

## **SOUTH TAHOE GREENWAY SHARED-USE TRAIL PHASE 1B & 2 PROJECT**

**Summary:** Staff recommends the following actions related to approval and implementation of the South Tahoe Greenway Shared-Use Trail Phases 1b & 2 Project (Project): 1) adopt the South Tahoe Greenway Shared-Use Trail Project Modification Mitigated Negative Declaration Supplement and the Mitigation Monitoring Reporting Program to comply with the California Environmental Quality Act; 2) approve the Project; 3) authorize expenditures of \$200,000 in California Tahoe Conservancy funds and an additional \$3,027,000 in partner funds from grants and other agreements; and 4) authorize entering into land exchanges, easements and other land tenure agreements for implementation, operation and maintenance of the Project with the City of South Lake Tahoe, the Lake Tahoe Community College District, the South Tahoe Public Utility District and the California Department of Transportation.

**Location:** City of South Lake Tahoe between Glenwood Way and Sierra Boulevard, as more accurately depicted on the Location Map (Attachment 1) and in the Project Property Description (Attachment 2).

**Fiscal Summary:** Up to \$4,327,000 in total expenditures to complete the Project, including \$1,100,000 in previously authorized expenditures.

**Recommended Action:** Adopt Resolution 16-03-04 (Attachment 3).

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### **Background**

The South Tahoe Greenway Shared-Use Trail (Greenway) will be a 3.86 mile trail connection between the Sierra Tract neighborhood and Van Sickle Bi-State Park. The trail alignment generally follows the right-of-way (ROW) originally obtained by the California Department of Transportation (Caltrans) to build a bypass freeway.

Changing regional priorities in the 1980s and 1990s stopped implementation of the freeway, and Caltrans transferred most of the former highway ROW to the California Tahoe Conservancy (Conservancy) in 2000. Conservancy staff completed a bike trail

feasibility study and, in 2002, the Conservancy Board (Board) authorized planning authority for development of a shared-use trail in the former Caltrans ROW between Meyers and Stateline.

Conservancy staff developed preliminary plans and various alignment alternatives, in coordination with the City of South Lake Tahoe (City) and other interest groups, throughout the 2000s. In 2010, in response to public comments and funding limitations, staff refocused the scope of the Greenway on connecting neighborhoods in the City, and postponed extending the trail south from Sierra Boulevard to Meyers. Staff prepared revised preliminary plans and a joint environmental document for approval by the Conservancy, the Tahoe Regional Planning Agency (TRPA) and the U.S. Forest Service. The Board adopted a Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA) and approved the Greenway (i.e., the new 3.86 mile alignment from Sierra Tract neighborhood to Van Sickle Bi-State Park) in 2011.

The 3.86 mile Greenway is broken into construction segments, given limited funding and other issues associated with acquiring easements along certain segments of the trail. In 2011 and 2013, the Board authorized \$950,000 for preliminary plans and final design and construction of the initial phase, as well as planning and acquisition for other phases. Phase 1a opened in October 2015, providing a 0.42-mile neighborhood connection between Glenwood Way and Herbert Avenue.

To extend the trail beyond Phase 1a, staff partnered with several local agencies in submitting an Active Transportation Program (ATP) application for the Greenway Phase 1b & 2 Project (Project), which extends the trail to Sierra Boulevard. The 2015 application was successful and \$1,928,000 in ATP funding was awarded for the Project in October 2015. The application also included funding from the following sources: \$399,000 in Congestion Mitigation and Air Quality (CMAQ) funds through a partnership with the Tahoe Transportation District (TTD); \$700,000 from Lake Tahoe Community College (LTCC) Measure F funds; and \$1,000,000 in Conservancy Proposition 84 funds, which was authorized by the Board in 2014.

### **Project Description**

The Project extends the shared-use trail for about a mile from the terminus of Phase 1a at Glenwood Way to Sierra Boulevard. Together with Phase 1a and a previously completed city trail, the Project will provide almost 2 miles of continuous trails in the heart of South Lake Tahoe.

Since Board approval of the MND and Greenway 3.86 mile alignment in 2011, staff identified a number of modifications that are recommended to reduce disturbance in environmentally sensitive areas and vegetation communities, provide a more direct trail alignment, and facilitate partner funding (Attachment 4). The design modifications include:

- Realigning the trail over Trout Creek and along Barbara Avenue;
- Reducing total trail length by 880 linear feet;
- Decreasing trail length through Stream Environment Zones (SEZ), 100-year floodplains, and wetlands;
- Removing fewer trees and vegetation;
- Changing boardwalk to asphalt on permeable fill in the Bijou Meadow area.

Staff also recommends a land exchange between the City, the Conservancy, and LTCC to facilitate funding and streamline management of the Project. Under the proposed exchange, the Conservancy will trade a portion of the old Caltrans ROW for highly sensitive land along Trout Creek, the City will exchange sensitive land along Trout Creek for property in Bijou Meadow, and LTCC will exchange its sensitive land along Trout Creek for property along a portion of the trail. LTCC must own a portion of the land along the trail to make its \$700,000 contribution to the Project.

To facilitate the exchange, staff recommends a two-step process, as described below and shown on Attachments 5a and 5b.

**Exchange 1:**

<i>Site</i>	<i>Parties</i>	<i>Description</i>
<b>Site 4 – 20 acres</b> 025-061-26 (portion) 025-061-27 (portion)	From the City to Conservancy (then LTCC, see below)	The Conservancy will obtain sensitive lands along the Trout Creek corridor and the City will receive former Caltrans ROW property with coverage rights adjacent to Bijou Community Park and improvements of the City's Bijou Erosion Control Project. The exchange will include the reservation of easements or agreements sufficient to construct, operate, and maintain the project.
<b>Site 2 – 17 acres</b> 025-051-29 025-405-05 025-405-06 025-405-07 025-405-08 025-405-09	From the Conservancy to the City	

