

# **CALIFORNIA TAHOE CONSERVANCY**

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## **REVISED SOUTH TAHOE GREENWAY SHARED-USE TRAIL PROJECT**

State Clearinghouse Number: 2006112070

### **FINAL ENVIRONMENTAL DOCUMENTATION PACKAGE**

September 2, 2011

## MITIGATED NEGATIVE DECLARATION

**PROJECT:** Revised South Tahoe Greenway Shared-Use Trail Project

**LEAD AGENCY:** California Tahoe Conservancy

### PROJECT DESCRIPTION

This combined Initial Study and Mitigated Negative Declaration (IS/MND) evaluates the environmental effects of the proposed Revised South Tahoe Greenway Shared-Use Trail Project (Greenway). The Greenway establishes a Class 1 or better trail and provides the backbone of the bicycle trail network in the core of South Lake Tahoe, linking residential and lodging uses to jobs, schools, shopping, and recreation and community areas. The 3.86 miles of proposed new trail linking Sierra Tract with Van Sickle Bi-State Park incorporates a section of existing bike trail at the South Lake Tahoe Community Play Fields and completes a bicycle network connection of over four miles. The Greenway generally follows the former Caltrans U.S. Highway 50 Bypass Corridor and rights-of-way (former Caltrans ROW), encompassing portions of other public and private parcels nearby as needed to improve the connection or reduce or avoid environmental effects.

### FINDINGS

An IS/MND has been prepared to assess the project's potential effects on the environment and the significance of those effects. Based on the IS/MND, it has been determined that the proposed project would not have any significant effects on the environment after implementation of mitigation measures. This conclusion is supported by the following findings:

1. The proposed project would have no effects related to mineral resources.
2. The proposed project would have a less-than-significant impact on agricultural and forest resources, air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, greenhouse gas emissions, noise, population and housing, recreation, and utilities and service systems.
3. Mitigation is required to reduce potentially significant impacts related to aesthetics/scenic, biological resources, cultural resources, public services, and transportation/traffic.

The following mitigation measures would be implemented by the California Tahoe Conservancy (Conservancy) to avoid or minimize environmental impacts. Implementation of these mitigation measures would reduce the environmental impacts of the proposed project to a less-than-significant level.

#### ***SCENIC-1. Reduce Tree Removal***

The Greenway shall be realigned within view of Pioneer Trail in locations possible to retain existing trees. Additional tree retention between Herbert and Blackwood Ave retains screening for existing man-made features.

### ***SCENIC-2. Create Additional Screening***

During construction plan development, locations where fencing and additional landscaping can improve screening shall be identified for existing development, including: relocation of the existing privacy fence on parcel APN 025-021-38, potentially sufficient to allow frontage planting; adding tree plantings in selected locations according to the Revegetation and Restoration Plans (RRPs) detailed in Appendix D; and where screening is necessary and safety will not be compromised, increasing screening to reduce impacts to man-made features.

### ***SCENIC-3. Retain Slender Elements in the Safety Railing Design***

As noted for Question 147, the safety railing proposal that incorporates cable elements requires excessive maintenance when located where snow storage from roadways is necessary. Alternate designs more suited to maintenance needs shall be required. As construction plans develop, alternatives to the cable elements shall remain slender and allow easy visual penetration.

### ***SCENIC-4. Reduce Retaining Wall Height and Length***

Retaining walls proposed for the Greenway near Ski Run Blvd shall be redesigned to be no more than eight feet tall to comply with City design standards. Retaining walls that require height greater than eight feet shall be designed with multiple tiered wall planes and stepped up the hillside. Further, no long, straight unbroken retaining walls (greater than 100 feet in length) with little or no articulation or other surface features shall be allowed.

### ***BIO-1. Active Raptor and Migratory Bird Nest Site and Wildlife Nursery Site Protection Program***

The Program shall include surveys, consultation, and protective actions. Pre-construction surveys, conducted during the nesting/breeding season immediately prior to initial project construction (e.g., excavation, grading and tree removal), shall be conducted to identify any active raptor or migratory bird nest sites and wildlife nursery sites within the project area. During initial construction activities (tree removal and excavation for the construction), a qualified biological monitor shall evaluate whether any raptors or migratory birds are occupying trees or whether any wildlife den/nursery sites are within the project area. The biological monitor shall have the authority to stop construction near occupied trees or nursery sites if it appears to be having a negative impact on nesting raptors or migratory birds or their young observed within the construction zone. If construction must be stopped, the monitor shall consult with TRPA staff within 24 hours (and LTBMU staff in locations on LTBMU lands) to determine appropriate actions to restart construction while reducing impacts to identified nursery sites, raptors or migratory bird nests.

### ***BIO-2. Avoid Sensitive Plants or Prepare Sensitive Plant Protection Program***

If pre-project surveys identify sensitive plant species, the Conservancy shall develop a Sensitive Plant Protection Program to mitigate impacts to LTBMU Sensitive, CNPS and TRPA Special Status Plant Species. Program features shall include:

Avoidance. Impacts to rare plant populations identified from the rare plant surveys shall be avoided where feasible by reconfiguring project design and fencing rare plant populations to prevent encroachment.

Identify, Select, and Restore or Purchase Mitigation Sites. If avoidance is not feasible, the Conservancy together with input from the TRPA and LTBMU when applicable shall identify opportunities for

mitigation of sensitive plants impacts from Greenway construction and operation. Mitigation is not limited to but may include a single, or combination of the following items: restoration of degraded sensitive plant habitat owned by the Conservancy, purchase of mitigation sites, negotiation of conservation easements, or habitat restoration in off-site, degraded rare plant populations to compensate for unavoidable impacts.

Prepare a Special Status Plant Species Mitigation & Monitoring Plan. If avoidance is not feasible, the Conservancy shall produce a mitigation and monitoring plan to follow the CNPS and CDFG guidelines to comply with Chapter 10 of CDFG Native Plant Protection Policy and TRPA Code Subsection 75.2.A.

### ***BIO-3. Wildlife Protection Program***

Pre-construction surveys, conducted during the nesting/breeding season immediately prior to initial project construction (e.g., excavation, grading and tree removal), shall occur for the following species: mountain yellow-legged frog, California yellow warbler, northern goshawk, and California spotted owl. Surveys will be performed wherever construction activities will occur in suitable habitat as illustrated in Figure 27. Survey methods shall be approved by TRPA, and CTC and LTBMU (when occurring on LTBMU lands) prior to commencement of surveys. Survey methods shall follow the accepted regional protocol. Survey results shall be submitted for approval to the TRPA, CTC and LTBMU prior to construction activities. If sensitive wildlife species are found, project redesign shall occur to avoid these resources. During initial construction activities (i.e., tree removal and excavation for the construction), a qualified biological monitor shall be on-site to evaluate if construction activities disturb the identified wildlife resources. The biological monitor shall have the authority to suspend construction near known wildlife territories if such activities appear to cause a negative impact on nesting raptors or migratory birds or their young observed within the construction area. If construction is suspended, the monitor shall consult with TRPA and/or LTBMU staff, as appropriate, within 24 hours to determine appropriate actions to restart construction while reducing impacts to identified wildlife individuals, pairs or territories.

### ***CUL-1. Cultural Resource Monitoring Program***

A qualified archaeological monitor shall be present during initial ground disturbing activities to identify previously unknown significant or potentially significant historical and archaeological resources that may be eligible for inclusion in the NRHP, the CRHR, or eligible for designation as a TRPA historical resource, and to identify any unanticipated or inadvertent impacts to known historical or archaeological resources. A qualified archaeological monitor shall be on-site during active construction and shall inspect ground disturbing activities for the presence of cultural resources. The responsibilities of the archaeological monitor shall include: inspecting, documenting, and describing cultural material identified during monitoring; communicating with construction personnel; and notifying agencies (e.g., LTBMU, the SHPO, and TRPA) if previously unidentified historical or archaeological resources are encountered that may be eligible for inclusion in the NRHP, the CRHR or eligible for designation as a TRPA historical resource. Archaeological monitors shall have the authority to halt construction activities that have the potential to disturb significant historical or archaeological resources until appropriate measures can be implemented.

Ground disturbing activities in the vicinity of the resource shall cease if the archaeological monitor determines that continuation of activity shall affect a significant historical or archaeological property, or if human remains are identified. If the archaeological monitor identifies cultural material but is unable to determine whether the resumption of the construction activity will affect historical or archaeological resources that may be eligible for listing, the monitor shall contact the appropriate agency official. Subsequent notification and consultation shall follow regulations pertaining to the evaluation of

significance, assessment of effects, and consultation with the SHPO and the ACHP, as appropriate (36 CFR, part 800.4 through 800.9).

***PS-1. Improve Safety Railing along Pioneer Trail***

The safety railing along Pioneer Trail shall be redesigned using a more durable design capable of withstanding snow storage requirements with fewer maintenance needs.

***TRAFFIC-1. Enhance Select Greenway Intersections to Reduce Vehicle Speeds and Increase Visibility***

To enhance crossing treatments at specific locations and to reduce vehicle speeds and increase crossing visibility, the project shall include the following measures:

- Becka Dr local road mid-block crossing: Install all-way stop control at the Glenwood Way/Becka Dr/Rancho Way intersection to slow vehicles approaching the Becka Drive crossing location from Glenwood Way. Installing all-way stop control does not change the vehicle level of service at the intersection. Relocate the proposed trail crossing of Glenwood Way from the mid-block location near Bruce Drive to south side of Glenwood/Becka Drive intersection at the stop sign as documented in Figure 34. This relocation eliminates the need to provide warning lights for the Glenwood Way crossing.
- Keller Rd collector road mid-block crossing: Install the warning signal before the curve and at the trail in the westbound direction.
- Larch Ave local road mid-block crossing: Install “bike crossing ahead” pavement markings before the curve in the westbound direction.
- Rocky Point (South) local road mid-block crossing: Install “bike crossing ahead” pavement markings before the curve in the westbound direction.
- Glen Rd-Rocky Point (North) local road mid-block crossing: Install “bike crossing ahead” pavement markings before the curve in the westbound direction.

Questions or comments regarding this MND may be addressed to:

Valerie Namba  
California Department of General Services  
RESD-Environmental Services Section  
P.O. Box 989052  
707 Third Street, 3rd Floor Mailstop 3-509  
West Sacramento, CA 95798-9052  
(916) 376-1607 Direct  
(916) 376-1600 Main  
(916) 376-1606 Fax  
Environmental@dgs.ca.gov

## APPROVAL OF INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Certification by Those Responsible for Preparation of this Document. The Conservancy has been responsible for the preparation of this mitigated negative declaration and the incorporated initial study. I believe this document meets the requirements of the California Environmental Quality Act, is an accurate description of the proposed project, and that the lead agency has the means and commitment to implement the project design measures that will assure the project does not have any significant, adverse effects on the environment. I recommend approval of this document.



