions	N/A-Indicator already in attainment with standard	Implemented	N/A	Modeled NOx Emissions in Tons	Tons	Threshold indicator Used	2011 Threshold Evaluation
14	Air Quality	Not Addressed	Odor	Diesel Engine Emission Fumes	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	Number of Evaluation Criteria Satisfied	Threshold indicator Used	2011 Threshold Evaluation
15	Air Quality	Not Addressed	Ozone	3-year Average of 4th Highest Concentration	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	3-year average of the 4th highest Ozone Concentration	ppm	Threshold indicator Used	2011 Threshold Evaluation
16	Air Quality	Not Addressed	Ozone	Oxides of Nitrogen Emissions	N/A-Indicator already in attainment with standard	At or Better Than Target	Moderate Improvement	Average tons of NOx per day	Average tons/day	Threshold indicator Used	2011 Threshold Evaluation
17	Air Quality	Not Addressed	Visibility	3-year Average of the 98th percentile 24-hour PM _{2.5} Concentration	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Unknown	3-year average of the 98th percentile 24-hour PM _{2.5} concentration	microgram/cubic meter (ug/m ³)	Threshold indicator Used	2011 Threshold Evaluation
18	Air Quality	Not Addressed	Visibility	Highest 24-hour PM _{2.5} Concentration	Non established	Not yet evaluated	Not yet evaluated	24-hour PM _{2.5} Concentration	micrograms/cubic meter (ug/m ³)	Threshold, State or Federal indicator used	Not yet evaluated
19	Air Quality	Not Addressed	Visibility	Annual Average PM _{2.5}	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Little or No Change	Annual Average Concentration of PM _{2.5}	microgram/cubic meter (ug/m ³)	Threshold indicator Used	2011 Threshold Evaluation

Impact of Project on Air Quality Indicators/Targets/Other Factors (Y/N)	Y	Comments	<p>The California Environmental Quality Act (CEQA) Initial Study/Negative Declaration and Tahoe Regional Planning Agency (TRPA) Initial Environmental Checklist/Finding of no Significant Effect (or "IS/ND/IEC") prepared for the TCAP identified potential significant impacts to Air Quality in response to the following two questions: Will the proposal result in: 1) Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?; and 2) Increased use of diesel fuel? Although potential significant effects were identified, the environmental document determined that the potential significant effects are the same as the Regional Plan Update (RPU), and therefore consistent with the RPU Environmental Impact Statement (EIS) and are being mitigated through RPU EIS mitigation measures requiring a Greenhouse Gas (GHG) Emissions Reduction Policy, a Best Construction Practices Policy for Toxic Air Contaminants (TAC) Emissions During Construction, and existing measures to reduce GHG emissions and exposure to TAC emissions during construction.</p> <p>In addition, the TCAP incorporates City of South Lake Tahoe General Plan (GP) EIR Mitigation Measures and Policies addressing GHG and TAC emissions during construction. Moreover, the TCAP includes sustainability- and conservation-oriented land use and transportation policies and strategies to reduce VMT, increase transit and non-motor vehicle travel, and allows for and encourages redevelopment that would improve energy efficiency that will benefit the Air Quality Threshold Standards and Indicators. (TCAP, Section 5, Land Use, and Section 6, Transportation) Furthermore, the TCAP would not alter or revise existing regulations pertaining to air quality and project-level planning and environmental analysis would identify potentially significant effects, minimize or avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval. Refer to Section 6.4.5, Air Quality, Pages 47 through 61, and Section 6.4.9, Greenhouse Gas Emissions, in the TCAP IS/ND/IEC for additional information on air quality. As demonstrated in the RPU EIS (Volume III, Chapter 3.3, Transportation; Chapter 3.4, Air Quality; and Chapter 3.5 Greenhouse Gas and Climate Change), the compact land use pattern and transportation improvements proposed in the TCAP are expected to reduce air pollution emissions from vehicle use and benefit all Air Quality Threshold Indicators. Additionally, the EIS for the RPU and the EIS/EIR for the Regional Transportation Plan demonstrated that the types of improvements proposed in the TCAP would allow the Region to achieve and maintain air quality thresholds, including the VMT threshold (see RPU DEIS, Chapter 3.3, Transportation, and Chapter 3.4, Air Quality; Regional Transportation Plan Draft EIR/EIS, Chapters 3.3, Transportation and Chapter 3.4, Air Quality). As summarized here, the TCAP is expected to benefit all Air Quality Threshold Standards and Indicators.</p>								
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20	Fisheries	F-1	Lake Habitat	Littoral Substrate	N/A-Indicator already in attainment with standard	At or Better Than Target	Unknown	Acres of "prime" habitat (rocky substrates in littoral zone)	Acres	Threshold indicator Used	2011 Threshold Evaluation
21	Fisheries	F-2	Stream Habitat	Stream Habitat Quality	Insufficient data to determine interim target	Unknown	Unknown	Miles of stream in "excellent" condition class	Miles	Benthic Macroinvertebrate O/E, Fish passage ratings	2011 Threshold Evaluation
22	Fisheries	F-2	Stream Habitat	Stream Habitat Quality	Insufficient data to determine interim target	Unknown	Unknown	Miles of stream in "good" condition class	Miles	Benthic Macroinvertebrate O/E, Fish passage ratings	2011 Threshold Evaluation
23	Fisheries	F-2	Stream Habitat	Stream Habitat Quality	Insufficient data to determine interim target	Unknown	Unknown	Miles of stream in "marginal" condition class	Miles	Benthic Macroinvertebrate O/E, Fish passage ratings	2011 Threshold Evaluation
24	Fisheries	F-3	Instream Flows	Stream Flow protection	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	Number of criteria Satisfied	Evaluation Criteria and Evidence	2011 Threshold Evaluation

25	Fisheries	F-3	Instream Flows	Water Diversions	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	Number of criteria Satisfied	Evaluation Criteria and Evidence	2011 Threshold Evaluation
26	Fisheries	F-4	Lahontan Cutthroat Trout	Reintroduction	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	Number of criteria Satisfied	Evaluation Criteria and Evidence	2011 Threshold Evaluation
Impact of Project on Fisheries Indicators/Targets/Other Factors (Y/N)			Y	Comments	The TCAP makes no changes to regulations affecting fisheries. Previous restoration efforts and proposed policies to promote the restoration of disturbed SEZs, reduction of coverage, implementation of BMPs, and implementation of the Total Maximum Daily Load (TMDL)/Pollutant Load Reduction Plan (PLRP), and associated implementation measures, have and will benefit the Fisheries Threshold Standards and Indicators. The TCAP IS/ND/IEC did not identify any potential negative impacts to Fisheries because any proposed project within the TCAP would be required to comply with the natural resource protection provisions of the TRPA Code of Ordinances (Chapters 60 through 65), including protection of SEZs, forest resources, and fisheries. Refer to Section 6.4.6, Biological Resources (Stream Environment Zones, Wetlands, Wildlife and Vegetation), Pages 62 through 71, in the TCAP IS/ND/IEC for additional information on fisheries. Stream modifications are limited by the provisions of Chapter 63 of the TRPA Code of Ordinances, which requires protection of fish resources, and Sections 61.3.3 and 30.5, which requires protection of SEZ areas, thereby protecting streams. Consistent with existing requirements, projects that could occur under the TCAP that could alter the course or direction of water movements would be subject to subsequent permitting and environmental review, and TRPA Code of Ordinance sections addressed above as well as all other federal, state, and local regulations pertaining to the course or direction of water movements. As a result, it is anticipated that the TCAP could benefit Threshold Indicators 21 - 23 .						
27	Noise	N-1	Single Event Noise	Aircraft 8am to 8pm	Trend expected to flatten then remain stable	Somewhat Worse Than Target	Moderate Decline	dBa Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
28	Noise	N-1	Single Event Noise	Aircraft 8pm to 8am	Insufficient data to determine interim target	Unknown	Unknown	dBa Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
29	Noise	N-2	Single Event Noise	Motor Vehicles Greater Than 6,000 GVW	Insufficient data to determine interim target	Unknown	Unknown	dBa Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
30	Noise	N-2	Single Event Noise	Motor Vehicles Less Than 6,000 GVW	Insufficient data to determine interim target	Unknown	Unknown	dBa Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
31	Noise	N-2	Single Event Noise	Motorcycles	Insufficient data to determine interim target	Unknown	Unknown	dBa Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
32	Noise	N-2	Single Event Noise	Off-Road Vehicles	Insufficient data to determine interim target	Unknown	Unknown	dBa Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
33	Noise	N-2	Single Event Noise	Snowmobiles	Insufficient data to determine interim target	Unknown	Unknown	dBa Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
34	Noise	N-2	Single Event Noise	Watercraft - Pass by	Insufficient data to determine interim target	Unknown	Unknown	dBa Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation

35	Noise	N-2	Single Event Noise	Watercraft - Shoreline	Insufficient data to determine interim target	Somewhat Worse Than Target	Unknown	dBa Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
36	Noise	N-2	Single Event Noise	Watercraft - Stationary	Insufficient data to determine interim target	Unknown	Unknown	dBa Level and Number of Exceedances of Standard	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
37	Noise	N-3	Cumulative Noise Events	Commercial Areas	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
38	Noise	N-3	Cumulative Noise Events	Critical Wildlife Habitat Areas	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
39	Noise	N-3	Cumulative Noise Events	High Density Residential Areas	Unable to be determined due to lack of trend	Somewhat Worse Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
40	Noise	N-3	Cumulative Noise Events	Hotel/Motel Areas	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
41	Noise	N-3	Cumulative Noise Events	Industrial Areas	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
42	Noise	N-3	Cumulative Noise Events	Low Density Residential Areas	Unable to be determined due to lack of trend	Somewhat Worse Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
43	Noise	N-3	Cumulative Noise Events	Rural Outdoor Recreation Areas	Unable to be determined due to lack of trend	Somewhat Worse Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
44	Noise	N-3	Cumulative Noise Events	Transportation Corridors - Highway 50	N/A-Indicator already in attainment with standard	At or Better Than Target	Rapid Improvement	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
45	Noise	N-3	Cumulative Noise Events	Transportation Corridors - Highways 207	Unable to be determined due to lack of trend	Somewhat Worse Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
46	Noise	N-3	Cumulative Noise Events	Transportation Corridors - Highways 267	Unable to be determined due to lack of trend	Considerably Worse Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation

47	Noise	N-3	Cumulative Noise Events	Transportation Corridors - Highways 28	CNEL 62 dBA	Somewhat Worse Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
48	Noise	N-3	Cumulative Noise Events	Transportation Corridors - Highways 431	CNEL 56 dBA	Somewhat Worse Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
49	Noise	N-3	Cumulative Noise Events	Transportation Corridors - Highways 89	CNEL 59 dBA	Somewhat Worse Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
50	Noise	N-3	Cumulative Noise Events	Transportation Corridors - South Lake Tahoe Airport	Insufficient data to determine interim target	Somewhat Worse Than Target	Unknown	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
51	Noise	N-3	Cumulative Noise Events	Urban Outdoor Recreation	Unable to be determined due to lack of trend	Somewhat Worse Than Target	Little or No Change	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
52	Noise	N-3	Cumulative Noise Events	Wilderness and Roadless Areas	N/A-Indicator already in attainment with standard	At or Better Than Target	Moderate Improvement	Community Noise Equivalent Level (dBA) in designated zone	decibels - dBA	Threshold indicator Used	2011 Threshold Evaluation
Impact of Project on Noise Indicators/Targets/Other Factors (Y/N)			N	Comments	The TCAP IS/ND/IEC did not identify any potential impacts to Noise because the proposed noise standards were either retained from the Stateline/Ski Run Community Plan or brought into compliance with the TRPA Threshold Noise Standards. (TCAP IS/ND, IEC, Section 6.4.14, Noise, Page 117) Therefore, the potential effects are the same as the RPU and consistent with the RPU EIS. Mitigation measures identified in the RPU EIS and GP EIR that would reduce noise effects to the extent feasible will also be adopted as part of the TCAP. Refer to Section 6.4.14, Noise, Pages 116 through 126, in the IS/ND/IEC for additional information on noise.						
53	Recreation	R-1	High Quality Recreation Experience	High Quality Recreation Experience	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	Number of criteria Satisfied	Evaluation Criteria and Evidence	2011 Threshold Evaluation
54	Recreation	R-2	Fair Share	Fair Share	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	Number of criteria Satisfied	Threshold indicator Used	2011 Threshold Evaluation
Impact of Project on Recreation Indicators/Targets/Other Factors (Y/N)			Y	Comments	The TCAP IS/ND/IEC did not identify any potential significant impacts to Recreation because existing recreation opportunities are numerous within and in the immediate vicinity of the TCAP (i.e. Ski Run Marina and Beach, Lakeside Marina, Heavenly Resort California base, Heavenly Gondola at Heavenly Village, Van Sickle Bi-State Park, Bijou Golf Course, Kahle Community Park and Community Center, Edgewood Tahoe Golf Course [golf and public beach], the Nevada Stateline-to-Stateline Bikeway, Nevada Beach, Round Hill Pines Beach, and other hiking and mountain bicycle trails). Refer to Section 6.4.17, Recreation, Pages 138 through 141, in the TCAP IS/ND/IEC for additional information on recreation. The TCAP also includes Goals and Policies to improve and expand recreation facilities and provide enhanced access through the construction of sidewalks and bike paths and public transit. (TCAP, Section 6, Transportation) Thus, the implementation of the TCAP will benefit Recreation Threshold Standards and Indicators, which would benefit Recreation indicator 54.						
55	Scenic Resources	SR-1	Roadway and Shoreline Units	Roadway Travel Units	Increase the number of units meeting the minimum score by at least two by 2016	At or Better Than Target	Moderate Improvement	Average of unit composite scores	Composite Score	Evaluation Criteria and Evidence	2011 Threshold Evaluation
56	Scenic Resources	SR-1	Roadway and Shoreline Units	Shoreline Travel Units	increase the number of units meeting the minimum score by at least one by 2016	At or Better Than Target	Little or No Change	Average of unit composite scores	Composite Score	Evaluation Criteria and Evidence	2011 Threshold Evaluation

57	Scenic Resources	SR-2	Roadway and Shoreline Units	Roadway Scenic Resources	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Average of unit composite scores	Composite Score	Evaluation Criteria and Evidence	2011 Threshold Evaluation
58	Scenic Resources	SR-2	Roadway and Shoreline Units	Shoreline Scenic Resources	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Average of unit composite scores	Composite Score	Evaluation Criteria and Evidence	2011 Threshold Evaluation
59	Scenic Resources	SR-3	Other Areas	Other Areas (Recreation Sites and Bike Trails)	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Average of unit composite scores	Composite Score	Evaluation Criteria and Evidence	2011 Threshold Evaluation
60	Scenic Resources	SR-4	Built Environment	Built Environment	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	Number of criteria Satisfied	Evaluation Criteria and Evidence	2011 Threshold Evaluation
Impact of Project on Scenic Resources Indicators/Targets/Other Factors (Y/N)			Y	Comments	The TCAP IS/ND/IEC identifies potential significant impacts to Scenic Resources/Community Design and Light and Glare in response to the six following questions: Will the proposal: 1) Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?; 2) Be visible from any public recreation area or TRPA designated bicycle trail?; 3) Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?; 4) Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?; 5) Include new or modified sources of exterior lighting?; and 6) Create new illumination which is more substantial than other lighting, if any, within the surrounding area? However, the environmental document concludes that the TCAP's development and design standards and the required scenic quality findings of the TRPA Code of Ordinances will ensure that future projects both avoid and minimize potential significant impacts to the Scenic Threshold Standard; that the TCAP's policies and provisions are consistent with the recommendations in the Scenic Quality Improvement Plan; and that view sheds will be maintained and protected. Overall, the environmental document finds that the TCAP will benefit the Scenic Threshold Standards through redevelopment and the implementation of the design standards. Refer to Section 6.4.4, Aesthetics (CEQA), Scenic Resources/Community Design and Light and Glare (TRPA), Pages 28 through 43, in the TCAP IS/ND/IEC for additional information on scenic resources/community design.						
61	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients – Class 1a (1%)	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Unknown	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2011 Threshold Evaluation
62	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 1b (1%)	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2011 Threshold Evaluation
63	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 1c (1%)	N/A-Indicator already in attainment with standard	At or Better Than Target	Unknown	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2011 Threshold Evaluation
64	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 2 (1%)	Insufficient data to determine interim target	Somewhat Worse Than Target	Unknown	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2011 Threshold Evaluation
65	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 3	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Unknown	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2011 Threshold Evaluation
66	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 4	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Unknown	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2011 Threshold Evaluation
67	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 5	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Unknown	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2011 Threshold Evaluation
68	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 6	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Unknown	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2011 Threshold Evaluation
69	Soil Conservation	SC-1	Impervious Cover	Bailey Land Coverage Coefficients - Class 7	N/A-Indicator already in attainment with standard	At or Better Than Target	Unknown	Percent impervious cover in land capability class	Percent (%)	Threshold indicator Used	2011 Threshold Evaluation