**Exchange 2:**

<i>Site</i>	<i>Parties</i>	<i>Description</i>
<b>Site 1 – 38 acres</b> Portions of: 025-010-34 025-010-54 025-041-10 031-011-02	From the LTCC to Conservancy	The Conservancy will obtain environmentally sensitive lands along the lower Trout Creek corridor. The LTCC will receive the area needed for the trail connection from Sierra Tract to the campus, which includes the property the Conservancy received above from the City. Reservations in the property deeds will preserve access for LTCC activities related to their mission and for the Conservancy for potential future natural resource restoration. The LTCC and Conservancy will retain land coverage rights associated with the lands proposed for transfer. The exchange will include the reservation of easements or agreements sufficient to construct, operate, and maintain the Project.
<b>Site 4 above and Site 3 – 4 acres (24 acres total)</b> 025-061-12	From the Conservancy to the LTCC	

In addition to the land exchange, staff recommends that the Conservancy secure access rights across a parcel owned by the South Tahoe Public Utility District (STPUD) near the Martin Avenue/Barbara Avenue intersection (APN 025-081-18). In return, staff recommends approval of an easement to STPUD on a parcel adjacent to STPUD's Wastewater Treatment Plant (APN 025-061-12) to resolve an existing parking lot encroachment. Staff also recommends that the Conservancy secure access rights across Caltrans property between Sierra Boulevard and Martin Avenue that abuts the Conservancy parcels along Barbara Avenue and across the City's ball field property to connect to the existing bike path (APN 025-041-20). Attachment A to Attachment 8 illustrates the locations described above.

Staff is also seeking Board authorization to enter into any agreements that may be necessary to implement the Project, including the Master Agreement and ATP Program Supplement with Caltrans; agreements to receive and expend matching funds; maintenance and operation agreements; and a use permit.

Staff also recommends Board authorization of up to \$200,000 for increased costs associated with the ATP grant, including:

- completion of technical studies for National Environmental Policy Act (NEPA) compliance, including resurveying for sensitive wildlife and plant species;
- coordination between Caltrans, Department of General Services (DGS), and Conservancy staff associated with the Caltrans and Federal Highway Administration (FHWA) approval process.

### **Project Budget**

Since 2002, the Conservancy has expended \$2,140,500 on a feasibility analysis, preliminary planning and design, initial permits, and environmental review for the Greenway, and for construction of Phase 1a. The budget for Phases 1b and 2 is \$4,327,000, as shown below.

#### **South Tahoe Greenway Phase 1b & 2 Project Budget**

	<b>TOTAL</b>	<b>Conservancy</b>	<b>ATP</b>	<b>LTCC</b>	<b>TTD (CMAQ)</b>
Planning	<b>\$300,000</b>	\$100,000* \$200,000**			
Working Drawings	<b>\$501,000</b>	\$251,000*	\$250,000		
Construction	\$2,652,500				
Contingency (20%)	\$530,500				
Const. Engineering	<u>\$343,000</u>				
Construction Total	<b>\$3,526,000</b>	\$749,000*	\$1,678,000	\$700,000	\$399,000
<b>Total</b>	<b>\$4,327,000</b>	<b>\$1,300,000</b>	<b>\$1,928,000</b>	<b>\$700,000</b>	<b>\$399,000</b>

*\*Authorized in 2014 (Of the \$1,100,000 authorized, \$100,000 will be used for Project activities prior to the ATP final allocation, so the Conservancy match for the grant is \$1,000,000)*

*\*\*Recommended additional authorization.*

The budget for individual items may vary from those shown above, but total expenditures for Project implementation will not exceed \$4,327,000.

The Conservancy, City, and LTCC are developing an agreement through which the City will be responsible for operations and maintenance of the Greenway, and the parties will jointly seek funding for future major repair/replacement needs.

The Conservancy will manage the lower Trout Creek parcels received in the land exchange (Site 1 as shown on Attachment 5b) as part of its existing and ongoing land management program. Any specific land management expenditures will be covered as

part of the annual authorizations under the Urban Land Management and/or Forest Improvement programs.

### **Project Implementation**

Following Board approval, the Conservancy will execute the ATP Program Supplement and complete the land exchange and other real estate transactions. The Project Management and Development Branch of the DGS Real Estate Services Division will lead the review and implementation of the Project. Conservancy and DGS staff will seek state and federal approvals needed to proceed and encumber funds. These include approvals by the Public Works Board (PWB) and Department of Finance, as well as Caltrans and FHWA.

In addition, TRPA and the City must also approve the design modifications, the City must revise the existing Special Use Permit, TRPA must approve an amended Greenway permit, and Caltrans must conduct additional NEPA evaluations required by the FHWA.

The anticipated schedule is as follows:

City and TRPA approve Project modifications	April 2016
Sign ATP grant agreements	April 2016
Complete all preliminary planning tasks, including NEPA	December 2016
PWB/Caltrans approval to proceed to Working Drawings	February 2017
Complete final design	June 2018
Receive authority to bid	October 2018
Award construction contract	April 2019
Start Project construction	August 2019
Complete Project construction	October 2020

### **Project Evaluation**

The Project will close gaps between existing trail segments to complete direct connections to recreation and community destinations in the Mid-Town area of South Lake Tahoe. The Project will link the Bijou and Sierra Tract neighborhoods allowing bikes and pedestrians to avoid busy arterial roadways and significantly shorten the distance to desirable destinations such as Bijou Community Park and Bike Park, Bijou Elementary School, Community Playfields, LTCC, and existing trails that connect to beaches and other recreation destinations. Trail users from Sierra Tract traveling north will save 1.5 miles and those traveling south from Bijou will save

1.53 miles. Shortcuts like this offer a substantial incentive to convert auto-based trips to active transportation trips. This not only contributes to environmental protection, but also improves trail user safety and promotes community health. When complete, this 0.95-mile trail will link with existing trails to create a continuous 1.87 mile trail separated from the road system.

Proposed design modifications enhance trail usability, reduce adverse environmental effects, and reduce construction costs. The trail realignment over Trout Creek and along Barbara Avenue makes more direct trail connections and reduces total trail length. These modifications increase the attractiveness of bicycle and pedestrian travel and help reduce dependence on automobiles. In addition, the trail realignment over Trout Creek reduces disturbance in SEZ, sensitive wetlands, and 100-year floodplain. Moving the trail connection away from the neighborhood street system also removes the need for constructing retaining walls and fill in the floodplain, reduces tree removal by 94 trees, and reduces willow removal by 88 shrubs. This revised alignment was made possible by new construction techniques proven successful on other recently-constructed trails in the Lake Tahoe Basin.

