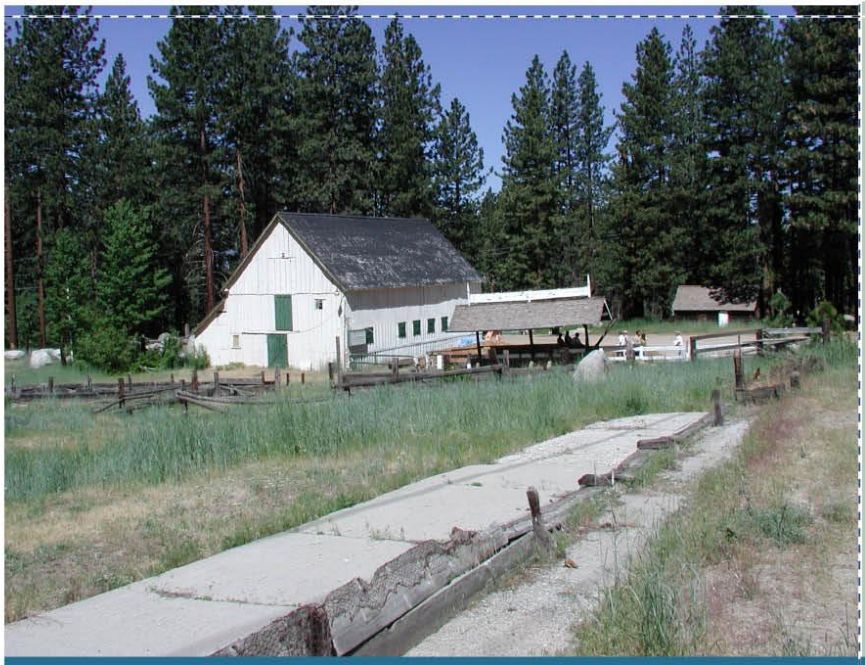

Van Sickle CA/NV Bi-State Park

DRAFT

INITIAL STUDY/INITIAL ENVIRONMETAL CHECKLIST (IS/IEC)

April 2009

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TABLE OF CONTENTS

CHAPTER 1: INTRODUCTION

The Nevada Division of State Parks (NDSP) and the California Tahoe Conservancy (Conservancy) are proposing to construct and open basic facilities for a Bi-State Park within portions of the City of South Lake Tahoe and El Dorado County in California, and Douglas County in Nevada. All projects within the State of California are required to undergo an environmental review to determine the environmental impacts associated with implementation of the project in accordance with the California Environmental Quality Act (CEQA).[1] Likewise, projects within the jurisdiction of the Tahoe Regional Planning Agency (TRPA) are required to complete an Initial Environmental Checklist (IEC) as part of their project application to comply with environmental standards of TRPA's adopted regulations in the Code of Ordinances, Rules of Procedure, and the environmental thresholds.

1.1 PREPARATION OF THIS DOCUMENT

This Initial Study/Initial Environmental Checklist (IS/IEC) has been prepared to assess the environmental effects of the proposed Van Sickle-Bi-State Park project. The Van Sickle Bi-State Park is a recreation development project that is being proposed as a joint effort between the NDSP and the Conservancy. This environmental document is being prepared to meet the requirements of the TRPA and the Conservancy, as well as the standard content requirements for environmental documents. This document stands alone; no portions of previous environmental documents not specifically incorporated by reference herein contribute to its analyses. Based on emerging concerns, this document also includes an examination of project effects on greenhouse gases.

CEQA requires all California public agencies to consider the environmental consequences of projects over which they have discretionary authority. CEQA also requires each public agency to mitigate or avoid significant environmental effects resulting from proposed projects, when feasible. To comply with CEQA and TRPA requirements, an Initial Study (CEQA) and an expanded Initial Environmental Checklist (TRPA) have been drafted as one integrated document to analyze the impacts of the Van Sickle Bi-State Park project. The analysis focuses on physical changes in the environment that would result from that activity or project. The documents include the contents required by the CEQA guidelines and TRPA regulations. The IS/IEC document examines the proposed project including construction, operation, and any direct, indirect and cumulative foreseeable impacts. It is the analysis found in the IS/IEC that supports the Negative Declaration (ND) under CEQA and a Finding of No Significant Effect (FONSE) under TRPA for this proposed project.

In accordance with the CEQA Guidelines, the Conservancy shall prepare a Negative Declaration for a project subject to CEQA when (Section 15070):

[1] California Environmental Quality Act (CEQA) Public Resources Code (PRC) §21000 et al., 2008.

(1) The IS shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or

(2) The IS identifies potentially significant effects, but:

a. Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed IS and ND are released for public review would avoid the effects to a point where clearly no significant effects would occur, and
b. There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

1.2 PROJECT PURPOSE AND NEED

The purpose and need for the Van Sickle Bi-State Park, Environmental Improvement Program (EIP) project #865 is to:

- Implement specific planning recommendations for a park development within state lands owned by both the NDSP and the Conservancy based on the TRPA Regional Plan and EIP and the 2003 Nevada Statewide Comprehensive Outdoor Recreation Plan (SCORP).

- Address the opportunity to provide recreation facilities close to the urban casino core of Lake Tahoe where local residents and visitors can enjoy the outdoor environment without having to drive from their accommodations.

- Provide recreation facilities for local residents and visitors of the Lake Tahoe Basin, while protecting and showcasing the unique scenic, natural, cultural, and historic features of the site.

- Provide a trailhead that will provide a connection to the proposed trail segment, Daggett Summit Spur, which will link to the Tahoe Rim Trail (TRT).

The need for the proposed project was also identified in the Region's EIP, which encompasses hundreds of capital improvement projects, research, and programs designed to help restore Lake Tahoe's clarity and environment. Due to its location adjacent to the tourist focused Stateline area, the Van Sickle Bi-State Park project was identified as an EIP project that will contribute to the maintenance and attainment of Tahoe Basin goals and thresholds focused on recreation and reduced reliance on vehicle miles traveled to access recreation opportunities.

Recreation needs and opportunities for the Van Sickle Bi-State Park were identified based upon several factors including: surveys, studies, and plans prepared by the NDSP, TRPA, and California Department of Parks and Recreation (DPR), along with market studies conducted specifically for the park. The 2003 Nevada SCORP (NDSP 2003) identified recreation facilities are most needed within local communities in Nevada. The 2002 California State Park System Plan cites statewide opinion surveys and comparisons with national surveys that indicate top priorities for recreation services and expenditures of public funds. Recreation surveys of Lake

Tahoe visitors and residents sponsored by TRPA in 2000 (Nozicka 2001) provided a basis for facility priorities and desired future conditions developed by TRPA in 2002.

1.3 PROJECT LOCATION AND SETTING

The proposed Van Sickle Bi-State Park is located near the South Shore of Lake Tahoe in portions of the City of South Lake Tahoe and El Dorado County, California and Douglas County, Nevada (Figure 1.3-1, *Regional Location).* Regional site access is provided through the California portion of the project area by Montreal Road and U.S. Highway 50. The proposed site area entrance is located adjacent to the intersection of Montreal Road and Heavenly Village Way, approximately 2-3 blocks from U.S. Highway 50. The California portion of the project site is bounded by Lakeview Parkway to the northwest; private property to the west, the California Stateline to the northeast; and U.S. Forest Service (USFS) Lake Tahoe Basin Management Unit (LTBMU) lands to the east and southeast (Figure 1.3-2, *Project Location*). The Nevada portion of the project site extends from the California/Nevada border on the southwest and is bounded by private property to the north and LTBMU owned lands to the east and south. The Nevada portion of the project site is owned by the Nevada Division of State Lands (NDSL) and within the jurisdiction of State of Nevada and the TRPA. The California portion of the project site is owned by the Conservancy and within the jurisdiction of El Dorado County, the City of South Lake Tahoe and the TRPA.

1.4 PROJECT VISION AND GOALS

Before the project objectives were developed, the NDSP and the Conservancy developed the following project vision:

"Van Sickle Bi-State Park is a model for interstate cooperation and showcases significant scenic and natural character. Both the residents and visitors can appreciate the emphasis on protection of cultural and natural values. The recreational opportunities the park affords compliment the park's natural setting and its diverse visitors. The Van Sickle Bi-State Park is a true asset to both states' outdoor recreation character."

Project Goals & Objectives

The development of the project vision is further supported by the following project goals and objectives intended to support the planning and implementation of the proposed project.

- Goal #1. To provide a recreation resource that responds to the outdoor recreational needs of the residents and visitors of South Lake Tahoe.
- Goal #2. To protect and enhance the natural and cultural resources of the Van Sickle Bi-State Park and to preserve its qualities as a significant asset to both states' outdoor recreational character.
    - Objective #1. Develop a recreational area that emphasizes day-use areas and internal trail systems.
    - Objective #2. Provide a rich and rewarding experience that will expand the park user's awareness and appreciation of the natural environment through interpretive signage.

- Objective #3. Provide expanded recreation choices and economic opportunities by interrelating the surrounding commercial area in the urban core with recreation facilities, proposed trails, and open spaces.
- Objective #4. Create a flexible planning approach allowing for potential connections that may occur in the next phase to accommodate changes in recreational demand, proposed trail projects in the area, and increasing development in adjacent casino core commercial area.
- Objective #5. Design facilities and infrastructure that are sensitive to and minimize impacts on the natural environment.
- Objective #6. Design park facilities to allow for efficient and cost-effective maintenance.
- Objective #7. Develop and maintain interagency coordination and operations for park management, maintenance, and fire safety.

1.5 SUMMARY PROJECT DESCRIPTION

The Conservancy, in partnership with NDSP, proposes to open a Bi-State Park and install recreation improvements on lands located on both sides of the California/Nevada state line. The project area encompasses 156 acres on the California side and 262 acres on the Nevada side, for a total area of 418 acres. These lands were once owned and ranched by the Van Sickle family, and the Van Sickle Barn and Equestrian Complex are the most prominent man-made features that remain on site. The natural setting includes mixed conifer forest, chaparral, riparian and exposed granite outcrop habitat types.

Situated less than a mile from U.S. Highway 50 and just east of Heavenly Village and the casino corridor, the proposed park location will provide a much needed recreational amenity for the adjacent tourist accommodation node.

Park construction will provide formalized access to lands that are already held in public ownership and frequented by recreationists who currently utilize the existing roadway and trail network for nonmotorized access. Proposed park components include:

1. an approximately ½- mile paved access roadway, enabling drive-in access to the site, that modifies and rehabilitates an existing unpaved native surface road that traverses the properties;
2. water quality improvements;
3. approximately ½ acre of Stream Environment Zone (SEZ) restoration and enhancement;
4. a day-use area in California located at the existing Van Sickle Barn site, with a sewered restroom facility, picnic tables and 14 parking spaces (1 ADA); and
5. a trailhead in Nevada, with a vault restroom and 32 parking spaces (2 ADA, and 6 equestrian trailer spaces).

The proposed park elements require modifications to the width and location of the existing road/park appurtenances easement in favor of NDSP across Conservancy lands. Needed easement modifications are included as part of this project proposal.

1.6 BACKGROUND

Park Acquisition and Planning

In 1988, Jack Van Sickle donated 542 acres of property in Nevada to the NDSP to create the "Henry Van Sickle Unit of Lake Tahoe Nevada State Park" in honor of his grandfather. Later, the NDSP secured an additional 28 acres of adjacent property, for a total of 570 acres in Nevada. In 2002, the Conservancy purchased adjacent parcels from Mr. Van Sickle in California, off of Montreal Road/Lake Parkway and opposite of Park Avenue. At the same time Mr. Van Sickle also donated two acres located opposite Park Avenue to serve as a park entrance.

In 2001, the NDSP initiated discussions with the California Department of Parks and Recreation (DPR) regarding the potential formation of a joint California/Nevada State Park. As a result of the discussions, in 2002 the Conservancy acquired a total of 156 acres in California that would provide the needed public right-of-way access for a public entrance into the Nevada portion of the property. Together, these acquisitions created a unique opportunity to create a bi-state park in South Lake Tahoe, California and Stateline, Nevada. With the project area's close proximity to Heavenly Village in South Lake Tahoe and the area known as the casino corridor in Stateline, Nevada, this park will provide visitors with a natural recreation facility within easy pedestrian and bicycle access.

NDSP's vision for full park development are documented in its June 2005 Van Sickle CA/NV Bi-State Park Master Plan Summary Report. The Master Plan report presented a proposed plan, design alternatives, and phasing plans for the proposed development of the park. The NDSP's Master Plan document serves as a planning study for the purposes of the Conservancy, listing possible future actions that have not been approved by the Conservancy's Board. It does not bind the Conservancy to later activities.

Project Specific Planning Background

The proposed project for Van Sickle Bi-State Park opens the gates to a portion of the park's acreage and will create day use recreation facilities in both California and Nevada. While it establishes infrastructure that could eventually be modified to serve future phases of the park envisioned in the Master Plan, the improvements to be installed can reasonably stand alone without construction of additional park phases – and it is anticipated that they will for many years into the future. Installation of utility infrastructure elements under the roadway is intended as a fiscally responsible step that provides for, but does not commit to, future park options in order to protect the investment in improvements installed as part of this project from the potential for future disruption should additional park elements be installed.

During the project planning process the project planning team examined whether there were opportunities to reduce the amount of SEZ disturbed and the number of large trees to be removed

by the project's road construction. In order to evaluate other road alignment opportunities, an upslope road alignment was considered prior to final design.

The two different roadway alignments considered by the project team each had different effects on SEZ disturbance, tree removal, and constructability. The second roadway alignment, ultimately eliminated from detailed study in this environmental analysis, had greater environmental effects related to direct effects for tree removal and constructability, and indirect effects to SEZ disturbance. It was unanimous among the planning team members (representatives from NDSP, Conservancy, TRPA, the Lahontan Regional Water Quality Control Board [Lahontan], and City of South Lake Tahoe) that the Proposed Action would provide the best alignment considering the potential for environmental effects.

Project Planning Context

Consultation occurred with the USDA Forest Service, LTBMU, City of South Lake Tahoe, Douglas County, and El Dorado County to determine whether there are projects planned in the vicinity that could contribute to cumulative effects.

The Conservancy's South Tahoe Greenway Shared-Use Trail Project (Greenway) is currently in the planning process. The multi-use trail proposed as part of this project may, in the future, connect to the Greenway, connecting the South Shore's bicycle network. The Greenway is a shared-use trail project that will link Meyers, California to Stateline, Nevada, linking residential and visitor lodging uses to jobs, schools, shopping areas, recreation, and community areas.

The City's Planning Department identified the construction of a two-phased, mixed-use development project referred to as Redevelopment 3 along Highway 50 between Stateline Avenue and Friday Avenue. The convention center project includes tourist accommodation units, a public park, an underground parking facility, and commercial retail and restaurant uses. The first phase of this project, referred to as the Chateau at Heavenly Village, began construction in the fall of 2007; however, project implementation has stalled due to developer financing issues.

In addition, both the TRPA and the City identified that the approved Gondola Vista project may begin construction within a similar timeframe as the Bi-state Park project. Located on a small parcel on the California side directly adjacent to the park's entrance road, Gondola Vista includes twenty Tourist Accommodation Units and one residential four-plex accessed from Montreal Road in the City.

The LTBMU identified the planning, implementation, and construction of the Daggett Summit Trail System as a related project that will occur within a similar timeframe as the proposed project. The Daggett Summit Spur Trail is proposed to address the need to reroute segments of the Tahoe Rim Trail in the area around Daggett Summit where the existing trail is currently located on paved public roadways. The trail system will include a 13-mile trail development project that combines new trail construction and the improvements of existing authorized trails, including a 2.35-mile Van Sickle Connector Trail that will directly connect the proposed Van Sickle Bi-State Park's internal trail network with the TRT.

1.7 EXISTING LAND USES

The existing land uses within the proposed project site consist of an existing roadway, the several structures that make up the Van Sickle Equestrian Complex, an existing road and trail network, and public service facilities. The existing roadway entrance is provided off Montreal Road/Lakeview Parkway. There is also an existing roadway, which enters the park near the state line, which provides for South Tahoe Public Utility District (STPUD) access to its water tanks. The structures are located on the California side of the property and include the Van Sickle Barn, built in 1864, several wood frame cabins, and a log cabin (Figure 1.7-1, *Existing Van Sickle Barn Area)*. Two permanent residential trailer sites (with hook-ups) exist and are currently used by site hosts. The California side of the project area also includes two water tanks owned by STPUD, supporting lift towers for a portion of the Heavenly gondola, and a Sierra Pacific high voltage power line (Figure 1.7-2, *View from Gondola*).

1.8 SURROUNDING LAND USES

The City of South Lake Tahoe redevelopment area borders the Van Sickle project area to the north on Heavenly Village Way and Montreal Road. The surrounding vicinity includes the Village Center commercial shopping center, the Heavenly Village and Gondola station, the casino core area, many existing tourist accommodation hotels and motels (the South Stateline area has the largest tourist accommodation bed-base in all of the Lake Tahoe Region), and some residential uses further to the northwest of the site. Recently completed projects include a transit center and visitor information/interpretive facility known as Explore Tahoe, an Urban Trailhead, located near the Heavenly Gondola and Marriott Hotel. Surrounding land uses to the immediate south and southeast of the project site include other general forest public lands. Surrounding land uses to the southwest of the project site include additional public lands designated for recreation uses as part of the Heavenly Mountain Resort.

1.9 PROJECT AREA LAND USE DESIGNATION AND ZONING

The proposed project area is under the jurisdiction of the TRPA, the City of South Lake Tahoe, and Douglas and El Dorado counties. These local governments have adopted TRPA's Plan area Statements and Community Plans as overall land use regulations within their respective general and master plans. In instances where policies and regulations the TRPA and the local jurisdiction are in conflict, the most restrictive one takes precedence.

The majority of the proposed project area is located within Plan Area Statement 080, which has been assigned a conservation land use classification. The entrance of the proposed project area is located within District 4a of the Stateline/Ski Run Community Plan, which is a designated restoration/recreation area.

1.10 DETAILED PROPOSED ACTION

The Conservancy, in partnership with NDSP, proposes to open a Bi-State Park and install recreation improvements on lands located on both sides of the California/Nevada state line. The project area encompasses 156 acres on the California side and 262 acres on the Nevada side, for a total area of 418 acres. Situated less than a mile from U.S. Highway 50 and just east of Heavenly Village and the casino corridor, the proposed park location will provide a needed

recreational amenity for the adjacent tourist accommodation node (Figure 1.10-1, *Proposed Site Plan*).

Park construction and operation will provide formalized access to lands that are already held in public ownership and frequented by recreationists who currently utilize the existing roadway and trail network for nonmotorized access. Proposed park components include:

1. an approximately ½-mile paved access roadway and multi-use trail, enabling both drive-in and bike- or walk-in access to the site, that modifies and rehabilitates an existing unpaved native surface road that traverses the properties;
2. water quality improvements;
3. approximately ½ acre of SEZ restoration and enhancement;
4. a day-use area in California located at the existing Van Sickle Barn site, with a sewered restroom facility, picnic tables and 14 parking spaces (1 ADA); and
5. a trailhead in Nevada, with a vault restroom and 32 parking spaces (2 ADA, and 6 equestrian trailer spaces), that links to existing and proposed trails located on the adjacent National forest System lands.

The proposed park elements require modifications to the width and location of the existing road/park appurtenances easement in favor of NDSP across Conservancy lands. Needed easement modifications are included as part of this project proposal.

The following summary provides a description of each project element.

Access
Gated access to the proposed Van Sickle Bi-State Park would be provided at the existing entrance from Montreal Road/Lakeview Parkway, at the junction of Heavenly Village Way. An entry gate will remain open during summer months; closing to public motorized access during the winter months. Winter drive-in access will be for administrative purposes only.

Approximately 1/2 mile of existing native surface roads will be replaced with engineered paved roads that are widened to meet local standards. Associated storm water drainage facilities will be installed. The new roadway requires modifications of the easement in favor of Nevada State parks across the Conservancy's California portion of the property. Modifications to the easement are included as part of the project's proposed action.

California Day-Use Area
The California side of the park includes a shared-use trail from the park entrance that connects to the Van Sickle Barn and a small day-use area. Ten gravel parking spaces, one of which will be ADA compliant, are proposed off of the access road near the existing barn to create a day-use area with a picnic area and a prefabricated concrete restroom that is connected to sewer service. Two trailer pads with utility hook-ups will continue to be provided for on-site hosts, and four

parking spaces will be added to accommodate this use. Distance interpretation will be provided for the existing cultural resource, the Van Sickle Barn and Equestrian Complex.

Nevada Trailhead
The Nevada side of the park includes a trailhead to serve hikers, mountain bikers, and equestrians. This area will include a paved parking lot with 32 parking spaces, two of which will be ADA compliant, and six of which will accommodate back-in equestrian parking stalls. The trailhead will also include one vault toilet.

Multi-Use Trail
The proposed multi-use trail provides a connection between the park entrance and the California-side day-use area.

Cultural Resources
The historic Van Sickle Barn and Equestrian Complex includes 12 structures located around an equestrian stable complex. One of the 10 housekeeping units that is part of the historic property is proposed for demolition to accommodate the new access road. All other structures will be retained and protected in their current location. On-site hosts will reside within the park to provide visitor information, custodial services, and the on-site presence that will assist in the protection of these historic resources. Fencing will be installed around the retained structures within the Van Sickle Barn and Equestrian Complex and passive interpretation will be provided. Signage will be installed at a distance from the structures, informing visitors of the historic complex. No interpretation or use will occur within the stabilized structures.

Natural Resources
On-site hosts will reside in the park to provide visitor information, custodial services, and the on-site presence that will assist in the protection of natural resources. Natural resource protection and improvements will include the replacement of approximately 3,000 feet of existing poorly graded native surface roads with engineered, paved roads designed with storm water drainage facilities and Best Management Practices (BMPs) for the protection of air and water quality. The project area will include locked gates to prevent public vehicle access to existing unpaved roads/trails. Grading, revegetation, and fencing along the entrance road will limit unauthorized parking and vehicle access from the road. Other natural resource protection measures will include noxious weed removal and control and signage that directs use to designated trails and day-use areas. Tree removal necessary for road realignment will also reduce fuels/hazards in the urban-wildland interface and improve forest health.

Sewer
Sewer service to the park will be provided by the STPUD via a connection point at the intersection of Heavenly Village Way and Montreal Road. One 8-inch main sewer pipeline will be constructed underneath the access roadway from the STPUD connection at Montreal Road through California to the Nevada trailhead. Portions of the existing sewer line on the California side of the project area will be abandoned, while sewer service to the California-side day use area and park host sites will remain.

Water
STPUD will serve potable water needs for the project area in California through existing connections. Edgewood Water Company will serve potable water needs in Nevada. There will be no cross-connection between the two potable water systems. Fire flow requirements for the entire project area will be provided by Edgewood Water Company. Fire hydrants will be spaced along the main road up to and including the Nevada trailhead as part of the proposed project.

Electrical
Electrical supply will be provided to both the California and Nevada sides of the project area by Sierra Pacific Power Company. The existing California connection will be replaced and conduit pull boxes will be provided on the Nevada side under the new access road.

Signage & Lighting
Entry signage designed to reflect the natural and cultural setting of the site and signage for the day-use area and trailhead will be provided within the park area for operation and circulation and to provide direction and safety for visitors. Security lighting at Van Sickle Barn will be maintained.

Best Management Practices
Temporary (construction) and permanent BMPs will be implemented for vegetation protection, water quality and air quality. Specific measures are discussed in the applicable resource sections of this document.

1.11 RESPONSIBLE AND TRUSTEE AGENCIES UNDER CEQA

LEAD AGENCY

California Tahoe Conservancy
The Conservancy is this project's lead agency for CEQA**.** The Conservancy's mission is to preserve, protect, restore and enhance the unique and significant natural resources and recreational opportunities of the Lake Tahoe Basin. The Conservancy proposes, in partnership with NDSP, to construct and operate the Van Sickle Bi-State Park project.

RESPONSIBLE AGENCIES

Lahontan Regional Water Quality Control Board (Lahontan)
Lahontan is the California State agency responsible for protecting water quality on the California side in the Lake Tahoe Basin, as well as for regulating issues related to water quality and disturbance within Stream Environment Zones (SEZ). Lahontan establishes water quality standards, subject to approval by the State Board, and these standards are outlined in the Water Quality Control Plan, the "Basin Plan," for the Lahontan Region.

Projects on the California side that propose to conduct activities which may result in a discharge to surface waters, require water quality certification from Lahontan, through a National Pollutant

Discharge Elimination System (NPDES) Permit The agency must certify that the proposed project will not violate water quality standards and will protect the water for beneficial uses.

If a project creates 1,000 square feet or greater of disturbance within an SEZ, the applicant would be required to go through the Lahontan permitting process.

City of South Lake Tahoe and El Dorado County
The City of South Lake Tahoe and El Dorado County are local governments with jurisdiction over portions of the project area, and which implement their regulatory authority through their respective General Plans and local codes. Both General Plans adopted TRPA's plan area statements and community plans as local zoning. These documents provide specific land use policies and regulations, and all projects and activities must be consistent with the provisions outlined therein. While the policies and regulations of both TRPA and the local governments apply, where there are conflicts, the most restrictive one takes precedence.

TRUSTEE AGENCIES
Trustee agencies under CEQA for this project include:

- **California Department of Fish and Game (CDFG):** wildlife and fisheries resources
- **California Department of Forestry and Fire Protection (CalFire)**: tree removal and forest resource concerns
- **State Historic Preservation Office (SHPO):** cultural resources

1.12 RELATIONSHIP TO LAND USE PLANS, POLICIES AND REGULATIONS

The proposed Van Sickle Bi-State Park falls under the jurisdiction of the TRPA, the City of South Lake Tahoe and El Dorado County in California and Douglas County in Nevada. Land use planning and regulation within the Tahoe Basin is a tiered structure, relying primarily on the planning regulations set forth by the TRPA. A summary of this regulatory structure is provided below. There are also a number of Federal and State agencies which exercise varying levels of control regarding specific resources; these regulations are identified in the Regulatory Setting section of individual chapters in this document.

TRPA
The TRPA is a bi-state planning agency with the power to establish environmental threshold carrying capacities (ETCC) and to adopt and enforce a regional plan and implementing ordinances which will achieve and maintain such capacities while providing opportunities for orderly growth and development consistent with such capacities.

Regional Plan
TRPA implements its authority to regulate growth and development in the Lake Tahoe region through the Regional Plan for the Lake Tahoe Basin. The Regional Plan includes the following components: Goals and Policies, Code of Ordinances, Plan Area Statements/Community Plans ETCC, Regional Transportation Plan-Air Quality Plan, Water Quality Management Plan, and the Environmental Improvement Program, along with other threshold and program specific documents.

Goals and Policies
The Goals and Policies document for the Regional Plan establishes an overall framework for development and environmental conservation in the Lake Tahoe Region. Goals and policies relevant to the proposed project are included in each of the Regional Plan documents six elements: land use, transportation, conservation, recreation, public services and facilities, and implementation.

Code of Ordinances
The TRPA Code of Ordinances establishes standards and regulations for implementation of the 1987 TRPA Regional Plan for the Lake Tahoe Basin. Public agencies and organizations in the Lake Tahoe Basin must comply with TRPA provisions or may establish equivalent or higher requirements in their jurisdiction. The Code of Ordinances is the coordination of a series of documents addressing environmental and land use planning issues in the Basin, including the Tahoe Regional Planning Compact, ETCC, Goals and Policies, the Plan Area Statements/Community Plans, and other TRPA plans and programs.

Plan Area Statements and Community Plans
The TRPA uses Plan Area Statements and Community Plans to guide land use decisions. These documents require that all projects and activities be consistent with the provisions of a particular area's applicable planning strategy. The Lake Tahoe Basin is divided into more than 175 separate Plan Areas and Community Plans and each identifies how that particular area should be regulated to achieve environmental and land use objectives and provides specific land use plans and policies for project development. The proposed project is in PAS 080 and the Stateline/Ski Run Community Plan.

Environmental Threshold Carrying Capacities
The ETCC and standards for the Lake Tahoe Basin define the capacity of the Region to accommodate additional land development. In the current Regional Plan, 36 threshold indicators are used as the measures of success of the environmental health of the region. This evaluation report provides a five-year update on the status of these threshold indicators. Beginning in 1991 and every five years thereafter, TRPA is required to conduct a comprehensive evaluation of whether each threshold is being achieved and maintained, and to make specific recommendations to address problem areas. The evaluation and recommendations help to direct general planning efforts for the subsequent five-year period. The scientific analysis that provides the basis for this evaluation report was conducted as part of the Pathway 2007 Regional Plan update process over the last several years.

Water Quality Management Plan for the Lake Tahoe Region (208 Plan)
Section 208 of the federal Clean Water Act (CWA) and the Code of Federal Regulations (40 CFR Part 130 and Part 35) authorize the preparation of area wide wastewater management plans. TRPA developed a Water Quality Management Plan for the Lake Tahoe Region (208 Plan).[4] TRPA is required to apply the strictest standards that apply to a jurisdiction by the Tahoe Regional Planning Compact (adopted in 1969, amended in 1980), regardless of whether they are state, federal, or TRPA standards. The 208 Plan identifies water quality problems that have contributed to the degradation of Lake Tahoe and sets forth a series of control measures, including land use restrictions, wetland protection and restoration, a BMP Handbook, and a Capital Improvements Program of remedial erosion and surface water runoff control projects.

Implementation of water quality control programs in the Tahoe Basin is a bi-state and interagency effort between TRPA, the Lahontan Regional Water Quality Control Board in California, and the Nevada Division of Environmental Protection in Nevada. These agencies implement their respective water quality plans in a complementary manner, and entered into a Memorandum of Understanding (MOU) in 1994 to increase their level of coordination. TRPA's Compact directs the agency to attain and maintain federal, state, or local water quality standards, whichever are the strictest in the jurisdiction where those standards apply.

Regional Transportation Plan-Air Quality Plan
TRPA adopted the Regional Transportation Plan-Air Quality Plan (RTP-AQP) for the Lake Tahoe Region to attain and maintain the environmental thresholds, and all other applicable federal, state, and local standards established for transportation, air quality, and visibility.

Environmental Improvement Program
The Environmental Improvement Program encompasses hundreds of capital improvement projects, research, and programs all designed to help restore Lake Tahoe's clarity and environment. EIP projects are designed to achieve and maintain environmental thresholds that protect Tahoe's unique and valued resources. The proposed Van Sickle Bi-State Park has been identified as EIP Project #865 and aims to achieve these goals by implementing the park's development for increased recreational capacity and by providing a high quality recreational experience for the general public.

Local General Plans and Master Plans
The City of South Lake Tahoe and El Dorado County have adopted General Plans, and Douglas County has an adopted Master Plan, which outline policies for the purposes of land use planning. In many instances, these documents have adopted TRPA's regulations and policies; in instances where there are differing policies, the most restrictive ones take precedence.