70	Soil Conservation	SC-2	Stream Environment Zone	Stream Restoration, 1,100 acres restored	88 acres of SEZ restoration by 2016	Considerably Worse Than Target	Moderate Improvement	Acres (and percent) of SEZ Restored	Acres and percent (%)	Threshold indicator Used	2011 Threshold Evaluation
Impact of Project on Soil Conservation Indicators/Targets/Other Factors (Y/N)			Y	Comments	The TCAP IS/ND/IEC did not identify any adverse potential impacts to Soils because the TCAP does not include provisions to alter or revise regulations pertaining to land capability and Individual Parcel Evaluation System (IPES), grading, excavation, or new disturbance, deposition of beach sand, changes in siltation, deposition, or erosion, including natural littoral processes, geologic hazards, or BMPs to control soil erosion. The TCAP includes the land coverage limitations of the adopted Regional Plan, including allowing up to 70 percent coverage on high capability lands within Town Centers and the Regional Center. The potential effects of these changes were analyzed in the RPU EIS and found to be less than significant. In order to improve existing soil conditions, the TCAP also includes a policy (NRC-4.2) directing the City to consider opportunities for coverage reduction in all public and private redevelopment projects within community centers. The TCAP also will help to increase the rate of excess coverage mitigation for over-covered parcels through redevelopment projects. Refer to Section 6.4.8, Geology and Soils (CEQA) and Land (TRPA), Pages 77 through 85, in the TCAP IS/ND/IEC for additional information on soils. As described in the RPU EIS (Volume III, Chapter 3.7), redevelopment may result in the placement of new coverage on high capability lands within Town Centers and the Regional Center. The placement of this coverage would require the removal and transfer of existing coverage elsewhere as required by TRPA Code of Ordinance, Chapter 30, resulting in a net decrease in coverage and a decrease in coverage on sensitive lands. Thus, the TCAP will benefit the Soil Conservation Threshold Standards and Indicators.						
71	Vegetation Preservation	V-1	Common Vegetation	Appropriate Management Practices	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	N/A	Evaluation Criteria and Evidence	2011 Threshold Evaluation
72	Vegetation Preservation	V-1	Common Vegetation	Land Capability to Support Native Vegetation	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	N/A	Evaluation Criteria and Evidence	2011 Threshold Evaluation
73	Vegetation Preservation	V-1	Common Vegetation	Protect and Expand Riparian Vegetation	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	N/A	Evaluation Criteria and Evidence	2011 Threshold Evaluation
74	Vegetation Preservation	V-1	Common Vegetation	Vegetation Pattern - Juxtaposition	N/A-Indicator already in attainment with standard	Implemented	N/A	Evaluation Criteria and Evidence	N/A	Evaluation Criteria and Evidence	2011 Threshold Evaluation
75	Vegetation Preservation	V-1	Common Vegetation	Relative Abundance - Deciduous Riparian Hardwoods	Increase total acreage by 2016	Considerably Worse Than Target	Unknown	Acres (and percent cover) of Riparian Deciduous Hardwoods	Acres and percent (%)	Threshold indicator Used	2011 Threshold Evaluation
76	Vegetation Preservation	V-1	Common Vegetation	Relative Abundance - Meadows and Wetlands	Increase total acreage by 2016	Somewhat Worse Than Target	Unknown	Acres (and percent cover) of vegetation types meeting meadow and wetland classification type	Acres and percent (%)	Threshold indicator Used	2011 Threshold Evaluation
77	Vegetation Preservation	V-1	Common Vegetation	Relative Abundance - Shrub	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Unknown	Acres (and percent cover) of vegetation types meeting shrub classification	Acres and percent (%)	Threshold indicator Used	2011 Threshold Evaluation
78	Vegetation Preservation	V-1	Common Vegetation	Relative Abundance - Small Diameter Red Fir	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown	Acres (and percent cover) of vegetation types meeting small diameter (<10.9"dbh) red fir classification	Acres and percent (%)	Threshold indicator Used	2011 Threshold Evaluation

79	Vegetation Preservation	V-1	Common Vegetation	Relative Abundance - Small Diameter Yellow Pine	Insufficient data to determine interim target	Considerably Worse Than Target	Unknown	Acres (and percent cover) of vegetation types meeting small diameter (<10.9"dbh) Jeffrey pine classification	Acres and percent (%)	Threshold indicator Used	2011 Threshold Evaluation
80	Vegetation Preservation	V-1	Common Vegetation	Vegetation Community Richness	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Number of different vegetation associated as defined in resolution 82-11	Number (#)	Threshold indicator Used	2011 Threshold Evaluation
81	Vegetation Preservation	V-2	Uncommon Plant Communities	Deep-water plants of Lake Tahoe	Insufficient data to determine interim target	Unknown	Unknown	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/Absence	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
82	Vegetation Preservation	V-2	Uncommon Plant Communities	Freel Peak Cushion Plant community	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/absences	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
83	Vegetation Preservation	V-2	Uncommon Plant Communities	Grass Lake (sphagnum bog)	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/absences	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
84	Vegetation Preservation	V-2	Uncommon Plant Communities	Hell Hole	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/absences	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
85	Vegetation Preservation	V-2	Uncommon Plant Communities	Osgood swamp	Insufficient data to determine interim target	Somewhat Worse Than Target	Moderate Decline	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/absences	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
86	Vegetation Preservation	V-2	Uncommon Plant Communities	Pope Marsh	Unable to be determined due to lack of trend	At or Better Than Target	Little or No Change	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/absences	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
87	Vegetation Preservation	V-2	Uncommon Plant Communities	Taylor Creek Marsh	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/absences	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation

88	Vegetation Preservation	V-2	Uncommon Plant Communities	Upper Truckee Marsh	Insufficient data to determine interim target	Somewhat Worse Than Target	Little or No Change	Evaluation Criteria and Evidence as determined by Qualified Botanist/Ecologist	Presence/absences	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
89	Vegetation Preservation	V-3	Sensitive Plants	Galena Rock Cress - Arabis rigidissima v. demote	Insufficient data to determine interim target	Unknown	Unknown	Number of occupied sites	Number	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
90	Vegetation Preservation	V-3	Sensitive Plants	Cup Lake Draba - Draba asterophora v. macrocarpa	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Little or No Change	Number of occupied sites	Number	Threshold indicator Used	2011 Threshold Evaluation
91	Vegetation Preservation	V-3	Sensitive Plants	Long-petaled Lewisia - Lewisia pygmaea longipetala	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Little or No Change	Number of occupied sites	Number	Threshold indicator Used	2011 Threshold Evaluation
92	Vegetation Preservation	V-3	Sensitive Plants	Tahoe Draba - Draba asterophora v. asterophora	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Little or No Change	Number of occupied sites	Number	Threshold indicator Used	2011 Threshold Evaluation
93	Vegetation Preservation	V-3	Sensitive Plants	Tahoe Yellow Cress - Rorippa subumbellata	N/A-Indicator already in attainment with standard	Considerably Better Than Standard	Moderate	Number of occupied sites	Number	Threshold indicator Used	2011 Threshold Evaluation
94	Vegetation Preservation	V-4	Late Seral/Old Growth	Late Seral/Old Growth - Montane	Increase in percent cover of large diameter dominated stands by 2016	Considerably Worse Than Target	Unknown	Acres (and percent cover) of stands dominated by conifer trees > 24"dbh (relative abundance)	Acres and percent (%)	Threshold indicator Used	2011 Threshold Evaluation
95	Vegetation Preservation	V-4	Late Seral/Old Growth	Late Seral/Old Growth - Sub Alpine	Increase in percent cover of large diameter dominated stands by 2016	Considerably Worse Than Target	Unknown	Acres (and percent cover) of stands dominated by conifer trees > 24"dbh (relative abundance)	Acres and percent (%)	Threshold indicator Used	2011 Threshold Evaluation
96	Vegetation Preservation	V-4	Late Seral/Old Growth	Late Seral/Old Growth - Upper Montane	Increase in percent cover of large diameter dominated stands by 2016	Considerably Worse Than Target	Unknown	Acres (and percent cover) of stands dominated by conifer trees > 24"dbh (relative abundance)	Acres and percent (%)	Threshold indicator Used	2011 Threshold Evaluation
Impact of Project on Vegetation Preservation Indicators/Targets/Other Factors (Y/N)			N	Comments	The TCAP IS/ND/IEC did not identify any potential impacts to Vegetation because the TCAP does not include provisions to alter or revise regulations pertaining to native vegetation protection during construction, vegetation removal or groundwater management, new vegetation, unique, rare, or endangered species of plants, stream bank or backshore vegetation, or tree removal. Refer to Section 6.4.6, Biological Resources (Stream Environment Zones, Wetlands, Wildlife and Vegetation), Pages 62 through 71, in the TCAP IS/ND/IEC for additional information on vegetation.						
97	Water Quality	WQ-1	Littoral Lake Tahoe	Turbidity At Non-Stream Mouths (<1 NTU)	Insufficient data to determine interim target	Unknown	Unknown	Average turbidity measures at nearshore areas other than stream mouths	NTU	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation

98	Water Quality	WQ-1	Littoral Lake Tahoe	Turbidity At Stream Mouths (<3 NTU)	Insufficient data to determine interim target	Unknown	Unknown	Average turbidity measures at nearshore at than stream mouths	NTU	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
99	Water Quality	Not Addressed	Littoral Lake Tahoe	Attached Algae		Not yet evaluated	Not yet evaluated				2011 Threshold Evaluation
100	Water Quality	Not Addressed	Littoral Lake Tahoe	Aquatic Invasive Species		Not yet evaluated	Not yet evaluated				2011 Threshold Evaluation
101	Water Quality	WQ-2	Pelagic Lake Tahoe	Annual Average Secchi Disk	23.8m or 78ft by 2016	Somewhat Worse Than Target	Moderate Decline	Annual Average Secchi Depth	meter and feet	Threshold indicator Used	2011 Threshold Evaluation
102	Water Quality	WQ-3	Pelagic Lake Tahoe	Primary Productivity	Predicted to be approximately 221 gC/m ² /yr in 2016	Considerably Worse Than Target	Rapid Decline	annual phytoplankton primary productivity	gC/m ² /year	Threshold indicator Used	2011 Threshold Evaluation
103	Water Quality	WQ-4	Tributaries	90% Percentile Suspended Sediment Concentrations (60mg/l)	N/A-Indicator already in attainment with standard	Somewhat Worse Than Target	Moderate Improvement	Suspended Sediment Concentration	mg/l and number of standard exceedances	Threshold indicator Used	2011 Threshold Evaluation
104	Water Quality	WQ-4	Tributaries	State Standard for DIN Concentration	Unable to be determined due to lack of trend	No Target Established	Little or No Change	Proportion of samples meeting State Total Nitrogen Concentration standard.	mg/l; and number and percent of standard exceedances	Threshold indicator Used	2011 Threshold Evaluation
105	Water Quality	WQ-4	Tributaries	State Standard for Dissolve Phosphorus	Unable to be determined due to lack of trend	No Target Established	Little or No Change	Annual Total Phosphorus Concentration	mg/l and number of standard exceedances	Threshold indicator Used	2011 Threshold Evaluation
106	Water Quality	WQ-5	Surface Runoff	Discharge to Surface Water - Grease & Oil	Insufficient data to determine interim target	Unknown	Unknown	concentration of grease and oil	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
107	Water Quality	WQ-5	Surface Runoff	Discharge to Surface Water - Total Iron	Insufficient data to determine interim target	Unknown	Unknown	concentration of total iron	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
108	Water Quality	WQ-5	Surface Runoff	Discharge to Surface Water - Total Nitrogen as N	Insufficient data to determine interim target	Unknown	Unknown	concentration of total nitrogen	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation

109	Water Quality	WQ-5	Surface Runoff	Discharge to Surface Water - Total Phosphate as P	Insufficient data to determine interim target	Unknown	Unknown	concentration of total phosphate	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
110	Water Quality	WQ-5	Surface Runoff	Discharge to Surface Water - Turbidity (not to exceed 20 NTU)	Insufficient data to determine interim target	Unknown	Unknown	Turbidity level	NTU	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
111	Water Quality	WQ-6	Groundwater	Discharge to Ground Water - Grease & Oil	Insufficient data to determine interim target	Unknown	Unknown	Concentration of grease and oil	Visual Residue	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
112	Water Quality	WQ-6	Groundwater	Discharge to Ground Water - Iron	Insufficient data to determine interim target	Unknown	Unknown	Concentration of total iron	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
113	Water Quality	WQ-6	Groundwater	Discharge to Ground Water - Total Nitrogen as N	Insufficient data to determine interim target	Unknown	Unknown	Concentration of total nitrogen	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
114	Water Quality	WQ-6	Groundwater	Discharge to Ground Water - Total Phosphate	Insufficient data to determine interim target	Unknown	Unknown	Concentration of total phosphate	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
115	Water Quality	WQ-6	Groundwater	Discharge to Ground Water - Turbidity	Insufficient data to determine interim target	Unknown	Unknown	Turbidity level	NTU	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
116	Water Quality	WQ-7	Other Lakes	Boron	Insufficient data to determine interim target	Unknown	Unknown	Concentration of Boron	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
117	Water Quality	WQ-7	Other Lakes	Chloride	Insufficient data to determine interim target	Unknown	Unknown	Concentration of Chloride	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation

118	Water Quality	WQ-7	Other Lakes	Chlorophyll-a	Insufficient data to determine interim target	Unknown	Unknown	Concentration of Chlorophyll-a	gC/m ² /year	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
119	Water Quality	WQ-7	Other Lakes	Dissolved Inorganic Nitrogen	Insufficient data to determine interim target	Unknown	Unknown	Concentration of Inorganic Nitrogen	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
120	Water Quality	WQ-7	Other Lakes	Dissolved Oxygen	Insufficient data to determine interim target	Unknown	Unknown	Concentration of Dissolved Oxygen	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
121	Water Quality	WQ-7	Other Lakes	pH	Insufficient data to determine interim target	Unknown	Unknown	pH level	pH	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
122	Water Quality	WQ-7	Other Lakes	Phytoplankton cell counts	Insufficient data to determine interim target	Unknown	Unknown	Phytoplankton cell count	Number cells	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
123	Water Quality	WQ-7	Other Lakes	Secchi Disk	Insufficient data to determine interim target	Unknown	Unknown	Depth of Secchi Disk	meters or feet	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
124	Water Quality	WQ-7	Other Lakes	Soluble Reactive Iron	Insufficient data to determine interim target	Unknown	Unknown	Concentration of Soluble Reactive Iron	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
125	Water Quality	WQ-7	Other Lakes	Soluble Reactive Phosphorus	Insufficient data to determine interim target	Unknown	Unknown	Concentration of SRP	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
126	Water Quality	WQ-7	Other Lakes	Sulfate	Insufficient data to determine interim target	Unknown	Unknown	Concentration of Sulfate	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
127	Water Quality	WQ-7	Other Lakes	Temperature	Insufficient data to determine interim target	Unknown	Unknown	Water temperature	Celsius	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation

128	Water Quality	WQ-7	Other Lakes	Total Dissolved Solids	Insufficient data to determine interim target	Unknown	Unknown	Concentration of TDS	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
129	Water Quality	WQ-7	Other Lakes	Total Nitrogen	Insufficient data to determine interim target	Unknown	Unknown	Concentration of TN	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
130	Water Quality	WQ-7	Other Lakes	Total Phosphorus	Insufficient data to determine interim target	Unknown	Unknown	Concentration of TP	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
131	Water Quality	WQ-7	Other Lakes	Total Reactive Iron	Insufficient data to determine interim target	Unknown	Unknown	Concentration of TRI	mg/l	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
132	Water Quality	WQ-7	Other Lakes	Vertical Extinction Coefficient	Insufficient data to determine interim target	Unknown	Unknown	Vertical extinction	per meter vertical extinction coefficient	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
133	Water Quality	Not Addressed	Tributaries	Reduce Dissolved Inorganic Nitrogen Load	at least one stream will attain adopted concentrations by 2016	Considerably Worse Than Target		Annual load of nitrogen (and nitrogen species)	MT/year or kg/year	Flow-weighted loads of N	2011 Threshold Evaluation
134	Water Quality	Not Addressed	Tributaries	Reduce Dissolved Phosphorus Load	3 of 10 monitored streams in compliance by 2016	Considerably Worse Than Target	Moderate Improvement	Annual load of total phosphorus (and phosphorus species)	MT/year or kg/year	Flow-weighted loads of P	2011 Threshold Evaluation
135	Water Quality	Not Addressed	Tributaries	Reduce Suspended Sediment Load	Unable to be determined due to lack of trend	No Target Established	Little or No Change	Annual load of suspended sediment from all monitored tributaries	MT/year or kg/year	Flow-weighted loads of Suspended Sediment	2011 Threshold Evaluation
136	Water Quality	Not Addressed	Tributaries	State Standard for Dissolve Iron Concentration	Insufficient data to determine interim target	Unknown	Unknown	Annual Dissolved Iron Concentration	mg/l and number of standard exceedances	Literature referenced or reviewed and professional judgment	2011 Threshold Evaluation
137	Water Quality	Not Addressed	Littoral and Pelagic Lake Tahoe	DIN Loading - Atmospheric Source (20% Reduction) 1973 to 1981 levels	Insufficient data to determine interim target	Unknown	Unknown	Metric tons of nutrients loaded via rain and snow deposition ("wet deposition") at Ward Creek site per year from atmospheric sources	g/hectare/year or MT/year	Threshold indicator Used	2011 Threshold Evaluation
138	Water Quality	Not Addressed	Littoral and Pelagic Lake Tahoe	DIN Loading - Groundwater Source (30% Reduction) 1973 to 1981 level	Insufficient data to determine interim target	Unknown	Unknown	Metric tons of DIN/year	MT/year	Threshold indicator Used	2011 Threshold Evaluation