Valerie Namba, Senior Environmental Planner  
California Department of General Services

9-2-11

Date

Approval of the Project by the Lead Agency. Pursuant to Section 21082.1 of the California Environmental Quality Act, the California Tahoe Conservancy Board has independently reviewed and analyzed the initial study and mitigated negative declaration for the proposed project and finds that the initial study and mitigated negative declaration for the proposed project reflect the independent judgment of the California Tahoe Conservancy Board. The lead agency finds that the project design features will be implemented as stated in the mitigated negative declaration.

I hereby approve this project.

\_\_\_\_\_  
Patrick Wright, Executive Officer  
California Tahoe Conservancy

\_\_\_\_\_  
Date

# NOTICE OF DETERMINATION

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To: Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

From: California Tahoe Conservancy  
1601 Third Street  
South Lake Tahoe, CA 96150

County Clerk  
County of El Dorado  
360 Fair Lane  
Placerville, CA 95667

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

**Project Title:** Revised South Tahoe Greenway Shared-Use Trail

<u>2006112070</u>	<u>Sue Rae Irelan</u>	<u>(530) 525-9137</u>
State Clearinghouse Number	Contact Person	Phone Number

**Project Location:** City of South Lake Tahoe, CA.

## Project Description:

The Greenway establishes a Class 1 or better trail and provides the backbone of the bicycle trail network in the core of South Lake Tahoe, linking residential and lodging uses to jobs, schools, shopping, and recreation and community areas. The 3.86 miles of proposed new trail linking Sierra Tract with Van Sickle Bi-State Park incorporates a section of existing bike trail at the South Lake Tahoe Community Play Fields and completes a bicycle network connection of over four miles. The Greenway generally follows the former Caltrans U.S. Hwy 50 Bypass Corridor and rights-of-way (former Caltrans ROW), encompassing portions of other public and private parcels nearby as needed to improve the connection or reduce or avoid environmental effects.

This is to advise that the California Tahoe Conservancy Board has approved the above described project on September 15, 2011 and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration was adopted for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation monitoring and reporting plan was adopted for this project.

This is to certify that the Mitigated Negative Declaration with comments and responses and record of project approval is available to the general public at the California Tahoe Conservancy, 1601 Third Street, South Lake Tahoe, California, 96150.

September 16, 2011

\_\_\_\_\_  
Patrick Wright, Executive Officer  
California Tahoe Conservancy

Date Received for Filing and Posting at OPR:

## **RESPONSE TO COMMENTS**

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Comments in the form of letters, emails and personal communications were received from agencies and members of the public on the project. Each letter is provided on the following pages along with a formal response to the comments. Letters were received from:

- Letter 1 – Cass Rosenberg, 15 June 2011
- Letter 2 - Charles Nelson, 15 June 2011
- Letter 3 – Emilena Sandra Chavez, 10 June 2011
- Letter 4 – Karen Kuentz, 1 July 2011
- Letter 5 – Hilary Hodges, City of South Lake Tahoe, 5 July 2011
- Letter 6 – Tobi Tyler, California Regional Water Quality Control Board, Lahontan Region, 8 July 2011

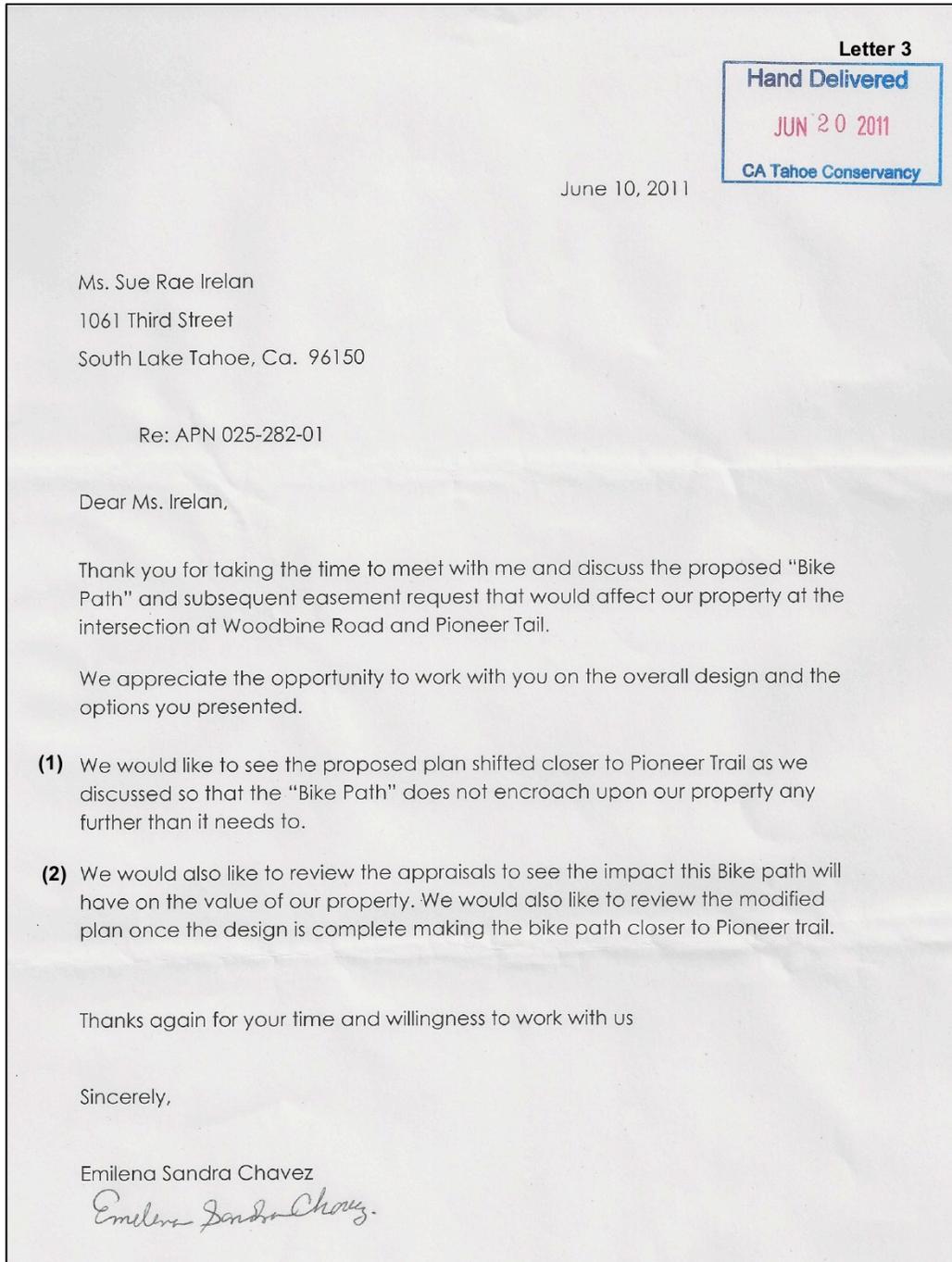
**Letter 1 - Rosenberg, 15 June 2011**

South Tahoe Greenway Shared – Use Trail Project Comment Form	<b>Letter 1</b>
We welcome public comments on the South Tahoe Greenway Shared Use Trail Initial Study/Proposed Mitigated Negative Declaration, Initial Environmental Checklist, and Environmental Assessment (IS/IEC/EA). The public may view the IS/IEC/EA at the offices of the TRPA, California Tahoe Conservancy, and the U.S. Forest Service Lake Tahoe Basin Management Unit or at the South Lake Tahoe El Dorado County library. The document is available for download at <a href="http://www.tahoe.ca.gov">www.tahoe.ca.gov</a> or for purchase at Staples.	
Comment (s):	
(1) <i>With addition of bicycle padlocking system this will be an awesome trail</i>	
<i>Thank you Jy + csc + Forest Dept for presenting</i>	
Name: <u><i>CM Rosenberg</i></u>	
Address: <u><i>POB 8944, SLT, CA 96158</i></u>	
Email: _____	
Phone: _____	
The public comment period closes on July 1, 2011. Please submit comments by that date to:	
Valerie Namba, California Dept. of General Services RESD-Environmental Services Section P.O. Box 989052 West Sacramento, CA 95798-9052 Environmental@dgs.ca.gov	

**Response to Comment 1-1.** Comment noted. Bicycle racks, generally located at destination or rest stop locations, will be considered during final plan development.



**Letter 3 - Chavez, 10 June 2011**



**Response to Comment 3-1.** The Final IS/MND incorporates a project revision to relocate the trail at the intersection of Pioneer Trail and Woodbine to reduce private property encroachment. See sheet L1-2.00-14 (Map Insert B) from Appendix C in the following section for more details of the proposed trail relocation. The trail relocation requires approximately 100 feet of additional guardrail along Pioneer Trail between a private driveway and Woodbine Road. Relocation of the trail closer to Pioneer Trail places the finish elevation higher than the current location, requiring a short section of retaining wall on the side opposite Pioneer Trail to maintain grade. Guardrail use is evaluated in the Scenic (Question 5) and Public

Services (Question 147) sections of the Initial Study. This change represents a minor revision and does not alter the evaluation of effects on these issues or services. The retaining wall will not violate City height limitations and will not be visible from Pioneer Trail. No changes to tree removal, coverage, or other effects identified in the evaluation result from this relocation.

**Response to Comment 3-2.** The Conservancy will prepare required appraisals for easement acquisition and share them with Mrs. Sanchez. The Conservancy will also collaborate on final plan development with adjacent property owners. .

## Letter 4 - Kuentz, 1 July 2011

**Letter 4**

**From:** krkuentz@aol.com [mailto:krkuentz@aol.com]  
**Sent:** Friday, July 01, 2011 11:33 AM  
**To:** Environmental@DGS  
**Subject:** South Lake Tahoe Greenway project - comment

Hello - sorry this is so late.

My comments are as follows:

1. I applaud your use of boardwalks through the Bijou Meadow.
2. I suggest that you reconsider the decision not to use boardwalks in the lot at the northeast corner of Glenwood and Becka - this area is very wet each spring.
3. re: the stop sign on the north side of the Glenwood/Becka/Rancho intersection: I suggest that you consider placing this stop sign farther out into the intersection. Right now, this intersection is quite large, and cars coming from Rancho are inclined to move quickly through the stop sign. Plus, since the intersection is so large, the cars coming from the north might be moving through the intersection, after stopping at the sign, while bicyclists or others are using the crosswalk on the south side of the intersection. If the intersection is made smaller, and the north stop sign is therefore closer to the crosswalk, everyone might be safer.

Thank you.

