

DRAFT

SUPPLEMENT TO
INITIAL STUDY
AND
MITIGATED
NEGATIVE DECLARATION

FOR THE

**SOUTH TAHOE GREENWAY
SHARED USE TRAIL
PROJECT MODIFICATIONS**

SCH# 2006112070

**Prepared by
California Tahoe Conservancy**

Circulated Draft Date: January 15, 2016

DRAFT
**South Tahoe Greenway Shared Use Trail Project Modification
Mitigated Negative Declaration Supplement**

PROJECT: South Tahoe Greenway Shared-Use Trail (Greenway) Project Modifications

LEAD AGENCY: California Tahoe Conservancy

PROJECT DESCRIPTION

This supplement to the Initial Study/Mitigated Negative Declaration (MND) evaluates the environmental effects of proposed project modifications in the Phase 1b & 2 portions of the South Tahoe Greenway Shared-Use Trail Project (Greenway). Project changes examined would modify one mile of the approved trail between Sierra Boulevard and Glenwood Way. They include revisions to the alignment for the Trout Creek crossing to reduce environmental impacts, design refinements in several areas that update project proposals, and needed easements. In addition, the modifications consider a property exchange between the California Tahoe Conservancy, Lake Tahoe Community College, and the City of South Lake Tahoe to address overall management needs and facilitate project implementation.

FINDINGS

A MND Supplement was prepared to assess the potential effects on the environment and the significance of those effects related to certain project modifications and public property exchange. Based on the entirety of the record, including the 2011 IS/MND and the 2016 MND Supplement, 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 and agricultural and forest resources.
2. The proposed project would have a less-than-significant impact on 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 biological resources and cultural resources.

The following mitigation measures identified as necessary in the 2011 MND continue to be necessary to reduce potentially significant impacts to less than significant levels for the project modifications evaluated in this supplement.

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

Note: Text in italics modifies the 2011 adopted mitigation measure to clarify the relationship between required actions and planning and monitoring activities.

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 meet 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 *and the mitigation strategies identified above are employed*, the Conservancy shall produce a mitigation and monitoring plan to follow the CNPS and CDFW guidelines to comply with Chapter 10 of CDFW Native Plant Protection Policy and TRPA Code Subsection 75.2.A.

BIO-3. Wildlife Protection Program

Note: Text in italics modifies the 2011 adopted mitigation measure to clarify the need to address potential impacts on the willow flycatcher.

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, *willow flycatcher*, 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

Note: Text in italics modifies the 2011 adopted mitigation measure to reflect recent legislation.

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, *tribal cultural*, 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, among others) 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, *tribal cultural*, 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). *Assessment of tribal cultural resources, if found, shall treat the resource with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource (protecting the cultural character and integrity, traditional use, and confidentiality of the resource), and could include permanent conservation easements or other interests in real property for the purpose of preserving or utilizing the resource or place.*

Questions or comments regarding this MND may be addressed to:

Sue Rae Irelan
California Tahoe Conservancy
1061 Third Street
South Lake Tahoe, CA 96150
(530) 525-9137
SueRae.Irelan@tahoe.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 supplement 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.

Sue Rae Irelan, Project Manager*
California Tahoe Conservancy

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

* To be signed upon completion of the public review process and preparation of a final project approval package including responses to comment, if any, on the environmental document and any necessary modifications to project design measures.

**South Tahoe Greenway Shared Use Trail Project Modification
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Appendix C	Archeological Survey

**South Tahoe Greenway Shared Use Trail Project Modification
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Project Title: *South Tahoe Greenway Shared Use Trail (Greenway) Project Modifications*

Lead Agency: California Tahoe Conservancy
1061 Third Ave.
South Lake Tahoe, CA 96145

Contact Person: Sue Rae Irelan, Assoc. Environmental Planner
(530) 525-9137

1.0 Introduction

An Initial Study/Mitigated Negative Declaration was prepared for the South Tahoe Greenway Shared Use Trail Project (Greenway) in 2011. The original environmental evaluation was prepared by Hauge Brueck Inc. for the California Tahoe Conservancy (Conservancy), the Tahoe Regional Planning Agency (TRPA) and the U.S. Forest Service, Lake Tahoe Basin Management Unit (LTBMU) and includes the following components:

South Tahoe Greenway Shared Use Trail (California Clearinghouse #2006112070)
Initial Study/Initial Environmental Checklist/Environmental Assessment (IS/IEC/EA), with Appendix (June, 2011)
Final Mitigated Negative Declaration (September, 2011)

This document is a supplement to the approved Mitigated Negative Declaration (MND) for the Greenway prepared in compliance with the California Environmental Quality Act (CEQA). It does not supplement evaluation from the 2011 document related to TRPA or LTBMU environmental documentation requirements. This document examines:

- Realignment to cross Trout Creek between Lake Tahoe Community College (LTCC) and the Martin Avenue/Barbara Avenue intersection, reducing total trail length by 713 linear feet (lf);
- Realignment to avoid crossing State Department of Transportation (Caltrans) property near Barbara Avenue, reducing total trail length by 167 lf;
- Modification in the design detail for crossing Bijou Meadow, increasing use of causeway and decreasing use of boardwalk by 487 lf; and
- A different public ownership pattern between three public entities in the Trout Creek and Bijou Meadow areas.

1.1 Project Location

The Greenway project area lies in El Dorado County, California, largely within the boundaries of the City of South Lake Tahoe, extending from Sierra Boulevard in the Sierra Tract neighborhood of South Lake Tahoe, California to the Van Sickle Bi-State Park at the Nevada/California state line. Project modifications evaluated in this supplement extend between Sierra Boulevard to Glenwood Way (Phases 1b and 2). Latitude/Longitude: 38.918181/-119.977676. See Figure 1, Project Location.

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The Assessor Parcel Numbers (APNs) associated with this supplement are:

Greenway Project Area

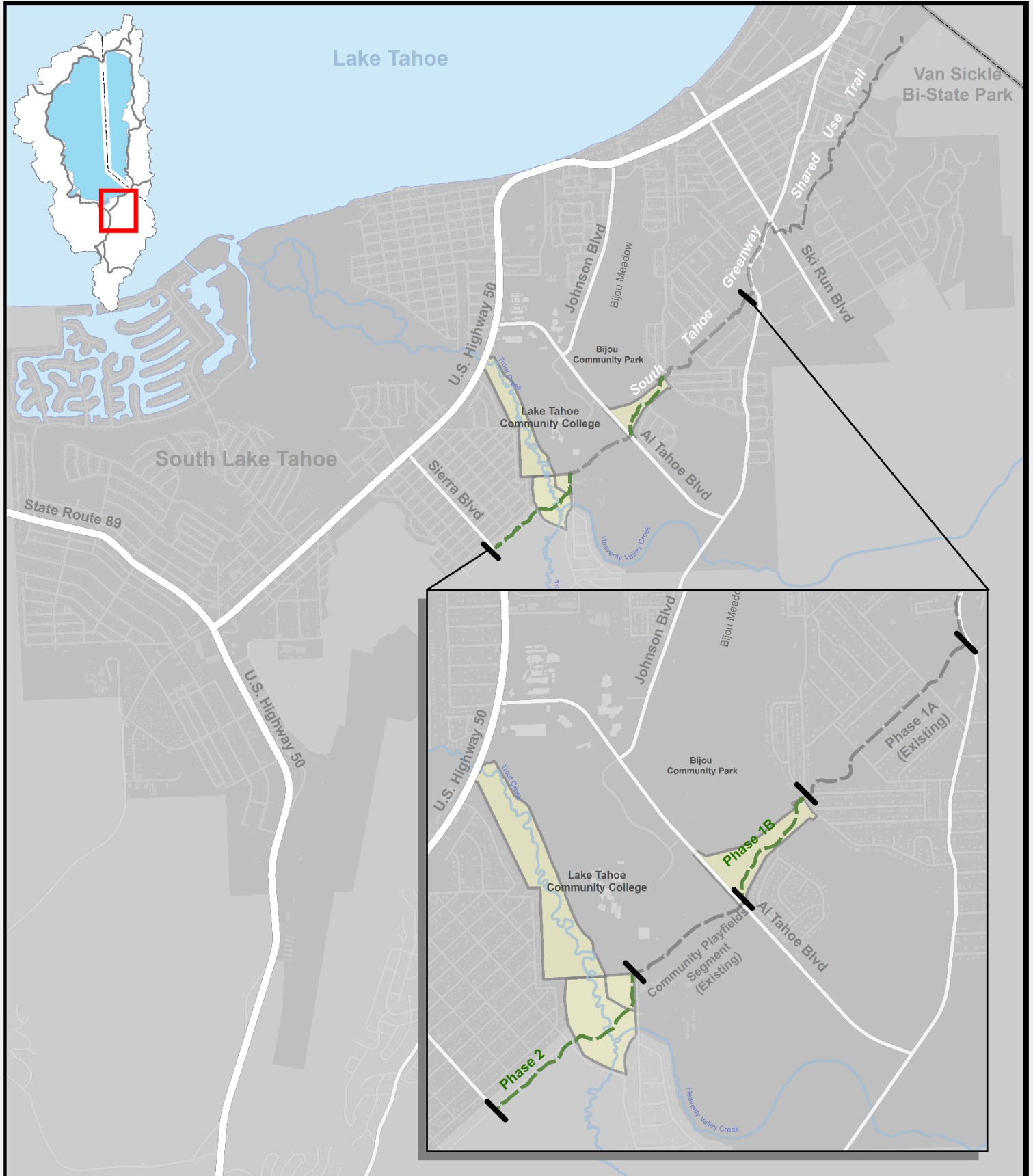
Bijou Meadow (Phase 1b)	025-405-05	025-405-08
	025-405-06	025-405-09
	025-405-07	025-051-29
Trout Creek (Phase 2)	025-061-12	025-061-27
	025-061-26	025-061-18*
	025-060*	
Barbara Avenue (Phase 2)	025-462-06	025-462-15
	025-462-07	025-462-16
	025-462-08	025-462-18
	025-462-09	025-462-19
	025-462-10	025-462-20
	025-462-11	025-462-21
	025-462-12	025-462-22
	025-462-13	025-462-23
	025-462-14	025-462-24

Property Exchange

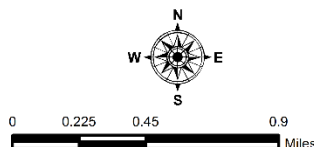
California Tahoe Conservancy	025-405-05	025-405-08
	025-405-06	025-405-09
	025-405-07	025-051-29
	025-061-12*	
City of South Lake Tahoe	025-061-26	025-061-27
Lake Tahoe Community College	025-010-34	031-011-02
	025-010-54	025-041-10

*Easements from public entities required

Figure 1 - South Tahoe Greenway Project Location



- Proposed Project Modifications
- Parcels Involved in Property Exchange



California Tahoe Conservancy
January 2016

Map for reference purposes only.
Sources: TRPA; CTC



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1.2 Environmental Documentation Compliance

1.2.a. California Environmental Quality Act (CEQA)

The Conservancy is the lead agency for CEQA compliance. In June, 2011, the Conservancy presented the Greenway's Draft IS/IEC/EA and circulated it for public review. The public review period extended for 30 days between June 1 and July 1, 2011. On September 15, 2011 the Conservancy Board adopted the Final Mitigated Negative Declaration (MND) and Mitigation Monitoring Report (MMR), and approved the Greenway project. The Notice of Determination (NOD) was filed with the State Clearinghouse on September 19, 2011. The Greenway MND met the requirements for both the Lahontan Water Quality Control Board and the City of South Lake Tahoe as Responsible Agencies when they considered discretionary permits needed for implementation of the first construction phase, Phase 1a, completed in October, 2015.

This supplement to the Greenway MND considers effects of proposed project modifications for Phases 1b & 2 (Section 2.0, following). The supplement, prepared in accordance with CEQA Statutes (Public Resources Code section 21000 et seq.) and CEQA Guidelines (California Administrative Code section 15000 et seq.), presents sufficient information to allow the Conservancy Board to assess environmental effects of project modifications and consider approval of the modified project.

Pursuant to Public Resources Code section 21166, subsequent or supplemental environmental documentation is only required under certain circumstances. CEQA Guidelines sections 15162 and 15163 generally provide the conditions under which subsequent or supplemental environmental documentation should be prepared. This section establishes the relationship between information and assessment provided in the supplement and that presented in the original document. The following discussion includes information important for reviewers related to provisions of this section, referring to its applicability to an MND for ease of consideration.

Discussion:

The proposed project modification that requires consideration in a subsequent or supplemental MND involves moving the trail over Trout Creek 535' away from the edge of the existing roadway, shortening its length, and reducing its disturbance in Stream Environment Zone (SEZ), 100-year floodplain, and wetland. This shorter alignment was identified in early project development as an alternative, yet rejected from further consideration because of assumed increased potential for impacts to riparian habitat. Subsequent experience in the Tahoe Basin with boardwalk construction techniques demonstrates improved ability to protect sensitive lands. This meets the test established in Section 15162(3)(C) related to alternatives previously found not to be feasible that would in fact be feasible and would substantially reduce one or more significant effects of the project. Additionally, the proposed modification exists in close proximity to the approved route, traveling through very similar landscape and habitat types. This allows minor recalculation and assessment of project impacts to make the previous analysis adequately apply to the modified project.

Other project modifications identified in this supplement are minor revisions or changes to public land ownership patterns. On their own, these modifications would not require evaluation

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in a supplement, yet are included at this time to assess and disclose their relationship to potential for cumulative impact.

This supplement follows the CEQA checklist format and discloses effects of the project modifications where they differ from those of the approved project. If necessary, new or modified mitigation measures are presented and their effectiveness at avoiding, reducing, or mitigating potentially significant impacts assessed. Where project modifications do not create differing effects than the approved project, this supplement provides no new evaluation.

The previous draft and final MND will not be recirculated. However, digital versions of these materials may be found at: http://tahoe.ca.gov/ctc_projects/south-tahoe-greenway-79/. Hard copy versions can be viewed during business hours at the following locations:

- California Tahoe Conservancy offices: 1061 Third Street; South Lake Tahoe, California
- City of South Lake Tahoe offices: 1052 Tata Lane; South Lake Tahoe, California
- El Dorado County Library: 1000 Rufus Allen Boulevard; South Lake Tahoe, California

1.2.b Tahoe Regional Planning Agency (TRPA)

The project area, entirely located in the Lake Tahoe Basin, falls under the jurisdiction of the TRPA. The Tahoe Regional Planning Compact (PL 96-551 94 Statute 3233) establishes TRPA authority over planning and development activities. The 2011 joint IS/IEC/EA was prepared in accordance with Article VII of the Tahoe Regional Planning Compact, TRPA Code Subsection 5.2.A, and Article VI of the TRPA Rules of Procedure. On October 27, 2011 the TRPA Governing Board certified the adequacy of the IEC and approved the project. This supplement, prepared for CEQA compliance, does not include additional TRPA environmental evaluation.

1.2.c National Environmental Policy Act (U.S. Forest Service)

The South Tahoe Greenway Shared Use Trail includes approximately 1,395 linear feet (0.26 miles) on National Forest System lands in its 3.86 mile route. Consequently, the USDA Forest Service Lake Tahoe Basin Management Unit (LTBMU) was the lead agency under NEPA in the 2011 environmental evaluation. An Environmental Assessment (EA) was prepared in accordance with the NEPA and Council on Environmental Quality (CEQ) Regulations 40 CFR §1500 et seq. and presented in the joint Draft IS/IEC/EA. The EA contained evaluation related to Forest Plan requirements relevant to the affected federal land, as well as other Federal requirements. This included the United States Army Corps of Engineers (USACE) CWA Section 404(B) permit requirements, including consultation with the U.S. Fish and Wildlife Service (related to requirements of the Fish and Wildlife Coordination Act, Fish and Wildlife Act of 1956, Anadromous Fish Conservation Act, Migratory Bird Treaty Act (MBTA), and Endangered Species Act (ESA)) and with the California State Historic Preservation Officer (SHPO) (related to requirements of Section 106 of the National Historic Preservation Act (NHPA)). The Forest Supervisor, as Responsible Official, issued a Decision Notice and Finding of No Significant Impact (FONSI) on March 1, 2012.