Design modifications near Trout Creek and across Bijou Meadow focus use of the most protective construction techniques (i.e., boardwalk and bridge) in the most sensitive wetland types. The boardwalk/bridge design across Trout Creek and asphalt on permeable fill across a portion of the Bijou meadow decrease total disturbance in riparian and emergent floodplain wetland. Design modifications that decrease length also decrease construction costs and maintenance needs over the life of the Project.

### **Authority**

The Project meets the four primary objectives of the Conservancy's Public Recreation and Access Program Guidelines:

- 1) To "increase and enhance significant regional public access and public recreational opportunities" by establishing a shared-use trail in the core portion of the South Lake Tahoe bikeway network;
- 2) To "provide a range of public access opportunities to locations with regionally significant lakefront, riverfront, cultural/historical and natural characteristics," by directly linking neighborhoods and tourist accommodations to services, schools and parks, and, through network connections, to beach facilities;
- 3) To "increase regional ... non-motorized transportation and recreation opportunities" by implementing the highest priority California project in the

TRPA Bicycle and Pedestrian Master Plan, a priority project in the Regional Transportation Plan (RTP #22), and Environmental Improvement Program project #03.01.02.0087; and

- 4) To “support environmental education, interpretation ... that promotes stewardship” through interpretive signage along the route.

The Project is consistent with the Conservancy’s enabling legislation. Specifically, Government Code section 66907 authorizes the Conservancy to acquire real property or interests therein for the purposes of providing public access or public recreational facilities. Government Code section 66907.8 and 66907.9 authorize the Conservancy to exchange or transfer real property to local public agencies and to enter into land management agreements to fulfill its mission. In accordance with Government Code section 66906.8 the Conservancy is authorized to select and hire private consultants or contractors to achieve these purposes. In addition, Government Code section 66907.10 authorizes the Conservancy to improve and develop acquired lands for a variety of purposes.

### **Compliance with the California Environmental Quality Act (CEQA)**

On September 15, 2011, the Conservancy Board adopted the South Tahoe Greenway Shared-Use Trail MND and Mitigation Monitoring Reporting Program (Attachment 6). The Board also approved two additional project implementation phases under the 2011 MND: Greenway Phase 1a Project (June, 2013), and Greenway Phase 1 and 2 Project (May, 2014).

Since the last Greenway phase was authorized by the Board, increased local experience with protective construction techniques allowed reconsideration of design details through sensitive lands. This resulted in proposing and evaluating trail realignments that could reduce overall trail length and corresponding sensitive land disturbance, leading to a need to modify the 2011 MND. CEQA Guidelines sections 15162 and 15163 generally provide the conditions under which subsequent or supplemental environmental documentation should be prepared. Specifically, if changes to a project are proposed, circumstances under which a project is undertaken change, or new information becomes available after the adoption of a negative declaration, an agency may prepare a supplement to that negative declaration if the changes can be adequately addressed through minor modifications to the negative declaration.

This Project, which now includes consideration of a land exchange between public agencies, represents new information and changes to the original trail design, such as



realignment in several locations and revising the placement of certain trail design details. These changes can be adequately addressed through a supplement to the MND. The Conservancy, therefore, has prepared a IS/MND Supplement (Attachment 7) to evaluate design modifications and land exchange proposals and to comply with CEQA. Copies of the IS/MND are retained, with the record of proceedings upon which the Board's decision on this matter will be based, at the Conservancy office, 1061 Third Street, South Lake Tahoe, CA 96150.

Based on the MND Supplement, which incorporates the evaluation provided in the 2011 MND, staff has determined that the Project would not cause a significant effect on the environment. The mitigation measures are located on pages 52-53 in Section 2.1 of the IS/MND Supplement (Attachment 7). The Mitigation Monitoring Reporting Program (MMRP) documents compliance with Project mitigation measures during implementation by designating responsible parties for monitoring and reporting on completion of mitigation measures (Attachment 7).

Staff recommends the Board review the IS/MND Supplement, together with comments received during the public review process; adopt the MND Supplement and the MMRP; and approve the Project.

If the Board adopts the MND Supplement and authorizes the proposed Project, staff will file a Notice of Determination (Attachment 8) with the State Clearinghouse pursuant to CEQA Guidelines, section 15075.

### **List of Attachments:**

Attachment 1 – Project Location Map

Attachment 2 – Greenway Phase 1b & 2 Project Property Description (APNs)

Attachment 3 – Resolution 16-03-04

Attachment 4 – Design Modifications

Attachment 5a – Ownership before Exchange

Attachment 5b – Ownership after Exchange

Attachment 6 – 2011 Initial Study/Mitigated Negative Declaration; 2011 Notice of Determination; and Filing Fee Receipt

Attachment 7 – 2016 Final Supplement to the Mitigated Negative Declaration Mitigation Monitoring Reporting Program; 2016 Draft Supplement to Initial Study/Mitigated Negative Declaration