Karen Kuentz  
3360 Becka Dr.  
S. Lake Tahoe  
[krkuentz@aol.com](mailto:krkuentz@aol.com)  
530-542-1088

**Response to Comment 4-1.** Comment noted.

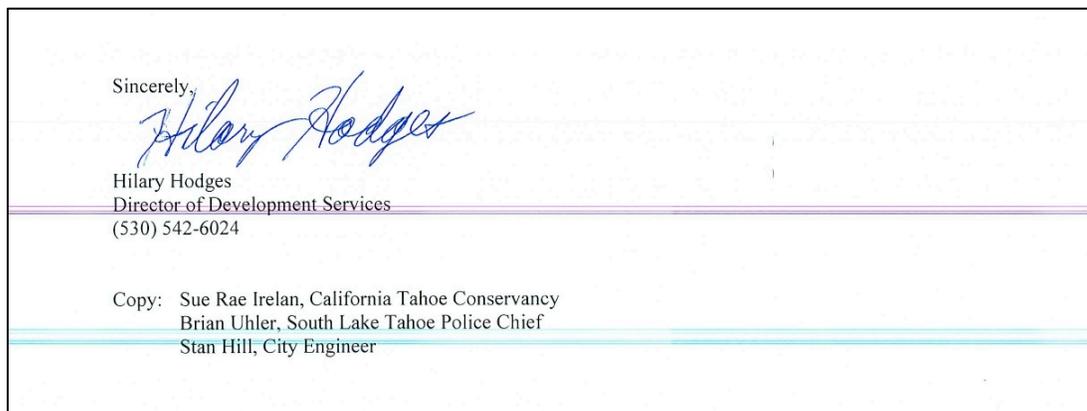
**Response to Comment 4-2.** See response to comment 4-3 below. As the trail will be realigned in this area, the new location crosses through a portion of the site with increased seasonal ponding due to neighborhood drainage features. Although this location is not considered a jurisdictional wetland, in response to this comment and after further consideration, the proposed trail design for approximately 80 feet of trail in this location will be changed from asphalt on permeable fill to boardwalk.

**Response to Comment 4-3.** In response to comments, the evaluation revises Mitigation Measure TRAFFIC-1 to relocate the trail crossing to the intersection at Glenwood Way/Becka Drive with an all-way stop control. Relocation of the crossing to the location shown in Figure 34 in the following section will eliminate the need for the proposed user-activated warning lights. This modification maintains crossing safety for trail users at the Becka Drive crossing and improves crossing safety for users at the

Glenwood Way crossing. Final location of the stop signs in relation to the large area of pavement at the Glenwood/Becka/Rancho intersection will be defined during development of engineering plans and must maintain adequate turn radius and sight distance between streets.

## Letter 5 – Hodges, City of South Lake Tahoe, 5 July 2011

	<b>Letter 5</b>
<h3>City of South Lake Tahoe</h3> <p><i>"making a positive difference now"</i></p>	
July 5, 2011	
Valerie Namba California Department of General Services RES-D-Environmental Services Section P.O. Box 989052 707 Third Street, 3rd Floor Mailstop 3-509 West Sacramento, CA 95798-9052	
Subject: Notice of Availability and comment period for the revised South Tahoe Greenway Shared Use Trail Project	
Dear Ms. Namba:	
Thank you for the opportunity to submit comments on the South Tahoe Greenway Shared Use Trail Project (Greenway) Mitigated Negative Declaration (MND). The City of South Lake Tahoe submits the following comments:	
<ol style="list-style-type: none"><li>1. The City of South Lake Tahoe adopted a comprehensive General Plan update on May 17, 2011. References to the City General Plan within the MND need to be revised to correspond to the current General Plan prior to MND adoption.</li><li>2. The project description describes an objective of the project as meeting Americans with Disabilities Act (ADA) standards. Please clarify whether all aspects of the proposed project meet ADA standards and identify if there are any aspects that do not.</li><li>3. Please provide additional traffic/rider/pedestrian safety analysis at the proposed trail crossings at Glenwood and Becka. Analyze alternative of crossings located at the intersection rather than mid-block.</li><li>4. Please provide more information on the compatibility of the trail design along Pioneer Trail with snow removal operations. Is there ample snow storage area between the path and roadway for snow cleared from the roadway and the path, if pathway snow removal becomes a practice in the future.</li><li>5. Please provide more information on the compatibility of the trail design along Aloha Dr. with snow removal operations. Is there ample snow storage area between the path and roadway for snow cleared from the roadway and the path, if pathway snow removal becomes a practice in the future.</li><li>6. Please provide additional information on the opposition to allowing police motorcycles to patrol the Greenway path. Information on crime statistics only cited one study. Is there additional information that could be used in analyzing potential impacts to City police services. Is there any data associated with the statement that "frequent encounter with motorized vehicles would depress the number of non-motorized users and threaten success of the route in meeting the purpose and need of the project."</li></ol>	
Please contact me if you have any questions. Thank you.	
Page 1 of 2	
Community Development Department • Planning Division • 1052 Tata Lane • South Lake Tahoe, CA 96150-6251 • (530) 542-6020 • (530) 541-7524 FAX	



**Response to Comment 5-1.** The following section of this Final IS/MND package includes an evaluation of the new General Plan in relation to the Greenway proposal. Please see the section entitled Modifications to the Initial Study/Mitigated Negative Declaration Dated June 1, 2011 for details. In summary, this evaluation: 1) updates references to plan provisions where no substantive change occurred, including in the noise and solid waste sections; and 2) considers effects of plan provisions new to the 2011 action, including natural resources, transportation, land use, and public services. No new or increased potential for significant impact results from these changes.

**Response to Comment 5-2.** All aspects of the project meet ADA requirements. This includes grade, clearance, surface features and mobility access. See Chapter 2, Section 2.6.2.2, for details.

**Response to Comment 5-3.** Please see response to comment 4-3. Relocation of the trail crossing at Glenwood Way to the intersection with Becka Drives reduces potential conflicts between bikes, pedestrians and automobiles with the inclusion of a proposed all-way stop control. The proposed relocation results in minor changes to land coverage in SEZ and on-site restoration proposals. The proposed trail relocation alignment is the same length as the previous alignment (approximately 500 linear feet), but a portion of the revised trail alignment follows an existing trail (340 linear feet) while the previous alignment did not. As noted in the amended land coverage table (Table 22) in the following section, this action reduces new SEZ (LCD 1b) land coverage in Segment 2-70 from 32,287 to 31,777 square feet and the need for offsite restoration from 66,421 to 65,835 square feet. Therefore, the proposed trail relocation at the intersection of Glenwood Way does not worsen impacts to SEZ or land coverage.

**Response to Comment 5-4.** The Project Description evaluated in the Initial Study does not include snow removal. The Project Description assumes snow will be stored on the trail and as such, the post-project condition does not change the placement or area available for snow storage from roadways. Future potential for snow removal by other entities is speculative at this time. However, in other areas of the Region where snow is cleared from trails near roadways, snow storage occurs within the right-of-way and snow storage easements along frontage properties with berm heights increasing during some storm events.

**Response to Comment 5-5.** Please see response to comment 5-4 above.

**Response to Comment 5-6.** a) The study cited in the Neighborhood Compatibility Assessment includes statistics from 372 communities. Other studies examining crime and shared use trails include: Indiana Trails Study (University of Indiana, 2001) examining six trails statewide, and Pinellas Trail Community Impact Study (Pinellas County Metropolitan Planning Organization, September 2001), examining crime rates on a trail in Pinellas County, Florida. The basic conclusion from these studies is the same: crime rates on trails are lower, sometimes much lower, than the surrounding communities. In most situations,

increasing trail use by a wide cross-section of the law abiding community drives crime rates down.

b) No evidence exists that trails in the Tahoe Region drive the need for additional police services. No public safety agency in the Region provides regular trail patrols, including other trails in the City or other communities that provide connections between neighborhoods such as the Round Hill connection from Kahle Community Center (personal communication, Douglas County Captain David Aymani, 2011). Most of the Greenway trail lies close to streets with patrol vehicle access; the maximum length of trail away from streets makes the connection between the end of Chonokis and Van Sickle Bi-State Park, approximately 4,000 feet. Since project planning began in 2001, no public request for patrols on the trail has surfaced, although many comments have been received related to the unwanted potential for unauthorized vehicle use of the trail. It will be harder to prohibit dirt bikes or other vehicle use if neighbors routinely witness police motorcycle use (during emergency situations, public safety officials will use vehicles on the trail as specifically provided in the project description and plans). Finally, regulations related to construction in sensitive areas and potential funding sources are all related to the non-motorized characteristics of the trail proposal.

c) AASHTO and the U.S. Department of Transportation defines a shared use path as a non-motorized facility used by bicyclists, in-line skaters, roller skaters, wheelchair users, and pedestrians including those walking dogs and walking with strollers. These paths, substantially more expensive to build and maintain, are intended in part to serve the user groups not comfortable with sharing a space with motor vehicles. These users' needs, defined by AASHTO and others, are described for the local context in the Neighborhood Compatibility Analysis (Appendix L). The level of discomfort comes from the differences in potential speed, the increased size of motorized vehicles related to other users, and the smaller scale of the shared use path (5' wide travel lanes). The Greenway's characteristics in the boardwalk sections would sharpen the level of discomfort related to sharing the trail with motor vehicles. The boardwalk sections are long (up to 625 feet long) and elevated a maximum of 29 inches above grade. The potential for sensitive users encountering motor vehicles in these sections with limited opportunities to exit the trail safely will logically depress trail use.

**Letter 6 – Tyler, California Regional Water Quality Control Board, Lahontan  
Region, 8 July 2011**

Letter 6



**Linda S. Adams**  
Acting Secretary for  
Environmental Protection

**California Regional Water Quality Control Board  
Lahontan Region**

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150  
(530) 542-5400 • Fax (530) 544-2271  
www.waterboards.ca.gov/lahontan



**Edmund G. Brown Jr.**  
Governor

July 8, 2011

Sue Rae Irelan  
California Tahoe Conservancy  
1061 Third Street  
South Lake Tahoe, CA 96150

**COMMENTS REGARDING THE DRAFT INITIAL STUDY / MITIGATED NEGATIVE  
DECLARATION FOR THE REVISED SOUTH TAHOE GREENWAY SHARED-USE  
TRAIL PROJECT, SOUTH LAKE TAHOE, EL DORADO COUNTY**

The California Regional Water Quality Control Board, Lahontan Region (Water Board) received a copy of the above-referenced Draft Initial Study and Mitigated Negative Declaration (MND). The MND was prepared for the California Tahoe Conservancy, Tahoe Regional Planning Agency and the U.S. Forest Service, Lake Tahoe Basin Management Unit, pursuant to provisions of the California Environmental Quality Act (CEQA). As a state agency responsible for protecting water quality with the Lahontan region and CEQA "responsible" agency, we have reviewed the information submitted and have the following comments.

**Project Description**

The Project establishes a Class 1 or better multi-use trail through South Lake Tahoe from Sierra Tract to Stateline, Nevada.