The project modifications under consideration in this supplement do not involve National Forest System Lands and generally reduce disturbance to sensitive landscapes. Because of this, the project modifications do not have the potential to alter environmental evaluation presented in 2011 related to

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National Forest System lands and this supplement will provide no additional evaluation for US Forest Service NEPA compliance.

1.3 Project Background

The Greenway will create the backbone of the bicycle and pedestrian network in the core of South Lake Tahoe, producing a direct, fast, safe, and attractive access route for residents and visitors. Once envisioned as a freeway corridor bypassing commercial core congestion, the 3.86 mile non-motorized trail extends between the Sierra Tract neighborhood in the south to Van Sickle Bi-State Park in the north. In 2011, the Greenway was evaluated in a joint CEQA/TRPA/NEPA environmental document and approved as a project.

Since project approval, the Conservancy has worked to secure funds and move the project into implementation. In October 2015, the Conservancy completed construction of Phase 1a linking Herbert Avenue and Glenwood Way. Also since project approval, other considerations developed to drive the desirability of several project modifications. These include experience gained through shared use trail construction projects in other areas of the Tahoe Region and additional consultation during project partnership development. Conservancy evaluation of these modifications determined one of them presents sufficient change in the project description to warrant further environmental review. This Supplemental Mitigated Negative Declaration presents all project modifications and evaluates their differing effects on the 2011 approved project.

1.4 Project Area

The Greenway Project modifications evaluated here will directly serve non-motorized transportation users in the Mid-Town area of South Lake Tahoe. Surrounding land uses include Bijou Community Park, Lake Tahoe Community College, El Dorado Community Playfields, South Tahoe Public Utility District facilities and the residential neighborhoods of Bijou, Pioneer Village, and Sierra Tract.

General planning regulations in the area evaluated in this supplement are established in the following adopted plans: Regional Plan for the Lake Tahoe Basin (TRPA, 2012), City of South Lake Tahoe General Plan (2011), and Bijou/Al Tahoe Community Plan (1995). Project modifications evaluated here transect the following TRPA Plan Area Statements (PAS): 098 – Bijou/Al Tahoe CP (Commercial/Public Service); 100 – Truckee Marsh (Conservation); 101 Bijou Meadows (Conservation); and 105 Sierra Tract (Residential). A bike trail, as a linear transportation facility, is considered a Special Use in all the PASs noted. The evaluation provided in Chapter 2 addresses any changes resulting from the 2012 TRPA Regional Plan update.

1.5 Glossary of Terms

This supplement includes use of terms fully defined in the IS/IEC/EA. To ease review of the supplement, the following list provides definition of terms needed to assess the evaluation provided.

- 100-year Floodplain: The area adjoining a river or stream that has been or may be covered by the 100-year flood.
- Floodway: channel of a river or stream and the parts of the floodplain adjoining the channel that are reasonably required to efficiently carry and discharge the flood water or flood flow of a river system.

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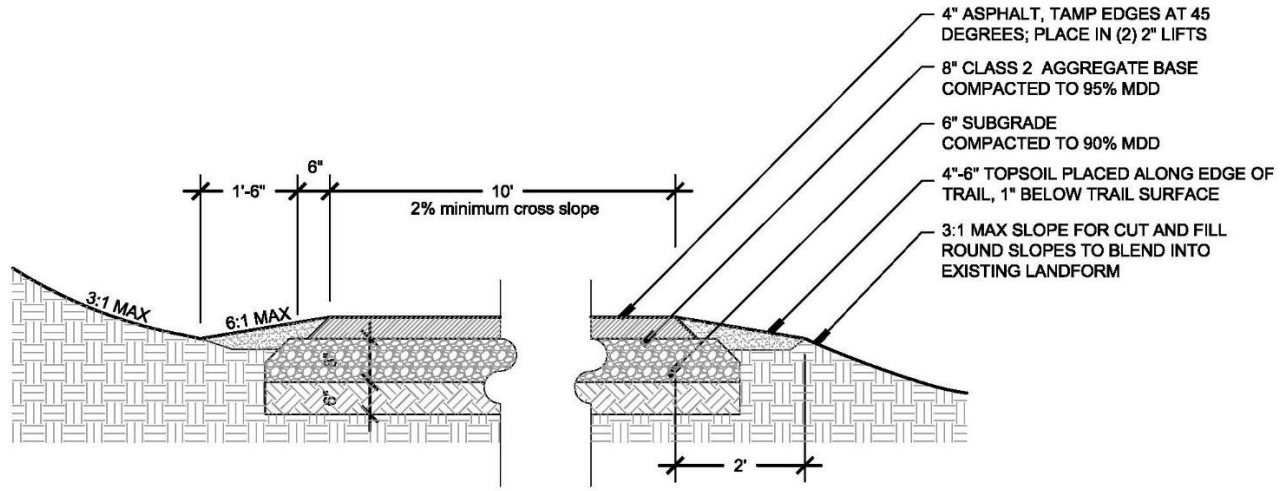
- **Stream Environment Zone (SEZ):** SEZ is a term unique to the Tahoe Basin and denotes perennial, intermittent and ephemeral streams and drainages, as well as marshes and meadows, and they generally possess the following characteristics: riparian or hydric (wet site) vegetation; alluvial, hydric soils; and the presence of surface water or near-surface groundwater at least part of the year. Both TRPA and the Lahontan Regional Water Quality Control Board maintain regulations related to disturbance in SEZ.
- **Vehicle Miles Traveled (VMT):** A measurement of miles traveled by vehicles in a specified region for a specified time period. TRPA maintains regulations related to VMT as an air quality management tool.
- **Wetland:** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Both the US Army Corps of Engineers (USACE) and the Lahontan Regional Water Quality Control Board (Lahontan) maintain regulations related to disturbance in wetlands. Wetlands are distinguished by type. Within the project area considered in this supplement, four wetland types exist: Riparian Wetland (characterized by perennial woody riparian vegetation with persistent high water table), Emergent Floodplain (characterized by vegetation species always found in wetlands with direct inundation from an adjacent active stream channel), Dry Montane Meadow (characterized by herbaceous vegetation influenced by seasonal fluctuations in groundwater) and Other Waters (open water).

1.6 Project Description

The project modifications examined in this supplement include: revisions to the alignment for the Trout Creek crossing, design refinements in several areas that update project proposals since the 2011 approval, and property exchange between three public entities to address overall management needs and facilitate project implementation.

This supplement examines modifications in trail alignment. No changes in the design details of project construction are proposed. To assist in review of this supplement, the following trail design details are reprinted here. Appendix A contains the preliminary plan set for Phase 1b and 2.

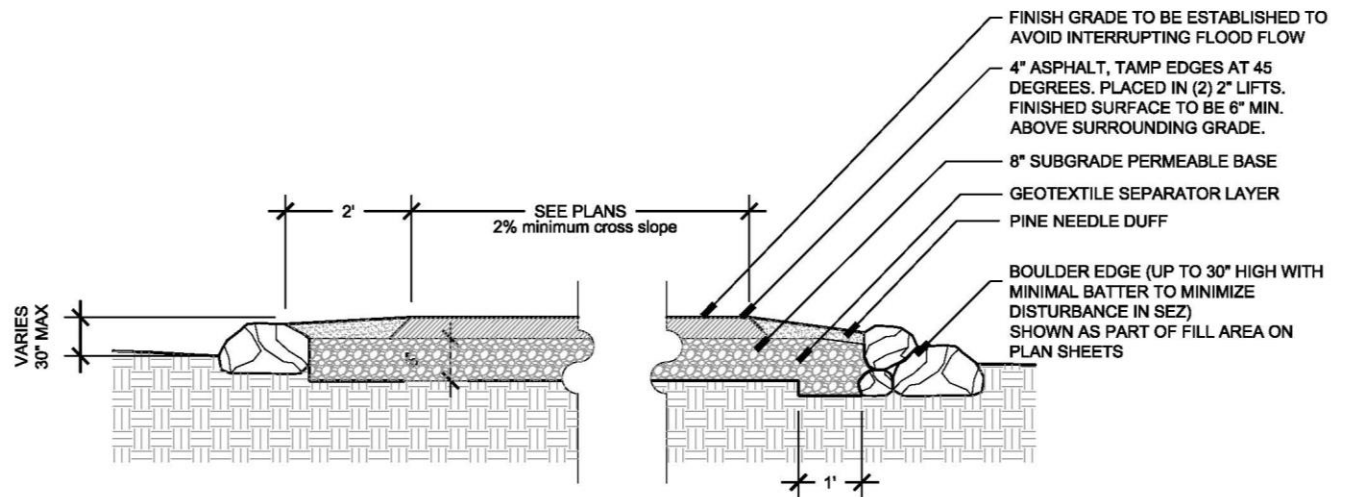
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1 Asphalt Trail On Grade

1/2"=1'

1.1

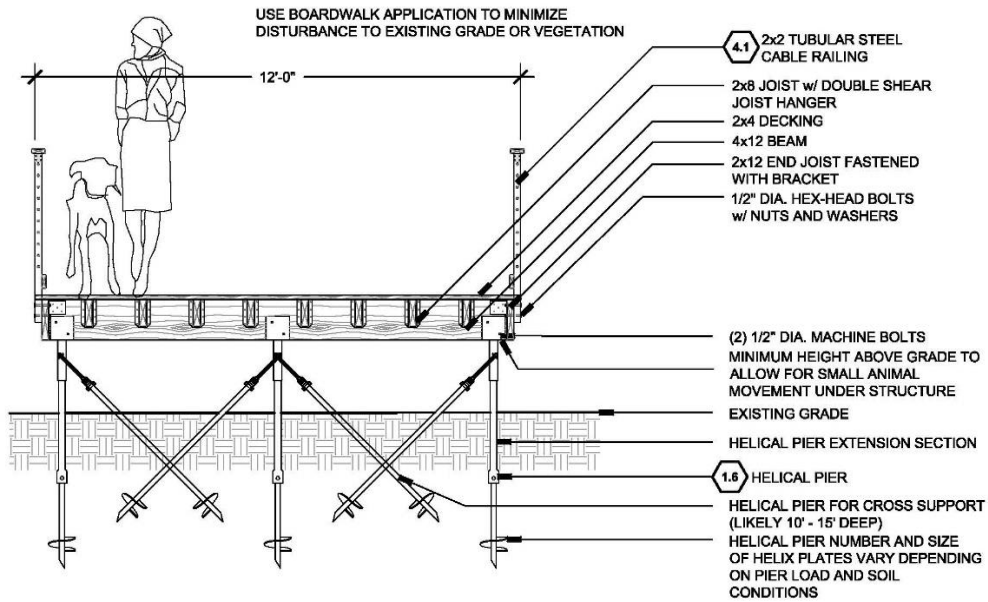


**5 Raised Asphalt Trail On Permeable Fill
(Causeway)**

1/2"=1'

1.5

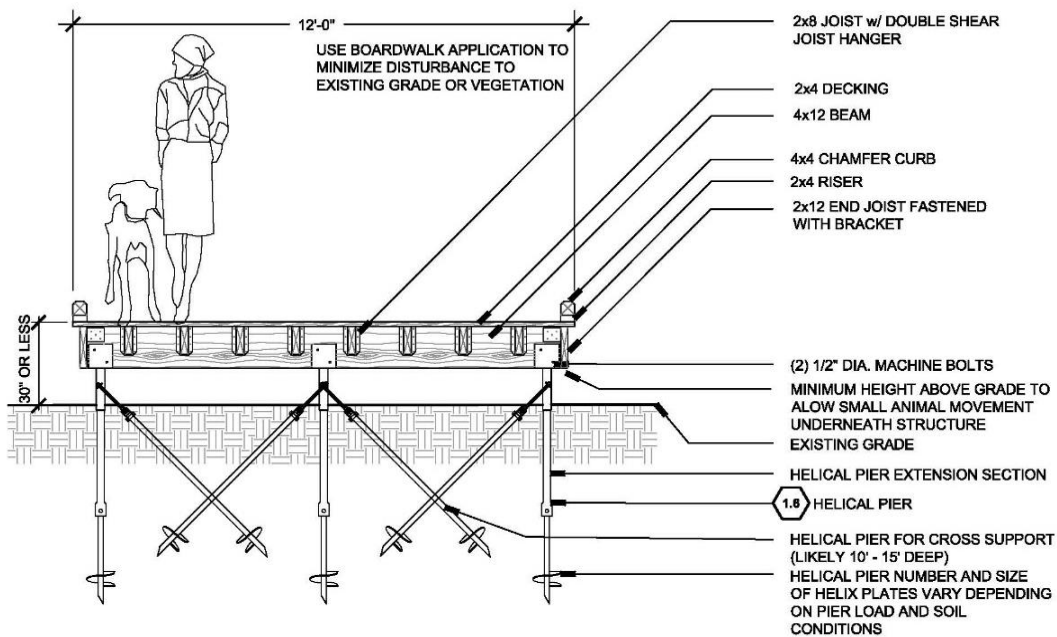
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3 12' Boardwalk With Rail

3/8"=1'

1.3



4 12' Boardwalk No Rail

3/8"=1'

1.4

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1.6.a Trail Alignment Modification over Trout Creek (Phase 2)

The 2011 adopted alignment across Trout Creek connects Lake Tahoe Community College (LTTC) to the corner of Martin Avenue/Barbara Avenue in 2,425 linear feet (lf), including 1,820 lf in SEZ by closely following the existing street pattern along Meadowcrest Drive, Black Bart Avenue, and Martin Avenue. This segment is a portion of Phase 2 of the Greenway as shown on Figure 1. This alignment requires riparian vegetation removal along much of its length and 243 lf of 2.5-3' retaining walls along Black Bart Avenue in the Trout Creek SEZ. The trail also crosses areas delineated as floodplain and wetland.

The modified alignment completes the same connection in 1,712 lf, of which 1,088 lf cross SEZ. This represents a 30% reduction in overall length and 40% reduction in length in SEZ compared to the 2011 adopted project. It will follow an existing user created footpath for 122 lf and lands previously disturbed for installation of sewer lines. Approximately 100 lf will cross South Tahoe Public Utility District (STPUD) ownership (APN 025-061-18) with an easement or other access agreement. The proposed design elevates most of the trail out of the 100-year floodplain and delineated wetland with a combination of raised boardwalk (utilizing a helical pier footing as shown above) and bridge. Railings and/or sections of fencing will direct users to stay on the protected surface trail. In a short section of floodplain near the trail crossing at Martin Avenue, the proposed alignment follows an existing sewer line. Helical pilings associated with boardwalk cannot be used in this location so the design relies on asphalt on grade or causeway in this location. The proposal maintains restoration of existing user created trails near Meadowcrest Drive included in the 2011 approved project. Table 1 summarizes the changes in project effects between the proposed modifications and 2011 approved project. Figure 2 illustrates these differences.