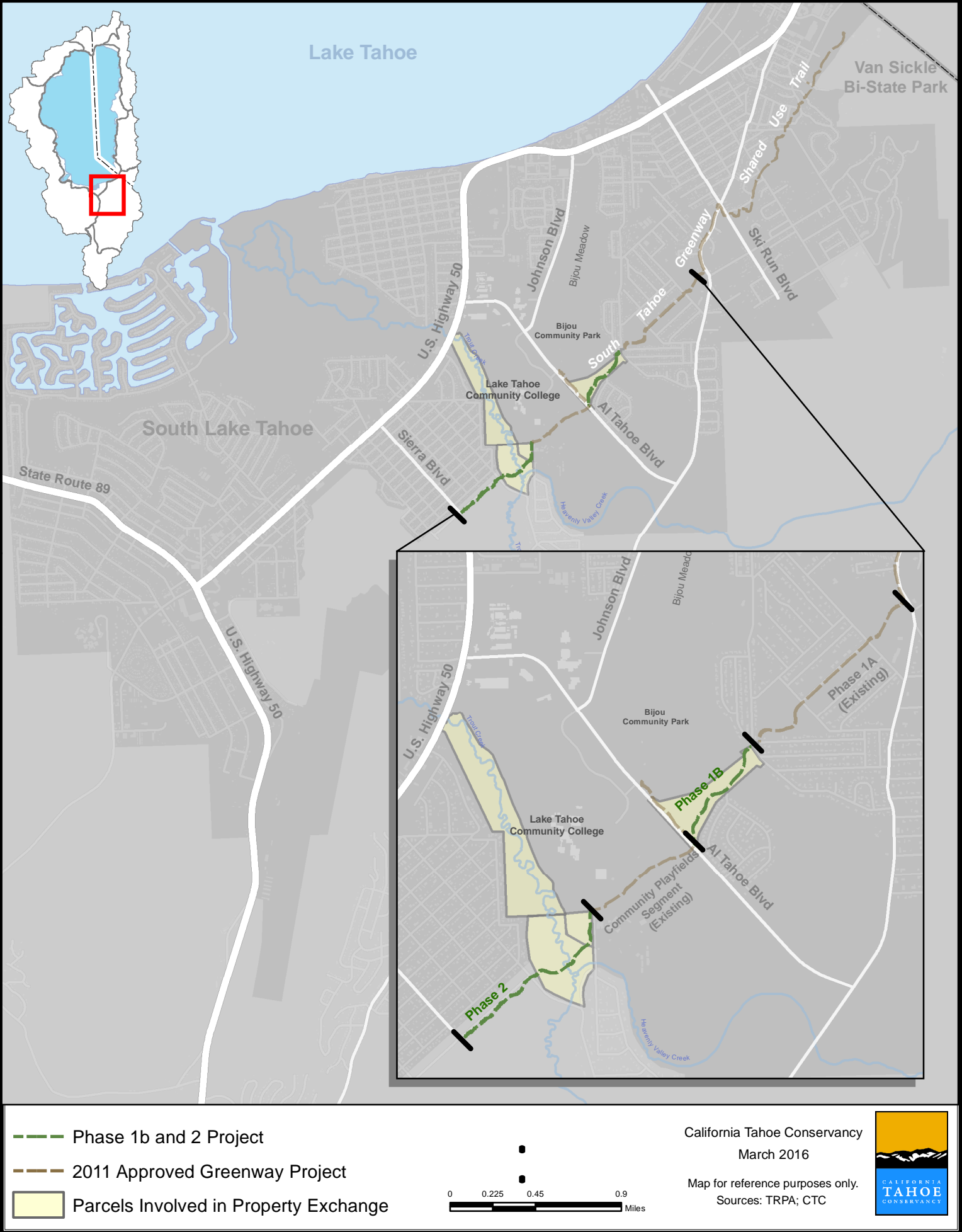
Attachment 8 – 2016 Notice of Determination

**Conservancy Staff Contact:**

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ATTACHMENT 1  
South Tahoe Greenway Project Location



## ATTACHMENT 2

### GREENWAY PHASES 1B & 2 PROJECT AREA PROPERTY DESCRIPTION

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

#### *Greenway Project Area*

California Tahoe Conservancy	025-405-05	025-462-12
	025-405-06	025-462-13
	025-405-07	025-462-14
	025-405-08	025-462-15
	025-405-09	025-462-16
	025-051-29	025-462-18
	025-061-12	025-462-19
	025-462-06	025-462-20
	025-462-07	025-462-21
	025-462-08	025-462-22
	025-462-09	025-462-23
	025-462-10	025-462-24
	025-462-11	

City of South Lake Tahoe	025-061-26	
	025-061-27	

South Tahoe Public Utility District	025-061-18	
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#### *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
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Lake Tahoe Community College	025-010-34	031-011-02
	025-010-54	025-041-10

### **ATTACHMENT 3**

California Tahoe Conservancy

Resolution

16-03-04

Adopted: March 17, 2016

#### **SOUTH TAHOE GREENWAY SHARED USE TRAIL PHASE 1B AND 2 PROJECT**

Staff recommends that the California Tahoe Conservancy (Conservancy) adopt the following resolution based on the accompanying staff report, and pursuant to Public Resources Code section 21000 et seq.:

"The Conservancy, in its capacity as the lead agency, prepared the Supplement to the Initial Study and Mitigated Negative Declaration (MND Supplement) to evaluate design modifications to Phases 1b and 2 of the South Tahoe Greenway Shared-Use Trail Project and land exchange between three public entities required to implement the Project (Project). In consideration of the Project, the Conservancy finds on the basis of the whole record before it that there is no substantial evidence that the Project, as mitigated, will have a significant effect on the environment, and that the MND Supplement reflects the Conservancy's independent judgment and analysis. The documents constituting the record of proceedings upon which this decision is based are located at the offices of the Conservancy and maintained by the Project manager. The Conservancy hereby adopts the MND Supplement.

Pursuant to CEQA Guidelines, section 15074(d), the Conservancy adopts the Mitigation Monitoring Reporting Program (Exhibit A), which incorporates mitigation measures and ensures that required mitigation is implemented for the Project."

The Conservancy hereby directs staff to file a Notice of Determination for this Project with the State Clearinghouse.",

Staff also recommends that the Conservancy adopt the following resolution, pursuant to Government Code sections 66906.8, 66907, 66907.8, 66907.9, 66907.10:

“The Conservancy hereby approves the Project; authorizes an additional \$200,000 in expenditures; authorizes the Executive Director to sign the California Department of Transportation Master Agreement, Administering Agency – State Agreement for Federal-Aid Projects together with all Program Supplements, and other agreements to receive and expend project partner funds of \$3,027,000; authorizes land exchanges and boundary line adjustments, easement reservations and grants and agreements for implementation, operation and maintenance; and authorizes all related actions consistent with the accompanying staff report and attachments necessary to implement the Greenway Phase 1b and 2 Project.”

I hereby certify that the foregoing is a true and correct copy of the resolution duly and regularly adopted by the Conservancy at a meeting thereof held on the 17th day of March 2016.

