

**ADDENDUM TO THE  
FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
FOR THE  
TAHOE VALLEY STORMWATER AND GREENBELT IMPROVEMENT PROJECT**

SCH NO. 2019029152

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**PREPARED BY RESPONSIBLE AGENCY:**

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## I. RATIONALE FOR ADDENDUM

Pursuant to the California Environmental Quality Act (CEQA), the City of South Lake Tahoe (City) prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the Tahoe Valley Stormwater and Greenbelt Improvement Project (Project). The City has since made minor technical changes to the Project by adding another storm water basin to be constructed on two California Tahoe Conservancy (Conservancy) owned parcels. These changes are discussed in more detail in Section II, below. The Conservancy has prepared this Addendum to the IS/MND as a responsible agency, in order to analyze the potential environmental impacts of the modified Project. The preparation of this Addendum is appropriate pursuant to CEQA Guidelines section 15164.

CEQA Guidelines sections 15162 and 15164 allow a lead or responsible agency to prepare an addendum to a previously adopted IS/MND if minor technical changes or additions to the environmental evaluation are necessary, but none of the following occurs:

1. Substantial changes are proposed in the project, which will require major revisions to the MND due to the involvement of new significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions to the previous MND due to involvement of new significant environmental effects or substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted, shows any of the following:
  - a. The project will have one or more significant effect not discussed in the MND;
  - b. Significant effects previously examined will be substantially more severe than shown;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or
  - d. Mitigation measures or alternatives, which are considerably different from those analyzed in the previous MND, would substantially reduce one or more significant effect on the environments, but the project proponents decline to adopt the mitigation measure or alternative.

This Addendum documents that the modifications to the Project do not trigger any of the conditions described above. Therefore, a subsequent MND is not required. The minor technical changes and additions are consistent with the Project as analyzed in the IS/MND. The Conservancy has concluded that the Project as modified would not result in any new significant impacts not previously disclosed in the IS/MND, nor would it result

in a substantial increase in the magnitude of any significant environmental impact previously identified. For these reasons, an addendum to the adopted IS/MND is sufficient to meet the requirements of CEQA. As required in CEQA Guidelines section 15164(e), the Conservancy's decision to not prepare a subsequent EIR or MND is supported by the substantial evidence provided in Section III, Analysis of Environmental Impact, of this Addendum.

## II. PROJECT DESCRIPTION

As described in the IS/MND, the Project includes multi-benefit storm water quality, stream environment zone (SEZ), bicycle and pedestrian, and recreational improvements. Storm water improvements and SEZ enhancements include improving existing drainage-ways and storm water systems to spread, treat, infiltrate, and retain flows from roadways, commercial areas, and other high-priority, directly connected urban areas. Pedestrian and bicycle improvements include improving connectivity of the Project Area to the regional network with pedestrian pathways and a Class I shared-use trail. Recreational improvements include open space, view corridors and passive seating areas, along with opportunities to enhance natural play areas and engage with public art.

Construction controls, best management practices, and resource protection measures were incorporated into the Project design and are set forth in Section 1.10 of the IS/MND. The IS/MND also included mitigation measures AGR-1 and BIO-1 to avoid potentially significant impacts to agriculture and biological resources. All of the above will apply equally to the Project modifications.

The modifications to the Project are confined to two adjacent Conservancy-owned parcels:

- El Dorado County Assessor's Parcel Number (APN) 023-241-023 (Smoke Shop Parcel), located at 2122 Lake Tahoe Boulevard; and
- APN 023-241-022 (Urgent Care Parcel), located at 2130 Lake Tahoe Boulevard.

Both parcels were used for commercial development for decades--most recently, a smoke shop retail store and an urgent care facility. All hardscape and built features have since been removed and the parcels have been stabilized (with the addition of a mulch layer). There is currently no suitable habitat nor functioning SEZ on either parcel.

The Conservancy owned the Smoke Shop Parcel during the preparation of the IS/MND and acquired the Urgent Care Parcel after the IS/MND was adopted. Both parcels are within the Project Area as defined in the IS/MND (IS/MND Figures 1 and 2 at pp. 5-6).