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Table 1 Trout Creek Alignment Modification Project Comparison¹			
	2011 Adopted Project	Proposed Modification	Difference
Total Trail Length	2,425 lf	1,712 lf	-713 lf
Total Length in SEZ	1,820 lf	1,088 lf	-732 lf
Total Length in Wetland			
• Riparian	895 lf	278 lf	-617 lf
• Emergent Floodplain	225 lf	554 lf	+329 lf
• Other Waters (Trout Creek)	28 lf	28 lf	0
TOTAL	1,148 lf	860 lf	-288 lf
Total Length in 100-year Floodplain	1,129 lf	839 lf	-290 lf
Total Disturbance in SEZ ²			
• 2011 Adopted Project	24,420 sf	--	Not Applicable
• Proposed Modification	--	11,357 sf	
Total Disturbance in Wetland (USACE) ³			
• Riparian Wetland	2,680 sf	1,734 sf	-946 sf
• Emergent Floodplain Wetland	1,367 sf	1,032 sf	-335 sf
• Other Waters (under bridge span)	0 sf	0 sf	0
TOTAL	4,047 sf	2,766 sf	-1,281 sf
Total Disturbance in Wetland (Lahontan) ⁴	Not Applicable		Not Applicable
• Riparian Wetland		2,614 sf	
• Emergent Floodplain Wetland		3,248 sf	
• Other Waters (under bridge span)		0 sf	
TOTAL		5,862 sf	
Tree Removal (>6" dBh)	125	31	-94
Riparian Vegetation (Willow) Removal	95	7	-88
User Created Trail Decommissioning/ Restoration	1,382 sf	3,000 sf	+1,618 sf

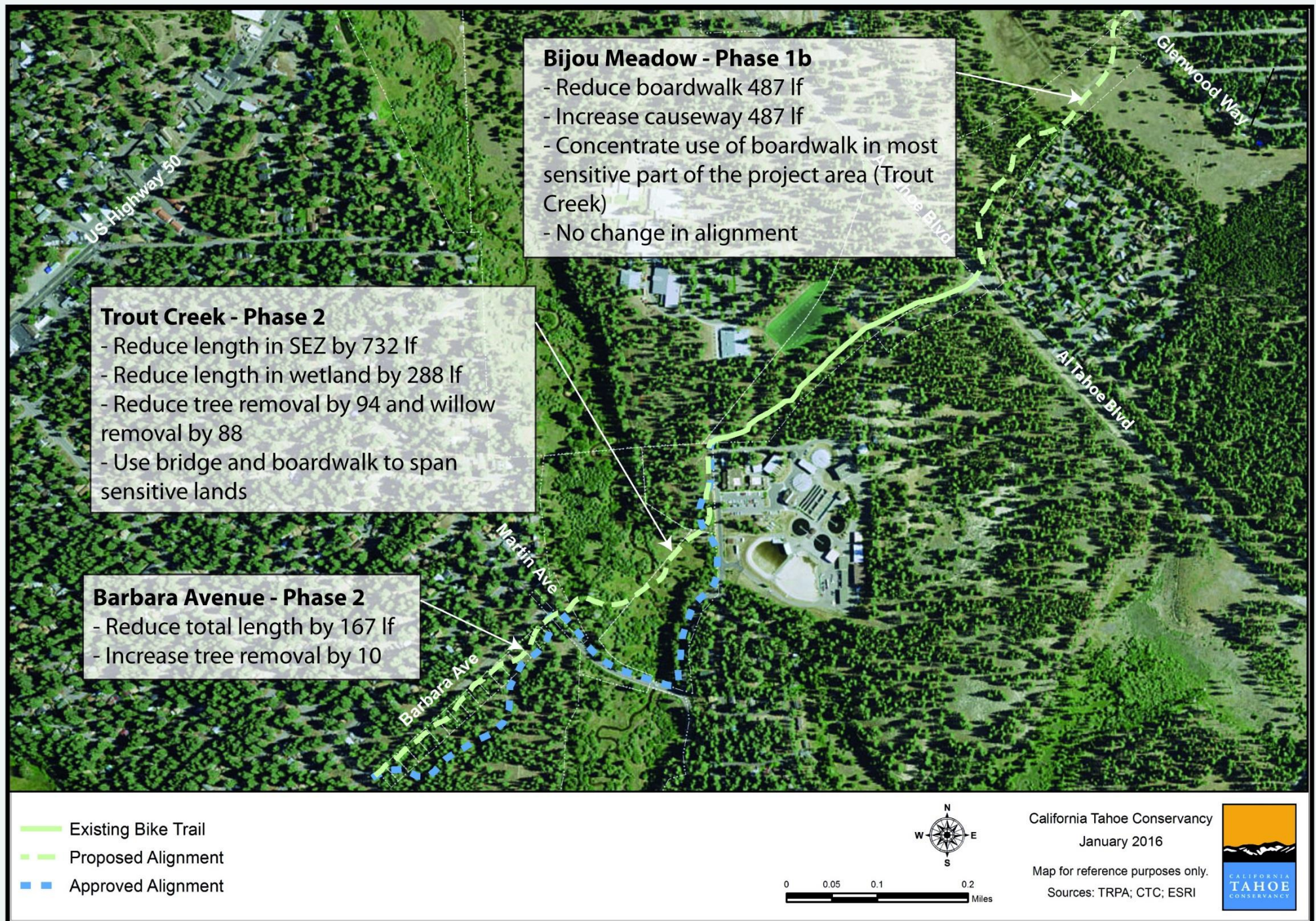
¹All 2011 adopted project calculations include Analysis Segment 2-50 as described in the IS/IEC/EA, p. 2-6, extending between the end of the Community Playfields Segment and the Martin Avenue/Barbara Avenue intersection.

²Since 2011, SEZ disturbance calculation methodology changed for elevated boardwalk and bridge sections, making direct comparisons difficult. The 2011 calculation included the full width of the elevated structures, reduced by the new disturbance over areas of existing verified coverage. Current Lahontan staff direction for this calculation includes all direct disturbance (e.g. footings, fill, etc.), plus 1/3 of the decking area to recognize the shading effect of elevated sections, reduced by the new disturbance over areas of existing verified coverage.

³This data follow the USACE disturbance calculation methodology including the area of direct disturbance from footings and helical piers.

⁴The 2011 IS/IEC/EA did not identify different disturbance calculation methodologies between USACE and Lahontan. Current direction from Lahontan staff for wetland disturbance calculations includes the direct disturbance required by USACE and adds 1/3 of the total area of boardwalk and bridge decking to recognize the shading effect of elevated sections.

Figure 2 - Proposed Project Modifications



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1.5.b Design Refinements

In Bijou Meadow, the 2011 adopted Project includes a combination of boardwalk and causeway (raised asphalt on permeable fill) to cross the SEZ, 100-year floodplain, and delineated wetland area. The trail segment between Glenwood Way and Al Tahoe Boulevard is Phase 1b of the Greenway as shown on Figure 1.

The modified Project will change the relative lengths of the two design details in the drier SEZ and wetland area of Bijou Meadow, decreasing use of boardwalk and increasing use of causeway. The modified project will retain boardwalk in the designated floodway, the area most likely to carry floodflow as identified in the 2011 Project Description (IS/IEC/EA, p. 2-17), and utilize the causeway design detail in the rest of the SEZ, wetland, and floodplain areas. Considering the Trout Creek and Bijou Meadow areas together, the modified Project will focus use of boardwalk, the most environmentally sensitive design, in the most sensitive portions of the project area. To avoid creating obstacles to flood waters associated with Bijou Meadow, the elevation of the boardwalk section will be established to allow 100-year flood waters to pass under the boardwalk structure. Updated floodplain modeling during final design will establish the deck height; a railing will be necessary if the height exceeds 30" above the ground surface to comply with safety standards. The elevation of the causeway sections will allow floodwaters to pass over the trail. Figure 2 illustrates these design refinements. Table 2 discloses project effects of these design refinements.

Along Barbara Avenue, the project modification responds to a concern expressed by Caltrans during project review and relocates the trail along Barbara Avenue so that it avoids conflict with Caltrans' snow storage needs nearby. Short connections at the Martin Avenue and Sierra Boulevard intersections will cross Caltrans ownership with an easement or other agreement. This action reduces the length of the trail by 167 linear feet; total tree removal will increase by two. The trail segment between Martin Avenue and Sierra Boulevard is a portion of Phase 2 as shown on Figure 1. See Figure 2 for an illustration and Table 2 for a comparison of the project effects.

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Table 2 Design Refinements Project Comparison			
	2011 Approved Project	Proposed Modification	Difference
Bijou Meadow (Phase 1b) ¹			
Length of Trail in 100-year Floodplain			
• Floodway (Boardwalk)	138 lf	138 lf	0
• Floodplain (Outside of Floodway)			
- Boardwalk	470 lf	0 lf	-470 lf
- Causeway	180 lf	650 lf	+470 lf
TOTAL	788 lf	788 lf	0
Total Disturbance in SEZ ²			
• 2011 Adopted Project	20,780 sf	--	Not Applicable
• Proposed Modification	--	20,002 sf	
Total Disturbance in Montane Dry Meadow Wetland ³			
• USACE	1,136 sf	4,705 sf	+3,569 sf
• Lahontan		5,254 sf	
User Created Trail Decommissioning/Restoration	2,163 sf	2,163 sf	0
Tree Removal (>6" dBh)	67	67	0
Barbara Avenue Revision			
Total Length (All Class 7 land)	1,600 lf	1,433 lf	-167 lf
Tree Removal (> 6" dBh)	31	41	+10

¹Mitigation Measure TRAFFIC-1, (IS/IEC/EA, p. 3-241) required relocating the Glenwood Way street crossing which in turn changed the trail alignment in Bijou Meadow. The Final MND/NOD disclosed the net result of this relocation was a reduction in total SEZ land coverage by 510 sf (Final MND/NOD, p. 26). The 2011 Adopted Project disturbance calculation, therefore, assumes implementation of TRAFFIC-1.

²Since 2011, SEZ disturbance calculation methodology changed for elevated boardwalk and bridge sections, making direct comparisons difficult. The 2011 calculation included the full width of the elevated structures, reduced by the new disturbance over areas of existing verified coverage. Current Lahontan staff direction for this calculation includes all direct disturbance (e.g. footings, fill, etc.), plus 1/3 of the decking area to recognize the shading effect of elevated sections, reduced by the new disturbance over areas of existing verified coverage.

³This USACE disturbance calculation methodology includes the area of direct disturbance from footings and helical piers. The 2011 IS/IEC/EA did not identify different disturbance calculation methodologies between USACE and Lahontan. Current direction from Lahontan staff for wetland disturbance calculations includes the direct disturbance required by USACE and adds 1/3 of the total area of boardwalk decking to recognize the shading effect of elevated sections.

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1.6.c *Property Exchange*

The Conservancy, City of South Lake Tahoe (City), and LTCC propose to complete property exchange encompassing land in Bijou Meadow and along Trout Creek. The purposes of this exchange are to improve management efficiency and to facilitate implementation of the Greenway project. Table 3 describes these opportunities in detail. See Figure 3 for an illustration of lands involved.

Property exchange among the public entities will occur through title transfer. Reservations in the title of all property will allow the Conservancy to construct elements of the Greenway evaluated in this supplement. The exchange between the Conservancy and LTCC (identified as Exchange 2 in Table 3) will also reserve certain rights for each entity related to their purposes and mission. This includes:

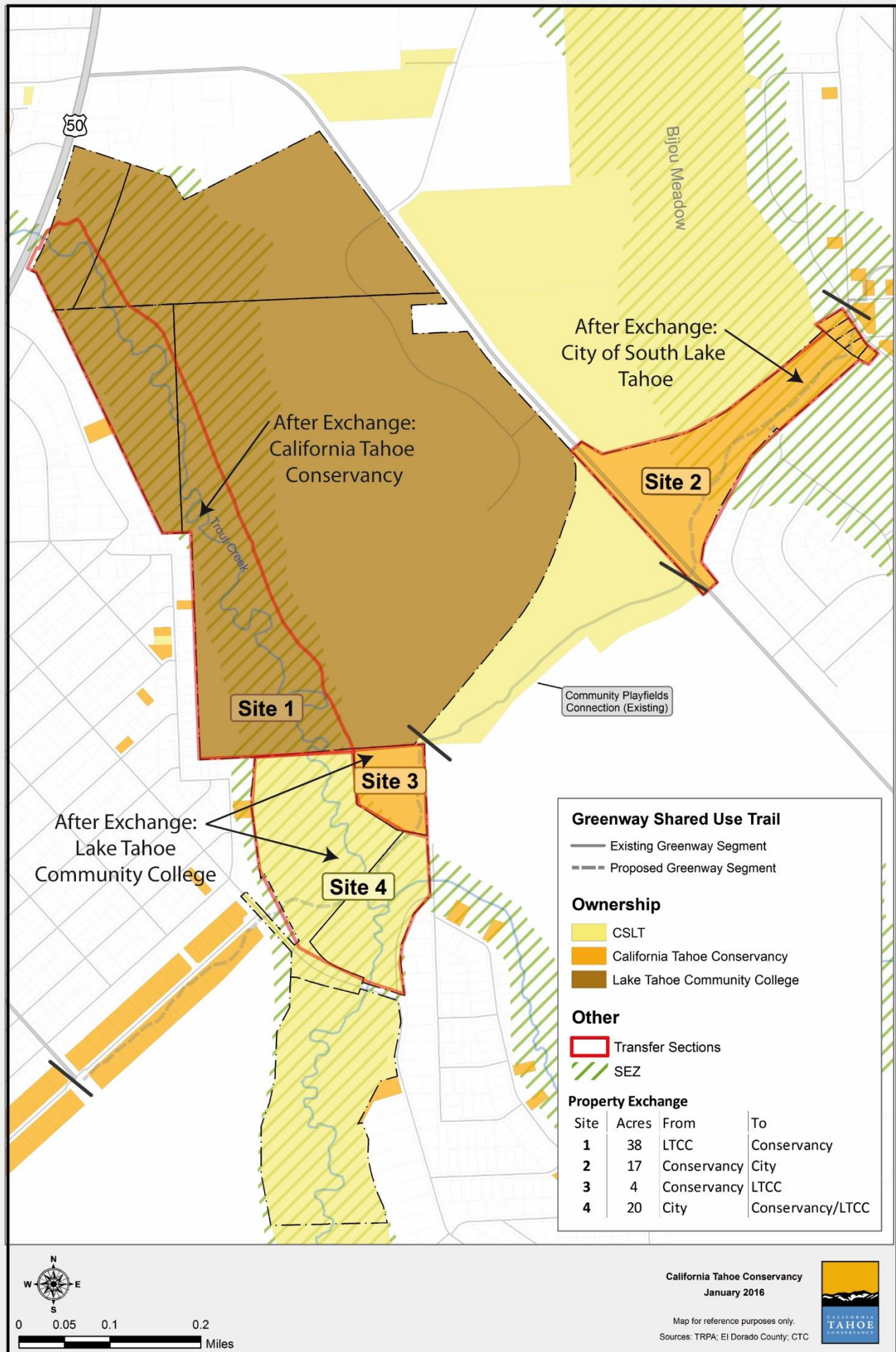
- Site 3. The lower Trout Creek riparian wetland will transfer from LTCC to the Conservancy under the proposal evaluated in this supplement. LTCC will reserve access rights for implementation of their mission, including educational and community outreach purposes.
- Site 2 and 4. The upper Trout Creek riparian wetland will transfer from the Conservancy to LTCC under the proposal. The Conservancy will reserve access rights for potential future restoration activities. The Conservancy will grant an easement to STPUD on APN 025-061-12 prior to land exchange for the purposes of maintaining a narrow section of STPUD parking lot and to provide for snow storage needs associated with that parking lot.