In WITNESS THEREOF, I have hereunto set my hand this 17th day of March 2016.

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Patrick Wright  
Executive Officer

# EXHIBIT A

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## MITIGATION MONITORING AND REPORTING PROGRAM

CEQA Guidelines Section 15097 requires the adoption of a program by a public agency for monitoring or reporting on the project revisions or measures it has imposed to mitigate or avoid significant impacts of a project. The South Tahoe Greenway Shared-Use Trail Project (Greenway) Initial Study (2011) identified the mitigation measures required to be incorporated in the Greenway. The California Tahoe Conservancy, as lead agency, adopted these measures as part of the Mitigated Negative Declaration and approved the Greenway with these measures incorporated in September, 2011.

Project modifications in the Phase 1b and 2 project area evaluated in the 2016 Supplement to Initial Study/Mitigated Negative Declaration (MND Supplement) continue to require the mitigation measures adopted in 2011 to avoid significant impacts. The MND Supplement incorporates minor corrections in several measures to clarify requirements and to address new legislation related to cultural resources. *Italicized text identifies these changes.*

The following mitigation measures are those measures required for construction and operation of the Greenway. Mitigation Measures relevant for the project area considered in the MND Supplement are listed first. Each of the mitigation measures includes a description of the measure that is required to be completed, the impacts that are mitigated, and the lead, implementing, and the monitoring agency. Also included is the timing associated with the implementation of the mitigation measure.

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

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

<b>Lead Agency</b>	Conservancy
<b>Implementing Agency</b>	Conservancy
<b>Monitoring Agency</b>	Tahoe Regional Planning Agency, USDA Forest Service LTBMU
<b>Timing</b>	<b>Start:</b> Prior to construction activities <b>Complete:</b> Following initial construction activities

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

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



### Mitigation Measure BIO-3. Wildlife Protection Program

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

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

<b>Description</b>	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, <i>tribal cultural</i> , 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
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monitoring; communicating with construction personnel; and notifying agencies (e.g., LTBMU, the SHPO, and TRPA) if previously unidentified historical or archaeological resources are encountered that may be eligible for inclusion in the NRHP, the CRHR or eligible for designation as a TRPA historical resource. Archaeological monitors shall have the authority to halt construction activities that have the potential to disturb significant historical or archaeological resources until appropriate measures can be implemented.

Ground disturbing activities in the vicinity of the resource shall cease if the archaeological monitor determines that continuation of activity shall affect a significant historical, *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.*

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

## Mitigation Measure SCENIC-1. Reduce Tree Removal

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

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

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

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

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

<b>Description</b>	The Safety railing proposal along Pioneer Trail that incorporates cable elements requires excessive maintenance when located where snow storage from roadways is necessary. Alternate designs more suited to maintenance needs shall be required. As construction plans develop, alternatives to the cable elements shall remain slender and allow easy visual penetration.
<b>Impacts Mitigated</b>	Degradation of scenic quality along Scenic Roadway units.
<b>Mitigation Level</b>	Protection of scenic quality ratings.
<b>Lead Agency</b>	Conservancy
<b>Implementing Agency</b>	Conservancy

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

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

<b>Description</b>	Retaining walls proposed near Ski Run Boulevard shall be redesigned to be no more than eight feet tall to comply with City design standards. Retaining walls that require height greater than eight feet shall be designed with multiple tiered wall planes and stepped up the hillside. Further, no long, straight unbroken retaining walls (greater than 100 feet in length) with little or no articulation or other surface features shall be allowed.
<b>Impacts Mitigated</b>	Compliance with City Design Standards.
<b>Mitigation Level</b>	Design retaining walls greater than eight feet in height with multiple tiered wall planes.
<b>Lead Agency</b>	Conservancy
<b>Implementing Agency</b>	Conservancy
<b>Monitoring Agency</b>	City of South Lake Tahoe
<b>Timing</b>	<b>Start:</b> At time of permit acknowledgement
	<b>Complete:</b> At time of permit acknowledgement

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

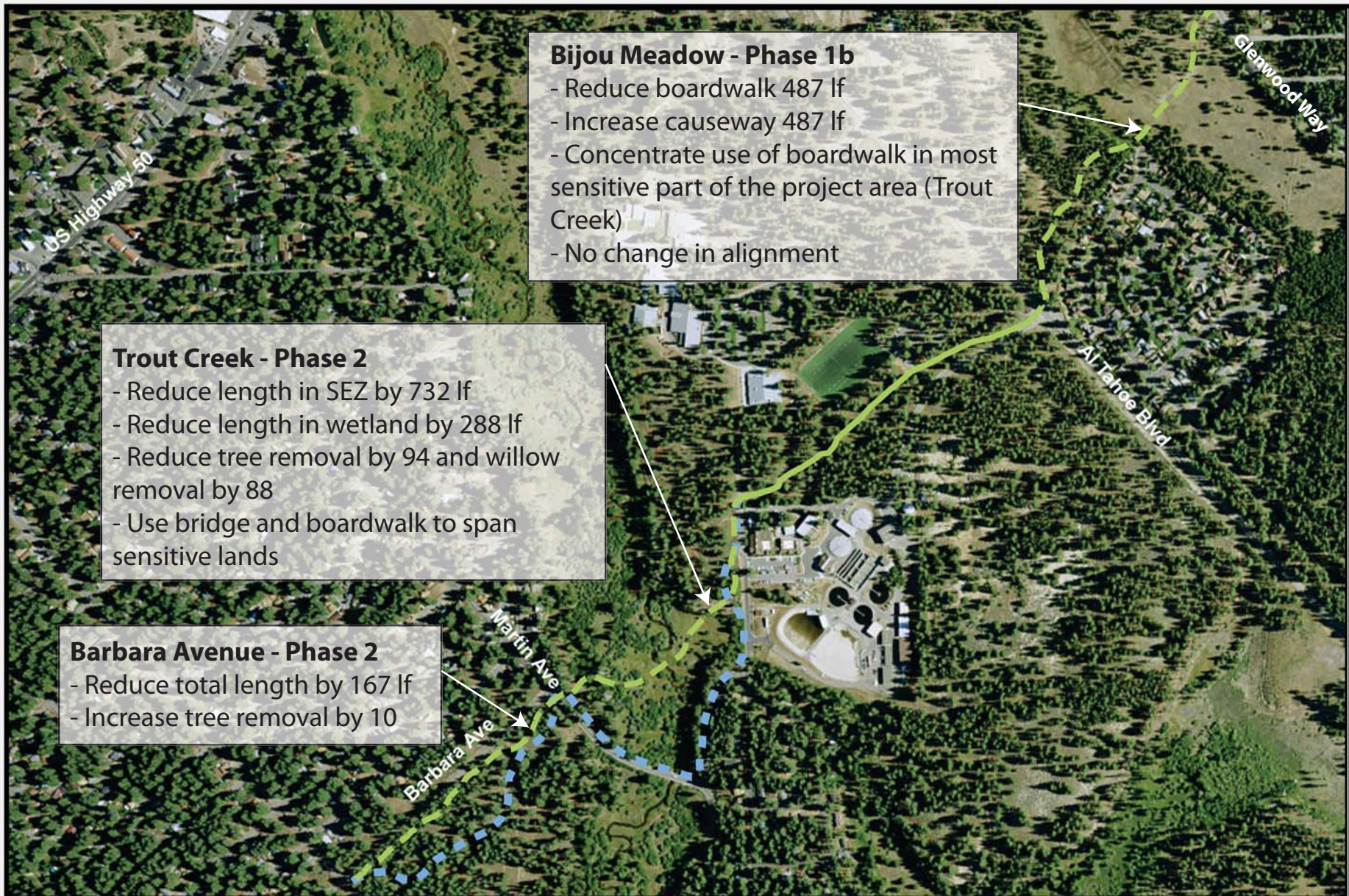
<b>Description</b>	The safety railing along Pioneer Trail shall be redesigned using a more durable design capable of withstanding snow storage requirements with fewer maintenance needs.
<b>Impacts Mitigated</b>	Increased maintenance of public facilities associated with City snow removal operations.
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