**Comments**

Water quality control standards for the Lake Tahoe Hydrologic Unit contained in the Water Quality Control Plan for the Lahontan Region (Basin Plan) are applicable. The final environmental document will be used by this agency as a basis to evaluate future project-specific permits and approvals. The standard of review is for significant or potentially significant effects to water quality and the existing environment from changes due to the project. As such, we have the following comments:

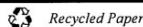
1. Basin Plan Prohibition

The Basin Plan contains prohibitions against waste discharges to 100-year floodplains and permanent disturbance in SEZs in the Project area, as described below.

*100-year Floodplains*

"The discharge, or threatened discharge, attributable to human activities, of solid or liquid waste materials, including soil, silt, clay, sand and other organic and earthen materials to lands below the highwater rim of Lake Tahoe or within the 100-year floodplain of any tributary to Lake Tahoe is prohibited."

**California Environmental Protection Agency**



Sue Rae Irelan  
California Tahoe Conservancy

- 2 -

*Stream Environment Zones*

"The discharge or threatened discharge, attributable to new development in Stream Environment Zones, of solid or liquid waste, including soil, silt, sand, clay, rock, metal, plastic, or other organic, mineral or earthen materials, to Stream Environment Zones in the Lake Tahoe basin is prohibited."

"New development" as used in the SEZ prohibition means ". . . construction activity resulting in permanent soil disturbance . . . New development does not include maintenance or repair of an existing structure or the replacement of any existing structure with another structure on the same parcel of no greater land coverage." (Basin Plan page 5.2-4).

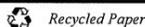
- (1) a. The project involves potential discharges in violation of the prohibition that are considered potentially significant effects, at a minimum, unless effects are fully mitigated. The Water Board may grant an exemption to the prohibitions above as described on pages 3-66 and 3-67 of the MND. However, details of the on-site and off-site mitigation are lacking. Page 2-38 describes three sources of banked mitigation for SEZ impacts; however, the MND describes the first two as "up to" 0.42 and 0.18 acre, respectively, and the last one as "could reach 1.8 acres." The total of these is 2.4 acres. The total minimum off-site area needed to mitigate the SEZ impacts is 2.42 acre, which is slightly more than the maximum achievable from the three SEZ restoration areas for use in mitigation banking. Please explain where the additional mitigation area needed (0.02 acres) will come from.
- (2) b. The MND also does not adequately describe the Best Management Practices (BMPs) that will ensure that any erosion and surface runoff problems caused by the project will be mitigated to a level of insignificance. Although some best management practices for both temporary and permanent construction impacts and storm water runoff controls are listed, the following potentially significant impacts are not mitigated with specific practices:
  - Erosion and sediment runoff impacts during an extended storm event while the project is undergoing implementation.
  - Post-construction treatment and controls to reduce impacts from pollutants and increased runoff from the asphalt trail.
- (3)

The MND must adequately mitigate these impacts in order to reduce these impacts to levels of insignificance. To qualify for the Basin Plan prohibition exemptions for new trails for the proposed project, these impacts must also be addressed and mitigated.

2. Impacts to Wetlands and Other Waters

- (4) Section 3.2.4.2 should not list the required mitigation as "none" (page 3-69) when there are clearly mitigation measures needed for both the SEZ and wetlands impacts (noted on page 2-25 as 1.99 acres of SEZ impacts and 0.15 acres of wetlands impacts). Does the permanent disturbance due to the boardwalk in the impact table (Table 16, page 3-68) include the entire boardwalk or just the piers/posts upon which the boardwalk is

***California Environmental Protection Agency***



Sue Rae Irelan  
California Tahoe Conservancy

- 3 -

supported? If the latter, mitigation is needed for the loss of vegetation under the boardwalk since vegetation will not grow under a low boardwalk. What are the specific mitigation measures? In general, the MND lists Required Mitigation as "None." Mitigation measures must be clearly listed for each of the impacts and preferably listed in a table at the beginning of the MND.

### 3. Storm Water

- (5) The MND states that a NPDES General Construction Activity Stormwater permit, the Army Corps of Engineers Section 404 permit, 401 Water Quality Certification and a Storm Water Pollution Prevention Plan Addendum (SWPPP) will be obtained by the project proponent. It is inappropriate to rely on any agency's permitting requirement to mitigate potential water quality related impacts, unless such permits already exist which prescribe the required mitigation. The MND should evaluate impacts from construction and include, as mitigation measures, specific BMPs that will be implemented during rain events that could occur during project implementation, and that will be implemented to address trail runoff.

The Water Board is recommending detailed information concerning erosion control and Best Management Practices (BMPs) during and following construction. Disturbed soils must receive erosion/sediment control such as revegetation with native species, hydro-seeding, fiber rolls and/or other soil stabilization practices. The MND should describe with more specificity what avoidance measures, and erosion and sediment control practices will be implemented during and after implementation. The MND must provide, with a sufficient level of detail, the implementation plans to ensure that storm events during implementation do not pose a significant threat to water quality. Also, post-construction controls of stormwater runoff for the project site need to be detailed in the MND. An inspection program should be designed to both assure that the BMPs are installed/implemented and functioning properly (i.e., with daily inspections, evaluations and maintenance/replacement), and assess the adequacy of any installed mitigation measures/BMPs over time. Temporary and/or permanent BMPs that will prevent soil and road wastes from discharging into the wetland must be identified.

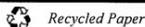
Thank you for the opportunity to comment on this project. If you have any questions or comments regarding this matter, please contact me at (530) 542-5435 or Alan Miller, Chief, North Basin Regulatory Unit at (530) 542-5430.



Tobi L. Tyler, Water Resource Control Engineer  
North Basin Regulatory Unit

TT/adw/T:/Greenway Bike Trail MND comments 7-8-11 TT.doc  
File: Pending / El Dorado County / Greenway Bike Trail Project

**California Environmental Protection Agency**



**Response to Comment 6-1.** Compliance Measure (CM) – 19 follows established TRPA Code and Lahontan Basin Plan provisions and proposes to use restoration credit in the California Land Bank as necessary off-site SEZ restoration. In addition to the projects listed that produce a combined maximum total of 2.4 acres, existing SEZ restoration credit available in the Land Bank can meet the additional 871

square feet need as required in CM-19. Based on the trail relocation proposed at Glenwood Way (please see Response to Comment 5-3), the amount of SEZ restoration credit needed for the project is reduced by 586 square feet.

**Response to Comment 6-2.** The Project Description identifies ways to reduce erosion and sediment runoff during construction in Sections 2.6.2.10 (Staging and Access Areas), 2.6.5.3 (CM-3: TRPA Erosion and Sediment Control Plan), 2.6.5.4 (CM-4: NPDES Permit Requirements), 2.6.5.5 (CM-5: Revegetation and Restoration Plans), 2.6.5.8 (CM-8: Shared-Use Trails Operations, Maintenance and Management Plan), 2.6.5.9 (CM-9: Fugitive Dust Control Plan) and 2.6.5.20 (CM-20: Avoid Disturbance to Wetlands). Please refer to Questions 8, 62, 66, 90, 93, 97, 101, 117, 118, 142, 154, 170, 172 and 183 for analysis of various BMPs proposed by the project. Discussion of BMPs needed to contain erosion on site specifically respond to the design storm, the 20 year, 1-hour event. As required by Board Order R6T-2011-0019, a Qualified SWPPP Practitioner (QSP) on-site during construction activities will respond to unusual events such as extended storm events to assure compliance with discharge limitations.

**Response to Comment 6-3.** The Draft IS/MND identifies the extremely low potential for pollutants common in roadway discharge from this non-motorized trail (page 3-154). Non-motorized users avoid potential contamination from hydrocarbons, heavy metals, petroleum by-products, or winter sanding or ice melt constituents. A bicycle trail avoids constituents found in urban runoff identified in the Lake Tahoe TMDL Technical Report California and Nevada (Lahontan and NDEP 2007) and Lake Tahoe TMDL Pollutant Reduction Opportunity Report (Lahontan and NDEP 2008) as contributing factors in fine sediment transport and loss of lake clarity. The project relies on trail location within the project area, source control measures, and use of infiltration trenches in the trail design to minimize impacts from runoff. The Draft IS/MND specifically addresses potential long-term operational impacts to surface water quality and beneficial uses under Question 90 (pages 3-154 to 3-156), including the identification of the five compliance measures and 10 design features and construction controls detailed in Chapter 2 for avoidance and minimization of such impacts to a level of less than significant. The project design features and construction controls reflect example pollutant control opportunities for urban upland and forested upland project areas, as recommended in the Integrated Water Quality Management Strategy Project Report (Lahontan and NDEP 2008) and the Final Lake Tahoe TMDL Report (Lahontan and NDEP 2010).

**Response to Comment 6-4.** a) The Greenway will increase disturbance in SEZ and wetland areas and offset that disturbance with 1.5:1 restoration as required by TRPA, Lahontan and the Army Corps of Engineers. The Project Description identifies the offsetting measures needed for SEZ disturbance as CM 19, proposing a self-mitigating strategy that avoids potential for significant impact. Although the portions of the project description intended to provide that offset are not mitigation measures, they produce the same effect. The IS/MND evaluates the entirety of the proposed project, including the required compliance measures, and concludes no significant impact.

b) The IS/MND distinctly evaluates boardwalk impacts based on two different sets of criteria. Question 34 evaluates project effects on federally protected wetlands as regulated by the Army Corps of Engineers under Section 404 of the Clean Water Act. Table 16 (page 3-68) identifies disturbance from boardwalk footings and considers proposed project offsets as directed by Army Corps of Engineers staff. This does not consider vegetation changes under the boardwalk. Question 33 evaluates project effects on SEZ, including the areas also defined as wetland, and considers disturbance to be the full width of the boardwalk as required by TRPA and Lahontan regulations. The project features for on-site and off-site restoration fully offset the disturbance of SEZ, including the change in vegetation under the boardwalk areas.

**Response to Comment 6-5.** a) The Project Description identifies BMPs and other measures needed to

avoid impacts related to storm water control in appropriate detail for environmental analysis. This includes strategies to avoid adverse effects (Sections 2.6.2 and 2.6.3) and apply temporary and permanent BMPs described in the Compliance Measure section (2.6.5) and the appendices (Appendices D and E). These project commitments address each issue identified in the comment, including soil stabilization, revegetation, storm water control, and inspection/monitoring. Additional detail will emerge through development of engineering plans and provide the specificity needed for NPDES and other permitting. As some design details cannot be identified until engineering plans are available, the compliance measures appropriately define the outcomes that final plans must produce to avoid potential for significant impact. This standard practice does not defer definition or commitment to ameliorative measures, yet allows the project to proceed efficiently through design development with increasing levels of detail available for evaluation at an appropriate stage in the process.

b) The Project Description provides extensive detail concerning temporary and permanent BMPs. Please see Response to Comment 6-2 above. These provisions match closely those identified in other Mitigated Negative Declarations approved recently for the City of South Lake Tahoe and other California Tahoe Conservancy projects. The IS/MND evaluates the project, including the compliance measures, in fourteen separate questions identified above in Response to Comment 6-2. To address post construction monitoring needs, the final document includes additional provisions in Appendix E, Operations, Maintenance and Management Strategy and the required Mitigation Monitoring Report. This project has no responsibility for road discharges into the SEZ.