### **DESCRIPTION OF PROJECT IN IS/MND: SMOKE SHOP AND URGENT CARE PARCELS**

As described in the IS/MND, the City intended to construct a multi-use path on the Smoke Shop Parcel leading from Lake Tahoe Boulevard to Barton Avenue, from which pedestrians and cyclists could access the upstream portion of the Project. Additionally, the City intended to perform maintenance, restoration, and replacement of existing drainpipes on both parcels for efficient drainage to the highway. The proposed drainpipe is indicated in purple in the original 30 percent designs (IS/MND Appendix A at C19-C20).

## **DESCRIPTION OF MODIFICATIONS TO THE PROJECT**

The modified Project includes the following changes:

1. Construction of one new storm water basin across both parcels and related storm water drainage infrastructure;
2. Construction of a masonry seat wall and buck and pole fence; and
3. A minor change to the recreational improvements (the multi-use path).

The 30 percent designs for the modified Project are attached to this Addendum.

The design for the new storm water basin is consistent with the other storm water basins throughout the Project analyzed in the IS/MND. It will be near the terminus of the Project's storm water management system and will further expand the capacity for stormwater treatment, flood control, and pollutant load reduction. Tahoe Valley Creek will be daylighted from the pipe under Barton Avenue to feed the new basin. This creek, which has been confined to a pipe for decades, will be returned to historic SEZ and help reestablish SEZ habitat. Minimal piping for efficient drainage to and from the basin will be installed on the joint parcels. Previously disturbed areas will be revegetated with appropriate native vegetation allowing for maximum water quality and filtration and significantly improving habitat. Tahoe Valley Creek will then be piped under Lake Tahoe Boulevard where it eventually drains to Lake Tahoe.

Approximately 10 coniferous trees of less than 10 inches diameter and 6 coniferous trees of between 10 and 18 inches diameter will be removed to build the basin.

The masonry seat wall surrounding the northwest and northeast sides of the basin will function both as a decorative accessibility element where people can sit and view the new basin and as a flood management infrastructure. A buck and pole fence will surround the southwest and southeast sides of the basin for public safety and to protect the newly establishing habitat. The location of the pathway originally planned to bisect the Smoke Shop Parcel will be shifted to mimic the curve of the basin.

### **III. ANALYSIS OF ENVIRONMENTAL IMPACTS**

This Section evaluates whether the modifications to the Project would result in new or substantially more severe environmental impacts that were described in the IS/MND.

#### **TOPICS TO BE DISMISSED FROM FURTHER ANALYSIS**

The analysis in the IS/MND adequately addresses environmental conditions and potential impacts for the following topics because the nature, scale, and timing of the modifications to the Project have not changed in ways relevant to the topic, or there has not been a substantial change in the circumstances involving the topic on the modified Project site or in the surrounding local environment: air quality, cultural and tribal resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, and utilities and services. Therefore, these topics are not analyzed further in this Addendum.

#### **ANALYSIS OF RELEVANT TOPICS**

##### **Aesthetics**

The IS/MND concluded that the original Project would have a less than significant impact on aesthetics and required no mitigation. The modifications to this Project, described above, include the addition of a storm water basin, a small wall, and a buck and poke fence. The path that was designed to bisect the Smoke Shop Parcel in the original plans has only been modified slightly in its design. The new basin design is very similar aesthetically to the designs throughout the Project area, which have been previously analyzed in the IS/MND. Scenic Resource #35.1, specifically analyzed in the IS/MND, is designated as the view of the natural landscape from U.S. Highway 50, which runs along the northeast side of the two parcels. The new storm water basin, restored SEZ habitat, and revegetation with native species will provide a net benefit to the view from U.S. Highway 50, especially in light of the developed nature of the surrounding area. The masonry seating wall and buck and pole fence will be visible from the highway, but are minor structures and will be very similar aesthetically to other low walls in the area which are faced with granite stones. As such, these walls do not create a new or substantially more severe impact than that analyzed in the IS/MND.