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

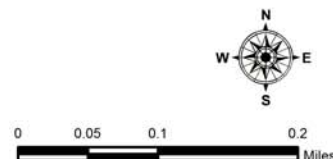
<b>Description</b>	<p>To enhance crossing treatments at specific locations and to reduce vehicle speeds and increase crossing visibility, the project shall include the following measures:</p> <ul style="list-style-type: none"><li>• Becka Drive local road mid-block crossing: Install all-way stop control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



# ATTACHMENT 4 Design Modifications



- Existing Bike Trail
- Phase 2 Proposed Alignment
- Phase 2 Approved Alignment

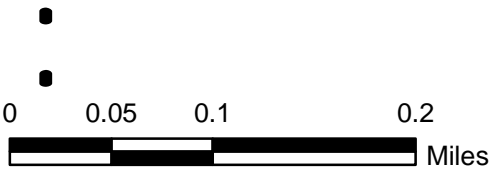
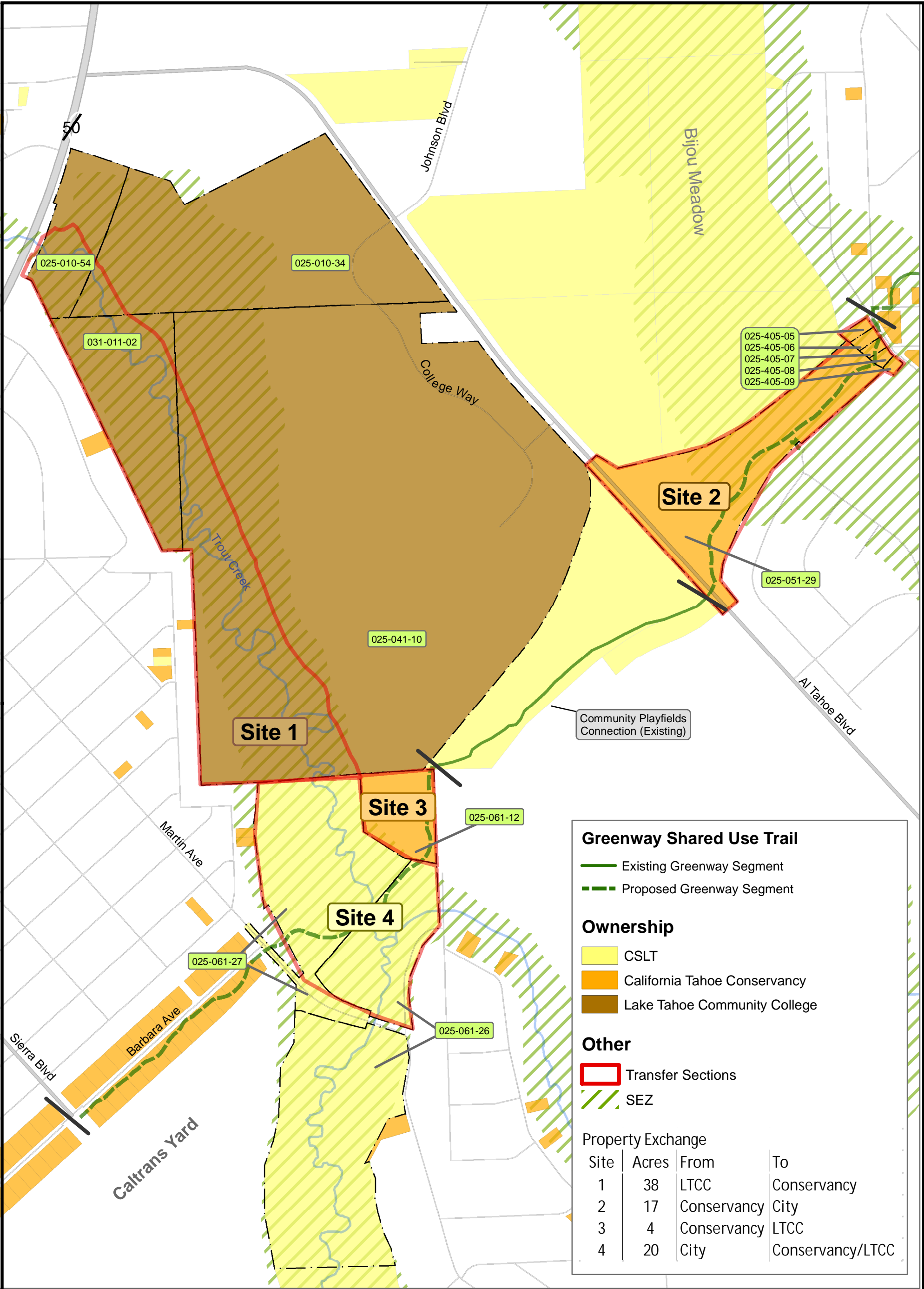