### **Additional Public Agency Consultation, July 2011**

After consultation with affected public property owners, the project team recognizes opportunities to relocate the trail in two areas to reduce project costs and permitting complications. Near Barbara Avenue, the current trail alignment follows an informal footpath that encroaches into two Caltrans lots. Relocating the trail to remain wholly within the Conservancy property ownership requires less overall coverage, creates a more direct trail connection, and can continue to avoid significant tree removal. Final design in this area shall include this relocation.

A second trail alignment modification along Aloha Avenue could reduce encroachment into the public street right-of-way, routing the trail through the Conservancy-owned parcels on the south side of the road. This modification would require more trail coverage on high capability land than reported for the existing proposal. It would also avoid the need to relocate six power poles and make Aloha Avenue a one-way street. The change could remain within all TRPA Code coverage limitations and continue to avoid significant tree removal. During final plan development, the Conservancy will consult with the City to determine final trail alignment.

# MODIFICATIONS TO THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION DATED JUNE 1, 2011

The following changes will be made to the Initial Study dated June 1, 2011. Underlined> text is new text that has been added to the Initial Study. Text that is shown in ~~strikeout~~ has been removed from the Initial Study.

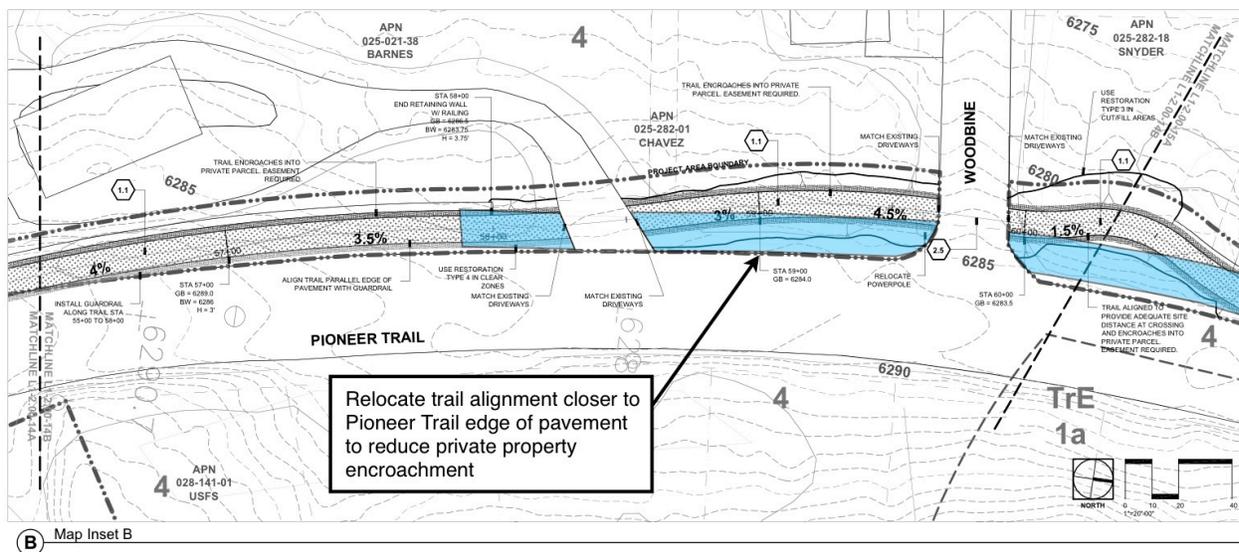
## Section 1.1.3 National Environmental Policy Act, page 3-3

Revise text describing the LTBMU approval process as shown below.

The Responsible Official under NEPA is the LTBMU Forest Supervisor who issues a Decision Notice/Finding of No Significant Impact (DN/FONSI) ~~Record of Decision (ROD)~~ upon review of the EA. The DN/FONSI ~~ROD~~ includes:

## Modifications to IS for Response to Comment 3-1:

Revise the trail alignment documented on sheet L1-2.00-14 (Map Insert B) in Appendix C as shown below.



## Modifications to IS for Response to Comment 4-3:

### Section 3.2.16.2 Environmental Analysis and Mitigation Measures (Transportation and Traffic), page 3-241

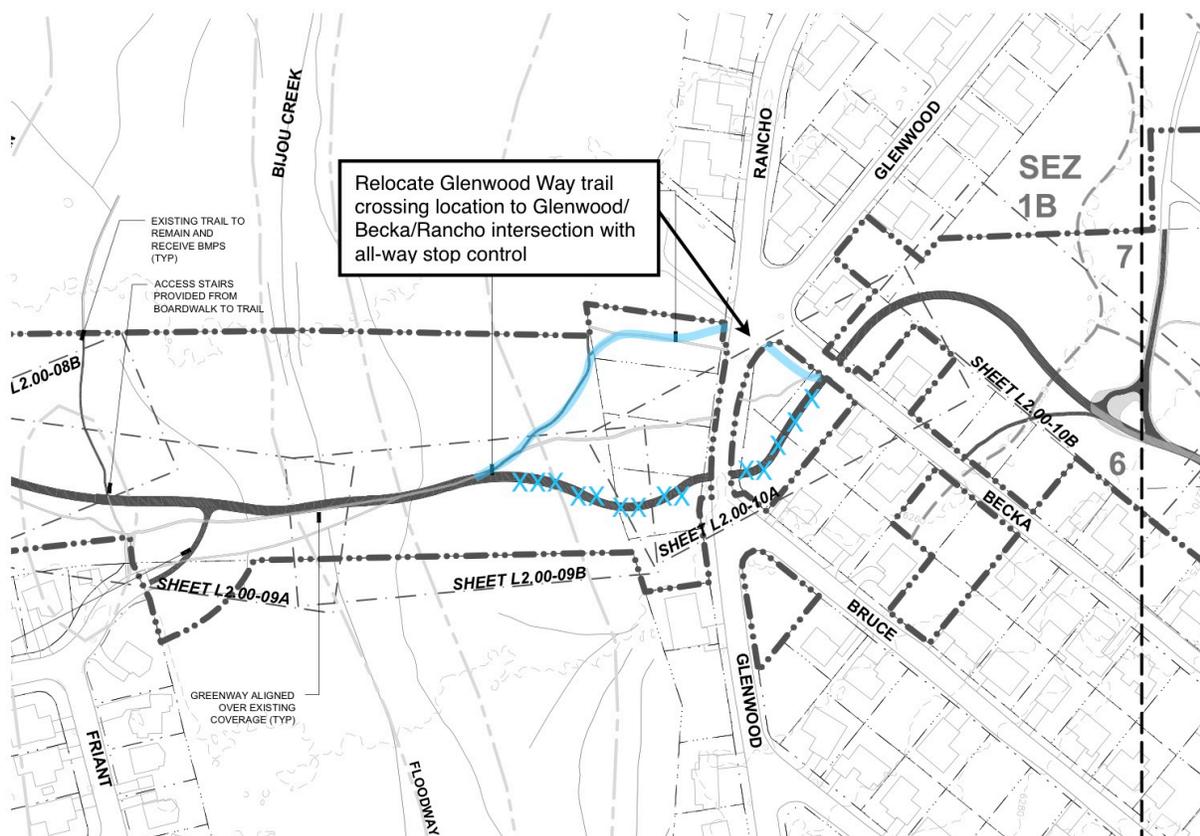
Revise mitigation measure Traffic-1 as shown below.

### TRAFFIC-1. Enhance Select Greenway Intersections to Reduce Vehicle Speeds and Increase Visibility

To enhance crossing treatments at specific locations and to reduce vehicle speeds and increase crossing visibility, the project shall include the following measures:

- Becka Dr local road mid-block crossing: Install all-way stop control at the Glenwood Way/Becka Dr/Rancho Way intersection to slow vehicles approaching the Becka Drive crossing location from Glenwood Way. Installing all-way stop control does not change the vehicle level of service at the intersection. Relocate the proposed trail crossing of Glenwood Way from the mid-block location near Bruce Drive to south side of Glenwood/Becka Drive intersection at the stop sign as documented in Figure 34. This relocation eliminates the need to provide warning lights for the Glenwood Way crossing.
- Keller Rd collector road mid-block crossing: Install the warning signal before the curve and at the trail in the westbound direction.
- Larch Ave local road mid-block crossing: Install “bike crossing ahead” pavement markings before the curve in the westbound direction.
- Rocky Point (South) local road mid-block crossing: Install “bike crossing ahead” pavement markings before the curve in the westbound direction.
- Glen Rd-Rocky Point (North) local road mid-block crossing: Install “bike crossing ahead” pavement markings before the curve in the westbound direction.

**Figure 34. Glenwood Way/Becka Drive Trail Crossing Location**



## **Modifications to IS for Response to Comment 5-1:**

Revise references to the City of South Lake Tahoe General Plan as shown below.

### **Section 3.2.1.1 Environmental Setting (Aesthetics), page 3-6.**

Views from the project area consist of forest, public facilities (e.g., STPUD treatment plant, roadways and utility corridors), meadow/riparian, low density residential and light commercial. Views of the project area exist from a TRPA designated scenic roadway (Pioneer Trail) and trail (Al Tahoe Bike Trail) and other roadways, and adjacent land uses including public parks, residential and limited commercial development. Views of project features from the adjacent residential areas, specifically from those residential areas with most direct visual access to the Greenway features, are most sensitive to change. Scenic vistas are defined by CEQA as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public defined by local plans or policies. In addition to the scenic resources and views identified by TRPA, the City recognizes the views from the Martin Ave Bridge over Trout Creek and within Bijou Meadow as scenic vistas (General Plan Update Draft EIR page 4.13-54). City of South Lake Tahoe General Plan Goal NCR-1, Policy NCR-1.3 requires Class 1 bike trails to visually blend with the natural conditions and features so they don't dominate views. No state or federal scenic highways exist within the project area. The Greenway is not visible from state or federal highways or from Lake Tahoe. One glimpse of Lake Tahoe from the project area occurs at the intersection of Pioneer Trail and Ski Run Blvd.