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**Table 3
Property Exchange Description**

Assessor Parcel Number	Current Ownership	Future Ownership	Size	Description/Purpose
Exchange 1: Conservancy and City				
Site 1 025-061-26 (portion) 025-061-27 (portion)	City	Conservancy (then LTCC, see below)	20 acres	<u>Description:</u> This City property encompasses Trout Creek and its associated floodplain and forms a part of the Greenway Project Area. <u>Purpose:</u> This property is adjacent to Site 3, below, and meets Conservancy purposes for protection of natural resources. (See below for further explanation.)
Site 2 025-051-29 025-405-05 025-405-06 025-405-07 025-405-08 025-405-09	Conservancy	City	17 acres	<u>Description:</u> This former Caltrans freeway right-of-way property is adjacent to and functionally related to Bijou Community Park and a portion of the City's Bijou Erosion Control Project (ECP). This Conservancy property is part of the Greenway Project area. <u>Purpose:</u> The City currently retains maintenance responsibilities for the ECP on Conservancy property through an easement and provides management for Bijou Park uses. City maintenance and management of the property will be more efficient and comprehensive through ownership. Title transfer will reserve a right for the Conservancy to construct the bike trail project.
Exchange 2: Conservancy and LTCC				
Site 3 Portions of: 025-010-34 025-010-54 025-041-10 031-011-02	LTCC	Conservancy	38 acres	<u>Description:</u> This property encompasses Trout Creek and its associated floodplain and is directly upstream of the Conservancy's ownership in the Upper Truckee marsh. <u>Purpose:</u> To facilitate Conservancy natural resource management along Trout Creek, including potential future restoration, habitat protection, and invasive species eradication. The title transfer will reserve the right for the LTCC to access the property for purposes related to the mission of the college.
Site 2 (above) and Site 4 025-061-12	Conservancy	LTCC	4 acres	<u>Description:</u> Site 4 is former Caltrans freeway right-of-way property adjacent to and functionally related to LTCC site development (campus trails extend throughout the parcel). Site 2 lies between Site 4 and LTCC and the Sierra Tract neighborhood to the south. <u>Purpose:</u> LTCC ownership of Site 4 will be more efficient to maintain trail connections to campus facilities. LTCC ownership of Site 2 allows college funding to contribute to bike trail implementation. The title transfer will reserve the right for the Conservancy to construct the bike trail project with potential for future natural resource restoration.

Figure 3 - Property Exchange



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1.6 Project Description: Other Components

The 2011 approved IS/IEC/EA provided extensive project description critical to environmental analysis. The project modifications do not alter the proposed design standards for the trail, or construction controls or regulatory requirements for the project. Evaluation of project modifications in this supplement rely on the full project descriptions presented in the approved document. To assist with review of this supplement, the following list allows easy reference to the existing descriptions.

<u>Section Name</u>	<u>Description</u>	<u>Page #</u>
2.6.2 Project Design Features and Construction Controls	Includes development standards (width, slope), surface proposals, SEZ/creek crossings, hillside construction, street crossings, signage, physical barriers and screening, and staging and access	2-12
2.6.3 Revegetation and Restoration, Trail Decommissioning and Permanent Best Management Practices (BMP)	Includes description and conceptual details for disturbed land and land coverage restoration and provisions for BMPs.	2-25
2.6.5 Regulatory Compliance Measures	Includes description and commitment to incorporate standard compliance measures for construction projects in the Tahoe Region as follows: <ul style="list-style-type: none"> • Standard Engineering Practices for Seismic Coefficients • Standard Engineering Practices for Corrosive/Expansive Soils • TRPA Erosion and Sediment Control Plan • NPDES Permit Requirements (SWPPP, On-site Monitor, Emergency Response Plan, Construction Dewatering Plan, Stockpiling and Staging Areas) • Revegetation and Restoration Plans • Permanent BMPs • Tree Evaluation and Tree Protection Measures • Shared-Use Trail Operations, Maintenance and Management Strategies • Fugitive Dust Control Plan • Time of Day Construction Restrictions • Construction Equipment Muffling • Construction Coordination • Law Enforcement and Fire Protection • Traffic Control Plan • Fire Suppression and Management Provisions • Property Acquisition and Access • Noxious Weed and Invasive Species Program • TRPA Soils Hydrologic Approval • Avoid Disturbance to Wetlands and Waters of the U.S. and Obtain Section 404 Permit from USACE 	2-32

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- Public Agency Right-Of-Way Exemption with Calfire

Compliance Measure (CM) 19 is *SEZ Restoration for New Disturbance*. Under the provisions of the 2014 Regional Plan Update, TRPA exempts certain trails from coverage calculations, including offsetting SEZ restoration needs. However, compliance with the Lahontan Basin Plan requires new disturbance in SEZ meeting certain criteria to be offset with SEZ restoration at a 1:1.5 ratio. The 2011 IS/IEC/EA included a list of candidate restoration projects in the California Land Bank available to meet the regulatory compliance requirement for new SEZ disturbance with offsetting restoration. (IS/IEC/EA, p. 2-38) The 2015 candidate list includes projects that have together restored 144,235 sf (3.31 acres) of SEZ. These projects, or others eligible at the time of final project approvals, are:

- Tahoe Area Recyclers and Dismantlers Yard (APN 31-040-04) – up to 4,645 sf (0.11 acres) of restoration available through this project.
- Elks Club Boat Launch (APN 33-191-04) – up to 10,750 sf (0.25 acres) of decommissioned dirt parking adjacent to the Upper Truckee River.
- Snowcreek Johnson (APN 117-150-27 through 29) – up to 6,000 sf (0.14 acres).
- Lower West Side (APN 022-210-36) – up to 122,840 sf (2.82 acres)

These projects, or others as approved, include successful restoration types that are expected to offset floodplain and wetland disturbance as well as SEZ disturbance. Wetland delineation for these projects prior to final permits will determine the amount and type of wetland restoration available.

1.7 Other Public Agency Permits or Approvals

The following agencies must approve or issue permits for the portion of the Greenway related to the Project modifications. The asterisk indicates the agency is a CEQA Responsible or Trustee Agency.

- TRPA – Construction Permit
- *Lahontan Regional Water Quality Control Board (Lahontan) – Section 401 Water Quality Certification; Section 402 NPDES construction permit
- U.S. Army Corps of Engineers (USACE) – Section 404 Dredge and Fill Permit (Nationwide)
- *City of South Lake Tahoe – Encroachment Permit; Design Review Permit; Construction access agreement
- South Tahoe Public Utility District – Construction access agreement
- *El Dorado County – Encroachment Permit
- *California Department of Fish and Wildlife – Streambed Alteration Agreement
- *California Department of Transportation – Encroachment Permit
- *Lake Tahoe Community College District– Construction access agreement

Additionally, the City of South Lake Tahoe City Council, the Lake Tahoe Community College Board of Trustees, and the California Tahoe Conservancy Board of Directors must approve the land exchanges evaluated in this supplement. STPUD and Caltrans must approve the easements or access agreements identified.

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1.8 Notice and Public Review

Substantial public outreach for the Greenway Shared Use Trail occurred during initial project development in 2006-2011. The project modifications evaluated in this supplement were presented at a public open house on January 7, 2016 for review and comment. A Technical Advisory Committee meeting, including representatives of Responsible and Trustee agencies occurred on December 14, 2015. Final concept plans were prepared and the Notice of Intent filed with the State Clearinghouse on January 15 to initiate a 30-day public review. The Conservancy Board will hold a public hearing on the supplement and mitigated negative declaration on March 17, 2016 prior to its adoption.

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2.0 Environmental Evaluation

The following assessment evaluates potential for significant impact for the project modifications described in the preceding section, as compared to that presented in the MND for the project approved in 2011. Thus, supplemental evaluation is provided below only where effects of the project modifications differ from those of the approved project.

This supplement excludes evaluation of the following elements of the environment for the reasons stated:

Agriculture Resources (CEQA Checklist Question II) – the project area contains no agriculture resource land and no forest land and therefore no potential for adverse effects exist.

Mineral Resources (CEQA Checklist Question XI) – the project area contains no mineral resources of local or state-wide importance and therefore no potential for adverse effects exist.

This supplement provides specific page references to the June 2011 IS/IEC/EA when the evaluation relies on the previous analysis for assessment of significance, including establishing criteria for significance, and evaluation methodology and citations. Mitigation measures applicable to the project area evaluated in this supplement and all mandatory findings of significance from the previous analysis are reprinted following the evaluation.

I. AESTHETICS -- Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			x	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				x
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			x	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				x

Note: Mitigation Measures SCENIC 1-3 described in the IS/IEC/EA (p. 3-15) are not applicable to the project area examined in this supplement and will not be discussed.

Discussion: (b&d)

No portion of the project lies within view of a state scenic highway. The project proposal does not include lighting the trail. Potential for installation of street lights at the Al Tahoe Boulevard and Martin Avenue street crossings exist to improve safety. This is consistent with typical roadway development and in these limited locations will not disrupt nighttime views.

Alignment Modification Over Trout Creek (a & c) Compared to the 2011 adopted project, moving the trail away from the surrounding streets will eliminate view of the trail and Trout Creek bridge from the roadway except at the Martin Avenue/Barbara Avenue street crossing. The realignment will eliminate tree removal along the edge of Meadowcrest Drive and Black Bart Avenue, and significantly reduce it along Martin Avenue. Therefore, in relation to scenic vista view from local streets, the realignment will reduce adverse change in the visual environment compared to the adopted project described in the 2011 IS/IEC/EA. No change to the 2011

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evaluation of less than significant impact will occur. (IS/IEC/EA, p. 3-8) From nearby residences, existing vegetation completely screens view of the new alignment.

The realignment will be more visible for existing dispersed recreational users on the volunteer footpaths in the area than the approved project. The longest view will exist from the well-used access point along Meadowcrest Drive near the STPUD parking lot; for approximately 200' along this footpath, approximately 550' of the proposed trail and bridge will be visible. (The footpath continues for another mile along Trout Creek until it terminates at U.S. Highway 50.) The elevated nature of the trail, with required rails, will create a visible feature in the open landscape. As users walk along the footpath, existing willows throughout this meadow area will block view of the feature for a portion of the time. The bridge and boardwalk materials will include natural colors and the boardwalk railings, with slim tubular steel posts and cable rails, will minimize view blockage. Additionally, the nature of the meadow vegetation includes tall grasses which will reduce the boardwalk's apparent height over the meadow. These features will reduce the visual dominance of the structure. Visual character will be altered in this portion of the Trout Creek riparian area, yet this is a small portion of the riparian zone between Martin Avenue and U.S. Highway 50. This is a less than significant impact.

Bijou Meadow/Barbara Avenue Design Refinements (a & c) The change in relative lengths of boardwalk and causeway in Bijou Meadow produce few visual changes for surrounding uses or other dispersed recreation users in the area. The alignment is the same, although increased use of causeway will place more of the trail lower to the meadow surface and somewhat decrease its visibility. The current design assumes no boardwalk railings will be needed in this area. (Future floodplain modeling could require a higher boardwalk deck to elevate the structure out of the floodway which in turn could require railings.) Expected vegetation growth along the trail will reduce visibility of either trail structure over time. The evaluation presented in the 2011 IS/IEC/EA remains applicable and is less than significant. (IS/IEC/EA, p. 3-10)

Property Exchange Property exchange between public entities produces no potential for visual impact.

Findings: The modifications examined in this supplement do not change the previous conclusions presented in the 2011 MND of less than significant and no impact for aesthetics.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			x	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			x	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)			x	
d) Expose sensitive receptors to substantial pollutant concentrations?			x	
e) Create objectionable odors affecting a substantial number of people?			x	

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Discussion: (a – e)

No project modifications examined in the supplement change the predicted levels of non-motorized use, reduction in Vehicle Miles Traveled (VMT), or the related effects on air quality resources described in the 2011 IS/IEC/EA for the adopted project, avoiding potential for significant impact. (IS/IEC/EA, p. 3-31 and 3-33, 34) The minor alignment modifications that reduce overall trail length will not reduce construction time, thus will not change the predicted daily construction-related emissions described in the 2011 IS/IEC/EA for the adopted project, avoiding potential for significant impact. (IS/IEC/EA, p. 3-32) Property exchange among public entities has no potential to produce significant air quality related impacts.

Findings: The modifications examined in this supplement do not change the previous conclusions presented in the 2011 MND of less than significant impact for air quality resources.

IV. BIOLOGICAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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 Wildlife or U.S. Fish and Wildlife Service?		x		

Discussion:

Special status plant and wildlife species in this area were discussed and evaluated in the IS/IEC/EA. (Tables 12 & 13 and pages 3-36 through 3-58) The following evaluation examines the effects of proposed project modifications on the lands evaluated in this supplement.

Wildlife: Alignment Modification Over Trout Creek The 2011 approved alignment is 2,425 lf, including 1,820 lf in SEZ, and closely follows existing streets. The alignment crosses Heavenly Valley Creek (currently passing under Meadowcrest Drive in a culvert) and Trout Creek. Site conditions along the route include dense willows and mature pine trees on and adjacent to the road bed. The 2011 IS/IEC/EA evaluation mapped candidate, sensitive or special status wildlife species in the general Trout Creek area in Figure 27 (reprinted here as Figure 4) as follows: Sierra Nevada yellow-legged frog, Northern goshawk, California spotted Owl, forest carnivores, yellow warbler, and willow flycatcher. Additionally, two special status fish species may inhabit Trout Creek: Lahontan cutthroat trout and Lahontan Lake tui chub. Site surveys and database searches prepared for the 2011 IS/IEC/EA identified no presence for any of these species. (IS/IEC/EA, p. 3-45 and 3-81) Because of the suitable habitat and the potential for species occurrence in the future, the 2011 MND included two mitigation measures to reduce potential for significant impact to less than significant levels: BIO-1 (Active Raptor and Migratory Bird Nest Site and Wildlife Nursery Site Protection Program) and BIO-3 (Wildlife Protection Program). These mitigation measures, printed in their entirety in Section 2.1 following, require pre-construction surveys to determine presence/absence and project redesign and/or construction reschedule to avoid disturbance.