The original Project design, as analyzed in the IS/MND, required the removal of 384 trees less than 14 inches diameter at breast height (dbh), 169 trees between 14 and 30 inches dbh, and 20 trees greater than 30 inches dbh across the Project Area. With the modifications, an additional 16 trees will be removed from across the two parcels to construct the storm water basin. Ten of those trees are less than 10 inches dbh, and six trees are between 10 and 18 inches dbh. Considering the surrounding development and the nature of the Project, the removal of the additional trees will not create a new or

substantially more severe adverse impact to scenic resources than was analyzed in the IS/MND.

No additional Project lighting will be installed on the parcels, so there are no new or substantially more severe adverse impact due to new sources of light or glare.

The modifications to the Project are consistent with the original Project and are likely to improve scenic quality on the parcels overall. As modified, the Project will not result in new or substantially more severe aesthetic impacts than those analyzed in the IS/MND.

### **Agriculture and Forest Resources**

The IS/MND concluded that the original Project would have no impact to the conversion of farmland nor to conflicts with zoning for agricultural or forest lands, and that it would have a less than significant impact on the conversion of forest land to a non-forest use with mitigation. The Project, as modified, does not change any of the analysis done in the IS/MND. The Smoke Shop Parcel and Urgent Care Parcel are zoned as Open Space and Town Center/Mixed-Use, respectively, and are not considered forest land. Mitigation measure AGR-1 directs the permitting process and procedure for removal of trees on all Project parcels and will apply equally to any trees removed to implement the Project modifications. With this mitigation, the modified Project will not result in any new or substantially more severe impacts on agricultural and forest resources than those analyzed in the IS/MND.

### **Biological Resources**

The IS/MND concluded that the original Project would have a less than significant impact on biological resources. Specifically, the IS/MND concluded that mitigation was required for reducing: (1) the substantially adverse effects on federally protected wetlands (satisfied by mitigation measures BIO-1); and (2) conflicts with local policies or ordinances protecting biological resources (satisfied by mitigation measure AGR-1, mentioned above). All other impacts to biological resources were found to be less than significant or no impact.

SEZ, including riparian habitat and sensitive natural communities, is not generally suited for urbanization or intense forestry use, but can be considered for open space, conservation areas, and low-intensity recreation. The SEZ on the two parcels is historic, was developed and used commercially, and is non-functioning. Though temporary impacts to this historic SEZ would occur during construction, the modifications to the Project would increase the net amount of SEZ restored when completed. All revegetation requirements described in the IS/MND will apply equally to revegetation on the modified parcels. The modified Project will not create any new or substantially more severe impacts to biological resources than those analyzed in the IS/MND.

As discussed above, the removal of 16 additional trees will be necessary for the construction of the new storm water basin on the two parcels under the modified Project design. Although there is the potential to increase the impact on nesting birds protected under the Migratory Bird Treaty Act through the disturbance of the birds or destruction of habitat, the Project would avoid potentially significant impacts to special-status species through implementation of the biological resource protection measures detailed in the IS/MND Section 1.10.7 of the Project description. Mitigation measure AGR-1, provided in the IS/MND, will also apply to any tree removal under the modified Project. With this mitigation, the removal of an additional 16 trees in the modified Project does not create any new or substantially more severe impacts to biological resources than those analyzed in the IS/MND.

### **Hydrology and Water Quality**

The IS/MND concluded that the original Project would have a less than significant impact on hydrology and water quality. The proposed extension to the storm water drainage system is consistent with the original Project designs for the other storm water basins located throughout the Project area. The addition of the basin and the daylighting of Tahoe Valley Creek will enhance the storm water management system by expanding the system's capacity for storm water treatment, flood control, and pollutant load reduction in an area where the natural drainage system was piped. The restoration of additional SEZ on the two parcels will enhance SEZ function through increased detention, slowing and spreading of surface flows, and improved infiltration created by revegetation with native plant species targeted for soil stabilization and nutrient uptake. Design features, construction controls, BMPs, and resource protection measures, which have been built into the Project design, will apply to the Project modifications. These protect hydrology and water quality during construction and into the future. The modifications to the Project align with the Project goal to create a comprehensive regional storm water treatment system to improve drainage and water quality. The modifications to the Project will not create any new or substantially more severe impacts than those already analyzed in the IS/MND.

*Attachment: Exhibit 3A – City's 30 percent plans*