### **Section 3.2.4.2 Environmental Analysis and Mitigation Measures (Biological Resources), page 3-60**

Stream Environment Zones. TRPA maintains the Regional Plan elements that establish SEZ as a sensitive natural community protected by standards and regulations. Lahontan also maintains standards in the Lahontan Basin Plan related to activities in SEZ. City of South Lake Tahoe General Plan Goal NCR-3, Policy NCR-3.6 requires the City to increase the area of naturally functioning SEZs by preserving existing SEZ and restoring/rehabilitating disturbed SEZ. The analysis below documents the measures included in the Greenway project description to avoid SEZs where possible and restore existing disturbance to increase the area of naturally functioning SEZs within the City of South Lake Tahoe. Construction of the Greenway results in direct and indirect impacts to SEZs. Direct impacts to SEZs include removal of riparian vegetation and grading and disturbance to soils. Removal of vegetation and grading in SEZs directly impacts the quality and functionality of the riparian system and threatens temporary and permanent degradation to surface water quality. Riparian vegetation provides modifications to SEZs by regulating microclimates and water temperature of adjacent water bodies. Removal of vegetation can result in changes in the microclimate by reducing the shading abilities of plants. Moisture retention ability of soils decreases after vegetation removal and often results in xeric conditions, thereby creating inhospitable environment for adjacent riparian vegetation. Removal of riparian vegetation increases sun exposure to shallow surface water areas to increase water temperatures, which can decrease habitat suitability.

### **Section 3.2.10.2 Environmental Analysis and Mitigation Measures (Land Use and Planning), page 3-181**

City of South Lake Tahoe. The City's Land Use and Community Design Element goals and policies ~~objectives~~ seek to develop a connected city, eliminate nonconforming uses, and maximize the City's

ability to secure development rights from TRPA, establish specific and local policies and regulations that meet the environmental thresholds of TRPA's Regional Plan, and reduce vehicle miles traveled (VMT) by residents and visitors who currently travel long distances to shop for certain products. ~~to enhance the alpine setting (Land Use Goal 1), direct the amount and location of new land uses consistent with the carrying capacities for the Basin (Land Use Goal 2), and locate development on land suitable for construction (Land Use Goal 3).~~ The project supports these policies ~~goals and objectives~~ through trail removal and restoration, reflecting the land use policies of each of the PASSES as met with special use approval, and a design element that maximizes the use of high capability land. Although portions of the Greenway affect SEZs, installation of boardwalks and asphalt trail on permeable fill allow for continued hydrologic function and the removal and restoration of informal trails results in a benefit to overall SEZ function. Where necessary, TRPA Code allows public service projects to transfer land coverage to sensitive lands. The Greenway also supports the City's Recreation and Open Space Element (e.g., Policy ROS-1.2), which seeks to improve public access to open space areas.

### **Section 3.2.12.1 Environmental Setting (Noise), page 3-194**

The City ~~recently updated~~ ~~is currently updating~~ its 1999 General Plan. The ~~Revised Public Review Draft~~ of the General Plan was adopted ~~released~~ in May 2011 ~~September 2009~~ (City of South Lake Tahoe 2011 2009). The ~~draft~~ Health and Safety Element addresses noise issues with the Goal HS-8 and policies HS-8.1 through HS-8.10. The City's noise ordinance is found in Article 18-10.1 of the City Code.

### **Section 3.2.14.1 Environmental Setting (Public Services), page 3-209**

City of South Lake Tahoe. The City General Plan (~~1999~~) includes a Public Quasi-Public Facilities and Services ~~conservation~~ element with goals and ~~policies objectives~~ requiring the exploration of ways to reduce potable water demand and more sustainably use and distribute water (Goal PQP-2, Policies PQP-2.1, PQP-2.4, and PQP-2.5) and provision of adequate police protection and law enforcement (Goal PQP-5, Policy PQP-5.1). ~~continued provision of adequate water supplies and water treatment (Goal 5, Objective 1 of the Conservation Element).~~ The Health and Safety element establishes goals and ~~policies objectives~~ directed at ensuring adequacy of fire protection (Goal HS-2) and emergency response routes (Goal HS-1) ~~wildland fire protection, and law enforcement (Goals 2, 3 and 4)~~ within City limits.

### **Section 3.2.16.1 Environmental Setting (Transportation and Traffic), page 3-227**

Existing Bicycle and Pedestrian Facilities. Walking and bicycling are critical and valued components to the Lake Tahoe Region's transportation system. Tahoe communities and agencies indicate that connected bicycle paths, sidewalks, and transit create a "people-oriented" transportation system that supports neighborhoods, commercial areas, and recreation areas. Promotion of non-auto transportation systems forms the basis of the transportation elements in TRPA planning, including the Thresholds, Regional Plan, EIP, TRPA/TMPO RTP and CPs. The Lake Tahoe Regional BPMP discusses existing and future facilities and identifies several benefits to improving the bicycle and pedestrian network, such as reducing VMT and GHGs. Other community efforts demonstrate the value of bike trails and pedestrian systems. The 2010 Lake Tahoe Prosperity Plan, a collaborative effort to establish a new economic and environmental vision for the Region, includes development of transportation alternatives such as completed bike paths as a priority action item. City of South Lake Tahoe General Plan Goal TC-3, Policies TC-3.1 and TC-3.10 support the development of the Greenway Class I trail from Meyers to Stateline to connect neighborhoods and commercial centers within the City.

### **Section 3.2.17.2 Environmental Analysis and Mitigation Measures (Utility and Service Systems), page 3-251**

As discussed for Question 175, STR and the Lockwood Regional Landfill will receive limited solid waste from operations of the Greenway and have sufficient capacity to serve the needs. STR 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. The City General Plan Public/Quasi-Public Facilities and Services Land Use Element Goal PQP-3, Policy PQP-3.4 Objective 2 requires the continued export of solid waste out of the Basin. TRPA Regional Plan Land Use Element Goal 5, Policy 1 and Public Services Element Goal 3, Policy 2 also requires the transport of solid waste outside the Basin in compliance with California state laws. The Greenway complies with these goals and policies. To reduce littering on the land surrounding the Greenway, trash receptacles proposed along the trail will be managed by the Conservancy.

### **Modifications to IS for Response to Comment 5-3:**

### **Section 3.2.6.2 Environmental Analysis and Mitigation Measures (Geology and Soils), Table 22, pages 3-112 to 3-113.**

Revise TRPA land coverage characteristics (see Table 22 below) based on the proposed trail realignment at Glenwood Way. The proposed trail realignment is shown in Figure 34 above and in revised Map B2 from Appendix G (Preliminary Jurisdictional Delineation) below.

### **Modifications to IS for Response to Comment 6-5b:**

### **Appendix E. Greenway Operations, Management and Maintenance Strategy, page 5**

#### **V. Project Monitoring**

Project monitoring addresses the following:

1. Construction Monitoring as determined by TRPA and NPDES construction permit conditions; and
2. Post-Project Monitoring (Revegetation and Restoration, including off-site SEZ restoration, BMP Effectiveness, Noxious Weed and Invasive Species)
  - The Conservancy's Urban Land Management Program manages its lands consistent with the purposes of acquisition and ensures their continued environmental integrity. This program includes annual inspections which provide routine and/or adaptive management strategies. For the Greenway project area, this program will inspect constructed project features and site conditions including trail drainage features and areas of on-site revegetation and restoration, forest health and fuel loading, and other adverse or hazardous resource conditions. Actions needed to maintain restoration or BMP effectiveness may include but not be limited to: drainage structure maintenance or replacement, replanting restoration areas, or more restrictive user management. Other property management actions may include litter abatement, fuel hazard reduction and hazard tree removal.
  - The Greenway relies on off-site SEZ and wetland restoration to avoid significant impacts. The restoration sites, all on Conservancy owned property, also fall within the Conservancy mandate for land management and stewardship. As described above, this includes site

- inspections and corrective actions when necessary.
- The Conservancy's Urban Land Management program relies on trained staff resources to survey Conservancy land for the presence of noxious weeds or invasive plants and uses a combination of staff and other resources in an ongoing program of eradication and monitoring.

**Table 22**

TRPA Land Coverage Characteristics – By Segment

Segment	Land Capability District (LCD)	Percent Allowable Land Coverage	Project Area (sf)	Allowable Land Coverage (sf)	Verified Existing Land Coverage (sf)	Existing Land Coverage Removed (sf)	Existing Land Coverage to Remain (sf)	New Trail Land Coverage (sf)	Total Land Coverage (New & Existing) (sf)	New Trail Disturbance (Fill and Clear Zones) (sf) *	Total Land Coverage Including Clear Zones (sf)	Off site Restoration Requirements (sf) **
<b>2-45</b>	7	30%	294,839	88,452	43,698	-27,973	15,725	5,661	21,386	3,827	25,213	--
		<b>Totals</b>	<b>294,839</b>	<b>88,452</b>	<b>43,698</b>	<b>-27,973</b>	<b>15,725</b>	<b>5,661</b>	<b>21,386</b>	<b>3,827</b>	<b>25,213</b>	
<b>2-50</b>	1b	1%	75,781	758	805	-415	390	19,665	20,055	4,754	24,809	36,214
	4	20%	87,502	17,500	2,599	-1,636	963	1,225	2,188	630	2,818	--
	7	30%	105,248	31,574	11,048	-6,867	4,181	3,307	7,488	2,077	9,565	--
		<b>Totals</b>	<b>268,531</b>	<b>49,833</b>	<b>14,452</b>	<b>-8,918</b>	<b>5,534</b>	<b>24,197</b>	<b>29,731</b>	<b>7,461</b>	<b>37,192</b>	
<b>2-70</b>	1a	1%	21,153	212	467	-467	-	-	-	-	-	(467)
	1b	1%	1,059,188	10,592	13,907	<del>-10,922</del> <u>-10,744</u>	2,985	<del>32,287</del> <u>31,777</u>	<del>35,272</del> <u>34,762</u>	19,275	<del>54,547</del> <u>54,037</u>	<del>66,421</del> <u>65,835</u>
	3	5%	573***	29	163	--	163	652	815	328	1,143	980
	4	20%	252,865	50,573	21,334	- 21,334	--	11,115	11,115	3,071	14,186	--
	5	25%	11,352	2,838	921	-61	860	3,502	4,362	1,645	6,007	--
	6	30%	636,967	191,090	35,238	-23,444	11,794	11,188	22,982	7,273	30,255	--
	7	30%	423,028	126,908	6,757	-4,847	1,910	19,666	21,576	7,841	29,417	--
		<b>Totals</b>	<b>2,405,126</b>	<b>382,242</b>	<b>78,787</b>	<del>-61,075</del> <u>-60,897</u>	<b>17,712</b>	<del>78,410</del> <u>77,900</u>	<del>96,122</del> <u>95,612</u>	<b>39,433</b>	<del>135,555</del> <u>135,045</u>	
<b>2-80</b>	1a	1%	472,565	4,726	16,804	-11,157	5,647	9,051	14,698	2,944	17,642	838
	1b	1%	292,978	2,930	15,281	-13,652	1,629	8,786	10,415	1,984	12,399	2,503
	2	1%	162,054	1,621	1,933	-1,920	13	293	306	133	439	(1,494)
	4	20%	1,184,257	236,851	57,487	-50,310	7,177	48,608	55,785	18,033	73,818	--
	5	25%	43,717	10,929	1,771	-1,319	452	1,649	2,151	653	2,804	--
		<b>Total</b>	<b>2,155,571</b>	<b>257,057</b>	<b>93,276</b>	<b>-78,358</b>	<b>14,918</b>	<b>68,437</b>	<b>83,355</b>	<b>23,747</b>	<b>107,102</b>	