139	Water Quality	Not Addressed	Littoral and Pelagic Lake Tahoe	DIN Loading - Surface Runoff Source (50% reduction) 1973 to 1981 level	Insufficient data to determine interim target	Unknown	Unknown	Metric tons of DIN/year	MT/year	Threshold indicator Used	2011 Threshold Evaluation
140	Water Quality	Not Addressed	Littoral and Pelagic Lake Tahoe	Reduce DIN Loading by 25% from all sources	Insufficient data to determine interim target	Unknown	Unknown	Annual DIN Load in metric tons/year or kg/year	kg/year	Threshold indicator Used	2011 Threshold Evaluation
141	Water Quality	Not Addressed	Littoral Lake Tahoe	Reduce DIN, DP, iron from all sources to meet the 1967-71 mean values	Insufficient data to determine interim target	Unknown	Unknown	Annual DIN, DP, Iron Load in metric tons/year or kg/year	kg/year	Threshold indicator Used	2011 Threshold Evaluation
Impact of Project on Water Quality Indicators/Targets/Other Factors (Y/N)			Y	Comments	The TCAP IS/ND/IEC identified one potential significant impact to water quality when responding to the following question: Is the Project located within 600 feet of a drinking water source. However, an impact is not anticipated because the TCAP would not alter or revise the regulations pertaining to source water protection and is therefore consistent with the Goals and Policies of the Regional Plan and RPU EIS. The TCAP also contains provisions intended to promote redevelopment and transfers of development from sensitive lands onto non-sensitive lands within Centers and retains TRPA Code of Ordinances regulations pertaining to water quality, including Chapter 60 which includes standards for discharge limits to surface and ground waters and requires compliance with Lahontan Regional Water Control Board requirements and the City's municipal stormwater discharge permit. It retains provisions to protect and restore SEZs, includes coverage reduction provisions, and BMP compliance requirements. (IS/ND/IEC, Pages 100 and 101) It also makes reference to existing water quality and erosion control projects that have and are being constructed, as well as future projects that have been identified to help achieve TRPA's water quality threshold and the TMDL pollutant load reduction targets in Chapter 10, Implementation. (TCAP Pages 10-3 and 10-4) Through redevelopment, the TCAP is expected to result in an increased rate of water quality improvements on private lands and a reduction of coverage in sensitive lands. (TCAP, Section 7, Natural and Cultural Resources) These changes would reduce a variety of non-point source pollutant sources, reduce storm water runoff, and increase water quality treatment infrastructure, which would benefit a variety of threshold standards related to water quality in Lake Tahoe, tributaries, and groundwater quality. As a result, the TCAP is expected to benefit Threshold Indicators and Compliance Measures. Refer to Section 6.4.11, Hydrology and Water Quality, Pages 98 through 110, in the TCAP IS/ND/IEC for additional information on potential impacts to hydrology and water quality and how they are being addressed by the TCAP.						
142	Wildlife	W-1	Special Interest Species	Disturbance Zones Management Standard	N/A-Indicator already in attainment with standard	Implemented	N/A	Road Density and Recreation disturbance within protected areas	Miles road/acre	Evaluation Criteria and Evidence	2011 Threshold Evaluation
143	Wildlife	W-1	Special Interest Species	Bald Eagle (Nesting, 1 site)	N/A-Indicator already in attainment with standard	At or Better Than Target	Little or No Change	Number of active nest sites	Number of Nests	Threshold indicator Used	2011 Threshold Evaluation
144	Wildlife	W-1	Special Interest Species	Bald Eagle (Winter, maintain 2 sites)	Maintain wintering sites	No Target Established	Moderate Improvement	Winter Bald Eagle Count	Number of individuals observed	Threshold indicator Used	2011 Threshold Evaluation
145	Wildlife	W-1	Special Interest Species	Deer (No Target)	increase in deer counts	No Target Established	Moderate Improvement	Annual NDOW deer counts	Number of individuals observed	Threshold indicator Used	2011 Threshold Evaluation
146	Wildlife	W-1	Special Interest Species	Golden Eagle (4 sites)	at least two active nests by 2016	Insufficient Information	Little or No Change	Number of active nest sites/year	Number of Nests	Threshold indicator Used	2011 Threshold Evaluation
147	Wildlife	W-1	Special Interest Species	Northern Goshawk (12 Sites)	4-8 reproductively active territories by 2016	Somewhat Worse Than Target	Little or No Change	Number of active nest sites/year	Number of Nests	Threshold indicator Used	2011 Threshold Evaluation
148	Wildlife	W-1	Special Interest Species	Osprey (4 Sites)	N/A-Indicator already in attainment with standard	Considerable Better Than Target	Moderate Improvement	Number of active nest sites/year	Number of Nests	Threshold indicator Used	2011 Threshold Evaluation
149	Wildlife	W-1	Special Interest Species	Peregrine (2 Sites)	N/A-Indicator already in attainment with standard	At or Better Than Target	Moderate Improvement	Number of active nest sites/year	Number of Nests	Threshold indicator Used	2011 Threshold Evaluation
150	Wildlife	W-1	Special Interest Species	Waterfowl (maintain 18 Sites)	Increase in the percentage of waterfowl relative to detrimental species	Somewhat Worse Than Target	Moderate Improvement	Evidence of nesting waterfowl and disturbance within protected areas	Disturbance rating	Threshold indicator Used	2012 Threshold Evaluation

151	Wildlife	W-2	Habitats of Special Significance	Riparian Habitat Protection	N/A-Indicator already in attainment with standard	Implemented	N/A	Implemented control measures and restoration effort	level of effort	Evaluation Criteria and Evidence	2013 Threshold Evaluation
Impact of Project on Wildlife Indicators/Targets/Other Factors (Y/N)			N	Comments	<p>The TCAP IS/ND/IEC did not identify any potential significant impacts to Wildlife because the TCAP does not include provisions to alter or revise regulations pertaining to the protection of animal species, special-status or listed species of animals, introduction of new species and barriers to the migration or movement of animals, or existing fish or wildlife habitat quantity or quality. Project-level planning and environmental analysis would identify potentially significant effects, minimize or avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval and would therefore not result in the deterioration of existing fish or wildlife habitat quantity or quality. Refer to Section 6.4.6, Biological Resources (Stream Environment Zones, Wetlands, Wildlife and Vegetation), Pages 62 through 71, in the TCAP IS/ND/IEC for additional information on wildlife.</p>						

Exhibit 3 to Attachment E
Compliance Measures Evaluation

Attachment E, Exhibit 3: Compliance Measures

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
WATER QUALITY/SEZ - IN PLACE				
1	BMP requirements, new development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	Y	The proposed Amendment makes no changes to the TCAP's BMP requirements and implementation programs.
2	BMP implementation program -- existing streets and highways: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	Y	
3	BMP implementation program -- existing urban development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	Y	
4	BMP implementation program -- existing urban drainage systems: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	Y	
5	Capital Improvements Program for Erosion and Runoff Control	WQ, Soils/SEZ, Trans, Fish	Y	The proposed amendment makes no changes to the TCAP's policies regarding implementation of the CIP.
6	Excess coverage mitigation program: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	Y	The proposed amendment does not change excess coverage mitigation requirements and is expected to accelerate the rate of excess coverage mitigation through Goals and Policies that promote redevelopment. The annexation of additional land into the TCAP is intended to promote redevelopment of those lands, including the reduction and mitigation of excess land coverage

7	Effluent limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): <i>Code of Ordinances</i> Chapter 5	WQ, Soils/SEZ, Fish	N	The effluent limitations in Chapter 5 of the TRPA Code of Ordinances are not being modified.
8	Limitations on new subdivisions: (See the Goals and Policies: Land Use Element)	WQ, Soils/SEZ, Rec, Scenic	N	All new subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances. No changes are proposed.
9	Land use planning and controls: See the Goals and Policies: Land Use Element and Code of Ordinances Chapters 11, 12, 13, 14, and 21	WQ, Soils/SEZ, Trans, Scenic	Y	The TCAP was developed to meet the requirements of Chapter 13, Area Plans, and to implement the 2012 Regional Plan. The proposed amendment is consistent with Chapter 13 and its incentives are intended to promote the redevelopment of the lands being annexed into the TCAP.
10	Residential development priorities, The Individual Parcel Evaluation System (IPES): Goals and Policies: Implementation Element and Code of Ordinances Chapter 53	WQ, Soils/SEZ	N	The TCAP maintains the existing Growth Management regulations, Chapters 50 through 53, of the TRPA Code. No changes are proposed with the amendment.