[4] Tahoe Regional Planning Agency. *Water Quality Management Plan for the Lake Tahoe Region (208 Plan).* 1988.

CHAPTER 2.0: ENVIRONMENTAL ANALYSIS

Chapter 2.0, Environmental Analysis, describes existing resource conditions and identifies the environmental effects of the proposed Van Sickle Bi-State Park project. This Environmental Checklist combines the CEQA IS Checklist and the TRPA IEC in order to assess environmental impacts. Checklist questions originating from the TRPA IEC are indicated with an (*). When the TRPA Checklist question has been combined with a CEQA Checklist question, it is indicated with a (**). This document analyzes direct impacts (those caused by an action and occurring at the same time and place) and indirect impacts (those caused by an action but occurring later or farther away but at a reasonably foreseeable time or place).

This chapter describes the potential environmental effects to resources that may result through the implementation of the proposed project. The analysis for each resource area includes a description of the affected environment, a description of the regulatory framework that guides the decision-making process, and anticipated effects.

A response is provided for all checklist questions. These responses are supported by a brief explanation indicating whether project implementation would result in environmental effects. All answers take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and general construction and operational impacts projected for new developments.

1. **Project Title**: Van Sickle Bi-State Park

2. **CEQA Lead Agency Name and Address:**
   California Tahoe Conservancy
   1061 3rd Street
   South Lake Tahoe, California 96150

   Lead Agency Pursuant to TRPA Code:
   Tahoe Regional Planning Agency
   P.O. Box 1038
   Stateline, Nevada 89449

3. **Conservancy Contact and Phone Number:**
   Dana Dapolito, Urban Land Management
   (530) 543-6036

   TRPA Contact and Phone Number:
   Wendy Jepson, Environmental Review
   (775) 588-4547

4. **Project Location:**
Entrance to site is located at Montreal Road/Lake Parkway within the City of South Lake Tahoe, California. California property is within El Dorado County, California. Nevada property is located within Douglas County, Nevada.

5. **Project Sponsor's Name and Address:**
California Tahoe Conservancy and Nevada Division of State Parks

6. **General Plan Designation:** Conservation and Recreation

7. **Zoning:** PAS #080, Kingsbury Drainage and Stateline/Ski Run Community Plan

8. **Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**
See Chapter 1.

9. **Surrounding Land Uses and Setting: (Briefly Describe the Project's Surroundings))**
See Chapter 1.

10. **Other Public Agencies Whose Approval is Required (e.g., permits, financing approval, or participation agreement.)**
Tahoe Regional Planning Agency, City of South Lake Tahoe, Lahontan Regional Water Quality Control Board, South Tahoe Public Utility District, Nevada Division of Environmental Protection

CHAPTER 2.1: AESTHETICS

This section identifies and evaluates changes that may occur within the project site related to aesthetics and scenic resources.

2.1.1 AFFECTED ENVIRONMENT

The visual landscape of the Tahoe Region presents one of its most impressive qualities by its unusual combination of mountain peaks, the vast lake surface, and the forested slopes. It is the views of natural features offered from the region's scenic corridors, and recreation areas that the TRPA intended to preserve when they stated "maintenance of the social and economic health of the region depends on maintaining the significant scenic values of the Lake Tahoe Basin" in the TRPA Compact. The visual character of the proposed project site is assessed by providing the framework for determining the possible changes that could occur to visual resources as a result of the proposed project. Thus, this section summarizes existing conditions for scenic resources in relation to the visual character of the proposed site environment, the surrounding environment, views from the project site, and views to the project site.

Visual Character of Proposed Site Environment

Visual character consists of an area's unique or important public view corridors, vistas, or natural or built features. Visual resources at the proposed site are best described by an undeveloped forested area that contains views of natural features such as primarily conifer vegetation and stream environment zones that traverse the site, a transition from a gradual topography near the site entrance to moderate to steep topography near the southern area of the lower park area, and geological features, such as rock outcroppings. The park area is traversed by a series of unmaintained dirt roads and trails. There are also man-made features, such as utility infrastructure that include power lines and water tanks. The Heavenly gondola towers are another man-made feature on-site. Remnants of Tahoe's past, the Van Sickle Barn complex and wood frame cabins and accessory ranch structures are found on the California side of the project area. There are no structures currently on the Nevada side of the property.

Visual Character of Surrounding Environment

The proposed project straddles the state line between California and Nevada on the south shore of Lake Tahoe. Lake Tahoe is located approximately one half-mile north of the project site. Existing surrounding land uses include the Stateline casino core area and the Heavenly Village hotel area to the north and multi-family housing and some residential housing to the immediate east. Surrounding land uses include the Village Center to the northwest, property occupied by the Park Cattle Company to the east, and undeveloped National Forest System lands managed by the LTBMU to the south of the park. U.S. Highway 50, a major east-west travel route, is located lees than a mile to the north of the project site entrance.

Views from Project Site
Scenic vistas from within the Phase I areas of the proposed project site are limited due to the forest vegetation. Views of Lake Tahoe from the property and views from Edgewood Meadow of mountain slopes to the south are only visible at higher elevations that have clearings from the dense forest vegetation – and the existing trail system, in addition to the proposed Van Sickle connector, will provide opportunities for visitors to take advantage of these views. The majority of the views near the entrance and along the California portion of the roadway, although screened by vegetation, are of Heavenly Village, the Forest Inn, the Nevada casino corridor, the Village Center shopping center, and open space uses to the southeast.

Views to Project Site
Available public views from the surrounding land uses are extremely limited. The entrance to the site would be visible from the California side along Montreal Road/Lake Parkway. No views into the site are visible from the Heavenly Village Way intersection or the Village Center shopping center. The open space area that lies to the southeast of the proposed site allows for limited views to the trailhead facilities located in the Nevada portion of the project site. The Heavenly Gondola provides views of the site from an aerial perspective. There is no visibility from U.S. Highway 50 due to the forest vegetation and casino and Heavenly Village development. The proposed project improvements cannot be seen from Pioneer Trail or from Lake Tahoe.

2.1.2 REGULATORY SETTING

TRPA Scenic Resources Environmental Threshold
Scenic quality is an exceptional attribute of the Lake Tahoe Basin, and specific ETCCs were developed to improve the scenic resources of the area. TRPA standards require maintenance and attainment of threshold scenic rating values for roadway and shoreline travel routes, individually mapped scenic resources, and recreation area scenic resources. Every 5 years, the threshold carrying capacities are reviewed to evaluate improvements or declines in the assigned threshold ratings. The most recent update of the carrying capacities was made available in 2006 as the *Draft Threshold Carrying Capacities Evaluation Report*, which contained recommendations to amend the scenic resources program.

TRPA Community Design Threshold
The TRPA Community Design threshold is a policy statement that applies to the built environment and is intended to ensure that design elements of buildings are compatible with the natural, scenic, and recreational values of the region. Following the direction established in the policy statement and the TRPA Goals and Policies, TRPA adopted the Scenic Resource Management Plan in 1989. The plan included the Scenic Quality Improvement Program (SQIP), and several codes described below that are related to community design.

The community design threshold is implemented in two ways. The community and redevelopment plan process is used to develop design standards and guidelines tailored to the needs of individual communities. These standards often replace portions of TRPA ordinances. Secondly, the site planning and design principles contained in the ordinances are implemented as

part of individual development projects, and are reviewed and approved by the TRPA as part of the approval process for the proposed project.

2.1.3 ENVIRONMENTAL EVALUATION

Will the project:

a) Have a substantial adverse effect on a scenic vista?

No Impact. The proposed project will not have a substantial adverse effect on a scenic vista. There are no designated scenic vistas from within the park boundary and no designated scenic shoreline or roadway travel units with views that cross the project site.

b) Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?*

No Impact. The proposed project is not visible, nor will it block any views of Lake Tahoe or other scenic vistas, from a public road or a public area.

Overall, the project is expected to create new public vistas of Lake Tahoe and surrounding areas. Existing tree cover will be largely maintained, creating the potential for small windows for views to the lake, but without impacting views from the lake.

c) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The proposed project is not located adjacent to a designated scenic highway. The nearest designated state scenic highway is U.S. Highway 50, located nearly a mile away from the site. Thus, no impacts are expected.

d) Substantially degrade the existing visual character or quality of the site and its surroundings?

No Impact. The existing visual character of the proposed site is best described as a forested area traversed by a series of unmaintained dirt roads and unimproved trails. Structures on-site include the Van Sickle Barn (built in 1864), a log cabin and ten wood frame housekeeping cabins in California. The California portion of the project, which includes approximately 156 acres proposes a small parking area and appropriately located bathrooms, none of which are expected to impact visual character. The rest of the project development construction will not result in degradation of the existing visual character of the site and the surrounding area, since proposed improvements are consistent with the surrounding character, maintain existing vegetation, minimize construction disturbance, and include revegetation of disturbed areas to a natural and more functional state. New restroom facilities will incorporate appropriate color, scale, location, style, materials, and architectural mass to blend with the surrounding

environment in accordance with design standards.

Proposed park improvements will also provide a visual transition between the recent development of Heavenly Village/Village Center retail areas and the primarily undeveloped natural setting found in the middle and upper park property. The entrance signage will reflect the appropriate character for this location and will be consistent with the signage and amenities constructed throughout the Park. The goal is to harmonize design elements with their natural surroundings. The project as a whole is not expected to have long term impacts related to the existing character and visual quality of the site, thus, no impacts are expected.

e) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

No Impact. The project area would not introduce new light sources because proposed uses are only expected to occur during daytime hours. Minimal security lighting for the parking area will be provided during the summer months. However, these sources of light will be installed in locations close to the ground level minimizing any light or glare above the ground plane around the day-use area in California near the Van Sickle Barn and the trailhead area on the Nevada side. This type of lighting would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. Thus, no impacts are expected.

f) Include new or modified sources of exterior lighting?*

No Impact. There is no new proposed source of exterior lighting, other than the security lighting for the parking areas during summer months. Therefore, no impacts are expected from new or modified exterior light sources.

g) Cause light from exterior sources to be cast off-site or onto public lands?*

No Impact. The proposed project would not include any new or modified exterior light sources, other than minimal security lighting for the parking areas during summer months. Therefore, the project will not cause lights to be cast off-site onto public lands. No impacts are expected.

h) Create new sources of glare through the siting of the improvements or through the use of reflective materials?*

No Impact. The proposed project will use non-reflective building materials for the construction of the restroom facilities and security lighting will only be used during summer months when the park is in operation. Therefore, the project is not expected to create new sources of glare. No impacts are expected.

i) Be visible from any state or federal highway, Pioneer Trail, or Lake Tahoe?*

No Impact. No portion of the project development can be seen from a state or federal highway, Pioneer Trail or Lake Tahoe. The site entrance will not be visible from State Highway 50 at the intersection of Heavenly Village Way, since the entrance area is setback and landscaped with native vegetation that blends into the natural surroundings. Therefore, no impacts are expected.

j) Be visible from any public recreation area or TRPA designated bicycle trail?*

No Impact. The proposed project will not be visible from any public recreation area or a TRPA designated bicycle trail. The nearest public recreation area is the Heavenly Valley Scenic Resource Evaluation area. However, the proposed project is not visible from this area.

k) Be inconsistent with height and design standards required by the applicable ordinances?*

No Impact. The proposed project will comply with all applicable design standards and ordinances related to height, community design, parking and driveway requirements, and signage. Therefore, the project is not expected to result in impacts related to an inconsistency with such standards.

l) Be inconsistent with TRPA Scenic Quality Improvement Program (SQIP) or Design Review guidelines?*

No Impact. The proposed project area is not within roadway or shoreline travel routes for scenic quality thresholds, therefore the TRPA Scenic Quality Improvement Program (SQIP) is not applicable. The proposed project will be consistent with the Design Review guidelines. Thus, no impacts are expected.

m) Create new illumination which is more substantial than other lighting, if any, within the surrounding area?*

No Impact. (See Part e)

CHAPTER 2.2: AGRICULTURAL RESOURCES

This section identifies and evaluates changes that may occur within the project site related to agricultural resources.

2.2.1 AFFECTED ENVIRONMENT

While the majority of the project area is designated by a conservation land use classification, none of the area is designated by federal, state, or local regulations for agriculture purposes.

2.2.2 REGULATORY SETTING

TRPA Plan Area Statement 080

PAS 080 includes permissible range related land uses. The project area was historically operated as a commercial stable.

2.2.3 ENVIRONMENTAL EVALUATION

Will the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use?

No Impact. The proposed Van Sickle Bi-State Park project will function as a recreation area, not as an agricultural area. Zoning for this area was never designated for farmland uses, and the proposed project would not change this area to accommodate such uses. The El Dorado County Farmland of Statewide Importance Soils report identified that the Tahoe Basin Area has no farmland of statewide importance. As such, there is no opportunity for the project to convert farmland to non-agricultural uses, and there will therefore be no impacts on farmlands.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. There are no Williamson Act contracts in this area. Therefore, no impacts are expected.

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use?

No Impact. The Tahoe Basin portion of El Dorado County is in an "unmapped area" pursuant to the California Resources Agency's Farmland Mapping and Monitoring Program. There are currently no agriculture uses in the area; however, the area was once used for a commercial stable at the existing Van Sickle Barn location. This use was terminated by the previous owner in the 1990's. Consequently, construction of the proposed Van Sickle Bi-State Park project will not result in the conversion of farmland to non-agriculture uses.

CHAPTER 2.3: AIR QUALITY

This section describes the potential environmental effects to air quality that may result through the implementation of the proposed project.

2.3.1 AFFECTED ENVIRONMENT

The project area is located in the Lake Tahoe Air Basin (LTAB). The LTAB includes portions of El Dorado County and Placer County in California and Washoe County, Douglas County, and Carson City Rural District in Nevada. The LTAB is affected by both the rate and location of pollutant emissions and by meteorological conditions that influence movement and dispersal of pollutants.

Existing Ambient Air Quality

The TRPA 2006 Threshold Evaluation reports air quality monitoring results as directed by the Environmental Thresholds and the Regional Transportation Plan-Air Quality Plan (RTP-AQP). Attainment status for the LTAB is shown in Table 2.3-1, below. Of the eight indicators related to TRPA Environmental Thresholds under air quality and transportation, four have shown a positive trend over the past five years. The indicators for carbon monoxide, ozone, particulate matter, and Vehicle Miles Traveled (VMT) are in non-attainment, while visibility and the U.S. Highway 50 traffic volume are in attainment.

Table 2.3-1, *Attainment Status Designations*

Attainment Status Designations		
Pollutant	**National Designation**	**TRPA Designation**
Ozone – 1 hour	Nonattainment	Nonattainment
Ozone – 8 hour	-	-
PM_{10}	Attainment	Nonattainment
$PM_{2.5}$	Attainment	-
Carbon Monoxide	Attainment	Nonattainment
Nitrogen Dioxide	Attainment	-
Sulfur Dioxide	Attainment	-
Lead	Attainment	-
Visibility Reducing Particulate	-	Attainment
Traffic Volume	-	Attainment
Wood Smoke	-	Unknown
Vehicle Miles Travelled (VMT)	-	Nonattainment
Atmospheric Deposition	-	Unknown

SOURCE: *U.S. EPA Website (Accessed June 2008) and TRPA 2006 Threshold Evaluation, Table 2-2: 2006 A/Q Indicator Status*

2.3.2 REGULATORY SETTING

TRPA

TRPA maintains the integrated Regional Transportation Plan-Air Quality Plan (RTP-AQP) to attain and maintain the pertinent air quality thresholds established in 1982, and all applicable federal, state, and local standards established for transportation, air quality, and visibility. This includes standards established by the United States Environmental Protection Agency (EPA) under the authority of the Clean Air Act, the California Air Resources Board under the authority of the California Clean Air Act, and the Nevada Bureau of Air Pollution Control & Bureau of Air Quality Planning implementing the Nevada State Ambient Air Quality Standards. Relevant standards are shown in Table 2.3-2, below.

Regional Transportation Plan-Air Quality Plan (2004)

The RTP-AQP provides direction for attainment of the federal, state and local air quality standards, as well as the TRPA Environmental Thresholds. This plan establishes direction relevant to the proposed project related to non-auto transportation and long-term traffic generation.

Code of Ordinances

The TRPA Code of Ordinances Chapter 91, Air Quality Control, and Chapter 93, Traffic and Air Quality Mitigation Program, establish regulatory requirements to implement the Regional Plan and RTP-AQP. Several sections of these Code chapters are specifically relevant for the proposed project. Section 91.7, Idling Restrictions, limits engine idling in PAS 080 to less than 30 minutes. Chapter 93 provisions determine the methodology needed to identify project related traffic effects with potential to degrade air quality and required participation in the regional air quality mitigation program. Chapter 2.16, Traffic and Transportation, of this evaluation provides detailed description of these requirements.

State of California Greenhouse Gas Analysis

Evaluation of project effects on production of greenhouse gases is an emerging requirement in California in compliance with the Global Warming Solutions Act of 2006. The Governor's Office of Planning and Research (OPR) has developed preliminary guidance related to the analysis and mitigation of potential greenhouse gas emissions' effects. Greenhouse gases include all of the following: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. OPR released a Technical Advisory in June, 2008, to provide interim advice to lead agencies regarding the analysis of greenhouse gas emissions in environmental documents. The Technical Advisory encourages lead agencies to follow three basic steps: (1) identify and quantify the greenhouse gas emissions that could result from a proposed project; (2) analyze the effects of those emissions and determine whether the effect is significant; and (3) if the impact is significant, identify feasible mitigation measures or alternatives that will reduce the impact below a level of significance. The Technical Advisory recognized that mitigating greenhouse gas emissions at a project level may not be as effective as implementing a programmatic approach to mitigation. This approach requires public agencies to adopt a program of mitigation measures that apply broadly within the agency's jurisdiction. Neither TRPA, El Dorado County, nor the City of South Lake Tahoe have yet developed

programs, regional blueprint plans, sustainable community strategies, or climate action plans applicable to their jurisdictions.

Table 2.3-2, *Ambient Air Quality Standards*

Pollutant	Averaging Time	Nevada Standard Concentration	California Standard Concentration	Federal Standard Concentration
Ozone (O_3)	8-hour 1-hour	-- 0.10 ppm[1]	-- 0.09 ppm	0.08 ppm[4] 0.12 ppm[5]
Carbon Monoxide (CO)	8-hour 1-hour	6.0 ppm[1] 35 ppm	6.0 ppm[2] 20 ppm	6.0 ppm[2] 20 ppm
Nitrogen Dioxide (NO_2)	Annual Average 1 hour	100 µg/m3 (0.05 ppm)	-- 0.25 ppm	0.053 ppm --
Sulfur Dioxide (SO_2)	Annual Average 24 hour 3 hour 1 hour	80 g/m3 (0.03 ppm) 365 g/m3 (0.14 ppm) 1300 g/m3 (0.5 ppm) --	-- 0.04 ppm (105 g/m3) -- 0.25 ppm	80 g/m3 (0.03 ppm) 365 g/m3 (0.14 ppm) 1300 g/m3[3] (0.5 ppm) --
Suspended Particulate Matter (10 microns) (PM_{10})	24 hour AAM	150 g/m3 50 g/m3	50 g/m3 20 g/m3	150 g/m3 50 g/m3
Suspended Particulate Matter (2.5 microns) ($PM_{2.5}$)	24 hour AAM	-- --	-- 12 g/m3	65 g/m3[6] 15.0 g/m3
Lead (Pb)	30-day average	1.5 g/m3 --	-- 1.5 g/m3	1.5 g/m3 --

1 Nevada standard specific to Lake Tahoe Air Basin (ozone) or areas at/above 5000 ft above mean sea level.
2 California standard specific to the Lake Tahoe Air Basin.
3 Secondary standard.
4 The 3-year average of the forth-highest daily maximum 8-hour average ozone concentrations measured within an area over each year must not exceed 0.08 ppm.
5 The 1-hour NAAQS will no longer apply to an area one year after the effective date (the effective designation date for most areas is June 15, 2004) of the designation of that area for the 8-hour ozone NAAQS.
6 The 24-hour national standard is met when 98% of the daily concentrations, averaged over three years, are equal to or less than the standard. ppm parts per million µg/m3 micrograms per cubic meter
µg/m3 = micrograms per cubic meter
ppm = parts per million
AAM = annual arithmetic mean
SOURCE: *California Air Resource Board. August 8, 2007. Updated February 22, 2007. Ambient Air Quality Standards. Available at: http://www.arb.ca.gov/aqs.aaqs2.pdf and http://www.trpa.org/documents/docdwnlds/shrzneis/c8.pdf*

2.3.3 – EVIRONMENTAL EVALUATION

Will the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

No Impact. Development of the proposed Van Sickle Bi-State Park will implement regional planning provisions to attain air quality standards. This includes use of best construction management techniques, and land use direction to reduce dependency on the private automobile.

As described below, project proposals include techniques to limit fugitive dust and equipment idling during project construction. Additionally, locating a recreation facility within easy walking and bicycling distance of the largest tourist bed base in the Tahoe Region contributes to the strategy of reducing dependence on the use of automobiles. Providing multi-use trail links in the proposal enhances this feature. The close proximity also allows reduction in average trip lengths even for auto access. Chapter 2.16, Traffic and Transportation, in this document provides more detail regarding traffic related project effects.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

No Impact. Projects in the Tahoe Region can contribute to air quality concerns related to construction or long-term land use development. Project features of the proposed Van Sickle Bi-State Park will avoid or reduce to less than significant levels either concern.

Construction related potential for air quality impacts to particulate standards for this project include ground disturbing activities during site preparation and diesel engine and other heavy equipment use. This potential will be avoided through application of standard best practices required by the TRPA Code of Ordinances and those detailed by the El Dorado County Air Pollution Control District (EDCAPCD), the Nevada Bureau of Air Pollution Control, and Nevada Bureau of Air Quality Prevention. These include watering and development of construction sequencing and schedules to reduce fugitive dust, and time limitations on idling construction equipment engines. Development of these project features has occurred in consultation with officials from the EDCAPCD.

Development of the proposed recreational amenities creates new traffic that can contribute to air quality concerns related to ozone, carbon monoxide, and nitrous oxide standards. The transportation section of this document concludes this project will not degrade level of service at any roadway intersection, avoiding air quality degradation from idling vehicles. That section also concludes that the increase in overall traffic from this project is 188 DVTE, identified in the Code of Ordinances as “minor”. The traffic study also identifies a minor VMT increase, predicted at 472 miles or 0.03 percent (well under the 2,000 VMT level which TRPA staff consider significant). Additionally, this project must comply with the standards of TRPA Code

section 93.3.C for air quality mitigation. This section requires all additional development projects to participate in the regional and cumulative offsetting mitigation program, providing for implementation of traffic and air quality mitigation projects.

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 that exceed quantitative thresholds for ozone precursors)?

No Impact. The 2006 Threshold Evaluation report described above in Section 2.3.1 concludes the LTAB out of attainment for carbon monoxide, ozone, particulate matter and Vehicle Miles Traveled (VMT). The project avoids individual impacts to these standards as described above. Other reasonably foreseeable future projects should not contribute cumulatively to increased air quality concerns. The Van Sickle Bi-State Park proposal compliments future projects in the Stateline/Ski Run Community Plan, including Redevelopment Project #3, and the South Tahoe Greenway Shared Use Trail by contributing to the pedestrian character of the area.

d) Expose sensitive receptors to substantial pollutant concentrations?

No Impact. The proposed project is not expected to expose sensitive receptors to harmful pollutants. The nearest sensitive receptors to the proposed project are located near the tourist accommodation units on Montreal Road and Lakeview Parkway. These receptors are not close enough be exposed to substantial levels of diesel fumes, dust generated by the construction activities, nor by objectionable odors.

e) Create objectionable odors?**

No Impact. The proposed project does not include activities or uses with the potential to create objectionable odors.

Result in deterioration of ambient (existing) air quality?*

No Impact. (See Part b)

f) Alter air movement, moisture, or temperature, or any change in climate, either locally or regionally?*

No Impact. The proposed project does not include activities or uses with the potential to alter air movement, moisture, temperature, or cause climate change. Thus, the project is not expected to alter air movement, moisture, or temperature, or change climate locally or regionally.

g) Increase use of diesel fuel?*

No Impact. Most construction equipment relies upon the use of diesel fuel. Compliance with TRPA Code section 91.7 restricting vehicle idling to less than 30 minutes will reduce the use of diesel fuel and limit impacts.

Result in sub-air pollutant emissions?*

No Impact. (See Part b)

h) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance?

No Impact. The proposed project has no potential to generate greenhouse gases other than those related to traffic. The traffic effects of the project are described in the sections above and in Chapter 2.16, Traffic and Transportation. To summarize, providing a high quality, natural recreation experience within walking distance of a lodging concentration and a major transit center specifically meets the goal of decreasing reliance on the private automobile. This effect is greater in importance than the minor increase in traffic that will result from some users of the facility.

i) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

No impact. At the time of this writing, no plans exist to specifically reduce greenhouse gas emissions. While this is true, existing plans do address traffic generation, a major factor in creation of greenhouse gases. This evaluation concludes the Van Sickle Bi-State Park project avoids significant impacts related to traffic and transportation.

CHAPTER 2.4: BIOLOGICAL RESOURCES

This section describes the existing affected environment related to biological resources that have the potential to occur within the proposed project site. Information regarding standards for biological resources was obtained from the following sources: (1) TRPA Code of Ordinances and (2) TRPA 2006 Threshold Evaluation for Vegetation and Wildlife. Information regarding the existing biological conditions was obtained from the California Native Plant Society (CNPS), the CDFG, California Natural Diversity Database (CNDDB), the Lake Tahoe Watershed Assessment and field reconnaissance/biological surveys completed by Parsons Corporation, the Nevada Division of Wildlife (NDOW), and Hauge Brueck Associates biologists.

2.4.1 AFFECTED ENVIRONMENT

The 418-acre project area is generally forested, with a variety of old roadways and unimproved trails that provide access to water tanks and the Heavenly Gondola corridor. These roadways and unimproved trails fragment the site's habitat. Elevation ranges from 6,325 feet to 7,200 feet (Lake Tahoe Datum). The site topography is moderately sloped near the entrance, becoming steeper further into the park.

Vegetation Setting

Sierran Mixed Conifer Habitat dominates the project area and is comprised of conifer species including Jeffrey pine, lodgepole pine, white fir, and incense cedar. A few large sugar pines are distributed sparsely within the project area. Small patches of Montane Riparian Habitat exist within the overall mixed conifer setting. Montane riparian habitat is comprised of broad leafed deciduous trees and shrubs that are located along stream corridors and riparian areas. This habitat type is dominated by willow and to a lesser extent, mountain alder, dogwood, black cottonwood, and quaking aspen. It occurs in discontinuous patches along the edges of the one intermittent stream, along portions of the roadway, and other SEZ areas interspersed throughout the Bi-State Park area. A minor component of the site is Sagebrush and Montane Chaparral Habitat, dominated by mountain sagebrush, occurs in the project area. It also includes green-leaf manzanita, Sierra chinquapin, whitethorn, huckleberry oak, tobacco brush, and squaw carpet.

Vegetation Surveys

A project specific special status plant species survey and a noxious weed survey were conducted by Western Botanical Services.[12]

Special Status Plants

The CNDDB was searched to determine which sensitive plant species potentially occur in the project area. Of these, one sensitive plant species, Galena Creek Rockcress (*Arabis rigidissima var demota*) has potential habitat within the project area. Surveys completed in August 2002 and June 2003 found no populations.

[12] Western Botanical Services, Inc. *Sensitive Species, Noxious Weeds, and Stream Environment Zone Survey for Henry Van Sickle Unit Lake Tahoe California State Park Plant Community Descriptions and SEZ Identification.* July 8, 2008. Prepared for: Design Workshop 128 Market St, Suite 3E-, Stateline, Nevada 89449. Prepared by: Western Botanical Services, Inc., 5859 Mt. Rose Highway, Reno, NV 89511.

Noxious Weeds
Class B noxious weeds, including hoary cress (*Cardaria draba*), bull thistle (*Cirsium vulgare*), and Canada thistle (*Cirsium arvense*), have been found in the meadow near Van Sickle Barn, as well as both sides of the park entrance. In 2000, Russian knapweed (*Acroptilon repens*), also a Class B noxious weed, was located in the SEZ near the water tanks.

Wildlife Setting
The area provides habitat for common wildlife species, as well as Special Status species based upon Federal, State or regional designations. Numerous small and large mammals, resident and migratory bird species, and reptiles and amphibians live and forage in the vicinity of the Van Sickle area.

Wildlife use of the project area was documented through conversations with wildlife biologists and staff of the Forest Service, NDOW and the TRPA, a literature review of reports and environmental documents prepared for projects implementing projects at the adjacent Heavenly Mountain Resort, and through project-specific site reconnaissance, including biological field surveys and observations.

Wildlife Surveys
Project specific wildlife surveys were conducted between 2003 and the present for a variety of Special Status wildlife species. These species include: furbearers, Northern goshawk, California spotted owl, and Mountain yellow-legged frog.

Special Status Wildlife Species
Special status wildlife species have been recorded or have habitat within and adjacent to Van Sickle project area. No special status fish species occur or have habitat in the area. Special Status species include:

- Federally listed (or proposed for listing) as threatened and endangered and candidate species;
- Species listed as sensitive in California by the Forest Service);
- State of California listed (or candidate) threatened and endangered species;
- Species that, while not listed as endangered or threatened, are protected by various sections of the Fish and Game Code of California;
- Species of special concern to the California Department of Fish and Game;
- State of Nevada listed threatened and endangered species;
- Species that, while not listed as endangered or threatened, are protected from hunting in Nevada; and
- Species listed by the TRPA as Special Interest Species.

Table 2.4-2, *Special Status Wildlife Species with Potential to Occur in the Project Area based upon the CNDDB Search*

		Status		
Common Name	**Scientific Name**	**Federal**	**State**	**TRPA**
Mammals				
American marten	*Martes americana*	FSS		
Pacific fisher	*Martes pennanti pacifica*	FC, FSS	CSC	
California wolverine	*Gulo gulo luteus*	FSS	CT	
Sierra Nevada red fox	*Vulpes vulpes necator*	FSC, FSS	CT	
Sierra Nevada snowshoe hare	*Lepus americanus tahoensis*	FSC	CSC	
American badger	*Taxidea taxus*		CSC	
Spotted bat	*Euderma maculatum*	FSC	NT	
Townsend's big-eared bat	*Corynorhinus townsendii*	FSS	CSC	
Mountain beaver	*Aplodontia rufa*		CSC, NS	
Northern flying squirrel	*Glaucomys sabrinus*		NP	
Western gray squirrel	*Sciurus griseus*		NP	
Douglas squirrel	*Tamiasciurus douglasii*		NP	
Small-footed myotis bat	*Myotis ciliolabrum*	FSC		
Long-eared myotis bat	*Myotis evotis*	FSC		
Fringed myotis bat	*Myotis thsanodes*	FSC		
Long-legged myotis bat	*Myotis volans*	FSC		
Yuma myotis bat	*Myotis yumanensis*	FSC		
Birds				
California spotted owl	*Strix occidentalis occidentalis*	FSS	CSC	
Northern goshawk	*Accipiter gentilis*	FSS	CSC	SI
Great gray owl	*Strix nebulosa*	FSS	CE	
Bald eagle	*Haliaeetus leucocephalus*	FT	CE, NE	SI
Golden eagle	*Aquila chryaetos*		CFP,CSC	SI
American peregrine falcon	*Falco peregrinus anatum*	D	CE, NE	SI
Willow flycatcher	*Empidonax trailii*	FSS	CE	
Cooper's hawk	*Accipiter cooperii*		CSC, NP	
Sharp-shinned hawk	*Accipiter striatus*		CSC, NP	
Rufous hummingbird	*Selasphorus rufus*	FSC		
Flammulated owl	*Otus flammeolus*	FC	NP	
White-headed woodpecker	*Picoides albolarvatus*	FSC		

Reptiles and Amphibians				
Northern sagebrush lizard	*Sceloporus graciosus graciosus*	FSC		
Sierra Nevada Yellow-legged Frog	*Rana sierrae*	FC		

Source: *U.S. Fish and Wildlife Service, Sacramento Field Office, letter dated March 27, 2009; California Dept. of Fish and Game, CA Natural Diversity Data Base; Forest Service, List of Sensitive Species of the LTBMU; TRPA Environmental Threshold Carrying Capacity Nevada Administrative Code Section 503.*

Status Codes:

FE Federally listed as endangered
FT Federally listed as threatened
FC A candidate species under review for Federal listing
FSC Federal Species of Concern
FSS Federal Sensitive Species
CE Listed as endangered by the State of California Department of Fish and Game
CT Listed as threatened by the State of California Department of Fish and Game
CSC California Department of Fish and Game Species of Special Concern
CFP Species which are protected under the State of California Fish and Game Code
NE Listed as endangered by the State of Nevada Division of Wildlife
NP Species which are protected from hunting or killing pursuant to the State of Nevada Administrative Code Section 503.030
NS Listed as sensitive by the State of Nevada Division of Wildlife
NT Listed as threatened by the State of Nevada Division of Wildlife
SI TRPA Special Interest Species
D Delisted

2.4.2 REGULATORY SETTING

Several regulations related to biological resources are described below that provide the regulatory framework for reviewing project effects:

Federal Endangered Species Act

Pursuant to the federal Endangered Species Act (ESA), the United States Fish and Wildlife Service (USFWS) has authority over projects that may result in the "take" of a federally listed species. Under the ESA, the definition of take is to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct," including significant habitat modification.

California Endangered Species Act

The California Endangered Species Act (CESA), Fish and Game Code Sections 2050-2098, established a state policy to conserve, protect, restore, and enhance any endangered species or any threatened species and its habitat. The CDFG Code defines "take" as direct mortality, permanent or temporary loss of occupied habitat that would result in mortality to or reduced productivity of at least one individual of the species, avoidance of biologically important habitat for substantial periods resulting in mortality to or reduced productivity of at least one individual of the species.

Tahoe Regional Planning Agency
The TRPA Regional Plan includes environmental thresholds carrying capacities for wildlife that includes a non-degradation standard for significant wildlife habitat consisting of deciduous trees, wetlands, and meadows and for instream flows. In addition, TRPA regulates the management of forest resources in the Lake Tahoe Basin in order to achieve and maintain the environmental thresholds for species and structural diversity, to promote the long-term health of the resources, and to create and maintain suitable habitat for diverse wildlife species. Within lands classified by TRPA as Conservation or Recreation or SEZ, any live, dead or dying tree greater than or equal to 30 inches diameter at breast height (dbh) in westside (California) forest types and larger than or equal to 24 inches dbh in eastside forest types (Nevada) shall not be cut except in very limited circumstances.

2.4.3 ENVIRONMENTAL EVALUATION

Will the project:

a) Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?

Less than Significant. A total of six species classified as threatened or endangered by either the USFWS, NDOW or CDFG may have habitat within the Van Sickle project area. The six species include California wolverine, Sierra Nevada red fox, spotted bat, bald eagle, American peregrine falcon and willow flycatcher. Environmental consequences of the proposal are described below:

California Wolverine and Sierra Nevada Red Fox
The 2002/2003 furbearer surveys performed by NDOW did not result in detection of California wolverine or Sierra Nevada red fox.[13] In addition, furbearer surveys performed by the LTBMU for the nearby Heavenly Mountain Resort did not result in any detection of these two species. In addition to the survey results, the presence of human activity and close proximity of urban development leads to a determination that California wolverine and Sierra Nevada red fox are not present within the project area and that no impacts will result to either of these species.

Spotted Bat
While the project area has potentially suitable habitat for spotted bats, the Lake Tahoe Watershed Assessment does not include this species in its list of mammals that exist or have known to exist in the Tahoe Basin. There have been no surveys for bat species within the project area and it is considered not present within the project area.

[13] Parsons Corporation. *Biological Survey Report.* 2005. Prepared by Parsons Corporation. Prepared for Design Workshop.

Bald Eagle and American Peregrine Falcon
Past surveys of the project area did not detect bald eagles or American peregrine falcons. The close proximity of urban development contributes to the lack of suitable nesting habitat within the project area for these species. No impacts are expected to result to either of these species.

Willow Flycatcher
While the CNDDB reports an occurrence of Willow flycatcher in the USGS South Lake Tahoe quadrangle, the occurrence is in the Trout Creek watershed, located outside of the project area. No suitable habitat exists within the Van Sickle project area and no casual observations of this species occurred during other sensitive species surveys. Therefore, no impacts will occur to this species as a result of project implementation.

Candidate Species
A total of three species classified as candidate species by the USFWS have suitable habitat within the Van Sickle project area. The three species include flammulated owl, Pacific fisher, and Sierra yellow-legegd frog (formerly the Mountain yellow-legged frog). There are no expected impacts to these species as described below:

Flammulated Owl
The flammulated owl has suitable habitat within the project area. Based upon past surveys of the project area for spotted owls, no observations or detections of Flammulated owls were recorded. Flammulated owls compete directly with other secondary cavity-nesters, (i.e., other small owls and American kestrels). Northern pygmy owls and saw-whet owls have been observed within the Van Sickle project vicinity, both of which are secondary cavity nesters and would likely compete with flammulated owls for nesting sites. Due to their lack of detection in the project vicinity it is assumed these species are not present. Therefore, no impacts will occur to this species as a result of project implementation.

Pacific Fisher
The habitat within the Van Sickle project area is marginally suitable for Pacific fisher. No detections of fisher were recorded during surveys that were performed by NDOW in 2002 and 2003, nor those associated with Heavenly Mountain Resort immediately to the east and south. Due to their lack of detection in the project vicinity, it is determined that Pacific fisher are not present and that no impacts will occur to this species as a result of project implementation.

Sierra Yellow-legged Frog
In 2008, surveys were conducted for Sierra yellow-legged frogs in the marginal pool habitat on the Van Sickle project area. No observations or detections of adult, larval stage, or egg masses of Sierra yellow-legged frogs were located.[14]

[14] Hauge Brueck Associates. *Van Sickle Bi-State Park, 2008 Biological Survey Results.* June 30, 2008. Prepared by: Hauge Brueck Associates, P.O. Box 10291, Zephyr Cove, NV 89448.

The pool was created because the stream that crosses under the access road on the Nevada side of the park is constricted by a culvert. The proposed project includes replacement of that culvert as part of the roadway improvements. A temporary flow bypass will be used to allow for water to reach the lower portions of the creek below the access roadway crossing. These construction activities may result in minor temporary changes in water levels in the pool, however the pool will remain as long as there is water. Since this impact is temporary, no significant alterations to suitable habitat will occur.

Other Special Status Species

Sensitive species that have been recorded in or adjacent to the Lake Tahoe Basin, but for which there are no observations and no suitable habitat at within the Van Sickle project area include: American badger, great gray owl, golden eagle, Townsend's big-eared bat, and northern sagebrush lizard. These species will not be discussed further.

Other Special Status Species that are known to inhabit or have suitable habitat within the Van Sickle project area include: American marten, mountain beaver, western gray squirrel, Douglas squirrel, northern goshawk, white-headed woodpecker, Cooper's hawk, sharp-shinned hawk, *Rufous* hummingbird, northern flying squirrel, *Myotis* bat species, and Sierra Nevada snowshoe hare. Impacts to these species are considered less than significant as discussed below.

American Marten

A furbearer study was performed by NDOW personnel in 2002/2003 and detected American marten within the Van Sickle Park project area. It is likely that marten utilize the project area for foraging and potentially for den sites. Potential impacts to this species include disturbance to and removal of habitat, disruption of foraging patterns and increased human disturbance and presence. Construction of the day use area on the Nevada side of the park is located in areas with rock outcroppings which may provide suitable den locations for marten. Disturbance to rock outcroppings is not expected to result in the removal of existing den locations. The project is not expected to impact the species to a degree that may result in a decrease in viability of the species. Impacts to this species are considered less than significant.

Mountain Beaver

Evidence of mountain beaver has been observed in riparian corridors in the upper portions of NDSP's Van Sickle ownership, but not within the project area. While mountain beaver were not surveyed or observed, extensive burrows along with "hay piles" of vegetation stacked outside burrow entrances exist in the upper watershed indicating their presence outside of the project area. Potential indirect impacts to this species include increased human presence in suitable habitat as a result of trail use. Mountain beaver are mostly nocturnal and therefore would not be disturbed by daytime hikers. Impacts to this species are considered less than significant.

Western Gray Squirrel and Douglas Squirrel

Potential impacts to Western gray squirrel and Douglas squirrel include potential loss of active nests due to tree removal and snag removal in areas of the proposed project. Both these squirrel species are cavity nesters and often utilize abandoned woodpecker nests for nest

locations. Removal of some trees for the proposed access road realignment, parking lots, day use areas and associated structures may result in the loss of active nests. However, the relatively small scale of the project is not expected to have a negative impact on the viability of either Western gray squirrel or Douglas squirrel species. Impacts to these species are considered less than significant and will not result in a loss of viability of these species

Northern Goshawk
Northern goshawk surveys have been performed within the overall project vicinity between 2002 and 2005 (Parsons, 2005). Surveys resumed in 2008. Northern goshawks were observed in 2003 and 2004, with no detections in 2005. During the 2003 surveys, a Northern goshawk was observed in the eastern portion of the lower park property on the Nevada side. This goshawk was exhibiting aggressive behavior, indicating a nest was in the vicinity. Two stand searches were performed by Parsons' biologists with assistance by NDOW and TRPA biologists in a series of unsuccessful attempts to locate a nest. Before a third stand search could be performed, the stand burned in the 2003 Gondola Fire. Other brief auditory and visual detections of Northern goshawk were recorded in 2004; however, no nest was located and behavior was not presented to suggest nesting activity. No auditory or visual detections of Northern goshawk were documented in 2008.

While the habitat polygons within the Van Sickle project area are considered suitable habitat based on canopy cover and average diameter of trees, their suitability for nesting is low due to the close proximity of human habitation, use and development. Northern goshawks are not generally tolerant of human activity, especially during nesting. No impacts to this species are expected.

California Spotted Owl
Surveys for California spotted owls have been performed on an annual basis since 2003, except during 2007, but resumed again in 2008. No detections of spotted owls have been recorded within or adjacent to the Van Sickle project area. No impacts to this species are expected.

White-Headed Woodpecker
Impacts to white-headed woodpeckers that may result due to project implementation include the removal of trees and snags suitable for nest cavities. White-headed woodpeckers often excavate nest cavities in trees at least two feet in diameter at nest height at least six feet off the ground. As discussed below, a total of 10 trees larger than 24" dbh are proposed for removal. Removal of these trees decreases the number of available trees for nesting white-headed woodpeckers. The number of trees and snags remaining in the project area offers sufficient opportunity for cavity excavation and subsequent nesting, resulting is a less than significant impact.

Cooper's hawk and Sharp-shinned hawk
Cooper's and Sharp-shinned hawks have suitable nesting habitat within the van Sickle project area. Cooper's hawks are summer residents on the Sierra Nevada and prefer to nest within conifer/riparian associated habitats. Sharp-shinned hawks prefer coniferous forest associations with a high percentage of canopy closure as nesting habitat. The proposed tree removal and

facility installation would have a minor impact on trees available for nesting Cooper's hawk and Sharp-shinned hawks regardless of the suitability of the habitat. This impact is considered less than significant.

Rufous hummingbird
Rufous hummingbirds are found in a variety of habitats that provide nectar producing flowers; montane hardwood-conifer, riparian habitats, and valley hardwood. In addition to nectar, this hummingbird also forages for insects on foliage and hawks insects from the air. Trees and shrubs in many habitats provide cover, including lowland riparian, open woodlands, scrub, and chaparral, also mountain meadows extending to and above treeline (Grinnell and Miller 1944). The proposed project does not include the removal of suitable foraging habitat for Rufous hummingbirds, as the area is Jeffrey pine forest and associated scrub and rock outcrop habitats. No impact to this species will occur.

Northern flying squirrel
Impacts to northern flying squirrels include the loss of suitable nesting trees. Northern flying squirrels prefer mature dense coniferous habitats with riparian habitats intermixed. The proposed roadway and recreation facilities will remove potentially suitable nest trees from the project area; however, the quality of the habitat in the project area is marginal due to the relative open condition of the canopy and tree density. Due to the relative low number of trees proposed for removal as part of this project, this impact is considered less than significant and would not affect viability of the species.

Myotis bat species
The following *Myotis* bat species have suitable roosting habitat within the project area; long-eared myotis, long-legged myotis, yuma myotis, fringed myotis and small-footed myotis. Rock outcroppings, rock crevices, snags and spaces under tree bark are locations where these *Myotis* bats roost. Impacts to these species may occur due to removal of suitable roosting locations associated with installation of the roadway and proposed facilities. Loss of the trees and snags required for project implementation would result in decreased sites available for roosting *Myotis* bat species. Due to the relative low number of trees proposed for removal and abundance of rock outcroppings in the project, this impact is considered less than significant and would not affect viability of the species.

Sierra Nevada snowshoe hare
Impacts to Sierra Nevada snowshoe hares as a result of project implementation include loss of foraging and cover habitat. Snowshoe hares prefer heterogeneous coniferous habitats intermixed with riparian or scrub habitats. Early stages of mixed conifer habitat along edges are preferred. The proposed project would result in a decrease of suitable foraging and cover habitat for this species; however, due to the relative abundance of higher quality habitats in the undisturbed areas of the project area and watershed, this impact is considered less than significant.

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 the U.S. Fish and Wildlife Service?

No Impact. Implementation of the proposed project is not expected to have an adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans. No TRPA-designated uncommon plant communities exist within the project area. The proposed project includes the realignment and expansion of the access roadway that will traverse an SEZ area within the project boundary. Construction impacts are not expected to be substantial and create an adverse effect on the riparian habitat that exists within this area.

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?

No Impact. The botanical survey conducted within the project area found no hydrophytic vegetation. Hydrophytic vegetation is one of three required indicators that defines a federally protected wetland under Section 404 of the Clean Water Act. Therefore, there are no federally protected wetlands on site and there will be no adverse effects.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridor, or impede the use of native wildlife nursery sites?

No Impact. The proposed project area does not ontain any mapped wildlife corridors or wildlife nursery sites. While mule deer have been observed as moving through the project area during the spring, summer and autumn months, the project area is not within the mapped migration corridor for the Carson River Deer Herd. Based on this map, the closest mapped portion of the migration corridor is to the south of the Van Sickle project, in the High Meadows area, which is well-outside the project area.

There is one intermittent stream within the project area, but it is not mapped as migratory fish habitat. Thus, no impacts to migrating fish would occur from implementation of the proposed project. No resident fishes are present in the ephemeral stream in the project area.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. (Also see Item g, below.) Implementation of the Phase I Van Sickle project does not conflict with policies that protect biological resources. All trees will be removed according to the provisions set forth in the TRPA Code of Ordinances Chapter 71. Since the project will comply with all TRPA standards related to the protection and preservation of trees, it is not expected to conflict with any policies or ordinances and no impacts are expected.

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?

No Impact. The proposed project area is not located within any adopted Habitat Conservation Plans or Natural Community Conservation Plans, nor are there any other approved local, regional, or state habitat conservation plans overlaying the area.

g) Result in the removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications?*

Less than Significant Impact. TRPA regulates the management of forest resources in the Lake Tahoe Basin in order to achieve and maintain the environmental thresholds for species and structural diversity, to promote the long-term health of the resources, and to create and maintain suitable habitat for diverse wildlife species. Trees and vegetation that are not proposed for removal will be protected during project construction through the implementation of standard tree protection BMPs.

For lands located within Conservation or Recreation land use classifications, or for SEZ lands, all trees 30 inches dbh or greater in westside (California) forest types and 24 inches dbh or greater in eastside forest types (Nevada) are generally protected from removal pursuant to the requirements of Chapter 71 of the TRPA Code of Ordinances. The Code also provides for limited exceptions to this prohibition.

Implementation of the proposed project, specifically for the modifications to the access road, involves the removal of eight large trees over 30 inches dbh in westside forests (California side) and the removal of three large trees over 24 inches dbh in eastside forests (Nevada side) within the Conservation land use classification.

In Nevada, two of the three large trees proposed for removal have been evaluated by foresters to be structurally weak and diseased. In California, six out of the eight trees were found to be either structurally weak or diseased based on the CAL FIRE forester's tree health assessment. The two other healthy large trees proposed for removal would create openings in the overstocked stand and release other trees for continued growth and health achieve forest health and ecosystem management goals. Removal of the two healthy trees is supported by the California tree health assessment.[15] The Conservancy will conduct tree removal on the California side under MOU with TRPA and relevant permits issued by CalFire.

[15] California Department of Forestry and Fire Protection. *Van Sickle Tree Health Assessment for California.* June 11, 2008. Prepared by: Christy Daugherty, Forester 1, RFP#2600, California Department of Forestry and Fire Protection 3141 Highway 50, Suite B, South Lake Tahoe, California 96150. Prepared for Judy Clot, California Tahoe Conservancy, 1061 Third Street, South Lake Tahoe, California 96150.

The proposed removal of 11 large trees is consistent with the management prescription to be applied to the property and will achieve ecosystem management goals, consistent with the findings required for the ordinance exception. Impacts are less than significant.

h) Result in the removal of native vegetation in excess of the area utilized for the actual development? *

No Impact. There will be no removal of native vegetation in excess of the area utilized for the actual permitted development. In addition, the project proposal includes restoration of currently disturbed areas where the land coverage will be relocated.

i) Result in the removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?*

No Impact. The proposed project access roadway includes two crossings of SEZ to reach the Nevada trailhead area. The southernmost of the two SEZs does not contain an active channel, but contains riparian willow (*Salix spp.*) vegetation. The northern SEZ contains an ephemeral channel and the banks of this channel are lined with willow species and wild rose (*Salix spp* and *Rosa woodsi*). The existing dirt access roadway will be paved and retrofitted with BMPs to reduce erosion and to prevent contamination of the creek. Upgrading of the access roadway will result in the minor removal of riparian vegetation along the edges of the roadway within the SEZ. However, removal and/or trimming of the willows along the road edge will not result in an overall adverse effect to the existing riparian habitat. The area disturbed from construction of the new roadway will be revegetated upon completion of the project. By revegetating the disturbed area with certified weed-free plant mixes, the potential to permanently remove riparian vegetation associated with critical wildlife habitat through the direct removal is reduced to a temporary effect. Thus, no long-term impact is expected.

j) Change the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora and aquatic plants)?*

No Impacts.

Tree Removal

Implementation of the proposed project is not expected to result in a change in the diversity or distribution of species, or number of species of plants within the project area. The proposed project will involve the removal of under 200 individual conifers, including those described in g), and individual deciduous trees as discussed in i), above. Their removal is not expected to change the diversity of the stand nor impact the distribution of the species. Instead, the removal of trees should improve the health of the residual stand. Based on the tree health report for the California side of the project area, the Westside forest type is visibly overstocked. Therefore, the removal of these trees could benefit the stand, by removing already stressed and diseased trees and reducing competition. Likewise, the project's tree removal activities will promote diversity and the distribution of species for other trees and plants within the area. Thus, no impacts are expected.

Noxious Weeds
Class B noxious weeds, including hoary cress (*Cardaria draba*), bull thistle (*Cirsium vulgare*), Canada thistle (*Cirsium arvense*), and Russian knapweed (*Acroptilon repens*) are present within the meadow near Van Sickle Barn, as well as both sides of the park entrance. Their presence can lead to nuisance conditions by disrupting the natural ecology within the project area.

There is a large stand of this noxious weed species to the west and north of the Van Sickle barn in the meadow, on both sides of the entrance road and near the water tanks. Noxious weed control is proposed as a project component. Increased activity in the area associated with the park designation may increase the likelihood of the plants spreading on- and off-site. The following project design measures for weed control are included:

- Hand removal of identified noxious weeds within project area and their proper disposal.
- Monitoring of site for two years following abatement activities to ensure removal.
- Perform pre- and post-equipment inspection and cleaning to avoid the spread of noxious weeds.

No chemical weed control is proposed at this time. Through the implementation of noxious weed control, no impacts are expected related to the potential change in the diversity and distribution of plant species.

k) Change the natural functioning of an old growth ecosystem?*

No Impact. While individual large trees are documented within the project area, no late seral/old growth ecosystems, as defined by TRPA, exist. Therefore, no impacts are expected.

l) Result in the reduction of the numbers of any unique, rare or endangered species of plants?*

No Impact. One sensitive plant species, the Galena Creek Rockcress (*Arabis rigidissima var demota)*, has suitable habitat in the project area. Based on field surveys conducted by Western Botanical Services, no populations are present. Thus, no impacts are expected to occur related to the reduction of any unique, rare, or endangered species of plants.

m) Result in the removal of streambank and/or backshore vegetation, including woody vegetation such as willows?*

No Impact. The project does not include any backshore areas. One ephemeral stream exists. The project's access roadway will traverse through SEZ and include two SEZ crossings, including replacement of the culvert on the ephemeral stream. After construction is completed, revegetation with native plants will stabilize the area impacted by culvert replacement.

n) Introduce new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?*

No Impact. The proposed project does not involve the introduction of nonnative vegetation. The only new vegetation plantings will occur as part of restoration activities in the SEZ and upland areas associated with relocation of the roadway. The revegetation plan is included on the preliminary plan sets and the details are found in the construction specification documents. None of the native species proposed for revegetation activities require long-term fertilization or irrigation after establishment. No nonnative species are proposed for use.

CHAPTER 2.5: CULTURAL AND HISTORICAL RESOURCES

This section describes cultural, historical, and archaeological resources present on or near the proposed project site. The analysis considers the importance of each cultural and historic resource with reference to the CEQA guidelines and the criteria defined by the California Register of Historical Resources (CRHR), the National Historic Preservation Act (NHPA), the National Register of Historic Places (NRHP), and TRPA criteria. The analysis included review of the following documents in order to determine potential effects:

1) record searches at the North Central Information Center (NCIC) at California State University Sacramento and the Nevada State Museum (NSM);
2) consultation with the Washoe Tribe;
3) intensive archaeological field reconnaissance of 50 acres which had not been previously examined; and
4) archaeological field recordation of the Van Sickle equestrian complex and other newly discovered heritage resources.

2.5.1 AFFECTED ENVIRONMENT

The project area includes parking 12 structure historical complex comprised of a 2,040 square foot 1860's era barn, a small circa 1914 log cabin, and 10 housekeeping cottages dating from the 1920's to 1930's. These structures are all incorporated into an historical equestrian stable complex, formerly owned by Jack Van Sickle and known as "Jack's Ranch," that operated for 90 years (until 1993). The cabin and barn were originally situated along Highway 50 within the historic community of Lakeside (now Stateline), and were relocated in 1960 to the project site in anticipation of Highway 50 widening. While the barn was moved from its original location, the relocation did not affect its integrity, as it wasn't moved very far away and was moved to a similar meadow-like setting.

In 1988, Nevada State Parks completed a preliminary feasibility study for portions of the proposed project. The State of California has since acquired several smaller adjacent parcels that were annexed to the original property and within the City of South Lake Tahoe jurisdiction.

A systematic and intensive archaeological survey of the entire Phase 1 project area was conducted in 2005, along with formal mapping and recording of the 12 individual structures within the historic equestrian complex. This was completed in order to supplement the architectural study and to further a final determination of eligibility to the NRHP and CRHR, as well as to properly assess potential project related impacts.

Architectural and archaeological surveys and assessments (Lindstrom and Marvin 2001 and Lindstrom 2005) concluded that the Van Sickle Equestrian Complex retains a high degree of integrity, historical association, and interpretive potential and that it meets the National Historic Preservation Act criteria for eligibility for listing as an outdoor recreation district in the National

Historic Register of Historic Places and/or the California Register of Historical Resources, even though they have been moved from their original locations. Detailed significance determination and impact assessment is provided in a report prepared by Lindstrom in 2005, which has its conclusions summarized in the effects analysis for this document and which is incorporated by reference.

The two pre-1940's sections of roads and historic utility lines located on the parcel were determined to be ineligible for State or Federal listing. Other roads, fence lines and stable appurtenances (coral/arena, hitching post, troughs, etc.) post date 1960 and are non-historic.

Since the 2005 report was prepared, the author's recommendation regarding the need for stabilization and fortification of the cabin and barn has been implemented. The buildings have been fortified to prevent public entry and potential for vandalism.

2.5.2 REGULATORY SETTING

The regulatory framework sets the context for the range of issues related to historical resources. The criteria for determining the significance of cultural resources in the project area are based on the following applicable federal, state, and regional/local laws, regulations, and agencies with jurisdiction are described below.

National Historical Preservation Act of 1966

The National Historical Preservation Act of 1966 established the NRHP as the official federal list of cultural resources that have been nominated by state offices for their historical significance at the local, state, or national level.[28] Properties within the Bi-State park have previously been determined eligible for listing with the NHRP.

California Register of Historical Resources

The State Historical Resources Commission maintains the CRHR. Properties listed, or designated as eligible for listing, in the NRHP are automatically listed in the CRHR.

Tahoe Regional Planning Agency

Chapter 29.2 of the TRPA Code of Ordinances requires the protection of sites, objects, structures, and other resources designated as historic resources or for which designation is pending, shall not be demolished, disturbed, removed, or significantly altered, unless TRPA has approved a resource protection plan to protect the historic resources.

TRPA Code of Ordinances Section 64.8 addresses the discovery of historic resources during grading activities. This section requires grading to cease and TRPA notification if resources are encountered that appear to be 50 years or older. TRPA would suspend grading and consult the appropriate local state and federal entities to determine the significance of the resource, if any.

[28] Code of Federal Regulations 36 (CFR) §60.2

2.5.3 ENVIRONMENTAL EVALUATION

Will the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

No Impact.
In the Van Sickle Park Project Heritage Resource Inventory (2005), Susan Lindstrom, the consulting archaeologist, concluded that the project will not result in the alteration of, or adverse physical or aesthetic effects to, any of the significant archaeological or historical sites structures, objects, and/or buildings found on the California-side of the Bi-State Park. The archaeologist's report provides the opportunity to relocate the cabin and to demolish some of the housekeeping units while still retaining the properties' eligibility for National Register listing. While relocation of the cabin is not included in the proposed action, one of the housekeeping units will be demolished to accommodate the park access road. Installation of the road, itself, is not expected to diminish the setting, feel and association of the outdoor recreation district and instead will provide an important distance interpretive amenity and highlight a special feature of the park for park visitors.

No active use of the structures in the historic complex is proposed. Passive interpretation would be provided through the installation of signage that informs visitors of the nature of the historic complex and the importance of keeping a safe distance from the structures. The structures would be fenced to ensure visitors maintain a safe distance from the historical structures.

The small day use area proposed near the historic complex will be graveled, rather than paved, in keeping with the traditional setting at the stables that endured throughout the period that the facility operated commercially. The project is subject to a variance for historically significant structures and districts pursuant to chapter 27 and 29 of the TRPA Code.

b) Will the proposal restrict historic or prehistoric religious or sacred uses within the potential impact area?*

No Impact. Consultation with the Washoe Tribe did not disclose traditional cultural uses within this area. Consequently, the proposed project will not restrict historic or pre-historic religious or sacred uses, as none are associated with the site.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No Impact. The implementation of the proposed project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Paleontological resources within the proposed project area were assessed through a records search of relevant scientific literature and a review of two earlier paleontologic assessments for parts of the project area. The result of the paleontological record search indicated that there is no potential for paleontological resources to occur with the proposed project site.[29]

Contracting documents will include standard language that requires contractors to inform the Conservancy of any previously undocumented finds discovered during project construction. All work shall stop in the immediate area of the find and the agency will contact a qualified paleontologist to inspect the find and determine appropriate measures.

d) Disturb any human remains, including those interred outside of formal cemeteries?

No Impact. No human interments are known to be located within the project area and it is unlikely that human remains are present on the site. However, if construction activities unearth buried or concealed remains, contracting documents will include standard language that requires contractors to inform the NDSP and Conservancy of any discovery. Concurrently, all work shall stop in the immediate area of the remains and the applicable agency will contact the County Coroner. If the remains are determined to be of Native American origin, both the Native American Heritage Commission and any identified descendants would be notified.

e) Will the proposal result in an alteration of, or adverse physical or aesthetic effect to, a significant archaeological or historical site, structure, object or building?*

No Impact. The proposed project would not result in an alteration of or adverse physical or aesthetic effect to, a significant archaeological or historical site, structure, object or building. Refer to discussion in Part a. While the heritage resource repots note that futures phases of the park, combined with cumulative projects in the geographic vicinity, could produce negative effects by increasing public access in the area, the plans to expand interpretation within the park could have a positive effect.

Contracting documents will include standard language that requires contractors to inform the Conservancy of any previously undocumented finds discovered during project construction. All work shall stop in the immediate area of the find and the agency will contact a qualified archaeologist to inspect the find and determine appropriate measures.

[29] Lindstrom and Marvin. *Van Sickle Bi-State Park Archaeological and Historical Assessment.* 2005. Prepared for: Design Workshop 128 Market Street, Stateline, NV 89449. Prepared by Susan Lindstrom.

f) Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?*

No Impact. Refer to discussions in Part a and e.

g) Is the property associated with any historically significant events and/or sites or persons?*

No Impact. The proposed project area is not associated with any historically significant events and/or sites or persons and National Register eligibility as the outdoor recreation district was not related to any specific events or persons.

h) Does the proposal have the potential to cause a physical change that would affect unique ethnic cultural values?*

No Impact. No unique ethnic cultural values were identified by archaeologists during the cultural resource pre-work conducted for this property.

CHAPTER 2.6: SOILS AND GEOLOGY

This section identifies and evaluates changes that may occur to earth resources, seismic conditions, and land coverage related to implementation of the proposed project. The analysis included review of the TRPA Regional Plan, the Geotechnical Report prepared by Kleinfelder, publications of the California Geological Survey, and published geological maps order to determine potential effects.

2.6.1 AFFECTED ENVIRONMENT

Geology

The Lake Tahoe Basin was shaped by a combination of faulting, glaciation and volcanism. The basin has a combination of granitic, metamorphic, and volcanic rock. A review of the *Geologic Map of the Lake Tahoe Basin, California and Nevada* indicates the project site is predominantly underlain by Bryan Meadow granodiorite deposits of the Cretaceous period, with narrow bands of lacustrine terrace deposits of the Pleistocene period, and alluvial deposits of the Pleistocene and Holocene period.[32,33] The lacustrine terrace deposits typically consist of poorly to moderately sorted silt, sand, and gravel forming low broad terraces approximately 15 to 30 feet above lake level. The alluvial deposits consist of unconsolidated, moderately to poorly sorted sand, silt, and gravel, and locally include alluvial fan, glacial outwash, and lacustrine deposits.

Topography

The topography of the project site ranges in grade from steep areas of approximately 30% slope within the southernmost portions of the project area (6,700-foot elevation), with flatter slopes at the Montreal Road/Heavenly Village Way entrance (6,300-foot elevation).[34] Overall, the site slopes moderately to the west and steeply to the south.[35]

Subsurface Conditions

The subsurface conditions at the site were characterized from published information and a subsurface investigation consisting of subsurface borings conducted by Kleinfelder.[37] The locations of the borings and results of the geotechnical investigation are included in the associated Geotechnical Report. During the investigation, the near surface layer consisted of non-plastic, silty sand/gravel approximately ½ to 5 inches thick, underlain by granitic bedrock of

[32] Kleinfelder. *Geotechnical Investigation Report Phase I-Van Sickle Bi-State Park Douglas County, Nevada, El Dorado County, Nevada.* August 18, 2005.
[33] Saucedo, George J. *Geologic Map of the Lake Tahoe Basin, California and Nevada* California Geological Survey, 185 Berry St. Ste. 210, San Francisco, CA 94107, gsaucedo@consrv.ca.gov
[34] Design Workshop. *Van Sickle CA/NV Bi-State Park Master Plan Summary Report.* June 2005.
[35] Kleinfelder. *Geotechnical Investigation Report Phase I-Van Sickle Bi-State Park Douglas County, Nevada, El Dorado County, Nevada.* August 18, 2005.
[37] Kleinfelder. *Geotechnical Investigation Report Phase I-Van Sickle Bi-State Park Douglas County, Nevada, El Dorado County, Nevada.* August 18, 2005.

various degrees of weathering and strength.[38] During geotechnical investigations by Klienfelder, Inc., groundwater was encountered in one locationat a depth of 5 feet; however, no groundwater was encountered in the remaining explorations during the investigation to a maximum depth of 10 feet.

Soils

While soils vary throughout the site, the project falls within mostly the Elmira-Gefo loamy coarse sands and Cagwin Rock Outcrop complex soil types, based upon the recently updated soil survey for the Tahoe Region. In terms of hydrologic soil groups, all project area soils and the drainage sub-basins soils are characterized as having low (Group C) water transmission.

Table 2.6-1, *Project Area Soils*

Soil Map Unit	Symbol	% Slope	Hydrologic Group	Erosion Potential
Cagwin Rock Outcrop complex	CaD	5 to 15	C	Moderate
Cagwin Rock Outcrop complex	CaE	15 to 30	C	High
Cagwin Rock Outcrop complex	CaF	30 to 50	C	High
Elmira-Gefo loamy coarse sands	EfB	0 to 5	A	Slight
Elmira loamy coarse sand wet	Ev	0 to 5	D	Slight
Jabu coarse sandy loam shallow	JeD	0 to 5	D	Moderate
Rock Land	Ra	30 to 50	D	Moderate
Rock Outcrop - Cagwin complex	RcF	30 to 50	C	High
Rock Outcrop - Toem complex	RtF	30 to 50	C	High
Rock Outcrop – Toem complex	RtG	50 to 70	C	High

SOURCE: Resource Concepts, Inc.

Land Capability

Permanent land disturbance in the Tahoe Basin is described in terms of land coverage. TRPA defines two types of existing land coverage: hard land coverage (i.e. impervious surfaces) and soft land coverage (i.e. compacted soils that neither percolate water nor support vegetation). TRPA evaluates a site's potential for development by verifying any existing land coverage (hard and soft) and the land capability classifications that exist on site. Based on the land capability classification(s) the potential land coverage allowed on site can be determined. In the Tahoe Basin, allowable land coverage is critical in determining the development potential of a site, based upon the Bailey Land Capability Classification System. The Bailey System consists of 7 land capability classes distinguished according to the soils ability to tolerate development impacts and disturbance. Each of the capability classes has an associated percent of allowable land coverage. The percent of allowable land coverage ranges from 1% to a maximum of 30% of impervious land coverage (Classes 1a, 1b, 1c and 2 allow 1%; Class 3 allows 5%; Class 4 allows 20%; Class 5 allows 25%; and Classes 6 and 7 allow 30%).

[38] Ibid.

Based on a TRPA Land Capability Verification (June 18, 2007) specific to the project area, the land capability classifications present include 1a (oversteep lands), 1b (stream environment zones), 2, and 4. Of these four land capability classifications, land capability class 4 is the most development tolerant. Land capability classifications 1a, 1b, and 2 are considered environmentally sensitive lands and there is a prohibition of additional land coverage or permanent land disturbance on these capability types except for specific purposes as listed in Chapter 20 of the TRPA Code of Ordinances (see Section 3.6.2, below).

Many of the existing roadways, trails and structures were already present at the time land coverage regulations and standards were developed in 1972 and such land coverage is considered "grandfathered." This existing coverage has been verified by TRPA as a combination of hard coverage (paved roads and building footprints) and soft coverage (unpaved roads and trails).

Table 2.6-2, *Land Coverage Summary*

LCD	Project Area	% Allowable Coverage	Base Coverage for Project Area	Existing Verified Coverage
1a	11,620,498	1%	116,205	151,572
1b	1,728,697	1%	17,287	66,739
2	709,796	1%	7,098	14,328
4	3,331,663	20%	666,333	167,324
Total	17,390,654	-		

*SOURCE: Design Workshop, * Legally established allowable coverage for California and Nevada.*
Area is listed in square feet (SF).

2.6.2 REGULATORY SETTING

TRPA Code of Ordinances

Chapter 20 of the Code includes a prohibition of additional land coverage in land capability districts 1a, 1b (SEZ), 1c, 2, and 3. There are listed exceptions, including:

Sections 20.4.A.2 and 20.4.B for Public Outdoor Recreation Projects:

a. The project is a necessary part of a public agency's long-range plans for public outdoor recreation;
b. The project is consistent with the Recreation Element of the Regional Plan;
c. The project by its very nature must be sited on the environmentally sensitive lands;
d. There is no feasible alternative that reduces or avoids the extent of encroachment;
e. The impacts of the coverage and disturbance are fully mitigated through application of BMPs and restoration of land in land capability districts 1a, 1c, 2, and 3 in the amount of 1.5 times the area of land in such districts covered or disturbed beyond that permitted by the coefficient. For coverage or disturbances in 1b, the impacts must be addressed through the restoration of lands within 1b districts in the amount of 1.5 times the area of

land covered or disturbed and includes coverage and disturbance within the SEZ and shall include the coverage and disturbance within the permitted Bailey coefficients.

Section 20.4.A.2 for Water Quality Control Facilities:

a. A project, program or facility is necessary for environmental protection; and
b. There is no reasonable alternative, including relocation, which avoids or reduces the extent of encroachment in Land Capability Districts 1a, 1c, 2, and 3.
c. Impacts are fully mitigated and if applicable, transferred land coverage requirements pursuant to 20.3.C (2) (e) are met.

Section 20.4.B for Stream Crossings (SEZ):

a. There is no reasonable alternative, including relocation, which avoids or reduces the extent of encroachment in the stream environment zone, or that encroachment is necessary to reach the building site recommended by IPES; and
b. The impacts of the land coverage and disturbance are fully mitigated in the manner set forth in Subparagraph 20.4.A(2)(e), with the exception that the restoration requirement in such Subsection shall apply exclusively to stream environment zone lands and shall include coverage and disturbance within the permitted Bailey coefficients.

TPRA's project conditions of approval require all existing land coverage and new land coverage be mitigated through one of the following means:

For land coverage existing on site prior to the project that exceeds the base allowed land coverage for the project area the project proponent may elect to do any one or a combination of the following:

a. Reduce coverage on site
b. Reduce coverage off site
c. Pay an excess coverage mitigation fee

For each square foot of additional land coverage created, the potential water quality impacts must be completely offset by one or a combination of the following measures:

a. Implementation of off-site water quality control projects or stream environment zone restoration projects.
b. Contribution to the TRPA water quality mitigation fund (current fee schedule is $1.86 per square foot).

2.6.3 ENVIRONMENTAL EVALUATION

Will the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
ii. Strong seismic ground shaking?
iii. Seismic-related ground failure, including liquefaction?

No Impact. The project site is not located in an Alquist-Priolo Earthquake Fault Zone; therefore the potential for exposure to fault ground rupture on site is low.[46] Nonetheless, the project restroom structures will be designed and constructed in accordance with the requirements for UBC Seismic Zone 3. Thus, there would be no substantial increased risk of injury or property damage related to the rupture of a known earthquake fault. The project site is not located in on soils prone to liquefaction[47] No project impacts are expected.

iv. Landslides?

No Impact. The proposed recreation facilities would be constructed on relatively level portions of the project area. There is a low risk for any potential landslides to occur due to the existing soil properties and topographic conditions.[48] Thus, no impacts are expected as a result of project development.

b) Result in substantial soil erosion or the loss of topsoil?

No Impact. The proposed project will involve cut and fill associated with the construction of the roadway alignment. The design of project will involve a bend in the roadway away from the uphill slope to reduce the cut/fill, resulting in less potential for soil erosion and loss of topsoil. Overall, there are no anticipated impacts related to soil erosion because of the required installation of BMPs to minimize soil erosion and the loss of topsoil both during construction and throughout the lifetime of the project. Thus, there are no adverse impacts.

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[46] State of California. *Alquist-Priolo Earthquake Fault Zoning Act.* 1972 California Public Resources Code, Section 2621 et seq. Available at: http://www.leginfo.ca.gov/calaw.html
[47] Kleinfelder. *Geotechnical Investigation Report Phase I-Van Sickle Bi-State Park Douglas County, Nevada, El Dorado County, Nevada.* August 18, 2005.
[48] Kleinfelder. *Geotechnical Investigation Report Phase I-Van Sickle Bi-State Park Douglas County, Nevada, El Dorado County, Nevada.* August 18, 2005.

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?

No Impact. The proposed project is not 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. The majority of the project site will be located on soils capable of sustaining development or "moderate" land capability areas (See Table 3.6-1, *Project Area Soils).* Therefore, no impacts are expected.

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?

No Impact. The proposed project would not be located on expansive soil. No project impacts are expected.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. Septic systems are prohibited in the Lake Tahoe. The bathrooms on the California side will be connected to a municipal sewer system and the restrooms on the Nevada will be vaulted (self-contained) and pumped out.

f) Result in a change in the topography or ground surface relief features of the site inconsistent with the natural surrounding conditions?*

Less than Significant. The proposed project is not expected to result in a change in the topography or ground surface relief features of the site to a level that is inconsistent with the natural surrounding conditions. The project area includes a roadway that requires grading, including cut and fill and occurring within portions of the SEZ. Construction of the Nevada-side trailhead impacts some of the rock outcroppings on the site. But overall, the project was designed to "fit" into the surrounding natural features, in order to highlight the natural setting. The project will not significantly change in the area's topography or ground surface relief features.

g) Result in unstable soil conditions during or after completion of the proposal? *

No Impact. The proposed project will not result in unstable soil conditions during or after completion of the project. The project area will be located primarily on lands with a moderate topography and the roadway will meet applicable roadway design standards. Thus, the project is not expected to result in unstable soil conditions.

h) Result in changes in the undisturbed soil or native geologic substructures or grading in excess of five feet?*

Less than Significant Impact. The proposed project will not result in changes in the undisturbed soil or native geologic substructures or involve grading in excess of five feet. If native geologic substructures are encountered, the removal would involve best management practices intended to conserve the substructures, where feasible. Thus, impacts will be less than significant.

i) The continuation of or increase in wind or water erosion of soils, either on- or off-site?*

No Impact. The proposed project would not cause a continuation of or increase in wind or water erosion of soils, either on- or off-site. The project improvements are proposed for location in a forested area, below the tree canopy, and the project is not expected to be exposed to an increase in wind. The roadway and parking areas have been designed to maintain the natural drainage patterns. Therefore, the project is not expected to result in an increase in water erosion of soils either on- or off-site. No impacts are expected.

j) Result in changes in deposition or erosion of beach sand, or changes in siltation, deposition, or erosion, including natural littoral processes, which may modify the channel of a river or stream or bed of a lake?*

No Impact. The proposed project boundary is not located within a shorezone or natural river or stream channel. No impacts are expected.

k) Inundation by seiche, tsunami, or mudflow?

No Impact. The proposed project is located approximately ½ mile from Lake Tahoe and at its lowest elevation at least 100 feet above high lake level (6229, Lake Tahoe datum). Therefore, the project is not expected to be affected by inundation by seiche, tsunami, or mudflow. No impacts are expected.

l) Result in exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mudslides, ground failure, or similar hazards?

No Impact. The proposed project is not located in an area that has the potential to be exposed to earthquakes, landslides, backshore erosion, avalanches, mudslides, or ground failure. Furthermore, the park amenities will be located on flatter lands. Thus, the project is not expected to result in exposure of people to geologic hazards. No impacts are expected.

m) Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?

Less than significant. Table 2.6-3, *Land Coverage Summary for California* and Table 2.6-4, *Land Coverage Summary for Nevada* summarize the verified existing land coverage, allowable base land coverage, and proposed land coverage for the project area, which includes both California and Nevada. The coverage calculations for the entire project area are summarized in Table 2.6-5, *Land Coverage Summary for Project Area.*

Special findings are required to create additional coverage within the project area's environmentally sensitive lands for Pubic Recreation and Water Quality Control Facilities and stream crossing purposes. Additional land coverage is needed to improve the existing access road through the park and to meet minimum standards for grade and width, safety and best management practices.

The Van Sickle Bi-State Park has been planned for since 1988 when Jack Van Sickle donated the first piece of land to NDSP. The 1992 Stateline Community Plan identified the opportunity to develop a park on the Van Sickle Ranch that would be within walking distance to the Stateline casino core. The EIP adopted in 1997 listed the Van Sickle Bi-State Park as a priority project that would assist TRPA move toward achieving its recreation threshold goals.

Further, there are currently no water quality control facilities that meet today's standards within the project area. The project proposes to employ all appropriate BMPs including those necessary to reduce and eliminate erosion along the access road. The road by its very nature is required to traverse both 1a and 2 land capability districts and therefore, it is necessary to locate water quality control facilities within the same.

By its very nature of being located upslope from the casino core, the access road through the park must be located on 1a and 2 land capability districts to access the existing barn complex on the California side and the proposed day use and trail head amenities on the Nevada side of the project area. Appropriate best management practices will be installed and all new coverage will be mitigated according to Section 2.4.C at 1.5 times.

Early on in the planning phase of this project the portion of the access road that traverses land capability district 1b was evaluated against another alignment that would have move the access road upslope. Though there was less SEZ disturbance directly, the indirect potential impacts to the SEZ due to greater cut and fill slopes of the upslope alternative posed a much greater risk in the long run to water quality and the SEZ downslope.

An agreement between the Conservancy and the NDSP will deed restrict both sides of the Bi-State Park as one project area for the purpose of combining and tracking land coverage pursuant to Section 20.3.D(1)(a)(ii) of the TRPA Code. For land capabilities 1b, and 2, the proposed land coverage associated with the project exceeds both the allowable base coverage

and the existing land coverage. For land capability class 1a, legally-existing (grandfathered) land coverage exceeds the bailey limit of 1%. As is required by the TRPA Code of Ordinances, the project proponents will mitigate for excess land coverage in land capability class 1a, 1b and 2 in accordance with TRPA Code section 20.5 by reducing coverage on-site, off-site or by submitting an excess coverage mitigation fee based on the excess land coverage fee formula. For additional land coverage (supported by the findings for additional coverage in sensitive lands and SEZ for outdoor public recreation facilities) the square footage will be mitigated at 1.5 times the amount of land coverage over the allowed on 1a and 2 land capability classes and 1.5 times the amount for all additional land coverage in 1b lands. The Van Sickle Bi-State Park project will fulfill this requirement; therefore, the impact is less than significant.

Land coverage will be relocated throughout the project area consistent with Section 20.5.C of the TRPA Code of Ordinances. The proposed relocation is to an equal or superior portion of the project area when the scheme of use of the property is considered. Based on the analysis of an alternative access alignment, evaluated against the proposed alignment which takes place along most of the existing access road, it was the opinion of both TRPA and Lahontan that the proposed alignment and therefore the proposed relocation of SEZ land coverage, provided less environmental risk. The proposed relocation of SEZ land coverage will provide significant improvements to a disturbed yet undeveloped area of SEZ for an overall net benefit not only for soils and SEZ, but also riparian vegetation.

Table 2.6-3, *Land Coverage Summary for California*

California Land Coverage Summary				
Land Capability	**1a**	**1b**	**2**	**4**
Base Coverage*	43,137	8,701	0	230,076
Verified Existing Coverage	129,006	44,101	0	78,632

Table 2.6-4, *Land Coverage Summary for Nevada*

Nevada Land Coverage Summary				
Land Capability	**1a**	**1b**	**2**	**4**
Base Coverage*	73,068	8,586	7,098	436,257
Verified Existing Coverage	22,566	22,638	14,328	88,692

Table 2.6-5, *Land Coverage Summary for Project Area*

Project Area Land Coverage Summary				
Land Capability	**1a**	**1b**	**2**	**4**
Allowable Coverage*	116,205	17,287	7,098	666,333
Verified Existing Coverage	151,572	66,739	14,328	167,324
Total Proposed Coverage	151,572	67,422	26,237	321,521

*SOURCES: *Bailey System Base Coverage, Excess Coverage = Proposed Coverage – Base Coverage*

Table 2.6-6, *Excess Land Coverage*

Land Capability	**Class 1a**	**Class 1b**	**Class 2**	**Class 4**
Existing Potential Land Coverage	0	0	0	499,009
Existing Over-Coverage	35,367	49,452	7,230	0
Additional Proposed Land Coverage	0	683	11,909	154,197
Mitigation Req. for add'l coverage	0	1,025	17,864	0

CHAPTER 2.7: HAZARDS & HAZARDOUS MATERIALS

This section identifies and evaluates changes that may occur within the project site due to hazards or hazardous materials. The information in this section is based on a 2005 Environmental Site Assessment prepared by Kleinfelder, Inc and supporting planning documents.[49] The assessment is structured to evaluate the potential effect of the extent of the recognized environmental conditions (RECs), past hazardous materials handling practices on the site, the effect of known hazardous material discharges of neighboring operations on the site, and an evaluation of readily observable on-site documentation available for the site. The assessment also included a review of updated government database lists provided by Track Info Services, LLC., a historical review of the subject site, a site reconnaissance, a review of appropriate government agency files on the subject site, and pertinent adjacent sites.

2.7.1 AFFECTED ENVIRONMENT

The western portion of the site is occupied by the Van Sickle barn, 10 housekeeping cabins, and one log cabin. The existing on-site structures are currently boarded closed, and the interiors of the structures are not accessible. Trailers and vehicles are also located in the vicinity of the barn. A small well house building is located in the vicinity of the cabins. Overall, some potential exists that undocumented historic activities may have occurred on-site that included activities such as on-site household waste disposal, the burning or burial of waste, the use of livestock pest control, and the use of natural gas or propane to heat the cabins; none of these uses however, were observed on-site. Perennial and ephemeral streams drain the upland areas of the project area. Multiple dirt roads and trails are located on the subject site. The Heavenly Gondola crosses, and tower foundations are located on, the subject site. Signs for a waterline are located beneath a portion of the Gondola.

Storage Tanks

There were no underground storage tanks on-site. Two water storage tanks owned by the STPUD are located on parcels surrounded by the subject site, and two water storage tanks owned by the Edgewood Water Company are located within the western portion of the subject site. During the site visit, the Environmental Site Assessment documented observations of household trash dumping. Transient camping and associated trash were also observed. An empty 55-gallon drum is located near the cabins. A pole-mounted transformer was observed located near the southwest corner of the western portion of the subject site.

Wildland Areas

The existing project site is forested and located entirely within a wildland urban interface area. The Gondola Fire of 2002 occurred on a portion of the subject site.

[49] ASTM Standard E-1527, Section 4.6.

Asbestos-Containing Building Materials

Asbestos is a naturally occurring mineral commonly used as an acoustic insulator, thermal insulation, fire proofing, and in other building materials. When inhaled in sufficient quantities, asbestos fibers can cause serious health problems. Prior to the 1970s, many types of building products and insulation materials used in building construction contained asbestos. The EPA defines asbestos containing materials (ACM) as materials that contain greater than 1% asbestos as detected by laboratory analysis. Emissions of asbestos fiber to the ambient air, which can occur during activities such as renovation or demolition of structures made with ACMs (e.g., insulation), are regulated in accordance with Section 112 of the federal Clean Air Act. Sampling was not performed as part of the Environmental Site Assessment, however, it is likely, due to the age of the existing Van Sickle Barn structures, that ACMs may exist within the project site. The barn is reportedly 140 years in age, and the remaining structures are of an undetermined age. Observed suspected ACM include: vinyl floor tiles, wallboard, wallboard mastic, window mastic, composition shingles and roofing paper.

Lead Paint

Lead is a highly toxic metal that was used for many years in products found in and around homes. Lead-based paint is more common and was used more extensively in buildings built before 1950. In 1978, paint containing more than 0.06% lead was banned; however, older stocks of leaded paint were still used for more than a decade. Most homes built before 1978 contain some lead-based paint. Lead may cause a range of health effects, from behavioral problems and learning disabilities, to seizures and death. While sampling for lead paint was not performed at the project site, it is likely that lead paint may have been used on the existing structures.

Radon

Radon is an invisible, odorless, radioactive gas produced by decay of uranium in rock and soil. Radon gas enters buildings through cracks in the foundation, areas surrounding drainage pipes, and other openings in the foundation and walls. The radon decay products, once inside a building, may become attached to dust particles and inhaled, or the decayed radioactive particles alone may be inhaled and cause damage to lung tissue. Radon is measured in picocuries per liter of air (pCi/L). EPA has established the recommended safe radon level at 4 pCi/L. EPA and US Geological Survey (USGS) has evaluated radon potential on a county-wide basis as an aid in deciding whether radon-resistant features are applicable in new construction. One of three zones is assigned based on radon potential. Each zone designation reflects the average short-term radon measurement that can be expected to be measured in a building without the implementation of radon control methods. According to EPA's Map of Radon Zones, Douglas County is located in a High Radon Potential Zone (greater than 4 pCi/L). Radon sampling was not performed as part of the Environmental Site Assessment.

2.7.2 REGULATORY SETTING

Numerous federal, state, and regional laws, rules, regulations, plans, and policies define the framework for regulating the hazardous materials and transport, and human health in the Tahoe Basin. The following discussion summarizes regulations governing hazardous materials and other public health and safety requirements applicable to the proposed project.

Tahoe Regional Planning Agency

Chapter 2 of TRPA's Regional Plan lists the following policies related to hazards and hazardous materials that are applicable to the proposed project: Land Use Element, Natural Hazards, Policy 3: Inform residents and visitors of the wildfire hazard associated with occupancy in the Basin. Encourage use of fire resistant materials and fire preventative techniques when constructing structures, especially in the highest fire hazard areas. Manage forest fuels to be consistent with state laws and other goals and policies of this plan.

Fuels Reduction and Forest Restoration Plan

In response to public concern over hazardous fuel conditions, local jurisdictions completed Community Wildfire Protection Plans (CWPP) in 2004 to identify and prioritize hazardous fuel reduction projects in and adjacent to their communities over a ten-year period. Regulatory agencies in the Basin, including the TRPA, Lahontan, and CAL FIRE, have cooperatively modified regulations and ordinances to facilitate hazardous fuel removal projects. The Fuels Reduction and Forest Restoration Plan synthesizes the CWPPs for the seven fire protection districts to identify Basin-wide fuel reduction needs and the resources needed to implement a Basin-wide hazardous fuels reduction plan. The goal of fuel reduction and forest health projects implemented through this plan between 2007 and 2016 would be to identify projects that would treat approximately 12,500 acres among the seven fire districts that would protect values at risk by reducing fuel hazards and to restore ecosystem health by mimicking the results of historic disturbance regimes using cost effective vegetation treatments. The primary management objective in the wildland urban interface (WUI) would be fuel hazard reduction to protect communities from wildfire, with forest structure and wildlife habitat as secondary objectives. Outside of the WUI, forest structure and wildlife habitat would be the primary management objectives.

2.7.3 ENVIRONMENTAL EVALUATION

Will the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

No Impact. The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. There is little evidence that the project site ever involved the transport or use of hazardous materials other than materials associated with limited agriculture uses evident around the Van Sickle

Barn Complex and possibly household use. The proposed park development includes the construction of recreation amenities and related support facilities, including a transportation route to provide access in and out of the park. No part of the project description includes the transport, use or disposal of hazardous materials within the project area. Therefore, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

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?

No Impact. The construction and operation of the proposed park development is not expected to result in the release of hazardous materials into the environment. The Environmental Assessment reviewed chemicals used to fight the Gondola Fire on Forest Service lands adjacent to the project area. The assessment included a review of human health risk report on the Phos-Chek formulations used in fire fighting by Labat-Anderson Incorporated in 2003 and indicated that human re-entry to treated areas present no significant risks. No hazardous materials will be used on-site during park operation and no such materials are expected to be disposed off-site during normal park operations. Thus, no impacts are expected related to the release of hazardous materials into the environment.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. No schools are located within one-quarter mile of the proposed project. The closest school is Kingsbury Middle School located approximately 2 miles away on 190C Echo Drive in Zephyr Cove, Nevada. Thus, no impacts are expected.

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?

No Impact. The properties which make up the proposed Van Sickle Bi-State Park are not listed as hazardous materials sites. The Environmental Assessment determined that the property has a low risk of having on-site and off-site hazardous and/or regulated materials and/or wastes. Therefore, the proposed project is not expected to create a significant hazard impact to the public or the environment.

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?

No Impact. The Van Sickle Project is located over six miles northeast of the Lake Tahoe Airport and the Lake Tahoe Airport's Comprehensive Land Use Plan (1995, CLUP) does not

overlay over the proposed park development. Therefore, the proposed project would not result in a safety hazard impact for people related to the project's proximity to an airport.

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?

No Impact. There is no private airstrip in the project vicinity. Thus, the project would not result in a safety hazard for people residing or working in the project area.

g) Impair or otherwise conflict with an adopted emergency response plan or emergency evacuation plan?**

No Impact. The proposed project will not modify the transportation system within the project or surrounding commercial areas near the Heavenly Village or casino core. It provides only zoning of appropriate uses, includes its own park emergency response and evacuation plan, and thus could not impair/interfere with an emergency evacuation plan.

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?

No Impact. Adequate fire protection within the project site would be served and managed by both the Tahoe-Douglas and Lake Valley Fire Protection Districts. Both Districts classify the fire hazard within the project area and surrounding area as moderate because of moderate slopes and good defensible space. In addition, all structures (restrooms) for the site would incorporate fire resistant materials (i.e., asphalt shingles, concrete foundations, or other fire resistant material) to reduce wildland fire risk. In conjunction with construction related tree removal, the Conservancy will conduct forest health activities within the California side of the Van Sickle Project area to remove dead or downed wood and debris to reduce fire risk. Likewise, the Nevada Division of State Lands will conduct similar forest health and management activities on the Nevada side of the project area. Through the implementation of forest health management, and the selection of material and siting of improvements, there will be no impact.

i) Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?*

No Impact. There are no businesses within the project site that could involve hazardous substances that may involve the risk of an explosion or release of a hazardous substance and the proposed project would not involve the use of any potentially contaminating materials as part of their operations. The project is not expected have an impact.

j) Adversely affect a source water protection zone?

No Impact. No TRPA-designated "source water protection zones" occur within the project area. Source water protection zones provide drinking water from an aquifer by a groundwater well (or in other cases, a surface water body, such as a lake intake). According to the TRPA's Chapter 83 Source Water Protection standards, Source Water Assessment Map, and consultation with the TRPA, the project area is not near any wells or lake intakes that are within a source water protection zone.[50]

[50] Tahoe Regional Planning Agency. April 29, 2008. *Personal Communication.* Rita Whitney. Water Quality Monitoring.

CHAPTER 2.8: HYDROLOGY & WATER QUALITY

This section identifies and evaluates changes that may occur within the project site related to hydrology and water quality. The information in this section is based on a Drainage Report and Soils/Hydrology Report, both prepared by Resource Concepts, Inc., reference to publicly available hydrology, SEZ, and flood data, such as TRPA and Federal Emergency Management Agency (FEMA) maps, and consultation with the TRPA, Lahontan, and NDEP. The analysis of hydrology and water quality includes a description of the existing conditions of the affected environment, the regulatory framework that guides the decision-making processes, criteria for determining whether the proposed project would result in significant effects and anticipated effects.

2.8.1 AFFECTED ENVIRONMENT

The existing conditions for hydrology and water quality for the proposed project area are described in relation to drainage, surface water quality, groundwater, flooding and the 100-year flood zone, and relative risk of the site to seiche, tsunamis, and mudflows. The proposed project was evaluated in the context of the regional watershed and the site drainage basins, described in the following paragraphs.

Local Watershed Conditions

The project area is located on the south-east side of the Lake Tahoe Basin within the southern portion of the Lake Tahoe Hydrologic Unit (Unit 40-Edgewood Creek).[51] This unit is located along the southern California and Nevada border between the Sierra Nevada and Carson Mountain Ranges. A small pond created by a man made earthen roadway embankment and small perennial and ephemeral streams run through the project area. All features are within a Priority 3 watershed that drains into Lake Tahoe. Access to the project site is provided by a dirt roadway leading from the intersection of Heavenly Village Way and Montreal Road in South Lake Tahoe, California, which is approximately ½ mile from Lake Tahoe.

The project site is heavily forested, contains rock outcroppings, includes some open areas, and contains an existing barn, cabin structures, and unimproved roadways near the western portion of the project site. The site has no evidence of significant erosion or stream channelization, but does contain a drainage way within a SEZ, where a vast majority of the runoff occurs near the park entrance.

Based on the Soil Survey for the Tahoe Basin Area, by the U.S. Department of Agriculture, (USDA) Soil Conservation Service and Forest Service (USDA 1974), the project watershed contains various soil types, including types that fall within Hydrologic Group C, a classification of unstable soil types with moderate to high potential for soil erosion. Table 2.8-1, *Project Area Soils* lists the soils found within the project area. The average elevation of the watershed is 6,400 feet.

[51] Tahoe Regional Planning Agency. *Watershed Map.* Accessed May 12, 2008.

Table 2.8-1, *Project Area Soils*

Soil Map Unit	Symbol	% Slope	Hydrologic Group	Erosion Potential
Cagwin Rock Outcrop	CaD	5 to 15	C	Moderate
Cagwin Rock Outcrop	CaE	15 to 30	C	High
Cagwin Rock Outcrop	CaF	30 to 50	C	High
Elmira-Gefo loamy coarse	EfB	0 to 5	A	Slight
Elmira loamy coarse sand,	Ev	0 to 5	D	Slight
Jabu coarse sandy loam,	JeD	0 to 5	D	Moderate
Rock Land	Ra	30 to 50	D	Moderate
Rock Outcrop - Cagwin	RcF	30 to 50	C	High
Rock Outcrop - Toem	RtF	30 to 50	C	High
Rock Outcrop – Toem	RtG	50 to 70	C	High

SOURCE: RCI Concepts, Inc.

Site Drainage

The project area receives drainage from five sub-basin areas totaling approximately 250 acres in size (Figure 2.8-1, *Existing Site Catchment Areas)*. Runoff is routed via existing drainage channels through SEZ areas to the project boundaries at which point flows either continue in existing stream channels or enter the storm drainage system maintained by the City of South Lake Tahoe. The pre-project drainage boundaries will remain the same post-project. The existing project area receives runoff from undeveloped areas, existing dirt roads, and existing structures. Overall, the site is characterized by some existing SEZ disturbance and steep topography, which include slopes that range from 0.05% to over 30% in the upper portions of the lower park area. The following paragraphs describe each sub-basin area.

Area A

Area A consists of steep sloping terrain and covers approximately 216 acres. This area drains to an existing SEZ that bisects the project area. Flows are routed via existing natural drainages and overland flow to an existing pond created by a manmade earthen roadway embankment. A 15-inch corrugated metal pipe (CMP) culvert provides a flow path from the pond area to the continuing stream system. The estimated maximum impoundment of the pond area is approximately 2.3 acre-ft of water based on the existing roadway elevation and the available topography. The crest height of the roadway is approximately 10 feet on the downstream side.

Area B

Area B consists of sloping terrain with water tanks maintained by ST PUD and covers approximately 6 acres. Flows are routed via overland flow and roadside channels to an existing drop inlet and 18-inch CMP culvert installed to provide flow under an existing dirt roadway. The culvert discharges to the same stream system as the 15-inch CMP at the pond in the lower section of Area A.

Area C
Area C consists of sloping terrain and covers approximately 15.6 acres. While not evident from the available topography, the existing dirt maintenance access road for the Heavenly Gondola channels water from a portion of the sub-basin to the existing dirt access road. Flows are routed via overland flow and existing roadside channels to collect on the existing dirt Gondola maintenance road. The channeling of the flows to this area prevents flows from following natural topography and prevents the flows from entering delineated SEZ boundaries.

Area D
Area D consists of sloping terrain with the existing barn and equestrian complex and covers approximately 20.5 acres. Flows are routed via overland flow, existing drainage channels, and an existing dirt roadway to an existing roadside ditch at Montreal Road and Lake Parkway. The roadside ditch flows to the south and enters the storm drain system maintained by the City of South Lake Tahoe.

Area E
Area E consists of sloping terrain and covers approximately 15 acres. Flows are routed via overland flow and existing stream channels to an existing stream channel that flows to an existing culvert under Lake Parkway. The intermittent stream system, which eventually combines with Edgewood Creek and discharges to Lake Tahoe, collects the flows from Areas A, B, and E.

Groundwater
The proposed project lies in the Tahoe Valley North Sub basin of the Tahoe Valley Groundwater Basin. It consists of three alluvial areas surrounding the California side of the lake on the south, west, and north. The Tahoe Valley North sub basin lies in the northern portion of the Tahoe Valley Groundwater Basin. At the project site, groundwater was detected at a minimum depth of 5 feet to an estimated average depth of 10 feet. Groundwater recharge in the sub basin occurs through infiltration of precipitation into faults and fractures in bedrock, into the soils and decomposed granite that overlays much of the bedrock, and into unconsolidated basin fill deposits. Thus, groundwater currently recharges over the entire extent of the flow path, except where the land surface is impermeable or where the groundwater table coincides with the land surface.

The Geotechnical Investigation Report, prepared by Kleinfelder Inc., indicated groundwater was encountered in a test pit (TP-1) at a depth of 5 feet. No groundwater was encountered in the other explorations during the field investigations when borings were made up 10 feet.

Floodplain and 100-Year Flood Zone
The FEMA has created flood insurance rate maps which detail the specific flood hazard areas within the community. The majority of the project area is designated Zone X, which is considered a moderate to low risk area that is within a floodplain, but outside the 100-year

floodplain.[52] Zone X includes areas outside the 1% annual chance floodplain, areas of 1% annual chance sheet flow flooding where average depths are less than 1 foot, areas of 1% annual chance stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 1% annual chance flood by levees. No base flood elevations or depths are shown within this zone.[53] A small portion of the project area along the northen boundary of the Nevada parcel is designated as Zone A. Zone A includes higher risk areas that have a 1% chance of flooding. They include areas where no base flood elevations were determined for the 100-year event.

2.8.2 REGULATORY SETTING

Water quality controls in the Lake Tahoe Basin are implemented by several state and local government entities. Within the basin, the TRPA, Lahontan, and the NDEP are responsible for implementation and enforcement of water quality control measures. The following paragraphs describe each agencies regulatory responsibility in relation to the proposed project.

TRPA

TRPA was designated as the Section 208 planning agency for the Tahoe Basin under the Federal Clean Water Act by EPA. The TRPA has established environmental thresholds, goals and policies, and ordinances directed at protecting and improving water quality in Lake Tahoe and the Tahoe Basin. As such, TRPA developed a Water Quality Management Plan (208 Plan) for the Lake Tahoe Region.

TRPA has established a number of measurable water quality objectives for Lake Tahoe. The thresholds applicable to the proposed project are listed in Table 2.8-2, *Applicable TRPA Water Quality Thresholds.* TRPA water quality thresholds are numeric limits for surface waters and groundwater. TRPA identified a broad suite of actions to be undertaken in effort to meet these standards, ranging from erosion and runoff control capital projects to implementing BMPs on residential and commercial properties, and restoration and revegetation of disturbed areas.

TRPA last evaluated the status of attainment of the environmental thresholds in 2006. Only one of the seven water quality thresholds is considered to be in attainment and three of the seven are considered applicable to the proposed project. Although certain thresholds indicated what may be positive trends, the overall conclusion of the 2006 review was a declining trend in water quality.

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[52] Federal Emergency Management Agency. (FEMA). *National Flood Insurance Rate Map, Douglas County, Nevada and Incorporated Areas.* Panel 210 of 600. Map Number 32005C0210 F. Map Revised November 8, 1999.

[53] Available at: http://msc.fema.gov/webapp/wcs/stores/servlet/info?storeId=10001&catalogId=10001&langId=-1&content=floodZones&title=FEMA%20Flood%20Zone%20Designations

Table 2.8-2, *Applicable TRPA Water Quality Thresholds*

Applicable TRPA Water Quality Thresholds			
Threshold	**Parameter**	**Standard**	**Status**
WQ-4	Tributary Water Quality	Attain applicable state standards for concentrations of dissolved inorganic Nitrogen, dissolved phosphorus, and iron.	Nonattainment
WQ-5	Runoff Water Quality	Discharges to surface water not to exceed: • dissolved inorganic nitrogen, 0.5 mg/l • dissolved phosphorus, 0.1 mg/l • dissolved iron, 0.5 mg/l • suspended sediment, 250 mg/l	Nonattainment
WQ-6	Groundwater	Surface infiltration into groundwater shall comply with Uniform Regional Runoff Guide: • 5.0 mg/L total nitrogen as N • mg/L total phosphorus as P • 4.0 mg/L total iron • 40 mg/L grease and oil • 200 NTU turbidity	Nonattainment

SOURCE: TRPA 2002; TRPA 2007 mg/l = milligrams per liter, gC/M2/yr = Quantified by number of grams C bound into organic C per square meters of ocean surface per year, NTU = nephelometric turbidity units

Code of Ordinances

The TRPA Code of Ordinances contains requirements and standards intended to help achieve water quality thresholds, goals, and policies. Chapters 81 and 82 of the TRPA Code of Ordinances are directed specifically at water quality, but a number of other chapters contain provisions related to installation of BMPs and standards for grading and excavation. The following Chapters refer to the TRPA Code of Ordinance sections that contain applicable requirements related to the proposed project.

Chapter 25, *Best Management Practices Requirements* – Describes standards for how excess runoff should be controlled with implementation of BMPs.

Chapter 64, *Grading Standards* – Sets standards for grading and excavation. Grading is permitted only between May 1st and October 15th. Pursuant to TRPA Code of Ordinances 64.2, grading activities would be prohibited during winter months, unless approved by TRPA.

Chapter 81, *Water Quality Control* – Sets discharge standards for runoff to surface and groundwater.

Chapter 82, *Water Quality Mitigation* – Explains standards for projects which result in increased impervious coverage and will need implementation of off-site water quality control or stream environment zone mitigation projects; or payments into the Water Quality Mitigation Fund.

Stream Environment Zones
SEZs are perennial, intermittent, and ephemeral streams, meadows, wetlands, and other areas of surface water and near-surface groundwater influence within the Lake Tahoe Basin. The TRPA threshold numerical standard for SEZ is designed to preserve existing naturally functioning riparian communities and to restore disturbed riparian communities to a naturally functioning hydrologic condition. The threshold requires that 25% of disturbed, developed, or subdivided SEZ lands are restored to attain a 5% increase in the overall area of naturally functioning SEZ.

TRPA Code Subsection 74.2 provides protection for SEZ vegetation by prohibiting projects or activities that convert riparian vegetation to a non-native or artificial state, or that negatively impact riparian vegetation through action including, but not limited to, reducing biomass, removing vegetation, or altering vegetation composition. Removal or manipulation of riparian vegetation is allowed to improve vegetation health, enhance fish and wildlife habitat, public outdoor recreation, or to provide defensible fuel breaks (Code sections 4.2.A (5), 4.3.A (6), 55.4, 65.2, 74.2).

Groundwater
According to TRPA Code of Ordinances, Chapter 64, groundwater impacts are considered significant if implementation of the project would result in the interception or interference of groundwater by:

- Altering the direction of groundwater;
- Altering the rate of flow of groundwater;
- Intercepting groundwater;
- Adding or withdrawing groundwater; or
- Raising or lowering the water table.

Lahontan Regional Water Quality Control Board
Lahontan is the California State agency responsible for protecting water quality on the California side in the Lake Tahoe Basin. The board's regulatory program is outlined in the Water Quality Control Plan, the "Basin Plan," for the Lahontan Region. Projects on the California side that propose to conduct activities which may result in a discharge to surface waters, which require a Federal permit, requires water quality certification from Lahontan. The agency must certify that the proposed project will not violate water quality standards and will protect the water for beneficial uses.

National Pollutant Discharge Elimination System
In addition, any party responsible for construction activity over one or more acres must obtain a National Pollutant Discharge Elimination System (NPDES) Permit. This permit requires elimination or reduction of pollutants in storm water discharged to surface waters, which include riparian zones, from areas of construction activity.

Storm Water Pollution Prevention Plan (SWPPP)
Pursuant to the NPDES Storm Water Program, a Storm Water Pollution Prevention Plan (SWPPP) will be required for the project. The SWPPP will describe the site, erosion and sediment controls, means of waste disposal, implementation of approved local plans, control of post-construction sediment and erosion control measures and maintenance responsibilities, and management controls unrelated to storm water. The SWPPP would be submitted to Lahontan, NDEP, and TRPA for review, and all contractors will be required to retain a copy of the approved SWPPP on the construction site. Water quality controls outlined in the SWPPP must be consistent with both state water agency guidelines, and ensure that runoff quality meets or surpasses TRPA water quality objectives and the Federal Anti-degradation policy, and maintains beneficial uses of Lake Tahoe.

2.8.3 ENVIRONMENTAL EVALUATION

Will the project:

a) Violate any water quality standards or waste discharge requirements?

No Impact. The construction and operation of the proposed Bi-State Park project is not expected to result in the production of discharge wastes into surrounding surface or groundwater.

The construction of the proposed project may include short-term discharges related to grading associated with the roadway alignment that may temporarily impact water quality and the potential disturbance to more than one acre. Therefore, during the construction phase, the project will implement TRPA BMPs to avoid surface water runoff and minimize erosion and sediment removal that can contribute to potential water quality violations. Furthermore, the proposed project is subject to construction storm water quality permit requirements in both states. The NDSP will construct the Nevada side in compliance with the State General Construction Activity Storm Water Permit (General 16 Permit) and a SWPPP for the Nevada side of the project area. For the California side of the project area, the Conservancy will submit an NPDES permit application to Lahontan. Requirements of the permit include the subsequent preparation of a SWPPP, which will describe the site, erosion and sedimentation controls, means of waste disposal, implementation of approved local plans, control of post-construction sediment and erosion control measures, and maintenance responsibilities.

Once approved, the Conservancy and NDSP shall require all construction contractors to retain

a copy of the approved SWPPP and follow the plan guidelines at the construction site. Compliance with these water quality standards will be consistent with all TRPA guidelines and the Lahontan Regional Project Guidelines for Erosion Control. Surface water quality conditions in adjacent receiving waters will be maintained through the implementation of the General 16 Permit, NPDES permit, SWPPP, and related BMPs for the proposed project.

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)?

No Impact. Water for domestic use and fire protection purposes will be supplied to the project through connection from the Edgewood Water District and the STPUD. Based on the project recreation uses, little domestic water use for the project is expected. Furthermore, the proposed construction and operation will comply with applicable TRPA Ordinances that prohibit excavation deeper than 5 feet due to the potential for groundwater interception or interference. [58] The majority of the project area will retain open space characteristics that allow for the percolation of rainwater and sufficient groundwater recharge. Therefore, the proposed project would not deplete groundwater supplies or substantially interfere with groundwater recharge and no impacts are expected.

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?

No Impact. The overall pre-project drainage boundaries will remain the same as post-project boundaries and drainage conditions will only be altered in order to improve site drainage. Furthermore, the goal of the proposed improvements for the project are to offset any increased runoff flows and improve the quality of storm water runoff prior to discharge into Lake Tahoe. This would be achieved through the restoration of the SEZ at the park entrance, the installation of road ditches and culverts to convey storm water to treatment basins, and the increase in the size of the culverts to meet the design storm peak flows. Therefore, the proposed project will not alter the existing drainage pattern of the site area or alter the course of a stream or river, which would result in substantial siltation or erosion. No impacts are expected.

d) Substantially alter the existing drainage pattern of the site or area or alter the course or flow of 100-year flood waters, 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 that would result in flooding on- or off-site?**

No Impact. No project improvements are proposed within the 100 year flood hazard area. No

[58] Tahoe Regional Planning Agency. *Code of Ordinances Chapter 64.7.B.*

impacts are expected.

e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

No Impact. The proposed project will install TRPA BMPs and improve the quality of runoff, which will reduce the overall runoff that enters the City of South Lake Tahoe's storm water drainage system. Project area BMPs will focus on sub-area routing, detention/infiltration basins, storm drain piping, and SEZ restoration that will provide runoff infiltration for the project area. The entrance roadway will be paved and have drainage conveyances near the site entrance (e.g., curb and gutter) installed. Such improvements will reduce off-site surface water runoff that currently occurs and limit runoff that could exceed the capacity of existing storm water drainage systems or provide substantial additional sources of polluted runoff. Therefore, no impacts are expected.

f) Otherwise substantially degrade water quality?

No Impact. The proposed project will incorporate BMPs and state required standards such as NPDES permit and the SWPPP requirements to avoid surface water runoff to minimize any short-term construction impacts related to grading associated with the roadway alignment that may temporarily impact water quality. Such measures will also minimize erosion that can contribute to long term potential water quality violations. Thus, no impacts are expected.

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?

No Impact. The proposed project does not involve the placement of housing in the 100-year flood hazard area. Thus, no impacts are expected.

h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?

No Impact. No project improvements are proposed within a 100-year flood hazard area. The proposed project would therefore not impede or redirect flood flows within the 100-year flood zone, and no impacts are expected.

i) Alter the course or flow of 100-year flood waters?

No Impact. No project improvements are proposed within a 100-year flood hazard area. Therefore, the proposed project would not alter the course or flow of 100-year flood waters. No impact is expected.

j) 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?

No Impact. The proposed roadway passes over an earthen dam that impounds approximately 2.3 acre feet of water and is drained by an 18 inch culvert. No proposed project improvements are located downstream of the dam site, and the project therefore would not expose people or park 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. No impacts are expected.

k) Change the current or course or direction of water movements?*

No Impact. The proposed project will not change the current course or direction of water movements. Pre-development and post-development drainage patterns will be similar, therefore, no impacts are expected to affect water movements.

l) Change the absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20-year, one-hour storm runoff (approximately one inch per hour) cannot be contained on the site?*

No Impact. The overall pre-project drainage boundaries will remain the same post-project. Furthermore, the goal of the proposed improvements for the project is to mitigate any increased runoff flows and improve the quality of storm water runoff prior to discharge into Lake Tahoe. This would be achieved through the restoration of the SEZ at the park entrance, the installation of road ditches and appropriately sized culverts to convey storm water, to treatment basins to meet the design storm peak flows. Therefore, the proposed project will not change the absorption rates, drainage patterns, or the rate and amount of surface water runoff where the 20-year, one-hour storm runoff cannot be contained on the site. Thus, no impacts are expected.

m) Change the amount of surface water in any water body?*

No Impact. The proposed park development is not expected to increase the amount of storm water runoff to surface water in any water body. Once SEZ restoration is complete and TRPA BMP measures are in place, the project is expected to decrease the post-development off-site runoff through the roadway improvements and restoration. Therefore, the project should not change the amount of surface water to Lake Tahoe or surrounding creeks and no impacts are expected.

n) Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?*

No Impact. The proposed project is not expected to create discharge into surface waters, in such a way that would alter surface water quality temperature, dissolved oxygen levels, or

turbidity. The implementation of BMPs during construction and operation is expected to improve overall surface runoff. Thus, no impacts are expected.

o) Alter the direction or rate of flow of groundwater?*

No Impact. The proposed roadway and development of recreation amenities is not expected to involve excavation deeper than 5 feet or alter the direction and rate of flow of groundwater. Further the majority of the site would continue to provide for the percolation of rainwater to groundwater and would not alter the rate of flow of groundwater. No impacts are expected.

p) Change the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?*

No Impact. Domestic service to the California portion of the park is currently provided by STPUD through an existing 2-inch service off Montreal Road. Domestic water demands will be minimal, and will continue to be serviced to the California side of the park by STPUD. Fire protection for the project area will be provided by Edgewood Water Company via a 10-inch main line connected to the company's water tanks. The need for two separate sources of supply was necessary due to a variety of constraints on the site and the requirements of each state agency.

The overall water use by the proposed project is expected to be approximately 1,750 gallons per day, which was estimated based on full time operation during the months of April 1st and October 31st. Both Edgewood Water Company and STPUD have recognized this amount through correspondence agreements for their terms of conditions for water service under existing entitlements with each agency. In addition to outlined service agreements with both state water suppliers, the NDSP and the Conservancy would comply with all local, regional, and State water conservation policies and would implement standard BMPs to reduce water consumption. The proposed project will not utilize additional water which will exceed the maximum permitted capacity of the service providers. Post-project conditions will continue to provide the percolation of rainwater to groundwater. The proposed project is not expected to change the quantity of groundwater and no impacts are expected.

q) Substantially reduce the amount of water otherwise available to public water supplies?*

Less than Significant Impact. Domestic water supply for the California side of the project area will be provided by STPUD. Fire protection water services will be provided by the Edgewood Water Company for both Nevada and California. Based on the size and number of recreation users expected to visit the site, the overall proposed uses are not expected to use a substantial amount of domestic or fire protection water supply, in such a manner that could reduce the amount of water otherwise available for public water supplies. No impacts are expected.

r) Expose people or property to water-related hazards, such as flooding and/or wave action from a 100-year storm occurrence or seiches?*

No Impact. The proposed project would be located inland, away from Lake Tahoe by nearly a mile at approximately 300 feet above lake level. Given this distance and elevation, seiches are not expected to occur near the site and expose people to water-related hazards. Other water-related hazards, such as flooding due to 100-year storm occurrences are not expected because the proposed recreation facilities will be outside the flood zones. Thus, no impacts are expected.

s) Potentially discharge contaminants to the groundwater or alter groundwater quality?*

No Impact. The operation and construction of the proposed project does not involve the use of any potential contaminants that may discharge into the groundwater and alter groundwater quality. No impacts are expected.

CHAPTER 2.9: LAND USE & PLANNING

This section describes the potential environmental effects to land use and planning that may result through the implementation of the proposed project. The potential effects related to land use and planning have been analyzed in accordance with the information and standards provided in the Tahoe Regional Planning Agency (TRPA) 1987 Regional Plan, PAS 080, the Stateline/Ski Run Community Plan, the Code of Ordinances, the City of South Lake Tahoe General Plan, the El Dorado County General Plan, and the Douglas County Master Plan.

2.9.1 AFFECTED ENVIRONMENT

The proposed project area lies within PAS 080 (Kingsbury Drainage) and the Stateline/Ski Run Community Plan. (Figures 2.9-1 and 2.9-2, illustrate land uses and plan areas surrounding the project site.)

Ownership

The states of California and Nevada own the parcels that make up the Van Sickle Bi-State Park project area. The specific parcels are identified in Table 2.9-1, *Project Area Assessor Parcel Numbers.*

Table 2.9-1 *Project Area Assessor Parcel Numbers*

Owner	APN	Square Feet
California		
California Tahoe Conservancy	29-260-25	1,881,960
California Tahoe Conservancy	22-441-20	89,330
California Tahoe Conservancy	29-260-32	569,947
California Tahoe Conservancy	28-021-03	1,532,992
California Tahoe Conservancy	28-021-02	2,947,862
California Tahoe Conservancy	29-441-19	50,861
Nevada		
State of Nevada (NDSP)	1318-00-002-007	2,403,470
State of Nevada (NDSP)	1318-00-002-008	8,653,058

SOURCES: *City of South Lake Tahoe, C, El Dorado County, California, and Douglas County, Nevada*

In addition to these parcels, several easements exist within the project area. The Conservancy holds a 50 foot wide access and utilities easement on parcels owned by Tahoe One, LLC, west of and adjacent to state-owned parcels at the intersection of Montreal Road and Heavenly Village Avenue. The NDSP holds a nonexclusive road easement (up to 50 foot wide) from the

Conservancy to provide public access for park and recreation purposes to parcels owned by the State of Nevada. At the time of issuance, both entities anticipated that a legal description of the easement would be recorded upon construction of improvements. Based on project design, Conservancy staff will request the Conservancy Board to modify the original 50' easement to accommodate project design needs. Additionally, the Conservancy property is subject to easements with STPUD to access its water tanks, Vail Resorts for the Heavenly Gondola (towers pads, maintenance and seasonal storage), and Sierra Pacific for operation and maintenance of a high voltage power line.

Existing Land Uses

California

The existing land uses on the California side of the proposed project site consist of an existing unmaintained roadway, several historic uses including the structures that make up the Van Sickle Equestrian Complex, and a system of unimproved dirt roads and trails that are currently used for dispersed recreation. An existing roadway and easement, enters the park near the state line, and provides access to the STPUD water tanks.

The structures located on the California side of the property include the relocated Van Sickle Barn, built in 1864, several wood frame cabins, and a log cabin. Two trailer pads support an existing Conservancy site host program. The California side also includes two water tanks owned by the South Lake Tahoe Public Utility District (STPUD), supporting lift towers for a portion of the Heavenly Gondola, and a Sierra Pacific high voltage power line.

Nevada

Existing land uses on the Nevada side of the project area include dirt roads and unimproved trails currently used for dispersed recreation. Some of the roads are regularly maintained for utility access (provided through easements) to the Edgewood water tanks. The Edgewood water tanks are located near the northeast section of the lower park boundary.

Surrounding Land Uses

The proposed project is surrounded by public lands to the south, southeast, and southwest, and private lands to the north and west. Surrounding land uses within PAS 080 include dispersed recreation on formal and unpermitted trails. Surrounding land uses within the Stateline/Ski Run Community plan include tourist accommodations, affordable housing, and retail along Montreal Avenue and Heavenly Village Way. The City of South Lake Tahoe Redevelopment Plan Area, which encompasses tourist accommodations, retail, and the Heavenly Valley Gondola is located less than one-quarter mile from the proposed project site. The surrounding residential and tourist accommodation land uses are expected to bring a large portion of pedestrian visitors to the park during the summer months.

2.9.2 REGULATORY FRAMEWORK

TRPA Regional Plan
TRPA implements its authority to regulate growth and development in the Lake Tahoe region through the Regional Plan for the Lake Tahoe Basin. The Plan Area Statements, Community Plan, and Code of Ordinances are the Regional Plan elements relevant to land use analysis for the proposed project.

TRPA Code of Ordinances
The TRPA Code of Ordinances establishes planning and development standards for actions within the Tahoe Region. Code Chapters 2 and 18 include use definitions important for land use analysis. The next section provides evaluation of uses based on these definitions. Other site development provisions of the Code are evaluated in other sections of this IEC.

TRPA Plan Area Statements and Community Plans
The TRPA uses Plan Area Statements and Community Plans to guide land use decisions. The majority of the project site, including portions of the California side and all of the Nevada side of the project area, lie within PAS 080 (Kingsbury Drainage), which has been assigned a Conservation land use designation. The planning considerations for this plan area relevant to the project site note extensive disturbance due to existing uses and roads. Permissible uses applicable throughout the Plan Area and proposed project site include residential uses (single family dwelling), public service uses (local public health and safety facilities and transportation routes), recreation uses (day-use areas, riding and hiking trails), and resource management uses (erosion control, runoff control, and SEZ restoration).

A small part of the project area falls within the Stateline/Ski Run Community Plan, Recreation Land Use District (4a). The land use policy direction for this district is SEZ Restoration/Recreation.

City of South Lake Tahoe General Plan
The portion of the project site that is located within the city limits of South Lake Tahoe includes the site entrance area and a portion of the roadway on the California side. The City adopted the Stateline/Ski Run Community Plan provisions described above as part of the City of South Lake Tahoe General Plan (1988).

El Dorado County General Plan Designation
The 2004 El Dorado County General Plan land use designations are limited to the California portions of the proposed project site located outside of the City limits. The General Plan recognizes lands within El Dorado County jurisdiction in the Lake Tahoe Basin through the adopted 1987 TRPA Regional Plan and the Plan Area Statements.

Douglas County Master Plan Zoning Designation
Land uses within the Douglas County portion of the proposed bi-state park project are regulated by the Douglas County Master Plan (1996). The Douglas County Land Use Maps and Land Use Element defer to the TRPA Plan Area Statements and applicable community plans.[65]

2.9.3 ENVIRONMENTAL EVALUATION

Will the project:

a) Physically divide an established community?

No Impact. The proposed project sits at the edge of a developed community and offers no potential to create physical barriers.

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?

No Impact. As noted in Table 2.9-2, below, the proposed project is consistent with permissible uses in PAS 080 and the Stateline/Ski Run Community Plan. Other sections of this IEC address compliance with policy direction for environmental improvement and adherence to site development regulations.

The project design also respects existing legal easements held by other public and private entities, avoiding potential to create conflicts.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. No specific habitat conservation plans or natural community conservation plans exist for the project site.

d) Include uses that are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan or Master Plan?*

No Impact. As shown in Table 2.9-2, below, all proposed uses are permissible in the applicable PAS and Community Plan

The proposed park elements fall within PAS 080, Kingsbury Drainage or the Stateline/Ski Run Community Plan. Proposed uses for PAS 080 portion of the site include a trailhead, a day use area, multi-use trail access and associated support facilities such as an access road, parking,

[65] Douglas County. Douglas County Master Plan Land Use Element. 1996.

and restrooms. Existing uses that will continue include hiking trails, the Conservancy site host accommodation, utility and other easements, and the numerous historic features of the property noted in the Cultural section of this IEC. A small part of the project area containing the proposed Park entrance and a portion of the entrance road and access trail fall within the Stateline/Ski Run Community Plan, Recreation Land Use District (4a). Table 2.9-2 identifies proposed uses in relation to permissible uses in this PAS.

Table 2.9-2, *Project-Related Permissible and Proposed Uses*

Project-Related Permissible and Proposed Uses		
Land Use Type	**Proposed Use**	**Permissible Use**
PAS 080 Kingsbury Drainage		
Public Service	• Utility installations • Multi-purpose access trail	• Local public health and safety facilities (S) • Transportation routes (S)
Recreation	• A day use area with road access, parking and restrooms • Trailhead with road access, parking and restrooms	• Day Use Area (S)
Resource Management	• Apply BMPs for all new and existing site features • SEZ restoration	• Erosion Control (A) • Runoff Control (A) • SEZ Restoration (A)
Stateline/Ski Run Community Plan Recreation District 4a		
Public Service	• Utility installations • Multi-purpose access trail	• Local public health and safety facilities (S) • Transportation routes (S)
Resource Management	• Apply BMPs and drainage controls on all new and existing site features	• Erosion Control (A) • Runoff Control (A)

SOURCE: TRPA, PAS 080: Kingsbury Drainage, Stateline/Ski Run Community Plan, (A) = Allowable Use, (S) = Allowable Use considered under provisions for special use.

e) Expand or intensify an existing nonconforming use?*

No Impact. The proposed project action will not result in the expansion or intensification of existing nonconforming uses.

f) Create a health hazard or potential health hazards (excluding mental health)?*

No Impact. None of the proposed recreational project elements will create a health hazard to the community. Instead the facilities are expected to provide a beneficial asset to residents and visitors that support a healthy community. Thus, no impacts are expected.

g) Expose people to potential health hazards?*

No Impact. During construction, the proposed project may temporarily expose workers to health hazards from the generation of vehicle and equipment diesel emissions and fugitive dust due to roadway grading. However, these emissions would be temporary and proper construction practices will ensure that the use of equipment is minimized to reduce emissions and soil piles are covered and watered to minimize fugitive dust emissions.

Permanent design features to minimize health and safety hazards include: roadway, pedestrian and bicycle access alignments that avoid sharp curves narrow sections, or blind spots that could produce unsafe conditions; and roadway signage placed to alert drivers along the entrance roadway to reduce driving speeds.

CHAPTER 2.10: MINERAL RESOURCES

This section describes the potential environmental effects to minerals and other natural resources that may result through the implementation of the proposed project.

2.10.1 AFFECTED ENVIRONMENT

There are no known mineral resources likely to occur within the project area. Mineral resources of concern would include metals, industrial minerals (e.g., aggregate, sand, gravel), oil and gas, and geothermal resources that would be of value to the region and residents of the State.

2.10.2 REGULATORY SETTING

The protection of mineral resources in California is the responsibility of the following agencies, which either have statutory authority or are responsible agencies under CEQA.

California Department of Conservation

The California Department of Conservation is the primary agency with responsibility over mineral resource protection. The Department is charged with conserving earth resources (Public Resources Code Sections 600-690) and has five program divisions that address mineral resource issues. These program divisions include: the Division of Mines and Geology, Division of Oil, Gas, and Geothermal Resources, Division of Land Resource Protection, Division of Recycling, and Office of Mine Reclamation.

State Mining and Geology Board

The State Mining and Geology Board developed policy direction regarding the development and conservation of mineral resources and reclamation of mined lands.

3.10.3 ENVIRONMENTAL EVALUATION

Will the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. There are no mapped mineral resources within the project area identified by either State Department of Conservation that the proposed project area is a mineral resource area that is of value to the region and residents of either the State of Nevada or the State of California, as an important mineral recovery site. In addition, mining is not a permissible use in the PAS. Therefore, no nonrenewable natural resource could be depleted as a result of project implementation.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. There are no mapped mineral resources within the project area, nor does the City of South Lake Tahoe General Plan, nor any specific plan or other plan, such as the TRPA Regional Plan and Plan Area Statement, identify the undeveloped park area as an important mineral recovery site.

c) Result in a substantial increase in the rate of use of any natural resources?*

No Impact. The proposed project would not result in a substantial increase in the rate of use of any natural resources that could be depleted as a result of project implementation.

d) Result in the substantial depletion of any non-renewable natural resource?*

No Impact. No nonrenewable natural resource could be substantially depleted as a result of the project implementation, nor would there be a substantial increase in the rate of use of any natural resource, through build-out of this area.

CHAPTER 2.11: NOISE

This section describes the potential environmental effects to noise that may result through the implementation of the proposed project.

2.11.1 AFFECTED ENVIRONMENT

Noise by definition is "unwanted sound." Due to the undeveloped character and natural setting of the project area, the noise environment is primarily influenced by natural noise sources and minimal manmade noise sources. Existing manmade noise sources can become the predominant noise source at the project site due to noise sources that occur outside the project boundary. Manmade noise sources include transportation noise emanating from vehicular traffic on nearby roadways (Lakeview Parkway, Montreal Road, and U.S. 50) and flights to and from the Lake Tahoe Municipal Airport. Intermittent noise from outdoor activities from the surrounding uses (e.g., operation of Heavenly Gondola, periodic vocal and instrumental ensembles associated with events and activities at surrounding land uses, etc.) also influence the existing noise environment. As stated above, one of the main noise sources within the project area is vehicle traffic on nearby roadways.

Surrounding Sensitive Receptors

Noise-sensitive land uses generally include those uses where exposure to noise would result in adverse effects, as well as uses where a quiet environmental setting is an essential element. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Other noise-sensitive land uses include schools, hospitals, parks, hotels, offices, places of worship, libraries, and other uses where low interior noise levels are essential. Noise-sensitive receptors in the project vicinity consist of the tourist accommodation units, single-family residences and multifamily apartments (along Montreal Road and Lakeview Parkway) south of the project site. Refer to Figure 2.11-1, *Locations of Sensitive Receptors* for locations of nearby sensitive receptors.

2.11.2 REGULATORY SETTING

Tahoe Regional Planning Agency

The Regional Plan includes the following planning documents and policies related to noise: Environmental Threshold Carrying Capacities, adopted in 1982 and evaluated every five years; Goals and Policies (i.e., Noise sub-element); Code of Ordinances (i.e., Chapter 23, Noise Limitations); PAS 080; and the Stateline/Ski Run Community Plan. The applicable documents are described below.

TRPA Environmental Threshold Carrying Capacities

The TRPA threshold related to noise for the Lake Tahoe Region is evaluated every five years. The most recent evaluation, completed in 2006 and available for final review in the September 2007 evaluation, stated indicators for single event noise and community noise equivalent levels

(CNEL) both exceeded applicable standards. Table 2.11-1, *Single Event Noise Thresholds* summarizes noise events for aircraft and other applicable vehicle types likely to occur within or near the project site. The highway thresholds override the land use CNEL thresholds and are limited to areas within 300 feet from the edge of the applicable roadway.

Table 2.11-1, *Single Event Noise Thresholds*

Summary of Single Event (L_{max}) Noise Thresholds	
Single Event	Threshold
Aircraft	Departures for aircraft: 80 dBA at 6,500 meters from start of takeoff. 77 dBA at 6,500 meters from start to takeoff between 8:00 p.m. and 8:00 a.m.
Motor Vehicles	<6,000 gross vehicle weight; 76 dBA at 50 feet (35 mph)
Off-Road Vehicles	72 dBA at 50 feet, 86 dBA at 50 feet

CNEL thresholds were adopted to reduce the annoyance associated with cumulative noise events on people and wildlife. The Lake Tahoe basin contains sources of noise attributed to major transportation corridors and the airport. Therefore, the policies are directed towards reducing the transmission of noise from these sources. Table 2.11-2, *Community Noise Equivalent Level (CNEL)* summarizes the indicators for applicable land use categories.

Table 2.11-2, *Community Noise Equivalent Level (CNEL)*

Land Use Category	Maximum Background Noise Levels (dBA)
High Density Residential	55
Low Density Residential	50
Hotel	60
Commercial	60
Industrial	65
Urban Outdoor Recreation	55
Rural Outdoor Recreation	50
Wilderness Areas	45
Critical Wildlife Habitat	45

TRPA Goals & Policies – Noise Subelement

The Tahoe Regional Planning Agency Compact requires that thresholds be established for noise and that the Regional Plan and its elements achieve and maintain such thresholds. The noise sub-element also establishes the following average noise level thresholds for transportation corridors: 1) US Highway 50 (65 dBA CNEL), 2) State Routes 89, 207, 267, and 431 (55 dBA CNEL), and 3) South Lake Tahoe Airport (60 dBA CNEL). According to the Noise sub-element the highway thresholds override the land-use based CNEL thresholds and are limited to an area within 300 feet from the edge of the applicable roadway.

TRPA Code of Ordinances

The purpose of Chapter 23, *Noise Limitations* is to implement the Goals and Policies and to attain and maintain the TRPA noise thresholds. Chapter 23 of the Code of Ordinances establishes noise limitations for single noise events from aircraft, motor vehicles, motorcycles, off-road vehicles, and over snow vehicles. The Code states that TRPA shall use the maximum level recorded on a noise meter, Lmax, for measuring single noise events. The noise levels set forth in Subsection 23.2.A are the maximum permissible noise levels for the types of operations listed, unless specifically exempted. The PASs shall set forth CNELs which shall not be exceeded by any one activity or combination of activities. The CNELs set forth in the PASs are based on the land use classification, the presence of transportation corridors, and the applicable threshold. Section 23.8 also contains exemptions to noise limitations which state the standards shall not apply to noise from TRPA-approved construction or maintenance projects, or the demolition of structures, provided such activities are limited to the hours between 8:00 a.m. and 6:30 p.m.

TRPA Plan Area Statement and Community Plan

The maximum CNEL for PAS 080 is 50 CNEL. The maximum noise equivalent level for the Highway 50 corridor is 65 CNEL and for the Highway 207 corridor is 55 CNEL. Since the majority of the park is located in the middle of PAS 080 and does not directly abut either highway corridor, the project area is expected to comply with the 50 CNEL noise level.

Douglas County Master Plan

The 2007 Douglas County Master Plan contains policies applicable to the proposed project. Policies and standards are included for maximum permissible levels and durations of noise emanating from various stationary sources by land use category, avoiding the location of noise-sensitive uses, such as hospitals, schools, and homes in noise impacted areas, and considering noise concerns when evaluating development proposals and other major roadway projects. The following table lists standards used by the County until a comprehensive set of standards is adopted.

Table 2.11-3, *Douglas County Master Plan Noise Standards*

Zoning	Exterior Sound Level (dBA)	Indicator
Industrial	70	Leq(24)
Commercial	64	Ldn
Residential	55	Ldn

SOURCE: Douglas County Master Plan (2007)

El Dorado County General Plan (2004)

The 2004 El Dorado County Master Plan contains policies applicable to the proposed project. Policies are included for the protection of noise sensitive development, maximum allowable noise for transportation routes, noise level protection standards, and airport noise guidelines.

Table 2.11-4, *Maximum Allowable Noise Exposure for Non-Transportation Sources*

Land Use Designation	Time Period	Noise Level (dBA)
All Residential (LDR)	7 am–7 pm 7 pm – 10 pm 10 pm – 7 am	50 60 45 55 40 50
Commercial, Recreation, and Public Facilities (C, TR, PF)	7 am–7 pm 7 pm – 7 am	65 65 60 60
Rural Land, Natural Resources, Open Space, Agricultural Lands, (RL, NR, OS, AL)	7 am–7 pm 7 pm – 7 am	65 75 60 70

SOURCE: El Dorado County General Plan (2004).

2.11.3 ENVIRONMENTAL EVALUATION

Will the project:

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?

No Impact. The CNEL threshold for noise within PAS 080 is 50 dBA. The proposed project is not expected to expose persons to the generation of CNEL in excess of standards during construction or park operation. CNEL is a weighted average measured over a 24 hour period with the night time hours weighted more heavily. Both construction and park operations will be limited to daylight hours.

Construction-related noise levels are likely to occur within the project area, particularly when multiple pieces of equipment are operating at the same time. However the TRPA Code of Ordinances allows this temporary noise increase to occur with TRPA approved actitivies provided construction noise is limited to the hours specified in the permit. The construction-related impacts will have no impact on the CNEL.

Operational noise impacts include both stationary and mobile noise sources. There are no new stationary noise sources proposed for the Bi-State Park. New mobile noise sources would be generated by a limited amount of additional vehicle and trips associated with the proposed park facilities. Noise levels associated with additional people and additional trips could contribute to an increase in the overall ambient noise level, however the increase is expected to be neglible considering how many visitors will visit the park by foot or bicycles and the fact that CNEL is measured is a 24 hour average measurement. No single event noise sources are anticipated. No impact is anticipated.

b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

No Impact. The issue of groundborne vibration and noise levels is not expected to be a part of the existing activities within the proposed park development. The types of recreation uses that are permissible uses for PAS 080 and Stateline/Ski Run Community Plan would not create groundborne vibrations or noise during construciton activities or operation of the park. Therefore, no impacts are expected.

c) Exposure of people to severe noise levels?

No Impact. The proposed park development will include a large buffer between the forest vegetation and natural features and the nearby tourist accomodation units and residential uses, which are the closest sensitive receptors. Otherwise, the only noise from the park that may be generated will be associated with the sounds of vehicle engines starting. Thus, the project will not expose people to severe noise levels. No impacts are expected.

d) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

No Impact. The project could result in permanent increases in ambient noise levels of the immediate area as a result of the project-related trip generation, car doors periodically slamming, people talking, and any maintenance noise associated with the operation of the park. However, the permanent increases in noise levels due to these types of noise sources would be negligible and are expected to have no impact.

e) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

No impact. No noise measurements were taken to measure the existing ambient noise levels within the park area. Representative baseline ambient noise conditions at the proposed project site are assumed to range from 45 dbA (equivalent to wilderness and roadless areas) for areas further south into the proposed lower park area up to 55 dbA (equivalent to urban recreation areas and maximum CNEL) for areas closer to park entrance near surrounding commercial and residential land uses. Based on these assumptions it is likely there will be a temporary increase in ambient noise levels in the project vicinity during construction due to site grading, construction-related vehicle equipment trips, and paving. However, these impacts would be minimal and are not expected to contribute to a substantial temporary or periodic increase in ambient noise levels in the project vicinity. Thus, no impacts are expected.

f) 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?

No Impact. The proposed project is not located near an airport or within an airport land use plan. The project site is located approximately six miles east of the Lake Tahoe Airport. Therefore, no impacts are expected.

g) 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?

No Impact. The project is not within the vicinity of a private airstrip. Therefore the project will not expose park visitors to excessive noise levels associated with flight planes. No impacts are expected.

h) Increases in existing Community Noise Equivalency Levels beyond those permitted in the applicable Plan Area Statement, Community Plan, or Master Plan?

No Impact See Part b.

i) Single event noise levels greater than those set forth in the TRPA noise environmental threshold?

No Impact. As a Bi-State Park development, the project does not propose recreation features or activities expected to generate substantial single-event noise levels greater than those set forth in the TRPA noise environmental thresholds. No impacts are expected.

CHAPTER 2.12: POPULATION & HOUSING

This section describes the potential environmental effects on population and housing that may result through the implementation of the proposed project.

2.12.1 AFFECTED ENVIRONMENT

The existing land uses within the proposed project site consist of an existing roadway and several structures that make up the Van Sickle Equestrian Complex. The existing roadway entrance is provided off Montreal Road/Lakeview Parkway. The structures are located on the California side of the property and include the Van Sickle barn, several wood frame cabins, and a log cabin. None of these structures are currently habitable. However, the Conservancy maintains two trailer pads that support a site host program. Similar to the experience of the Van Sickle family, transient use of the area requires an on-site presence to ensure security of the structures. The Van Sickle family long-employed a caretaker of the property who lived on the site.

2.12.2 REGULATORY SETTING

TRPA

The TRPA Goals and Policies plan identifies goals that depict the desired ends to be achieved and policies that establish the strategies necessary to achieve the goals. It integrates the requirements of the TRPA Compact, thresholds, and other plans. The Goals and Policies contain a Housing Element that sets forth applicable housing goals and policies in relation to the proposed project.

Housing Subelement

The purpose of the Subelement is to assess the housing needs of the region and to make provisions for adequate housing. The Compact does not specifically mandate this section, nor do the environmental thresholds address this topic. However, Nevada and California both require housing to be addressed as a part of a general plan. Thus, the Subelement addresses housing issues on a regional basis with local plans handling the specifics of implementation.

2.12.3 ENVIRONMENTAL EVALUATION

Will the project:

EXPLANATION:

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)?

No Impact. The proposed project does not propose new homes or businesses, nor does it propose new roads or infrastructure intended for future build-out of residential uses. The proposed park development facilities meet a recreation demand created by the local resident and visitor populations and provide recreation opportunities that accommodate population growth rather than creating an impact or inducing population growth. Thus, no impacts are expected.

b) Alter the location, distribution, density or growth rate of the human population planned for the region?

No Impact. South Lake Tahoe's population has grown at a slow but steady rate for the last 25 years. The 1980 census reported a resident population of 20,681; in 1990, the population was 21,586; and in 2000, it was 23,609. This resident population increase and the recreation need identified in regional planning documents provide the reasoning that drives the community's need for additional access to recreation facilities. In particular, the tourist-oriented redevelopment on the south shore will largely benefit from additional recreation facilities. Thus, the proposed park development will not alter the location, distribution, density, or growth rate of the human population. No impacts are expected.

c) Affect existing housing or create a demand for additional housing?

No Impact. The list of permissible uses for PAS 080 and the Stateline/Ski Run Community Plan limit the construction of housing within the PAS to a maximum of one single-family dwelling unit per parcel. None of the project alternatives are expected to create a demand for housing in the area. Instead, the project is intended to provide an additional amenity to the surrounding residential neighborhoods and tourist accommodation units. Therefore, no impacts are expected.

d) Decrease the amount of housing in the Tahoe Region? Will such a loss necessitate the construction of replacement housing elsewhere?

No Impact. The proposed project does not result in the loss of any housing stock. Therefore, no impacts are expected.

e) Decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?

No Impact. The proposed project area historically included employee housing. The proposed project will provide accommodations for the Conservancy Site Host program. There will be no decrease in the amount of affordable housing and no impacts to housing.

f) Result in the loss of housing for lower-income and very-low-income households?

No Impact. The proposed project would not result in the loss of housing for lower-income households. No impacts are expected.

g) Include or result in the temporary or permanent displacement of residents?

No Impact. The proposed project would not result in the displacement of permanent or temporary residents. Thus, no impacts are expected.

h) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. There are no current residences within the project area, nor has the project area ever provided permanent housing. Thus, the project will not displace substantial numbers of people or necessitate the need to construct housing. No impacts are expected.

CHAPTER 2.13: PUBLIC SERVICES

This section describes the potential environmental effects to public services that may result through the implementation of the proposed project. The potential effects related to public services have been analyzed in accordance with the information and standards provided in the Tahoe Regional Planning Agency (TRPA) Regional Plan, Goals and Policies, the Code of Ordinances, PAS 080, the Stateline/Ski Run Community Plan, and the site design requirements of the Nevada State Fire Marshal, the California State Fire Marshal, the Tahoe-Douglas Fire Protection District, and the Lake Valley Fire Protection District.

2.13.1 AFFECTED ENVIRONMENT

Fire Protection

The project service area for fire protection includes high rise hotel/casinos; extensive time share and condominium developments; commercial centers; high, medium and low density residential areas; several large estates; and the wildland urban interface adjacent to public lands.

Fire Protection Districts

The City of South Lake Tahoe Fire Department, the Lake Valley Fire Protection District,, and the Tahoe-Douglas Fire Protection District provide fire protection within the greater south shore region. A Mutual Aid Agreement enables these districts to provide/receive mutual aid from departments in the area and the project site will receive service from the Tahoe-Douglas Fire Protection District and the City of South Lake Tahoe Fire Department. The two fire stations that will respond to an emergency incident within the project site would be the South Lake Tahoe Fire Station #1, located at 1252 Ski Run Boulevard, approximately two miles west of the project area and the Zephyr Cove Station, located at 193 Elks Point Road, approximately four miles northeast of the site. The City of South Lake Tahoe Fire Station #2, located at 2101 Lake Tahoe Boulevard, approximately five miles west of the project area would provide backup service needs.

Police Protection

City of South Lake Tahoe Police Department

Police service within the jurisdiction of the City of South Lake Tahoe (entrance area) is provided by the City of South Lake police station located at 1352 Johnson Boulevard. This station is located approximately four miles west of the project site.

El Dorado County Sheriff's Department

Law enforcement service outside the City of South Lake Tahoe jurisdiction of the project area (beyond entrance) will be provided by the El Dorado County Sheriff's Department. The sheriff's department that serves the project area is located approximately four miles west of the project

site at the El Dorado County Administrative Offices on 1360 Johnson Boulevard in South Lake Tahoe, California. The service ratio goal for the Lake Tahoe area is one officer to every 1,000 residents and the response time goal to the project area is 5 to 7 minutes.

Douglas County Sheriff's Department
Law enforcement service on the Nevada side of the project area is served by the Douglas County Sheriff's Department. The nearest sheriff's station is located approximately one-mile east of the project site at the Lake Tahoe Administrative Building on Highway 50 in Stateline, Neveada.

2.13.2 REGULATORY SETTING

TRPA Goals and Policies - Public Services and Facilities Element
This element describes goals and policies for supporting infrastructure for existing residential, tourist, commercial, and other development in the Tahoe Region. It outlines infrastructure needs for new development including water, sewer, and public health and safety programs that must be established to provide necessary services and public services according to Article (V)(C)(1) of the Tahoe Regional Planning Compact.

2.13.3 ENVIRONMENTAL EVALUATION

Will the project:

a) Would the project result in unplanned effects or 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?**

No Impact. The Lake Valley Fire Protection District, City of South Lake Tahoe Fire Department, and the Tahoe-Douglas Fire Protection District will provide primary fire protection to the proposed project site. A Mutual Aid Agreement enables these districts to receive mutual aid from several fire departments in the area. Thus, the project site will receive service from the Tahoe-Douglas Fire Protection District and the City of South Lake Tahoe Fire Department. The two fire stations that will respond to an emergency incident within the project site would be the South Lake Tahoe Fire Station #1, located on 1252 Ski Run Boulevard, approximately two miles west of the project area and the Zephyr Cove Station, located at 193 Elks Point Road, approximately four miles northeast of the site. The City of South Lake Tahoe Fire Station #2, located at 2101 Lake Tahoe Boulevard, approximately five miles west of the project area would provide backup service needs.

Fire protection services are related to the size of the population or the geographic area served and the number and types of calls for service. Based on the proposed project facilities, adequate fire protection services are available to address the needs of the proposed park development. The proposed project would include adequate primary emergency fire access through the entrance roadway at Montreal Road and Lake Parkway and secondary access through an easement along the STPUD access road just northeast of the entrance area. Such accessibility will not result in a reduction of the level of service on local streets that could affect the responsiveness of fire protection services. Furthermore, the local fire jurisdictions (LVFPD and TDFPD) will review all site plans for consistency with district standards. The proposed project would not generate the need for a new fire station. No impacts are expected.

Police Protection?**

No Impact. The City of South Lake Tahoe Police Department and the El Dorado County Sheriff's Department provide primary law enforcement for the California side of the project area. Service will be provided from the City of South Lake Tahoe Police Department at 1352 Johnson Boulevard and the El Dorado County Government Center at 1360 Johnson Boulevard. The Conservancy intends to include up to two full-time caretakers on the California side of the project area to assist with security. The Douglas County Sheriff's Department would provide primary law enforcement for the Nevada side of the project area. The nearest sheriff's station is located at the Lake Tahoe Administrative Building near the corner of Highway 50 and State Route 207. These three stations will provide adequate police protection for the proposed park development and are not expected to result in adverse physical impacts to police protection services. Thus, no impacts related to an increase in the demand for police protection services are expected to occur.

Schools?**

No Impact. The Lake Tahoe Unified School District (LTUSD) provides school service to the California side of the project and the Douglas County School District (DCSD) covers the Nevada side of the project. Neither District operates a school within the project area nor will the park development will generate the need to provide school facilities. Thus, the proposed project would not have any impacts on school services and no impacts will occur.

Parks and other recreation facilities?**

No Impact. The proposed project would provide a facility that addresses the demand for increased access to public recreation in the South Lake Tahoe/Stateline community. Therefore, the proposed project would accommodate existing and projected population growth in the community rather than create a need for additional facilities. No impacts will occur.

Maintenance of public facilities, including roads?*

No Impact. Based on the projected level of vehicular access to the park, there will be no increase in required maintenance of public facilities, including adjacent public roadways, therefore, no impacts are expected.

Other public facilities or governmental services?**

No Impact. The proposed project would not result in impacts related to other public facilities or government services. Physical impacts to public services are usually associated with population growth, which increase the demand for public services and facilities. In this case, the proposed project is growth accommodating rather than growth-inducing because it provides an additional public recreation facility for the community. Thus, no impacts are expected.

CHAPTER 2.14: RECREATION

This section describes the potential environmental effects to recreation that may result through the implementation of the proposed project. Potential effects related to recreation have been analyzed in accordance with the information and standards provided in the TRPA 1987 Regional Plan package, the City of South Lake Tahoe General Plan, the El Dorado County General Plan, and the Douglas County Master Plan. The analysis also considered the following supplemental documents: Nevada's Statewide Comprehensive Outdoor Recreation Plan (SCORP), Summary of California's State Park System Plan, and Summary of TRPA Recreation Studies.[71, 73]

2.14.1 AFFECTED ENVIRONMENT

The Van Sickle Park project area includes an equestrian complex which was in operation for 90 years, but which wasn't established in its current location until 1960 when the barn was relocated. Jack Van Sickle operated horseback riding stables out of the barn complex in 1941 and continued operations after its relocation. The stables operated under the management of Jack's daughter, Hettie Van Sickle, until her death in 1993, at which time commercial operations ceased. In its day the facility boarded up to 60 horses and offered recreational (commercial) trail rides for the public on the property's extensive road and trail system through Nevada.

Even before the closure of the stables, Jack Van Sickle donated the first piece of land to the Nevada State Parks in 1988 and planning for a future park began. The 1992 the Stateline/Ski Run Community Plan specifically calls out the opportunity to develop a park on the Van Sickle Ranch that would be within walking distance to the Stateline casino core. The EIP, adopted in 1997, listed the Van Sickle Bi-State Park as a priority project that would assist TRPA move toward achieving its recreation threshold goals.

The Tahoe Basin's largest tourist bed-base is found within the south shore's Stateline casino core area, located within walking distance to the proposed Bi-State Park. In addition, some of South Lake Tahoe's highest density housing is in the vicinity of the park. Although the project site is not currently developed with facilities for public access, dispersed public access occurs year round, typically in the form of walking, mountain biking and skiing (both cross country and out of bounds skiing originating from Heavenly Mountain Resort). The park's perimeter abuts public roadways in several locations. The Tahoe Rim Trail Association has proposed the Van Sickle Connector Trail to connect the Rim Trail with the park. Finally, the property is crossed overhead by, and can be viewed from, the Heavenly Gondola.

[71] Nevada Division of State Parks. *Statewide Comprehensive Outdoor Recreation Plan.* 2003. Prepared by Nevada Division of State Parks.
[73] Design Workshop. *Summary of TRPA Recreation Studies.* 2005. Prepared by: Design Workshop.

The majority of the lands surrounding the project area to the east and south of the site are National Forest System lands. Numerous undesignated trails traverse these lands and provide connections to residential properties to the west and east and existing trails to the south.

While NDSP policies encourage providing park facilities that can accommodate a wide user group, more specific surveys conducted as part of Van Sickle Bi-State Park planning identified the preferred variety of facilities for the area. Based on the results and location of the proposed project, the proposed park development focuses on pedestrian connections, hiking experiences, equestrian access, and interpretation opportunities that can accommodate multiple user types of all ages, backgrounds, and abilities. These opportunities were chosen in order to encourage public accessibility and maximize visitation.

2.14.2 REGULATORY SETTING

Development of recreational facilities in the Lake Tahoe Basin is governed primarily by the TRPA, which provides both planning and policy direction related to recreation. The Land Use section of this document describes the compliance with proposed park uses and applicable zoning documents. The TRPA EIP and Recreation Element of the Goals and Policies document are the focus of this section.

TRPA Recreation Element

The Recreation Element of the Regional Plan provides for the development, utilization, and management of the recreation resources of the Tahoe Region And Environmental threshold Carrying capacities for recreation provide both a target and a capacity limit. The proposed project includes a combination of dispersed and developed recreation elements. The following goals are applicable to the proposed project:

Dispersed Recreation

- **Goal #1:** Encourage opportunities for dispersed recreation when consistent with environmental values and the protection of natural resources.
- **Goal #2:** Provide high-quality recreational opportunities.

Developed Recreation

- **Goal #1:** Provide a fair-share of the total Basin capacity for outdoor recreation.
- **Goal #2:** Provide for the appropriate type, location, and rate of development of outdoor recreation uses.
- **Goal #3:** Protect natural resources from overuse and rectify incompatibility between uses.

TRPA Code of Ordinances
The TRPA Code of Ordinances establishes standards and regulations for implementation of the 1987 TRPA Regional Plan for the Lake Tahoe Basin. Public agencies and organizations in the Lake Tahoe Basin must comply with TRPA provisions or may establish equivalent or higher requirements in their jurisdiction. The following Chapters of the TRPA Code of Ordinances are applicable to recreation development:

Chapter 33, *Allocation of Development* - Includes the allocation guidelines for additional recreational facilities. TRPA regulates the expansion of recreational use in the Lake Tahoe region by identifying targets for recreational use and regulating development to maintain them. TRPA has identified targets for outdoor recreation measured in PAOTs for overnight facilities, summer day-use facilities, and winter day-use facilities. Developed campgrounds and RV parks are classified as overnight-use facilities. TRPA regulates the rate and distribution of expanding recreational uses in the Lake Tahoe region through the allocation of PAOTs.

Environmental Improvement Program
The EIP encompasses hundreds of capital improvement, research, and operation and maintenance projects in the Lake Tahoe Basin to achieve and maintain environmental thresholds that protect Tahoe's unique and valued resources. The proposed project site has been identified as EIP Project #865: Van Sickle State Park.

2.14.3 ENVIRONMENTAL EVALUATION

Will the project:

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?

No Impact. The proposed project provides a new recreational resource in the community which has the potential to alleviate demand on, and physical deterioration of, recreational facilities in the vicinity. The proposed project will enhance recreational and interpretive opportunities within the site and provide an opportunity for residents and visitors to enjoy existing recreation and scenic resources within walking distance to an urban and commercial area. Physical impacts to recreational facilities are typically associated with an increase in population and growth in an area. Therefore, no impacts are expected to occur.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

No Impact. Adverse physical impacts on the environment are not anticipated, as reflected in the environmental effects analyses documented in this checklist for all resource areas.

c) Create additional demand for recreation facilities? *

No Impact. The proposed project provides additional recreation opportunities in the South Lake Tahoe/Stateline community. It addresses resident and visitor demand for dispersed hiking and picnicking in the most urban portion of both South Lake Tahoe and Douglas County. It will not create new recreation demand.

d) Create additional recreation capacity? *

No Impact. The proposed project will provide a new bi-state park for recreational purposes. TRPA regulates the rate and distribution of certain types of additional recreational facilities in the Lake Tahoe Region through the allocation of Persons at One Time, or PAOTs, which are used as a capacity measurement for achieving targets for outdoor recreation. PAOT capacity limits are a planning tool developed in the 1970's as a means to determine the appropriate size of a facility and the suitable number of patrons the site should accommodate, providing a snapshot of the capacity at any one time. PAOT types include overnight, summer day-use, and winter day-use. TRPA allocates PAOTs to plan area statements and community plans, and to a regional pool where PAOTs are held in reserve for overnight and summer day-use facilities. If a proposed expansion of recreational facilities meets TRPA's criteria, PAOTs are assigned when a project is approved. PAOT assignment allows agencies to quantitatively measure progress towards achieving the Recreation environmental thresholds and to determine how well the development of recreational facilities is keeping pace with other urban development trends.

The 1987 TRPA Regional Plan set a threshold to establish and ensure a fair share of the total Basin capacity for outdoor recreation is available to the general public. Cumulative accounts of PAOT allocations are one measure of the success of threshold achievement. The other two are facility development for recreation projects that do not require PAOT assignments and land acquisition of new public lands that support recreation purposes.

Reservation of a "fair share" of the Basin's resource capacity (e.g., water, sewer capacity) was an attempt to ensure that recreation development kept pace with other urban development pressures. At the time of adoption of the 1987 Regional Plan, there was a concern that rapidly occurring private land development would usurp the remaining resource capacity without required preservation of a "fair share" of such capacity for meeting future public recreation facility demands, which were predicted to be slower to develop than private projects. The amount of potential recreation planned was then scaled to the environmental capability of the basin as determined by the thresholds.

TRPA would allocate 126 summer day use PAOTs to the Van Sickle Bi-State Park Project at the time the project is approved. This allocation assists the agency in achieving its Recreation thresholds.

e) Have the potential to create conflicts between recreation uses, either existing or proposed? *

No Impact. Hikers, mountain cyclists and equestrians are increasingly sharing the trails they travel and that will be the case at the proposed Van Sickle Bi-State Park. While no new trails are currently proposed, use will occur on the existing trail system remaining on the property from the historic horse operations there. It's not a practical use of limited public resources to build exclusive bridal paths or even double-wide trails with separate lanes for separate uses. Multi-use, single track trails, like those existing within the proposed park, will predictably evoke complaints, such as one user blaming another type of user for trail damage.

Dr. Roger L. Moore, Associate Professor of Parks, Recreation and Tourism Management at North Carolina State and a leading expert in trail management, doesn't believe that there are fundamental trail use conflicts at all, and no reason to ban or segregate any reasonable trail use. Based on his exhaustive studies, Dr. Moore believes that trail conflicts should be viewed as user behaviors that interfere with other users' reasonable goals and expectations.

Equestrians, cyclists, hikers and other trail users all have rights and responsibilities, and the chief responsibility is to have the skills and common sense to avoid conflicts whenever possible. Multi-use trail etiquette promotes an equal regard for all, recognizing with respect the specific needs of each user group:

MOUNTAIN BIKERS
Yield to horses and hikers.

HIKERS/WALKERS
Yield to horses.

HORSEBACK RIDERS
Make sure your horse is not “punching holes” in the trail or
breaking down the edge of the trail.

With proper user etiquette, the multiuse trails will not create true user conflicts at the park.

f) Result in a decrease or loss of public access to any lake, waterway, or public lands?*

No Impact. The proposed project will result in an increase in public accessibility to public lands through the opening the gates to the park..

CHAPTER 2.15: UTILITIES & SERVICE SYSTEMS

This section describes the potential environmental effects to utilities and service systems that may result through the implementation of the proposed project. Potential effects related to utilities and service systems have been analyzed in accordance with the information and standards provided in the TRPA Regional Plan, PAS 080, the Stateline/Ski Run Community Plan, the Code of Ordinances, the City of South Lake Tahoe General Plan, the El Dorado County General Plan, and the Douglas County Master Plan.

2.15.1 AFFECTED ENVIRONMENT

Existing utilities and infrastructure within the proposed park area is limited. Electricity, water and sewer are supplied to the California side of the property near the Van Sickle Barn by Sierra Pacific and STPUD with connections at Montreal Road opposite Heavenly Village Way. There are no on-site utilities serving the Nevada portion of the park. Sizing of utility connections as part of the project are planned to be adequate to allow possible future park elements to install extensions with little likelihood of multiple construction disturbances in the newly installed improvements. All existing utilities are planned to be located in/under roadways and the existing overhead power lines at the entrance would be placed underground to improve the surrounding visual character. The following sections provide more detail on water, storm drainage, sewer, and electric systems.

Water

The California side of the project area has domestic water service, provided through a STPUD connection located near the entrance of the park at Montreal Road. Water for fire protection service is not currently provided to the California or Nevada sides of the project area.

Storm Drainage

The project area receives drainage from five catchments totaling approximately 250 acres in size. Existing runoff is routed via existing stream channels through SEZ areas to the project boundaries at which point the flows continue to follow stream channels or enter the storm drainage system maintained by the City of South Lake Tahoe. The largest area of the park drains into an existing SEZ that bisects the project area. Here, flows are routed via existing streams and overland flow is routed to an existing pond created by a manmade earthen roadway embankment. A 15-inch CMP culvert provides a flow path from the pond area to the continuing stream system.

Near the STPUD water tanks, flows are routed via overland and roadside channels to an existing drop inlet and 18-inch CMP culvert installed to provide flow under the existing dirt roadway. The culvert discharges into the same stream as the 15-inch CMP at the pond. Flows near the Heavenly Gondola are routed overland and along existing roadway channels. Most of these flows lead to the storm drain systems and culverts near Lake Parkway and the City of South Lake Tahoe storm drain systems.

Sewer
Sewer service to the park is provided by STPUD to the California portion of the park property via a connection point at the intersection of Heavenly Village Way and Montreal Avenue.

Electric
Electrical supply is provided by Sierra Pacific connections to the project area.

2.15.2 REGULATORY SETTING

Utilities and service system facilities in the Lake Tahoe Basin and the project area are governed primarily by the TRPA, El Dorado County for the California side and Douglas County for the Nevada side of the project area.

California Integrated Waste Management Act
Assembly Bill 939, known as IWMA, was passed in 1989 because of the increase in the waste stream and the decrease in landfill capacity. As a result, AB 939 requires the responsibility for solid waste management be shared between state and local governments and the State has directed El Dorado County, to prepare and implement a local integrated waste management plan. This plan presents the countywide goals and policies for integrated solid waste management and describes the County's system of solid waste management infrastructure. The proposed project would be subject to the El Dorado Countywide Integrated Waste Management Plan.

Porter-Cologne Water Quality Control Act
The Porter-Cologne Water Quality Control act is the State of California's statutory authority for the protection of water quality. Water quality in the project area is regulated by the Lahontan for the California side, the NDEP for the Nevada side, and the TRPA for areas within the Lake Tahoe Basin. The Act includes various provisions and standards that regulate waste management, waste disposal, and sewage treatment systems, and other special provisions.

TRPA Regional Plan - Public Services and Facilities Element
This Element provides goals and policies for public service infrastructure consistent with the other elements and the TRPA environmental thresholds. Goal #3 of this Element addresses the prevention of liquid and solid wastes from degrading Lake Tahoe and the surface and ground waters of the region.

2.15.3 ENVIRONMENTAL EVALUATION

Will the project?

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

No Impact. Implementation of the proposed project would result in the construction of new

recreation facilities, including a parking area at the Van Sickle Barn complex and a trailhead on the Nevada side of the project area that are expected to generate and contribute to the demand for wastewater treatment. Wastewater generated by the new recreation facilities would be discharged into the local sewer lines operated by STPUD. However, any increase in wastewater generation from the park facility is considered to be negligible in comparison to the capacity of the STPUD Wastewater Treatment Plant, which would serve the project site. Therefore, no impacts are expected related to wastewater treatment requirements resulting from the proposed project.

b) Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage provider? 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? **

No Impact. The proposed project anticipates only day visitors during summer months. considering the capacity of the STPUD Treatment Plant, which has a dry weather flow design capacity of 7.7 million gallons per day (mgd) and currently treats approximately 5.0 mgd.[77], the increase wastewater demand is expected to be insignificant. Furthermore, the proposed recreational facility does not include growth-inducing factors that would necessitate new or expanded facilities. Therefore, no new wastewater treatment facilities or expansion of existing wastewater treatment facilities are anticipated relative to the proposed project and no impacts are expected.

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? **

No Impact. The proposed project is located in an area with minimal existing public drainage facilities, therefore, new storm drainage facilities will be installed to meet all required detention and retention requirements, and to re-route flows in a manner to support SEZ restoration/enhancement and improve water quality. No public storm drainage conveyance systems would be affected and the project would not require the construction of new off-site storm drainage facilities. Therefore, no impacts are expected to result from the proposed project.

[77] STPUD. *Chapter 5.9, Wastewater Treatment, Export, and Disposal*. October 1994. Accessed website June 13, 2007: http://www.Stpud.us/districtinfo.html

d) Utilize additional water which amount will exceed the maximum permitted capacity of the service provider? Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? **

No Impact. Domestic service to the California portion of the park is currently provided by STPUD through an existing 2-inch service off Montreal Road.[79] Domestic water demands will be minimal during the first phase of the proposed project, and will continue to be serviced to the California side of the park by STPUD. Fire protection for the project area will be provided by Edgewood Water Company via a 10-inch main line connected to the company's water tanks. Connections will include up to four fire hydrants installed along the entrance roadway in accordance with applicable fire approval agency standards in each state.[80] Two hydrants will be installed on the California side (one hydrant near entrance and another at Van Sickle Barn) and two hydrants will be installed along the roadway in Nevada (one hydrant near the state line and another near the trailhead). The need for two separate sources of supply was necessary due to a variety of constraints on the site and the requirements of each state agency.

The overall water use by the proposed project is expected to be approximately 1,750 gallons per day, which was estimated based on full time operation during the months of April 1st and October 31st.[82] Both Edgewood Water Company and STPUD have recognized this amount through correspondence agreements for their terms of conditions for water service under existing entitlements with each agency. In addition to outlined service agreements with both state water suppliers, the NDSP and the Conservancy would comply with all local, regional, and State water conservation policies and would implement standard BMPs to reduce water consumption. The proposed project will not utilize additional water that will exceed the maximum permitted capacity of the service providers. No impacts are expected.

e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? **

No Impact. The increase in wastewater flow as a result of the proposed recreation facility day-use area will be minimal. Currently, an existing sewer line runs along the California side of the project area. This sewer line will be abandoned and replaced with an 8-inch sewer underneath the access roadway from the STPUD connection at Montreal Road through the California side of the park to the Nevada trailhead area. Only the California side prefabricated restrooms and the trailer pads for up to two caretaker units will be hooked up to the STPUD connection. Appropriate stub-outs will be provided on the Nevada side for future connections. Wastewater

[79] Resource Concepts, Inc. *Engineering Design Criteria and Methodology Memorandum.* June 12, 2007. Prepared by Tim Russell, P.E., RCI, Inc. Prepared for: Lindy Hulton-Larson, Design Workshop.
[80] Design Workshop. *TAC #1 Meeting Minutes.* February 11, 2008.
[82] Resource Concepts, Inc. *Van Sickle Bi-State Park – Edgewood Water Company – Water Service.* April 13, 2007. To: Gordon DePaoli, Woodburn and Wedge, 6100 Neil Road, Suite 500, Reno, NV 89511. From Resource Concepts, Inc., Tim Russell, P.E.

from the proposed park area will be treated by the STPUD Treatment Plant, which has a dry weather flow design capacity of 7.7 mgd and currently treats approximately 5.0 mgd.[83] As sufficient additional capacity currently exists at the treatment plant to accommodate the park uses,no impacts are expected.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? **

No Impact. The California Tahoe Conservancy and Nevada State Parks would coordinate solid waste removal for the day-use park facilities on both sides of the park area through an operations agreement. All solid waste will be transported outside the Lake Tahoe Basin and hauled to transfer stations that move the refuse and solid waste to Lockwood Regional Landfill, located in Storey County, Nevada.[84] The proposed project is only expected to generate a minimal amount of additional solid waste through the park facilities. Therefore the existing serving landfill and solid waste collection services have indicated they have no concerns related to providing solid waste collection services to the proposed project and no new or expanded services would be needed for the project.[85] Thus, no impacts from the project's solid waste disposal needs are expected.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

No Impact. The California side of the project area will include one prefabricated concrete restroom connected to sewer lines. The Nevada side of the project area will include one sweet smelling toilet (SST) that will not be connected to a sewer line. During the operation of the proposed project, both restroom facilities will comply with all federal and state solid waste diversion, reduction, and recycling mandates, including compliance with the California Porter-Cologne Act, the California Integrated Waste Management Plan for El Dorado County, and the local City of South Lake Tahoe statues and regulations related to solid waste during construction and operation. Therefore, no impacts related to solid waste are expected.

h) Will the proposal result in the need for new power or natural gas systems or substantial alterations to the existing systems? **

No Impact. The proposed park development will not include new power or natural gas systems or any alterations to existing systems. The existing structures, including the barn and cabins were heated using propane in the past; however, such infrastructure no longer exists. No new power or natural gas systems, or substantial alterations to existing systems are proposed; therefore, no impacts are expected.

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[83] STPUD. *Chapter 5.9, Wastewater Treatment, Export, and Disposal*. October 1994. Accessed website June 13, 2007: http://www. Stpud.us/districtinfo.html

[84] El Dorado County Solid Waste and Hazardous Materials. *South Tahoe Refuse Co. Inc.* Accessed June 14, 2007 at: http://www.co.el-dorado.ca.us/emd/solidwaste/franchises/stahoe.html

[85] South Tahoe Refuse Co. Inc. *Personal Communications with Jeanne Lear.* June 2007. Communication between Juliana Prosperi and Jeanne Lear.

i) Will the proposal result in the need for new communications systems or substantial alterations to the existing systems? **

No Impact. The proposed park development will not require or need communication systems. Therefore, no impacts are expected.

j) Will the proposal result in the use of substantial amounts of fuel or energy? *

No Impact. Existing or proposed structures within the California side and the Nevada side of the project site will not result in the use of substantial amounts of fuel or energy. No impacts are expected.

k) Will the proposal result a substantial increase in demand upon existing sources of energy or require new sources of energy? *

No Impact. The proposed park development will not include any infrastructure connections to energy sources, other than electrical, which is currently being used for minimal security lighting and site host accommodations. The proposed project, therefore, will not result in a substantial increase in demand upon existing sources of energy or require new sources of energy. No impacts are expected.

Chapter 2.16: Traffic & Transportation

This section identifies and evaluates changes that may occur to traffic and transportation and parking related to implementation of the proposed project. The analysis includes a description of the existing conditions of the affected environment, the regulatory setting that guides the decision-making processes, thresholds for determining whether the proposed project would result in significant effects, and anticipated effects. The potential effects related to traffic and transportation were analyzed in accordance with the information and standards provided in the TRPA Regional Plan, the Douglas County Master Plan (2007), the El Dorado County General Plan (2004), and the Traffic Analysis prepared by LSC Transportation Consultants.

The traffic analysis for the proposed project was prepared in 2006 (LSC Transportation Consultants, Inc.) and updated in 2008 in response to a revised project description. Minor additional project description revisions, including to the trailhead and site host areas, are reflected in the following evaluation.

2.16.1 AFFECTED ENVIRONMENT

Roadway System

The proposed project is located within El Dorado County, California and Douglas County, Nevada. The proposed project entrance area is located within the City of South Lake Tahoe, California. The site is located less than a quarter-mile from U.S. Highway 50, approximately a half-mile from Nevada State Highway 207, and approximately 7 miles east of California State Route 89.

Traffic conditions were evaluated for three intersections that provide access to the site: Montreal Road/Heavenly Village Way (controlled by 4-way stop), Heavenly Village Way/U.S. 50 (controlled by traffic signal), and Lake Parkway East/U.S. 50/Lake Parkway West (controlled by traffic signal) (Figure 2.16-1, *Van Sickle Bi-State Park Study Intersections)*. Currently, Lake Parkway East and Montreal Road form one continuous roadway, called Lake Parkway East in Nevada and Montreal Road in California.

Public Transit

Transit services in the South Shore area are provided through the BlueGo system. No fixed routes directly serve the project site, although the Stateline Transit Center, located approximately ½ mile to the north, is served by routes from the South Y and other South Lake Tahoe locations, and Nevada routes to Marla Bay and the Carson Valley near Gardnerville. Other transit services, including the Nifty-50 Trolley, Heavenly Shuttle, Casino Shuttles and the South Lake Tahoe Express, provide services that access nearby lodging, casino, and commercial properties.

Pedestrian/Bicycle Amenities

Several pedestrian amenities are located surrounding the project area in the more urbanized sections, including sidewalks along Heavenly Village Way and Montreal Road at the proposed project entrance. In other areas, along Montreal Road and Lake Parkway, sidewalks are limited or do not exist. Some sidewalks also have gaps, wear, and need maintenance or considerable improvements. Numerous bicycle facilities are located throughout the City of South Lake Tahoe area, including a Class III bike route along Lake Parkway near the propoposed project entrance. In general, however, bicycle facilities are fragmented and poorly defined in this area of South Shore.

Existing Conditions

Existing Level of Service

The LSC traffic analysis prepared for this project included a 2009 No Project forecast of traffic from projected peak traffic counts, updated counts from the U.S. Highway 50/Stateline Project Transportation Study, Project 3 Redevelopment project, and the Gondola Vista project. Assuming completion of these proposed projects (without the Van Sickle Park Project), the Heavenly Village Way/U.S. 50/Park Avenue study intersection would operate at Level of Service (LOS) D. The other two study intersections would operate at LOS C. These LOS conditions meet TRPA standards.

Existing Traffic Flow, VMT and Air Quality

The 2006 Threshold Evaluation Report contains the most recent information related to attainment of regional thresholds and standards, including those related to traffic and transportation. According to the 2006 Threshold Evaluation Report, traffic flow near Stateline, Nevada has improved and the indicator is in attainment. Although the indicator for Vehicle Miles Traveled (VMT) is out of attainment, the Basin is showing a positive trend with almost a five percent decrease in Vehicle Miles Traveled from the 1981 levels.

2.16.2 REGULATORY SETTING

Numerous transportation-related standards and criteria apply to the project area. The TRPA Code of Ordinances, Chapter 93, establishes standards for traffic evaluation related to project approvals and implements specific direction presented in TRPA regional planning documents. The Regional Transportation Plan–Air Quality Plan (RTP-AQP) for the Lake Tahoe Region provides the most detailed direction for transportation program development within the project study area, including establishing minimum standards for LOS. TRPA has not adopted LOS standards for unsignalized intersections or parking, so local government regulations apply in those circumstances.

TRPA Code of Ordinances
The TRPA Code of Ordinances, Chapter 93, establishes direction for traffic analysis and defines significance for traffic increases. This Chapter requires project applicants to consider project effects on trip generation, level of service, regional vehicle miles traveled, air quality, and traffic flow related to ingress/egress characteristics. Section 93.2 identifies daily vehicle trip generation (DVTE) rates of less than 100 as an "insignificant increase", between 100 and 200 as a "minor increase" and over 200 DVTE as a "significant increase".

Regional Transportation Plan– Air Quality Plan (RTP-AQP)
The Transportation Element of TRPA's RTP-AQP also establishes traffic capacity and level of service (LOS) criteria for various types of highways, and an operational LOS for signalized intersections. Regional standards require maintenance of LOS D at all signalized interections.

Local Standards
Traffic from the proposed project will effect intersections and roadways in both California and Nevada. Within the Tahoe Region, most local transportation-related regulations defer to the TRPA standards. The exceptions relevant to this project are: LOS standards for unsignalized intersections, and parking standards.

No unsignalized intersections potentially impacted by this project lie in Nevada. The proposed park access will be at an unsignalized intersection within the City of South Lake Tahoe and subject to City standards established by the General Plan.

Parking Standards
The proposed project straddles the state line, with parking areas located in Douglas County and El Dorado County. Parking requirements for these two jurisdictions are found in the *Douglas County Consolidated Development Code, Title 20* (Douglas County, 1998) and the El Dorado County Zoning Ordinance (revised 2008). Neither source includes parking requirements specific to day use sites. Both rely on project-specific information to assess parking needs.

2.16.3 ENVIRONMENTAL EVALUATION

Methodology

The traffic study prepared by LSC Transportation Consultants evaluated the effects of the proposed project, examining trip generation, trip distribution, LOS at three intersections, and signal warrant analysis at the entrance road.

Will the project?

a) Cause an increase in traffic that 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)?

No Impact. Implementation of the proposed project is expected to produce minimal increases in traffic, well within the capacity of the roadway system and the affected intersections.

The distribution of traffic arriving and leaving the project site is estimated based upon regional access patterns, existing turning movement data, as well as the locations of residential population and commercial space within the South Lake Tahoe and Stateline areas. This traffic pattern will produce Year 2009 With Project P.M. peak hour traffic distribution mainly along U.S. Highway 50 in both directions and Heavenly Village Way south of U.S. Highway 50. The proposed project is expected to have the greatest impact on Heavenly Village Way just north of Montreal Road, with a peak-hour increase of 12,vehicle trips, one trip more than presented in the Appendix to reflect an additional site host opportunity..

The proposed project would not change the LOS at any of the study intersections, though average delays would increase slightly (by no more than 1.5 seconds). All intersections would remain at an acceptable LOS (LOS D at the U.S. Highway 50/Park Avenue intersection, LOS C at the Montreal Road/Heavenly Village Way/site access, and the U.S. Highway 50/Lake Parkway intersections).[88] Table 2.16-1, *Van Sickle Bi-State Park Level of Service Summary* demonstrates these conclusions. The Montreal Road/Heavenly Village Way/site access intersection (with single inbound and outbound lane only) can therefore continue to provide adequate LOS under the existing all-way stop sign controls.

[88] LSC Transportation Consultants, Inc. *Van Sickle Bi-State Park Phase I Traffic Analysis.* September 15, 2006. Prepared for: Design Workshop. Prepared by: LSC Transportation Consultants, Inc.

Table 2.16-1, Van Sickle Bi-State Park Level of Service Summary

		2006 Summer P.M. Peak Hour		2009 Summer P.M. Peak Hour		2009 Summer P.M. Peak Hour	
		No Project		No Project		Plus Project	
Intersection	Intersection Control	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS
US 50/Heavenly Village Way							
Total Intersection	Signalized	47.2	D	53.0	D	53.3	D
Montreal Road/Heavenly Village Way/Site Access							
Total Intersection	4-Way Stop	14.1	B	14.2	B	15.3	C
Northbound Approach		0.0	A	0.0	A	10.0	A
Southbound Approach		10.9	B	11.0	B	12.5	B
Eastbound Approach		15.4	C	15.5	C	16.5	C
Westbound Approach		15.1	C	15.3	C	16.4	C
US 50/Lake Parkway							
Total Intersection	Signalized	23.6	C	26.7	C	26.7	C

SOURCE: LSC Transportation Consultants, Inc., Used 2000 Highway Capacity Manual (HCM) methodology and Level of Service (LOS) definitions. No Project = estimated 2009 conditions without the proposed project; Plus Project = 2009 No Project and the Year 2009 With Project traffic volumes

Furthermore, based on the total two-way peak-hour traffic volume on major streets (Montreal Road) and the higher volume on minor streets (Heavenly Village Way), the 2009 Plus Project volumes at the Montreal Road/Heavenly Village Way/site access intersection do not meet the minimum signal warrant volumes.[89] Therefore, it can be concluded that a signal is not needed at this intersection and the project as a whole would not have an impact on traffic load and capacity of the street system.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

No Impact. The 2009 With Project analysis of the three study intersections considers foreseeable projects that will be in place or under construction when the new park opens in 2010. A conservative assumption of these projects, includes the construction and possible

[89] LSC Transportation Consultants, Inc. *Van Sickle Bi-State Park Phase I-Revised Trip Generation Analysis.* July 14, 2008. Prepared for: Design Workshop, Inc., 128 Market Street, Suite 3E, Stateline, NV 89449. Prepared by: LSC Transportation Consultants, Inc. 2690 Lake Forest Road, Suite C, Tahoe City, CA 96145.

build-out of the Redevelopment 3 (Chateau at Heavenly Village and Convention Center) project along the lakeside of Highway 50, the Gondola Vista multi-family housing project, located on the parcel just northeast of the proposed project, and any construction related to the build-out of the South Tahoe Greenway Shared Use Trail. While average delays would increase slightly, all intersections would remain at an acceptable LOS (LOS D at the U.S. 50/Park Avenue intersection; LOS C at the Montreal Road/Heavenly Village Way/site access intersection; and LOS C at the intersection at U.S. 50 Lake Parkway).[90]

Maintaining LOS C at the unsignalized and LOS D at the signalized intersections in the study area meets the standards established in the TRPA RTP-AQP, the Douglas County Master Plan, and the City of South Lake Tahoe General Plan. Thus, the project as a whole would not have an impact on level of service for designated intersections.

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?

No Impact. Implementation of the proposed project has no potential to result in significant effects to air traffic patterns. The nearest airport, the Lake Tahoe Airport, is located approximately five miles west of the proposed project site. Thus, the proposed project would not result in changes to air traffic patterns.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The proposed project includes realignment and paving the existing unimproved roadway in compliance with City of South Lake Tahoe, El Dorado County and Douglas County road standards. Additionally, the multi-use trail accessing the project area meets Class I trail design standards, including those related to grades and sight distance to insure safety. The proposed project is therefore, not expected to increase hazards or result in incompatible uses and no impacts are expected.

e) Result in inadequate emergency access?

No Impact. The project proposal includes provisions to maintain emergency access at all times during construction of the project. Temporary traffic control along Heavenly Village Way or Montreal may be needed to allow utility connections, but no street closures to accommodate this work are planned for the project.

Other construction BMPs during utilities relocation, if needed, may involve a traffic control plan for TRPA and the City of South Lake Tahoe review. Plan elements would include

[90] LSC Transportation Consultants, Inc. *Van Sickle Bi-State Park Phase I-Revised Trip Generation Analysis.* July 14, 2008. Prepared for: Design Workshop, Inc., 128 Market Street, Suite 3E, Stateline, NV 89449. Prepared by: LSC Transportation Consultants, Inc. 2690 Lake Forest Road, Suite C, Tahoe City, CA 96145.

appropriate use of signage, flaggers, traffic calming, and alternative routes to accommodate local traffic. The Conservancy would also notify local residents and businesses regarding construction traffic detours/potential congestion through the use of flyers and press releases in advance of construction initiation. Construction related workforce would be encouraged to carpool to the work site to reduce traffic in the project area. The implementation of these BMPs would ensure that emergency access is not compromised.

Emergency access can also be limited after project construction by creating traffic delays on area streets. However, as noted above, no significant traffic delays at any of the examined intersections will occur, therefore, the project will not decrease emergency access either during or after construction.

f) Result in inadequate parking capacity or otherwise change existing parking facilities or create a demand for new parking? **

No Impact. Implementation of the proposed project is not expected to result in inadequate parking capacity. The existing project area does not currently provide parking. The proposed project is expected to generate a demand for parking based on the day-use area, the trailhead, and staff and utility trips generated through operations and maintenance. Total parking demand is expected to be met through a maximum of 46 parking spaces for both the California (14 spaces) and Nevada (32 spaces) day-use areas.

Neither the El Dorado County nor Douglas County zoning codes include specific parking standards for recreational day use sites. The peak demand of the proposed uses was based upon the number of persons expected to use the park facilities, the travel modes to the site, and the vehicle occupancies. Given the limited park development proposed, and the extremely close proximity of the park to lodging, transit, bicycle and pedestrian facilities, these spaces are expected to meet the recreational user demand.

The Conservancy's Land Management Program includes an adaptive management strategy capable of limiting environmental effects should the assumptions concerning user demand and parking needs prove inaccurate. These strategies include on site staffing and installation of parking barriers along roadways.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

No Impact. The proposed project is consistent with policies, plans, and programs that support alternative modes of transportation. Its location within easy walking and biking distance of high density pedestrian activity and its on-site access trail support the use of alternative transportation. The project also supports future trail connections such as the cumulative effects section South Tahoe Greenway Shared Use Trail and the connection to the Tahoe Rim Trail. No impacts are expected.

h) Substantially impact existing transportation systems, including highway, transit, bicycle or pedestrian facilities? *

No Impact. As noted above, the proposed project will not degrade the level of service at any of the study intersections. Instead, the project is expected to enhance bicycle and pedestrian opportunities within the surrounding area. No impacts are expected.

i) Alter the present patterns of circulation or movement of people and/or goods? *

No Impact. No existing circulation patterns or movement of people exist within the project area. However, the proposed project will likely enhance pedestrian activity in the Heavenly Village/Crescent V Shopping Center area. Park development in this location will offer pedestrians a new destination with high quality natural and cultural values in contrast to the urban character in the rest of the Stateline area.

j) Alter waterborne, rail, or air traffic?*

No Impact. There are no waterborne or air traffic near the project area. The nearest public marina with waterborne traffic potential lies two miles west of the project site at Ski Run Marina, and the nearest airport is approximately five miles west of the project site at the Lake Tahoe Airport. No railway traffic exists in the Tahoe Region. No impacts are expected.

k) Increase traffic hazards to motor vehicles, bicyclists, or pedestrians? *

No Impact. Park development will include new facilities for motor vehicles, bicyclists and pedestrians. All facilities planned meet design standards for grade, width, sight distance, surfacing and other features to avoid creating hazards. No impacts are expected.

l) Generate 100 or more new daily vehicle trip ends? *

Less than Significant Impact. LSC Transportation Consultants estimated the number of Daily Vehicle Trip Ends (DVTE) associated with the project using a "person-trip analysis" methodology. This methodology assigned trip generation to each predicted use category including: a day use picnic area, trailhead, on-site staff host residences, and staff/utility trips. Table 2.16-2, Van Sickle Bi-State Park Trip Generation[91], below, includes the results. This analysis concludes a total of 188 DVTE and 29 one-way peak hour vehicle trips (12 inbound and 17 outbound) is expected to be generated by the proposed land uses at the site access point.

[91] LSC Transportation Consultants, Inc. *Van Sickle Bi-State Park Phase I-Revised Trip Generation Analysis.* July 14, 2008. Prepared for: Design Workshop, Inc., 128 Market Street, Suite 3E, Stateline, NV 89449. Prepared by: LSC Transportation Consultants, Inc. 2690 Lake Forest Road, Suite C, Tahoe City, CA 96145.

Table 2.16-2, *Van Sickle Bi-State Park Trip Generation*

			Project Generated Trip			
			P.M. Peak-Hour Trips			
Proposed Uses	**Quantity**	**Unit**	**DVTE**	**In**	**Out**	**Total**
Site Host	2	Dwelling Unit	10	2	0	2
Day Use Area	10	Sites	40	2	2	4
Trailhead	400	Users	132	7	13	20
Staff/Maintenance/Utility Trips	-	-	6	1	2	3
Total Trip Generation			**188**	**12**	**17**	**29**

SOURCE: *LSC Transportation Consultants, Inc., Appendix C, amended to reflect current project proposal*

According to the TRPA Code of Ordinances, a minor increase in trip generation is an increase of more than 100, but not more than 200 daily vehicle trips, determined by the TRPA Trip Table and other technical information. A significant traffic increase in this area is defined when DVTE would be increased by at least 200 DVTE. Accordingly, the increase in the daily trips is not considered significant.

CHAPTER 2.17: MANDATORY FINDINGS OF SIGNIFICANCE

The responses found within this environmental checklist describe why this project will not have any significant adverse environmental effects.

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?**

Less than Significant Impact. Due to the proposed project's proximity to an urbanized area and existing disturbance within the project site from undesignated trail use and unimproved maintenance roadways, the project is not expected to: reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. The project would result in the removal of existing trees on the site. However, all applicable regulations, plans, and standards, such as TRPA Code Section 71.2.A, would be followed in the removal of the trees. The proposed project would result in a moderate amount of excavation activities that could unearth historic, archaeological or paleontological resources. However, if buried resources are discovered, the NDSP and the Conservancy would implement procedures outlined in the Cultural Resources Chapter to ensure that all potential impacts are less than significant.

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.) Note: A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant?*

No Impact. Since the project is not expected to have significant effects, it will not contribute to significant cumulative effects. In addition, environmental issues specific to site conditions, such as site soils, sensitive land capability, and biological resources (e.g. tree removal) are not expected to have cumulative effects. Furthermore, the project is not growth-inducing and not expected to contribute to population growth. Instead, it is expected to be growth

accommodating. As discussed in each individual section of the IS/ND/Expanded IEC all project impacts have been identified as either less than significant or no impact. Therefore, project effects would not be cumulatively considerable under CEQA.

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

No Impact. The proposed project does not involve any activities during construction or operations that are expected to cause adverse effects on human beings. Temporary adverse effects, such as increased air emission levels during construction can be reduced to a less than significant level through the implementation of BMPs. Therefore, the proposed project is not expected to have the potential to directly or indirectly cause any adverse effects on human beings.

d) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)?

No Impact. The proposed project does not have the potential to achieve short-term environmental goals at the disadvantage of long-term environmental goals. The overall project will achieve and maintain long-term environmental goals by providing a recreational amenity within the South Lake Tahoe and Stateline community, as supported by NDSP park planning documents, TRPA Regional Plan documents, and the Conservancy's program guidelines.

CHAPTER 3: ACRONYMS & ABBREVIATIONS

ACM	Asbestos Containing Materials
ADA	Americans with Disabilities Act
APN	Assessor Parcel Number
BMP	Best Management Practice
CalFire	California Department of Forestry and Fire Protection
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CMP	Corrugated Metal Pipe
CNEL	Community Noise Equivalent Level
Conservancy	California Tahoe Conservancy
CRHR	California Register of Historical Resources
CWPP	Community Wildfire Protection Plan
dBA	Decibel Noise Level
dbh	Diameter at Breast Height
DVMT	Daily Vehicle Miles Traveled
DVTE	Daily Vehicle Trip Ends
EDCAPCD	El Dorado County Air Pollution Control District
EIP	Environmental Improvement Program
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
ETCC	Environmental Threshold Carrying Capacities
FCAA	Federal Clean Air Act
FEMA	Federal Emergency Management Agency
FONSE	Finding of No Significant Effect
IPES	Individual Parcel Evaluation System
IEC	Initial Environmental Checklist
IS	Initial Study
Lahontan	Lahontan Regional Water Quality Control Board
LOS	Level of Service
LVFPD	Lake Valley Fire Protection District
LTBMU	Lake Tahoe Basin Management Unit
LTUSD	Lake Tahoe Unified School District
mgd	Million Gallons per Day
MMRP	Mitigation Monitoring and Reporting Program
MOU	Memorandum of Understanding
NAAQS	National Ambient Air Quality Standards
NAC	Nevada Administrative Code

ND	Negative Declaration
NDEP	Nevada Division of Environmental Protection
NDOW	Nevada Division of Wildlife
NDSL	Nevada Division of State Lands
NDSP	Nevada Division of State Parks
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
ONRW	Outstanding Natural Resource Water
OPR	Office of Planning and Research
PAOT	Persons at One Time
PAS	Plan Area Statement
RTP-AQP	Regional Transportation Plan-Air Quality Plan
SCORP	Nevada Statewide Comprehensive Outdoor Recreation Plan
SEZ	Stream Environment Zone
SHPO	State Historic Preservation Office
Sierra Pacific	Sierra Pacific Power Company
SQIP	Scenic Quality Improvement Program
STPUD	South Tahoe Public Utility District
SWPPP	Storm Water Pollution Prevention Plan
TDFPD	Tahoe Douglas Fire Protection District
TRPA	Tahoe Regional Planning Agency
TRT	Tahoe Rim Trail
USFS	United State Forest Service
USFWS	United States Fish and wildlife Service
VMT	Vehicle Miles Traveled

Chapter 4: Report Preparation

The following individuals contributed to the preparation and review of the environmental documentation.

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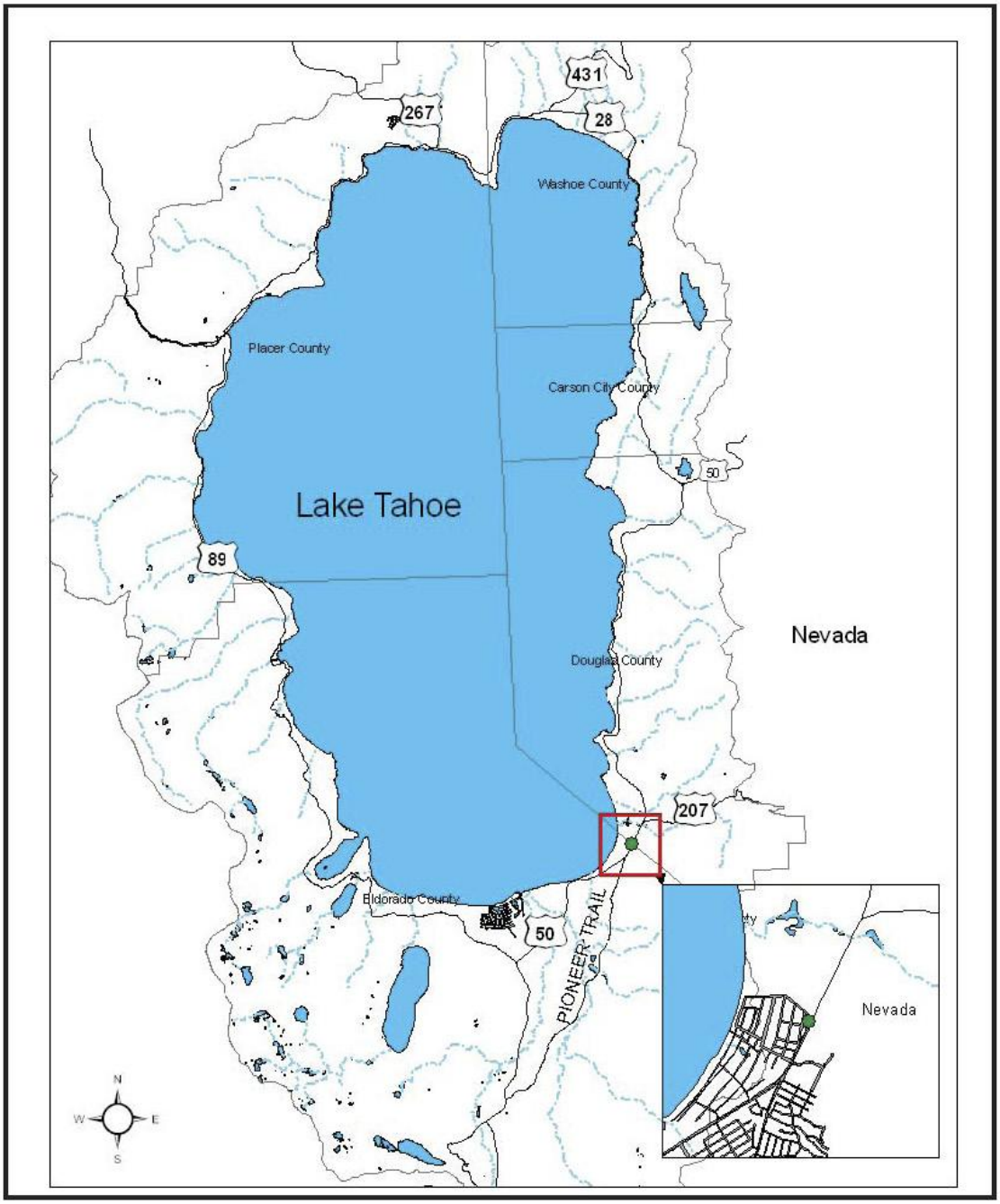
Chapter 5: Figures



Van Sickle Bi-State Park Phase I
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Figure 1.3.-1 – Regional Location

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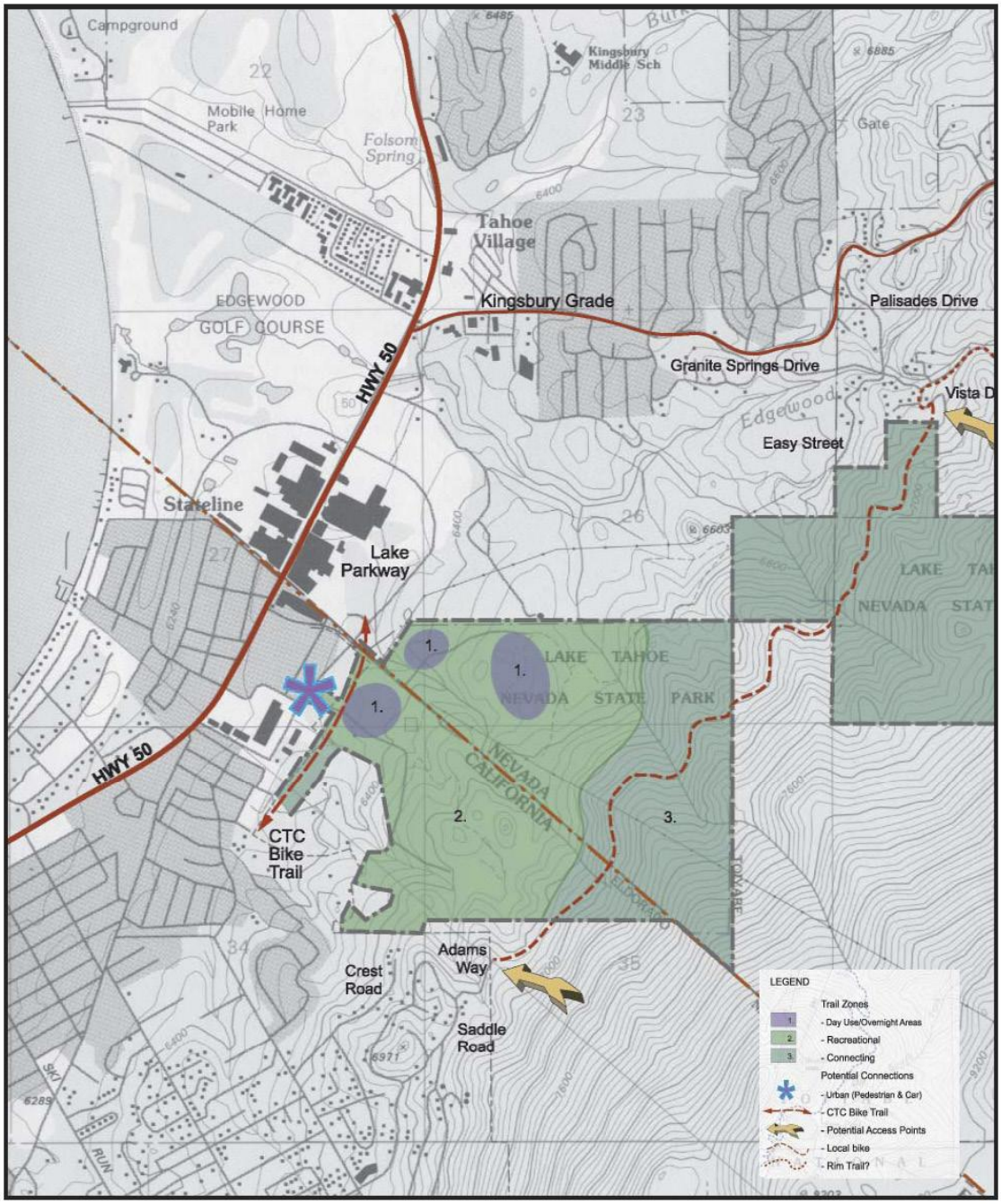

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Figure 1.3-2 – Project Location

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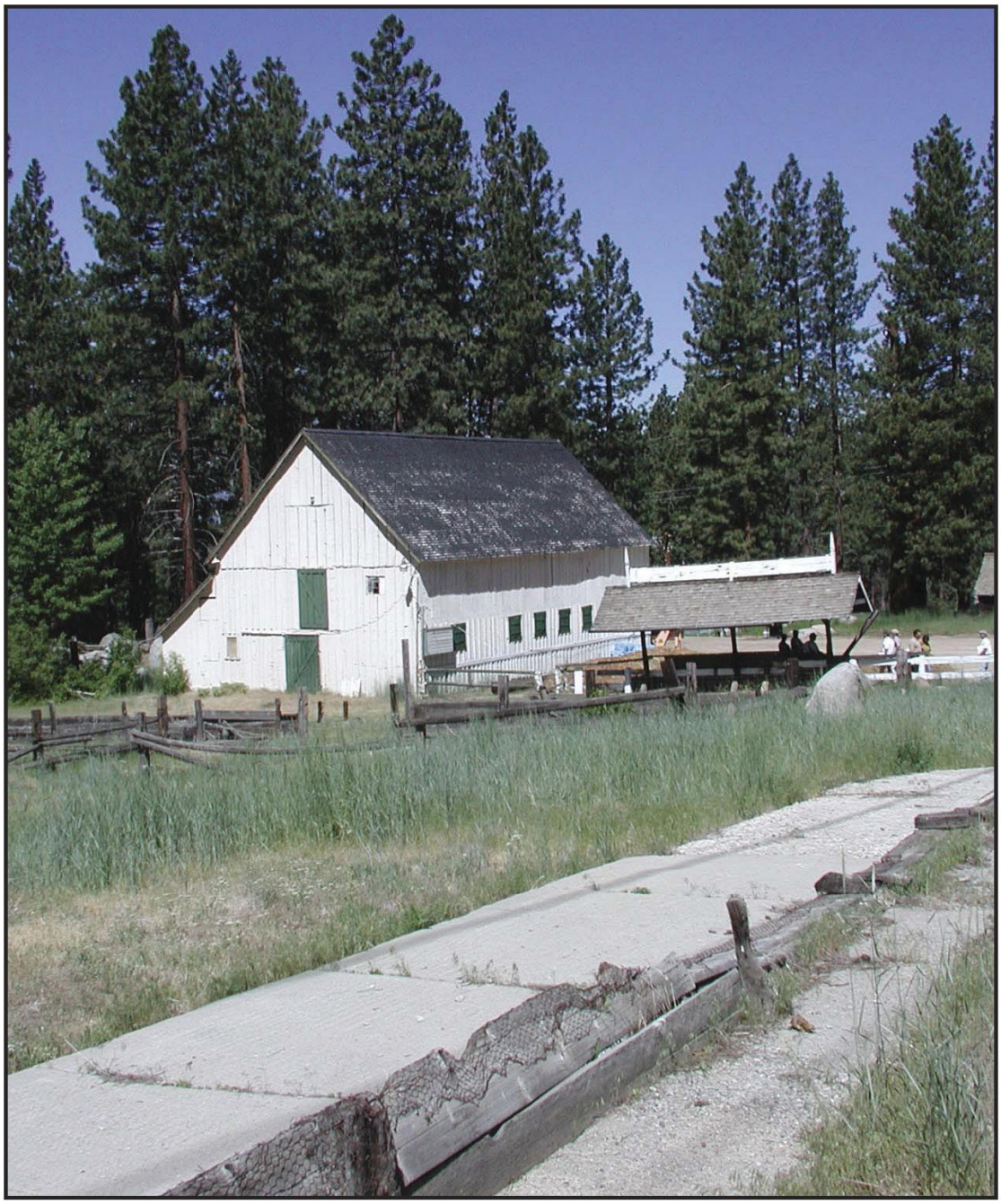

Van Sickle Bi-State Park Phase I

Figure 1.7-1 – Existing Van Sickle Barn Area

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Figure 1.7-2 – View from Gondola

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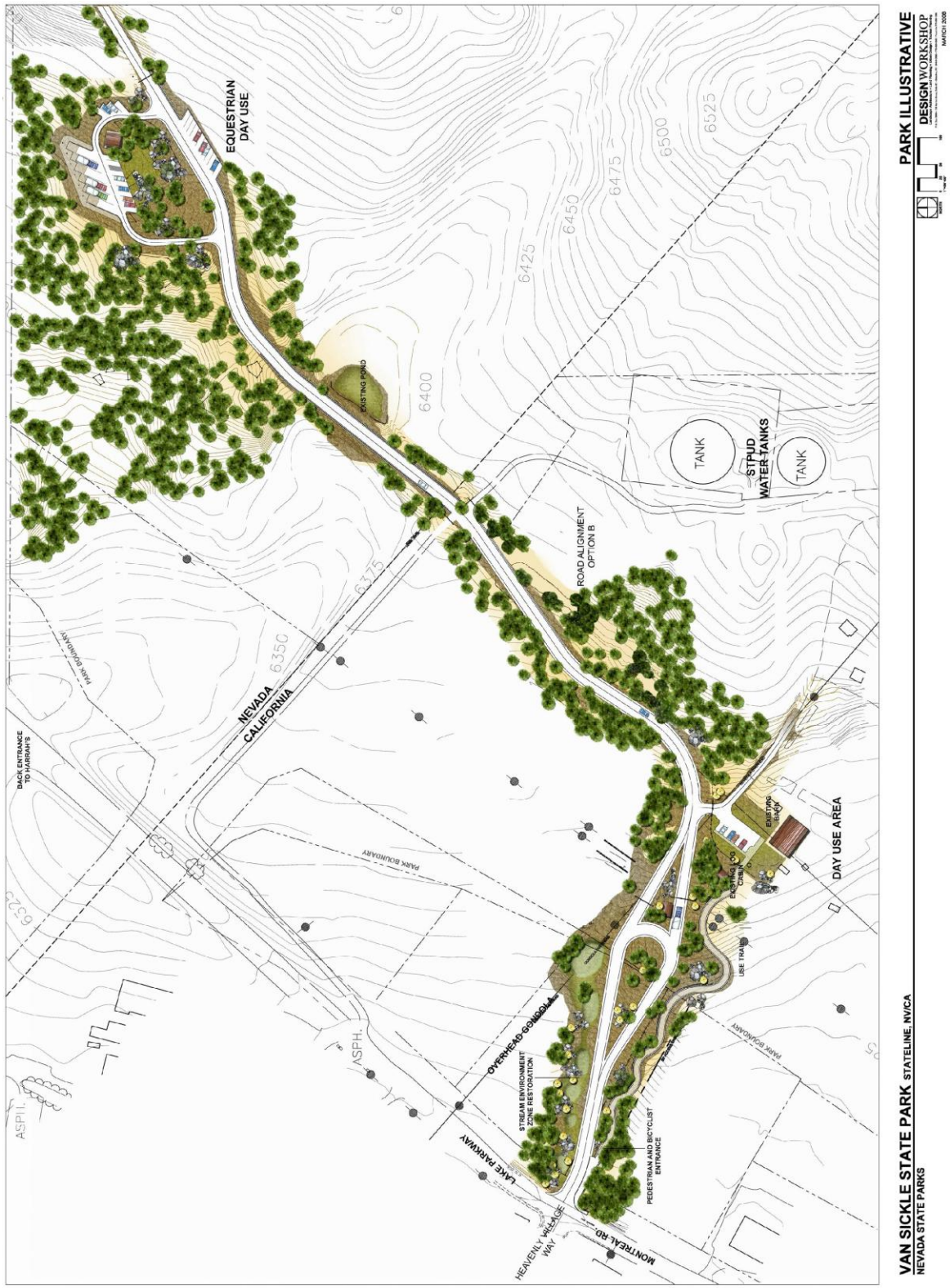

Van Sickle Bi-State Park **Figure 1.10-1 – Proposed Site Plan**

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Figure 3.8-1, Existing Site Catchment Areas

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Van Sickle Bi-State Park **Figure 2.8-1 – Existing Site Catchment Areas**

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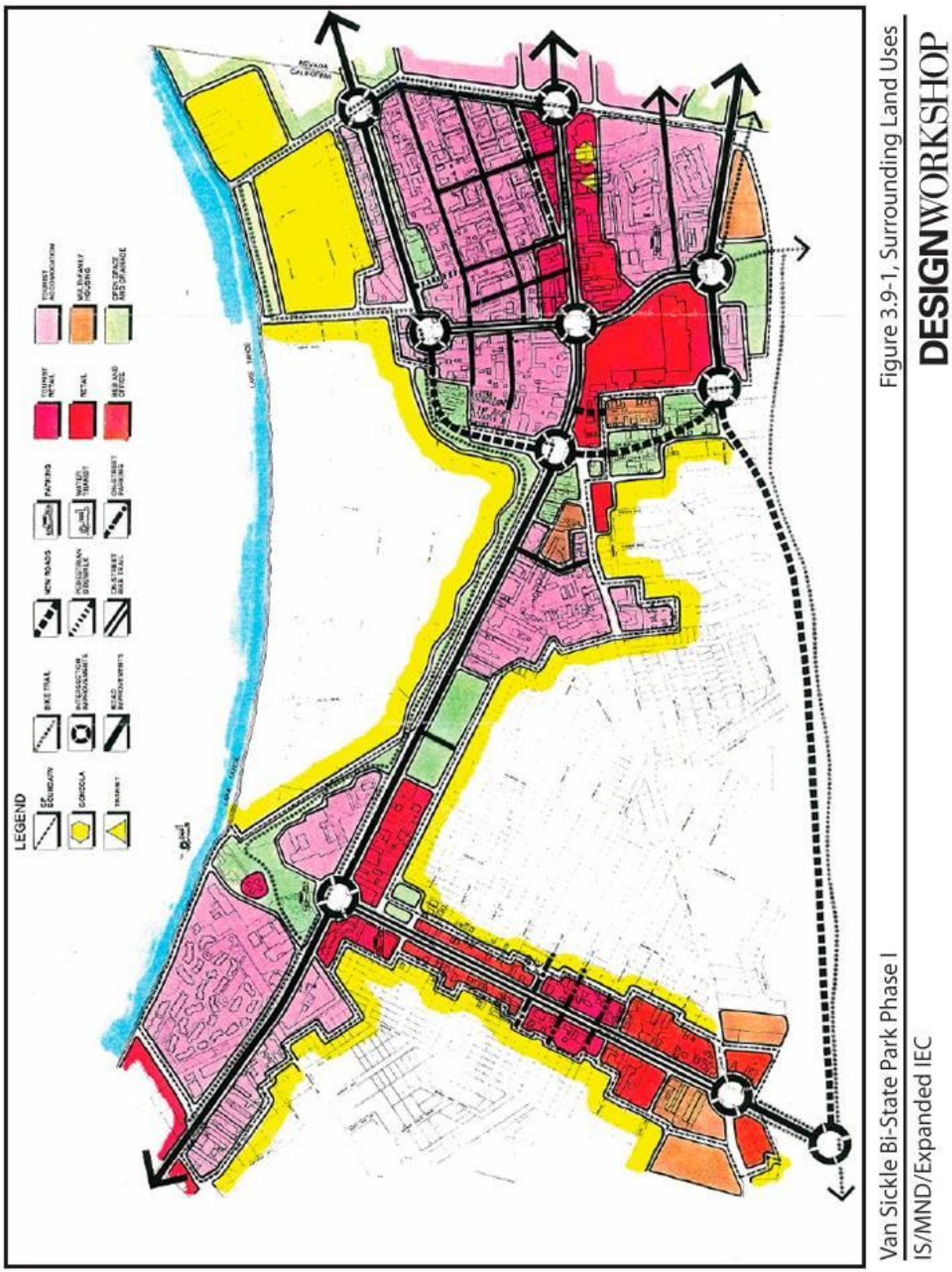
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Figure 3.9-1, Surrounding Land Uses
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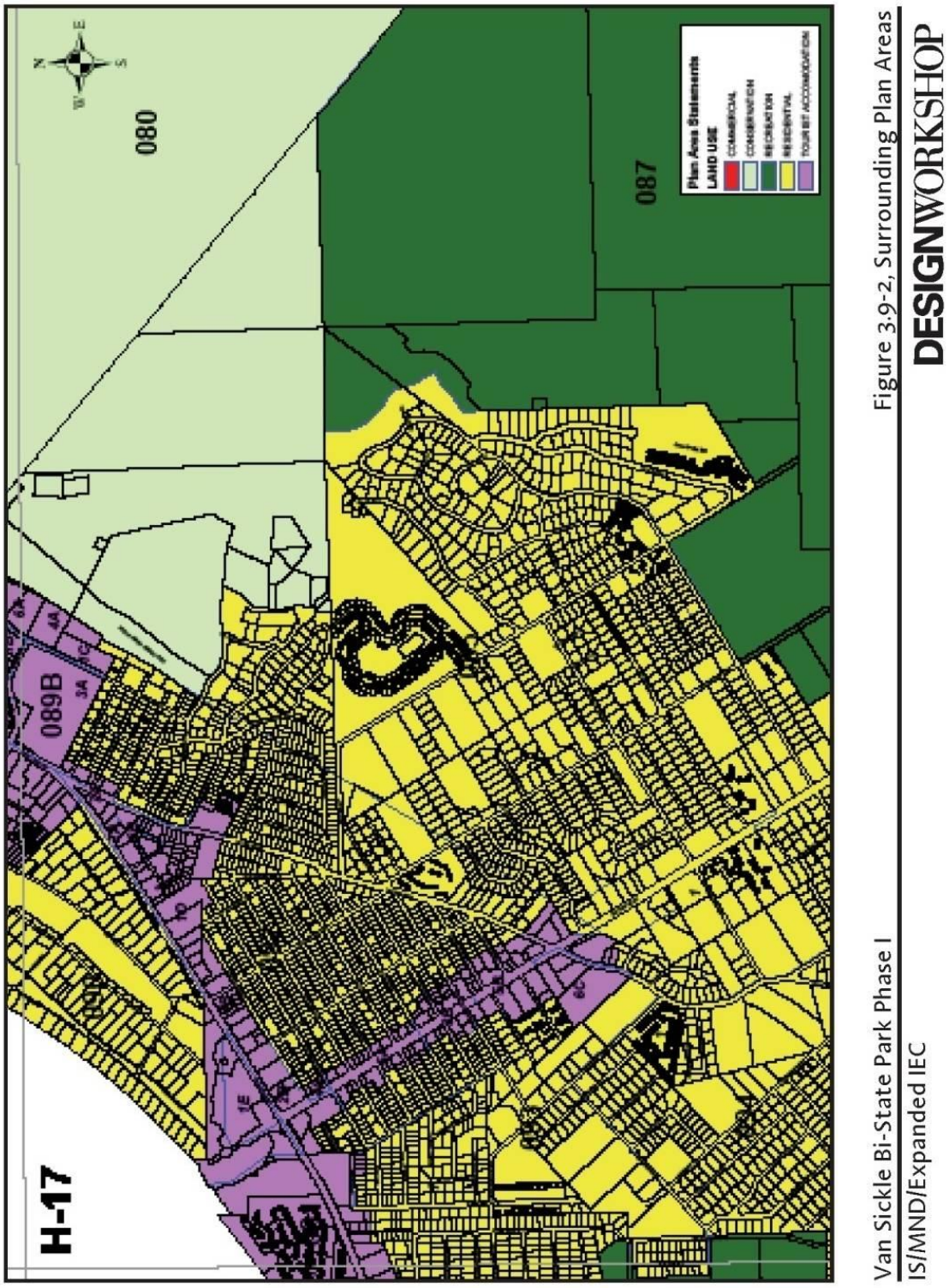

Van Sickle Bi-State Park **Figure 2.9-2 – Surrounding Land Use Classifications**

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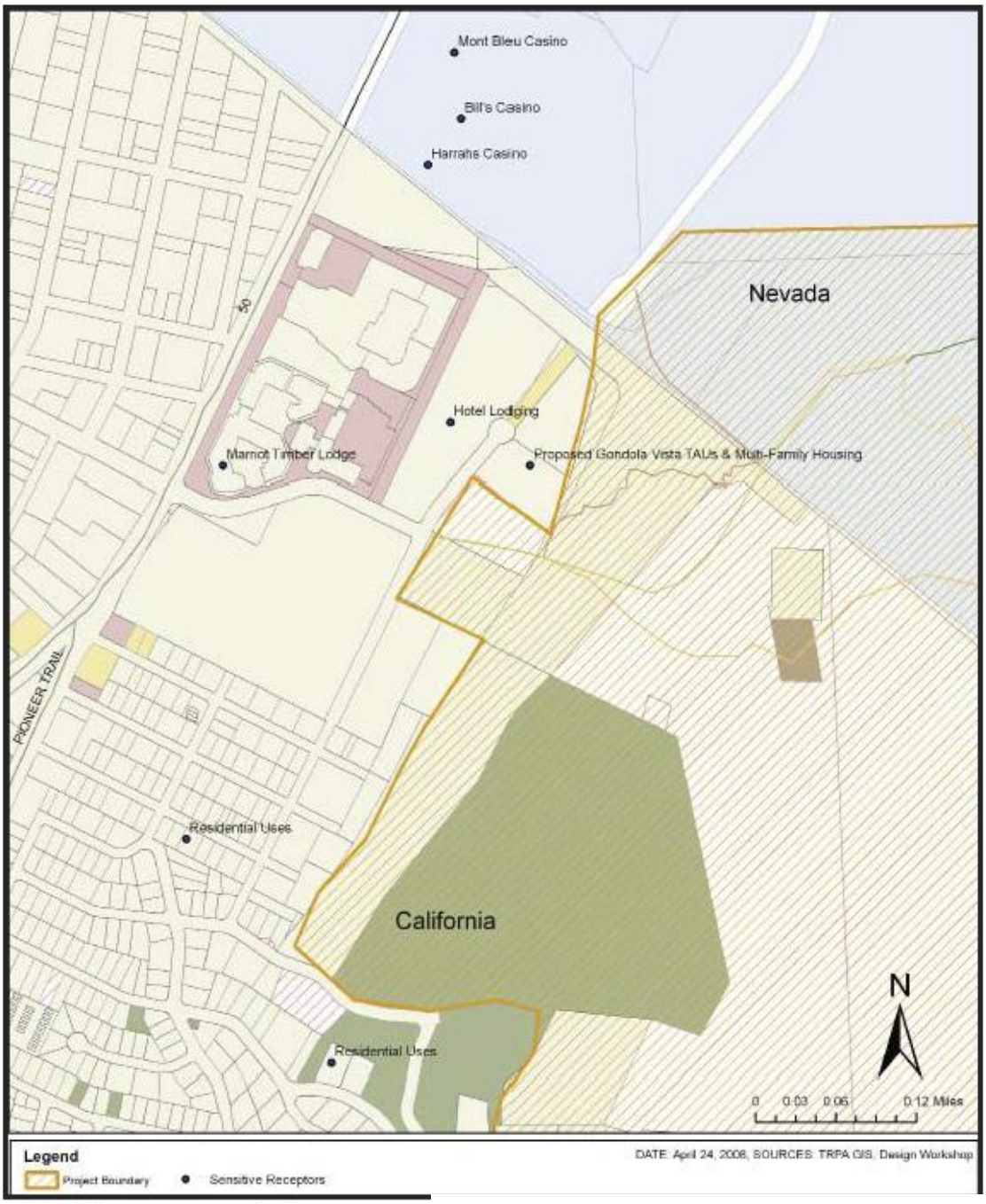

Figure 2.11-1 – Locations of Sensitive Receptors

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Figure 3.16-1, Van Sickle Bi-State Park Study Intersections

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Figure 2.16-1 – Van Sickle Bi-State Park Study Intersections

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