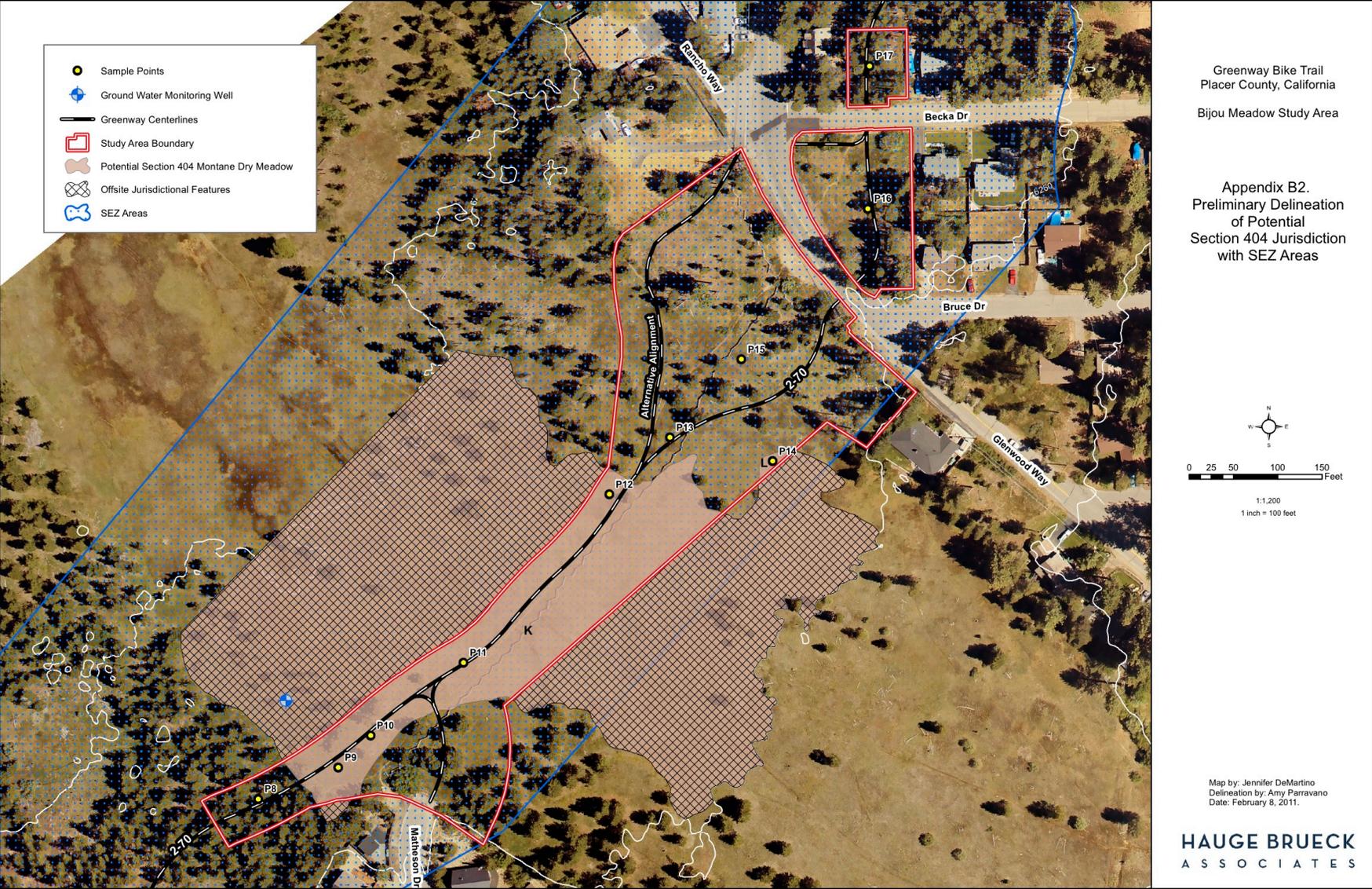
REVISED SOUTH TAHOE GREENWAY SHARED-USE TRAIL PROJECT  
MODIFICATIONS TO THE IS/MITIGATED NEG DEC

Segment	Land Capability District (LCD)	Percent Allowable Land Coverage	Project Area (sf)	Allowable Land Coverage (sf)	Verified Existing Land Coverage (sf)	Existing Land Coverage Removed (sf)	Existing Land Coverage to Remain (sf)	New Trail Land Coverage (sf)	Total Land Coverage (New & Existing) (sf)	New Trail Disturbance (Fill and Clear Zones) (sf) *	Total Land Coverage Including Clear Zones (sf)	Off site Restoration Requirements (sf) **
Project Area	1a	1%	493,718	4,937	17,271	-11,624	5,647	9,051	14,698	2,944	17,642	371
	1b	1%	1,427,947	14,279	29,993	<del>24,989</del> <u>-24,811</u>	5,004	<del>60,738</del> <u>60,228</u>	<del>65,742</del> <u>65,232</u>	26,013	<del>91,755</del> <u>91,245</u>	<del>105,138</del> <u>104,551</u>
	2	1%	162,054	1,621	1,933	-1,920	13	293	306	133	439	(1,494)
	3	5%	573	29	163	--	163	652	815	328	1,143	980
	4	20%	1,524,624	304,925	81,420	-73,280	8,140	60,948	69,088	21,734	90,822	--
	5	25%	55,069	13,767	2,692	-1,380	1,312	5,201	6,513	2,298	8,811	--
	6	30%	636,967	191,090	35,238	-23,444	11,794	11,188	22,982	7,273	30,255	--
	7	30%	823,115	246,935	61,503	-39,687	21,816	28,634	50,450	13,745	64,195	--
	<b>Totals for Project Area</b>		<b>5,124,067</b>	<b>777,582</b>	<b>230,213</b>	<del><b>-176,324</b></del> <u><b>-176,146</b></u>	<b>53,889</b>	<del><b>176,705</b></del> <u><b>176,146</b></u>	<del><b>230,594</b></del> <u><b>230,084</b></u>	<b>74,468</b>	<del><b>305,062</b></del> <u><b>304,552</b></u>	

Source: TRPA land capability verifications, South Tahoe Greenway Project Coverage Calculations Tables January 2011 by DWS, HBA 2011

- \* The calculation of new trail disturbance recognizes permanent disturbance exists along the edges of many paved trails. Therefore, the analysis assumes the entire two-foot wide clear zones will become soft coverage and represents the worst-case assumption. Clear zone revegetation in many locations will persist and reduce the impact reported here, substantially in some cases. For LCD 1b, new trail disturbance includes fill (e.g., disturbance) and clear zones (e.g., soft coverage). For other LCDs, only clear zone area (e.g., soft coverage) is calculated.
- \*\* Off-site restoration requirements calculated for LCD 1b as follows: New Land Coverage + New Disturbance \* 1.5 - Existing On-site Land Coverage Removed. Off-site restoration requirements calculated for LCDs 1a, 2, and 3 as follows: New Land Coverage + New Clear Zone Disturbance - Existing On-site Land Coverage Removed.
- \*\*\* LCD 3 project area calculations only include publicly owned land, but estimated land coverage includes all Greenway related land coverage. A portion of the Greenway will require an easement on private property located within LCD 3.

REVISED SOUTH TAHOE GREENWAY SHARED-USE TRAIL PROJECT  
 MODIFICATIONS TO THE IS/MITIGATED NEG DEC



# ATTACHMENT A

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## MITIGATION MONITORING AND REPORTING PROGRAM

CEQA Guidelines Section 15097 requires the adoption of a program by a public agency for monitoring or reporting on the project revisions or measures it has imposed to mitigate or avoid significant impacts of a project. The plan implementation and impact mitigation measures that are incorporated into the Project are contained in the South Tahoe Greenway Shared-Use Trail Project Initial Study. Detailed descriptions of each measure are included below.

The following mitigation measures are those measures that are required for construction and operation of the South Tahoe Greenway Shared-Use Trail to be operated by the California Tahoe Conservancy. Each of the mitigation measures includes a description of the measure that is required to be completed, the impacts that are mitigated, and the lead, implementing, and the monitoring agency. Also included is the timing associated with the implementation of the mitigation measure.

### Mitigation Measure SCENIC-1. Reduce Tree Removal

<b>Description</b>	The Greenway shall be realigned within view of Pioneer Trail in locations possible to retain existing trees. Additional tree retention between Herbert and Blackwood Ave retains screening for existing man-made features.
<b>Impacts Mitigated</b>	Degradation of scenic quality along Scenic Roadway units.
<b>Mitigation Level</b>	Protection of scenic quality ratings.
<b>Lead Agency</b>	Conservancy
<b>Implementing Agency</b>	Conservancy
<b>Monitoring Agency</b>	Tahoe Regional Planning Agency
<b>Timing</b>	<b>Start:</b> At time of permit acknowledgement <b>Complete:</b> At time of permit acknowledgement

### Mitigation Measure SCENIC-2. Create Additional Screening

<b>Description</b>	During construction plan development, locations where fencing and additional landscaping can improve screening shall be identified for existing development, including: relocation of the existing privacy fence on parcel APN 025-021-38, potentially sufficient to allow frontage planting; adding tree plantings in selected locations according to the Revegetation and Restoration Plans (RRPs) detailed in Appendix D; and where screening is necessary and safety will not be compromised, increasing screening to reduce impacts to man-made features.
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<b>Impacts Mitigated</b>	Degradation of scenic quality along Scenic Roadway units.
<b>Mitigation Level</b>	Protection of scenic quality ratings.
<b>Lead Agency</b>	Conservancy
<b>Implementing Agency</b>	Conservancy
<b>Monitoring Agency</b>	Tahoe Regional Planning Agency
<b>Timing</b>	<b>Start:</b> At time of permit acknowledgement <b>Complete:</b> At time of permit acknowledgement

### **Mitigation Measure SCENIC-3. Retain Slender Elements in the Safety Railing Design**

<b>Description</b>	As noted for Question 147, the safety railing proposal that incorporates cable elements requires excessive maintenance when located where snow storage from roadways is necessary. Alternate designs more suited to maintenance needs shall be required. As construction plans develop, alternatives to the cable elements shall remain slender and allow easy visual penetration.
<b>Impacts Mitigated</b>	Degradation of scenic quality along Scenic Roadway units.
<b>Mitigation Level</b>	Protection of scenic quality ratings.
<b>Lead Agency</b>	Conservancy
<b>Implementing Agency</b>	Conservancy
<b>Monitoring Agency</b>	Tahoe Regional Planning Agency
<b>Timing</b>	<b>Start:</b> At time of permit acknowledgement <b>Complete:</b> At time of permit acknowledgement

### **Mitigation Measure SCENIC-4. Reduce Retaining Wall Height and Length**

<b>Description</b>	Retaining walls proposed for the Greenway near Ski Run Blvd shall be redesigned to be no more than eight feet tall to comply with City design standards. Retaining walls that require height greater than eight feet shall be designed with multiple tiered wall planes and stepped up the hillside. Further, no long, straight unbroken retaining walls (greater than 100 feet in length) with little or no articulation or other surface features shall be allowed.
<b>Impacts Mitigated</b>	Compliance with City Design Standards.
<b>Mitigation Level</b>	Design retaining walls greater than eight feet in height with multiple tiered wall planes.