11	Limits on land coverage for new development: Goals and Policies: Land Use Element and Code of Ordinances Chapter 30	WQ, Soils/SEZ, Scenic	Y	The TCAP incorporates the existing land coverage provisions in Chapter 30 of the TRPA Code as well as the provisions that allow for high capability lands in Town Centers and the Regional Center to be covered up to 70%. It also includes provisions to protect and restore SEZs, maximize opportunities to remove or mitigate excess land coverage, implement EIP projects (including area wide water quality and erosion control projects), and accelerate BMP implementation. No changes are proposed with the amendment.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	WQ, Soils/SEZ	Y	The proposed amendment is consistent with Goal LU-6 which is included in the TCAP: To focus development in centers in order to maximize incentives and create transit-, bicycle-, and pedestrian-oriented places that serve the needs of both residents and visitors and LU-6.1: Encourage and allow for the revitalization and consolidation of development within centers by allowing for the transfer of residential units of use and tourist accommodation units that have been converted to commercial floor area pursuant to TRPA Code Section 50.10. Thus, the TCAP includes Goals and Policies from the Land Use Element and Implementation Element of the Regional Plan regarding the transfer of development.
13	Restrictions on SEZ encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 30	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The TCAP Amendment will not alter existing restrictions on SEZ encroachment and vegetation alteration in the TRPA Code of Ordinances, Chapter 30.
14	SEZ restoration program: Environmental Improvement Program.	WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic	N	The TCAP benefits the EIP's SEZ restoration program through policies and provisions for the protection and restoration of SEZs. No changes are proposed with the amendment.
15	SEZ setbacks: <i>Code of Ordinances</i> Chapter 53	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	SEZ setback requirements in the TRPA Code of Ordinances, Chapter 53, IPES, Section 53.9, were not altered by the TCAP. No changes are proposed.

16	Fertilizer reporting requirements: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	The TCAP maintains the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements. No changes are proposed with the amendment.
17	Water quality mitigation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
18	Restrictions on rate and/or amount of additional development	WQ, Soils/SEZ, Wildlife, Scenic	N	The TCAP incorporates the RPU's restrictions on the rate and amount of additional development. No changes are proposed.
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	Y	See response to Compliance Measures 1 through 4.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	N	The TCAP does not increase funding for EIP erosion and runoff control projects but may help to accelerate implementation. No changes are proposed with the amendment.
21	Artificial wetlands/runoff treatment program	WQ, Soils/SEZ	N	The TCAP does not alter the artificial wetlands/runoff treatment program. No changes are proposed in the amendment.
22	Transfer of development from SEZs	WQ, Soils/SEZ, Scenic	Y	The TCAP provides incentives for property owners to hasten the transfer of development rights from sensitive lands, including SEZs, or outlying areas to Town Centers and the Regional Center where redevelopment is better suited and will have beneficial or reduced adverse environmental impacts. No changes are proposed with the amendment.
23	Improved mass transportation	WQ, Trans, Noise	Y	The TCAP includes provisions for improved mass transportation from the Mobility 2035: Lake Tahoe Regional Transportation Plan. No changes are proposed with the amendment.
24	Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13	WQ, Soils/SEZ, Scenic	Y	One of the main objectives of the TCAP is to encourage the environmental redevelopment of the built environment and implement the Goals and Policies in the Land Use Element of the Regional Plan. Also see response to Compliance Measure 12. No changes are proposed with the amendment.
25	Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	No changes are being proposed that would impact these Compliance Measures. The existing TRPA Code of Ordinance provisions will remain in effect.

26	Elimination of accidental sewage releases: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	
27	Reduction of sewer line exfiltration: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	
28	Effluent limitations	WQ, Soils/SEZ	N	
29	Regulation of wastewater disposal at sites not connected to sewers: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
30	Prohibition on solid waste disposal: Goals and Policies: Land Use Element	WQ, Soils/SEZ		
31	Mandatory garbage pick-up: Goals and Policies: Public Service Element	WQ, Soils/SEZ, Wildlife	N	
32	Hazardous material/wastes programs: Goals and Policies: Land Use Element and <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
33	BMP implementation program, Snow and ice control practices: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, AQ	N	The TCAP did not change BMP requirements. See response to Compliance Measures 1 through 4. No changes are proposed with the amendment.
34	Reporting requirements, highway abrasives and deicers: Goals and Policies: Land Use Element and <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
35	BMP implementation program--roads, trails, skidding, logging practices: <i>Code of Ordinances</i> Chapter 60, Chapter 61	WQ, Soils/SEZ, Fish	N	
36	BMP implementation program--outdoor recreation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	
37	BMP implementation program--livestock confinement and grazing: <i>Code of Ordinances</i> Chapter 21, Chapter 60, Chapter 64	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	

38	BMP implementation program--pesticides	WQ, Soils/SEZ	N	
39	Land use planning and controls -- timber harvesting: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, AQ, Wildlife, Fish, Scenic	Y	The amendment will not alter the effectiveness of compliance measures relating to timber harvesting or outdoor recreation.
40	Land use planning and controls - outdoor recreation: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic	Y	
41	Land use planning and controls--ORV use: Goals and Policies: Recreation Element	WQ, Soils/SEZ, AQ, Wildlife, Fish, Noise, Rec, Scenic	N	Regional Plan Policy R-1.5 states that "Off-road vehicle (ORV) use is prohibited in the Lake Tahoe Region except on specified roads, trails, or designated areas where the impacts can be mitigated." The TCAP did not expand ORV use, and no changes are proposed with the amendment.
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	The existing TRPA Code provisions remain in effect, and no changes are proposed with the amendment.
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	The existing Code provisions related to the Shorezone remain in effect, and not changes are proposed that would impact Compliance Measures 43 through 50.

44	BMP implementation program--shorezone areas: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
45	BMP implementation program--dredging and construction in Lake Tahoe: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
46	Restrictions and conditions on filling and dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Soils/SEZ, Fish	N	
47	Protection of stream deltas	WQ, Soils/SEZ, Wildlife, Fish, Scenic	N	
48	Marina master plans: <i>Code of Ordinances</i> Chapter 14	WQ, AQ/Trans, Fish, Scenic	N	
49	Additional pump-out facilities: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
50	Controls on anti-fouling coatings: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
51	Modifications to list of exempt activities	WQ, Soils/SEZ	N	The TCAP did not alter the list of exempt activities. No changes are proposed.
WATER QUALITY/SEZ - SUPPLEMENTAL				
52	More stringent SEZ encroachment rules	WQ, Soils/SEZ, Wildlife, Fish	N	The proposed amendment does not include any provisions that would impact Compliance Measures 52 through 61.
53	More stringent coverage transfer requirements	WQ, Soils/SEZ	N	
54	Modifications to IPES	WQ, Soils/SEZ	N	
55	Increased idling restrictions	WQ, Soils/SEZ, AQ	N	
56	Control of upwind pollutants	WQ, Soils/SEZ, AQ	N	
57	Additional controls on combustion heaters	WQ, Soils/SEZ, AQ	N	

58	Improved exfiltration control program	WQ, Soils/SEZ	N	
59	Improved infiltration control program	WQ, Soils/SEZ	N	
60	Water conservation/flow reduction program	WQ, Soils/SEZ, Fish	N	
61	Additional land use controls	WQ, Soils/SEZ, Wildlife	N	
AIR QUALITY/TRANSPORTATION - IN PLACE				
62	Fixed Route Transit - South Shore: STAGE	Trans, Rec	N	The TCAP includes Goals and Policies that support the implementation of the City's General Plan, adopted Mobility 2035: Lake Tahoe Regional Transportation Plan, and Lake Tahoe Region Bicycle and Pedestrian Plan (refer to the TCAP, Section 6, Transportation). The plans include a number of projects to improve pedestrian and bike access, including the U.S. 50 South Shore Community Revitalization Project (Loop Road), South Tahoe Greenway, and Pioneer Trail Pedestrian Upgrades. These elements of the TCAP are expected to accelerate implementation of Compliance Measures 71 & 72. No changes are proposed with the amendment.
63	Fixed Route Transit - North Shore: TART	Trans, Rec	N	
64	Demand Responsive Transit - South Shore: Bus Plus, STAGE	Trans	N	
65	Seasonal Trolley Services - North and South Shores: South Shore TMA and Truckee-North Tahoe TMA	Trans, Rec	N	
66	Social Service Transportation	Trans	N	
67	Shuttle programs	Trans	N	
68	Ski shuttle services	Trans, Rec	N	
69	Intercity bus services	Trans	N	
70	Passenger Transit Facilities: South Y Transit Center	Trans	N	
71	Bikeways, Bike Trails	Trans, Noise, Rec, Scenic	Y	
72	Pedestrian facilities	Trans, Rec, Scenic	Y	
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The TRPA Code provisions related to Compliance Measures 73 through 75 remain in effect, and no changes are proposed with the amendment.
74	Gas heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
75	Stationary source controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	