California Tahoe Conservancy  
March 2016  
Map for reference purposes only.  
Sources: TRPA; CTC; ESRI





ATTACHMENT 5a  
Ownership Before Exchange

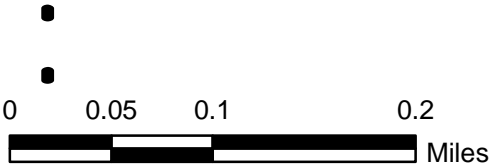
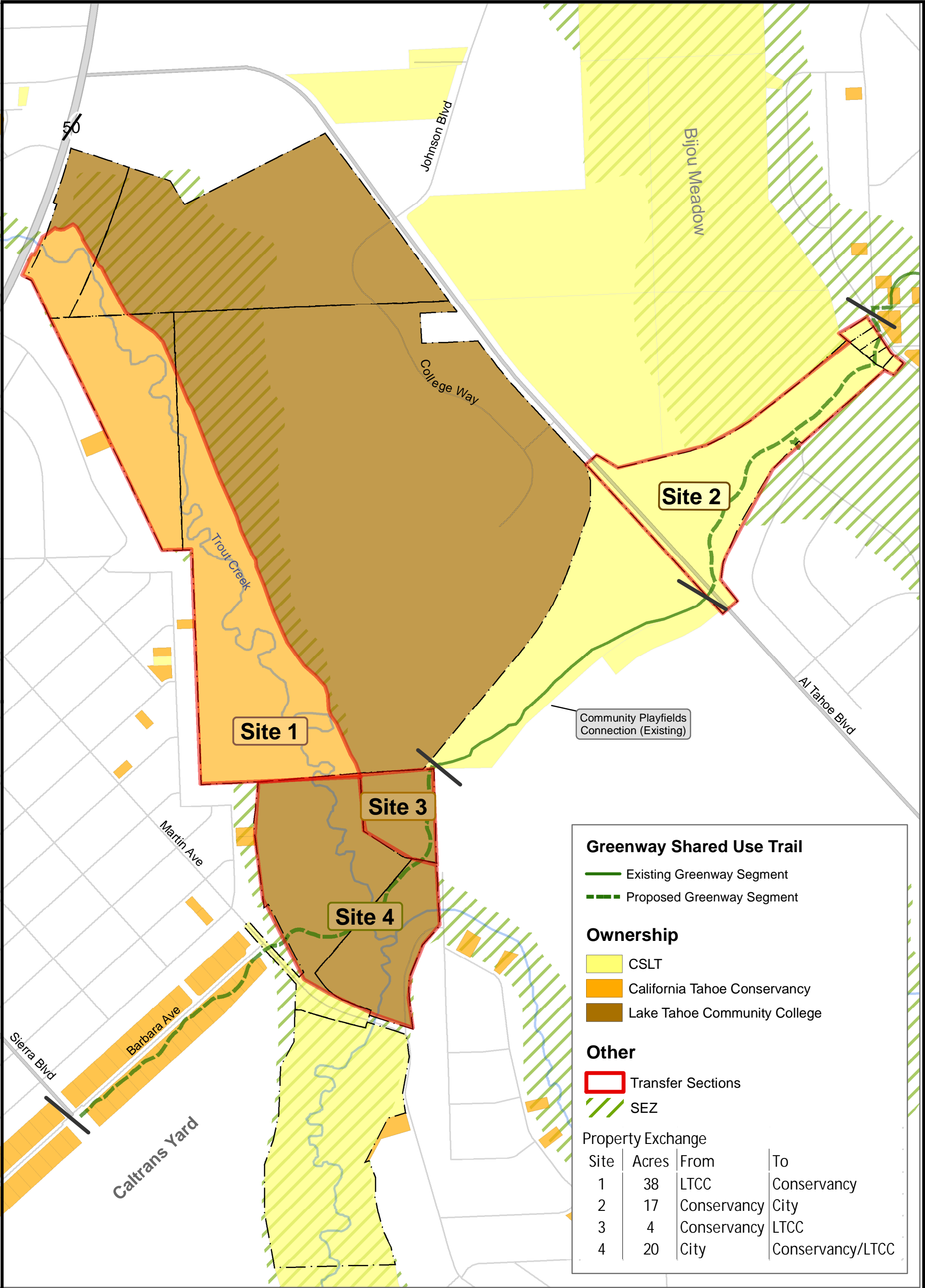


California Tahoe Conservancy  
March 2016

Map for reference purposes only.  
Sources: TRPA; El Dorado County; CTC



ATTACHMENT 5b  
Ownership After Exchange





## **ATTACHMENTS 6 and 7**

### **SOUTH TAHOE GREENWAY SHARED USE TRAIL PHASES 1B & 2 PROJECT**

#### Attachment 6

2011 Initial Study/Mitigated Negative Declaration;  
2011 Notice of Determination; and Filing Fee Receipt

#### Attachment 7

2016 Final Supplement to the Mitigated Negative Declaration  
and Mitigation Monitoring Reporting Program  
2016 Draft Supplement to Initial Study/Mitigated Negative Declaration

On attached CD

## ATTACHMENT 8

### NOTICE OF DETERMINATION

TO: Office of Planning and Research  
1400 10<sup>th</sup> Street, Room 121  
Sacramento, CA. 95814

FROM: California Tahoe Conservancy  
1061 Third Street  
South Lake Tahoe, CA. 96150

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***Subject:***

Filing of Notice of Determination in compliance with Section 21108 of the Public Resource Code.