<b>Lead Agency</b>	Conservancy
<b>Implementing Agency</b>	Conservancy
<b>Monitoring Agency</b>	Tahoe Regional Planning Agency
<b>Timing</b>	<b>Start:</b> At time of permit acknowledgement
	<b>Complete:</b> At time of permit acknowledgement

**Mitigation Measure BIO-1. Active Raptor and Migratory Bird Nest Site and Wildlife Nursery Site Protection Program**

<b>Description</b>	The Program shall include surveys, consultation, and protective actions. Pre-construction surveys, conducted during the nesting/breeding season immediately prior to initial project construction (e.g., excavation, grading and tree removal), shall be conducted to identify any active raptor or migratory bird nest sites and wildlife nursery sites within the project area. During initial construction activities (tree removal and excavation for the construction), a qualified biological monitor shall evaluate whether any raptors or migratory birds are occupying trees or whether any wildlife den/nursery sites are within the project area. The biological monitor shall have the authority to stop construction near occupied trees or nursery sites if it appears to be having a negative impact on nesting raptors or migratory birds or their young observed within the construction zone. If construction must be stopped, the monitor shall consult with TRPA staff within 24 hours (and LTBMU staff in locations on LTBMU lands) to determine appropriate actions to restart construction while reducing impacts to identified nursery sites, raptors or migratory bird nests.
<b>Impacts Mitigated</b>	Interference with native or migratory wildlife species corridors or nursery sites.
<b>Mitigation Level</b>	Protection of wildlife nest sites and habitat.
<b>Lead Agency</b>	Conservancy
<b>Implementing Agency</b>	Conservancy
<b>Monitoring Agency</b>	Tahoe Regional Planning Agency, USDA Forest Service LTBMU
<b>Timing</b>	<b>Start:</b> Prior to construction activities
	<b>Complete:</b> Following initial construction activities

## Mitigation Measure BIO-2. Avoid Sensitive Plants or Prepare Sensitive Plant Protection Program

<b>Description</b>	<p>If pre-project surveys identify sensitive plant species, the Conservancy shall develop a Sensitive Plant Protection Program to mitigate impacts to LTBMU Sensitive, CNPS and TRPA Special Status Plant Species. Program features shall include:</p> <p><u>Avoidance.</u> Impacts to rare plant populations identified from the rare plant surveys shall be avoided where feasible by reconfiguring project design and fencing rare plant populations to prevent encroachment.</p> <p><u>Identify, Select, and Restore or Purchase Mitigation Sites.</u> If avoidance is not feasible, the Conservancy together with input from the TRPA and LTBMU when applicable shall identify opportunities for mitigation of sensitive plants impacts from Greenway construction and operation. Mitigation is not limited to but may include a single, or combination of the following items: restoration of degraded sensitive plant habitat owned by the Conservancy, purchase of mitigation sites, negotiation of conservation easements, or habitat restoration in off-site, degraded rare plant populations to compensate for unavoidable impacts.</p> <p><u>Prepare a Special Status Plant Species Mitigation &amp; Monitoring Plan.</u> If avoidance is not feasible, the Conservancy shall produce a mitigation and monitoring plan to follow the CNPS and CDFG guidelines to comply with Chapter 10 of CDFG Native Plant Protection Policy and TRPA Code Subsection 75.2.A.</p>
<b>Impacts Mitigated</b>	Potential loss of unique, rare or endangered species of plants.
<b>Mitigation Level</b>	Protection of rare plant species.
<b>Lead Agency</b>	Conservancy
<b>Implementing Agency</b>	Conservancy
<b>Monitoring Agency</b>	Tahoe Regional Planning Agency, USDA Forest Service LTBMU, State of California
<b>Timing</b>	<b>Start:</b> Prior to construction activities <b>Complete:</b> Following initial construction activities

## Mitigation Measure BIO-3. Wildlife Protection Program

<b>Description</b>	<p>Pre-construction surveys, conducted during the nesting/breeding season immediately prior to initial project construction (e.g., excavation, grading and tree removal), shall occur for the following species: mountain yellow-legged frog, California yellow warbler, northern goshawk, and California spotted owl. Surveys will be performed wherever construction activities will occur in suitable habitat as illustrated in Figure 27. Survey methods shall be approved by TRPA, and CTC and LTBMU (when occurring on LTMBU lands) prior to commencement of surveys. Survey methods shall follow the accepted regional protocol. Survey results shall be submitted for approval to the TRPA, CTC and LTBMU prior to construction activities. If sensitive</p>
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wildlife species are found, project redesign shall occur to avoid these resources. During initial construction activities (i.e., tree removal and excavation for the construction), a qualified biological monitor shall be on-site to evaluate if construction activities disturb the identified wildlife resources. The biological monitor shall have the authority to suspend construction near known wildlife territories if such activities appear to cause a negative impact on nesting raptors or migratory birds or their young observed within the construction area. If construction is suspended, the monitor shall consult with TRPA and/or LTBMU staff, as appropriate, within 24 hours to determine appropriate actions to restart construction while reducing impacts to identified wildlife individuals, pairs or territories.

<b>Impacts Mitigated</b>	Potential deterioration of existing fish or wildlife habitat quantity or quality.
<b>Mitigation Level</b>	Protection of wildlife habitat.
<b>Lead Agency</b>	Conservancy
<b>Implementing Agency</b>	Conservancy
<b>Monitoring Agency</b>	Tahoe Regional Planning Agency, USDA Forest Service LTBMU
<b>Timing</b>	<p><b>Start:</b> Prior to construction activities</p> <p><b>Complete:</b> Following initial construction activities</p>

### Mitigation Measure CUL-1. Cultural Resource Monitoring Program

<b>Description</b>	<p>A qualified archaeological monitor shall be present during initial ground disturbing activities to identify previously unknown significant or potentially significant historical and archaeological resources that may be eligible for inclusion in the NRHP, the CRHR, or eligible for designation as a TRPA historical resource, and to identify any unanticipated or inadvertent impacts to known historical or archaeological resources. A qualified archaeological monitor shall be on-site during active construction and shall inspect ground disturbing activities for the presence of cultural resources. The responsibilities of the archaeological monitor shall include: inspecting, documenting, and describing cultural material identified during monitoring; communicating with construction personnel; and notifying agencies (e.g., LTBMU, the SHPO, and TRPA) if previously unidentified historical or archaeological resources are encountered that may be eligible for inclusion in the NRHP, the CRHR or eligible for designation as a TRPA historical resource. Archaeological monitors shall have the authority to halt construction activities that have the potential to disturb significant historical or archaeological resources until appropriate measures can be implemented.</p> <p>Ground disturbing activities in the vicinity of the resource shall cease if the archaeological monitor determines that continuation of activity shall affect a significant historical or archaeological property, or if human remains are identified. If the archaeological monitor identifies cultural material but is unable to determine whether the resumption of the</p>
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construction activity will affect historical or archaeological resources that may be eligible for listing, the monitor shall contact the appropriate agency official. Subsequent notification and consultation shall follow regulations pertaining to the evaluation of significance, assessment of effects, and consultation with the SHPO and the ACHP, as appropriate (36 CFR, part 800.4 through 800.9).

<b>Impacts Mitigated</b>	Potential disturbance to unknown historic resources.
<b>Mitigation Level</b>	Protection of unknown historic resources.
<b>Lead Agency</b>	Conservancy
<b>Implementing Agency</b>	Conservancy
<b>Monitoring Agency</b>	Tahoe Regional Planning Agency, USDA Forest Service LTBMU, California Office of Historic Preservation
<b>Timing</b>	<p><b>Start:</b> During initial construction ground disturbing activities</p> <p><b>Complete:</b> Following initial construction activities</p>

### Mitigation Measure PS-1. Improve Safety Railing along Pioneer Trail

<b>Description</b>	The safety railing along Pioneer Trail shall be redesigned using a more durable design capable of withstanding snow storage requirements with fewer maintenance needs.
<b>Impacts Mitigated</b>	Increased maintenance of public facilities associated with City snow removal operations.
<b>Mitigation Level</b>	Rail design that does not burden government maintenance providers.
<b>Lead Agency</b>	Conservancy
<b>Implementing Agency</b>	Conservancy
<b>Monitoring Agency</b>	City of South Lake Tahoe
<b>Timing</b>	<p><b>Start:</b> At time of permit acknowledgement</p> <p><b>Complete:</b> At time of permit acknowledgement</p>

## Mitigation Measure TRAFFIC-1. Enhance Select Greenway Intersections to Reduce Vehicle Speeds and Increase Visibility

<b>Description</b>	<p>To enhance crossing treatments at specific locations and to reduce vehicle speeds and increase crossing visibility, the project shall include the following measures:</p> <ul style="list-style-type: none"> <li>• Becca Dr local road mid-block crossing: Install all-way stop control at the Glenwood Way/Becca Dr/Rancho Way intersection to slow vehicles approaching the Becca Drive crossing location from Glenwood Way. Installing all-way stop control does not change the vehicle level of service at the intersection. Relocate the proposed trail crossing of Glenwood Way from the mid-block location near Bruce Drive to south side of Glenwood/Becca Drive intersection.</li> <li>• Keller Rd collector road mid-block crossing: Install the warning signal before the curve and at the trail in the westbound direction.</li> <li>• Larch Ave local road mid-block crossing: Install “bike crossing ahead” pavement markings before the curve in the westbound direction.</li> <li>• Rocky Point (South) local road mid-block crossing: Install “bike crossing ahead” pavement markings before the curve in the westbound direction.</li> <li>• Glen Rd-Rocky Point (North) local road mid-block crossing: Install “bike crossing ahead” pavement markings before the curve in the westbound direction.</li> </ul>
<b>Impacts Mitigated</b>	Increased hazards to pedestrians, bicyclists and automobiles at proposed roadway crossings.
<b>Mitigation Level</b>	Reduce hazards at roadway crossings.
<b>Lead Agency</b>	Conservancy
<b>Implementing Agency</b>	Conservancy
<b>Monitoring Agency</b>	City of South Lake Tahoe
<b>Timing</b>	<p><b>Start:</b> At time of permit acknowledgement</p> <p><b>Complete:</b> At time of permit acknowledgement</p>