76	U.S. Postal Service Mail Delivery	Trans	N	The TCAP amendment will not impact U.S. Postal Service Delivery.
77	Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The TRPA Code provisions related to Compliance Measures 77 through 78 remain in effect, and no changes are proposed with the amendment.
78	Idling Restrictions: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
79	Vehicle Emission Limitations(State/Federal)	WQ, AQ	N	No changes are proposed to the Code's provisions related to established vehicle emission limitations.
80	Open Burning Controls: <i>Code of Ordinances</i> Chapters 61 and Chapter 65	WQ, AQ, Scenic	N	No changes are proposed.
81	BMP and Revegetation Practices	WQ, AQ, Wildlife, Fish	Y	See response to Compliance Measures 1 through 4.
82	Employer-based Trip Reduction Programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	No changes are proposed.
83	Vehicle rental programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	
84	Parking Standards	Trans	Y	No changes are proposed.
85	Parking Management Areas	Trans	Y	
86	Parking Fees	Trans	Y	
87	Parking Facilities	Trans	Y	
88	Traffic Management Program - Tahoe City	Trans	N	
89	US 50 Traffic Signal Synchronization - South Shore	Trans	Y	
90	General Aviation, The Lake Tahoe Airport	Trans, Noise	N	
91	Waterborne excursions	WQ, Trans, Rec	N	
92	Waterborne transit services	WQ, Trans, Scenic	N	
93	Air Quality Studies and Monitoring	WQ, AQ	N	
94	Alternate Fueled Vehicle - Public/Private Fleets and Infrastructure Improvements	Trans	N	
95	Demand Responsive Transit - North Shore	Trans	N	

96	Tahoe Area Regional Transit Maintenance Facility	Trans	N	
97	Heavenly Ski Resort Gondola	Trans	N	
AIR QUALITY/TRANSPORTATION - SUPPLEMENTAL				
98	Demand Responsive Transit - North Shore	Trans	N	No changers are proposed.
99	Coordinated Transit System - South Shore	Trans	Y	
100	Transit Passenger Facilities	Trans	Y	
101	South Shore Transit Maintenance Facility - South Shore	Trans	N	
102	Transit Service - Fallen Leaf Lake	WQ, Trans	N	
103	Transit Institutional Improvements	Trans	Y	
104	Transit Capital and Operations Funding Acquisition	Trans	N	
105	Transit/Fixed Guideway Easements - South Shore	Trans	Y	
106	Visitor Capture Program	Trans	N	
107	Pedestrian and Bicycle Facilities--South Shore	Trans, Rec	Y	
108	Pedestrian and Bicycle Facilities--North Shore	Trans, Rec	N	
109	Parking Inventories and Studies Standards	Trans	N	
110	Parking Management Areas	Trans	N	
111	Parking Fees	Trans	N	
112	Establishment of Parking Task Force	Trans	N	
113	Construct parking facilities	Trans	Y	
114	Intersection improvements--South Shore	Trans, Scenic	Y	
115	Intersection improvements--North Shore	Trans, Scenic	N	
116	Roadway Improvements - South Shore	Trans, Scenic	Y	
117	Roadway Improvements - North Shore	Trans, Scenic	N	
118	Loop Road - South Shore	Trans, Scenic	Y	
119	Montreal Road Extension	Trans	N	

120	Kingsbury Connector	Trans	Y	
121	Commercial Air Service: Part 132 commercial air service	Trans	N	
122	Commercial Air Service: commercial air service that does not require Part 132 certifications	Trans	N	
123	Expansion of waterborne excursion service	WQ, Trans	N	
124	Re-instate the oxygenated fuel program	WQ, AQ	N	
125	Management Programs	Trans	N	
126	Around the Lake Transit	Trans	N	
VEGETATION - IN PLACE				
127	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	WQ, AQ, Veg, Scenic	N	The TCAP did not alter the provisions of Chapter 33, and no changes are proposed with the amendment.
128	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	The TCAP did not alter the provisions of Chapter 61, and no changes are proposed with the amendment.
129	Prescribed Burning: <i>Code of Ordinances</i> Chapter 61	WQ, AQ, Veg, Wildlife, Scenic	N	
130	Remedial Vegetation Management: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife	N	
131	Sensitive and Uncommon Plant Protection and Fire Hazard Reduction: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	
132	Revegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Scenic	N	
133	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	WQ, Veg	N	The TCAP, as amended, is consistent with Chapter 5 of the TRPA Code.
134	Handbook of Best Management Practices	WQ, Soils/SEZ, Veg, Fish	N	The Handbook of Best Management Practices will continue to be used to design and construct BMPs.

135	Shorezone protection	WQ, Soils/SEZ, Veg	N	See response to Compliance Measures 43 through 50.
136	Project Review	WQ, Veg	Y	Projects within the annexation area will be reviewed according to the MOU between the City and TRPA.
137	Compliance inspections	Veg	Y	
138	Development Standards in the Backshore	WQ, Soils/SEZ, Veg, Wildlife, Scenic	N	See response to Compliance Measures 43 through 50.
139	Land Coverage Standards: <i>Code of Ordinances</i> Chapter 30	WQ, Veg, Wildlife, Fish, Scenic	N	See response to Compliance Measure 11.
140	Grass Lake, Research Natural Area	WQ, Veg, Wildlife, Fish, Scenic	N	N/A
141	Conservation Element, Vegetation Subelement: Goals and Policies	Veg, Wildlife, Fish	N	No changes are proposed.
142	Late Successional Old Growth (LSOG): <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Fish	N	No changes are proposed.
143	Stream Environment Zone Vegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Fish	N	
144	Tahoe Yellow Cress Conservation Strategy	Veg	N	No changes are proposed.
145	Control and/or Eliminate Noxious Weeds	Veg, Wildlife	N	
146	Freel Peak Cushion Plant Community Protection	Veg	N	N/A
VEGETATION - SUPPLEMENTAL				
147	Deepwater Plant Protection	WQ, Veg	N	No changes are proposed.
WILDLIFE - IN PLACE				
148	Wildlife Resources: <i>Code of Ordinances</i> Chapter 62	Wildlife, Noise	N	No changes are proposed.

149	Stream Restoration Program	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	No changes are proposed.
150	BMP and revegetation practices	WQ, Veg, Wildlife, Fish, Scenic	N	No changes are proposed.
151	OHV limitations	WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec	N	No changes are proposed.
152	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Wildlife	N	See response to Compliance Measure 133.
153	Project Review	Wildlife	Y	See response to Compliance Measures 136 and 137.
FISHERIES - IN PLACE				
156	Fish Resources: <i>Code of Ordinances</i> Chapter 63	WQ, Fish	N	No changes are proposed.
157	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Wildlife, Fish	N	The TCAP does not change tree removal provisions of Chapter 61.
158	Shorezone BMPs	WQ, Fish	N	See response to Compliance Measures 43 through 50.
159	Filling and Dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	
160	Location standards for structures in the shorezone: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	
161	Restrictions on SEZ encroachment and vegetation alteration	WQ, Soils/SEZ, Fish	N	No changes are proposed.
162	SEZ Restoration Program	WQ, Soils/SEZ, Fish	N	No changes are proposed.
163	Stream restoration program	WQ, Soils/SEZ, Fish	N	No changes are proposed.
164	Riparian restoration	WQ, Soils/SEZ, Fish	N	

165	Livestock: <i>Code of Ordinances</i> Chapter 64	WQ, Soils/SEZ, Fish	N	
166	BMP and revegetation practices	WQ, Fish	N	See response to Compliance Measures 1 through 4.
167	Fish habitat study	Fish	N	No changes are proposed.
168	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Fish	N	See response to Compliance Measure 133.
169	Mitigation Fee Requirements: <i>Code of Ordinances</i> Chapter 86	Fish	N	No changes are proposed.
170	Compliance inspection	Fish	N	No changes are proposed.
171	Public Education Program	Wildlife, Fish	N	The TCAP does not include a public education component, but does address the City's education and outreach efforts regarding green building. No changes are proposed.
NOISE - IN PLACE				
172	Airport noise enforcement program	Wildlife, Fish	N	No changes are proposed.
173	Boat noise enforcement program	Wildlife, Fish, Rec	N	
174	Motor vehicle/motorcycle noise enforcement program: <i>Code of Ordinances</i> Chapters 5 and 23	Wildlife, Fish	N	
175	ORV restrictions	AQ, Wildlife, Noise, Rec	N	No changes are proposed.
176	Snowmobile Restrictions	WQ, Wildlife, Noise, Rec	N	
177	Land use planning and controls	Wildlife, Noise	N	See response to Compliance Measure 9.
178	Vehicle trip reduction programs	Trans, Noise	Y	The TCAP should reduce VMT via installation of pedestrian and bike paths and improving public transit. No changes are proposed.
179	Transportation corridor design criteria	Trans, Noise	Y	The City of South Lake Tahoe, CalTrans, and Mobility 2035 standards will continue to apply, where applicable.
180	Airport Master Plan South Lake Tahoe	Trans, Noise	N	N/A