Figure 4 - Special Status Wildlife Habitat

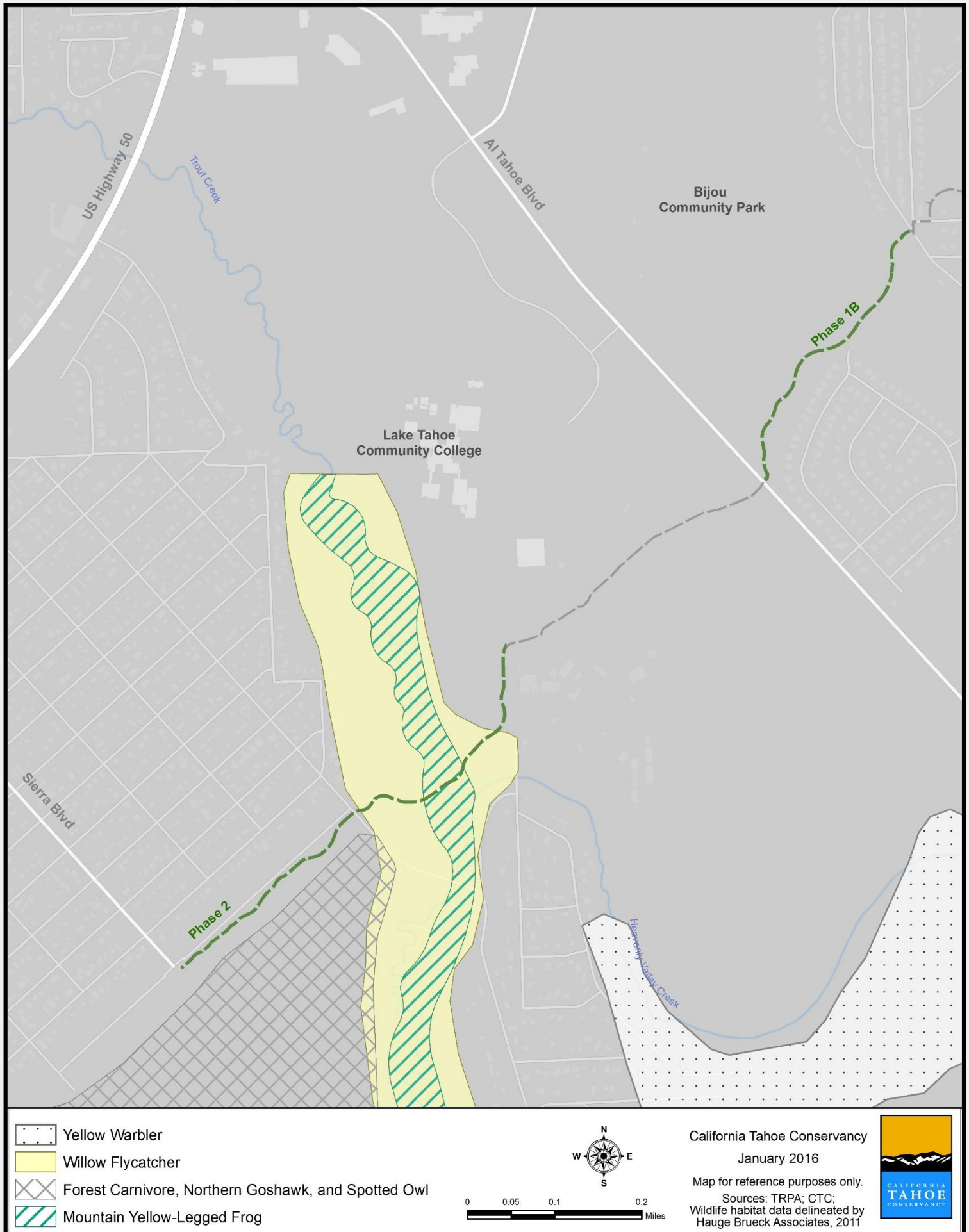
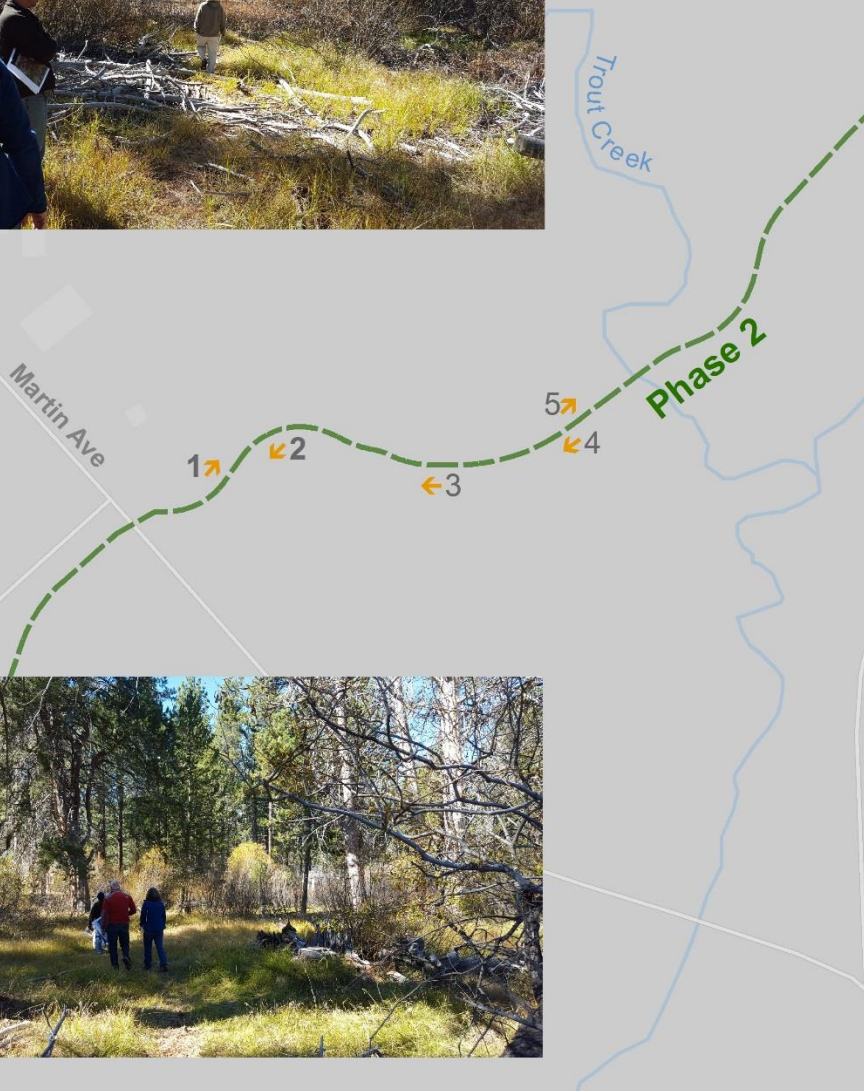
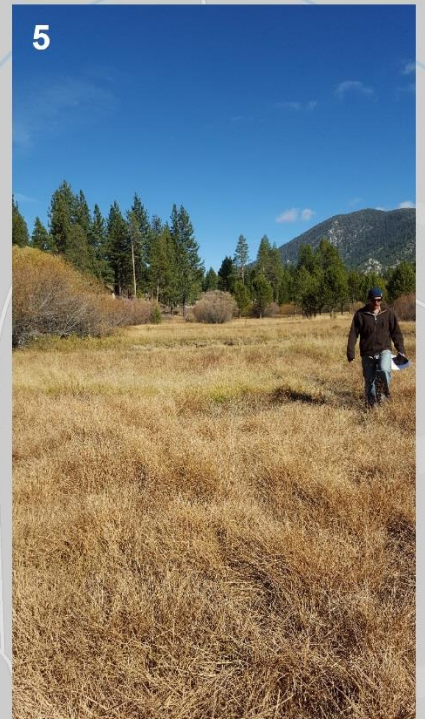
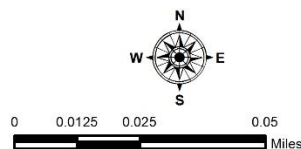


Figure 5 - Trout Creek Site Photos



↑ Photo Number and Direction



California Tahoe Conservancy
January 2016
Map for reference purposes only.
Sources: TRPA; CTC



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The proposed realignment is 1,712 lf, including 1,088 lf in SEZ, using primarily boardwalk and a bridge over Trout Creek to make the through connection. This represents a 30% and 40% reductions respectively, compared to the 2011 approved project. The proposed bridge location is approximately 535' downstream of the 2011 approved project location. This alignment avoids crossing Heavenly Valley Creek. Site conditions along the revised alignment include open meadow, willows, and areas of open mature pine trees. Figure 5 includes photos of site conditions. A portion of the alignment follows lands previously disturbed for installation of water and sewer lines, as well as an existing footpath. The proposed realignment's close proximity and similar habitat characteristics to the 2011 approved project create potential for impact to the same species identified in the 2011 IS/IEC/EA. Since the NOD for the approved project was filed, the US Fish and Wildlife Service changed the designation of Sierra Mountain yellow-legged frog from "candidate" to "endangered" under the provisions of the Endangered Species Act (Federal Register 2014¹). A review in 2015 of the same data sources consulted for the approved project identified no new sightings of sensitive wildlife within one mile of the project area. Within five miles of the project area, the data sources recorded a new occurrence of willow flycatcher. The California Natural Diversity Database (CNDDDB²) also recorded the presence of Sierra Nevada yellow-legged frog in both 2012 and 2013 at Hell Hole Meadow, 6 miles upstream in the headwaters of Trout Creek. A survey report for this species, performed in 2015 in the Upper Truckee River/Trout Creek marsh, 1.5 miles downstream of the project area, did not find evidence of the Sierra Mountain yellow-legged frog. (Henderson 2015³)

Table 1 presents the proposed realignment reduction in total disturbance compared to the 2011 adopted project in this area. This includes reductions in SEZ by 6,900 sf (28%), wetland as calculated by USACE by 1,281 sf (32%), total reduction in removal of willows by 88 willows (93%), and total reduction in mature tree removal by 94 (75%). Effects of the alignment modification are illustrated in Figure 2 and described below:

- Both the 2011 approved project and the proposed modification include a bridge to completely span Trout Creek. The preliminary design sets the bridge elevation five feet above the stream to allow passage of the 100-year flood. This span allows for adequate fish passage and will allow movement for other wildlife species under the bridge. Construction access for bridge placement will occur from both sides of the creek following the trail alignment and avoid direct impacts on the stream bed or stream banks. This creates a less than significant impact on fish.
- The section of Trout Creek and its associated floodplain influenced by the proposed trail realignment flows downstream between the Martin Avenue and U.S. Highway 50 auto bridges to the south and north, and is bounded both east and west by residential, public service, and commercial development. This habitat area encompasses approximately 70 acres of dense willows and open meadows with mature conifer forest at its edge. A network of user created footpaths supports regular dispersed recreation from the surrounding developments including walking, dog walking, running, biking, fishing, and snowshoeing/cross country skiing. The proposed alignment crosses the Trout Creek floodplain approximately 535' downstream from the 2011 approved project at Martin Avenue. For 122 lf through riparian habitat, it follows an existing user created footpath and previous disturbance from installation of a sewer line. Outside of the dense willows of the riparian wetland, the alignment takes the shortest possible route through the open meadow and across the creek. This alignment separates a smaller approximately five acre riparian zone to the south from the approximately 65 acres of intact riparian and floodplain habitat to the north. Craig and Williams (1998) report minimum patch size suitable for nesting willow flycatchers is 0.25 hectares (0.62 acres), though sizes of 4 – 8 hectares (9.88 – 19.77 acres) were found to be more productive. (Craig and Williams 1998⁴) Yellow warbler territory size is reported to be 0.15-0.16 hectares (0.37 – 0.4 acres). (Schroeder 1982⁵) This data suggest the patch size remaining on both sides of the proposed trail alignment could be large enough to support these species, although the 5 acres to the south, bounded on all sides by transportation corridors is on the small size of the range for nesting. Additionally, the frequent presence of recreationists under current and future conditions creates increased disturbance. The modified project removes far fewer willows than the approved alignment and proposes to relocate the seven individual plants disturbed to a nearby location.

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In this way, the willow density of the existing habitat will be slightly increased, potentially improving its attractiveness for nesting birds by increasing barriers to recreation access.

- As concluded for the 2011 approved project, the presence of suitable habitat for sensitive species around Trout Creek requires mitigation to assure no potential for significant impact. The same mitigation measures previously identified continue to be required (these are presented in their entirety in Section 2.1 following). The supplement clarifies BIO-3 to include pre-construction surveys and avoidance measures for willow flycatcher as the 2011 evaluation required:
 - BIO-1 (Active Raptor and Migratory Bird Nest Site and Wildlife Nursery Site Protection Program); and
 - BIO-3 (Wildlife Protection Program)

Wildlife: Bijou Meadow/Barbara Avenue Design Refinements The design refinements proposed in Bijou Meadow will change the relative lengths of two trail details. Increasing the length of causeway and decreasing the length of boardwalk compared to the 2011 adopted project will change total disturbance calculations for SEZ, wetland, and floodplain (see discussion following for those resources). These design revisions do not alter the total length of the trail or change effects to the vegetation or habitat communities present. Proposed design refinements will not create changes in habitat quality or quantity, or alter the mix or distribution of sensitive species differently than described in the 2011 IS/IEC/EA for the adopted project. (IS/IEC/EA, p. 3-72) The design refinements along Barbara Ave. will relocate the trail closer to the street and remove it from potential Forest Carnivore, Northern Goshawk, and Spotted Owl habitat as shown on Figure 4. An increase in tree removal by 10 trees (32%) near Barbara Avenue will occur compared to the 2011 adopted project. Of the estimated 41 trees to be removed, all but four are under 24" dbh. The potential for sensitive species, including migratory birds in the Bijou Meadow and Barbara Avenue areas, requires mitigation as noted above to avoid potential for significant impact.

- BIO-1 (Active Raptor and Migratory Bird Nest Site and Wildlife Nursery Site Protection Program); and
- BIO-3 (Wildlife Protection Program)

Sensitive Plant Species: Alignment Modification over Trout Creek and Design Refinements in Bijou Meadow and Barbara Avenue. The 2011 IS/IEC/EA identified suitable habitat in the upland and SEZ habitat zones for Galena Creek rock cress (*Arabis rigidissima* var. *demota*), *Botrychium*, sp., Shore sedge (*Carex limosa*), Oregon fireweed (*Epilobium oregonum*), Mees's Moss (*Meesia triquetra*), and Water bulrush (*Scripus subterminalis*). No presence for these species was found. (IS/IEC/EA, p. 3-76) The 2011 MND concluded potential for sensitive species to colonize the project area prior to construction, resulting in potential for significant impact. Mitigation Measure BIO-2 (Avoid Sensitive Plants or Prepare Sensitive Plant Protection Program) recognizes required pre-construction surveys may find sensitive species and provides performance criteria to avoid and/or mitigate and monitor plant populations.

Database review in 2015 identified no new occurrences of these sensitive species within one mile of the project area. Within five miles of the project area, the data sources recorded new occurrence(s) of the following species with moderate potential to be located in the project area: scalloped moonwort (*Botrychium crenulatum*), and mingan moonwort (*Botrychium minganense*). (CNDDDB, 2015³) The proposed alignment modifications reduce overall length of the trail by 880 lf and total disturbance in both SEZ and upland areas, yet retain the potential for disturbance should sensitive species colonize these areas. The mitigation measure presented in the 2011 MND remains required to reduce potential for significant impact to less than significant levels (this measure is printed in its entirety in Section 2.1):

- BIO-2 (Avoid Sensitive Plants or Prepare Sensitive Plant Protection Program)

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Property Exchange Changing the pattern of public ownership as shown on Figure 3 will have no impacts on sensitive wildlife or plant resources. No differences in the regulatory protections for habitats exist for the public agencies involved. The pattern of public use exhibited on lands subject to the proposed property exchange is currently regular, dispersed non-motorized recreation including walking, dog walking (on and off leash), running, biking, and snowshoeing/cross country skiing. This pattern will continue after project exchange and produce no differences for sensitive wildlife species. No potential for significant impact from property exchange will occur.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) 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?			x	

Discussion:

Stream Environment Zone: Alignment Modification Over Trout Creek and Bijou Meadow Design Refinements

The project area contains Stream Environment Zone (SEZ), a sensitive natural community defined by TRPA as lands influenced by the presence of surface or groundwater. (Discussion of effects on wetlands follows for Question IVc.) SEZ areas encompass riparian habitat and open meadow, among others. The 2011 IS/IEC/EA evaluated the project disturbance within these habitat types and the TRPA and Lahontan offsetting restoration requirements included as part of the project in the Project Description. (CM-19, IS/IEC/EA, p. 2-38) The evaluation concluded required restoration offsets avoided potential for significant impact and no additional mitigation was required. (IS/IEC/EA, p. 3-67) Table 4 following identifies the differing effects on SEZ of the 2011 approved project and the proposed modifications in the Trout Creek and Bijou Meadow areas (the Barbara Avenue area contains no SEZ). The preliminary plans in Appendix A illustrate project features within the SEZ.

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Table 4 SEZ DISTURBANCE AND REQUIRED OFFSETTING RESTORATION						
	Bijou Meadow (Phase 1b)			Trout Creek (Phase 2)		
	2011 Approved Project¹	Proposed	Difference	2011 Approved Project¹	Proposed	Difference
SEZ Disturbance, total length	1,455 lf	1,455 lf	0 lf	1,820 lf	1,088 lf	-732 lf
SEZ Disturbance, area²	See note	20,002 sf	See note	See note	11,357 sf	See note
TOTAL PROPOSED: 2,543 lf (-732 lf) 31,359 sf						
SEZ Offsetting Restoration Required³	See note	30,003 sf	See note	See note	17,035 sf	See note
TOTAL PROPOSED: 47,038 sf						

¹ Calculations presented here represent implementation of the required 2011 MND mitigation measure TRAFFIC-1. That measure required relocation of the trail in Bijou Meadow to allow a crossing at the Glenwood Way/Becka Street/Rancho Drive.