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***Project Title:***

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

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***State Clearinghouse Number:***

2006112070

***Contact Person:***

Sue Rae Irelan

***Telephone Number:***

(530) 525-9137

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***Project Location:***

City of South Lake Tahoe, El Dorado County (see map, Attachment A)

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***Project Description:***

First approved in 2011, the Greenway establishes a 3.86-mile paved trail to provide the backbone of the bicycle trail network in the core of South Lake Tahoe, linking residential and lodging uses to jobs, schools, shopping, and recreation areas. Project changes examined in the Supplemental Initial Study (IS)/Mitigated Negative Declaration (MND) 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 Supplemental IS/MND considers a property exchange between the California Tahoe Conservancy, Lake Tahoe Community College, and the City of South Lake Tahoe to facilitate project implementation. The Supplemental IS/MND only addresses the environmental impacts of the section of trail proposed for realignment. Other sections of the 3.86-mile trail are unaffected by the proposed realignment and are therefore not revisited in the Supplemental IS/MND.

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This is to advise that the California Tahoe Conservancy (Conservancy), acting as a lead agency, has approved the above described project on March 17, 2016 (Agenda Item 8b) and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. A Supplemental MND was adopted for the project pursuant to the provisions of CEQA. The MND and record of project approval may be examined at 1061 Third St., South Lake Tahoe, CA 96150.
3. Mitigation Measures were made a condition of the approval of the project by the Conservancy.

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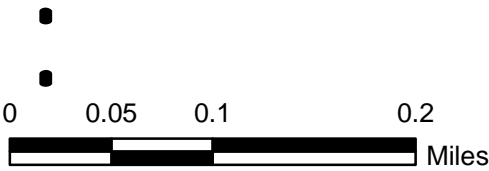
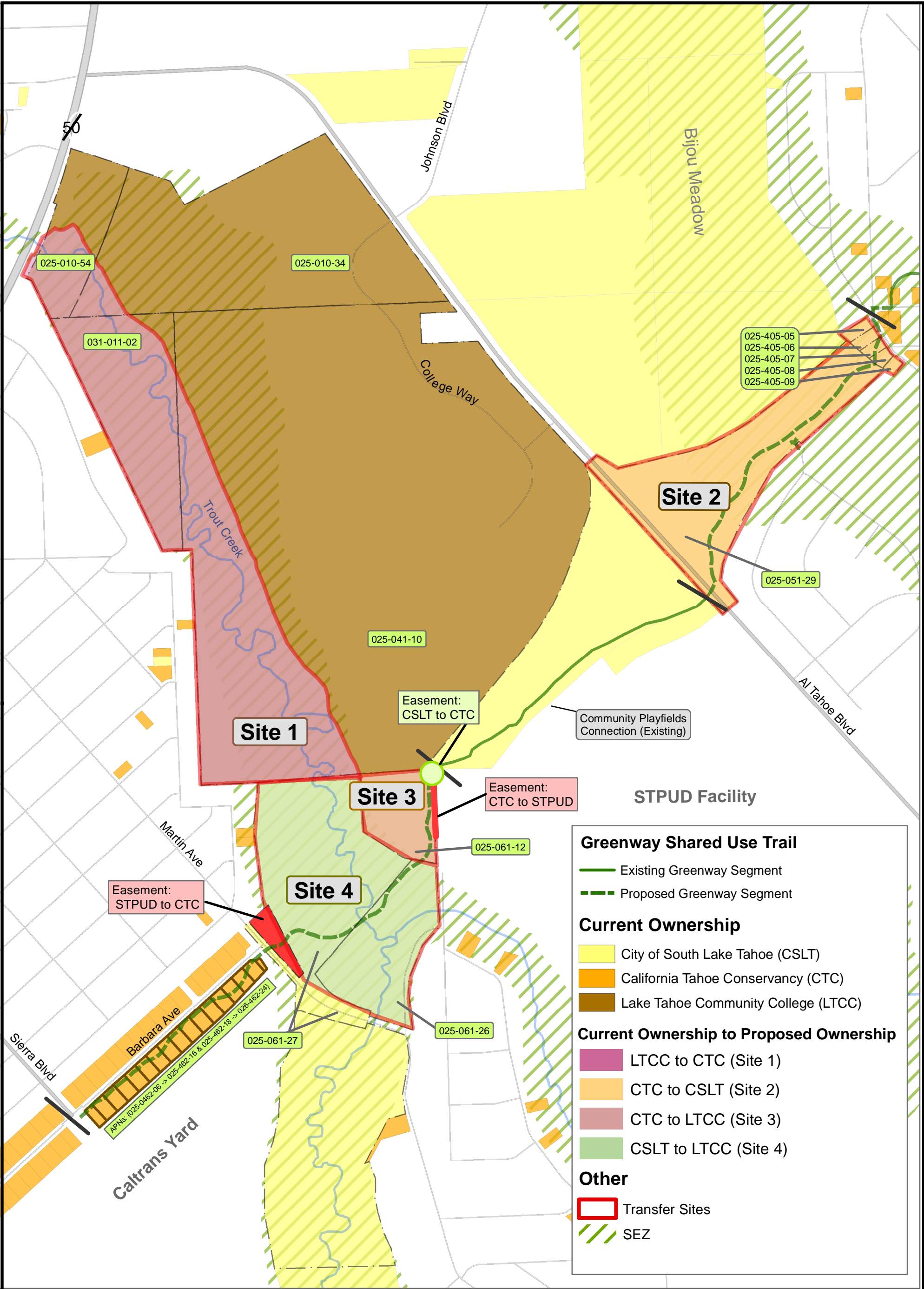
Fish and Wildlife Fees: A California Department of Fish and Wildlife Environmental Filing Fee was paid for this project. A copy of the receipt will be filed with this Notice.

***Date Received for Filing:***

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Patrick Wright  
Executive Director

ATTACHMENT 8A  
Greenway Project Modifications



California Tahoe Conservancy  
March 2016

Map for reference purposes only.  
Sources: TRPA; El Dorado County; CTC