181	Loudspeaker restrictions	Wildlife, Noise	N	No changes are proposed.
182	Project Review	Noise	N	See response to Compliance Measures 136 and 137.
183	Complaint system: <i>Code of Ordinances</i> Chapters 5 and 68	Noise	N	Existing compliant systems are not being modified.
184	Transportation corridor compliance program	Trans, Noise	N	None of these compliance measures will be modified with the TCAP Amendment.
185	Exemptions to noise limitations	Noise	N	
186	TRPA's Environmental Improvement Program (EIP)	Noise	N	
187	Personal watercraft noise controls	Wildlife, Noise	N	
NOISE - SUPPLEMENTAL				
188	Create an interagency noise enforcement MOU for the Tahoe Region.	Noise	N	An interagency noise enforcement MOU for the Tahoe Region is not being proposed as part of the TCAP amendment.
RECREATION - IN PLACE				
189	Allocation of Development: <i>Code of Ordinances</i> Chapter 50	Rec	N	See response to Compliance Measure 10.
190	Master Plan Guidelines: <i>Code of Ordinances</i> Chapter 14	Rec, Scenic	N	No changes are proposed.
191	Permissible recreation uses in the shorezone and lake zone: <i>Code of Ordinances</i> Chapter 81	WQ, Noise, Rec	N	See response to Compliance Measures 43 through 50.
192	Public Outdoor recreation facilities in sensitive lands	WQ, Rec, Scenic	N	The TCAP amendment is not altering provisions regarding public outdoor recreation in sensitive lands.
193	Hiking and riding facilities	Rec	Y	The TCAP includes hiking and riding facilities reflected in the adopted Mobility 2035: Lake Tahoe Regional Transportation Plan and Lake Tahoe Region Bicycle and Pedestrian Plan. Therefore, the TCAP is expected to accelerate implementation of this compliance measure. No changes are proposed with the amendment.

194	Scenic quality of recreation facilities	Rec, Scenic	N	All proposals for new recreation facilities within the TCAP will have to meet Scenic Quality standards. No changes are proposed.
195	Density standards	Rec	N	Table 4: Lot and Density Standards, prescribes density standards consistent with Regional Plan's limits. The standards for the TCAP Gateway District will apply to the annexation area proposed in the Amendment.
196	Bonus incentive program	Rec	N	The TCAP amendment does not alter existing bonus incentive programs.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	All applicable TRPA Code Of Ordinance findings will continue to have to be met with the future approval of projects within the TCAP, as amended.
198	Lake Tahoe Recreation Sign Guidelines	Rec, Scenic	N	No changes are proposed.
199	Annual user surveys	Rec	N	No changes are proposed.
RECREATION - SUPPLEMENTAL				
200	Regional recreational plan	Rec	Y	No changes are proposed.
201	Establish fairshare resource capacity estimates	Rec	N	The TCAP does not establish or alter fair share resource capacity estimates, alter reservations of additional resource capacity, or include economic modeling. No changes are proposed with the amendment.
202	Reserve additional resource capacity	Rec	N	
203	Economic Modeling	Rec	N	
SCENIC - IN PLACE				
204	Project Review and Exempt Activities: <i>Code of Ordinances</i> Chapter 2	Scenic	Y	See response to Compliance Measures 136 and 137.
205	Land Coverage Limitations: <i>Code of Ordinances</i> Chapter 30	WQ, Scenic	Y	See response to Compliance Measure 11.

206	Height Standards: <i>Code of Ordinances</i> Chapter 37	Scenic	Y	The TCAP Development and Design Standards (see Table 7) include height standards that are consistent with Chapter 37 of the TRPA Code of Ordinances, as well as take advantage of the new height provisions in the Regional Plan and Chapter 13 of the TRPA Code of Ordinances. The TCAP amendment prescribes performance standards that must be met for tourist accommodation uses in the annexation area to be eligible for additional height up to 56 feet in the Gateway District.
207	Driveway and Parking Standards: <i>Code of Ordinances</i> Chapter 34	Trans, Scenic	Y	No changes are proposed.
208	Signs: <i>Code of Ordinances</i> Chapter 38	Scenic	Y	No changes are proposed.
209	Historic Resources: <i>Code of Ordinances</i> Chapter 67	Scenic	N	See response to Compliance Measures 16 and 17.
210	Design Standards: <i>Code of Ordinances</i> Chapter 36	Scenic	Y	No changes are proposed.
211	Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83	Scenic	N	See response to Compliance Measures 43 through 50.
212	Development Standards Lakeward of Highwater: <i>Code of Ordinances</i> Chapter 84	WQ, Scenic	N	

213	Grading Standards: <i>Code of Ordinances</i> Chapter 33	WQ, Scenic	N	No changes are proposed.
214	Vegetation Protection During Construction: Code of Ordinances Chapter 33	AQ, Veg, Scenic	N	
215	Revegetation: <i>Code of Ordinances</i> Chapter 61	Scenic	N	See response to Compliance Measures 16 and 17.
216	Design Review Guidelines	Scenic	Y	No changes are proposed.
217	Scenic Quality Improvement Program(SQIP)	Scenic	Y	See response to Compliance Measure 194.
218	Project Review Information Packet	Scenic	N	
219	Scenic Quality Ratings, Features Visible from Bike Paths and Outdoor Recreation Areas Open to the General Public	Trans, Scenic	Y	
220	Nevada-side Utility Line Undergrounding Program	Scenic	Y	N/A
SCENIC - SUPPLEMENTAL				
221	Real Time Monitoring Program	Scenic	N	No changes to the real time monitoring program are being proposed with the TCAP amendment.
222	Integrate project identified in SQIP	Scenic	Y	The TCAP amendment is expected to result in an increased rate of redevelopment in the Gateway District, which would increase the rate of SQIP project implementation.

Attachment F

Draft TRPA Adopting Ordinance

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2020-__

AN AMENDMENT TO ORDINANCE NO. 2020-03, AS PREVIOUSLY AMENDED, TO ADOPT
AMENDMENTS TO THE TOURIST CORE AREA PLAN AND BOUNDARY LINE AMENDMENTS TO THE
BIJOU-AL TAHOE COMMUNITY PLAN

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

Section 1.00 Findings

- 1.10 It is desirable to amend TRPA Ordinance 2020-03 by amending the Tourist Core Area Plan and Bijou-Al Tahoe Community Plan to further implement the Regional Plan pursuant to Article VI (a) and other applicable provisions of the Tahoe Regional Planning Compact.
- 1.20 The Tourist Core Area Plan and Community Plan amendments were the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The Tourist Core Area Plan and Community Plan amendments have been determined not to have a significant effect on the environment and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.
- 1.30 The Advisory Planning Commission (APC) and the Governing Board have each conducted a noticed public hearing on the proposed Tourist Core Area Plan and Community Plan amendments. The APC has recommended Governing Board adoption of the necessary findings and adopting ordinance. At these hearings, oral testimony and documentary evidence were received and considered.
- 1.40 The Governing Board finds that the Tourist Core Area Plan and Community Plan amendments adopted hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.
- 1.50 Prior to the adoption of these amendments, the Governing Board made the findings required by Section 4.5 of the TRPA Code of Ordinances, and Article V(g) of the Compact.
- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 TRPA Code of Ordinances Amendments

Ordinance 2020-03, as previously amended, is hereby amended by amending the Tourist Core Area Plan and the Bijou-Al Tahoe Community Plan as set forth in Exhibit 1.

Section 3.00 Interpretation and Severability

The provisions of this ordinance amending the TRPA Code of Ordinances adopted hereby shall be liberally construed to affect their purposes. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and the amendments to the Regional Plan Package shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Regional Plan Package are hereby declared respectively severable.

Section 4.00 Effective Date

The provisions of this ordinance amending the Tourist Core Area Plan and Bijou-Al Tahoe Community Plan shall become effective on_____

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held on _____, 2020, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

William Yeates, Chair
Tahoe Regional Planning Agency,
Governing Board