² The calculation methodology for SEZ disturbance of elevated trail sections has changed since the 2011 adopted MND, reducing the evaluation value of direct comparisons. The 2011 calculation included the full width of the elevated structures, reduced by the new disturbance over areas of existing verified coverage. Current Lahontan staff direction for this calculation includes all direct disturbance (e.g. footings, fill, etc.), plus 1/3 of the boardwalk and bridge decking area to recognize the shading effect of elevated sections, reduced by the new disturbance over areas of existing verified coverage.

³ Required to comply with Lahontan Basin Plan provisions as described below.

The 2011 IS/IEC/EA evaluated compliance with TRPA and Lahontan regulatory requirements for offsetting restoration as a means of determining the potential for significant impact. Since the 2011 project approval, both TRPA and Lahontan adopted updates to their regulatory plans. The following discussion provides new evaluation of regulatory requirements and revisits the potential for significant impact.

TRPA

In 2013, TRPA adopted a revised Regional Plan and Code of Ordinances (TRPA, 2013⁶) altering the review and required offsetting restoration for certain shared use trail projects in SEZ. TRPA Code 30.4.6.3 allows exemption from general SEZ disturbance prohibitions for shared use trail projects which meet certain criteria. The following discussion identifies that the entire Greenway trail, and the proposed modifications examined in this supplement, meet these criteria:

a. Accessibility. The Greenway and the proposed modifications are public trails available at no cost.

b. Trail Route Design. The Greenway and its proposed modifications minimize disturbance to sensitive lands, riparian vegetation, and large trees by reducing overall length in wetlands and SEZ and avoiding large trees where possible.

c. Trail Design. The Greenway and its proposed modifications targets use of boardwalk and bridges to protect the wettest soils and most sensitive habitat and to avoid creating obstacles in floodplains. In drier parts of the SEZ, outer parts of the floodplain, or where underground utilities exist, the proposal also includes a raised asphalt detail (causeway) that maintains hydrologic connectivity for groundwater and allows slow passage for surface water. Design details for elevated sections allow for wildlife passage either under or over the trail.

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d. Limit on Exemption. The Greenway is included in the Lake Tahoe Region Bike Trail and Pedestrian Plan (TMPO 2012⁷) and therefore qualifies for the exemption.

Based on this review, the Greenway project, including the modifications considered in this supplement, is exempt from providing offsetting restoration for SEZ disturbance under the TRPA requirements.

Lahontan

Lahontan adopted Basin Plan amendments in 2014 (Lahontan, 2014⁸) which include prohibitions for discharge in SEZ and 100-year floodplains (Prohibitions 5.2 and 5.3) as well as possible exceptions to those prohibitions for outdoor recreation projects. The 2011 IS/IEC/EA presented evaluation of exceptions to prohibitions (IS/IEC/EA, pages 3-66 – 67); evaluation of proposed project modifications related to specific elements of the 2014 amendments is as follows:

The Regional Board may grant exemptions from Prohibitions 5.2 and 5.3 under the following circumstances:

(a) By their nature projects must be located in SEZ. By their very nature, roads, trails, and utilities traverse large areas of the landscape, following an alignment chosen to connect different locations. (Siller Ranch Resolution No. R6T-2006-0021, page 6) The bowl-like nature of the Tahoe Region in South Lake Tahoe creates drainages with their attendant soil types that travel from the surrounding mountains to Lake Tahoe; creating a non-motorized transportation network within this context cannot avoid surface waters and associated SEZ. Therefore, such features by their very nature interact with SEZs in areas where crossings are necessary.

(b) No feasible alternative exists. Project approval in 2011 included trail alignments over Trout Creek and through Bijou Meadow that created disturbance in SEZ, 100-year floodplain and jurisdictional wetland. As shown in Tables 2 and 3, the proposed modifications reduce overall length through these sensitive landscape types. Comparison of total disturbance between the 2011 adopted project and the proposed modifications are disclosed in Tables 4 (for SEZ disturbance) and 5 (for wetland disturbance). These tables demonstrate proposed modifications result in a reduction in SEZ by 9,386 sf, presenting a clear alternative to the extent of SEZ disturbance. (In the project area, SEZ encompasses all designated 100-year floodplains, so evaluation related to SEZ also applies to floodplains.)

(c) Impacts are fully mitigated. The proposal includes two design details intended to reduce impacts to riparian areas. Use of boardwalk with helical pier footings eliminates the need to excavate footings and allows free surface and groundwater flow. The causeway design will avoid interruption of groundwater flow, allow intermittent surface water to slowly pass under, and 100-year floodwaters to pass over. These actions avoid dewatering the downslope soils with the attendant potential for effect to riparian vegetation. Offsetting restoration is identified below.

(d) SEZs are restored in an amount 1.5:1 of the project disturbance. Table 4 identifies project modifications will disturb at maximum 31,359 sf (0.72 acres) of SEZ as shown, requiring 47,038 sf (1.08 acres) of offsetting restoration. Restoration of footpaths in the Trout Creek and Bijou Meadow areas will restore 5,163 sf of existing verified SEZ coverage to meet a part of the restoration need. The remainder will originate with the California Land Bank as described in the IS/IEC/EA. (IS/IEC/EA, p. 2-38). The 2016 updated description of eligible offsetting restoration projects included in Section 1.6 of this supplement identifies restoration credit available of 144,235 sf, more than meeting this need.

Based on this review, the 2011 MND conclusion of less than significant impact for the approved project remains valid for the project modifications.

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Property Exchange Areas of riparian and other sensitive habitats are regulated as described above and changing the pattern of public ownership has no potential to alter these regulations and no impact on riparian resources.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			x	

Discussion:

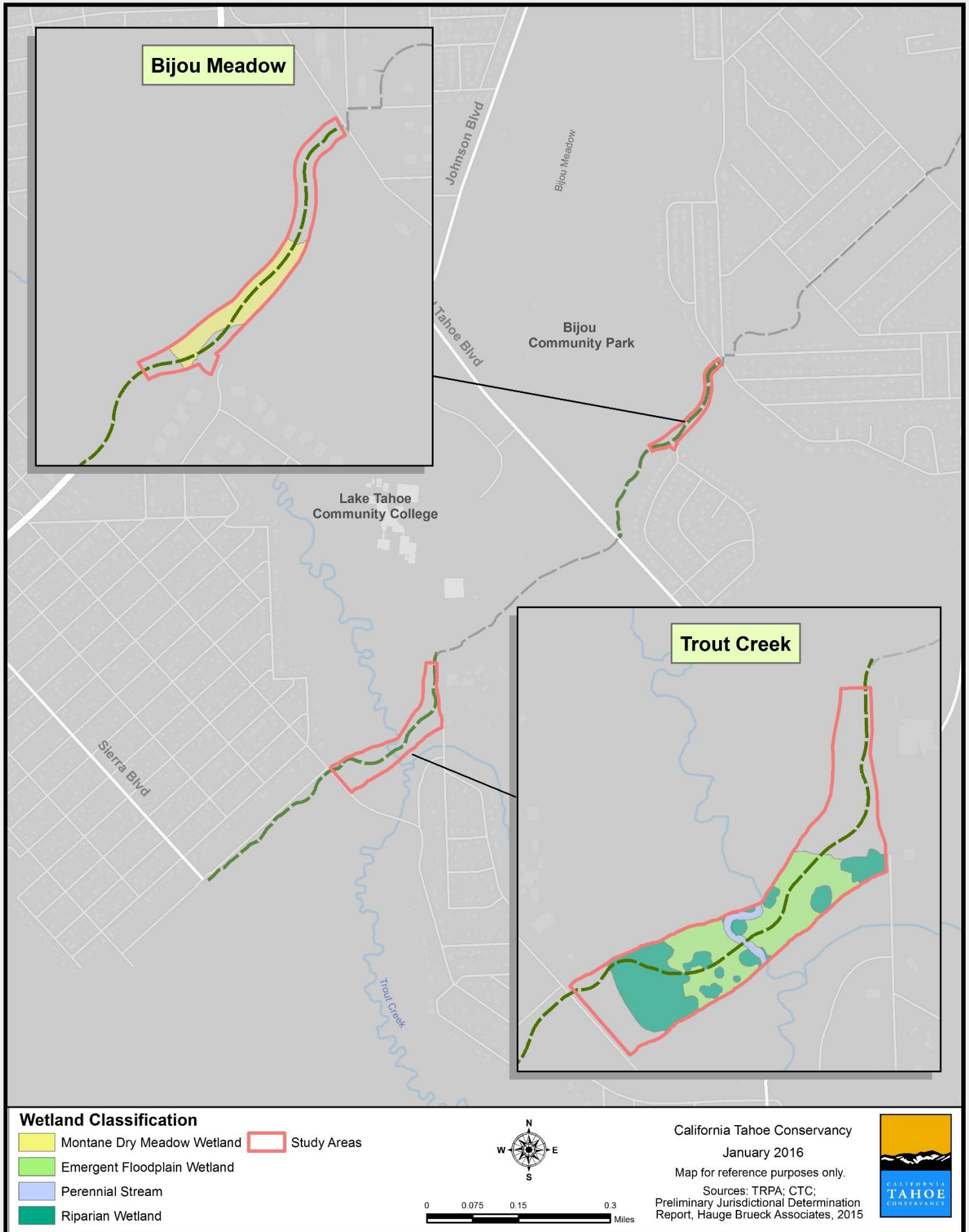
Alignment Modification Over Trout Creek and Bijou Meadow Design Refinements The Greenway project crosses jurisdictional wetlands, including the portions of the trail subject to evaluation in this supplement. An updated wetlands delineation reexamined the Bijou Meadow and prepared a delineation for the portion of the Trout Creek area outside of the 2011 project corridor. See Appendix B for a summary. The preliminary jurisdictional delineation report was submitted in December 2015 for USACE concurrence. Figure 6 presents that data and shows the project area contains four wetland types: montane dry meadow, riparian wetland, emergent floodplain, and open waters. The 2011 IS/IEC/EA included calculations of proposed wetland disturbance for the entire 3.86 mile project. (IS/IEC/EA, p. 3-68) Table 5 presents this data for both the approved project and the proposed alignment modifications for the Bijou Meadow and Trout Creek areas.

Table 5 SECTION 404 WETLAND DISTURBANCE COMPARISON ¹							
Wetland Type		Boardwalk/Bridge		Asphalt on Grade or Causeway		Total Disturbance	
		<i>Adopted</i>	<i>Proposed</i>	<i>Adopted</i>	<i>Proposed</i>	<i>Adopted</i>	<i>Proposed</i>
Montane Dry Meadow ²	Total	14 sf	3 sf	1,122 sf	3,898 sf	1,136 sf	4,705 sf
	Difference	-11 sf		+3,580 sf		+3,569 sf	
Emergent Floodplain	Total	1,367 sf	1,032 sf	0	0	1,367 sf	1,032 sf
	Difference	-335 sf		0		-335 sf	
Riparian Wetland	Total	140 sf	134 sf	2,540 sf	1,600 sf	2,680 sf	1,734 sf
	Difference	-6 sf		-1,140 sf		-946 sf	
TOTAL DISTURBANCE						5,183 sf	7,471 sf
						+2,288 sf	

¹To area shown follows disturbance calculation methodology prescribed by USACE as follows: full width pavement and clear zone sections, pipe diameter for helical pier footings associated with the boardwalk, and bridge footings. The 2011 IS/IEC/EA did not identify different disturbance calculation methodologies between USACE and Lahontan. Current direction from Lahontan staff for wetland disturbance calculations includes the direct disturbance required by USACE and adds 1/3 of the total area of boardwalk and bridge decking to recognize the shading effect of elevated sections. This methodology, required for 401 certification, produces the following total disturbance calculation for the proposed project modifications: 11,119 sf.

²The 2015 wetland delineation in the Bijou Meadow area includes the same wetland type and total area as that presented in the 2011 IS/IEC/EA.

Figure 6 - Wetlands



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Table 5 demonstrates that the project modifications result in total USACE calculated wetland disturbance of 7,471 sf (0.17 acres), a 2,288 sf increase compared to the 2011 approved project. The proposed project modifications will increase disturbance in montane dry meadow, a drier and less sensitive wetland type, while decreasing disturbance in emergent floodplain and riparian wetland areas. This results from focusing use of elevated trail designs, the most environmentally protective design techniques available, in the most sensitive parts of the wetland. This reduces impacts on the hydrologic and habitat conditions in the rich and diverse emergent floodplain and riparian wetlands compared to the 2011 adopted project. While disturbance calculations increase with use of causeway in the less sensitive parts of the wetland, this design detail avoids disruption of groundwater flow and allows intermittent surface flow to pass through the permeable fill at the base. This reduces effects on the hydrologic conditions in the wetland compared to paving on grade.

Total wetland disturbance of 0.17 acres meets the size requirements for securing a Section 404 permit from the USACE under the Nationwide permit program (<0.5 acres of total disturbance) and generates the need for offsetting restoration. Precise restoration disturbance ratios will be determined at the time of permit approval and must offset loss of wetland function. In-kind restoration ratios will never be less than 1:1; assuming a conservative requirement of 1.5:1, restoration needs will be 11,206 sf (0.26 acres) as follows:

- Emergent Floodplain – 1,548 sf
- Montane Dry Meadow– 7,057 sf
- Riparian Wetland – 2,601 sf

Lahontan methodology for calculating wetland disturbance and required offsetting restoration increases wetland restoration need to 16,678 sf (0.38 acres).

Restoration of onsite user created footpaths will meet some of this requirement. As described in Section 1.6 of this supplement, much of the identified SEZ restoration credit in the California Land Bank is expected to meet the restoration need for wetland disturbance. This evaluation concludes the proposed alignment modifications with required regulatory compliance measures, reduces the potential for impact to less than significant levels.

Property Exchange Wetlands are regulated as described above and altering the pattern of public ownership has no potential to alter these regulations. Therefore, property exchange has no impact on wetland resources.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
d) 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?		x		

Discussion:

Alignment Modification Over Trout Creek, and Bijou Meadow/Barbara Avenue Design Refinements The 2011 IS/IEC/EA concluded project design details avoid creating barriers to movement for fish or wildlife species. (IS/IEC/EA, p. 3-70) Near Trout Creek, the approved project included 958 linear feet of elevated trail with a safety railing along Martin Avenue and Black Bart Avenue near the stream. As approved, wildlife passage in normal water conditions in the Trout Creek corridor would occur under the road bridge or at the outer edges of the Trout Creek floodplain. The project modifications examined in this supplement will place the trail

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approximately 535' downstream of the roadway system, elevated 5' at the bridge and up to 3' in the boardwalk sections above the meadow level as required to raise the structure over the 100-year floodwaters. Both boardwalk and bridge require a safety rail for much of the length. This avoids presenting an obstacle to wildlife movement through the riparian zone because sufficient clearance under the bridge and boardwalk allow passage for mammals, amphibians and fish. Additionally, at the outside edges of the floodplain, the trail detail changes to asphalt on raised permeable fill, allowing unrestricted passage for all wildlife.

Refinements for design details in Bijou Meadow and along Barbara Avenue do not alter the evaluation of project effects on wildlife movement compared to the 2011 approved project. (IS/IEC/EA, p. 3-70) The assessment concluded less than significant impact which remains relevant for the project modifications examined in this supplement.

