

3 ENVIRONMENTAL SETTING, ENVIRONMENTAL IMPACTS, AND MITIGATION MEASURES

3.1 APPROACH TO THE ENVIRONMENTAL ANALYSIS

3.1.1 Overview

This draft environmental impact report (Draft EIR) evaluates and discloses the environmental impacts associated with the Tahoe Cross-Country Lodge Replacement and Expansion Project (Project), in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 1500, et seq.). Additionally, as the lead agency under CEQA, the Tahoe City Public Utility District (TCPUD) elected to evaluate the proposed Project and one alternative at an equal level of detail in this EIR: Site D – Full Project (proposed Project) and Site A – Full Project alternative (Alternative A). The proposed Project and Alternative A sites are both located within the Highlands neighborhood northeast of Tahoe City in Placer County (Figure 2-2), and both propose to reconstruct the historic Schilling residence into a new lodge (Schilling Lodge).

Sections 3.3 through 3.12 of this Draft EIR present a discussion of regulatory background, existing conditions, environmental impacts associated with construction and operation of the Project, mitigation measures to reduce the level of impact, and residual level of significance (i.e., after application of mitigation). Issues evaluated in these sections consist of the environmental topics identified for review in the Notice of Preparation (NOP) prepared for the Project (see Appendix A of this Draft EIR). Chapter 4, “Alternatives,” presents a reasonable range of alternatives and evaluates the environmental effects of those alternatives relative to the proposed Project, as required by Section 15126.6 of the State CEQA Guidelines. Chapter 5, “Other CEQA-Mandated Sections,” includes an analysis of the Project’s growth-inducing impacts, as required by Section 21100(b)(5) of CEQA.

Sections 3.3 through 3.12 of this Draft EIR each include the following components.

Introduction: This section provides introductory text pertaining to each technical topic, including a summary of comments raised by the public in response to the NOP, and issue topics dismissed from further discussion.

Regulatory Setting: This subsection presents information on the laws, regulations, plans, and policies that relate to the issue area being discussed. Regulations originating from the federal, state, and local levels are each discussed as appropriate.

Environmental Setting: This subsection presents the existing environmental conditions on the proposed Project site and Alternative A site and in the surrounding area as appropriate, in accordance with State CEQA Guidelines Section 15125. The discussion of the environmental setting focuses on information relevant to the issue under evaluation. The extent of the environmental setting area evaluated (the Project study area, which includes both the proposed Project site and Alternative A site) differs among resources, depending on the locations where impacts would be expected. For example, traffic impacts resulting from the proposed Project and Alternative A are assessed for the local and regional roadway network, whereas cultural-resource impacts from the proposed Project and Alternative A are assessed for the Project site and Alternative A site only.

Methods and Assumptions: This section describes the methods, process, procedures, and/or assumptions used to formulate and conduct the impact analysis.

Significance Criteria: This section provides the criteria by which an impact is considered significant, in accordance with CEQA and the Tahoe Regional Planning Agency (TRPA) Code of Ordinances. Significance criteria used in this EIR are based on the environmental checklist in Appendix G of the State CEQA Guidelines; the TRPA Initial Environmental Checklist; factual or scientific information and data; and regulatory standards of federal, state, and local agencies.

Environmental Impacts and Mitigation Measures: This subsection presents thresholds of significance and discusses potentially significant effects of the Project on the existing environment, including the environment beyond the proposed Project site and Alternative A site boundaries, in accordance with State CEQA Guidelines Section 15126.2. The methodology for impact analysis is described, including technical studies upon which the analyses rely. The thresholds of significance are defined and thresholds for which the Project would have no impact are disclosed and dismissed from further evaluation. Project impacts and mitigation measures are numbered sequentially in each subsection (Impact 3.3-1, Impact 3.3-2, Impact 3.3-3, etc.). A summary impact statement precedes a more detailed discussion of the environmental impact. The discussion includes the analysis, rationale, and substantial evidence upon which conclusions are drawn. The determination of level of significance of the impact is defined in bold text. A “less-than-significant” impact is one that would not result in a substantial adverse change in the physical environment. A “potentially significant” impact or “significant” impact is one that would result in a substantial adverse change in the physical environment; both are treated the same under CEQA in terms of procedural requirements and the need to identify feasible mitigation. Mitigation measures are identified, as feasible, to avoid, minimize, rectify, reduce, or compensate for significant or potentially significant impacts, in accordance with the State CEQA Guidelines Section 15126.4. Unless otherwise noted, the mitigation measures presented are recommended in the EIR for consideration by the TCPUD Board of Directors to adopt as conditions of approval.

Where an existing law, regulation, or permit specifies mandatory and prescriptive actions about how to fulfill the regulatory requirement as part of the project definition, leaving little discretion in its implementation, and would avoid an impact or maintain it at a less-than-significant level, the environmental protection afforded by the regulation is considered before determining impact significance. Where existing laws or regulations specify a mandatory permit process for future projects, performance standards without prescriptive actions to accomplish them, or other requirements that allow substantial discretion in how they are accomplished, or have a substantial compensatory component, the level of significance is determined before applying the influence of the regulatory requirements. In this circumstance, the impact would be potentially significant or significant, and the regulatory requirements would be included as a mitigation measure.

This subsection also describes whether mitigation measures would reduce Project impacts to less-than-significant levels. Significant-and-unavoidable impacts are identified as appropriate in accordance with State CEQA Guidelines Section 15126.2(b). Significant-and-unavoidable impacts are also summarized in Chapter 5, “Other CEQA-Mandated Sections.”

Cumulative Impacts: This subsection presents an analysis of the Project’s impacts considered together with other past, present, and probable future projects producing related impacts, as required by Section 15130 of the State CEQA Guidelines.

References: The full references associated with the in-text references found throughout Sections 3.3 through 3.12 can be found in Chapter 6, “References,” organized by section number.

3.1.2 Cumulative Impact Analyses

Cumulative impacts are discussed in each resource section (Sections 3.3 through 3.12 of this Draft EIR), following discussions of the Project-specific impacts.

3.1.3 Cumulative Impact Analysis Methodology

Section 15130(a) of the State CEQA Guidelines requires a discussion of the cumulative impacts of a project when the Project’s incremental effect is cumulatively considerable. Where a project’s incremental effect is not cumulatively considerable, the effect need not be considered significant, but the basis for the conclusion must be briefly described. Cumulatively considerable, as defined in State CEQA Guidelines Section 15065(a)(3), means that the “incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” State CEQA Guidelines Section 15355 defines a cumulative impact as two or more individual effects which, when considered together, are considerable or which

compound or increase other environmental impacts. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

3.1.4 Cumulative Impact Approach

State CEQA Guidelines Section 15130 identifies two basic methods for establishing the cumulative environment in which a project is considered: the use of a list of past, present, and probable future projects; or the use of adopted projections from a general plan, other regional planning document, or a certified EIR for such a planning document. The cumulative analyses in this EIR primarily uses the list approach, with some use of the plan approach to describe the cumulative setting for some resource areas (e.g., air quality, greenhouse gas emissions, and transportation). The list approach identifies reasonably foreseeable projects that may contribute to a cumulative effect rather than projections contained in an adopted local, regional or statewide plan, or related planning document. The effects of past and present projects on the environment are reflected by the existing conditions in the Project area. Probable future projects are those in the vicinity that have the possibility of interacting with the proposed Project to generate a cumulative impact (based on proximity and construction schedule) and either:

- ▶ are partially occupied or under construction,
- ▶ have received final discretionary approvals,
- ▶ have applications accepted as complete by local agencies and are currently undergoing environmental review, or
- ▶ are projects that have been discussed publicly by an applicant or that otherwise become known to a local agency and have provided sufficient information about the project to allow at least a general analysis of environmental impacts.

The cumulative list below considers related, reasonably foreseeable projects likely to be constructed simultaneously with construction of the lodge, which would be expected to occur within the next 4 years. This time period was selected because it coincides with the timing of the introduction of Project impacts (Project impacts would be introduced by construction and operational activities).

3.1.5 Cumulative Setting

GEOGRAPHIC SCOPE

The geographic area that could be affected by the Project varies depending on the environmental resource topic. When the effects of the Project are considered in combination with those of other past, present, and reasonably foreseeable future projects to identify cumulative impacts, the specific projects considered may also vary depending on the type of environmental effects being assessed. Table 3.1-1 presents the general geographic areas associated with the different resource topics addressed in this analysis.

Table 3.1-1 Geographic Scope of Cumulative Impacts

Resource Topic	Geographic Area
Air Quality	Tahoe Region (pollutant emissions that affect the applicable air basin) and immediate Project vicinity (pollutant emissions that are highly localized)
Biological Resources	Defined differently for each species, based on species distribution, habitat requirements, and scope of impact from proposed activities
Archaeological, Historical, and Tribal Cultural Resources	Regional (historic lands of the Washoe people) for archaeological resources and Tribal Cultural Resources; Tahoe Basin for historic resources
Geology, Soils, Land Capability, and Coverage	Tahoe Region for land capability and coverage; proposed Project site and Alternative A site boundary for site grading and erosion potential
Greenhouse Gas Emissions and Climate Change and Energy	Global/statewide
Hydrology and Water Quality	Local and regional watersheds
Noise	Immediate Project vicinity where proposed Project- or Alternative A-generated noise could be heard concurrently with noise from other sources
Utilities	North Shore area of Lake Tahoe
Transportation	Regional and local roadways and freeways where the proposed Project or Alternative A could contribute traffic that could alter traffic conditions

Source: Compiled by Ascent Environmental in 2018

PROJECT LIST

Probable future projects considered in the cumulative analysis meet the criteria described above: they are in the proposed Project vicinity and have the possibility of interacting with the Project or Alternative A to generate a cumulative impact (Table 3.1-2 and Figure 3.1-1). This list of projects was considered in the development and analysis of the cumulative settings and impacts for most resource topics within the geographic scope of each resource topic (as listed in Table 3.1-1). Past and present projects in the vicinity were also considered as part of the cumulative setting, as they contribute to the existing conditions upon which the environmental effects of the proposed Project and Alternative A and reasonably foreseeable future projects are compared.

3.2 EFFECTS NOT FOUND TO BE SIGNIFICANT

As required by CEQA (State CEQA Guidelines Section 15128), this section presents discussions related to environmental effects found not to be significant. Some topical issues were found not to be significant and were not evaluated further in this EIR. For the proposed Project and Alternative A, many of these issues (e.g., effects on farmland) warrant no further discussion because they would clearly result in no impact. Other impacts determined to be less than significant warrant further discussion to describe the rationale for the conclusion. These issues include aesthetics, hazards and hazardous materials, land use and planning, public services, recreation, and wildfire. These issue areas are organized below to address the topics in the State CEQA Guidelines Appendix G Environmental Checklist Form. As applicable, the analysis below also addresses issue areas included in the TRPA Initial Environmental Checklist.

Changing the pattern of ownership of parcels as part of the larger land exchange being contemplated by TCPUD and the California Tahoe Conservancy (Conservancy) by itself would have no impact on aesthetics, agriculture and forestry resources, hazards and hazardous materials, land use and planning, mineral resources, population and housing, public services, recreation, or wildfire. The potential environmental effects from construction and operation of the proposed Project on a portion of Assessor Parcel Number 093-160-064, currently owned by the Conservancy, are assessed in this EIR. The purpose of the land exchange is to consolidate ownership and increase land management efficiencies for the agencies and no other physical changes are proposed for the affected parcels.

Table 3.1-2 Cumulative Projects List

Map Number	Project Name	Location	Description	Project Status
Plans (not mapped)				
NA	Lake Tahoe Regional Plan	Tahoe Basin, CA and NV	The Regional Plan is a regulatory framework that includes several initiatives and documents that shape how development may occur within the Tahoe Basin and provide protections for natural resources. Some of the components of the Regional Plan include Environmental Threshold Carrying Capacities, Goals and Policies, and Code of Ordinances.	Adopted by TRPA in 2012.
NA	Placer County Tahoe Basin Area Plan	Placer County within the Tahoe Basin, CA	The Area Plan contains land use regulations that apply in the Placer County portion of Tahoe Basin and is an update to existing community plans, general plans, plan area statements (PASs), maps, and ordinances in the Project area; implements the Regional Plan and conforms to the TRPA/Tahoe Metropolitan Planning Organization (TMPO) Regional Transportation Plan/Sustainable Communities Strategy.	Adopted by the Placer County Board of Supervisors on December 6, 2016 and by the TRPA Governing Board on January 25, 2017.
NA	2017 Linking Tahoe: Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)	Tahoe Basin, CA and NV	The 2017 RTP/SCS is an update to the 2012 RTP, <i>Mobility 2035</i> , and as such identifies the projects, policies, and programs planned for implementation in the Tahoe Region through 2040. The plan identifies a long-term vision, regional transportation goals and supportive projects, and policies and programs needed to meet these goals.	Adopted by TRPA in April 2017.
Individual Projects				
1	Dollar Creek Forest Health and Biomass Project	The project is bordered to the west by Burton Creek State Park, and by North Tahoe High School, North Tahoe Middle School, and the Highlands community to the south.	Mechanical forest management activities to improve forest health and reduce fire fuels on 151 acres within a 263-acre project site of the California Tahoe Conservancy (Conservancy) Dollar property starting in spring 2019 and ending in March 2020.	Approved by the Conservancy in June 2018.
2	North Tahoe High School and North Tahoe Middle School Facilities Program	2945 Polaris Road, Tahoe City, CA	The facilities program includes plans to expand the band room, construct a greenhouse, and implement other improvements to the outdoor quad areas. These projects are anticipated in 2021 to 2022, but could begin sooner.	In the early planning stages.
3	Dollar Creek Crossing	3205 North Lake Blvd, Tahoe City, CA	Placer County is in the preliminary planning stages with a developer for an affordable housing project at this site. Because of the nature of the project in its early planning stages, a preliminary estimate of the number of multi-family residential units that would be allowed for these parcels was calculated using the density limits in the Area Plan and the parcel area; it is estimated that the development could include up to 214 residential units that would primarily be multi-family units with a few single-family units. This estimated does not account for site constraints or other considerations that could ultimately reduce the number of residential units. Additionally, it is possible that, once submitted, the project application would propose a mix of multi-family and single-family residential units and commercial. At this time, it is assumed that vehicle access to the project site would be provided on Fabian Way and State Route (SR) 28.	In the early planning stages.

Note: NA = not applicable

Source: Compiled by Ascent Environmental in 2019



Source: Adapted by Ascent Environmental in 2018

Figure 3.1-1 Cumulative Projects

3.2.1 Aesthetics

Scenic vistas and views of Lake Tahoe. A scenic vista is generally considered to be a location from which the public can experience unique and exemplary high-quality views—often from elevated vantage points that offer panoramic views of great breadth and depth. The proposed Project site and the Alternative A site are located in forested areas that are not elevated above their surroundings. Construction of the Schilling Lodge at these locations would not block any views of Lake Tahoe from a public road or other public area, nor would implementation of the proposed Project or Alternative A adversely affect a scenic vista or views of Lake Tahoe seen from a public road or other public area.

Scenic highways. The proposed Project and Alternative A sites are not located within a state scenic highway and therefore neither would damage scenic resources (including trees, rock outcroppings, and historic buildings) within a state scenic highway. Additionally, the locations of the proposed Project and Alternative A are not visible from any state or federal highway, Pioneer Trail, or from Lake Tahoe. There would be no impact on scenic highways.

Visual character or quality of public views of the site and its surroundings. The Schilling Lodge would be a reconstruction and expansion of the historic Schilling residence, a structure that serves as an excellent example of Lake Tahoe resort rustic architecture (Wiss, Janney and Elstner Associates, Inc. 2015). In reviewing potential sites for the location of the Schilling Lodge, views of the surrounding areas and public views, including visibility to neighbors, were considered. The proposed Project site was preferred over other locations because it minimized visibility to neighbors while also providing beneficial views of the surrounding area for visitors (Olson-Olson 2017). The proposed Project site and Alternative A site are on publicly owned land that contains recreation resources (e.g., cross-country ski trails) and, in the case of the proposed Project site, on and near Conservancy-owned land containing additional trails. Recreation users on these trails and other public lands, as well as staff, students, and visitors to North Tahoe Middle School and North Tahoe High School, including people gathering at the school track and football field, may have limited views through the forest of the Schilling Lodge. The Project is intended to support and enhance existing recreation uses on, and accessed from, the proposed Project site or alternative A site. Implementation of Alternative A would replace the existing TCPUD-owned Highlands Community Center (Existing Lodge), locating the new Schilling Lodge in an area that is already disturbed by development. The Schilling Lodge at this location would improve the visual quality of the site by replacing a nondescript, contemporary building surrounded by scattered outbuildings with a single historic structure that exemplifies distinct rustic architecture associated with the Tahoe region (see Figure 3.2-1).

All changes to the proposed Project site and Alternative A site would comply with the Placer County Area-Wide Standards and Guidelines (Chapter 3 of the Placer County Tahoe Basin Area Plan [Area Plan] Implementing Regulations), which includes standards for building design, site design, onsite parking, lighting, and landscaping. Design standards are also specified for the North Tahoe High School Subdistrict in Section 2.07.F of the Area Plan Implementing Regulations. The Schilling Lodge would also be required to comply with the TRPA Scenic Quality Improvement Program and Design Review Guidelines and height limitations set forth in Chapter 37 of the TRPA Code. Because the proposed Project and Alternative A would be designed to blend with the natural setting and be compatible within the context of the both sites and the surroundings in compliance with applicable regulations, neither would degrade the existing visual character or quality of the either site or their surroundings. Additionally, the proposed Project and Alternative A would be consistent with the height and design standards required by the Area Plan or the TRPA Scenic Quality Improvement Program or Design Review Guidelines. The impact would be less than significant.

Visibility from TRPA-designated public recreation area or bicycle trail. The proposed Project and Alternative A are not visible from a TRPA-designated public recreation area or bicycle trail (TRPA 2015). The Conservancy's "Dollar Property," which contains numerous trails, is located adjacent to the Existing Lodge. The Dollar Property is not a TRPA-designated public recreation area. No bicycle paths, trails, or routes are identified within or adjacent to the proposed Project site or the Alternative A site (Lake Tahoe Bicycle Coalition 2017). The recently completed Dollar Creek shared-use path is located near the Existing Lodge, but is located to the west of Country Club Drive and views of the Existing Lodge are blocked by existing residences. TRPA has not designated this path as a scenic bikeway. There would be no impact.



Source: Photo taken by Ascent Environmental in 2019

View of the Existing Lodge



Source: Photos provided by TCCSEA in 2019

View of the Schilling Residence Prior to Disassembly

Figure 3.2-1 Representative Photographs

Light and glare. The proposed Project and the Alternative A would include new sources of exterior lighting, with the minimum amount of lighting necessary for safety and security purposes at entrances/exits, along the walkways, and in the parking lot. No lights along on the entrance driveway are proposed. Building lights shall conform to lighting requirements of the Placer County Design Standards and Guidelines (Section 3.09 of the Area Plan Implementing Regulations), which include shield cutoffs and downward orientation to prevent light spillage off site. Low-level lighting along walkways would also be shielded and oriented to light only the walking surface. In the parking lot, lighting levels shall meet the minimum requirements to provide safety, keeping the light levels as low as possible with downward orientation. Lighting would not be cast onto any nearby public lands. Because both proposed Project and Alternative A would include lighting that would be downward facing and the minimal necessary for safety purposes, neither would adversely affect day or nighttime views in the area. Additionally, the exterior building materials used for the Schilling Lodge would consist of wood siding and wood shake roof, consistent with the materials used in the historic Schilling residence. These materials would not create new sources of glare. Because the Schilling residence is recognized as a historic resource by TRPA and eligible for listing in the National Register of Historic Places, any physical components of the original Schilling residence that contribute to its historic character and eligibility as a historic resource would be retained consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* and permit conditions required by TRPA. If the applicant proposes to change any of the character-defining features that contribute to its historic character as identified in the *Schilling Residence Targeted Historic Structure Report* (Wiss, Janney, Elstner Associates 2015), they would be required to seek approval from TRPA as part of the TRPA permit process. Historic resources are further discussed in Section 3.4, "Archaeological, Historical, and Tribal Cultural Resources." This impact would be less than significant.

3.2.2 Agriculture and Forestry Resources

According to the California Department of Conservation (DOC), there are no lands considered to be important farmland on either the proposed Project site or Alternative A site (DOC 2017) or lands subject to Williamson Act contracts (DOC 2015). Thus, the proposed Project or Alternative A would not convert important farmland, conflict with Williamson Act contracts, or otherwise affect agricultural land. There would be no impacts related to agricultural resources.

The Project sites for the proposed Project and Alternative A are not zoned for forest land, timberland, or timberland production; therefore, neither the proposed Project nor Alternative A would result in conflicts with these zoning types. While implementation of either the proposed Project or Alternative A would result in some tree removal, the respective sites are primarily used for recreation. Implementation of the proposed Project and the Alternative A would not result in the loss of forest land or conversion of forest land to non-forest use.

3.2.3 Hazards and Hazardous Materials

The potential for the proposed Project or Alternative A to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires is discussed below in Section 3.2.9, "Wildfire."

Hazards to the public or environment through the routine transport, use, and disposal of hazardous materials or from reasonably foreseeable upset and accident conditions. Implementation of the proposed Project and Alternative A would involve the storage, use, and transport of hazardous materials and could result in accidental release of hazardous materials during construction of the Schilling Lodge.

During operation of the Schilling Lodge, future use and storage of hazardous materials would include fertilizers and pesticides typically used for landscaping and household cleaners that would be used for routine maintenance and would be similar to those used under existing conditions. Hazardous materials similar to those used during construction could also be used periodically as part of operation, maintenance, and repair of infrastructure, equipment, and facilities. Winter operations would also continue to conduct limited refueling for onsite equipment at the proposed Project site or Alternative A site consistent with existing conditions.

Buildings constructed prior to 1979 may contain asbestos and buildings constructed prior to 1978 may contain lead-based paint (California Department of Industrial Relations 2019; U.S. Environmental Protection Agency 2019). Because the Highlands Community Center was constructed before 1978 (TCPUD acquired the property with the building in 1975), there is the potential for lead-based paint and/or asbestos-containing material (ACM) to be present. Thus, construction workers could be exposed to lead-based paint or ACM if the building is demolished with implementation of Alternative A. With implementation of the proposed Project, only improvements that include general upkeep of the community center property would occur; no improvements are proposed that could expose workers to these potential hazards.

Federal and state regulations govern the renovation and demolition of structures where materials containing lead and asbestos could be present. Asbestos and lead abatement must be performed and monitored by contractors with appropriate certifications from the California Department of Health Services. Demolition of any building, such as demolition of the Existing Lodge under Alternative A, that could contain asbestos (based on the age of the building) would be regulated as an Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP) Regulated Facility. An Asbestos NESHAP Regulated Facility is subject to a thorough asbestos inspection of the facility and testing of materials to determine whether asbestos is present that must be conducted by a California Occupational Safety and Health Administration- (Cal/OSHA-) certified asbestos consultant (Cal/OSHA regulations, California Labor Code, Sections 9021.5 through 9021.8). Demolition projects require a NESHAP Notification even if there is found to be no asbestos present after testing. Section 1532.1 in Title 8 of the California Code of Regulations addresses construction work where an employee may be occupationally exposed to lead. In compliance with Cal/OSHA regulations, surveys for indicators of lead-based coatings, and flakes in soil, would be conducted before demolition of the Existing Lodge under Alternative A to further characterize the presence of lead on the Alternative A site. Loose or peeling paint may be classified as a hazardous waste if concentrations exceed total threshold limits. Cal/OSHA regulations require air monitoring, special work practices, and respiratory protection during demolition and paint removal where even small amounts of lead have been detected. Agency notification and compliance with California Department of Health Services and Cal/OSHA regulations would require that the presence of these materials be verified and remediated, which would eliminate potential health risks associated with exposure to asbestos or lead during building demolition associated with Alternative A. For this reason, this impact would be less than significant, and no mitigation would be required.

Hazards and hazardous materials are regulated by a number of federal, state, and local agencies, including the federal Occupational Safety and Health Administration (OSHA), U.S. Department of Transportation (USDOT), Cal/OSHA, California Department of Toxic Substances Control (DTSC), State Water Resources Control Board, California Highway Patrol (CHP), California Department of Transportation (Caltrans), and Placer County Environmental Health (PCEH). Regulations that would minimize potential hazards and hazardous materials impacts associated with the proposed Project or Alternative A include:

- ▶ OSHA has adopted numerous regulations pertaining to worker safety, contained in Title 29 of the Code of Federal Regulations (29 CFR). These regulations set standards for safe workplaces and work practices, including standards relating to the handling of hazardous materials and those required for excavation and trenching.
- ▶ Cal/OSHA assumes primary responsibility for developing and enforcing workplace safety regulations in California. Cal/OSHA standards, which typically are more stringent than federal OSHA regulations, are presented in Title 8 of the California Code of Regulations (8 CCR). Cal/OSHA conducts onsite evaluations and issues notices of violation to enforce necessary improvements to health and safety practices.
- ▶ Under the Resource Conservation and Recovery Act of 1976, DTSC has the authority to implement permitting, inspection, compliance, and corrective action programs to ensure that people who manage hazardous waste follow state and federal requirements. The Hazard Communication Standard defined in 29 CFR Part 1910 requires that workers be informed of the hazards associated with the materials they handle. USDOT has also developed regulations (10 CFR and 49 CFR) pertaining to the transport of hazardous substances and hazardous wastes by all modes of transportation.

- ▶ California has adopted USDOT regulations for the movement of hazardous materials originating within the state and passing through the state; state regulations are contained in 26 CCR. State agencies with primary responsibility for enforcing state regulations and responding to hazardous materials transportation emergencies are CHP and Caltrans. Together, these agencies determine container types used and license hazardous waste haulers to transport hazardous waste on public roads.
- ▶ The Project falls within the jurisdiction of the Construction Stormwater General Permit for the Lake Tahoe Basin issued in March 2016 (Order No. R6T-2016-0010), as further described under Section 3.10.1, "Regulatory Setting," in Section 3.10, "Hydrology and Water Quality." Section 402 of the Clean Water Act establishes the National Pollutant Discharge Elimination System (NPDES) permit program to regulate discharges of pollutants into waters of the United States. The NPDES permit and Construction Stormwater General Permit require that permit registration documents be filed for construction projects with greater than 1 acre of disturbance. The documents must include a notice of intent and a storm water pollution prevention plan (SWPPP) that identifies proposed best management practices and includes a site-specific construction site monitoring and reporting plan developed by a Qualified SWPPP Developer. Although a major focus of the SWPPP is managing stormwater on the construction site, it also must address proper use and storage of hazardous materials, spill prevention and containment, and cleanup and reporting of any hazardous materials releases if they do occur.
- ▶ PCEH is responsible for promoting a safe and healthy environment in the county and for enforcing hazardous waste laws and regulations at a local level. PCEH, as the local Certified Unified Program Agency (CUPA), monitors the proper use, storage, and cleanup of hazardous materials; monitoring wells; removal of leaking USTs; and permits for the collection, transport, use, or disposal of refuse.

Project construction and operation would also be required to implement and comply with these federal, state, and local regulatory requirements and manufacturer's instructions related to hazardous materials to reduce the potential for exposure of the public or environment to hazards resulting from routine use, storage, or transport of hazardous materials or from accidental release or upset.

Because construction of the proposed Project or Alternative A would disturb an area greater than 1 acre, a SWPPP (see Section 3.10, "Hydrology and Water Quality," and Impact 3.10-1) would be required to be prepared and implemented. Implementation of the SWPPP would minimize soil erosion and contain stormwater onsite for infiltration and/or treatment. The required TRPA permit would also include best management practices to prevent releases of hazardous materials and contain and clean up any accidental releases that might occur during construction activities (such as rupture of a hydraulic line on a piece of equipment releasing hydraulic fluid).

Because the level of use of hazardous materials in proposed Project or Alternative A construction and operation would be typical for recreation land uses, and because the proposed Project and Alternative A would be required to implement and comply with existing federal, state, TRPA, and local hazardous materials regulations, the proposed Project and Alternative A would not create significant hazards to the public or environment through the routine transport, use, and disposal of hazardous materials or from reasonably foreseeable upset and accident conditions.

Hazards to schools. Alternative A would be located at the site of the Existing Lodge, which is located approximately 0.65 miles northeast of the schools. Although the proposed Project would be located adjacent to the North Tahoe High School and North Tahoe Middle School, for the reasons described above, the potential hazards associated with the use of hazardous materials by the Project would be reduce to a less-than-significant level.

Hazardous materials sites. Neither the proposed Project site nor the Alternative A site are included on a list of hazardous materials sites compiled pursuant to California Government Code Section 65962.5. Therefore, neither the proposed Project or Alternative A would have no impact relative to construction on a hazardous waste site.

Airport-related hazards. The Truckee-Tahoe Airport is located approximately 17 miles northwest of the proposed Project site and the Alternative A site. Because of the distance from the airport, the proposed Project and Alternative A sites are outside of the airport land use plan. Additionally, there are also no nearby private air strips. For these reasons, the proposed Project and Alternative A would not result in a safety hazard related to people residing or working within the vicinity of a public airport or private airstrip.

Naturally-occurring asbestos. Asbestos is the common name for a group of naturally-occurring fibrous silicate minerals that can separate into thin but strong and durable fibers. Naturally-occurring asbestos (NOA) is found in many parts of California and is commonly associated with serpentine soils and rocks. Special Report 190, Relative Likelihood for the Presence of Naturally Occurring Asbestos in Placer County, conducted by the California Geological Survey in 2006 provides a map of areas within Placer County likely to contain NOA. Although portions of Placer County contain areas of NOA, the proposed Project site and Alternative A site is in an area considered “least likely” to contain NOA (CGS 2006). The proposed Project and Alternative A sites are not located within any of the areas known to contain NOA.

Emergency response plan or emergency evacuation plan. The Placer Operational Area East Side Emergency Evacuation Plan (Placer County 2015) was developed to help increase preparedness and facilitate the efficient and rapid evacuation of threatened communities in the far eastern end of the county in the event of an emergency, probably a forest fire or flood. The plan provides details regarding evacuation alerts, evacuation emergency medical services and public information, traffic control, transportation, communication, and animal services. SR 28 is the major evacuation route near the cross-country ski area. The North Tahoe High School and North Tahoe Middle School adjacent to the proposed Project site is identified as one of the five potential emergency operations centers, to accommodate ‘shelter in place’, in the Tahoe Basin portion of Placer County.

Construction of either the proposed Project or Alternative A would require access by workers and heavy equipment, delivery and stockpiling of materials, demolition and removal of debris, and other operations that, depending on the exact timing and nature of construction activities, could limit vehicular access on roads adjacent to the proposed Project site or Alternative A site. However, the construction activities and staging areas would be located within the proposed Project site or Alternative A site and would not be substantial (e.g., would not require substantial numbers large earthmovers or excavators); thus, impairment of emergency routes, traffic delays, or potentially preventing access to calls for service or delays in evacuation would be minimal. Because of the short-term nature of the construction activities and access to in the Highlands Community neighborhood would be maintained during construction, construction activities would not interfere with use of the North Tahoe High School or North Tahoe Middle School as a potential emergency operations center and would not interfere with use of SR 28 as an evacuation route.

As part of Project approvals and a requirement of the TRPA permit, the North Tahoe Fire Protection District (NTFPD) would participate in the environmental review process by reviewing Project design plans and recommending additional design features or other fire safety prevention measures, as necessary. The lodge would be constructed in accordance with fire protection and safety requirements identified in the Uniform Fire Code, Uniform Building Code, and NTFPD Fire Code, including requirements for adequate fire flows and emergency access. The Project would also be required to develop and implement an Emergency Preparedness and Evacuation Plan consistent with Government Code Section 65302(g) and Placer County Tahoe Basin Area Plan Policy NH-P-6. Additionally, the Project-generated traffic, including for special events, would be appropriate to the capacity of the facility and therefore would not generate traffic volumes that would physically interfere with implementation of an adopted emergency response plan or emergency evacuation plan. This impact would be less than significant for the proposed Project and Alternative A.

3.2.4 Land Use and Planning

The proposed Project and Alternative A sites are located within the North Tahoe High School Subdistrict of the Area Plan and are zoned and designated for Recreation under the Lake Tahoe Regional Plan and Area Plan. The proposed Project would relocate the Existing Lodge with an expanded lodge and would allow for some additional special events (similar to existing large special events), small community events, and private events throughout the year.

The proposed Project would be located on undeveloped TCPUD- and Conservancy-owned land adjacent to the North Tahoe High School and residences. The Alternative A would replace the Existing Lodge and would allow for the same types of events described above for the proposed Project. For these reasons and because it would not amend, revise, or be inconsistent with any existing regulations related to land use planning and development, implementation of the proposed Project or Alternative A would not divide an established community and would not

cause a significant environmental impact due to a conflict with any applicable land use plan, local policies and regulations, habitat plan, or natural community conservation plan.

3.2.5 Mineral Resources

Impacts on mineral resources (loss of a known mineral resource or a locally-important mineral resource recovery site) were dismissed from further evaluation because there are no known mineral resources within the proposed Project or Alternative A sites (USGS 2018) and because mining is not an identified allowable use in the Tahoe Basin.

3.2.6 Population and Housing

Implementation of the Project could result in several new staff at the lodge. However, the amount of employment generated by the proposed Project and Alternative A would be minimal, and would not result in substantial unplanned population growth such that construction of additional housing would be required. Neither the proposed Project nor Alternative A would construct new roads. The proposed Project would require extension of utility service lines from utility lines in Polaris Road. As discussed in Impact 3.11-1 and Mitigation Measure 3.11-1, implementation of Alternative A could require the expansion of the TCPUD water line that services that site to meet fire flow standards, but would not be required to meet water supply needs to support growth in the community. Furthermore, the Project is located on public land that contains recreation facilities and, thus, implementation of either the proposed Project or Alternative A would not temporarily or permanently displace any people or housing. For these reasons, the proposed Project and Alternative A would not result in direct or indirect population growth or alter the location, distribution, density, or growth rate of the human population planned for the Tahoe Region.

3.2.7 Public Services

The potential for the Project to adversely affect parks and recreation resources is discussed below in Section 3.2.8, "Recreation."

Fire and police protection. The proposed Project would relocate Tahoe XC to a site approximately 0.8 mile by road southwest of its current location. Alternative A would be located at the Existing Lodge site. The nearest fire station is the NTFPD Station #51 located at 222 Fairway Drive, Tahoe City, California. The distance between the fire station and the Existing Lodge and Alternative A site is 3.5 miles and the distance between the fire station and the proposed Project site is 3.4 miles. The nearest Placer County Sheriff station is located at 2501 N Lake Boulevard, Tahoe City, California, which is 1.2 miles from the Existing Lodge and Alternative A site and would be 1.1 miles from the proposed Project site. For this reason, there would essentially be no change in emergency response times compared to existing conditions.

The proposed Project and Alternative A would result in a larger lodge building, which would allow for an increase in the number of events that are held at the lodge year-round. The Schilling Lodge with the increase in parking is also anticipated to meet existing cross-country ski demand. Because the potential increase in visitation at the Schilling Lodge under the proposed Project and Alternative A, and the continued use of the Existing Lodge under the proposed Project alternative, would be relatively minor, neither the proposed Project or Alternative A would substantially increase demand for fire protection or emergency response services such that there would be an adverse impact on station operations or response times, or that new stations or personnel would be required. Construction activities associated with the Schilling Lodge would be short-term and be completed over the course of four summer (i.e., May – October) seasons. The impact on fire protection, emergency response, and police protection services would be less than significant for the proposed Project and Alternative A.

Schools and library facilities. The proposed Project does not include new housing or other Project elements that would increase the permanent resident population in Tahoe City and the surrounding area, resulting in an increased demand for school or library facilities. No impact would occur related to these services for the proposed Project and Alternative A.

Maintenance of public facilities, including roads. Project construction activities would be short-term, estimated to be completed in four years, and would not be anticipated to generate substantial construction traffic that could result in the need for maintenance of roads. Additionally, the proposed Project or Alternative A would not result in a substantial increase in visitation at the Schilling Lodge such that the associated increase in traffic on nearby roads would not result in the need for an increase in the maintenance of roads. This impact would be less than significant for the proposed Project and Alternative A.

3.2.8 Recreation

Create additional demand for recreation facilities and quality of recreation user experience. The area surrounding the Tahoe Cross-Country Center (Tahoe XC) contains hiking, skiing, and biking trails that are frequently used by visitors to Tahoe XC during the winter and summer as well as by recreation users in Burton Creek State Park and on nearby recreation lands managed by the Conservancy and the U.S. Forest Service. Some of the trails accessed from the proposed Project and Alternative A sites are also used for special events (i.e., trail races), including races that are currently hosted at the Existing Lodge.

The proposed Project and Alternative A would increase the number of events that would use the trails in the surrounding area. Special events that use the trail system would temporarily impact parking and trail use because of an increase in participant users, which could interfere with other recreation users that want to use those trails and potentially reducing the quality of their recreation experience. Currently, six large special and premier events are held at Tahoe XC each year. The Project proposes a total of nine large special events, an increase of three large special events compared to existing conditions. Although implementation of the proposed Project or Alternative A would result in an increase in the number of trail users participating in the additional special events, this increase would be short-term and temporary, as the Project applicant would limit the number of additional races and the trail races last for only a few hours on a single day. Because the increase in use of trails and the temporary congestion of some trails during special events would be limited and not substantially different than under existing conditions, the proposed Project and Alternative A would not result in a substantial adverse effect on the quality of recreation users in these areas and would not accelerate the physical deterioration of these trails. Additionally, although the congestion of trails during additional special events that could occur with implementation of the proposed Project or Alternative A could result in a minor increase in recreation demand for trails in other areas, this increase in demand would not result in sufficient demand in other areas such that the physical deterioration of those facilities would be accelerated.

The average daily visitation at the Schilling Lodge over the course of the year, aside from attendance at special events and gatherings, would increase incrementally with implementation of the proposed Project and Alternative A. The increase in visitation would be associated with the draw of visitors that could occur simply because of the historic preservation of the Schilling residence as a new lodge compared to the Existing Lodge. Some increase in visitation and recreation users on the surrounding trails would also be associated with junior mountain biking, day camp sessions, summer Nordic dryland training activities, and summer youth camps, some of which occur under existing conditions. With the proposed Project or Alternative A, these activities may occur more frequently over the course of the summer, but the level of users on a busy day would not be expected to increase compared to existing conditions. The Project and Alternative A would also allow for the continuation of a mountain bike rental and bike tour operation. The estimated increase in visitors to the Schilling Lodge would not be considered a substantial increase in trail users, even if all visitors use nearby trails, because there are miles of trails in the surrounding public lands on which trail users can recreate. Additionally, the Project would not introduce any new types of recreation use that could occur on these trails. Because the increase in use of trails by additional visitors to the Schilling Lodge over existing conditions would be commensurate with the increased size and enhancement of the facility, which would be modest, it would not result in a substantial adverse effect on the quality of recreation users in these areas and would not accelerate the physical deterioration of these trails.

For the reasons described above, the proposed Project or Alternative A would not increase the use of nearby recreation facilities (i.e., trails) such that substantial physical deterioration of the facility would occur or be accelerated. Additionally, neither the proposed Project nor Alternative A include components, such as housing, that would

increase area population and result in additional demand for recreation facilities. Furthermore, because the increase in the number of special events and visitors at the Schilling Lodge would be limited by permit conditions and Project applicant management strategies, it would not result in a substantial adverse impact on the quality of recreational experiences or create user conflicts. This impact would be less than significant.

Create additional recreation capacity. As one of the metrics used by TRPA to analyze attainment of the TRPA threshold for fair-share distribution of recreation capacity, Chapter 50 of the TRPA Code regulates targets for developed outdoor recreation measured in “persons at one time” (PAOTs), for overnight facilities, winter day-use facilities, and summer day-use facilities in addition to development rights for commercial floor area, residential units of use, and tourist accommodation units. It also regulates. The PAOT measure is an estimate of the number of individuals that a recreation facility or area can support at any given time. For winter day-use activities, TRPA allocates PAOTs for downhill ski facilities. As part of a cross-country ski area, the Project is not subject to requirements for winter day-use PAOTs. For summer day-use activities, TRPA requires PAOTs for recreation centers, participant sport facilities, sport assembly, beach recreation, and day-use areas operated by the California Departments of Parks and Recreation (State Parks) or their permittees, or by federal agencies or their permittees. The proposed Project site is located on lands owned by TCPUD and lands owned by the Conservancy, neither of which is not State Parks or a federal agency and, thus, is not subject to requirements for summer day-use PAOTs. The Alternative A site is on land owned by TCPUD.

Neither the proposed Project or Alternative A would affect the fair-share distribution of recreation capacity in the Tahoe Basin because they would continue to provide public access to the cross-country ski area and surrounding trails. Additionally, a larger lodge would be available for public use and for an increase in the types of events year-round. This would be a beneficial impact of the Project.

Environmental effects from new or expanded recreational facilities. The proposed Project and Alternative A would include construction of a new lodge for Tahoe XC, which is located in an area designated as Recreation by Placer County and TRPA. The potential environmental effects from construction and operation of the Schilling Lodge are assessed in Chapter 3, “Environmental Setting, Environmental Impacts, and Mitigation Measures;” Chapter 4, “Alternatives;” and Chapter 5, “Other CEQA-Mandated Sections.”

Public access to lakes, waterways, or public lands. Access to the public lands surrounding Tahoe XC, including Burton Creek State Park and Conservancy and USFS lands and waterways within those lands, would be retained at the proposed Project site and at the Alternative A site. The location of the proposed Project and Alternative A are not in close proximity to Lake Tahoe or any other lake, and therefore, Project would have no impact on public access to any lake, waterway, or public lands.

3.2.9 Wildfire

The potential for the Project to impact or physically interfere with an adopted emergency response plan or emergency evacuation plan is discussed above in Section 3.2.3, “Hazards and Hazardous Materials.”

Exposure to wildland fires. The proposed Project site and the Alternative A site are located within a Very High Fire Hazard Severity Zone as designated by the California Department of Forestry and Fire Protection (CAL FIRE 2008).

Implementation of the Project would result in an increase in the number of visitors to the Schilling Lodge relative to existing conditions. Although implementation of the Project would not result in any new special events that would be larger than existing special events, there would be an increase in the number and frequency of large special events, community events, and private meetings compared to existing conditions. Average daily visitation at the Schilling Lodge as a result of the appeal of the historic building is expected to increase, and it is likely that many of the visitors would be residents of the region, most of which is within a Very High Fire Hazard Severity Zone.

Operations at the Schilling Lodge would include defensible space of at least 100 feet and would implement other applicable requirements of the Uniform Fire Code, Uniform Building Code, and NTFPD Fire Code requirements, including ignition-resistant construction, automatic interior fire sprinklers, onsite fire hydrant minimum flows, and adequate emergency and fire apparatus access. Additionally, both the proposed Project and Alternative A would not

include any outdoor Project components, such as fire rings, that would pose a wildfire ignition threat. The Schilling Lodge would include one indoor gas fireplace.

Because of the limited size of the facility, visitation, and the nature of the lodge as a recreation facility, the increase in exposure of people or structures to wildland fires from Project implementation would be minimal compared to existing conditions. Construction would comply with all applicable fire-related codes and regulations, and no feature of the Project would render it fire prone. Furthermore, for the reasons described above, implementation of the proposed Project or Alternative A would not exacerbate wildfire risks, thereby exposing visitors at the lodge, nearby residents, or occupants at the high school and middle school to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. These impacts would be less than significant for the proposed Project and Alternative A.

Fire risks associated with installation or maintenance of Project infrastructure. The proposed Project would include connections to existing utility services within the Project area as discussed in Section 3.11, "Utilities." The locations of these improvements would be on the proposed Project site or, if necessary, within roadways adjacent to the proposed Project site. Any new or upgraded utility services for Alternative A would be similar to those of the proposed Project, with the exception of additional water supply improvements to meet fire flow requirements that could occur within Country Club Drive as described under Impact 3.11-1 in Section 3.11, "Utilities." Neither the proposed Project or Alternative A would exacerbate fire risks through the connectivity or maintenance of utility connections. Therefore, this impact would be less than significant for the proposed Project and Alternative A.

Downslope or downstream risks associated with wildfires. As discussed in Sections 3.9, "Geology, Soils, Land Capability, and Coverage," and 3.10, "Hydrology and Water Quality," the proposed Project site and the Alternative A site slope gently (2-10 percent slopes) to the north and west, steepening to the south and east at the edge of the terrace and runoff occurs naturally at each site. The analyses in these sections do not indicate that landslide events or substantial flooding and landslide events would occur at either the proposed Project site or Alternative A site. Once operational, onsite drainage would not affect offsite drainage conditions, including runoff that naturally occurs north of the Project site. The proposed Project site Alternative A site and surrounding areas have not been subject to wildfire such that the people or structures within either site or in downslope areas would be exposed to significant risks (e.g., downslope or downstream flooding or landslides) as a result of runoff, post-fire slope instability, or drainage changes. This impact would be less than significant for the proposed Project and Alternative A.