The 2011 IS/IEC/EA identified the potential for project construction to result in direct removal of active nests or abandonment of nesting or brooding sites for migratory birds and/or raptors. Additionally, construction could result in direct removal of nursery sites or their abandonment. (IS/IEC/EA, p. 3-70) The 2011 MND required a mitigation measure, BIO-1 (Active Raptor and Migratory Bird Nest Site and Wildlife Nursery Site Protection Program) to reduce the potential for significant impacts to less than significant levels. The mitigation measure presented in the MND remains required to reduce potential for significant impact to less than significant levels (this measure is printed in its entirety in section 2.1, following):

- BIO-1 (Active Raptor and Migratory Bird Nest Site and Wildlife Nursery Site Protection Program)

Property Exchange Altering the pattern of public ownership has no potential to create obstacles to wildlife movement or impede the use of wildlife nursery sites.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			x	

Discussion:

TRPA maintains goals and policies related to vegetation, wildlife, fisheries and stream environment zones in the Regional Plan Goals and Policies document. Table 17 in the 2011 IS/IEC/EA (p. 3-71) provides evaluation of project proposals related to the Goals and Policies. That evaluation concluded the Greenway project, by avoiding sensitive lands and vegetation where possible and providing offsetting measures as required, produced less than significant impacts to biological resources. The proposed project modifications examined in this supplement further reduces impacts to these resources compared to the approved project as shown in Tables 1, 2, 4, and 5 above. Since project approval in 2011, TRPA adopted an update to the Regional Plan which revised portions of the policies intended to protect biological resources. (TRPA, 2012⁷) The following evaluation considers the Goals and Policies amended since the 2011 project approval relevant to the proposed project modifications:

VEG-1.10 – Work to eradicate and prevent spread of invasive species. The project description includes Control Measure (CM) 2.6.5.17: Noxious Weed and Invasive Species Program (IS/IEC/EA p. 2-37) which requires construction equipment and materials to be free of noxious weeds and eradication of invasive species present in compliance with this policy.

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SEZ-1.5 – No new coverage or other permanent disturbance shall be allowed in Stream Environment Zones except as noted. This revised policy allows certain non-motorized public trails to disturb SEZ. See the response to Question IVb, above, for an evaluation.

The 2011 MND conclusion of less than significant impact for the approved project remains valid for the project modifications.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				x

Discussion:

No such plans exist for the project area, thus no potential for conflict exists.

Findings: The modifications examined in this supplement do not change previous conclusions presented in the 2011 MND of no impact, less than significant impact, or less than significant impact with mitigation incorporated for biological resources.

V. CULTURAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		x		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		x		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				x
d) Disturb any human remains, including those interred outside of formal cemeteries?		x		
e) Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074?		x		

Discussion: (a-e)

The 2011 IS/IEC/EA described the existing cultural resource setting of the Greenway travel corridor within the former Caltrans freeway right-of-way project area and presented evaluation of the potential for significant impact. (IS/IEC/EA, p. 3-87) The evaluation concluded the Greenway would not impact known resources, yet is located near known resources and therefore requires mitigation to reduce potential for significant impact. CUL-1 requires archaeological monitoring during ground disturbing activities to identify, evaluate, and protect unknown resources.

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As directed by California Assembly Bill 52 (AB 52, Gatto, 2014) in 2014, CEQA lead agencies must engage in a meaningful consultation process with California Native American Tribes. AB 52 also modified Public Resources Code section 21084.2, establishing that “[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.”

These substantive and procedural requirements of AB 52 became effective in July, 2015. The statute also requires the Governor’s Office of Planning and Research (OPR) to update the sample CEQA initial study checklist questions to separate the consideration of paleontological resources and tribal cultural resources. These updates must be adopted on or before July 1, 2016.

This supplement predates the adoption of OPR modifications to the sample Initial Study Checklist. Given the Conservancy’s recognition that tribal cultural resources are often sacred and represent tribes’ most significant cultural values, an additional question was added to the sample Environmental Checklist included as (e) above. To determine whether a project may have such an effect, the Conservancy offered a consultation opportunity to California Native American tribes that are traditionally and culturally affiliated with the revised Greenway alignment related to the potential impact of the proposed project modifications, including both the revised alignment and the proposed property exchange, on their tribal cultural resources.

Alignment Modification Over Trout Creek, Bijou Meadow/Barbara Avenue Modifications None of the identified sites from the 2011 IS/IEC/EA are located within the project area examined for this supplement. (IS/IEC/EA, p. 3-88) In November 2015, Parus Consulting prepared an updated literature review and conducted a site survey in the Phase 1b and 2 project area; no new resources along the revised alignments were discovered. (Parus, 2016⁹) Appendix C contains a summary of the report. Additionally, the change in relative lengths of boardwalk and causeway in Bijou Meadow has no potential to produce impacts different from that identified for the approved project. (IS/IEC/EA, pages 3-89 through 91).

The 2011 IS/IEC/EA concluded that the Greenway project area has potential to contain unknown surface or buried resources. Although the 2016 assessment identifies no requirement for archaeological monitoring during ground disturbing activities related to proposed modifications, the overall project area sensitivity and potential for unknown surface or buried resources justifies retaining the mitigation measure identified in the 2011 IS/IEC/EA as valid for the project modifications evaluated in this supplement. To avoid significant impact, the following mitigation measure requires archaeological monitoring during ground disturbing activities and implementation of a protection program including inspecting, documenting, and describing cultural material, communicating with construction personnel and requiring appropriate measures be implemented. In compliance with AB 52, this supplement modifies the following measure to treat resources with culturally appropriate dignity: (See Section 2.1 for complete text of the modified mitigation measure)

- CUL-1 (Cultural Resources Monitoring Program)

Property Exchange Ownership change between three public entities does not alter protection afforded cultural resources under application state and federal law identified in the 2011 IS/IEC/EA. (IS/IEC/EA, p. 3-87)

Findings: The modifications examined in this supplement do not change previous conclusions presented in the 2011 MND of less than significant impact with mitigation measures incorporated.

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VI. GEOLOGY AND SOILS -- Would the project	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			x	
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.			x	
ii) Strong seismic ground shaking?			x	
iii) Seismic-related ground failure, including liquefaction?			x	
iv) Landslides?			x	
b) Result in substantial soil erosion or the loss of topsoil?			x	
c) 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?			x	
d) 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?				x
e) 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?				x

Discussion: (a-e)

No project modifications examined in the supplement change the potential for adverse effects due to geologic or seismic conditions or landslides described in the 2011 IS/IEC/EA for the adopted project. The evaluation concluded design features and construction controls reduce the potential for impact to less than significant levels. (IS/IEC/EA, p. 3-105, 106) No expansive soils exist within the project area and the project does not involve septic tanks. The evaluation of No Impact described in the IS/IEC/EA remains valid. (IS/IEC/EA, p. 109, 110) Property exchange between three public entities has no potential for adverse effects from geologic conditions.

Findings: The modifications examined in this supplement do not change previous conclusions presented in the 2011 MND of less than significant impact or no impact on geology and soils.

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VII. GREENHOUSE GAS EMISSIONS -- Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			x	
b) Conflict with and application plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				x

Discussion: (a & b)

Since project adoption in 2011, the California Air Resources Board (CARB) updated the Climate Change Scoping Plan (CARB, 2014¹⁰). No local or regional plans or regulations exist to establish specific greenhouse gas emission targets relevant to this project. This supplement examined the updated Scoping Plan and concludes the Greenway, including the project modifications, contributes to reducing carbon emissions from the transportation sector (CARB, 2014, p. 95) by implementing an active transportation project. No project features violate other plan elements. Therefore, no project modifications examined in the supplement change the project effects on greenhouse gases described in the 2011 IS/IEC/EA for the adopted project. (IS/IEC/EA, p. 3-126). The 2011 MND concluded the project produced less than significant impacts during construction and helped to implement plans intended to reduce greenhouse gases. Property exchange between three public entities has no potential for adverse effects on greenhouse gas emissions.

Findings: The modifications examined in this supplement do not change previous conclusions presented in the 2011 MND of less than significant impact or no impact on greenhouse gas emissions.

VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			x	
b) 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?			x	

Discussion: (a & b)

Construction activity, including excavation for bridge footings, will occur within the Trout Creek SEZ and floodplain in a different location than that evaluated in the 2011 IS/IEC/EA for the adopted project. The location of the bridge is further downstream by approximately 535' and the related construction access to the bridge location longer, though not substantively different, than previously evaluated. Additionally, the proposed overall alignment over Trout Creek is shorter and the proposed construction method for boardwalk less invasive than the retaining wall/fill/asphalt design described for certain areas in the 2011 approved project. The construction controls that require storage of construction materials in a protected staging area away from SEZ, and that establish construction limits for use of heavy equipment, reduce the potential for accidental discharge in a

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manner equal to that described for the approved project. No increased potential for accidental release of hazardous materials exists and the evaluation presented in the 2011 IS/IEC/EA for the adopted project remains valid. (IS/IEC/EA, p. 3-134, 135) Property exchange has no potential for adverse effects related to hazardous material storage or transport.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			x	

Discussion:

No project modifications examined in the supplement exist within ¼ mile of a K-12 school. The Lake Tahoe Community College lies directly adjacent to the project area. No project modifications involve hazardous emissions or materials as described in the 2011 IS/IEC/EA for the adopted project. The conclusion of less than significant impact remains valid. (IS/IEC/EA, p. 3-135) Property exchange has no potential for adverse effects related to hazardous materials.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
d) 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?				x
e) 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 for people residing or working in the project area?				x
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				x

Discussion: (d – f)

The project modifications examined in the supplement, including the lands proposed for exchange, are not located on a hazardous materials site, within an airport land use plan or in the vicinity of a private airstrip. No impact results.

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	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			x	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			x	

Discussion: (g-h)

No project modifications examined in the supplement affect evacuation or wildfire hazards differently than described in the 2011 IS/IEC/EA for the adopted project. (IS/IEC/EA, p. 3-136, 137) The 2011 MND concluded improved evacuation potential by increasing access across lands inaccessible under current conditions. Property exchange between public entities has no potential to create adverse effects on emergency plans or wildfire.

Findings: The modifications examined in this supplement do not change previous conclusions presented in the 2011 MND of less than significant impact or no impact on hazards or hazardous materials.

IX. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			x	

Discussion:

The 2011 IS/IEC/EA evaluated project effects on water quality in relation to Lahontan Basin provisions. Since 2011 project approval, Lahontan adopted an updated Basin Plan, including revisions to Chapter 5, Lake Tahoe. The 2014 Basin Plan amendments for the Lake Tahoe Hydrologic Unit did not alter water quality constitute standards, beneficial uses, or the standards associated with discharge prohibitions or 401 certifications. (Lahontan, 2014) The 2011 IS/IEC/EA evaluates the effects of project features, including construction control measures incorporated into the project description, that will prevent construction-related discharge and maintain effective long-term management to prevent new user-created land disturbance. The project modifications will adhere to the same construction provisions and implement the same strategies for long-term management. No project modifications examined in the supplement affect water quality standards or waste discharge requirements differently than described in the 2011 IS/IEC/EA for the adopted project with a less than significant impact. (IS/IEC/EA, pages 3-152 through 154)

These regulations and standards apply to all public agencies involved in the proposed land exchange examined in this supplement. No potential exists for adverse impacts on water quality from the property exchange.

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	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			x	

Discussion:

The project modifications result in an overall reduction in trail length by 880 feet and disturbance in SEZ and 100-year floodplain as shown in Table 4. This reduces the potential for effect on groundwater supplies and recharge evaluated in the 2011 IS/IEC/EA and maintains the conclusion of less than significant impact. (IS/IEC/EA, p. 3-158) Property exchange has no potential for adverse impacts on groundwater supplies or groundwater table.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			x	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			x	
e) 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?			x	
f) Otherwise substantially degrade water quality?			x	

Discussion: (c-f)

The project modifications result in an overall reduction in trail length by 880 lf and reduction in 100-year floodplain encroachment by 290 lf as shown in Tables 1 and 2. The project modifications relocate the Trout Creek bridge 535' downstream from the 2011 approved project, but retain the principal features of spanning the stream and prohibiting construction access across the stream to avoid alteration in its course. The boardwalk and bridge elevations are set one foot and three feet respectively above base flood elevation for the FEMA mapped Trout Creek floodplain. Additionally, the Bijou Meadow design refinements retain use of boardwalk in the mapped floodway to allow passage of floodwaters under the boardwalk. In other areas of the floodplain, flood waters will pass over the causeway or asphalt. These actions prevent altering the course of floodwaters as described for the 2011 approved project. (IS/IEC/EA, p. 3-160) Project design features related to trail drainage are the same in the proposed modifications as those evaluated for the 2011 approved project. Overall, the proposed modifications reduce the potential for effect on drainage patterns, extent or frequency of flooding, or

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other potential contributions to water quality degradation compared to that evaluated in the 2011 IS/IEC/EA for the approved project. (IS/IEC/EA, p. 3-158 – 161) The 2011 MND conclusion of less than significant impact remains valid for this supplement. Property exchange between public entities creates no potential for adverse impacts on drainage patterns or water quality.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				x

Discussion:

The project modifications and the property under consideration for exchange do not include housing. No potential for impact exists.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			x	

Discussion:

As shown in Tables 1 and 2, the project modifications result in total length through FEMA mapped 100-year floodplain of 1,627 lf, a reduction of 290 lf from that evaluated in the 2011 IS/IEC/EA. Of the total proposed length, the project modifications maintain use of boardwalk sections and a bridge, both elevated out of 100-year floodplains, to span the mapped floodways. In the Trout Creek area, FEMA mapping establishes the base flood elevation as two feet. Freeboard heights above that sufficient to pass flood debris are three feet for the floodway and one foot for the rest of the floodplain area. Thus, the proposed modifications establish the bridge and boardwalk elevations sufficient to create clear areas of five feet and three feet, respectively. The proposal establishes the bridge span at 175 feet with 40 foot ramps on either side. In Bijou Meadow, past development practices have substantially altered watershed hydrology, moving surface flow into nearby drainages. The design revisions considered in this supplement for the Bijou Meadow elevate the trail above surface water in the floodway and allow flood flow to pass over the asphalt trail surface in the outer areas of the floodplain. Detailed floodplain modeling in both these drainages during final design preparation may modify the precise lengths and heights of the spans to assure the trail avoids altering the rate or direction of flooding. Thus the evaluation for the project modifications does not change from that described for the 2011 approved project and is considered less than significant. (IS/IEC/EA, p. 3-162)

The 2011 IS/IEC/EA included an evaluation of the required TRPA and Lahontan findings necessary to permit encroachment in 100-year floodplains. As noted in other sections of this supplement, both TRPA and Lahontan have approved updated regulatory plans since the 2011 project approval. The TRPA update altered the code citation, moving the exception findings to Code Chapter 35 (specifically, 35.4.2.B & C), but retained the same requirements. The Lahontan Basin Plan exceptions were more broadly revised in the 2014 amendments. The revisions established the same prohibitions and possible exemptions to those prohibitions for outdoor recreation projects for SEZ, wetlands and 100-year floodplains. Evaluation of the proposed project modifications

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examined in this supplement in relation to the exemption findings are presented above for Question IV.b.

As the impacts of project modifications identified above create an equal or reduced effect on 100-year flood hazards compared to the approved project, the findings evaluation presented (IS/IEC/EA pages 3-162 – 3-164) for TRPA compliance, and the overall significant conclusion of less than significant impact (IS/IEC/EA, p. 166) presented for the 2011 approved project remain valid.

Floodplains exist on the lands evaluated for property exchange in this supplement. Property ownership change between three public entities will not alter the regulatory protections for floodplains and has no potential for adverse effects on floodwaters. No impact results.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				x
j) Inundation by seiche, tsunami, or mudflow?			x	

Discussion: (i & j)

No project modifications examined in the supplement affect levees or seiche, tsunami, or mudflow differently than described in the 2011 IS/IEC/EA for the adopted project. (IS/IEC/EA, p. 3-167) Property exchange has no potential to create risk of loss from these hazards.

Findings: The modifications examined in this supplement, including property exchange, do not change previous conclusions presented in the 2011 MND of less than significant impact or no impact on hydrology or water quality.

X. LAND USE AND PLANNING - Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?			x	
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			x	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				x

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Discussion: (a-c)

No project modifications examined in the supplement affect land use or planning differently than described in the 2011 IS/IEC/EA for the adopted project. (IS/IEC/EA, p. 3-179 and 3-182) Since 2011 project approval, TRPA updated the Regional Plan, including its Code of Ordinances. Multi-use trails remain a special use in all plan areas examined in this supplement. The Regional Plan Update altered the Code citations related to special use permit findings (specifically moving them to Code subsection 21.2.2), but retained the same requirements. The 2011 IS/IEC/EA evaluation of less than significant impact remains valid. (IS/IEC/EA, p. 3-181) Land use plans and policies apply to the Conservancy, LTCC, and City; property exchange among these entities has no potential to create adverse impacts on these plans or policies.

Findings: The modifications examined in this supplement, including property exchange, do not change previous conclusions presented in the 2011 MND of less than significant impact or no impact on land use and planning.

XII. NOISE - Would the project result in:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			x	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			x	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			x	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			x	
e) 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 expose people residing or working in the project area to excessive noise levels?				x
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				x

Discussion: (a – f)

The total trail length examined in this supplement is 880 linear feet shorter than the 2011 approved project, yet will likely not result in substantial reductions in construction related , noise compared to that described in the 2011 IS/IEC/EA for the adopted project. The noise impact evaluation presented for the approved project, concluding a less than significant impact, remains valid. (IS/IEC/EA, p. 3-195) The project modifications, including property exchange, examined in the supplement are not within the Airport Land Use Plan for the Lake Tahoe Airport land use district or in the vicinity of a private airstrip, therefore no impacts result. Property exchange between three public entities has no potential to create adverse impacts on noise.

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Findings: The modifications examined in this supplement, including property exchange, do not change previous conclusions presented in the 2011 MND of less than significant impact or no impact on noise.

XIII. POPULATION AND HOUSING -- Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial 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)?			x	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				x
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				x

Discussion: (a – c)

No project modifications examined in the supplement affect population growth differently than described in the 2011 IS/IEC/EA for the adopted project, resulting in less than significant impact. (IS/IEC/EA, p. 203) The project modifications, including property exchange do not displace housing or population, thus no impacts result.

Findings: The modifications examined in this supplement, including property exchange, do not change previous conclusions presented in the 2011 MND of less than significant impact or no impact on population and housing.

XIV. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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?			x	
Police protection?			x	
Schools?			x	
Parks?			x	
Other public facilities?			x	

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Alignment Modification Over Trout Creek and Design Refinements in Bijou Meadow and along Barbara Avenue

No project modifications examined in the supplement affect fire, police, schools or parks services differently than described in the 2011 IS/IEC/EA for the adopted project, resulting in less than significant impacts. (IS/IEC/EA, p. 3-212)

A portion of the modified alignment over Trout Creek follows utilities owned and maintained by the South Tahoe Public Utility District (STPUD). STPUD indicates sewer lines located between the Barbara Avenue/Martin Avenue intersection and the treatment facility on Meadowcrest Drive lie approximately 10' below ground level. In the portion of the riparian wetland with dense willows near Martin Avenue, the proposed trail runs directly over a 24" sewer export line for 122 lf in order to reduce disturbance in this sensitive habitat type. To avoid impact on the sewer line, the proposal uses raised asphalt on permeable fill in this area. No damage to the utility will result and the presence of the trail could increase maintenance access for other portions of the system. In other areas of the meadow where the proposed project will utilize boardwalk built with helical pier footings or bridge footings, the trail alignment avoids conflict with buried utilities by spanning the lines as needed. During development of final plans and throughout the construction period, utility surveys and close consultation with STPUD personnel will assure a less than significant impact results.

Property Exchange Property exchange between three public entities has no potential to create adverse physical impacts associated with public services. Land management responsibilities will shift with the property exchange as noted:

- Conservancy: The Conservancy will obtain more sensitive land, including active stream and riparian habitats, in the property exchange. Management responsibilities related to natural resources and dispersed recreation will increase. This is consistent with the Conservancy's mission and statutory requirements for land acquisition.
- Lake Tahoe Community College: LTCC ownership of sensitive stream and riparian areas will decrease in the proposed exchange. Phase 2 of the Greenway will cross LTCC land including on boardwalk and bridge sections. As with other portions of the Greenway, it is expected trail maintenance costs will be partially offset through access to Measure S funds. LTCC will reserve coverage rights on property exchanged with the Conservancy to assure, at minimum, no loss of potential coverage for campus needs will result.
- City of South Lake Tahoe: The City will reduce its management responsibilities in the active stream/ riparian wetland portions of Trout Creek and increase its responsibilities near existing City ownership in Bijou Meadow. Management efficiencies will result from ownership of the part of the City's Bijou Erosion Control Project now under license agreement with the Conservancy, and recreation activities associated with Bijou Community Park. Phase 1b of the Greenway will cross City land including on a boardwalk section. The City expects trail maintenance costs to be partially offset through access to Measure S funds.

The changes to these land management responsibilities and their associated costs are consistent with the purposes and missions of the agencies involved. No potential for adverse physical impacts results from property exchange.

Findings: The modifications examined in this supplement, including property exchange, do not change previous conclusions presented in the 2011 MND of less than significant impact or no impact on public services.

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XV. RECREATION	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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?			x	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			x	

Discussion:

Alignment Modification Over Trout Creek and Design Refinements in Bijou Meadow and along Barbara Avenue

No project modifications examined in the supplement adversely affect existing developed recreational facilities differently than described in the 2011 IS/IEC/EA for the adopted project. (IS/IEC/EA, pages 3-217, 218) The modification that relocates the trail connection to Bijou Park will improve access to park facilities for trail users compared to the approved project. Making the trail connection between LTCC and Sierra Tract a shorter, more direct connection will also improve pedestrian and bicycle access to public recreation facilities at the Community Playfields and Bijou Park. The approved project included trail restoration on a user created pathway running parallel to Meadowcrest Drive and Black Bart Avenue; this restoration is maintained as part of the project modification.

Property Exchange Dispersed, non-motorized recreation occurs throughout the properties under consideration for exchange. Land management related to dispersed recreational use of undeveloped land for the three entities are described below:

- **Conservancy:** The Conservancy manages its lands consistent with its mission and enabling legislation. This involves protecting natural and cultural resources and access to outdoor recreation. Ongoing management relies on Urban Land Management (ULM) practices involving staff inspections and citizen alerts to address concerns. Where necessary, the Conservancy relies on cooperative agreements with Clean Tahoe, the Tahoe Resource Conservation District, and the El Dorado County Sheriff to address remedial or corrective actions. The Conservancy properties proposed for land exchange are within the City of South Lake Tahoe and El Dorado County; local and/or State ordinances related to litter control, dog control, camping, etc. are in effect and enforced by the law enforcement entities of these local governments.
- **Lake Tahoe Community College:** LTCC manages its lands for the benefit of its students, members of the community, and in accordance with good stewardship principles. This involves onsite maintenance staff making regular patrols to assure the site is safe, accessible for the public, and its natural and cultural resources are protected. As noted above for the Conservancy, LTCC relies on the City of South Lake Tahoe Police to enforce local ordinances including dog control. The LTCC will retain rights of access related to its mission over the lands in the Trout Creek area proposed for transfer to the Conservancy.
- **City of South Lake Tahoe:** The City manages its lands for the benefit of the people of the City of South Lake Tahoe and to protect the natural and cultural resources present. City staff are available to address citizen complaints, natural resource protection, and police protection needs.

Access to dispersed public recreation will be maintained throughout the properties after land exchange. Current patterns of use will continue, with increased shared use trail access for recreationists from the surrounding neighborhoods and other areas. The effects are therefore less than significant.

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Findings: The modifications examined in this supplement, including property exchange, do not change previous conclusions presented in the 2011 MND of less than significant impact on recreation.

XVI. TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			x	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			x	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			x	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		x	x	
e) Result in inadequate emergency access?			x	
f) Result in inadequate parking capacity?			x	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			x	

Note: The 2011 MND required Mitigation Measure TRAFFIC-1 (IS/IEC/EA, p. 3-241) to reduce safety concerns to a less than significant level. The mitigation does not apply to the roadways or intersections in the portion of the project examined in this supplement and will not be discussed.

Discussion: (a – g)

No project modifications examined in the supplement affect predicted trail use, transportation, VMT, parking, or traffic differently than described in the 2011 IS/IEC/EA for the adopted project. (IS/IEC/EA, pages 3-231 - 242) Conclusions related to the approved project of less than significant impacts remain valid for project modifications examined in this supplement. Property exchange between three public entities has no potential to create adverse impacts on transportation or traffic.

Findings: The modifications examined in this supplement, including property exchange, do not change previous conclusions presented in the 2011 MND of less than significant impact on transportation or traffic.

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XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				x
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			x	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			x	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			x	
e) 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?				x
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			x	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			x	

Discussion: (a – g)

No project modifications examined in the supplement create the need for expanded or upgraded water or wastewater delivery systems, storm drainage systems, or solid waste needs differently than described in the 2011 IS/IEC/EA for the adopted project. (IS/IEC/EA, pages 3-248 - 251) Conclusions related to the 2011 approved project of less than significant impacts remain valid for project modifications examined in this supplement. Property exchange between three public entities has no potential to create adverse impacts on public utilities.

Findings: The modifications examined in this supplement, including property exchange, do not change previous conclusions presented in the 2011 MND of less than significant impact on utilities and service systems.

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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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, 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 history or prehistory?		x		

Discussion:

As discussed in this supplement, the proposed project modifications may result in potentially significant impacts to SEZ and wetlands, wildlife nests and nursery sites, sensitive habitats and individuals, and historical resources. However, project compliance measures and implementation of proposed mitigation measures will reduce the effects of such impacts to less than significant levels. Section 2.1, following, includes full detail of the required mitigation measures:

- BIO-1. Active Raptor and Migratory Bird Nest Site and Wildlife Nursery Site Protection Program
- BIO-2. Avoid Sensitive Plants or Prepare Sensitive Plant Protection Program
- BIO-3. Wildlife Protection Program
- CUL-1. Cultural Resource Monitoring Plan

Property exchange between three public entities subject to the same environmental regulatory standards has no potential to degrade the quality of the environment or substantially reduce or eliminate a species of wildlife or important example of California history or pre-history.

Findings: The modifications examined in this supplement, including property exchange, do not change previous conclusions presented in the 2011 MND of less than significant impact with mitigation incorporated on potential to degrade the environment.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) 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)?				x

Discussion:

Alignment Modification Over Trout Creek and Design Refinements in Bijou Meadow and along Barbara Avenue
The 2011 IS/IEC/EA evaluated the potential for cumulative impact from implementation of the Greenway. Table 60 identified and described 15 reasonably foreseeable projects that could contribute to cumulative impact and concluded less than significant impact. (IS/IEC/EA, pages 3-261 through 3-265) Since 2011, two additional

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projects related to the Greenway segments considered in this supplement should be added for evaluation:

- The Upper Truckee Marsh Restoration Project. The Conservancy proposes to restore portions of the Upper Truckee River marsh, including portions of the Trout Creek riparian zone downstream of the Greenway project area. This restoration will improve water quality, increase habitat value, and maintain access to existing dispersed recreation. Implementation 2018 – 2020, depending on available funding.
- Lake Tahoe Community College Facilities Master Plan Update. Since 2011, the LTCC updated its facilities master plan, creating a roadmap for meeting future student needs with an emphasis on raising the efficiency and maintaining existing and previously planned assets. Since voter approval of Measure F in 2014, implementation of master plan projects has begun.

The project modifications evaluated in this supplement produce either the same or reduced impacts on all aspects of the environment compared to the 2011 adopted project except: aesthetics (visual character of the Trout Creek area); and disturbance in Dry Montane Meadow wetlands. The reasonably foreseeable future projects evaluated in Table 60 the 2011 IS/IEC/EA do not create potential for cumulative impacts on these elements. The Upper Truckee Marsh project noted above will create wetland enhancement, including Montane Meadow type, so no potential for adverse cumulative impact results. The LTCC master plan will evaluate future campus development; all future potential exists on high capability land out of view or substantially screened from the area around Trout Creek. No potential for significant cumulative impact to the visual character of the Trout Creek area exists.

Property Exchange Property exchange among three public entities with compatible missions and subject to the same environmental and regulatory restrictions has no potential to contribute to cumulative impact on elements of the environment.

Findings: The modifications examined in this supplement, including property exchange, do not change previous conclusions presented in the 2011 MND of no cumulatively considerable impact.

	Potentially Significant Impact	Less Than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				x

Discussion:

The 2011 IS/IEC/EA concluded the Greenway shared use trail creates a positive effect on humans. (IS/IEC/EA, p. 3-266) No project features examined in this supplement, including property exchange, create different impacts on humans than evaluated for the 2011 adopted project.

Findings: The modifications examined in this supplement, including property exchange, do not change previous conclusions presented in the 2011 MND of no adverse effect on humans.

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2.1 Mitigation Measures

The following mitigation measures identified as necessary in the 2011 MND continue to be necessary to reduce potentially significant impacts to less than significant levels for the project modifications evaluated in this supplement.

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

Note: Text in italics modifies the 2011 adopted mitigation measure to clarify the relationship between required actions and planning and monitoring activities.

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 meet 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 *and the mitigation strategies identified above are employed*, the Conservancy shall produce a mitigation and monitoring plan to follow the CNPS and CDFW guidelines to comply with Chapter 10 of CDFW Native Plant Protection Policy and TRPA Code Subsection 75.2.A.

BIO-3. Wildlife Protection Program

Note: Text in italics modifies the 2011 adopted mitigation measure to clarify the need to address potential impacts on the willow flycatcher.

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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, *willow flycatcher*, 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 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

Note: Text in italics modifies the 2011 adopted mitigation measure to reflect recent legislation.

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, *tribal cultural*, 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, among others) 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, *tribal cultural*, 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). *Assessment of tribal cultural resources, if found, shall treat the resource with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource (protecting the cultural character and integrity, traditional use, and confidentiality of the resource), and could include permanent conservation easements or other interests in real property for the purpose of preserving or utilizing the resource or place.*

**South Tahoe Greenway Shared Use Trail Project Modification
Initial Study/Mitigated Negative Declaration Supplement**

2.2 Supplement Citations

- ¹Federal Register U.S. Fish and Wildlife Service. 2014. Endangered and Threatened Wildlife and Plants; Endangered Status for the Sierra Nevada Yellow-Legged Frog and the Northern Distinct Population Segment of the Mountain Yellow-Legged Frog, and Threatened Status for the Yosemite Toad. Final Rule. Federal Register Vol. 79, No. 82.
- ²California Department of Fish and Wildlife. 2015. California Natural Diversity Database
- ³Henderson 2015, Letter report
- ⁴Craig, D. and P. L. Williams. 1998. Willow Flycatcher (*Empidonax traillii*). In *The Riparian Bird Conservation Plan: a strategy for reversing the decline of riparian-associated birds in California*. California Partners in Flight. Available at http://www.prbo.org/calpif/htmldocs/riparian_v-2.html
- ⁵Schroeder, R.L. 1982. *Habitat Suitability Index Models: Yellow Warbler*. U.S. Fish and Wildlife Service. Fort Collins, CO.
- ⁶Tahoe Regional Planning Agency. 2012. *Regional Plan for the Lake Tahoe Region*. Including *Goals and Policies Plan* (2012), *Code of Ordinances* (2012 and updated), *Plan Area Statements* (2012 and updated).
- ⁷Tahoe Metropolitan Planning Organization. 2012. *Regional Transportation Plan: Mobility 2035*,
- ⁸Lanontan. *Water Quality Control Plan for the Lahontan Basin* (2014), including Chapter 5, Lake Tahoe Basin
- ⁹Parus Consulting. January 2016. *An Archaeology Survey for the California Tahoe Conservancy South Tahoe Greenway Bike Path*. Prepared for Ascent Environmental and California Tahoe Conservancy.
- ¹⁰California Air Resources Board. 2014. Update Climate Change Scoping Plan. Available at: <http://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm>