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Initial Study/Mitigated Negative Declaration/ Initial Environmental Checklist

Kings Beach Western Approach Project Placer County, CA

August 2020



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Kings Beach Western Approach Project

Placer County, CA

Initial Study/Mitigated Negative Declaration/ Initial Environmental Checklist

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County of Placer

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Executive Summary

PROJECT DESCRIPTION

The County of Placer (County), in cooperation with the California Department of Transportation, proposes roadway improvements at and around the intersection of North Shore Boulevard (State Route [SR] 267) and North Lake Boulevard (SR 28) within the unincorporated community of Kings Beach to enhance the safety and mobility of all roadway users, and to expand the streetscape aesthetics of the area. The existing signalized intersection limits vehicular flow during higher-trafficvolume periods. The existing bicycle lanes, sidewalks, and crosswalks along SR 28 are narrow, adjacent to traffic, and obstructed by the existing signal infrastructure. Therefore, the County proposes an improved design to provide safer, dedicated facilities for residents and visitors and to improve traffic circulation.

The Kings Beach Western Approach Project (project) is a multi-benefit project that proposes to improve the existing signaled intersection by replacing it with a modern roundabout intersection with new lane alignments and pedestrian and bicycle improvements. Three alternative designs were considered; the Preferred Roundabout Alternative (Alternative 3) was determined to provide an improvement in mobility, safety and efficiency, and Level of Service (LOS).

Once constructed, the project would connect with the adjacent Kings Beach Commercial Core Improvement Project Complete Streets improvements (completed in October 2017). As a result, the project would provide a continuous Complete Streets corridor from the Kings Beach downtown core to the west side of the community demarcated by the intersection of SR 28 and SR 267.

The project is identified by the Tahoe Regional Planning Agency's Environmental Improvement Program (#03.01.01.0015) as an Air Quality Action Priority project; once constructed, the project would help accelerate attainment of the following threshold categories: air quality, recreation, scenic resources, soil conservation, and water quality.

The project is currently funded through the Project Approval (PA) and Environmental Document (ED) Phase. The County is funding the PA&ED phase with Federal Highway Administration Surface Transportation Block Grant funds and local County funds. Funding of future project phases has yet to be secured.

Project Features

The proposed project would remove the existing signal and replace it with a modern roundabout. As a result, the new intersection would be shifted west of the existing

intersection, incorporating Brassie Avenue into the intersection to make it a fourlegged intersection.

The proposed design is a hybrid roundabout, which means it is neither a single-lane nor a multi-lane roundabout. The roundabout would be single-lane in all directions except in the eastbound direction. In the eastbound direction, the entry would flare from a single lane to a through-lane and a left-turn lane, making a short multi-lane section through the circulatory roadway in the eastbound direction. In the westbound direction, there would be a single through-lane and a dedicated rightturn lane onto SR 267.

The project would also implement a 'road diet' lane reduction to remove the only five-lane section on the north shore of Lake Tahoe by restriping SR 28 to three lanes from the intersection to approximately 2,000 feet west and 280 feet east of the intersection with SR 267. Bicycle lanes would be added on both the east and west sides of SR 267 from the intersection with SR 28 to Dolly Varden Avenue. In addition, the project may provide a sidewalk along the east side of SR 267 from the intersection with Dolly Varden Avenue. These improvements may be constructed as part of the proposed project or phased for a future project.

POTENTIAL IMPACTS

Based on the environmental evaluation performed for this Initial Study, the proposed project would have:

- **No Impact** on Agricultural and Forestry Resources, Mineral Resources, Population and Housing, and Public Services.
- Less Than Significant Impact on Aesthetics, Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Noise, Recreation, Transportation, Utilities and Service Systems, and Wildfire.
- Less Than Significant Impact with Mitigation Incorporated on Biological Resources, Hazards and Hazardous Materials, and Tribal Cultural Resources.

MITIGATION MEASURES

The County has agreed to implement the following mitigation measures to reduce project impacts to a "Less than Significant" level:

• *Mitigation Measure BIO-1:* If any construction activities (e.g., grubbing or grading) are scheduled during the bird nesting season (typically defined by the California Department of Fish and Wildlife [CDFW] as February 1 to September 1), the County or approved construction contractor shall retain a

qualified biologist to conduct a pre-construction survey of the project area and a 100-foot buffer, as access is available, to locate active bird nests, identify measures to protect the nests, and locate any other special status species.

The pre-construction survey shall be conducted no more than 14 days prior to the implementation of construction activities (including staging and equipment storage). Any active nest shall not be disturbed until young have fledged or under the direction provided by a qualified biologist. Any special status species shall not be disturbed without the direction of a qualified biologist. If an active nest is found during construction, disturbance shall not occur without direction from a qualified biologist.

- *Mitigation Measure BIO-2*: Tree or shrub removal shall occur during the non-breeding season (September 1 through January 31). If it is not possible to avoid tree removal or other disturbances during the breeding season (February 1 through August 31), a qualified biologist shall conduct a pre-disturbance survey for nesting birds in all trees within the operation footprint and within 250 feet of the project area no more than 30 days prior to the onset of ground disturbance. If nesting birds are detected on the site during the survey, a suitable activity-free buffer shall be established around all active nests. The precise dimension of the buffer (up to 250 feet) would be determined in consultation with CDFW at that time and may vary depending on location and species. Buffers shall remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. Pre-disturbance surveys during the non-breeding season are not necessary.
- *Mitigation Measure HAZ-1*: Develop Lead Compliance Plan: The Contractor shall develop and implement a Lead Compliance Plan (LCP). The LCP shall outline requirements mandated in 8 CCR 1532.1, Lead, to ensure the risks of potential worker exposure to inorganic lead through inhalation of airborne dust or ingestion lead from soils contaminated with ADL are mitigated. Additional components of the LCP shall include:
 - Prior to performing any excavation work at the locations containing material classified as hazardous, employees and subcontractors shall complete a safety training program which meets 29 CFR 1910.120 and 8 CCR 5192 covering the potential hazards as identified.
 - Educate employees and subcontractors in identification of contaminated soil and on contaminated soil handling, containment, and disposal procedures.

- Hold regular meetings to discuss and reinforce contaminated soil handling, containment, and disposal procedures (incorporate into regular safety meetings and tailgates).
- **Mitigation Measure TCR-1:** The County shall retain a qualified archaeologist that meets or exceeds the Secretary of the Interior's (SOI) standards to prepare an Archaeological Monitoring Plan prior to grounddisturbing activities implementing the Kings Beach Western Approach Project. The monitoring plan shall describe the procedures for the appropriate identification and treatment of archaeological resources inadvertently discovered during grading or construction activities. The plan shall include provisions to halt work in the immediate area in the event of a discovery, as specified in TCR-2, and TCR-3. The plan shall also identify the need for monitoring by both an SOI-qualified archaeologist and Native American monitors provided by the Washoe Tribe of Nevada and California (Washoe Tribe) and the Colfax-Todds Valley Consolidated Tribe (CTVCT). Detailed guidance outlining when and for what activities monitors must be present shall be provided in the monitoring plan. The SOI-gualified archaeologist shall also prepare a report of findings after construction is completed.
- *Mitigation Measure TCR-2:* The County shall retain an SOI-qualified archaeological monitor and Native American monitors prior to the commencement of ground-disturbing activities to monitor such activities as prescribed by the Archaeological Monitoring Plan. The monitors shall be granted stop-work authority in the event an inadvertent discovery is made. The monitors shall immediately evaluate the discovery to determine whether additional treatment is warranted. Construction activities shall not resume in the immediate area of the discovery until authorized by the monitors.
- Mitigation Measure TCR-3: The contractor and key members of crews working on excavation, trenching, and grading for site preparation shall be instructed to be wary of the possibility of destruction of buried cultural and paleontological resource materials. They shall be instructed, during a pre-construction meeting, to recognize signs of prehistoric use and their responsibility to report any such finds (or suspected finds) immediately, as specified by required construction controls in Section 3.6, so damage to such resources may be prevented. No historic properties will be affected in compliance with Advisory Council on Historic Preservation regulations (36 Code of Federal Regulations 800). However, in the event that cultural resources are discovered during project implementation, project personnel will halt all activities in the immediate area and will notify the SOI-qualified archaeologist, the County Project Engineer, the Washoe Tribe, and the CTVCT

to determine the appropriate course of action. Archaeological resources shall not be moved or taken from the project area and work shall not resume until authorized.

List of Abbreviations

Assembly Bill
area of direct impact
aerially deposited lead
area of indirect impact
Air Pollution Control District
Area of Potential Effect
Archaeological Survey Report
below ground surface
best management practice
Biological Study Area
California Department of Forestry and Fire Protection
California Invasive Plant Council
California Air Resources Board
California Code of Regulations
California Department of Fish and Game
California Department of Fish and Wildlife
California Environmental Quality Act
Code of Federal Regulations
Community Impact Assessment
California Natural Diversity Database
Community Noise Equivalency Levels
carbon dioxide equivalent
Placer County
California Register of Historical Resources
Colfax-Todds Valley Consolidated Tribe
Clean Water Act
diameter at breast height
Department of Toxic Substances Control
Environmental Document
Environmental Improvement Program
Environmental Impact Report
Executive Order
United States Environmental Protection Agency
exposure point concentration
Endangered Species Act
Environmental Threshold Carrying Capacity
Federal Emergency Management Agency
Greenhouse Gas
geographic information system

HPSR	Historic Property Survey Report
ICE	Intersection Control Evaluation
IEC	Initial Environmental Checklist
IPaC	Information Planning and Conservation
IS	Initial Study
KBCCIP	Kings Beach Commercial Core Improvement Project
lbs	pounds
LCP	Lead Compliance Plan
LOS	Level of Service
LSA	Lake and Streambed Alteration
LTAB	Lake Tahoe Air Basin
MBTA	Migratory Bird Treaty Act
MND	Mitigated Negative Declaration
mph	miles per hour
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCIC	North Central Information Center
NES	Natural Environment Study
NHPA	National Historic Preservation Act
NOx	nitrogen oxides
NPDES	National Pollution Discharge Elimination System
NPPA	Native Plant Protection Act
NTFPD	North Tahoe Fire Protection District
NTPUD	North Tahoe Public Utilities District
PA	Project Approval
PM	particulate matter
PRC	Public Resource Code
project	Kings Beach Western Approach Project
RCEM	Roadway Construction Emissions Model
ROG	reactive organic gases
ROW	right-of-way
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCS	Sustainable Communities Strategy
SER	Standard Environmental Reference
SEZ	Stream Environment Zone
SFHA	Special Flood Hazard Area
SMAQMD	Sacramento Metropolitan Air Quality Management District
SOI	Secretary of the Interior
SR	State Route

SR 267	North Shore Boulevard		
SR 28	North Lake Boulevard		
SSBMI	Shingle Springs Band of Miwok Indians		
SSS	special status species		
SWPPP	Storm Water Pollution Prevention Plan		
TMDL	Total Maximum Daily Load		
TMP	Traffic Management Plan		
TMPO	Tahoe Metropolitan Planning Organization		
TOA	Traffic Operations Analysis		
TRPA	Tahoe Regional Planning Agency		
TRPA Code	TRPA code of ordinance		
TWLT	two-way-left-turn		
UAIC	United Auburn Indian Community		
µg/m3	micrograms per cubic meter		
USACE	United States Army Corps of Engineers		
USFWS	United States Fish and Wildlife Service		
USGS	United States Geological Survey		
VHFHSZ	Very High Fire Hazard Severity Zones		
VMT	Vehicle Miles Travel		
WOUS	waters of the United States		
XPI	extended Phase I		

Section 1 Project Information

1. Project title:	Kings Beach Western Approach Project
2. Lead agency name and address:	County of Placer
3. Contact person and phone number:	Andy Deinkin Placer County Department of Public Works (530) 581-6235 Adeinkin@placer.ca.gov
4. Project location:	Placer County, CA
5. Project sponsor's name and address:	County of Placer 7717 N. Lake Boulevard, Box 336 Kings Beach, CA 96143
6. General Plan designations:	Commercial, Recreation, Residential
7. Zoning:	Mixed-use, Residential
8. Description of project:	Roadway safety and circulation improvement project, converting an existing signalized intersection to a roundabout at the intersection of SR 267 and SR 28 and adding bicycle lanes and sidewalks.
9. Surrounding land uses and setting:	Residential, Commercial, Golf Course, Fire Station, Elementary School
10. Other public agencies whose approval is required:	Tahoe Regional Planning Agency California Department of Transportation
11. Have California Native American tribes traditionally and culturally affiliated with	Native American consultation was conducted for the project. As a result of consultation efforts, the Washoe Tribe and

the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? the Colfax-Todds Valley Consolidated Tribe stated concerns for adverse impacts to tribal cultural resources in the area of potential effect and requested a tribal monitor be present for any cultural subsurface exploration conducted as part of the extended Phase I subsurface testing. Both tribes concurred with the results, which demonstrated that the area of potential effect has been disturbed and the project would not have an impact on intact cultural deposits that comprise a part of an identified resource. However, due to the identification of isolated artifacts, a consulting Native American tribe has requested that a tribal monitor be present during construction of the project.

Section 2 Introduction

2.1 FOCUS OF THE ENVIRONMENTAL REVIEW

2.1.1 California Environmental Quality Act

The County of Placer (County) as the project sponsor and Lead Agency, in cooperation with the California Department of Transportation (Caltrans) and the Tahoe Regional Planning Agency (TRPA) as Responsible Agencies, has prepared this Draft Initial Study (IS) pursuant to the California Environmental Quality Act (CEQA) for the proposed Kings Beach Western Approach Project (project). This IS, combined with the TRPA required Initial Environmental Checklist (IEC) discussed below, is an informational document provided to help the public and decision-makers understand the potential effects the project may have on the environment, and how potential adverse effects may be mitigated. Whereas this document has identified potentially significant impacts that can be reduced to less than significant with the adoption of mitigation measures, a Mitigated Negative Declaration (MND) has been prepared.

The Notice of Intent to Adopt a Mitigated Negative Declaration provides notice to interested agencies and the public that it is the County's intent to adopt an MND and, pending public review, expects to determine from this IS/IEC that the proposed project would not have a significant effect on the environment as mitigated. This Public Review Draft IS/IEC/MND is subject to modification based on comments received by interested agencies and the public.

2.1.2 Tahoe Regional Planning Agency

The County has prepared this IEC pursuant to the TRPA Code of Ordinances (TRPA Code; TRPA 2020a) requirement for environmental documentation. The Code stipulates that TRPA shall use either an IEC checklist or environmental assessment to determine whether an environmental impact statement shall be prepared for a project. For an IEC checklist, the applicant shall submit the following (TRPA Code Section 3.3.1):

- a. The applicant shall describe and evaluate the significance of all impacts receiving "yes" answers.
- b. The applicant shall describe and evaluate the significance of all impacts receiving "no with mitigation" answers and shall describe in detail, the mitigation measures proposed to mitigate these impacts to a less than significant level.

2.2 SUMMARY OF FINDINGS

The following environmental factors would be potentially affected by this project, involving at least one impact that would be a "Potentially Significant Impact" without the implementation of mitigation measures:

- Biological Resources
- Hazards and Hazardous Materials
- Tribal Cultural Resources

Based on the environmental evaluation performed for this IS/IEC (Section 4), the proposed project would have:

- **No Impact** on Agricultural and Forestry Resources, Mineral Resources, Population and Housing, and Public Services.
- Less Than Significant Impact on Aesthetics, Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Noise, Recreation, Transportation, Utilities and Service Systems, and Wildfire.
- Less Than Significant Impact with Mitigation Incorporated on Biological Resources, Hazards and Hazardous Materials, and Tribal Cultural Resources.
 - Mitigation Measure BIO-1: If any construction activities (e.g., grubbing or grading) are scheduled during the bird nesting season (typically defined by California Department of Fish and Wildlife [CDFW] as February 1 to September 1), the County or approved construction contractor shall retain a qualified biologist to conduct a pre-construction survey of the project area and a 100-foot buffer, as access is available, to locate active bird nests, identify measures to protect the nests, and locate any other special status species.

The pre-construction survey shall be conducted no more than 14 days prior to the implementation of construction activities (including staging and equipment storage). Any active nest shall not be disturbed until young have fledged or under the direction provided by a qualified biologist. Any special status species shall not be disturbed without the direction of a qualified biologist. If an active nest is found during construction, disturbance shall not occur without direction from a qualified biologist.

• *Mitigation Measure BIO-2*: Tree or shrub removal shall occur during the non-breeding season (September 1 through January 31). If it is

not possible to avoid tree removal or other disturbances during the breeding season (February 1 through August 31), a qualified biologist shall conduct a pre-disturbance survey for nesting birds in all trees within the operation footprint and within 250 feet of the project area no more than 30 days prior to the onset of ground disturbance. If nesting birds are detected on the site during the survey, a suitable activity-free buffer should be established around all active nests. The precise dimension of the buffer (up to 250 feet) would be determined in consultation with CDFW at that time and may vary depending on location and species. Buffers shall remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. Pre-disturbance surveys during the non-breeding season are not necessary.

- Mitigation Measure HAZ-1: Develop Lead Compliance Plan: The Contractor shall develop and implement a Lead Compliance Plan (LCP). The LCP shall outline requirements mandated in 8 CCR 1532.1, Lead, to ensure the risks of potential worker exposure to inorganic lead through inhalation of airborne dust or ingestion lead from soils contaminated with ADL are mitigated. Additional components of the LCP shall include:
 - Prior to performing any excavation work at the locations containing material classified as hazardous, employees and subcontractors shall complete a safety training program which meets 29 CFR 1910.120 and 8 CCR 5192 covering the potential hazards as identified.
 - Educate employees and subcontractors in identification of contaminated soil and on contaminated soil handling, containment, and disposal procedures.
 - Hold regular meetings to discuss and reinforce contaminated soil handling, containment, and disposal procedures (incorporate into regular safety meetings and tailgates).
- Mitigation Measure TCR-1: The County shall retain a qualified archaeologist that meets or exceeds the Secretary of the Interior's (SOI) standards to prepare an Archaeological Monitoring Plan prior to ground-disturbing activities implementing the Kings Beach Western Approach Project. The monitoring plan shall describe the procedures for the appropriate identification and treatment of archaeological resources inadvertently discovered during grading or construction

activities. The plan shall include provisions to halt work in the immediate area in the event of a discovery, as specified in TCR-2, and TCR-3. The plan shall also identify the need for monitoring by both an SOI-qualified archaeologist and Native American monitors provided by the Washoe Tribe of Nevada and California (Washoe Tribe) and the Colfax-Todds Valley Consolidated Tribe (CTVCT). Detailed guidance outlining when and for what activities monitors must be present shall be provided in the monitoring plan. The SOI-qualified archaeologist shall also prepare a report of findings after construction is completed.

- Mitigation Measure TCR-2: The County shall retain an SOI-qualified archaeological monitor and Native American monitors prior to the commencement of ground-disturbing activities to monitor such activities as prescribed by the Archaeological Monitoring Plan. The monitors shall be granted stop-work authority in the event an inadvertent discovery is made. The monitors shall immediately evaluate the discovery to determine whether additional treatment is warranted. Construction activities shall not resume in the immediate area of the discovery until authorized by the monitors.
- Mitigation Measure TCR-3: The contractor and key members of 0 crews working on excavation, trenching, and grading for site preparation shall be instructed to be wary of the possibility of destruction of buried cultural and paleontological resource materials. They shall be instructed, during a pre-construction meeting, to recognize signs of prehistoric use and their responsibility to report any such finds (or suspected finds) immediately, as specified by required construction controls in Section 3.6, so damage to such resources may be prevented. No historic properties will be affected in compliance with Advisory Council on Historic Preservation regulations (36 Code of Federal Regulations [CFR] 800). However, in the event that cultural resources are discovered during project implementation, project personnel will halt all activities in the immediate area and will notify the SOI-gualified archaeologist, the County Project Engineer, the Washoe Tribe, and the CTVCT to determine the appropriate course of action. Archaeological resources shall not be moved or taken from the project area and work shall not resume until authorized.

2.3 REQUIRED PERMITS AND ADDITIONAL APPROVALS

2.3.1 Permits

The project would obtain or comply with the following permits:

- National Pollutant Discharge Elimination System (NPDES) Construction Storm Water NPDES Permit for the Tahoe Basin (Order No. R6T-2016-0010 NPDES No. CAG616002)
- Caltrans NPDES MS4 Permit (Order 2012-0011-DWQ)
- Caltrans Encroachment Permit
- TRPA Project Permit
- TRPA Soils/Hydrology Scoping Report Application

2.3.2 Responsible Agencies

- Tahoe Regional Planning Agency
- Caltrans
- Lahontan Regional Water Quality Control Board

2.4 LEAD AGENCY DETERMINATION

On the basis of this initial evaluation:

____ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

_____ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.

_____ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An EIR is required, but it must analyze only the effects that remain to be addressed.

_____ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Name

Title

Section 3 Project Description

The County, in cooperation with Caltrans, proposes roadway improvements at and around the intersection of State Route (SR) 267 and North Lake Boulevard (SR 28) within Placer County to enhance the safety and mobility of all roadway users, and to expand the streetscape aesthetics of the area. The Kings Beach Western Approach Project is a multi-benefit project that proposes to improve the existing signaled intersection by replacing it with a modern roundabout intersection with new lane alignments and pedestrian and bicycle improvements. The proposed design is considered to be an improvement in mobility, safety and efficiency, and Level of Service (LOS).

The existing signalized intersection limits vehicular flow during higher-trafficvolume periods. The existing bicycle lanes, sidewalks, and crosswalks along SR 28 are narrow, adjacent to traffic, and are obstructed by the existing signal infrastructure. Therefore, the County proposes an improved design to provide safer, dedicated facilities for residents and visitors and improve traffic circulation.

Once constructed, the project would connect with the adjacent KBCCIP Complete Streets improvements, completed in October 2017 for the downtown core of the unincorporated community of Kings Beach. As a result, the project would provide a continuous Complete Streets corridor from the downtown core to the west side of the community demarcated by the intersection of SR 267 and SR 28.

The project is identified by TRPA's *Environmental Improvement Program* (EIP; TRPA 2020b) (03.01.01.0015) as an Air Quality Action Priority project, which, once constructed, would help accelerate attainment of the following threshold categories: air quality, recreation, scenic resources, soil conservation, and water quality (Lake Tahoe Info 2020).

The project is currently funded through the Project Approval (PA) and Environmental Document (ED) Phase. The County is funding the PA&ED phase with Federal Highway Administration's Surface Transportation Block Grant funds and local County funds. Funding of future project phases has yet to be secured.

3.1 PROJECT LOCATION

The project is located in eastern Placer County, California, in the community of Kings Beach within the Lake Tahoe Basin (**Figure 1**). Specifically, the project can be found on the U.S. Geological Survey (USGS) 7.5-minute Kings Beach Quadrangle Map, in Section 13 of Township 16 north, Range 17 east and Section 19 in Township 16 north, Range 18 east.



Figure 1. Project Vicinity Map

3.2 PROJECT AREA

The project area is located at the intersection of SR 267 (North Shore Boulevard) and SR 28 (North Lake Boulevard) in Kings Beach and covers approximately 10.47 acres (**Figure 2**). Potential construction staging areas have been identified at available adjacent parcels within Kings Beach and would be evaluated as part of the project area.

3.2.1 Construction Staging

Construction access would occur from the existing road rights-of-way (ROWs). All improvements associated with the proposed project have been designed to allow for construction staging that maintains traffic flow during construction with minimal closures. Several locations have been identified for potential construction staging although not all may be suitable or utilized for staging (see **Figure 2**). The locations are described below:

• Lot A: Private lot north of SR 28, west of the Placer County offices

This lot is privately owned and is currently undeveloped, but previously disturbed. Although small, it is sufficient for material/equipment storage and is easily accessible from County roadways and not far from the project area.

• Lot B: County parking lots behind Rite-Aid, southeast corner of Deer and Rainbow

This paved parking lot is owned by the County and would allow for material/equipment storage. The site is easily accessible from County roadways and not far from the project area.

• Lot C: Private lot at Fox Street and SR 28

This privately owned lot is currently undeveloped. It was previously disturbed and has been used on multiple projects as a staging area. This lot would allow for material/equipment storage and is easily accessible from County roadways and not far from the project area.

• Lot D: Kings Beach Elementary School ballfield

This lot is currently being used for staging for a school project. This lot would be used while school is not in session.

• Lots E thru H: Private Lots on Speckled Avenue

These lots are privately-owned and currently undeveloped. They are previously disturbed and have been used on multiple projects as staging areas. These lots would allow for material/equipment storage and are easily accessible from County roadways and not far from the project area.



INITIAL STUDY/MITIGATED NEGATIVE DECLARATION/INITIAL ENVIRONMENTAL CHECKLIST

Figure 2. Project Area Overview Map

3.2.2 Objectives, Purpose, and Need

The objectives of the project are to:

- 1) Improve safety and mobility for bicyclists and pedestrians while improving circulation for motorists
- Provide a continuous Complete Streets corridor that connects to the KBCCIP and enables safe access for all users, regardless of age, ability, or mode of transportation
- 3) Ensure consistency with local, regional, and State planning

The purpose of the project is to provide better connectivity between the downtown core and the west side of the community that incorporates all transportation modes and provides safe facilities for cycling and walking. The project is needed to improve overall accessibility, mobility, and safety for all roadway users while providing a continuous Complete Streets corridor. The proposed lane reductions would help to reduce speeds in the area to improve safety for all users. Although the existing intersection has bicycle lanes, sidewalks, and crosswalks along SR 28, these facilities are narrow, adjacent to traffic, and are obstructed by the existing signal infrastructure. In addition, there are currently no pedestrian and bicycle facilities along SR 267 from the Kings Beach neighborhood community to the intersection with SR 28. The proposed improvements would provide safer, dedicated multi-modal facilities for residents and visitors with clear connectivity between the downtown core and the west side of the community.

3.2.3 Problems, Deficiencies, Justification

The intersection of SR 267 and SR 28 is one of the main ingress and egress routes for various north shore communities including Kings Beach, Incline Village, Tahoe Vista and Tahoe City. This intersection also serves as the entrance into Kings Beach. These north shore communities – Kings Beach in particular – attract high levels of visitors/tourists in both the summer and winter seasons due do their beaches, hotels, and commercial establishments. This has led to several operational and safety issues in this corridor that the proposed project seeks to address.

Vehicle Queuing Conflicts

Under existing conditions during the off-peak season (winter months), the intersection operates at an acceptable LOS. However, while overall operations are acceptable, the queuing in all directions exceeds available storage causing additional delays to through traffic. These delays are exacerbated during the peak season (summer season) and during events. The queue spillback from the intersection has the most significant impact on Brassie Avenue, which is located 150 feet west of the intersection, and on the Fire Department building located

approximately 127 feet north of the intersection. The queueing from the existing signal impacts the ability to exit or enter these access points.

The queueing conflicts experienced at this intersection are also partially exacerbated by the volume of pedestrians crossing the intersection on the northern and western legs. The existing crossing distances are approximately 78 and 65 feet long, respectively, which result in longer signal cycles to allow sufficient time for pedestrians to cross, again increasing vehicle delay. The proposed project would reduce crossing distances to reduce the delay vehicles experience due to the high volume of pedestrian crossings in this corridor.

Non-Vehicular Transportation User Conflicts

Within the project corridor, SR 28 has a high number of active non-vehicular transportation users (pedestrians, cyclists, and transit users) in the summer season, primarily due to the recreational characteristics of the area. These users currently only have the option to cross the SR 28/SR 267 intersection on the north, south and west legs; there is no eastern crossing. These long crossings mean longer durations of pedestrian and recreational cyclist exposure to active traffic, which increases risk to these users. In the existing condition, the SR 28/SR 267 intersection has five traffic lanes on the west leg, six traffic lanes on the east leg, three traffic lanes on the north leg, and a driveway on the south leg (Figure 3). As a result of the large roadway cross-section, there are 16 pedestrian-vehicle conflict points at the intersection alone. The large number of conflicts leaves pedestrians vulnerable to traffic coming from multiple directions and traveling at higher rates of speed when there is a green light at the intersection. The project proposes to reduce the number of lanes, shorten the crossing lengths, and reduce the overall number of pedestrian-vehicle conflicts to provide safer and more effective pedestrian mobility.

Additionally, there is a heavily used midblock crosswalk across SR 28 located approximately 555 feet west of the intersection. This crosswalk is uncontrolled and without lighting and located within the five-lane portion of SR 28. This existing midblock crosswalk adds five additional pedestrian-vehicle conflict points to those mentioned above. The project proposes to reduce the number of lanes and provide sidewalk improvements, lighting, and pedestrian controls in this area.

Excessive Lanes

With the conversion of the Kings Beach Commercial Core from a five-lane facility to a three-lane Complete Streets corridor, SR 28 within the project limits is the only remaining multi-lane section of SR 28. This has resulted in vehicles attempting to use this wider section to pass slower moving vehicles and/or jump the queue of the signal, resulting in higher observed speeds and using this section of SR 28 as passing or acceleration lanes. The higher speeds cause increased risk to both nonmotorized users and other drivers. The proposed project would remove the extra lanes to provide a continuous Complete Streets corridor from the commercial core through the community.

3.3 EXISTING CONDITIONS

Under the existing condition, SR 267 is a two-lane, north/south facility that terminates at the intersection of SR 28 to the west of the Kings Beach Commercial Core. There are no pedestrian improvements along SR 267, and while it is designated as a bicycle route, there are no marked bicycle lanes and shoulder widths vary. There is no lighting on SR 267 except at the intersection with Dolly Varden Avenue.

Within the project limits, SR 28 is a five-lane facility consisting of two lanes in each direction with a two-way left turn (TWLT) lane. For approximately 2,000 feet west and 280 feet east of the intersection with SR 267, SR 28 maintains the five-lane configuration before dropping down to a three-lane facility consisting of one lane in each direction with a TWLT lane. SR 28 has marked bicycle lanes in the eastbound and westbound directions and sidewalk on the north and south side for a short distance where the sidewalks terminate with curb and gutter only, and some sections of pavement with no edge treatment. The only lighting along SR 28 is decorative pedestrian lighting for the sidewalks.

The SR 28/SR 267 intersection is currently signalized with intersection lighting and crosswalks located only on the northern and western legs. Sidewalks along SR 28 are obstructed by existing signal poles and currently terminate just north of the intersection; the sidewalks do not continue north on SR 267.

Brassie Avenue is a County road that is located just to the west of the SR 267/SR 28 intersection. Brassie Avenue is one lane in each direction with no bicycle or pedestrian facilities. One streetlight is provided on Brassie Avenue at the intersection with SR 28.



Figure 3. Existing Conditions and Proposed Project Features

3.3.1 Adjacent_Land Uses

Most of the project area is zoned by TRPA as Kings Beach Commercial Town Center area and has a land use designation of Recreation. Kings Beach is divided into zoning districts that correspond with County General Plan land use designations. The eastern portion of the project area includes approximately 0.08 miles of SR 28 and is zoned Mixed-use (North Tahoe East). Surrounding this area is the Sweet Briar Home Association and the North Tahoe Gas Station. The northern portion of the project area includes approximately 0.25 miles of SR 267 and is zoned Mixed-use (North Tahoe East) and Residential. Surrounding the northern project area are the Old Brockway Golf Course and Sierra Tires and Automotive commercial facilities, single-family residential, and the North Tahoe Fire Protection District- Station 52.

The western portion of the project area includes approximately 0.50 miles of SR 28 and is also zoned Mixed-use (North Tahoe East) and Residential. Surrounding the project in this location are multiple residential complexes and commercial and public facilities. A small segment of the mapped Snow Creek recreation area encroaches into the SR 28 ROW at the western edge of the project boundary.

3.3.2 Ownership

The project area totals approximately 10.47 acres and consists of Caltrans and County roadways and ROW, and privately owned parcels.

3.4 PROJECT BACKGROUND

The County's KBCCIP began construction in 2015 and completed construction in November 2017. Previous road conditions in this location consisted of a four-lane highway on SR 28 bisecting the community that included seasonally high vehicle and pedestrian volumes. The KBCCIP Complete Streets project reconfigured 1.1 miles of SR 28 and included a reduction of travel lanes, the addition of sidewalks and landscaping, roundabout intersection improvements, and stormwater modifications.

Data from the early 2000s showed that Kings Beach exceeded the statewide average for vehicular collision rates per million vehicle miles by a factor of 2.6 or more. This adverse safety data provided a key impetus for analyzing

how the SR 28 corridor could be modified to improve active transportation users'¹ safety and mobility. The analysis of the corridor indicated the need to reduce roadway capacity and intersection level of service during higher-traffic-volume periods.

With the completion of the KBCCIP and its clear objective to improve the safety and mobility of non-motorized travelers, the signal at the SR 28/SR 267 intersection has become obsolete and does not fulfill the Kings Beach Active Transportation and Complete Streets objectives. Replacing the signal with the proposed roundabout would achieve these objectives while maintaining an adequate LOS for vehicles. This approach is consistent with two other roundabout projects along SR 28 in Kings Beach. Located at the gateway into Kings Beach from the west via SR 28 (Tahoe City) and the north via SR 267 (Truckee and Interstate 80), a roundabout further fulfills the recent community plan vision (TRPA 2012) to provide a more welcoming intersection configuration and provides continuity with the recent KBCCIP.

3.4.1 Community Involvement

The County is committed to a providing clear and consistent communication with the community on this project. The following community interaction has occurred:

- Stakeholder meeting with Sweetbriar Condominiums on May 18, 2019.
- Public meeting hosted on June 18, 2019, at the North Tahoe Event Center. This was noticed through various channels including newspaper articles, email blasts by the County and North Tahoe Business Association, social media posts and more.
- Continued project information updates via email blast emails from the County
- Project-specific website hosted by the County, which includes project information and frequently asked questions.

The County is providing ongoing public outreach. The next public meeting is scheduled to be hosted when the ED is released for public review.

¹ "Active transportation" is any self-propelled, human-powered mode of transportation, such as walking or bicycling.

3.4.2 Alternatives Analysis

The Project Development Team – consisting of the County, Caltrans, TRPA, and consultant team staff – considered an in-depth analysis of several different alternatives that included a single lane roundabout, a three-leg hybrid roundabout, a four-leg hybrid roundabout, an enhanced signalized intersection. A complete description of these alternatives can be found in **Appendix A**, combined Traffic Operations Analysis (TOA) Report and Intersection Control Evaluation (ICE) Report. This analysis included conceptual layouts of each of the alternatives to identify project effects and an in-depth traffic analysis to determine the impacts to the motoring public.

The Project Development Team looked objectively at all of the alternatives and collectively determined that a four-leg hybrid roundabout was the Preferred Alternative (proposed project). This alternative accomplishes the following set of objectives better than the other alternatives considered based on the following:

- Ensures constructability.
- Maintains traffic during construction.
- Maximizes emergency vehicle and emergency evacuation route access, accommodates heavy vehicles, and facilitates maintenance and snow removal operations.
- Retains functional use of properties when ROW takes are required.
- Maintains as much access as possible to adjacent businesses/properties.
- Provides full access to Brassie Lane, which is a County roadway.
- Provides better overall intersection operations.
- Provides pedestrian accommodations in all directions.
- Improves bicycle accommodations
- Provides additional room for potential water quality features in three different quadrants.
- Allows for more open space and potential additional pedestrian and bicycle improvements.

More information is available in **Appendix A**. This alternative was subsequently modified to become the proposed project, as discussed below.

3.5 PROJECT FEATURES

The proposed project includes several elements that include removing the existing signal at SR 28/SR 267 and replacing it with a modern roundabout; reducing SR 28 to three lanes; and providing sidewalk, bike lane, drainage and other improvements to enhance access for active transportation users. Areas proposed for direct grading impacts and areas where only restriping would occur within the project area are shown on **Figure 4**. **Figure 5** depicts an overview of proposed project features and roundabout alignment.


Figure 4. Work Element Overview Map

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION/INITIAL ENVIRONMENTAL CHECKLIST

3.5.1 Roundabout Intersection

The proposed hybrid roundabout is neither a single lane nor a multi-lane roundabout. **Figure 5** depicts an overview of proposed project features and roundabout alignment.

The roundabout would be single lane in all directions except in the eastbound direction. In the eastbound direction, the entry flares from a single lane to a through lane and a left turn lane, making a short multi-lane section through the circulatory roadway in the eastbound direction. In the westbound direction, there is a single through lane and a dedicated right turn lane onto SR 267.

The roundabout at this intersection is anticipated to include the following features:

- Construction of standard roundabout geometric features such as shared use path, crosswalks, splitter islands, truck apron with central island, and landscape buffer between the circulatory roadway and shared use path.
- Installation of sidewalk and bicycle lanes on approaches to the roundabout.
- Installation of Rectangular Rapid Flashing Beacons, Pedestrian Hybrid Beacon or equivalent traffic control device in crosswalks within the roundabout.
- Modification of the access to the condominiums on the south side of the intersection and to the two businesses located on the northeast corner of the intersection.
- Removal and replacement of the existing intersection and pedestrian lighting in conformance with Caltrans roundabout lighting standards. At a minimum, lighting would be provided at the vehicle-vehicle conflict points at the intersection, vehicle-pedestrian conflict points at the crosswalks, and at the nose of each splitter island.
- Removal of approximately 29 existing trees within the project limits. New landscape areas would be provided with tree plantings to the maximum extent possible.
- Installation of landscaping and/or public art in a central island, splitter islands, and landscape buffer areas located between the sidewalk and the traveled way. In some locations, landscaping and/or public art may be installed behind the back of the sidewalk. The public art may be installed as part of the project or as a future phase.
- Removal and replacement of existing signing, as appropriate. New sidemounted and overhead signs may be placed to assist in navigating the approach to the roundabout and through the roundabout. The potential



Figure 5. Proposed Project Overview

overhead signs would be used only on multi-lane approaches to ensure cars move into the correct lanes.

- Removal and replacement of existing survey monuments located within the project limits.
- Removal and replacement of the existing storm drain system. Where feasible, the existing system would be maintained and adjusted to new locations.
- Restriping of all crosswalks and roadways within the limits of the project.
- Modification of the existing irrigation systems.
- Removal of a manmade stormwater basin on Golf Course private property, and relocation just north of the proposed roundabout location.
- Installation of new stormwater/water quality features to the maximum extent practicable.
- Potential regrading of the existing intersection.

Exhibits A-D provide existing aerial photographs of the intersection along with photo simulations of the proposed project improvements to illustrate the anticipated changes.

PROJECT DESCRIPTION



Exhibit A. Existing Aerial View of Project Area, Looking Northeast



Exhibit B. Proposed Aerial View, Looking Northeast



Exhibit C. Existing Aerial View, Looking Southwest



Exhibit D. Simulated Aerial View, Looking Southwest

3.5.2 Proposed Streetscape Improvements

Sidewalk and Bicycle Lanes Along SR 267

Sidewalks would be constructed behind the existing curb and gutter along the eastern shoulder of SR 267 and bicycle lanes would be installed on the east and west side within the existing shoulders from the proposed roundabout to Dolly Varden Avenue. Proposed improvements are anticipated to include:

- Removal and replacement of existing curb and gutter as needed
- Concrete construction of the sidewalk with minor grading to conform to existing features
- Removal of existing trees, shrubs, bushes, landscape rocks, asphalt, and other miscellaneous materials
- Removal and replacement of existing signage as needed
- Minor roadway widening to accommodate the bicycle lane
- Restriping of the roadway to accommodate the bicycle lanes
- Installation of pedestrian lighting along the corridor. This would be low-level lighting by either bollards or shorter post mounted lighting.

Restriping of SR 28

From the limits of the roundabout to approximately 2,000 feet west of the intersection, the project would restripe SR 28 to reduce this five-lane section to one lane in each direction with bicycle lanes and a TWLT lane. The existing curb, gutter, sidewalk, shoulders, and other street infrastructure would remain in place. The existing additional pavement width would be used to provide wider bicycle facilities with a buffer (striping only) and/or sections of on-street parking.

Proposed improvements are anticipated to include:

- Grinding and overlaying and/or slurry sealing existing roadway.
- Restriping the roadway into the new configuration including restriping existing pedestrian crossings.

Enhanced Pedestrian Crossing Features

Enhanced pedestrian crossing features may include rectangular rapid flashing beacons, pedestrian hybrid beacons, median, bulb-out, and/or high visibility markings. All pedestrian facilities would be compliant with the Americans with Disability Act accessibility requirements. Concrete is the proposed material for the pedestrian facilities outside of the traveled way. Within the traveled way, the crosswalk material would be asphalt or concrete. All crossings would be marked with Manual on Uniform Traffic Control Devices-compliant crosswalk markings and signing.

Exhibits E through L provide existing photographs of streetscape conditions along with photo simulations of the proposed project improvements to illustrate the anticipated changes.

PROJECT DESCRIPTION



Exhibit E. Existing View, Looking Northeast



Exhibit F. Proposed Pedestrian Improvements, Looking Northeast



Exhibit G. Existing View, Looking East



Exhibit H. Proposed Pedestrian Improvements, Looking East



Exhibit I. Existing View, Looking East



Exhibit J. Proposed Street Improvements, Looking East

KINGS BEACH WESTERN APPROACH PROJECT PLACER COUNTY, CA

PROJECT DESCRIPTION



Exhibit K. Existing View, Looking Northeast



Exhibit L. Proposed Street Improvements, Looking Northeast

3.5.3 Landscape Plan, Water Quality Features, and Site Drainage

The project is proposing to install permanent water quality features and use Best Management Practices (BMPs) to improve water quality and meet County, TRPA, Caltrans, and federal standards. These water quality features include relocating the existing stormwater basin on the golf course property and routing as much of the runoff as possible to the relocated stormwater basin location, just north of the roundabout alignment. Other areas of the project are proposed to be drained into landscape areas between the sidewalk and the road, and ultimately tied into the existing system located east of the intersection.

Construction of the proposed landscape and water quality features would result in a New Net Impervious area of less than one acre for Caltrans ROW, and under 5,000 square feet for County ROW.

Landscaping and Erosion Control

The permanent erosion control strategy consists of native vegetation plantings, hydroseeding, and formal landscaping. **Figure 6** and **Figure 7** show the Landscape Plans.

Vegetated areas and supporting permanent irrigation systems have been designed to comply with the California Department of Water Resources *Model Water Efficient Landscape Ordinance*. It is estimated that permanent vegetation will take approximately 90 days (for erosion control seeding) to establish. Fiber rolls are anticipated to be utilized until slope vegetation is established. Existing vegetation would be protected to the maximum extent possible. A total of 29 trees may be removed for construction of the roundabout alignment.

All disturbed soil area, outside of the impervious improvements and landscape areas, would receive erosion control treatment to minimize surface erosion and comply with Caltrans standards and policies. Graded slopes would not exceed 2:1. All disturbed soil area that is meant to remain impervious but is not landscaped would receive a Caltrans District approved native seed mix to reestablish vegetation at the completion of construction.

Highway plantings would consist of container plantings of various native plant, tree, and grass types to be approved by the Caltrans District 3 Landscape Architect during the Plans, Specifications, and Estimate phase. The following locations are anticipated to receive highway plantings:

- Splitter islands with large enough areas to establish plant growth
- Landscape buffer between the sidewalk and the back of curb
- Central island of the roundabout



Figure 6. Landscape Materials Plan

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION/INITIAL ENVIRONMENTAL CHECKLIST

PROJECT DESCRIPTION

KINGS BEACH WESTERN APPROACH PROJECT PLACER COUNTY, CA



Figure 7. Landscape Planting Plan

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION/INITIAL ENVIRONMENTAL CHECKLIST

The County and Caltrans would execute a maintenance agreement to manage the plantings.

Lighting

The project may install intersection lighting and/or pedestrian lighting where required by TRPA standards. All roadside and pedestrian lighting would be downcast lighting to help protect the night sky and minimize light spill-over.

3.5.4 Drainage and Utilities

The drainage systems and utility relocations are anticipated to require excavations no deeper than 6 feet. However, existing utility depths are not known at this time and, therefore, the depths of both the drainage system and utility relocation may vary based on existing conditions.

3.5.5 Construction Schedule

Construction is scheduled to occur over two seasons from May 2022 through September 2022 and from May 2023 through September 2023. Over the two seasons it is estimated that construction of the proposed project would take approximately 180 working days to complete.

3.5.6 Equipment and Labor Force

Various types of equipment would be needed for the construction of the project elements along the corridor.

Construction equipment would include a pavement milling machine, haul trucks, a reclaimer to pulverize the pavement material in place, as well as a grader, water truck, skip loader, backhoe, sheep-foot compactor, cement truck, paving machine, drum roller and wheeled roller.

A skilled labor force would be required to complete this project, including equipment operators, steel workers, carpenters, concrete finishers, asphalt paving crews, truck drivers, laborers, and landscape contractors. The number of workers at the construction site would vary based on the phase and complexity of construction. Construction of concrete flatwork, grading, and paving would result in the highest count of workers on site.

3.6 CONSERVATION MEASURES AND CONSTRUCTION CONTROLS

The project is required to comply with local, state, and federal regulations pertaining to protection of human health, safety, and environment.

The following required construction controls from local, state, and federal agencies are incorporated into the project design and are considered a part of the proposed

project. These required construction controls are separate and distinct from mitigation measures, presented discussed elsewhere in this document, that are proposed to reduce potential project impacts to a "Less than Significant" level.

3.6.1 Air Quality

The Placer County Air Pollution Control District (APCD) Rule 228 (Fugitive Dust) establishes the minimum dust mitigation and control requirements along with the standards to be met from the activities that generate fugitive dust. Per APCD Rule 228, the following minimum dust control requirements are to be initiated at the start of the project and maintained throughout the duration of all construction or grading activities:

• Unpaved areas subject to vehicle traffic must be stabilized by being kept wet, treated with a chemical dust suppressant, or covered.

Vehicles and equipment moving across unpaved areas must travel no more than 15 miles per hour (mph) unless the road surface and surrounding area are stabilized to prevent vehicles and equipment traveling more than 15 mph from emitting dust exceeding 'Ringlemann 2' or visible emissions from crossing the project boundary line.

- Storage piles and disturbed areas not subject to vehicular traffic must be stabilized by being kept wet, treated with a chemical dust suppressant, or covered.
- Prior to any ground disturbance, including grading, excavating, and land clearing, sufficient water must be applied to the area to be disturbed to prevent emitting dust exceeding Ringelmann 2 and to minimize visible emissions from crossing the boundary line.
- Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked offsite.
- When wind speeds are high enough to result in dust emissions crossing the boundary line, despite the application of dust mitigation measures, grading and earthmoving operations shall be suspended.
- No trucks are allowed to transport excavated material off-site unless the trucks are maintained such that no spillage can occur from holes or other openings in cargo compartments, and loads are either covered with tarps or wetted such that material does not touch the cargo compartment less than six inches from the top and that no point of the load extends above the top of the cargo compartment.

In addition, the APCD requires actions against wind-driven fugitive dust control, such as surface stabilization, establishment of vegetative cover, or paving to

minimize wind-driven dust from inactive disturbed surface areas (Placer County 2003).

3.6.2 Biological Resources

The project is required to implement the following applicable TRPA Code standards that protect biological resources:

Vegetation shall not be disturbed, injured, or removed except in accordance with the TRPA Code or conditions of project approval. All trees, major roots, and other vegetation not specifically designated and approved for removal in connection with a project shall be protected according to methods approved by TRPA. All vegetation outside the construction site boundary, as well as other vegetation designated on the approved plans, shall be protected by installing temporary fencing pursuant to Subsections 33.6.9 and 33.6.10. Disturbed areas shall be revegetated pursuant to Subsection 33.6.8.

3.6.3 Cultural Resources

The proposed project is subject to the regulations and standards established in the National Historic Preservation Act, the California Register of Historical Resources (Public Resources Code [PRC] § 5024.1(a)), PRC §5097.5), Caltrans *Standard Environmental Reference* (SER), and the TRPA Code. The County is required to ensure implementation of the following applicable regulations and standards that protect cultural resources:

- The Caltrans SER, Volume 2 (revised 2015) contains procedures for projects on the State Highway System that shall be followed if previously unidentified archaeological resources are encountered during construction, and the following compliance measures are integrated into project implementation:
 - In the event of inadvertent discovery during construction, construction activity near the property will be stopped and all reasonable measures needed to avoid, minimize, or mitigate further harm to the property will be implemented. Once a discovery is made, the Section 106 Programmatic Agreement provides for the following actions:
 - 1. The Caltrans district notifies the Headquarters' Cultural Studies Office (CSO) and SHPO within 48 hours. Caltrans may furnish this information through correspondence, hard copy, electronic media, telephone, or meetings, at its discretion, taking into account the capabilities of the consulting parties. Caltrans must document this process for the administrative record.

- 2. The Caltrans district notifies Indian tribes and/or Native American groups that may attach religious or cultural significance to the property within 48 hours.
- TRPA Code: Historic Resource Protection Section 67.3 Resource Projection outlines requirements for the accidental discovery of resources during construction (Subsection 67.3.1), requirements for site survey and consultation with the Washoe Tribe (Subsection 67.3.2), and requirements for protection of known resources.
 - Should human remains be uncovered, the statutes of State of California Health and Safety Code Section 7050.5 must be followed. The County Coroner must be notified of the find immediately, and no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. If the human remains are determined to be prehistoric, the Coroner would notify the Native American Heritage Commission (NAHC) which would determine and notify a Most Likely Descendent. The Most Likely Descendent shall complete the inspection of the site within 24 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

3.6.4 Geology and Soils

The project would require the County to prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) to the Lahontan Regional Water Quality Control Board (RWQCB) to comply with the NPDES Construction Storm Water NPDES Permit for the Tahoe Basin (Order No. R6T-2016-0010 NPDES No. CAG616002).

The purpose of the SWPPP is to protect soil and water resources from impacts during construction, including groundwater. As part of the SWPPP, the contractor will be required to prepare and adhere to a Temporary Best Management Practice (BMPs) Plan, a Spill Contingency Plan, and a Dewatering Plan that will be approved by the County. The plan would designate BMPs to minimize impact from erosion and sedimentation. At a minimum, the following geology and soils controls must be implemented:

- Temporary erosion control devices shall be placed downgradient of dirt piles, excavated areas, or stockpiles.
- Coverings shall be placed on all dirt piles during non-working hours.
- Vegetation-protection fencing shall be installed to protect existing vegetation where feasible.

- Disturbed areas shall be revegetated to stabilize soils; planted areas will be stabilized with mulch until vegetation is reestablished.
- Tracking controls will be used.
- Parking will be allowed only on paved areas.
- A Dewatering Plan will be implemented.

3.6.5 Greenhouse Gas Emissions and Green Energy

The Placer County APCD does not provide guidance for construction related GHG emission reduction measures. Therefore, the project will incorporate measures developed by the Sacramento Metropolitan Air Quality Management District (SMAQMD) for reducing construction related GHG emissions. The following practices describe exhaust emission control from diesel powered fleets working at a construction site. California regulations limit idling from both on-road and off-road diesel-powered equipment. The California Air Resources Board (CARB) enforces idling limitations and compliance with diesel fleet regulations.

- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations (CCR), Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.
- Use a California Air Resources Board (CARB)-approved low carbon fuel for construction equipment (nitrogen oxide emissions from the use of low carbon fuel must be reviewed and increases mitigated).

3.6.6 Hydrology and Water Quality

The project's post-construction water quality obligations will be set by jurisdiction, with the County's MS4 permit controlling in the County's ROW, and Caltrans' MS4 permit (Order No. 2012-0011-DWQ) controlling in the Caltrans ROW. Due to the Net New Impervious Area being under one acre for Caltrans ROW, and under 5,000 square feet for County ROW, additional treated area does not apply under Caltrans regulations (Caltrans 2020).

As discussed above, the project is required to develop and implement a project specific SWPPP to comply with the Construction Storm Water Permit. As part of the SWPPP, the contractor will be required to prepare and adhere to a Temporary BMP

Plan, a Spill Contingency Plan, and a Dewatering Plan that will be approved by the County.

These plans must outline measures that will protect hydrology and water quality resources, including groundwater, from negative impacts during construction. The SWPPP will need to be approved by the Lahontan RWQCB.

The Dewatering Plan shall be prepared and submitted for approval by the County, Lahontan RWQCB, and TRPA prior to commencement of construction.

Additionally, TRPA Code Chapter 60: Water Quality – outlines standards intended to protect water quality through requirements for the installation of BMPs to protect and restore water quality, as set forth in Section 60.4.6 – Standard BMP Requirements.

Construction site stormwater BMPs would follow the *Caltrans Construction Site Best Management Practices Manual* (Caltrans 2017a) and the *TRPA BMP Handbook* (TRPA 2014) to control and minimize the impacts of construction-related activities. The following BMPs, at a minimum, are required at the site during construction:

- Erosion and sediment control BMPs to prevent the transport of earthen materials and other construction waste materials from disturbed land areas, stockpiles, and staging areas during periods of precipitation or runoff (such as silt fence, erosion control fabric, fiber rolls).
- Tracking controls (such as designated ingress and egress areas) and designated staging areas outside of drainage, swale, and Stream Environment Zone (SEZ) areas. Staging area to be restored in accordance with TRPA Code Section 61.4 (Revegetation).
- Temporary BMPs to prevent wind erosion and sediment transport of disturbed areas, such as use of water for dust control and covering of stockpiles.
- Grading conducted from May 1 through October 15, unless an exemption is granted by TRPA. At the end of the grading season or before completion of the project, all surplus or waste earthen materials from the project area will be removed and disposed of at a TRPA approved disposal site or stabilized on-site in accordance with TRPA regulations.
- Spill Prevention Plan, as discussed in Section 4.5.6., project contractors would be responsible for storing on-site materials and temporary BMPs capable of capturing and containing pollutants.
- Vegetation-protection fencing to prevent damage to trees or other vegetation where possible.
- Construction boundary fencing to limit land disturbance to areas not planned for construction.

• Temporary erosion and sediment control devices, placed in accordance with the shown plans, to protect sediment-laden runoff from discharging from the site.

3.6.7 Hazards and Hazardous Materials

A Spill Prevention Plan shall be developed along with the project-specific SWPPP to detail site specific BMPs and TRPA-approved methods to prevent accidental spills from impacting water and land resources. The plan shall outline response protocols and information for contacting the Lahontan RWQCB and TRPA. Additionally, spill containment and absorbent materials shall be kept on-site at all times, and petroleum products and hazardous waste shall be removed from the project area and disposed of at an appropriate location.

3.6.8 Traffic Controls During Construction

Caltrans will develop a project-level Traffic Management Plan (TMP) before construction of the project. The TMP will include construction restrictions, requirements, and definitions that will apply to the contractor(s) based on the type of work. In general, the project-level TMP would develop strategies for public and motorist information, incident management, construction, demand management, and alternate routes. It may require, restrict, or define elements of the following:

- Construction requirements and restrictions to minimize traffic delays and maximize safety
- Lane closure timing and charts
- Master construction schedule
- Traffic operation systems
- Emergency vehicle access
- Bicycle and pedestrian access
- Temporary detours through the construction zone for pedestrian and recreational areas, as necessary
- Limiting construction hours with traffic control
- Standard contract specification for access to a property, driveway, or access road
- Notification before construction affecting property access
- Coordination with local and state agencies, staging of various worksites, and size of construction efforts

Section 4 Environmental Evaluation

The following sections evaluate the potential adverse impacts of the project in compliance with CEQA and the Tahoe Regional Planning Agency (TRPA). Appendix G of the CEQA Guidelines (California Natural Resources Agency 2019) provides a sample checklist with a series of questions designed to enable the lead agency, Placer County, to identify project impacts with respect to 20 environmental topics; this IS generally follows this checklist. Topics from the TRPA Initial Environmental Checklist (IEC) are included in the corresponding section with the CEQA checklist.

Except where a specific threshold has been adopted by a public agency and is specified in the sections below, such as an air quality threshold, Appendix G of the CEQA Guidelines are used as thresholds of significance for the CEQA checklist questions.

Potential environmental impacts are described as follows:

- **Potentially Significant Impact**: An environmental impact that could be significant and for which no feasible mitigation is known. If any potentially significant impacts are identified in this Checklist, an EIR must be prepared.
- Less than Significant Impact with Mitigation Incorporated: An environmental impact that requires the implementation of mitigation measures to reduce that impact to a less than significant level.
- Less than Significant Impact: An environmental impact may occur; however, the impact would not exceed significance thresholds.
- **No Impact**: No environmental impacts would result from implementation of the project.

The TRPA IEC similarly groups answers into one of the following categories:

- Yes
- No
- No with Mitigation
- Data Insufficient

4.1 **AESTHETICS**

4.1.1 Environmental Setting

To protect scenic quality thresholds within the Tahoe Basin, specific areas have been identified as scenic corridors or scenic resources. Scenic corridors include views from Lake Tahoe and from all highways and Pioneer Trail in the Lake Tahoe Basin. These corridors have been divided into 33 shoreline and 45 roadway units. The scenic quality of these units was rated in 1982 and then again in 1986, 1991, and 1996. The ratings received by these units indicated if the area is "in attainment," (meeting the scenic threshold standards) or not "in attainment" (not meeting the scenic threshold standards) (TRPA 2011).

TRPA adopted the Scenic Quality Improvement Plan in 1982 that sets target areas along the Basin's major highways where improvements to scenic quality are needed and identifies specific measures that can be taken to increase the overall scenic quality. Along the many main highway corridors surrounding Lake Tahoe, scenic quality has declined because of urbanization and the dominance of buildings and structures.

The project is in an area zoned for Mixed-use (North Tahoe East), Recreation and Residential. The project contains different commercial facilities, single-family homes, multi-family housing units, with open space areas located on the west edge of the site. Lake Tahoe is located to the west and is visible from the project area.

The project area contains portions of scenic roadway unit 20A (Tahoe Vista), unit 40 (Broadway Cutoff), and unit 20B (Kings Beach). Tahoe Vista, Broadway Cutoff, and Kings Beach are designated by TRPA as a regional scenic roadway corridor due to quality of the existing viewshed and surrounding natural environment. Most of the project area is in attainment of scenic quality thresholds (**Figure 8**). A portion of the project area along SR 28 where restriping would occur has non-attainment status.

The proposed project is identified by TRPA's EIP program as providing a beneficial contribution to scenic quality threshold attainment (TRPA 2020b). One of the primary elements of the EIP's Scenic Quality program is to apply design standards for highway structures such as improved lighting, guard rails, median treatments, revegetation of disturbed areas, and treatment of cut-and-fill slopes.



Figure 8. TRPA Scenic Road Corridors

4.1.2 CEQA Checklist

Except as provided in Public Resources Code Section 21099:

a) Would the project have a substantial adverse effect on a scenic vista?

Less than Significant Impact

A Visual Impact Assessment was conducted for the proposed project (NCE 2020a; included as **Appendix B**). The Assessment concluded that the proposed project would result in low visual impact on users and that the visual character and quality of the existing scenic corridor would be substantially improved by introducing less visually intrusive features than what is currently existing at the intersection.

Because the project is anticipated to have a beneficial impact on scenic resources, the impact would be less than significant.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less than Significant Impact

The project area contains portions of Tahoe Vista, Broadway Cutoff and Kings Beach scenic roadway units that are designated by TRPA as a regional scenic roadway corridor due to quality of the existing viewshed and surrounding natural environment. There are no historic buildings or rock outcroppings within or adjacent to the project area.

The project is identified by the TRPA EIP program as a project that, once implemented, would help attain scenic resource thresholds due to the various landscape, pedestrian, bicycle, and water quality permanent BMP improvements. The TRPA threshold for scenic resources is to 'maintain or improve 1982 roadway and shoreline scenic travel route ratings, maintain or improve views of individual scenic resources, and maintain or improve quality of views from public outdoor recreation areas' (TRPA 2019). To protect scenic resources, TRPA Code Section 36.5.5 requires execution of a Bicycle and Pedestrian Facility Maintenance Plan, which requires that "entities responsible for the construction and maintenance of bike and pedestrian facilities proposed as part of a project shall provide a maintenance plan, including a funding strategy for the life of the bike and pedestrian facility that shall be approved by TRPA prior to permit issuance or funding disbursement for any proposed public bicycle and pedestrian facility." This maintenance agreement would be executed between Caltrans and the County to ensure scenic quality is maintained throughout the life of the project. Therefore, the project would have a less than significant impact on trees, rock outcroppings, and historic buildings within a state scenic highway.

c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less than Significant Impact

The project is in an urbanized area and proposes to construct a roundabout and streetscape improvements in an existing intersection to better serve and protect residents and visitors in the area.

The proposed project is identified by TRPA's EIP program for its beneficial contribution to scenic quality threshold attainment (TRPA 2020c). Once the project is completed, a maintenance agreement would be in place to ensure scenic quality is maintained pursuant to TRPA's Policies. Therefore, the proposed project would not conflict with applicable zoning or other regulations governing scenic quality.

d) Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

Less than Significant Impact

The project may install intersection lighting and/or pedestrian lighting where required by TRPA standards. All roadside and pedestrian lighting would be downcast lighting to help protect the night sky and minimize light spill-over; therefore, impacts of new lighting would be less than significant.

4.1.3 TRPA Checklist – Light and Glare

TRPA 7a. Would the project include new or modified sources of exterior lighting?

Yes

The project may install new lighting per TRPA standards to ensure safety. However, roadside and pedestrian lighting would be downcast lighting to help protect the night sky and minimize light spill-over; therefore, impacts are anticipated to be less than significant.

TRPA 7b. Would the project create new illumination, which is more substantial than other lighting, if any, within the surrounding area?

No

Refer to discussion for CEQA item d). There are numerous sources of lighting in the corridor from existing streetlights, adjacent buildings, and vehicles. All lighting and/or pedestrian lighting would comply with TRPA standards.

TRPA 7c. Would the project cause light from exterior sources to be cast off-site or onto public lands?

No

Refer to discussion for CEQA item d). All roadside and pedestrian lighting would be downcast lighting to help protect the night sky and minimize light spill-over.

TRPA 7d. Would the project create new sources of glare through the siting of the improvements or through the use of reflective materials?

No

The proposed project would not create new sources of glare through the siting of the improvements. Caltrans signage and protective reflectors would be designed to Caltrans standards for reflective materials that assist and do not distract drivers.

4.1.4 TRPA Checklist – Scenic Resources/Community Design

TRPA 18a. Would the project be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?

Yes

Refer to discussion of CEQA item b). As discussed in the Environmental Setting, the project area contains portions of scenic roadway unit 20A (Tahoe Vista), unit 40 (Broadway Cutoff), and unit 20B (Kings Beach). Tahoe Vista, Broadway Cutoff and Kings Beach are designated by TRPA as a regional scenic roadway corridor due to quality of the existing viewshed and surrounding natural environment.

TRPA 18b. Would the project be visible from any public recreation area or TRPA designated bicycle trail?

Yes

The proposed project lies within a scenic corridor and would be visible from public recreation areas adjacent to the project.

TRPA 18c. Would the project block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?

No

The proposed project would not block an existing view of Lake Tahoe or other scenic vista seen from public roads and areas. As discussed in CEQA item a), the project is anticipated to modify existing views by introducing less visually intrusive features than what is currently existing at the intersection and result in an overall beneficial impact to views of Lake Tahoe.

TRPA 18d. Would the project be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?

No

The proposed project does not involve the construction of any buildings. The project would comply with design standards applicable to the TRPA EIP.

TRPA 18e. Would the project be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?

No

The proposed project is consistent with the Scenic Quality Improvement Program and would comply with TRPA's Design Review Guidelines.

4.2 AGRICULTURAL AND FORESTRY RESOURCES

4.2.1 Environmental Setting

The project area is zoned for Mixed-use and Residential and does not contain forestland or timberlands as defined by PRC Section 4526. The Placer County Important Farmland 2016 Map depicts that majority of the area and the vicinity has not been mapped for any farmland of regional, or state importance, and there are no Williamson Act contracts in the vicinity (California Department of Conservation 2016).

4.2.2 CEQA Checklist

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

No Impact

The project is not located in an area of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Additionally, the project does not propose features that would result in a change in land use; therefore, the project would have no impact on farmland or result in a change to non-agricultural use.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact

There is no agricultural zoning in or near the project area per County zoning and General Plan designations, and there are no Williamson Act contracts in the vicinity (Placer County 2013). Because there are no agricultural zoning designations and no Williamson Act contracts associated with the project, there would be no impact.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code (PRC) § 12220(g)), timberland (as defined by PRC § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?

No Impact

There are no forestland or timberland land uses or zoning designations in the project vicinity. The nature of the project, almost entirely within the existing ROW, has no impact on land development or conversion of land use. Therefore, the

project does not have the potential to conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact

Refer to response to Item c) above.

e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

No Impact

Refer to responses to Items a) to d). There is no potential for this infrastructure project to result in a conversion of land and there is no farmland or forest land associated with the project; therefore, there would be no impact on farmland or agricultural uses.

4.3 AIR QUALITY

4.3.1 Environmental Setting

The project is located within the Placer County portion of the Lake Tahoe Air Basin (LTAB). Mobile sources of air pollution, mainly motor vehicles, are among the most significant sources of pollution and greenhouse gases in the Tahoe Basin. The LTAB is affected by both the rate and location of pollutant emissions and by meteorological conditions that influence movement and dispersal of pollutants. Atmospheric conditions such as wind speed, wind direction, air temperature gradients, and existing air pollutant sources coupled with local topography affect the dispersion of air pollution and air quality in the LTAB.

Most airborne pollutants in the LTAB come from three sources related to populated areas that generate airborne anthropogenic materials: road dust, vehicle exhaust, and chimney smoke. Undeveloped areas in the LTAB produce airborne dust and smoke from natural sources like forest fires as well as direct and indirect effects of land management practices (e.g., controlled burns). In addition, airborne materials generated in downwind areas, including the San Francisco Bay Area and the Central Valley, are carried upwind to the LTAB by the region's prevailing winds. As a result of the various potential emission sources, air quality regulations in the LTAB focus on the following air pollutants: ozone, carbon monoxide nitrogen dioxide, sulfur dioxide, fine particulate matter (PM₁₀ and PM_{2.5}), and lead. These pollutants are commonly referred to as "criteria air pollutants."

According to the TRPA Environmental Threshold Carrying Capacities (ETCC), the indicators for carbon monoxide, ozone, particulate matter, and Vehicle Miles Traveled (VMT) are in non-attainment (TRPA 2019). For other criteria pollutants, the LTAB is either in attainment or unclassified for the remaining national, state, and regional standards.

4.3.2 Regulatory Setting

Air Quality Standards

Air quality within the LTAB is regulated by several agencies including TRPA, the United States Environmental Protection Agency (EPA), CARB, and the Placer County APCD. These agencies develop rules, regulations, policies, and/or plans to achieve the goals and directives imposed through legislation.

The EPA is responsible for implementing the federal Clean Air Act (1970), including establishing health-based National Ambient Air Quality Standards (NAAQS) for air pollutants, hazardous air pollutant standards, approval of state attainment plans, motor vehicle emission standards, stationary source emission standards and permits, acid rain control measures, stratospheric ozone protection, and enforcement provisions. NAAQS are established for criteria pollutants under the Clean Air Act are ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, PM₁₀ and PM_{2.5}, and lead. The standards set for criteria pollutants are periodically reviewed and revised as applicable. In California, CARB is responsible for implementing the California Clean Air Act, 1988 and has established California Ambient Air Quality Standards, which are generally more restrictive than the national standards. In general, the CARB works with local agencies to develop policies, guidance, and regulations related to state and federal ambient air quality standards; coordinates with local agencies on transportation plans and strategies; and provides assistance to local districts and transportation agencies to meet air quality standards established under both the federal and California clean air acts.

Local – TRPA

TRPA takes air quality into consideration in its planning and permitting activities to ensure compliance with state and district air quality standards for projects in the LTAB. Because TRPA's authority is granted directly from Congress, TRPA has the authority to adopt air quality and other environmental quality thresholds, and to enforce ordinances designed to achieve the thresholds. **Table 1** below describes the ETCC for the LTAB.

Table 1.	Tahoe Reg	ional Planning	Agency Ail	r Quality	Thresholds of
Significa	nce				

Pollutant	Primary Construction Threshold	Secondary Construction Threshold		
ROG	82 lbs/day	n/a		
NOx	82 lbs/day	n/a		
Carbon Monoxide	8-hour average: 6 ppm	1-hour average: 20 ppm		
PM ₁₀	Annual arithmetic mean: 20 µg/m3	24-hour average: 50 µg/m3		
PM _{2.5}	Annual arithmetic mean: 12 µg/m3	24-hour average: 65 µg/m3		
Ozone	8-hour average: 0.07 ppm	1-hour average: 0.08 ppm		

Table Notes:

n/a = not applicable

lbs/day = pounds per day

NOx = nitrogen oxides

PM = particulate matter; number refers to size of PM in microns in diameter or smaller

ppm = parts per million

ROG = reactive organic gases

µg/m3 = micrograms per cubic meter

According to the TRPA ETCC, the indicators for carbon monoxide, ozone, particulate matter, and VMT are in non-attainment (TRPA 2019). For other criteria pollutants, the LTAB is either in attainment or unclassified for the remaining national, state, and regional standards.

Local – Placer County Air District

Construction Emissions

The Placer County APCD CEQA Handbook (2017) recommends use of the Roadway Construction Emissions Model (RCEM) to estimate emissions associated with linear construction projects. The RCEM is a spreadsheet-based model that is able to use basic project information (e.g., total construction months, project type, total project area) to estimate exhaust emissions from heavy-duty construction equipment, haul trucks, and worker commute trips associated with linear construction projects, as well as fugitive dust. Results of the model quantifies construction-related criteria air pollutant emissions for construction projects. The following significance thresholds have been adopted by the Placer County APCD for the construction phase of projects:

• Projects that exceed the short-term construction threshold of 82 pounds per day (lbs/day) of ROG, NOx, and/or PM must mitigate the air quality emissions (Placer County APCD 2016).

Operational Emissions

In addition, according to the Placer County APCD, a project would result in considerable contribution to a cumulative impact to air quality if it would result in:

• A net increase in long-term operational emission of ROG or NOx that exceeded 55 lbs/day or emissions of PM₁₀ that exceeded 82 lbs/day.

4.3.3 CEQA Checklist

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact

Projects that could generate emissions more than the Placer County APCD and the TRPA ETCC recommended significance thresholds would be considered to potentially conflict with or obstruct implementation of the applicable air quality plan. The Placer County APCD has identified the most common sources of emissions from construction projects as site preparation, grading, and general construction use of heavy equipment. The emissions generated from these activities include the following:

- Combustion emissions: (ROG, diesel particulate matter, NOx, carbon monoxide, sulfur oxides) from mobile heavy-duty diesel and gasoline powered equipment, portable auxiliary equipment, and worker commute trips
- Fugitive dust (PM₁₀) from soil disturbance, including grading and land clearing

Short-term construction-generated emissions are not projected to exceed applicable thresholds of significance due to the short duration required for construction and adherence to applicable County and TRPA requirements as discussed in the construction controls (**Section 3.6**, Air Quality). The project is required to comply with Placer County APCD Rule 228, *Fugitive Dust*, which establishes the minimum dust mitigation and control requirements along with the standards to be met from the activities that generate fugitive dust. Rule 228's minimum dust mitigation and control requirements must be used for all grading and construction activities. Implementation of these controls is anticipated to reduce construction emissions to less than significant. As presented in item b) below, operational impacts of the project are anticipated to have a beneficial impact on air quality. Thus, implementation of the project would not conflict with nor obstruct implementation of applicable air quality plans.

b) Would the project 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?

Less than Significant Impact

The project has the potential to produce air pollutant emissions during construction activities, but also has the potential to reduce area emissions during operations by improving circulation and encouraging non-motorized trips.

Project Screening – Construction Emissions

Construction of the project would result in short-term increases in emissions caused by typical construction activities, such as grading and excavation, and vehicle exhaust from construction equipment. Increased emissions would consist of ROG, nitrogen dioxide and emissions of PM₁₀, carbon monoxide, sulfur dioxide, and NOx. Emissions of ozone-precursors could result from the operation of both on and offroad motorized vehicles and equipment.

Average daily construction exhaust emissions for the project were estimated using the RoadMod (RCEM) Model (version 9.0.0). Inputs to the model included the construction years, total expected duration, proposed equipment usage, and total road length constructed. Other model inputs such as soil import and export, concrete and asphalt truck trips were input to the model. The model predicts emissions of ozone precursor pollutants (i.e., ROG and NOx) and particulate matter (i.e., PM₁₀, and PM_{2.5}). Conservative estimates for all model inputs were used to present a 'worst-case' scenario of emissions generated by construction of the project.

Table 2 displays a summary of the average daily emissions estimates from work associated construction of the roundabout, pedestrian and bicycle improvements, lane striping, and streetscape improvements. The results of the RoadMod emission calculations are included in **Appendix C**. The emissions presented are based on the best information available at the time of calculations.
Scenario	ROG	NOx	Total PM ₁₀ (Exhaust + Dust)	Total PM _{2.5} (Exhaust + Dust)
Total construction emissions (tons)	0.14 tons	0.45 tons	2.81 tons	0.60 tons
Average daily emissions (pounds) ¹	1.99 lbs/day	5.95 lbs/day	35.32 lbs/day	7.54 lbs/day

Table 2. Estimated Construction Emissions for Project Construction

Table Notes:

¹Assumes 180 workdays total (two 4-month construction seasons)

lbs/day = pounds per day

NOx = nitrogen oxides

PM = particulate matter; number refers to size of PM in microns in diameter or smaller

ROG = reactive organic gases

Operational Emissions

A project would result in a considerable contribution to a cumulative impact to air quality if it results in a net increase in long-term operational emission of ROG or NOx that exceeded 55 lbs/day or emissions of PM_{10} that exceeded 82 lbs/day.

Projects that improve mobility, reduce idling, and construct pedestrian and bicycle facilities are known to reduce area emissions during operations by improving circulation and encouraging non-motorized trips (Placer County 2017b). The proposed project is identified by the TRPA EIP program under the Air Quality and Transportation Program to help accelerate the Basin's attainment of the air quality threshold. Because the project implements transportation improvements identified by the Tahoe Metropolitan Planning Organization (TMPO) Regional Transportation Plan (RTP), and TRPA as having beneficial impact on air quality, and does not construct any trip-generating uses (e.g., new traffic lanes, residential or commercial facilities), additional operational emissions analyses were not conducted for the project.

Whereas the project does not include any uses that would cause an increase in long-term operational emission of ROG or NOx that exceed 55 lbs/day, or emissions of PM_{10} that exceed 82 lbs/day, and constructs active transportation enhancements to reduce VMT, a considerable contribution to cumulative impact on air quality would not occur. Impacts would be beneficial.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact

Sensitive receptors are children, elderly, asthmatics and others whose are at a heightened risk of negative health outcomes due to exposure to air pollution. The locations where these sensitive receptors congregate are considered sensitive receptor locations. Sensitive Receptor locations may include hospitals, schools, and day care centers, and such other locations as the air district board or California Air Resources Board may determine (California Health and Safety Code § 42705.5(a)(5)).

The nearest sensitive receptor to the project area is Kings Beach Elementary School, located approximately 0.4 miles northeast. Residential uses adjacent to the project area may also be considered sensitive to emissions. However, it was determined that the emissions generated during project construction would be less than significant due to the temporary nature of activities and minor use of emissions-generating equipment. Additionally, as discussed in above, the project design incorporates construction controls that protect against significant amounts of pollutants from being generated by the project during construction, including fugitive dust control, should persons susceptible to pollution be present within the project area. Project effects on sensitive receptors would therefore be less than significant.

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less than Significant Impact

During construction, operations may periodically generate odors from exhaust emissions, ground disturbance, and paving operations. Odors created by construction operations would be temporary, would occur within the project footprint, and would dissipate rapidly from the source with an increase in distance and due to the linear nature of construction activities.

Dust and emission reduction BMPs discussed in **Section 3.6** would minimize the impact on ambient odors of the natural area. Once the project is complete, it would not generate objectionable odors. Therefore, impacts would be short-term and would not be objectionable to a substantial number of residents within the area; impacts would be less than significant.

4.3.4 TRPA Checklist – Air Quality

TRPA 2a. Would the proposed project result in substantial air pollutant emissions?

No

Refer to discussion of CEQA item a) and b). Short-term construction-generated emissions are not projected to exceed applicable thresholds of significance due to the short duration required for construction and adherence to applicable County and TRPA requirements. Operational impacts of the proposed project are anticipated to have a beneficial impact on air quality.

TRPA 2b. Would the proposed project result in deterioration of ambient (existing) air quality?

No

Refer to discussion of CEQA item b). Once constructed, the proposed project is anticipated to have a beneficial impact on air quality.

4.4 **BIOLOGICAL RESOURCES**

4.4.1 Environmental Setting

The project area is largely developed, consisting of SR 28, SR 267, and Brassie Avenue ROWs and a portion of the Old Brockway Golf Course. A segment of Griff Creek passes through the project area through three culverts underneath SR 28 in the eastern portion of the project area.

NCE conducted a literature and database review to identify existing biological and botanical information within and adjacent to the project area in support of a Natural Environmental Study (NES) prepared for Caltrans (NCE 2020b; **Appendix D**). The purpose of the NES was to identify the potential for special status species (SSS) and critical habitat to occur within the project area and within a one-mile radius around the project area (herein referred to as the biological study area, or BSA). NCE scientists also conducted reconnaissance-level surveys to inventory habitats, SSS, and non-SSS. SSS include all botanical or wildlife species with special protection or consideration under federal, state, and local regulatory policies.

A United States Fish and Wildlife Service (USFWS) species list was accessed through the Information Planning and Conservation (IpaC) website for the proposed project; results of the IpaC report indicate no critical habitat exists within the project area. The Caltrans-signed Preliminary Environmental Analysis Report also indicated no need for a Biological Assessment. As a result, it was determined that the project would have *no effect* on federally endangered, threatened, or candidate species; therefore, no Section 7 consultation with the USFWS is required for this project.

The following subsections summarize results of the NES.

Botanical Resources

The project area contains areas of existing developed roadway and areas of landscaped vegetation. Vegetation types were initially identified with the CALVEG Alliances geographic information system (GIS) data (U.S. Department of Agriculture 2020) then verified based on reconnaissance-level botanical surveys. NCE conducted the surveys on October 31, 2018, and July 9, 2019, by walking the entire BSA following CDFW protocols (CDFW 2018). Vegetation communities present within the project area are fragmented vegetation of aspen, Jeffrey Pine, and montane chaparral (**Figure 9**).

A total of 27 plant species are known to occur within a nine-quad search in the vicinity of the project area based on historical documentation in the California Natural Diversity Database and the California Native Plant Society's Rare Plant Inventory. Of those species, zero (0) have the potential to occur within the project

area itself due to the absence of suitable habitat within or adjacent to the project area.

No botanical SSS were identified within the project area during the field surveys (**Appendix D**). Additionally, no plant communities within the project area qualify as Natural Communities of Special Concern.

Invasive Species

A database review of the California Invasive Plant Council (Cal-IPC) Inventory (Inventory) and field survey were conducted for the project to identify noxious and invasive species within the project area and provide treatment options, if necessary. The Inventory categorizes plants that threaten California's natural areas. The Inventory includes plants that currently cause damage in California (invasive plants) as well as "Watch" plants that are a high risk of becoming invasive in the future.

The field survey resulted in the positive identification of four non-native/invasive plant species in the project area: cheatgrass (*Bromus tectorum*), curly dock (*Rumex crispus*), mullein (*Verbascum 62anceol*), and plantain (*Plantago 62anceolate*). According to Cal-IPC, cheatgrass is rated as "High," and wooly mullein, curly dock, and plantain are rated as "limited". A "high" rating means that the species has severe ecological impacts and a moderate-to-high rate of dispersal and establishment. A "limited" rating indicates invasive species with minor impacts, although they can be locally problematic (Cal-IPC 2020).



Figure 9. Vegetation Communities

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION/INITIAL ENVIRONMENTAL CHECKLIST

Wildlife

Special status species databases were reviewed to determine the potential for special status wildlife to occur within the area. The following site-specific references and background information were reviewed:

- California Natural Diversity Database (CNDDB; CDFW n.d.)
- Information for Planning and Conservation (IpaC; USFWS n.d.)
- TRPA Special Interest Species (TRPA 2007)

The database review identified a total of nine animal SSS known to occur or with the potential to occur within the BSA. Table 4 of the NES (**Appendix D**) lists all of the SSS that have potential to occur within the BSA as well as a brief rationale as to the possible presence or absence of the species within the project area. The review identified one avian SSS that has potential to occur within the project area due to the presence of suitable habitat: Williamson's sapsucker (*Sphyrapicus thyroideus*). Williamson's sapsucker is on the USFWS's Bird of Conservation Concern list and the Migratory Bird Treaty Act (MBTA) Protected Species 10.13 List (USFWS 2020). These birds are year-round residents of the Sierra Nevada that prefer high-elevation conifer forests. They nest in tree cavities, usually in pine, fir, or aspen. Nests are found 5 to 60 feet above ground level and are usually found in trees with a living outer layer and dead heartwood. Williamson's sapsucker could be foraging in the project area but were not observed or heard during any surveys.

Wildlife Corridors

A wildlife corridor is an area of habitat connecting wildlife populations and larger areas of similar wildlife habitat. These corridors generally consist of native vegetation and allow wildlife species to find water, food, shelter, and potential mates. Corridors enable the movement of animals and the continuation of viable populations, thus playing a role in the maintenance of biodiversity.

The BSA contains potential corridors for the movement of animals due to areas of contiguous forest to the north of the project area (**Appendix D**). However, within the project area, the potential migration areas are limited to developed roadway and adjacent land.

Aquatic Resources

NCE wetland specialists conducted an aquatic resources delineation in July 2019 to evaluate if potential jurisdictional of waters of the United State (WOUS) are located within the project area. The *Aquatic Resources Delineation Report* (NCE 2019a) is included in **Appendix E**.

NCE delineated the segment of Griff Creek which passes through the eastern portion of the project area via three metal culverts beneath SR 28. Griff Creek is

potentially jurisdictional under Section 404 of the Clean Water Act and is additionally a water of the State of California. Griff Creek contains outlets at Lake Tahoe, a traditional navigable waterway (NCE 2019a). There is no riparian corridor associated with the segment of Griff Creek that passes through the project area.

NCE personnel also identified a man-made stormwater basin within the project area, located on the private golf course property. The man-made stormwater basin is not shown on USGS nor USFWS National Wetland Inventory mapping, and there is a plan set that was approved by the TRPA that depicts the stormwater basin as an existing feature. This man-made stormwater basin has been determined by the United States Army Corps of Engineers (USACE) to be a federally non-jurisdictional feature as the basin was created in uplands for stormwater management. A copy of the Approved Jurisdictional Determination letter is also included in **Appendix E**.

The State of California does not regulate stormwater basins; therefore, it is not anticipated that this feature will be regulated by the state.

No wetlands or other special aquatic features (seeps, springs) were identified within the project area.

Stream Environment Zones

The TRPA Code defines SEZ as, "Generally an area that owes its biological and physical characteristics to the presence of surface or ground water." This definition includes perennial, intermittent, and ephemeral streams; wet meadows, marshes, and other wetlands; riparian areas, beaches, and other areas expressing the presence or influence of surface or ground water. The TRPA regulates SEZ within the Tahoe Basin under the Clean Water Act's 208 Plan program.

The project area contains a small area of mapped SEZ (TRPA Land Capability Class 1B) associated with Griff Creek in the eastern portion of the project area (**Figure 10**).



Figure 10. TRPA Land Capability Classification

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION/INITIAL ENVIRONMENTAL CHECKLIST AUGUST 2020

4.4.2 Regulatory Setting

Federal

Endangered Species Act

The federal Endangered Species Act (ESA) protects plants and wildlife that are listed as endangered or threatened by the USFWS. Section 9 of the ESA prohibits the taking of endangered wildlife, where taking is defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct" (50 CFR 17.3). This statute also governs removing, possessing, maliciously damaging, or destroying any endangered plant on federal land and removing, cutting, digging-up, damaging, or destroying any endangered plant on non-federal land in knowing violation of state law.

Under Section 7 of the ESA, federal agencies are required to consult with the USFWS and/or National Oceanic and Atmospheric Administration, National Marine Fisheries Service if their actions, including permit approvals or funding, could adversely affect a federally listed species (including plants) or its critical habitat.

Clean Water Act

The USACE Regulatory Branch regulates activities that discharge dredged or fill materials into Waters of the United States, which includes wetlands (WOUS) under Sections 401 and 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act.

Section 401 of the CWA requires that an applicant proposing to conduct any activity that may result in a discharge to a WOUS must apply for and secure a Section 401, Water Quality Certification prior to construction activities. The Lahontan RWQCB will administer the Section 401 Water Quality Certification for this project.

Migratory Bird Treaty Act

The MBTA makes it unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, or kill migratory birds. The law applies to the removal of nests (such as swallow nests on bridges) occupied by migratory birds during the breeding season. California Fish and Game (CDFG) Code (Section 3500) also prohibits the destruction of any nest, egg, or nestling.

Executive Order 13112 – Invasive Species

Executive Order 13112 requires federal agencies to combat the introduction or spread of invasive species in the United States. Invasive species are defined as "any species, including its seeds, eggs, spores, or other biological material capable of propagating that species, that is not native to that ecosystem whose introduction

does or is likely to cause economic or environmental harm or harm to human health."

Federal Highway Administration guidance issued August 10, 1999, directs the use of the State's invasive species list, maintained by the California Invasive Species Council to define the invasive plants that must be considered as part of the National Environmental Policy Act analysis for a proposed project.

State

California Endangered Species Act

Pursuant to the California Endangered Species Act (ESA) and Section 2081 of the CDFG Code, an Incidental Take Permit from the CDFW is required for projects that could result in the "take" of a State listed threatened or endangered species. Under the California ESA, "take" is defined as an activity that would directly or indirectly kill an individual of a species proposed for listing (called "candidates" by the state). Section 2080 of the CDFG Code prohibits the taking, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit or in the regulations.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Act provides the State with very broad authority to regulate "waters of the State" (which are defined as any surface water or groundwater, including saline waters). The State Regional Water Quality Control Board is granted ultimate authority over water quality policy in the State of California. Before allowing discharges that may affect the quality of Waters of the State, a Report of Waste Discharge must be filed with the Lahontan RWQCB.

California Native Plant Protection Act

The Native Plant Protection Act (NPPA) of 1977 (CDFG Code Sections 1900-1913) was created in order to "preserve, protect and enhance rare and endangered plants in this State." The NPPA is administered by CDFW. The Fish and Wildlife Commission has the authority to designate native plants as "endangered" or "rare" and to protect endangered and rare plants from take. The California ESA provided further protection for rare and endangered plant species, but the NPPA remains part of the CDFG Code.

California Fish and Wildlife

The CDFW is responsible for protecting and conserving fish and wildlife resources, and the habitats upon which they depend. Section 1602 of the California Fish and Game Code requires that the CDFW review any project that may do one or more of the following:

- Divert or obstruct the natural flow of any river, stream, or lake.
- Change the bed, channel, or bank of any river, stream, or lake.
- Use material from any river, stream, or lake.
- Deposit or dispose of material into any river, stream, or lake.

Under the Lake and Streambed Alteration (LSA) Program, entities are required to notify the CDFW of proposed impacts through an LSA Notification. If it is determined by the CDFW that the activity, as described in an LSA Notification, would substantially alter a river, stream, or lake, and may substantially adversely affect existing fish or wildlife resources, then an LSA Agreement must be prepared. The LSA Agreement includes necessary mitigation measures to protect fish and wildlife resources from significant impacts.

Local – Tree Removal

The TRPA Code of Ordinance regulates the removal of trees under TRPA Code Section 33.6.5. The TRPA Code also provides requirements for retained tree protection during construction, soil and vegetation protection standards during tree removal, and prevents tree removal within SEZ unless certain conditions are met.

4.4.3 CEQA Checklist

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Wildlife (CDFW) or U.S. Fish & Wildlife Service (USFWS)?

Less than Significant Impact with Mitigation Incorporated

The NES (NCE 2020b) reviewed the proposed project in sufficient detail to determine the extent to which the project may affect any federally designated SSS and/or designated critical habitat.

Database searches identified 27 federally listed plant species and 9 federally listed wildlife species with potential to occur within the project area. The official list is provided in the attached NES (**Appendix D**). The field surveys, conducted by NCE on October 31, 2018, and July 9, 2019, focused on identifying the presence of SSS or their habitat within the project area. Suitable habitat was identified for only one of the species on the official list. The NES concluded that trees within the project area may contain suitable habitat for the Williamson's sapsucker (*Sphyrapicus thyroideus*), a species present on the Bird of Conservation Concern list (USFWS 2008) and the MBTA Protected Species 10.13 List (USFWS 2020).

Migratory Birds

The project area and adjacent lands contain trees that may provide habitat for migratory birds. Migratory birds are protected under the MBTA, and birds of prey are also protected in California under provisions of the CDFG Code, Section 3503.5. Both make it illegal to "take" protected species except under the terms of a permit. Construction activity (beyond tree and shrub removal) would occur between the months of May to September. It is possible that nesting habitat could be disturbed during construction due to tree removal, noise, and vibrations from construction equipment. This would be a potentially significant impact on the Williamson's sapsucker, migratory birds, and/or birds of prey.

Implementing **Mitigation Measures BIO-1 and BIO-2** would reduce potentially significant impacts to the Williamson's sapsucker, migratory birds, and nesting birds to less than significant.

 Mitigation Measure BIO-1: For construction activities (e.g., grubbing or grading) scheduled during the bird nesting season (typically defined by CDFW as February 1 to September 1), the County or approved construction contractor shall retain a qualified biologist to conduct a pre-construction survey of the project area and a 100-foot buffer, as access is available, to locate active bird nests, identify measures to protect the nests, and locate any other special status species.

The pre-construction survey shall be conducted no more than 14 days prior to the implementation of construction activities (including staging and equipment storage). Any active nest shall not be disturbed until young have fledged or under the direction of a qualified biologist. Any special status species shall not be disturbed without the direction of a qualified biologist. If an active nest is found during construction, disturbance shall not occur without direction from a qualified biologist.

• *Mitigation Measure BIO-2*: Tree or shrub removal shall occur during the non-breeding season (September 1 through January 31). If it is not possible to avoid tree removal or other disturbances during the breeding season (February 1 through August 31), a qualified biologist shall conduct a pre-disturbance survey for nesting birds in all trees within the operation footprint and within 250 feet of the project area no more than 30 days prior to the onset of ground disturbance. If nesting birds are detected on the site during the survey, a suitable activity-free buffer shall be established around all active nests. The precise dimension of the buffer (up to 250 feet) would be determined in consultation with CDFW at that time and may vary depending on location and species. Buffers shall remain in place for the duration of the

breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents.

Finding: Implementing **Mitigation Measures BIO-1 and BIO-2** would reduce potentially significant impacts to candidate, sensitive, or special status species including migratory birds to less than significant.

b) Would the project 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 CDFW or USFWS?

No Impact

Sensitive natural communities are those that are listed in the CDFW's California Natural Diversity Database due to the rarity of the community in the state or throughout its entire range. As discussed in the Environmental Setting, there were no riparian corridors or sensitive natural communities identified within the project area. A small area of TRPA-designated SEZ associated with the Griff Creek corridor is mapped within the project area. The segment of Griff Creek within the project area is culverted underneath SR 28. There are no proposed impacts to this area of SEZ. Therefore, the project would have no impact on SEZ or other sensitive natural communities.

c) would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact

As discussed in the Environmental Setting, an Aquatic Resource Delineation was conducted for the project area. Results of the delineation determined there are no state or federally protected wetlands in the project area. There would be no impact.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant Impact with Mitigation Incorporated

The BSA contains potential corridors for the movement of animals due to areas of contiguous forest to the north of the project area (**Appendix D**). However, within the project area, the potential migration areas are limited to developed roadway and adjacent land. With marginal habitat, mammal migration is not expected to be impacted by project activities; the project would not prevent passive use of the area as a migration corridor, should species be present.

The project would have no impact on migratory fish species as habitat is not present within the project area.

As discussed above, the project area may contain migratory bird and bird of prey nesting habitat due to presence of trees within the project area. *Mitigation Measure BIO-1 and BIO-2* would protect migratory birds against significant impacts.

Finding. Implementing **Mitigation Measures BIO-1 and BIO-2** provides sufficient species protection during construction to mitigate potential adverse effects on resident or migratory species to less than significant.

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

Less than Significant Impact

Within the project area, approximately 29 trees would be removed during construction of the roundabout. No trees over 30-inches diameter at breast height (dbh) would be removed for construction of this project.

The project is required to comply with TRPA Code Section 33.6 regarding tree protection and removal standards during construction. Tree removal would be done in accordance with TRPA Code Section 61.1 with regards to general tree removal standards. Therefore, the proposed project would not conflict with local policies and ordinances protecting biological resources.

f) Would the project 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 project does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan because no such plans exist for the project area. As part of project design, the project would remove invasive species. Revegetate disturbed areas with native species (including trees) and construct vegetated islands with tree and shrub species to offset the losses due to roundabout construction. The project would be subject to the tree removal and revegetation requirements of the TRPA Code.

4.4.4 TRPA Checklist – Vegetation

TRPA 4a. Would the proposed project result in removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?

No

The project does not propose vegetation removal within an SEZ. Additionally, the project must comply with TRPA vegetation protection controls during construction and would only remove vegetation necessary for project implementation and at the approval of TRPA.

TRPA 4b. Would the proposed project result in removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?

No

No riparian or critical habitats were identified within the project area; therefore, there would be no direct impact. The project may encounter groundwater during construction, but dewatering would be temporary, localized, and would not occur within a riparian or critical wildlife habitat.

TRPA 4c. Would the proposed project result in the introduction of new vegetation that would require excessive fertilizer or water, or would provide a barrier to the normal replenishment of existing species?

No

The project proposes to revegetate and landscape with native species. Use of native species would ensure the project would not require excessive use of fertilizer or water.

TRPA 4d. Would the proposed project result in change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora and aquatic plants)?

No

Most project features would be constructed in existing disturbed road areas where vegetation is either not present or comprised of invasive species.

As discussed in the Environmental Setting, four invasive weeds were identified within the project area. The NES contains the following BMPs to be implemented as part of the project to protect against the spread of invasive weeds during project construction activities:

- All hay, straw, hay bales, straw bales, seed, mulch or other material used for erosion control or landscaping shall be free of noxious weed seeds and propagules. Noxious weeds are defined in CCR Title 3, Division 4, Chapter 6, Section 4500 and the California Quarantine Policy – Weeds.
- All equipment brought to a project area for construction shall be thoroughly cleaned of all dirt and vegetation prior to entering the site in order to prevent importing noxious weeds.
- All materials brought to a project area, including rock, gravel, road base, sand, and topsoil, shall be free of noxious weed seeds and propagules.

To offset proposed tree and shrub removal impacts, the project proposes to revegetate with native species in new landscaped areas in areas of previously paved road ROW. The Exhibits provided in the Project Description depict the existing versus proposed vegetated conditions. Therefore, while the project would result in a small change in diversity or distribution of plants, beneficial impacts are anticipated to occur. Additionally, because the project is required to comply with TRPA Code provisions for vegetation removal, tree removal, revegetation, and protection of existing vegetation where removal is not proposed, impacts associated with tree removal would remain less than significant.

TRPA 4e. Would the proposed project result in the reduction of the numbers of any unique, rare or endangered species of plants?

No

As described in the NES (**Appendix D**), no special status plant species were identified in the project area. The attached NES contains detailed analysis for each of the special status plant species that were considered for this project. Based on the urbanized nature and history of ground disturbance within the project area, it is unlikely that special status plant species would occur within or adjacent to the project area.

TRPA 4f. Would the proposed project result in removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?

Yes

There are no open stream environments within the project area; only a small culverted Section of Griff Creek underneath the paved highway ROW. The project is only proposing restriping activities in this portion of the project area; therefore, there would be no impact to Griff Creek or stream bank vegetation. The man-made sediment basin area contains willow shrubs that may require removal for construction of the roundabout feature. As stated in the project description, a new sediment basin would be reconstructed just north of the existing location to offset impacts from roundabout construction. The new sediment basin area would include revegetation with native species.

TRPA 4g. Would the proposed project result in 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?

No

The project does not propose to remove trees greater than 30-inches dbh. There would be no impact.

TRPA 4h. Would the proposed project result in a change in the natural functioning of an old growth ecosystem?

No

There are no old growth ecosystems associated with the project. There would be no impact.

4.4.5 TRPA Checklist – Wildlife

TRPA 5a. Would the proposed project result in change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?

No, with Mitigation

Refer to CEQA item a) above. The project involves construction primarily within existing ROW and would have a minor effect on existing trees and landscaping that may provide shelter for species of animals. The project would revegetate disturbed areas with native vegetation, including tree species, to replace habitat impacted by project construction. Implementation of *Mitigation Measures BIO-1 and BIO-2* would mitigate for the potential of a minor change in the diversity or distribution of species.

TRPA 5b. Would the proposed project result in reduction of the number of any unique, rare or endangered species of animals?

No, with Mitigation

Refer to CEQA item a) above. The project proposes *Mitigation Measures BIO-1 and BIO-2* to mitigate potential impacts to protected bird species due to tree and shrub removal.

TRPA 5c. Would the proposed project result in introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?

No

The project proposes to construct transportation improvements in an existing, developed transportation corridor, and therefore does not propose features that may act as a barrier to the migration or movement of animals. As discussed in CEQA item d) above, the project would not prevent passive use of the area as a migration corridor, should species be present. Additionally, incorporation of *Mitigation Measures BIO-1 and BIO-2* would reduce any potential impacts to migrating bird species to a less than significant level.

TRPA 5d. Would the proposed project result deterioration of existing fish or wildlife habitat quantity or quality?

No, with Mitigation

There is no existing fish habitat associated with the project area.

As discussed throughout this Section, no critical or sensitive natural communities were identified within the project area. Potential impacts to migratory and nesting bird species would be mitigated to less than significant through implementation of *Mitigation Measures BIO-1 and BIO-2*. No other significant fish or wildlife impacts requiring mitigation were identified.

4.5 CULTURAL RESOURCES

4.5.1 Environmental Setting

Project screening for cultural and historic resources as part of the Kings Beach Western Approach project was conducted by NCE in 2019. Screening efforts consisted of an archival review, Native American tribal consultation, an intensive pedestrian survey, and recordation of any identified resources. An associated Archaeology Survey Report (ASR) was prepared by NCE (NCE 2020c) to detail results of the screening efforts. The ASR was used to support preparation of a Historic Property Survey Report (HPSR; NCE 2020d) consistent with Caltrans' regulatory responsibilities under Section 106 of the National Historic Preservation Act (36 CFR Part 800).

Key objectives of the ASR included establishing the Area of Potential Effect (APE) and Area of Direct Impact (ADI), and identifying prehistoric, ethnohistoric, and/or historic-period archaeological resources within or immediately adjacent to the APE. A 10.5-acre ADI was established for this project and includes all areas subject to ground-disturbing activities associated with the proposed project. The Area of *Indirect* Impact (AII) coincides with the portions of the project area to include lane restriping only. The ADI and AII make up the 36.5-acre APE. The APE for the project is the same as the project boundary, and includes the existing ROWs, additional ROWs scheduled for acquisition, proposed temporary construction easements, proposed permit to enter areas, and proposed alternate staging locations. , Most of the surface in the APE has been previously disturbed from utility placement, roadway construction, or residential or commercial development.

The efforts resulted in no prehistoric or historic resources being located within the APE. The record search from the North Central Information Center (NCIC) indicated that a prehistoric site may enter into a portion of the APE, however previous and current efforts including archaeological surveys and an extended phase I (XPI) determined that the site does not exist within the APE. A possible historic-period resource was identified at Sierra Tires and Automotive store located adjacent to the project area. The store buildings were evaluated and determined not eligible for listing on the National Register of Historic Places or the California Register of Historical Resources as part of consultation related to the KBCCIP. An extended Phase I (XPI) study was conducted to determine the presence or absence of subsurface cultural deposits (NCE 2020e). Archaeological excavations carried out as part of the XPI study determined that cultural artifacts encountered during the investigation were not discovered in-situ, but rather had been redeposited during prehistoric fluvial activities associated with Griff Creek or in association with the development of the Old Brockway Golf Course. The recorded cultural resources are

thus considered isolated finds. Caltrans has determined a **Finding of No Historic Properties Affected** is appropriate for the proposed project.

4.5.2 Regulatory Setting

Federal

The National Historic Preservation Act (NHPA) was enacted by Congress in 1966 to establish national policy for historic preservation in the United States. The NHPA establishes the role and responsibilities of the federal government in historic preservation, and established the National Register of Historic Places. The NHPA directs agencies to identify and manage historic properties under their control; to undertake actions that would advance the Act's provisions and avoid actions contrary to its purposes; to consult with others while carrying out historic preservation activities; and to consider the effects of their actions on historic properties.

State

The California Register of Historical Resources (CRHR) is a guide to cultural resources that must be considered when a government agency undertakes a discretionary action subject to CEQA. The CRHR helps government agencies identify and evaluate California's historical resources and indicates which properties are to be protected, to the extent prudent and feasible, from substantial adverse change (PRC §5024.1(a)). Any resource listed in, or eligible for listing in, the CRHR is to be taken into consideration during the CEQA process.

Projects on the Caltrans State Highway System must comply with federal and state environmental laws and regulations designed to protect cultural resources significant in American archaeology, architecture, history, culture, and engineering. Therefore, the County will adopt guidance developed by Caltrans to comply with federal and state laws and regulations regarding cultural resources. Caltrans *Standard Environmental Reference* (SER) contains provisions for the discovery of previously unidentified cultural resources. Chapter 2 of the SER, Section 2.4.4 "Post-Review Discoveries," offers guidance to assist Caltrans personnel in planning for the possibility of unexpected discovery of cultural resources and of unexpected effects on known historic properties (revised 2015). Chapter 3 of the SER outlines procedures that shall be followed if human remains are discovered during any Caltrans activity, in accordance with Section 7050.5 of the California Health and Safety Code. Chapter 5 outlines procedures that shall be followed if previously unidentified archaeological resources are encountered during construction.

PRC §5097.5 prohibits excavation or removal of any "... archaeological... or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands." Public lands are defined to include

lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. PRC § 5097.5 states that any unauthorized disturbance or removal of archaeological or historical or sites located on public lands is a misdemeanor.

Local

The TRPA Code (TRPA 2020a), Section 67.3 – *Resource Projection*, outlines requirements for the accidental discovery of resources during construction (Subsection 67.3.1), Subsection and requirements for protection of known resources.

4.5.3 CEQA Checklist

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?

No Impact

The results of the HPSR/ASR indicate that one historic-period resource was identified within the APE. The resource, the Sierra Tires and Automotive store, is located adjacent to the project area to the east. Recorded in 2006 (Snyder et al. 2006), the resource consists of two industrial buildings constructed in the 1950s: a one-story L-plan garage with four bays and an office and a one-story rectangular-plan office. The resource was determined to be ineligible for listing on the National Register or the California Register as part of consultation related to the Kings Beach Commercial Core Improvement Project.

No other historic-period resources were identified within the APE. Therefore, the proposed project would cause no change in the significance of a historical resource.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?

Less than Significant Impact

Artifacts identified during the XPI study are interpreted as not in-situ and likely redeposited during prehistoric fluvial activities associated with Griff Creek or possibly redeposited from elsewhere during modern construction activities. The XPI study thoroughly reviewed the potential for discovering intact archaeological deposits in the ADI. As a result of the XPI, Caltrans has determined a **Finding of No Historic Properties Affected** is appropriate for the proposed project.

The project will comply with existing state and TRPA regulations that govern the procedures and treatment for unanticipated finds during construction activities. Therefore, the proposed project would have a less than significant impact on archaeological resources.

c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Less than Significant Impact

Based on the prehistoric and historic uses of the area and the prior ground disturbance within the APE, and minimal construction depths, human remains are not expected to be discovered during construction activities. Additionally, the project is required to comply with the following provisions, should human remains be encountered during construction:

Should human remains be uncovered, the statutes of State of California Health and Safety Code Section 7050.5 must be followed. The County Coroner must be notified of the find immediately, and no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. If the human remains are determined to be prehistoric, the Coroner would notify the NAHC, which would determine and notify a Most Likely Descendent. The Most Likely Descendent shall complete the inspection of the site within 24 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

The likelihood of disturbing human remains during construction are considered very low, and procedures are in place to protect remains if uncovered. Therefore, the potential for the project to disturb human remains is less than significant.

4.5.4 TRPA Checklist – Archaeological/Historical

TRPA 20a. Would the proposed project result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?

No

Refer to CEQA item a). There are no significant archaeological or historical structures, objects, or buildings identified within the APE.

TRPA 20b. 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, with Mitigation

Refer to CEQA item a) and b), and Tribal Cultural Resources **Section 4.18**, below. Because of the sensitivity of the area and location adjacent to possible prehistoric sites, tribal monitoring has been requested during construction of the project and is required per *Mitigation Measures TCR-1, TCR-2, and TCR-3*.

TRPA 20c. Is the property associated with any historically significant events and/or sites or persons?

No

The property is not associated with any historically significant events or persons, as discussed in the HPSR (NCE 2020d). A prehistoric campsite extends into the project boundary; results of the extended XPI investigation indicate artifacts encountered within the site are isolates and not associated with the prehistoric campsite. Therefore, the site would not be considered historically significant.

TRPA 20d. Does the proposed project have the potential to cause a physical change which would affect unique ethnic cultural values?

No

Refer to CEQA item b) and Tribal Cultural Resources **Section 4.18**, below. The proposed project would not have an impact or physical change which would affect unique ethnic cultural values.

TRPA 20e. Would the proposed project restrict historic or pre-historic religious or sacred uses within the potential impact area?

No

The research conducted for the ASR/HPSR identified no known historic or prehistoric religious or sacred uses of the area.

4.6 ENERGY

The project area incorporates the intersection of SR 267 and SR 28, portions of SR 267 to the north and SR 28 to the east, and a portion of Brassie Avenue. Existing energy use within this area consists primarily of streetlights along SR 28 and SR 267, and traffic lights within the intersection.

4.6.1 CEQA Checklist

a) Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less than Significant Impact

The project would not result in a significant new need for or use of energy. A minor amount of new lighting may be provided at vehicle-vehicle conflict points at the intersection, vehicle-pedestrian conflict points at the crosswalks, and at the nose of each splitter island. New lighting would be energy efficient lighting consistent with current code.

Energy for the project would also be required during construction but would not require additional capacity on a local or regional scale. As discussed in **Section 3.6**, the project must implement the *Basic Construction Emission Control Practices* and the measures listed in the *Guidance for Construction GHG Emissions Reductions* developed by the (SMAQMD 2019), which includes use of BMPs to reduce use of fossil fuels and increase energy efficiency of construction vehicles.

Once constructed, the project has the potential to reduce fuel consumption by enhancing pedestrian and bicycle trail facilities to connect between the downtown core and the west side of the Kings Beach community, where it extends to all transportation modes . A primary objective of the proposed project is to enhance active transportation use and reduce VMT.

Therefore, the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. The impact would be less than significant.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No Impact

The project proposes transportation improvements that reduce fuel consumption by replacing automotive trips with pedestrian and bicycle trips, consistent with local and state goals for energy efficiency, as identified within the TMPO Regional Transportation Plan/Sustainable Communities Strategy (TRPA 2012b; RTP/SCS).

The removal and replacement of the existing intersection and pedestrian lighting would be in conformance with Caltrans and roundabout lighting standards. At a minimum, lighting would be provided at the vehicle-vehicle conflict points at the intersection, vehicle-pedestrian conflict points at the crosswalks, and at the nose of each splitter island. Energy efficiencies would offset minor new energy use, as discussed above. Implementing BMPs to reduce fossil fuel use by construction vehicles and use of energy-efficient equipment during construction would also be consistent with these goals and policies.

4.6.2 TRPA Checklist – Natural Resources

TRPA 9a. Would the proposed project result in substantial increase in the rate of use of any natural resources?

No

Refer to CEQA items a) and b) above. The project includes transportation improvements consistent with local and state goals to reduce fuel consumption by providing options to switch from automobile use to pedestrian or bicycle use.

TRPA 9b. Would the proposed project substantial depletion of any non-renewable natural resource?

No

Refer to CEQA items a) and b) above, and TRPA 9a. The project would not result in substantial depletion of any non-renewable energy resources.

4.6.3 TRPA Checklist – Energy

TRPA 15a. Would the proposed project result in the use of substantial amounts of fuel or energy?

No

Refer to CEQA a) above. Replacement of old street lamps and installation of new lighting would be consistent with local and state standards for energy efficiency and would not result in a substantial increase in energy use. The project is anticipated to result in a decrease of fuel consumption associated with automobile use.

TRPA 15b. Would the proposed project result in substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

No

Refer to responses above. The project is required to implement energy and fuelefficient methods during construction, and new lighting impacts are anticipated to be less than significant. Therefore, the project would not require a substantial increase in demand on existing sources or require development of new sources of energy.

4.7 **GEOLOGY AND SOILS**

4.7.1 Environmental Setting

The project lies on the northern side of Lake Tahoe. The project area varies in elevation between 6,230 and 6,270 feet above mean sea level. The topography of the project area is relatively flat terrain with a slight slope to the east and to the south.

4.7.2 Regional Geologic Setting

The project area is at the margin of two geologic regions: the Sierra Nevada and the Basin and Range geomorphic regions. Characteristic of the Sierra Nevada region, the geologic setting of the project area is mountainous developed primarily on granitic bedrock of the Sierra Nevada Batholith (Saucedo 2005), which represents a series of igneous intrusions that occurred during the Paleozoic Era around 575 to 270 million years ago. Plutonic rocks from the Mesozoic Age constitute the Sierra Nevada Batholith, which lies in the northern half of the Sierra Nevada. On the west side of the batholith is the western metamorphic belt, a terrain made of weakly metamorphosed volcanic and sedimentary rocks that have been strongly deformed from the Paleozoic and Mesozoic ages (PARIKH Consultants, Inc. 2012).

The tectonic conditions and geologic structure of the Lake Tahoe Basin are characteristic of the Basin and Range region. The Lake Tahoe Basin is a faultbounded valley formed by the extensional tectonic regime that defines the Basin and Range.

The surface geology of the project area is primarily composed of lake deposits and beach deposits. Lake deposits consist of thin-bedded sandy silt and clay. Beach deposits are composed of sorted, fine to very fine coarse to gravelly arkosic sand that comes from the decomposition of granite in the area (Saucedo 2005).

4.7.3 Seismicity and Faulting

The project area is within a seismically active region, within the Sierra Nevada-Great Basin seismic belt. Active faults are defined as those that have moved during the past 11,000 years, and generally only active faults are considered in evaluating seismic risk for building construction. There are two active faults located near the project area, the North Tahoe Fault and the Agate Bay Fault.

The North Tahoe Fault is a latest quaternary fault that lies approximately 1 mile east of the project area. This fault is oriented north-south with the most recent deformation displayed less than 15,000 years ago (USGS 2000).

The Agate Bay Fault is an undifferentiated quaternary fault that lies approximately 2 miles to the west of the project area. This fault is oriented north-south with the most recent deformation displayed less than 130,000 years ago (USGS 2000).

4.7.4 Liquefaction

Liquefaction occurs in water-saturated sediments that are shaken by moderate to large earthquakes. Soils most susceptible to liquefaction are saturated, loose, clean, uniformly graded, and fine-grained sand deposits. The saturation levels of the soils do not reach a state of liquefaction with high rock content. The chance of liquefaction is low within the project area, due to the high rock content of the soils.

4.7.5 Groundwater

The project area is located within the North Lahontan Hydrologic Region as defined by the Lahontan RWQCB and the California Department of Water Resources (RWQCB 2017a). A 2012 Geotechnical Design Report prepared for the KBCCIP (and whose project boundary includes some portions of the project area) states that, "groundwater level is anticipated to vary with the passage of time due to seasonal groundwater fluctuation surface and subsurface flows, ground surface run-off". Review of this report indicates that the first encountered water-bearing zone occurs between approximately 3 and 7 feet below ground surface (PARIKH Consultants, Inc. 2012).

The California State Water Resources Control Board GeoTracker website was reviewed to obtain nearby groundwater flow direction. Reports reviewed suggest that the overall groundwater flow is towards the south (Horizon Environmental, Inc. 2010).

4.7.6 Soils

Soils in the Lake Tahoe region were formed mainly in alluvium derived from igneous intrusive rock, like granodiorite, and igneous extrusive rock, mostly andesitic lahar. Much of the soil in the Lake Tahoe Basin is deep, well-drained, nutrient-rich and able to support forests and other vegetation (Placer County and TRPA 2017a).

There are two Natural Resource Conservation Service soil units mapped within the project area: Kings Beach stony sandy loam, 2 to 15 percent slopes and Watah peat, 0 to 2 percent slopes. The project area is predominately composed of the Kings Beach stony sandy loam and is described as moderately well-drained with a medium surface runoff. A small portion of the site to the east contains the soil unit Watah peat, which can be described as having very poor drainage with a very high surface runoff.

4.7.7 CEQA Checklist

a) Would the project directly or indirectly cause potential substantial adverse effects, including 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.

No Impact

The project area is not within an Alquist-Priolo Earthquake Fault Zone that designates a known active fault (fault that is defined to be active if it has ruptured or shows evidence of displacement in the Holocene or the last 11,000 years) that is susceptible to fault rupture as defined by the California Geologic Survey (formerly the California Division of Mines and Geology). Although the area is seismically active, there is no evidence of an earthquake fault in the project area or within 1 mile that could be subject to rupture.

ii. Strong seismic ground shaking?

Less than Significant Impact

The primary geologic hazard at the project area is the potential for moderate to strong ground shaking associated with nearby faults. Factors determining the characteristics of earthquake ground motion at the project area would depend upon the magnitude of the earthquake, distance from the zone of energy release, travel path, topographic effects, subsurface materials, and rupture/source mechanism.

The proposed construction has been designed to accommodate anticipated ground motions in accordance with appropriate seismic design criteria for the Lake Tahoe Basin; therefore, the impact would be less than significant.

iii. Seismic-related ground failure, including liquefaction?

No Impact

Liquefaction can occur when wet or saturated cohesionless soils temporarily lose strength due to the buildup of excess water pressure during events such as earthquakes. As discussed in the Environmental Setting, the chance of liquefaction is low within the project area, due to the high rock content of the soils. The proposed roadway improvements would not directly or indirectly cause potential substantial adverse effects related to liquefaction.

iv. Landslides?

No Impact

Areas with potential to be impacted by earthquake-induced landslides are typically on or below steep slopes, or adjacent to existing landslide deposits. The project area has relatively flat topography and no known historic landslide deposits, and the probability of the project area being affected by landslide movement would be very low to none. The proposed roadway improvements would not directly or indirectly cause potential substantial adverse effects related to landslides in the vicinity of the project.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact

During construction, the project may have potential to cause the loss of topsoil or cause erosion during earth moving and clearing activities. The project would implement erosion and sediment BMPs as outlined in **Section 3.6** that would prevent significant soil loss or erosion during construction. Implementation of the project SWPPP would further reduce the potential for erosion and topsoil loss during construction to less than significant.

c) Would the project 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

As discussed in the Environmental Setting, the project area contains soil that derived from igneous intrusive rock. The project is proposing to construct a roundabout and sidewalks and restripe streets in an area within existing ROWs and public streets. These areas have already been determined through past construction to be suitable for development and are not located in areas with unstable soils. The proposed improvements are not sensitive to landslide, lateral spreading, subsidence, liquefaction or collapse; therefore, there would be no impact.

d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

No Impact

The project area does not contain expansive soils as defined in Table 18-1-B of the Uniform Building Code (1994). As discussed in the Environmental Settings Section, soils within the project area are primarily composed of alluvium derived from igneous intrusive rock, like granodiorite, and igneous extrusive rock, mostly

andesitic lahar not susceptible to expansion. Therefore, there would be no impact related to expansive soils.

e) Would the project 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

The project does not propose the use of septic tanks and would not require use of alternative wastewater disposal services; therefore, there would be no impact from these systems.

Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No Impact

The Northwest Information Center records search revealed there are no previously recorded or existing paleontological resources identified within the project area. No unique geological resources were identified during review of geologic resources within the project boundary, and no fossiliferous geologic structures underly the project area. Therefore, the project would not directly or indirectly destroy any unique paleontological resources or unique geologic feature.

4.7.8 TRPA Checklist – Land

TRPA 1a. Would the proposed project result in compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?

No

The proposed project is an existing infrastructure improvement project designed to improve safety and mobility within this transportation corridor. The project would not compact or cover soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System.

TRPA 1b. Would the proposed project result in a change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?

No

The project does not propose to change the topography or ground surface within the project area.

TRPA 1c. Would the proposed project result in unstable soil conditions during or after completion of the proposal?

No

Refer to discussion of CEQA item c). The project is proposing to construct a roundabout, sidewalks and restripe streets in an area within ROW and public streets and is not located on unstable soils.

TRPA 1d. Would the proposed project result in changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?

No

Construction of the project would not cause changes in undisturbed soil or native geologic substance or grading in excess of 5 feet within the project area.

TRPA 1e. Would the proposed project result in the continuation of or increase in wind or water erosion of soils, either on or off the site?

No

Refer to discussion of CEQA item b). The project would implement erosion and sediment BMPs as outlined in **Section 3.6** that would prevent significant soil loss or erosion during construction.

TRPA 1f. 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 the bed of a lake?

No

There are no rivers, streams, or lakes in the project area. The proposed project is a roadway improvement project that would not result in the modification of any channel of a river or stream or bed of a lake within the vicinity.

TRPA 1g. Would the proposed project result in exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?

No

Refer to discussion of CEQA item a) and c). The project vicinity has relatively level topography, and soils within the project area are primarily composed of alluvium derived from igneous intrusive rock, like granodiorite, and igneous extrusive rock, mostly andesitic lahar not susceptible to expansion or liquefaction. There are no faults crossing the project area, and the proposed roadway improvements would not increase the exposure of people or property to geologic hazards.

4.8 **GREENHOUSE GAS EMISSIONS**

4.8.1 Environmental Setting

The term *greenhouse gas* is used to describe atmospheric gases that absorb solar radiation and subsequently emit radiation in the thermal infrared region of the energy spectrum, trapping heat in the Earth's atmosphere. Greenhouse gases of concern include carbon dioxide, methane, nitrous oxide, and fluorinated gases². A growing body of research attributes long-term changes in temperature, precipitation, and other elements of Earth's climate to large increases in greenhouse gas emissions since the mid-nineteenth century, particularly from human activity related to fossil fuel combustion. Unlike emissions of criteria and toxic air pollutants, which have local or regional impacts, emissions of greenhouse gases have a broader, global impact.

Greenhouse gases differ by the amount of heat each traps in the atmosphere, known as global warming potential. Carbon dioxide is the most significant greenhouse gas, so amounts of other gases are expressed relative to carbon dioxide, using a metric called "carbon dioxide equivalent" (CO_2e). The global warming potential of carbon dioxide is assigned a value of 1, and the warming potential of other gases is assessed as multiples of carbon dioxide. Generally, estimates of all greenhouse gases are summed to obtain total emissions for a project or given time period, usually expressed in metric tons or million metric tons CO_2e .

California's GHG reduction requirements aim to reduce vehicle miles traveled to improve air quality by reducing GHG emissions from automobiles. GHG planning guidance for the Lake Tahoe Basin is outlined in the 2017 RTP/SCS, which anticipates reducing GHG emissions by focusing on regional land use and transportation policies. Strategies in the 2017 RTP/SCS include transit programs (free-to-the-user transit, transit priority access, transit schedule coordination, etc.), parking management, and mobility improvements such as this project (TRPA 2017).

4.8.2 Regulatory Setting

Federal

The EPA currently has no regulations or legislation enacted specifically addressing GHG emissions reductions and climate change at the project level. In addition, the EPA has not issued explicit guidance or methods to conduct project-level GHG analysis.

² U.S. Environmental Protection Agency. "Overview of Greenhouse Gases." https://www.epa.gov/ghgemissions/overview-greenhouse-gases.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION/INITIAL ENVIRONMENTAL CHECKLIST AUGUST 2020

State

The State of California has taken several legislative steps including Assembly Bills (AB) and Executive Orders (EO) to reduce increases in GHG emissions. CARB is the lead agency in the development of reduction strategies for greenhouse gases in California (CARB 2017).

A summary of California legislative actions is provided below:

- AB 1493 Vehicular Emissions: Greenhouse Gases, 2002: This bill requires the CARB to develop and implement regulations to reduce automobile and light truck GHG emissions. Stricter emission standards were designated by AB 1493 to apply to automobiles and light trucks beginning with the 2009 model year.
- EO S-3-05 (June 1, 2005): The goal of this EO is to reduce California's GHG emissions to 1) year 2000 levels by 2010, 2) year 1990 levels by 2020, and 3) 80 percent below year 1990 levels by 2050. In 2006, this goal was further reinforced by AB 32.
- AB 32, The Global Warming Solutions Act of 2006: This bill sets the same overall GHG emissions reduction goals as outlined in EO S-3-05 while further mandating that the CARB create a scoping plan and implement rules to achieve 'real, quantifiable, cost-effective reductions of greenhouse gasses.'
- EO S-20-06 (October 18, 2006): This EO defines the roles and responsibilities of the Secretary of the California Environmental Protection Agency and state agencies with regard to climate change.
- EO S-01-07 (January 18, 2007): This EO sets forth a low carbon fuel standard for California. Under the EO, the carbon intensity of California's transportation fuels is to be reduced by at least 10 percent by the year 2020.
- State Bill (SB) 97 Chapter 185, 2007, Greenhouse Gas Emissions: Required the Governor's Office of Planning and Research to develop recommended amendments to the CEQA Guidelines for addressing GHG emissions. The amendments became effective on March 18, 2010.
- SB 375, Chapter 728, 2008, Sustainable Communities and Climate Protection: This bill requires the CARB to set regional emissions reduction targets from passenger vehicles. The Metropolitan Planning Organization for each region must then develop a Sustainable Communities Strategy that integrates transportation, land use, and housing policies to plan for the realization of the emissions target for their region.

• SB 391, Chapter 585, 2009 California Transportation Plan: This bill requires the state's long-range transportation plan to meet California's climate change goals under AB 32.

Local Regulatory Environment

The Placer County APCD is the primary agency responsible for air quality regulation in the LTAB. As part of that role, the Placer County APCD has prepared a CEQA Handbook (2017). The purpose of the handbook is to facilitate the evaluation and review of air quality and GHG impacts for projects in Placer County that are subject to CEQA.

The significance threshold adopted by the County for a project's related GHG emissions is 10,000 metric tons of CO₂e per year (Placer County APCD 2020).

4.8.3 CEQA Checklist

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact

Because the project's main components are focused on improvements to the existing transportation system to improve air quality and reduce GHG emissions, the project does not propose any actions that would result in long term GHG emissions or overall increases in GHGs from operational sources. The project would reduce rather than increase travel lanes. However, the project would result in short-term, temporary increases in GHG emissions during construction due to equipment and vehicle use at the site, for a period of 180 days. During the construction period, heavy equipment (e.g., excavators and haul trucks) and worker commute trips would generate GHGs.

Construction Emissions

As discussed above, the significance threshold for construction related GHG emissions is 10,000 metric tons of CO₂e per year.

Total CO₂e for project construction was calculated using anticipated levels of diesel and gasoline use, on and off site (hauling) associated with the project's construction. Total CO₂e over the course of 180 days of construction was estimated to be 504 metric tons, well below the significance threshold of 10,000 metric tons of CO₂e per year. The calculation spreadsheet is included as **Appendix F**.

As presented in **Section 3.6**, the project would implement the recommended *Basic Construction Emission Control Practices* for construction GHG emissions reductions developed by the (SMAQMD 2019), which includes measures to improve fuel
efficiency, minimize idling, limit emissions, use green energy sources, and recycling of materials.

Since the project would contribute to emissions temporarily, would be below the significance threshold of 10,000 metric tons of CO_2e per year and would incorporate construction controls to minimize impacts to GHGs, the project GHG construction emissions would be less than significant.

Operational

As discussed throughout this document, the project would have a beneficial impact on GHG emissions by improving traffic circulation and providing opportunities for alternative non-motorized transportation use. Specifically, as shown in **Table 3** below, the Roundabout Alternative would reduce operational GHG emissions by about half as compared to implementation of the Signal Alternative, primarily due to a reduction in vehicle idling.

Year	Roundabout Alternative Operational Emissions	Signal Alternative Operational Emissions	Reduction Using Roundabout Alternative
2018	152 MT CO₂e/yr	289 MT CO₂e/yr	47 percent
2045	176 MT CO₂e/yr	432 MT CO ₂ e/yr	59 percent

Table Notes:

MT CO₂e/yr = metric tons carbon dioxide equivalents per year Source: GHD 2020 (**Appendix F**)

Because the project would have a less-than-significant generation of GHG emissions during construction and would result in an overall reduction of GHG emissions once operational, the project, once constructed, is anticipated to have a beneficial impact on the environment.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less than Significant Impact

As presented in CEQA item a), the project would result in an overall reduction of GHG emissions once operational. During construction, given that emissions would be short-term over the course of 180 days, increases in GHG emissions that could be attributed to the project would not result in a significant impact on the environment. These temporary GHG emissions would not be considered significant

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and would not limit the state's ability to attain the goals identified in AB 32. Once operational, the project would help attain the state's goals defined in AB 32; therefore, impacts during construction are less than significant, and beneficial once constructed.

4.9 HAZARDS AND HAZARDOUS MATERIALS

4.9.1 Environmental Setting

A Phase I Environmental Site Assessment (ESA) was prepared by NCE to identify, to the extent feasible, Recognized Environmental Conditions (RECs) resulting from the improper use, manufacture, storage, and/or disposal of hazardous or toxic substances at or in the vicinity of the project area that may be encountered during construction and/or need to be considered as part of the acquisition of ROW.

The Phase I had the following findings:

- Excavation work performed within the project area could encounter fuelimpacted soil and/or groundwater, particularly in the areas around Ken's Tire Center, Beacon Station #3601, the North Tahoe Fire Station (boring B-5) and in the vicinity of borings B-8 and B-9 (NCE 2019b).
- Potential ROW acquisition areas are located just north of borings B-8 and B-9, which had reported fuel detections. Assuming a southward groundwater flow direction, the source of the hydrocarbons in borings B-8 and B-9 could be from an upgradient location including the ROW acquisition areas on Old Brockway Golf Course.

The Phase I ESA included recommendations that included a Limited Phase II study and aerially deposited lead (ADL) Assessment including a geophysical survey, the collection of soil and groundwater samples within the proposed ROW acquisition areas, and the collection of soil samples within proposed excavation areas for assessment of ADL.

The Phase II investigation and ADL assessment (NCE 2020f) were performed within the potential ROW acquisition area to better evaluate the nature of the concerns, and to understand the nature and extent (if any) of associated impacts to soil and groundwater.

Groundwater

The analytical data and field observations made during the Phase II field efforts, as well as conversations with the Old Brockway Golf Course representative, suggest that the proposed ROW acquisition areas are not likely a potential source of hydrocarbon contamination to groundwater. While no groundwater samples were collected on the west side of Brassie Avenue, samples collected on the east side, as well as observations made during soil sample collection on the west side of Brassie Avenue further support the lack of a potential source.

ADL

Analytical data from the ADL assessment suggests that while soils within the project boundary do not exceed the California Department of Toxic Substances Control (DTSC) commercial screening value for lead (320 mg/kg), the 1.5-feet below ground surface (bgs) testing horizon contains reported detection of ADL (103.1 mg/kg) exceeding the DTSC residential screening value (80 mg/kg) for lead in soil. The 2.5-feet and 3.5-feet bgs testing interval ADL detections ranged from 3.3 to 59 mg/kg, which indicates elevated lead concentrations in soil appear to occur in the 1.5-feet bgs interval.

There was one sample location that exceeded the RWQCB construction worker screening value (160 mg/kg); however, the exposure point concentration (EPC) for lead within the project area is 34.9 mg/kg, which is below published health-based screening values (NCE 2020f). ECPs are intended to be representative of soil within the project area.

The Phase 1 and Phase II reports are included in Appendix G.

4.9.2 CEQA Checklist

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

Less than Significant Impact

The project's use of hazardous materials is limited to fuels and other maintenancerelated chemicals to run equipment machinery. New concrete and asphalt materials would be used to construct the new roundabout and old asphalt would be disposed of as construction waste.

Transport and use of hazardous materials are anticipated to be minimal. The use, storage, and management of fuels and other vehicle-related chemicals as well as construction materials would be managed according to the on-site SWPPP. For example, the SWPPP requires that equipment fueling and maintenance, if performed at the job site, must be performed in a designated area utilizing secondary containment with a spill kit nearby. Rinsing of concrete tools and chutes would also be performed according to the SWPPP, including utilizing concrete washouts and/or requiring that wastewater be kept within the concrete truck and hauled offsite for recycling.

Therefore, the project would have a less than significant impact on hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials.

b) Would the project 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?

Less than Significant Impact with Mitigation Incorporated

As described above in section (a), hazardous materials used as part of the proposed project are expected to be minimal and the required on-site SWPPP would manage use of fuels and chemicals. Should a spill occur, spill procedures in the SWPPP would be followed.

Results of the Phase II investigation efforts indicate there were no reported detections of contamination in the collected groundwater samples. However, the risk remains for impacted groundwater to be encountered during construction. Implementation of the Dewatering Plan as discussed in the Project Description would prevent potentially contaminated groundwater from leaving the site as polluted surface runoff during construction.

As discussed in the Environmental Setting, ADL is known to exist within the project area. The 1.5-feet bgs horizon has reported detection limits of ADL in exceedance of the DTSC residential screening value for lead in soil but is below the commercial screening value. The 2.5-feet and 3.5-feet bgs testing interval detections were below both the residential and commercial DTSC screening values, indicating elevated lead concentrations appear to occur in the 1.5-feet bgs soil horizon.

The DTSC entered into an enforceable agreement with Caltrans for the management of ADL-contaminated soils that are excavated by Caltrans during highway improvement projects, titled Soil Management Agreement for Aerially Deposited Lead-Contaminated Soils (Agreement). The Agreement requires all ADL-contaminated soils with a lead concentration above unrestricted use (currently 80 mg/kg) to be properly managed by Caltrans. The management activities to which this Agreement generally applies are the stockpiling, disposal, tracking, transportation, and final placement of ADL-contaminated soils. The DTSC monitors compliance with the Agreement and tracks highway improvement projects that reuse ADL-contaminated soils (DTSC 2016).

The project is anticipated to qualify for "no coverage requirement" based on the Caltrans and DTSC Agreement Criteria (Table 2 of the attached Phase II report [**Appendix G**]) as reported concentrations are below the Extractable Lead Concentration threshold. Similarly, as the EPC for lead in soil for the site does not exceed the published health-based screening value for unrestricted use, excavated soils would not be considered hazardous waste and would not have a cover requirement (NCE 2020f). However, for risk management purposes, it is still recommended that excavated soils requiring off-haul be stockpiled and profiled

prior to disposal at an appropriate waste disposal facility and should not be re-used onsite for any purpose.

Because the project does not propose to reuse ADL-contaminated soils as part of the project, and the significant impacts would not occur and the EPC for lead in soil for the site does not exceed the published health-based screening value for unrestricted use, construction of the project would not create a significant harm to the environment through release of hazardous materials.

However, exposure of construction workers to potentially contaminated soils needs to be considered during earth-moving activities. Lead enters the body through inhalation or ingestion of lead-containing materials and is not readily absorbed through the skin. The primary concern is exposure through ingestion of contaminated soil. Another concern is that shoes or clothing contaminated with lead-containing soils will enter vehicles, offices, or homes, and provide a source for lead contamination and exposure to others (Caltrans 2017b).

Therefore, due to the presence of elevated lead levels associated with the project, the Contractor shall adopt the following work practices to minimize the potential for contamination and ingestion of lead-contaminated soils, and also to prevent exposure to the public. The following work practices are based on Caltrans' *Code of Safe Practices Manual* (Caltrans 2017b):

• Mitigation Measure HAZ-1: Develop Lead Compliance Plan

The Contractor shall develop and implement a Lead Compliance Plan (LCP). The LCP shall outline requirements mandated in 8 CCR 1532.1, Lead, to ensure the risks of potential worker exposure to inorganic lead through inhalation of airborne dust or ingestion lead from soils contaminated with ADL are mitigated. Additional components of the LCP shall include:

- Prior to performing any excavation work at the locations containing material classified as hazardous, employees and subcontractors shall complete a safety training program which meets 29 CFR 1910.120 and 8 CCR 5192 covering the potential hazards as identified.
- Educate employees and subcontractors in identification of contaminated soil and on contaminated soil handling, containment, and disposal procedures.
- Hold regular meetings to discuss and reinforce contaminated soil handling, containment, and disposal procedures (incorporate into regular safety meetings and tailgates).

c) Would the project 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

The nearest school is Kings Beach Elementary School, located approximately 0.4 miles to the northeast of the project area. As discussed above, hazardous materials used as part of the proposed project are anticipated to be limited. The project would have no impact on nearby schools.

d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact

EnviroStor is the Department of Toxic Substances Control's data management system for tracking cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known contamination, or sites where there may be reasons to investigate further, also known as the Cortese List. There are no identified sites within the project area on EnviroStor.

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 or excessive noise for people residing or working in the project area?

No Impact

The nearest airport, Truckee Tahoe Airport, is over 10 miles from the project area. The project area is not located within a comprehensive land use planning area, and the project does not involve habitable improvements that would be sensitive to airport operations.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact

The project proposes the construction of a roundabout, active transportation facilities, and lane reductions on SR 28 that involve construction within roadways included in the County's emergency response plans. The roads will remain open throughout construction with some restrictions. As discussed under construction controls in the Project Description, Caltrans would develop a project-level traffic management plan that would develop strategies for public and motorist information, incident management, construction, demand management, and

alternate routes. Emergency response and evacuation would be maintained throughout construction.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact

The project involves the construction of a roundabout at the intersection of SR 28 and SR 267 to improve traffic flow and safety. Roadway access would be provided throughout construction. The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

4.9.3 TRPA Checklist – Risk of Upset

TRPA 10a. Would the proposed project 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

Refer to discussion of CEQA item a). The use, storage, and management of fuels and other vehicle-related chemicals as well as construction materials would be managed according to the on-site SWPPP.

TRPA 10b. Would the proposed project involve possible interference with an emergency evacuation plan?

No

Refer to discussion of CEQA item f). During construction, emergency response and evacuation would be maintained.

4.9.4 TRPA Checklist – Human Health

TRPA 17a. Would the proposed project result in creation of any health hazard or potential health hazard (excluding mental health)?

No

Refer to discussion of CEQA items a) and b). The proposed project would not result in the creation of any potential health hazard that could affect the environment or community.

TRPA 17b. Would the proposed project result in exposure of people to potential health hazards?

No

Refer to discussion of CEQA items a) and b). The proposed project would implement SWPPP procedures to prevent exposure to potential health hazards.

4.10 HYDROLOGY AND WATER QUALITY

4.10.1 Environmental Setting

Watershed and Water Quality

The project area is located within the Third Creek-Frontal Lake Tahoe watershed and is within jurisdiction of the Lahontan RWQCB (Region 6). The closest receiving water to the project is Griff Creek which is a tributary to Lake Tahoe.

Lake Tahoe is included on the 2016 CWA Section 303(d) list of impaired water bodies and has TMDLs for Nitrogen, Phosphorus, and Sediment/Siltation (due lack of transparency and lack of clarity).Existing beneficial uses of Lake Tahoe include Municipal and Domestic Supply (MUN), Ground Water Recharge (GWR), Water Contact Recreation (REC-1), Non-contact Water Recreation (REC-2), Commercial and Sportfishing (COMM), Cold Freshwater Habitat (COLD), Wildlife Habitat (WILD), and Spawning, Reproduction, and Development (SPWN).

Existing Stormwater Drainage Patterns

There is minimal drainage infrastructure in the project area, consisting of a subsurface drainage system that sheds into Griff Creek, which then outfalls into Lake Tahoe. The project area contains two major outlets. The first outlet drains Route 267 from the intersection to Pinedrop Lane, Route 28 east of the intersection, and the eastern edge of Brassie Avenue. This outfall drains approximately 35 acres and drains into Griff Creek, which outfalls into Lake Tahoe. The second outlet drains Route 28 west of the intersection, the western edge of Brassie Avenue north to Mashie Avenue, and a large area north and west of Brassie Avenue. This outfall drains 2020).

Flood, Tsunami, and Seiche Hazards

The project area contains a mapped floodplain area associated with the Griff Creek corridor. The area is delineated on Federal Emergency Management Agency (FEMA) map panel 06061C0360H, effective 11/2/2018. The southernmost portion along SR 28 and going north adjacent to SR 267 are within a Special Flood Hazard Area (SFHA), Zone AE (where a base flood elevation has been determined), with a base flood elevation of 6,232.3 feet. As defined by FEMA, a Special Flood Hazard Area would be inundated by the flood event having a 1 percent chance of being equaled or exceeded in any given year (i.e., 100-year flood). Portions of SR 28 and SR 267 are mapped as Zone X, which are areas of minimal flood hazard.

Tsunamis, or seiches as they are called when they occur within an enclosed body of water, can also be generated within Lake Tahoe by the numerous faults crossing

through the basin. The potential for seiche-related waves up to 30 feet can occur along the shores of Lake Tahoe (TMPO and TRPA 2012).

Groundwater

Based on the Phase II investigation effort, groundwater in the vicinity of the project area flows in a southernly direction and has been documented between 3 and 7 feet bgs and observed at approximately 5 to 6 feet bgs during boring activities (NCE 2020f).

4.10.2 Regulatory Setting

Federal

Clean Water Act and NPDES Permit

Section 402 of the CWA requires NPDES permits for stormwater discharges from municipal storm drain systems. The Water Quality Control Plan for the Lake Tahoe Basin (Basin Plan; Lahontan RWQCB 2017b) is the Water Board's planning document. The Water Board issues the municipal stormwater NPDES permits to address stormwater impairments and recommend actions. Stormwater discharges into the County's municipal stormwater drainage system are regulated by the Lahontan RWQCB under the Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049.

Section 303(d) of the CWA authorizes the U.S. EPA to assist jurisdictions in listing impaired waters and developing Total Maximum Daily Loads (TMDLs) for these waterbodies. A TMDL establishes the maximum levels of each pollutant allowed in a waterbody and serves as the starting point or planning tool for restoring water quality. In California, the State and Regional water boards assess water quality monitoring data for the state's surface waters every two years to determine if they contain pollutants at levels that exceed protective water quality standards. Water bodies and pollutants that exceed protective water quality standards are placed on the state's 303(d) List. The determination is governed by the Water Quality Control Policy for developing California's Clean Water Act Section 303(d) List. Currently, the 2016 303(d) list is in effect.

Federal Emergency Management Agency

FEMA implements the National Flood Insurance Program. Per Section 60.3(d)(3) of the National Flood Insurance Program regulations regarding floodplain management, the placement of fill, new construction, substantial improvements, and other development within the adopted regulatory floodway cannot result in any increase in flood levels during occurrences of the base flood discharge (100-year event).

State

Statewide Construction General Permit

Because the proposed is anticipated to create a land disturbance of 1 acre (or more) and is within the Lake Tahoe hydrologic unit, it is subject to the Lahontan specific Construction General Permit (Order R6T-2016-0010) which regulates stormwater discharges associated with construction activities.

Under this order, site owners must notify the state and implement a SWPPP prepared by a Qualified SWPPP Developer. The SWPPP must outline measures that would protect hydrology and water quality resources, including groundwater, from negative impacts during construction through implementation of BMPs and monitoring the effectiveness of BMPs. This permit is administered by the State Water Resources Control Board and overseen by the RWQCB.

4.10.3 CEQA Checklist

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Less than Significant Impact

During construction of the project, grading, excavation, and general ground disturbing activities may have the potential to temporarily impact water quality of nearby Griff Creek and Lake Tahoe as polluted stormwater runoff. Shallow groundwater may also be encountered during utility relocation activities, requiring dewatering.

The project proposes to construct permanent water quality BMP features, such as vegetated 'buffer' islands between lanes, at the center splitter island, and a stormwater basin to be constructed at the north corner of the roundabout. The facilities would capture runoff and allow for infiltration to prevent sediment transport to Griff Creek and Lake Tahoe; therefore, concentrated runoff from modified impervious surfaces and slopes associated with the project is not anticipated, and there would be no long term impacts to water quality once the project is constructed. Because the New Impervious Surface within Caltrans ROW is less than the threshold of one acre, no additional treated area is required per Section 4.3 of the Caltrans Project Planning and Design Guide. Because the New Impervious Surface area is less than one acre in Caltrans ROW and less than 5,000 sf in the County ROW, the project is not subject to the hydromodification requirements set forth within the MS4 permits.

As discussed in the project description, the County is required to implement an approved SWPPP to protect surface and groundwater quality during construction. The project would also implement an approved groundwater Dewatering Plan as a

component of the SWPPP to include procedures for the capture, storage, and appropriate discharge for groundwater. Water may be used to irrigate planted vegetation, sprayed on uplands to allow infiltration within the project area, held in Baker Tanks, or otherwise treated to comply with the requirements of Board Order No. R6T-2017-0010.

Additionally, as part of the final project approvals, the County is required to submit a TRPA Soils/Hydrologic report (TRPA Code Subsection 33.3.6B). The report includes a summary of the geologic, soil, and hydrologic conditions expected to be encountered within the project corridor and the qualifications of the personnel conducting the soil/hydrologic investigation. The report would also be required to including measures to ensure groundwater flows are maintained to prevent groundwater from leaving the site as surface water. Compliance with TRPA Code Subsection 33.3.6B would ensure groundwater quality and movement is minimized during construction.

Because the project proposes permanent water quality features anticipated to have a beneficial impact on water quality once constructed, and is required to comply with local, state, and federal requirements for protection of surface and groundwater quality during construction, implementation of the project and required controls would ensure that the project would not result in a violation of any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less than Significant Impact

As discussed in the Environmental Setting and CEQA item a) above, the project area contains shallow groundwater that may be encountered during construction activities. As part of project design, groundwater infiltration of surface runoff is accommodated by the proposed permanent BMP water quality features. The project would add a minimal amount of impervious area, (approximately 0.83 acres). The project would also maintain existing vegetation to the maximum extent, and create vegetated infiltration islands in areas previously paved, which would facilitate recharge and offset the additional impervious area created. These features, in addition to the Dewatering Plan implemented during construction, would maintain the existing direction and rate of groundwater. Once constructed, the project is anticipated to have a beneficial impact on groundwater quantity due to the addition of pervious areas which would infiltrate runoff on-site.

Implementation of the Dewatering Plan and stormwater infiltration features of the project ensures compliance with requirements for protection of groundwater during

construction as outlined in TRPA Code 33 and Lahontan Basin Plan Chapter 5.7 and Board Order No. R6T-2017-0010.

The project would not use groundwater for construction water supply or potential landscaping irrigation, which would be minimal for native plants. Kings Beach receives municipal water provided by the North Tahoe Public Utility District through the Tahoe Main system, supplied from Lake Tahoe.

Therefore, the proposed project would have a less than significant effect on groundwater recharge or management of the groundwater basin.

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial erosion or siltation on or off-site?

Less than Significant Impact

The proposed project would not significantly alter existing drainage patterns and would only increase impervious area by approximately 0.83 acres within the Caltrans ROW and County ROW compared to the existing condition. The increase in impervious area would be offset by new landscaped areas and the stormwater basin and vegetated infiltration islands. Drainage improvements include relocating the existing stormwater basin on the golf course property and routing as much of the runoff as possible to the stormwater basin. Other areas of the project would be drained into landscape areas between the sidewalk and the road, and ultimately tied into the existing system east of the intersection. The drainage improvements would not cause substantial erosion or siltation. Erosion related to construction activities would be controlled through the SWPPP, BMPs, and other construction controls to prevent erosion and siltation.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Less than Significant Impact

The minor increase surface area would have no discernable effect on surface runoff (Caltrans 2020). Proposed drainage improvements would route surface runoff into the relocated stormwater basin area and into landscaped areas for infiltration, which would reduce the potential for flooding on- or off-site.

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

Less than Significant Impact

The proposed project would incorporate water quality features that would allow for infiltration in areas that were previously paved, and construct drainage system improvements. The project would result in a net benefit capture and infiltrate runoff on-site. Therefore, impacts would be less than significant.

iv) Impede or redirect flood flows?

No Impact

The proposed roadway improvements and water quality features within the project area do not include structural elements such as buildings, walls or dams that could impede or redirect flood flows. Only small portions of the proposed project would be in a SFHA. The only proposed improvement to this area is lane restriping along SR 28. Therefore, there would be no impact.

d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

Less than Significant Impact

Flood Hazard

As discussed in the Environmental Setting, a small area of the project is within a Special Flood Hazard Zone. The only proposed improvement to this area is lane restriping, and therefore, the project would not construct features, which once in place, would have the potential to release pollutants in the event of flooding. Therefore, there would be no impact.

Tsunami and Seiche Hazard

A seiche could potentially inundate the project area due to proximity to Lake Tahoe. The incorporation of required controls during construction such as the SWPPP, Spill Prevention Plan, and Dewatering Plan, would minimize the potential to release pollutants due to inundation.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact

The Basin Plan sets forth water quality standards for the surface waters and groundwater of the region. The project, a TRPA EIP, proposes water quality improvements that are consistent with the goals of the Basin Plan.

The project would not conflict with implementation of the Basin Plan as it would not adversely affect beneficial uses or contribute to an exceedance of water quality objectives established to protect beneficial uses. The project is proposing to install permanent water quality features and use BMPs to improve water quality and meet local, state, and federal standards. These water quality features include relocating the existing stormwater basin on the golf course property and routing as much of the runoff as possible to the stormwater basin. Therefore, implementation of the project would result in an improvement in stormwater runoff quality associated with road-based pollutants compared to the existing condition.

4.10.4 TRPA Checklist – Water Quality

TRPA 3a. Would the proposed project result in changes in currents, or the course or direction of water movements?

No

There are no proposed impacts to water features associated with the project. The proposed project would not change currents, or the course or direction of water movements.

TRPA 3b. Would the proposed project result in changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site?

No

Refer to CEQA item c). The project would not significantly alter existing drainage patterns and would only increase impervious area by approximately 0.83 acres within the state and County ROWs compared to the existing condition. The project would result in additional pervious surface area in areas previously paved by the County ROW, and therefore would be an improvement to the rate of runoff discharging during storm events.

TRPA 3c. Would the proposed project result in alterations to the course or flow of 100-year flood waters?

No

Refer to CEQA item d). The project would not alter the course of flow of the 100year flood waters.

TRPA 3d. Would the proposed project result in change in the amount of surface water in any water body?

No

The project would construct improvements intended to reduce stormwater flows exiting the site and result in a negligible change in impervious surfaces. The project would therefore have a negligible effect on the amount of stormwater flowing to Lake Tahoe.

TRPA 3e. Would the proposed project result in discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?

No

Refer to discussion for CEQA item a). During construction, the project would implement SWPPP procedures in order prevent stormwater pollution during construction activities. There would be no direct discharges to surface waters associated with the project. Proposed infiltration and stormwater settlement improvements would improve stormwater quality entering Lake Tahoe.

TRPA 3f. Would the proposed project result in alteration of the direction or rate of flow of ground water?

No

Refer to discussion for CEQA item b). The project would have a beneficial effect on the recharge of the basin.

TRPA 3g. Would the proposed project result in change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

No

Refer to discussions for CEQA items a) and b). Once constructed, the project would have a beneficial effect on the recharge of the basin by constructing vegetated infiltration areas. During construction, impacts to the quantity of groundwater would maintain less than significant through use of a Dewatering Plan.

TRPA 3h. Would the proposed project result in substantial reduction in the amount of water otherwise available for public water supplies?

No

Construction water needs and limited irrigation for native plants would have a minor effect on the use of water available for public water supplies.

TRPA 3i. Would the proposed project result in exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?

No

Refer to CEQA item d). The only improvement within the flood hazard zone is lane restriping along SR 28, which would have no impact on the floodplain.

TRPA 3j. Would the proposed project result in the potential discharge of contaminants to the groundwater or any alteration of groundwater quality?

No

Refer to discussion for CEQA item a). During construction, the project would implement SWPPP procedures including a Dewatering Plan to prevent contaminants from entering groundwater. Proposed infiltration improvements would have a minor beneficial effect on groundwater recharge.

TRPA 3k. Is the project located within 600 feet of a drinking water source?

Yes

he proposed project area is located within 600 feet of Lake Tahoe, the primary drinking water source for the Tahoe Main system, which includes Tahoe Vista, Kings Beach, and Brockway to the Nevada border. The proposed project is intended to improve surface water quality entering the storm drainage system that outfalls directly to Lake Tahoe.

4.11 LAND USE AND PLANNING

4.11.1 Environmental Setting

The project is within the limits of the Placer County Tahoe Basin Area Plan (Basin Area Plan). The Basin Area Plan is a component of the Lake Tahoe Regional Plan and the Placer County General Plan and includes the portions of Placer County located within the Lake Tahoe Regional Planning Area, including the north and west shores of Lake Tahoe.

The Basin Area Plan provides guidance to improve transportation-related air quality by reducing emissions and improving pedestrian and cyclist mobility.

Land use designations comply with the TRPA Code of Ordinances; the Basin Area Plan designates the project area as Commercial, Recreation, and Residential. The community is further divided into zoning districts. The project area is primarily zoned as Mixed-use (North Tahoe East).

Community Impact Assessment

A Community Impact Assessment (CIA) was prepared for the proposed project to assesses potential land use, community, social, economic, and environmental justice impacts that could result from the project (NCE 2020g). The CIA was prepared using the guidance provided in Chapter 24 (Community Impacts) and Volume 4 (Community Impact Assessment) of the Caltrans SER. Results of the CIA impact on land use are in the following CEQA checklist sections below. The full CIA report is included as **Appendix H**.

4.11.2 CEQA Checklist

a) Would the project physically divide an established community?

No Impact

The overall purpose of the project is to improve traffic delay and safety within the SR 28/SR 267 intersection and along the corridor. The new pedestrian and bicyclist features would both improve safety and provide for greater connectivity to the existing transportation system and surrounding community.

Once implemented, the project would result in greater connectivity to the surrounding community and would not physically divide the existing established community; therefore, impacts are anticipated to be beneficial.

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than Significant Impact

Construction activities would primarily occur within County-owned roadways, public ROW (SR 28 and SR 267) and within Caltrans ROW (Old Brockway Golf Course). By shifting the intersection to the east, traffic flow and safety would be improved within the intersection.

Results of the CIA indicate minor direct land use impacts would result through the acquisition of ROW required to construct the project; the project would not result in a shift in land use patterns or change land uses beyond the minor land acquisition needed to construct the project.. The CIA determined the proposed roundabout alternative (Alternative 3) would be consistent with State, regional, and local planning documents, while the Signal Alternative would only be partially consistent. The No Build Alternative would not meet any plan goals or policies. There are no farmlands, timberlands, or wild and scenic rivers. Therefore, the project would have no impact on land use plans, policies, or regulations (NCE 2020g).

Additionally, the project would comply with the County and TRPA land use plans, policies, and regulations by implementing controls to protect or avoid impacts to sensitive resources and mitigating any impacts to less than significant levels, as described in the other sections of this IS. The proposed project is consistent with the Basin Area Plan and the Regional Transportation Plan goals of improving transportation-related air quality by reducing emissions and improving pedestrian and cyclist mobility.

4.11.3 TRPA Checklist – Land Use

TRPA 8a. Would the proposed project include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan?

No

The proposed project would not result in a change of existing land use. As discussed in CEQA item b) above, the project complies with all applicable local and regional land use planning regulatory documents.

TRPA 8b. Would the proposed project expand or intensify an existing nonconforming use?

No

There are no existing non-conforming uses associated with the project. There would be no impact.

4.12 MINERAL RESOURCES

4.12.1 Environmental Setting

Minerals are any naturally occurring chemical element or compound, or groups of elements or compounds, formed from inorganic processes and organic substances including, but not limited to, coal, peat, and oil-bearing rock, but excluding geothermal resources, natural gas, and petroleum. Within the Tahoe Basin, the extraction for mineral resources is not permitted (Placer County Community Development Resource Agency and TRPA 2016). The project area is within previously disturbed roadway and contains no mineral resources of value to the region or residents of the State of California, nor does it include the substantial use of any non-renewable natural resources.

4.12.2 CEQA Checklist

a) Would the project 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

According to the State Mining and Geology Board (California Department of Conservation 2019) and the Tahoe Basin Area Plan (Placer County and TRPA 2017a), there are no state or regionally valuable mineral resources within the project boundary. The proposed project would therefore not result in the loss of availability a known mineral resource.

b) Would the project 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

According to the State Mining and Geology Board and the Tahoe Basin Area Plan there are no resource recovery sites associated within the project area; therefore, there would be no impact.

4.13 NOISE

4.13.1 Environmental Setting

Noise is defined as a sound or series of sounds that are intrusive, objectional, or disruptive to daily life. Significant noise generators in the vicinity include vehicular traffic along SR 28 and SR 267, commercial facilities such as the Old Brockway Golf Course, Sierra Tires and Automotive, and the North Tahoe Fire Protection District (NTFPD) Station 52.

Chapter 5 of the Basin Area Plan identifies automobile use as a strong influencer of noise threshold attainment, and looks to reduce noise by transitioning to a more walkable development pattern in town centers and improving pedestrian, bicycle, and transit facilities (Placer County 2017).

4.13.2 Regulatory Setting

Noise levels are measured to regulate ambient noise and protect people from exposure to excessive noise. Different land uses have different acceptability levels in terms of noise disturbance. For example, industrial uses have a higher noise threshold than residential uses. Noise standards provide a means of assessing exposure and compatibility based on specific uses.

TRPA

The TRPA Code (Chapter 68: Noise Limitations) establishes noise limits for areas within TRPA's jurisdiction. Community noise levels shall not exceed levels existing on August 26, 1982, where such levels are known. TRPA prescribes the development standards for the Kings Beach Residential Subdistrict, which set the maximum community noise equivalent level at 55 Community Noise Equivalency Levels (CNEL).

Project construction between 8:00 a.m. and 6:30 p.m. is exempt from noise limitations per TRPA Code.

Placer County

Placer County Code Noise Ordinance 9.36.030 established the following noise limit exemptions and allowable hours for construction activities:

Construction (e.g., construction, alteration or repair activities) between the hours of six a.m. and eight p.m. Monday through Friday, and between the hours of eight a.m. and eight p. m. Saturday and Sunday provided, however, that all construction equipment shall be fitted with factory installed muffling devices and that all construction equipment shall be maintained in good working order.

The Basin Area Plan contains the following policy relating to noise:

T-P-5: Consider traffic calming and noise reduction strategies (e.g., alternate truck routes, speed reductions on SR 28 and SR 89, entry features, highlighted pedestrian crosswalks, etc.) when designing transportation improvements.

4.13.3 CEQA Checklist

a) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less than Significant Impact

The project is located in an existing transportation corridor, and would be constructed in the vicinity of residences, 0.4 miles from Kings Beach Elementary School, and multiple recreation uses. During construction, workers and persons residing in the area would be temporarily exposed to noise generated by construction equipment, such as compaction equipment, excavators, backhoes, and loaders. No noise associated with pile driving is anticipated for the project.

The project would be constructed during the exempt hours of 8:00 a.m. to 6:30 p.m. per the TRPA Code to reduce the impacts of temporarily increased ambient noise levels on nearby residences.

As discussed in the Environmental Setting, automobile use is a strong influencer of noise threshold attainment. The project proposes traffic calming features, such as a roundabout, in addition to pedestrian and bicycle improvements to provide for alternative non-motorized modes of transportation. Therefore, once operational, the project is anticipated to have a beneficial impact on noise threshold attainment.

Because the increase of ambient noise would be temporary during construction, would comply with the TRPA's Noise Code requirements for construction projects, and, once constructed, would help attain the noise threshold, the project would not result in ambient noise levels in excess of established standards set forth in the TRPA or County Code.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant Impact

Groundborne vibration is described in terms of frequency and amplitude. Unlike sound, there is no standard way of measuring and reporting amplitude. Construction vibration is generally associated with pile driving and rock blasting. Occasionally, large bulldozers and loaded trucks can cause perceptible vibration levels at close proximity. During construction, workers and persons residing in the area would be temporarily exposed to minor groundborne vibration generated by construction equipment, such as compaction equipment, excavators, backhoes, and loaders. No pile driving is anticipated for the project. Construction activities would result in intermittent exposure of groundborne vibration to the project area. However, because impacts would be temporary and would comply with the TRPA Code, the impacts would be less than significant.

c) For a project located within the vicinity of a private airstrip or 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

There are no airports within 2 miles of the project area. Kings Beach is served by the Reno-Tahoe International Airport, located approximately 45 miles to the north. The closest private airport is the Crystal Bay/Kings Beach Hang Gliderport, located approximately 3 miles northeast from the project area. Therefore, the project would not expose construction workers to excessive aircraft noise.

4.13.4 TRPA Checklist – Noise

TRPA 6a. Would the proposed project result in increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan?

No

Refer to discussion for CEQA item a). The project would be constructed during TRPA exempt hours, and, once operational, is anticipated to result in a minor reduction in noise levels.

TRPA 6b. Would the proposed project result in exposure of people to severe noise levels?

No

Refer to CEQA items a) through c). Increases in noise are anticipated to be temporary during construction and would not be severe.

TRPA 6c. Would the proposed project result in single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?

No

Refer to discussion for CEQA item a). The project would be constructed during TRPA construction exempt hours and, based on the nature of the construction and the

area, are not anticipated to exceed single event noise levels set forth within the TRPA Noise Environmental Threshold.

TRPA 6d. Would the proposed project result in the placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?

No

The project does not propose residential or tourist accommodations as part of the project. There would be no impact.

TRPA 6e. Would the proposed project result in the placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?

No

The project would provide traffic calming and enhancement of non-motorized transportation facilities within an existing transportation corridor. Therefore, the project would not generate an incompatible noise level, and may result in a reduction in ambient noise levels once constructed.

TRPA 6f. Would the proposed project result in exposure of existing structures to levels of ground vibration that could result in structural damage?

No

Refer to CEQA item b). The project would not expose structures to ground vibrations capable of resulting in structural damage.

4.14 **POPULATION AND HOUSING**

4.14.1 Environmental Setting

As of 2018, Kings Beach had an estimated population of 2,833 residents and an estimated housing stock consisting of 2,358 dwelling units (California Department of Finance 2020). Single-family residential homes are located along SR 267 adjacent to the project area. Condominiums, single-family residential homes, and hotels are located adjacent to the project area along SR 28. There are no dwelling units within the project area.

Community Impact Assessment

A CIA was prepared for the proposed project to assesses potential land use, community, social, economic, and environmental justice impacts that could result from the project. The CIA was prepared using the guidance provided in Chapter 24 (Community Impacts) and Volume 4 (Community Impact Assessment) of the Caltrans SER. Results of the CIA impact on population growth and housing are in the following subsections and CEQA checklist sections discussed below. The full CIA report is included as **Appendix H**.

Growth

Since the TRPA implemented a strict growth control system under the Bi-State Compact and Regional Plan, there has been very little private redevelopment in Kings Beach. This regulatory system is designed to complement the region's development standards and improvement programs to achieve and maintain the TRPA Environmental Thresholds. Overall, the TRPA growth control system limits the project area's capacity for development (NCE 2020g).

4.14.2 CEQA Checklist

a) Would the project induce substantial unplanned 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 project proposes to construct a roundabout with bike and pedestrian features, and sidewalks along and within the intersection of SR 28 and SR 267 to improve traffic delay, safety, and transportation network connectivity.

The TRPA growth control system limits the project area's capacity for development. The proposed project improves the existing transportation infrastructure but does not increase roadway capacity; thus, no growth-related impacts are anticipated (NCE 2020g).

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact

The project is located almost entirely within the existing roadway ROW, and only vacant land would be used for temporary construction staging. The project would not displace people or housing and would therefore not require construction of replacement housing elsewhere.

4.14.3 TRPA Checklist – Population

TRPA 11a. Would the proposed project alter the location, distribution, density, or growth rate of the human population planned for the Region?

No

Refer to CEQA items a) and b). The proposed project is an infrastructure improvement project, and therefore would not induce substantial population growth by adding new lanes or roadways, or displace any existing uses.

TRPA 11b. Include or result in the temporary or permanent displacement of residents?

No

Refer to CEQA item b). The proposed project would not result in the temporary or permanent displacement of residents within the vicinity of the project area.

TRPA 11c. Affect existing housing, or create a demand for additional housing?

No

Refer to CEQA items a) and b). The proposed project is an infrastructure improvement project, and therefore would not induce substantial population growth by adding new housing or commercial uses.

4.14.4 TRPA Checklist – Housing

TRPA 12a. Would the proposed project affect existing housing, or create a demand for additional housing?

To determine if the proposal would affect existing housing or create a demand for additional housing, please answer the following questions:

1. Would the proposal decrease the amount of housing in the Tahoe Region?

No

2. Would the proposal 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

Number of Existing Dwelling Units: 0

Number of Proposed Dwelling Units: 0

Refer to CEQA item b). The proposed project would not decrease the amount of housing within the region or affect rental rates of households within the vicinity.

TRPA 12b. Would the proposal result in the loss of housing for lower-income and very-low-income households?

No

The proposed project is a transportation infrastructure project designed to enhance safety and mobility within the area. The project would not result in a loss of housing for lower-income and very-low-income households within the vicinity.

4.15 PUBLIC SERVICES

4.15.1 Environmental Setting

Fire Protection

The NTFPD provides fire and life safety, rescue and emergency medical service, and fire prevention to the north and west shores of Lake Tahoe. NTFPD Station 52 is located adjacent to the project area along SR 267.

Police Protection

The Placer County Sheriff's Office provides 24/7 patrol coverage and search and rescue operations within the region. The North Tahoe Substation is located at 2501 North Lake Boulevard in Tahoe City, California. The Department comprises 48 full-time employees commanded by a Sheriff's Captain. They provide boat patrol for the largest portion of Lake Tahoe and rescue and recovery for both swiftwater and underwater operations when needed.

4.15.2 CEQA Checklist

a) Would the project result in substantial adverse physical impacts associated with the need and/or provision of new or physically altered governmental services and/or facilities in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services?

- i) Fire protection?
- ii) Police protection?
- iii) Schools?
- iv) Parks?
- v) Other public facilities?

No Impact

The proposed project would construct a hybrid roundabout with pedestrian and bicycle features, a new sidewalk along SR 267, and would restripe SR 28 lanes in order to improve traffic delay, transportation connectivity, and safety within the area. Safety improvements are intended to have a beneficial impact on emergency calls to the area by reducing vehicle/vehicle, vehicle/pedestrian, and vehicle/bicycle conflicts.

The project would not increase dwelling units or road capacity at the intersection of SR 28 and SR 267, or along SR 28 and SR 267, and thus involves no increase in demand for public services such as schools, libraries, or parks. During construction, the project may have a negligible temporary increase in emergency services

demand to protect construction equipment or personnel that could be adequately served by existing services. There are adequate fire and police services to protect the construction sites and construction workers without affecting emergency service ratios, response times, or other performance objectives. Therefore, the proposed project would not require new or physically altered governmental services and/or facilities.

4.15.3 TRPA Checklist – Public Services

Would the proposed project have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas?

TRPA 14a. Fire protection?

No

Refer to CEQA item a) above. There are adequate existing fire services to serve the project area. Safety improvements are intended to have a beneficial impact on emergency calls to the area by reducing vehicle/vehicle, vehicle/pedestrian, and vehicle/bicycle conflicts.

TRPA 14b. Police protection?

No

Refer to CEQA item a) above. There are adequate existing law enforcement services to serve the project area. Safety improvements are intended to have a beneficial impact on emergency calls to the area by reducing vehicle/vehicle, vehicle/pedestrian, and vehicle/bicycle conflicts.

TRPA 14c. Schools?

No

Refer to CEQA item a) above. The project would not result in an increase in population growth and would not require new or expanded school facilities.

TRPA 14d. Parks or other recreational facilities?

No

Refer to CEQA item a) above. The project would not result in an increase in population growth and would not require construction of new or expansion of existing recreation facilities.

TRPA 14e. Maintenance of public facilities, including roads?

No

The project is required to comply with TRPA Code 36.5.5 – Bicycle and Pedestrian Facility Maintenance Plan: Entities responsible for the construction and maintenance

of all projects containing active transportation facilities are required to submit a Maintenance Responsibilities Chart and Plan prior to TRPA permit issuance. These plans must clearly identify responsibilities for capital improvements and annual infrastructure operation and maintenance and identify funding needs and sources. The project improves an existing transportation facility consistent with adopted plans, and would not have an unplanned effect upon, or result in a significant need for new or altered roadway maintenance services.

TRPA 14f. Other governmental service?

No

Implementation of the proposed intersection improvements would not result in the need for new or expanded governmental services.

4.16 RECREATION

4.16.1 Environmental Setting

There are a variety of existing private and public recreational resources in the vicinity of the project area, including beaches, golf courses, and open space recreation areas. Additionally, much of the project area surrounding the ROW transportation system contains a TRPA general land use designation of Recreation. There is an existing bike lane along SR 28 within the project area, but no established pedestrian facilities (**Figure 11**).

A small segment of the project area extends into the Old Brockway Golf Course property. The golf course extends north along SR 267 adjacent to the project area. The golf course is family-owned and has been open since 1978. The course is 3,400 yards long and contains 9 holes. Residents and tourists must pay a green fee and reserve a tee time to use the course.

There are four beaches within the vicinity of the project area, Secline Beach, North Tahoe Beach, Heritage Cove, and Moondunes Beach. The beaches are open for public use and are main tourist attractions during the summer season. There is public parking available within designated parking lots and open space parking spots along the street. The Snow Creek recreation area is adjacent to the western edge of the project boundary.

4.16.2 Regulatory Setting

Placer County Basin Area Plan

The Recreation Element of the County's Basin Area Plan contains policies to encourage the expansion and networking of the trail system (Placer County and TRPA 2017a).

Tahoe Regional Planning Agency

The proposed project is identified by TRPA's EIP program for its beneficial contribution to recreation threshold attainment (Lake Tahoe Info 2020). The recreation threshold is to preserve and enhance high-quality recreational experience, preserve undeveloped shorezone and other natural areas, and maintain a fair share of recreational capacity for the general public. Once of the primary elements of the EIP's Recreation Program is to develop a comprehensive trail network.



Source: TRPA Map Maker: https://gis.trpa.org/MapMaker/

Figure 11. Existing TRPA Trails and Recreation Facilities

4.16.3 CEQA Checklist

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?

Less than Significant Impact

The project is a transportation improvement project, identified by TRPA as a project that once implemented would help attain the recreation threshold by enhancing the existing trail network.

The project would require ROW acquisition from the golf course private property to construct the roundabout and relocate the stormwater basin. However, the project does not require construction or expansion of recreational facilities because the project does not influence population growth. Population growth is the main driver for an increase in use of existing neighborhood or regional parks. Because the project does not influence population growth, the project would not result in an increase in recreation use such that physical deterioration would occur. Additionally, because the TRPA has identified the project as a contributor to recreation threshold attainment, impacts are anticipated to be beneficial.

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

No Impact

The project would provide improved active transportation connections to existing recreational resources but does not include recreational facilities or require the construction or expansion of such facilities.

4.16.4 TRPA Checklist – Recreation

TRPA 19a. Does the proposed project create additional demand for recreation facilities?

No

Refer to CEQA item b). The proposed project is an infrastructure project designed to enhance safety and mobility within the area. The project would not create an additional demand for recreation facilities within the vicinity.

TRPA 19b. Create additional recreation capacity?

No

Refer to CEQA item b). The proposed project would not create additional recreation capacity within the area.

TRPA 19c. Have the potential to create conflicts between recreation uses, either existing or proposed?

No

The proposed project would not change or interfere with recreation uses, and therefore would not cause conflicts between existing or proposed recreation uses in the area.

TRPA 19d. Result in a decrease or loss of public access to any lake, waterway, or public lands?

No

The objective of the project is to improve active transportation access to the network which would enhance public access to Lake Tahoe and public lands within the vicinity.

4.17 TRANSPORTATION

4.17.1 Environmental Setting

The project area sits at the intersection of SR 28 and SR 267. This intersection is one of the main ingress and egress routes for various north shore communities including Kings Beach, Incline Village, Tahoe Vista, and Tahoe City. This intersection also serves as the entrance into Kings Beach.

The County's Basin Area Transportation Plan describes the project area vicinity as: "development is spread over a broad area; transit service is limited and the bicycle and pedestrian network is not fully connected (Placer County and TRPA 2017a).

As presented in the Project Description, the existing signalized intersection exhibits numerous issues associated with mobility, congestion, LOS, and pedestrian and bicycle crossing safety issues. **Sections 3.3 and 3.4** within the Project Description provide a full discussion of the existing transportation system and issues; a brief summary is provided below.

SR 267

SR 267 is a two-lane facility that terminates at the intersection of SR 28. SR 267 is designated as a bicycle route but does not currently have marked bicycle lanes and there are varying width shoulders. There are no pedestrian improvements along SR 267. The east side of the roadway has driveways and existing private property improvements behind the existing curb, gutter, as well as an underground drainage system. The west side of the roadway has existing curb and gutter, an underground drainage system. A wood fence and trees behind the existing curb and gutter visually shields the roadway from the golf course. The only lighting is at the intersection with Dolly Varden Avenue.

SR 28

Within the project limits, SR 28 is a five-lane facility consisting of two lanes in each direction with a TWLT lane. For approximately 2,000 linear feet west and 280 linear feet east of the intersection with SR 267, SR 28 has a five-lane configuration. Beyond that, it drops down to a three-lane facility consisting of one lane in each direction with a TWLT lane. This is the only five-lane section in North Lake Tahoe and the extra lanes effectively serve as passing lanes. As a result, this portion of SR 28 experiences vehicles exceeding the speed limit as documented in a speed survey conducted in the summer of 2019 (GHD 2020).

Within the project limits, SR 28 has marked bicycles lanes in the eastbound and westbound directions and sidewalk on the north and south side for a short distance where the sidewalks terminate. Some sections have just curb and gutter and some sections have pavement with no edge treatment.
Just west of the intersection, a striped midblock crossing allows pedestrians to cross the five-lane road. No lighting is provided at the midblock crossing. The only lighting along SR 28 is decorative pedestrian lighting for the sidewalks.

SR 28/SR 267 Intersection

SR 267/SR 28 is an existing signalized intersection with intersection lighting and crosswalks located only on the northern and western legs. There are sidewalks along SR 28 that currently terminate just north of the intersection and do not continue north on SR 267. There is existing curb, gutter and sidewalk adjacent to the intersections and an underground drainage system. While there are sidewalks at the intersection, the sidewalk is obstructed by existing signal poles.

Brassie Avenue

Brassie Avenue is a County road located just to the west of the SR 28/SR 267 intersection. Brassie Avenue is one lane in each direction with no bicycle or pedestrian facilities. One streetlight is provided on Brassie Avenue at the intersection with SR 28.

4.17.2 Regulatory Setting

Local and Regional Transportation

The following local and regional transportation guidance documents apply to the project:

- The 2017 Regional Transportation Plan (RTP) is the Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy, and element of the TRPA Regional Plan. The RTP's vision is a transportation system that prioritizes bicycling, walking, and transit and serves residents and visitors while contributing to the environmental and socioeconomic health of the Region. Important strategies of the Regional Plan and RTP are to reduce the overall environmental impact of transportation in the Region, create walkable, vibrant communities, and provide alternatives to driving. The RTP identifies roundabouts as an 'infrastructure design that provides crossing opportunities to vulnerable roadway users while simultaneously lowering the speed of vehicle traffic, increasing safety for all travelers' (Placer County and TRPA 2017b).
- The **2010 Lake Tahoe Region Bicycle and Pedestrian Plan** identifies planned bicycle and pedestrian improvements and enables Placer County and other implementing agencies to apply for funding assistance (Placer County and TRPA 2017b).
- **Chapter 5 of the Basin Area Plan** contains a Transportation Plan, intended to develop improved pedestrian, bicycle, and transit options in accordance

with the 2012 Lake Tahoe Sustainable Communities Strategy (SCS) that was adopted pursuant to the California Senate Bill 375 (Sustainable Communities and Climate Protection Act). As automobile use strongly influences air quality, greenhouse gas, and noise thresholds, the Plan focuses on enhancing alternative transportation opportunities in an area that heavily relies on automobile transportation (Placer County and TRPA 2017b).

• The **TRPA Code of Ordinances**, Section 36.5.5. Bicycle and Pedestrian Facility Maintenance Plan, requires "Entities responsible for the construction and maintenance of all projects containing active transportation facilities are required to submit a Maintenance Responsibilities Chart and Plan prior to permit issuance. These plans must clearly identify responsibilities for capital improvements and annual infrastructure operation and maintenance and identify funding needs and sources."

4.17.3 CEQA Checklist

a) Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less than Significant Impact

A common goal of the Basin Area Plan, Regional Transportation Plan, and TMPO is to limit greenhouse gas emissions from vehicle use, improve air quality, and reduce noise by transitioning to a more walkable development pattern in Town Centers by improving pedestrian, bicycle, and transit facilities (Placer County and TRPA 2017).

The objectives of the project are to improve safety and mobility for bicyclists and pedestrians while improving circulation for motorists; provide a continuous Complete Streets corridor that connects to the KBCCIP; and enable safe access for all users, regardless of age, ability, or mode of transportation. The proposed project features identified in the Project Description meet these objectives and are consistent with the regional, state, and local plans for the circulation system and GHG and air quality emission reduction goals. The proposed "Complete Streets" design elements are intended to work together to enhance economic vitality in Kings Beach, increase bicycle and pedestrian safety and access, and motivate resident and visitors to walk, bike, or use transit (Placer County and TRPA 2017a).

Once constructed, the project would have a beneficial impact on transportation circulation and safety and therefore would not conflict with any ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

b) Would the project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?

Less than Significant Impact

CEQA Guidelines §15064.3, subdivision (b) pertains to the use of vehicle miles traveled (VMT) to analyze transportation impacts. The Governor's Office of Planning and Research *Technical Advisory on Evaluating Transportation Impacts in CEQA* (2018) provides technical recommendations regarding the assessment of VMT, non-binding thresholds of significance, potential exemptions or presumptions of less-than-significant CEQA impacts, and mitigation measures.

Section F of the Technical Advisory notes that maintenance activities and the installation of operational features such as upgrading traffic control devices, adding turn pockets, or installing traffic calming measures are "unlikely to lead to a substantial or measurable increase in vehicle travel." As noted in CEQA Guidelines Section 15064.3(b)(2), transportation projects "that reduce, or have no impact on, vehicle-miles traveled should be presumed to cause a less that significant transportation impact."

The proposed project implements a lane-reducing 'road diet' that would reduce the number of travel lanes over existing conditions. The conversion of the intersection from a three-way signalized intersection to a hybrid roundabout is an operational improvement intended to slow traffic and reduce queuing conflicts. There are no elements of the proposed project that would induce vehicle travel, such as new lane capacity or land uses changes. Thus, the project is anticipated to have no impact on VMT post-construction.

Construction equipment and worker vehicles would generate vehicle trips over the 180 days of construction, which would be temporary and a minor addition to existing VMT. Therefore, the project would have a less than significant impact on VMT.

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less than Significant Impact

The primary purpose of the proposed project is to construct a roundabout within the intersection of SR 28 and SR 267 to improve traffic flow and both motorist and active transportation user safety.

A TOA/ICE for the intersection of SR 28/SR 267 was prepared consistent with Caltrans Traffic Operation Policy Directive #13-02. Multiple analyses were conducted within the TOA/ICE to analyze various transportation alternatives and arrive at the proposed project design.

Results of the TOA/ICE indicate the proposed project improves capacity, offers improved pedestrian and bicyclist accommodation, improves safety for crash modification factors, improves overall access, and improves emergency evacuation routes (GHD 2020).

Additional information supporting this determination can be found in the full TOA/ICE report, included as **Appendix A**.

Geometry of the roundabout design was analyzed during development of the TOA/ICE and was determined to result in a beneficial impact on traffic flow and collision safety.

The project would be constructed while maintaining public access to the residential and retail buildings located adjacent to the project. The roundabout would be constructed to be usable by semi-trucks, trucks with boat trailers, motor vehicles, and bicyclists. Therefore, the project is anticipated to result in a reduction in the current hazards and provide beneficial safety improvements.

d) Would the project result in inadequate emergency access?

Less than Significant Impact

The results of the TOA/ICE indicate that the project would improve emergency response capabilities by improving traffic flow within a heavy-flow intersection. Access to the surrounding residential and retail properties would be provided during construction at all times. A project-specific TMP would be employed during construction to ensure adequate emergency access is maintained during construction. Therefore, operational impacts are anticipated to be beneficial, and short-term construction-related impacts would remain less than significant with use of the TMP.

4.17.4 TRPA Checklist – Transportation/Circulation

TRPA 13a. Would the proposed project result in generation of 100 or more new Daily Vehicle Trip Ends (DVTE)?

No

The project does not propose new features with a potential to influence new Daily Vehicle Trip Ends. There would be no impact.

TRPA 13b. Would the proposed project result in changes to existing parking facilities, or demand for new parking?

No

The project does not propose to construct or modify existing parking facilities and would not result in a need for new parking. There are no new buildings or facilities associated with the project that would result in a demand for new parking.

TRPA 13c. Would the proposed project result in substantial impact upon existing transportation systems, including highway, transit, bicycle, or pedestrian facilities?

No

As discussed throughout, the purpose of the project is to improve the existing transportation to Complete Streets standards and is anticipated to result in a beneficial impact on this part of the highway corridor and bicycle and pedestrian facilities.

TRPA 13d. Would the proposed project result in alterations to present patterns of circulation or movement of people and/or goods?

No

See responses for CEQA items a) through d). The project proposes transportation improvements that would result in an improvement to the existing pattern of circulation but would not change the movement of people and/or goods other than to make vehicular and pedestrian transportation easier and safer.

TRPA 13e. Would the proposed project result in alterations to waterborne, rail or air traffic?

No

There are no alterations to waterborne, rail, or air traffic associated with the project. There would be no impact.

TRPA 13f. Would the proposed project result in an increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

No

Refer to CEQA items a) through d). As indicated by analyses conducted for the TOA/ICE, the project would result in an increased factor of safety for motorists, bicyclists, and pedestrians.

4.18 TRIBAL CULTURAL RESOURCES

4.18.1 Environmental Setting

Ethnographic literature indicates the region surrounding the proposed APE was part of the Washoe people's homeland. Their territory surrounded Lake Tahoe in a lozenge-shaped area that straddled the Sierra Nevada from the southern shore of Honey Lake, south through Antelope Valley and the West Fork of the Walker River (d'Azevedo 1986). Washoe-speakers north of Carson Valley were *Wélmelti'*, a term meaning "northerner," identified as much by a distinctive manner of speech as geographic affiliation. To their east were two bands of Northern Paiute-speakers, the *Tasiget* from the lands "right here, in the middle," and the *Kuyuidökadö*, or "cuiui fish-eaters" of Pyramid Lake (Fowler and Liljeblad 1986).

The economy was based on seasonal resources harvested from catchments tethered to areas associated to specific lineages. Social networks extended visiting rights and resource procurement well beyond these borders. By Contact (the onset of Euro-American encroachment CA 1850s), the pine nut harvest dictated fall movement and winter residence for most Washoe and Northern Paiute people. *Wélmelti'* Washoe are said to have moved south into the Pine Nut Mountains, as *Tasiget* and *Kuyuidökadö* Northern Paiute moved into the Flowery Range, including the environs of Mount Davidson and Virginia City.

Family camps and favored fishing spots at Lake Tahoe were allocated according to one's origin or association as *Wélmelti'*, *Páwa'lu'* ([Carson] valley Washoe), or *Hángalelti'* (the "southerners)." *Wélmelti'* are said to have concentrated on the northern end of Lake Tahoe, from McKinney's, east to "Sand Point" (Sand Harbor). Sierra Valley people are said to have come into the basin along the Truckee River; those from Truckee and Martis Valley, over Brockway Summit; and those from Eagle Valley (Carson City), up Clear Creek via Spooner Summit to Glenbrook. From Washoe Valley, trekkers moved into Little Valley via Franktown Creek. Another route up Ophir Creek to Lower Price Lake was abandoned after the landslide in 1864, that gave "Slide Mountain" its name, buried the old trail and a camp near Lower Price Lake. From this lake, the route continued south into Little Valley, or up through Tahoe Meadows, then to Incline Beach.

4.18.2 Regulatory Setting

Federal/State

In accordance with Assembly Bill 52, as identified in the PRC Section 21080.3.1(b)(2) of CEQA and Section 106 of the National Historic Preservation Act, Native American tribes (tribes) identified by the Native American Heritage Commission (NAHC) must be invited to consult on projects.

Local

The TRPA Code (TRPA 2020a), Section 67.3 – Resource Projection, outlines requirements for the accidental discovery of resources during construction (Subsection 67.3.1), requirements for site survey and consultation with the Washoe Tribe (Subsection 67.3.2), and requirements for protection of known resources.

4.18.3 CEQA Checklist

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i. Listed or eligible for listing in CRHR, or in a local register of historical resources as defined in PRC § 5020.1(k)?

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision © of PRC § 5024.1. In applying the criteria set forth in subdivision © of PRC § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less than Significant Impact with Mitigation Incorporated

The NAHC was contacted February 8, 2019, to request a record search of their Sacred Lands File and a contact list for regional Tribes that may have knowledge of cultural or tribal resources within or immediately adjacent to the APE. A response was received from the NAHC on February 21, 2019, which indicated negative Sacred Lands File results within the APE. Inquiry letters were mailed on County letterhead to the eight Tribes identified by the NAHC on September 11 and 12, 2019. On behalf of the County, NCE conducted follow-up consultation efforts on September 18 and 25, 2019.

Four of the identified Tribes replied to the inquiry letters and outreach: the Washoe Tribe of Nevada and California (Washoe Tribe), the CTVCT, the Shingle Springs Band of Miwok Indians (SSBMI), and the United Auburn Indian Community (UAIC). The UAIC and SSBMI deferred to the Washoe Tribe. The Washoe Tribe and CTVCT stated concerns for adverse impacts to tribal cultural resources in the APE and requested a tribal monitor be present for any cultural subsurface exploration and construction activities.

The Washoe Tribe and CTVCT were sent a copy of the draft report of findings and XPI testing plan for their review. The two consulting Tribes concurred with the documents and provided tribe monitors for the XPI fieldwork and the Phase II ADL

borings. The tribal monitors consulted on field findings and provided NCE with daily monitoring forms.

The two consulting Tribes were provided a copy of the draft report for their review on April 2, 2020. Both tribes concurred with the XPI results demonstrating the APE has been disturbed and the project would not have an impact on intact cultural deposits that comprise a part of the archaeological site extending into the project boundary. They concur with the recommendation that no further archaeological studies or monitoring are required for project permitting. However, due to the identification of isolated artifacts, the Washoe Tribe has recommended tribal monitoring during construction of the project.

Implementation of *Mitigation Measures TCR-1, TCR-2, and TCR-3* would protect against significant impacts to previously identified subsurface resources should they be encountered during construction, by requiring a Tribal monitor be present during construction within the ADI.

Mitigation Measure TCR-1: The County shall retain a qualified archaeologist that meets or exceeds the Secretary of the Interior's (SOI) standards to prepare an Archaeological Monitoring Plan prior to ground-disturbing activities implementing the Kings Beach Western Approach Project. The monitoring plan shall describe the procedures for the appropriate identification and treatment of archaeological resources inadvertently discovered during grading or construction activities. The plan shall include provisions to halt work in the immediate area in the event of a discovery, as specified in TCR-2 and TCR-3. The plan shall also identify the need for monitoring by both an SOI-qualified archaeologist and Native American monitors provided by the Washoe Tribe and the CTVCT. Detailed guidance outlining when and for what activities monitors must be present shall be provided in the monitoring plan. The SOI-qualified archaeologist shall also prepare a report of findings after construction is completed.

Mitigation Measure TCR-2: The County shall retain an SOI-qualified archaeological monitor and Native American monitors prior to the commencement of ground-disturbing activities to monitor such activities as prescribed by the Archaeological Monitoring Plan. The monitors shall be granted stop-work authority in the event an inadvertent discovery is made. The monitors shall immediately evaluate the discovery to determine whether additional treatment is warranted. Construction activities may not resume in the area immediate of the discovery until authorized by the monitors.

Mitigation Measure TCR-3: The contractor and key members of crews working on excavation, trenching, and grading for site preparation shall be instructed to be wary of the possibility of destruction of buried cultural and paleontological resource materials. They shall be instructed, during a pre-construction meeting, to recognize signs of prehistoric use and their responsibility to report any such finds (or suspected

finds) immediately so damage to such resources may be prevented. No historic properties will be affected in compliance with Advisory Council on Historic Preservation regulations (36 CFR 800). However, in the event that cultural resources are discovered during project implementation, project personnel will halt all activities in the immediate area and will notify the SOI-qualified archaeologist, the County Project Engineer, the Washoe Tribe, and the CTVCT to determine the appropriate course of action. Archaeological resources are not to be moved or taken from the project area and work should not resume until authorized.

Finding: Implementation of **Mitigation Measures TCR-1, TCR-2, and TCR-3** would reduce potentially significant impacts to tribal cultural resources to less than significant.

4.19 UTILITIES AND SERVICE SYSTEMS

4.19.1 Environmental Setting

SR 28 and SR 267 serve as the alignment for utilities that service the North Tahoe Kings Beach area. These utilities include water, sanitary sewer, storm sewer, gas, electricity, and telecommunications.

The project area is serviced by Liberty Utilities, Southwest Gas, AT&T, North Tahoe Public Utilities District (NTPUD), and the Placer County Facility Service Department.

4.19.2 CEQA Checklist

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less than Significant Impact

The utilities within the project limits include telephone, cable TV, gas, electric, sewer, and water. An existing stormwater basin is located on the golf course private property.

To the maximum extent possible, the project would be designed to avoid utility relocations. However, the proposed project would require several utility relocations within SR 28 and SR 267 during construction. The cable TV, sewer, water and gas lines are not anticipated to be relocated. The existing telephone lines would need to be relocated horizontally to avoid improvements or vertically to maintain appropriate cover. The existing electrical system for the streetlight and traffic signal system would need to be relocated and/or removed to accommodate the new roundabout intersection control and lighting. LED lamps for any new lighting would be used so no significant increase in electrical demand is anticipated. The existing stormwater basin is located in the footprint of the proposed roundabout alignment; therefore, it is required that the stormwater basin be relocated just north of its existing location. Because the existing and proposed stormwater basins are not located within sensitive natural areas, and the feature is proposed to be replaced, no significant impacts are anticipated to occur from activities associated with the stormwater basin. Site drainage has been designed to direct surface runoff to this location once constructed, and additional runoff would utilize the existing stormwater drainage system.

Because utility activities would remain in the existing disturbed ROW, activities would have no impact to sensitive and/or protected natural habitat; therefore, impacts would be less than significant.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less than Significant Impact

The proposed project would have a minor effect on water supplies. Water trucks may be utilized during construction to limit dust associated with ground-disturbing activities; however, this would have minimal impact on existing water supplies that serve the area. The project may require limited permanent water to ensure the establishment of native plants; once established; the plans would need little or no irrigation. The NTPUD is anticipated to have sufficient water to meet the minor short-term construction and irrigation water needs of the project.

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

Less than Significant Impact

Wastewater infrastructure in the project area is connected to the NTPUD lines. The project would not construct facilities that generate wastewater. During construction, the project may encounter groundwater requiring treatment and disposal. All construction groundwater would be handled per the approved Dewatering Plan and discharged as appropriate.

No significant demand for wastewater treatment or facilities would occur that would adversely affect the wastewater system capacity and the project would have a less than significant impact on wastewater treatment capacity.

d) Would the project generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Construction activities associated with the project would generate solid waste. Because waste generation would be temporary during construction and would not reduce available capacities at existing landfills, this amount is not anticipated to be in excess of State or local standards. Disposal of construction waste would comply with federal, state, and local statutes and regulations related to solid waste.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less than Significant Impact

Construction activities associated with the project would generate solid waste requiring disposal at area landfills. Waste generated during project construction would be limited to vegetation debris, asphalt, and road subgrade. Waste

generation would be temporary during construction and would not reduce available capacities at existing landfills. Disposal of construction waste would comply with federal, state, and local statutes and regulations related to solid waste. Disposal of contaminated soils would comply with the Agreement between the DTSC and Caltrans which requires all ADL-contaminated soils with a lead concentration above unrestricted use (currently 80 mg/kg) to be properly managed by Caltrans, including the stockpiling, disposal, tracking, transportation, and final placement of ADL-contaminated soils.

4.19.3 TRPA Checklist – Utilities

Except for planned improvements, Would the proposed project result in a need for new systems, or substantial alterations to the following utilities:

TRPA 16a. Power or natural gas?

No

Refer to CEQA item a). The proposed project would not result in a need for new power or natural gas systems.

TRPA 16b. Communication systems?

No

Refer to CEQA item a). The project would not propose in the need for new communication systems.

TRPA 16c. Utilize additional water which amount would exceed the maximum permitted capacity of the service provider?

No

Refer to CEQA item b). The water demand for construction watering and potential irrigation to establish new native vegetation would be minor and would not exceed the capacity of the NTPUD to provide.

TRPA 16d. Utilize additional sewage treatment capacity which amount would exceed the maximum permitted capacity of the sewage treatment provider?

No

Refer to CEQA item c). Construction dewatering may generate a minor temporary demand for wastewater treatment or facilities that would not exceed the wastewater system capacity.

TRPA 16e. Storm water drainage?

No

Refer to CEQA item a). The project proposes to construct stormwater infiltration features, such as a stormwater basin and landscape infiltration areas, which may have a beneficial impact on the existing stormwater drainage system by increasing opportunities for infiltration and stormwater retention within the project area.

TRPA 16f. Solid waste and disposal?

No

Refer to CEQA item d) and e). Disposal of construction waste would comply with federal, state, and local statutes and regulations related to solid waste.

4.20 WILDFIRE

4.20.1 Environmental Setting

The California Department of Forestry and Fire Protection (CAL FIRE) designates fire hazard severity zones for areas under state jurisdiction. For areas under local jurisdiction, CAL FIRE identifies areas that they consider to be Very High Fire Hazard Severity Zones (VHFHSZs); the local jurisdiction must choose whether to adopt the CAL FIRE recommendations. The project area is within a state-designated VHFHSZ and is designated as a Very High-Risk area (Data Basin 2017).

4.20.2 CEQA Checklist

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones:

a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact

The proposed project is within the North Tahoe Fire Protection District. The District has an Emergency Preparedness and Evacuation Guide that informs citizens about what to do during an emergency and contains a map showing evacuation routes. The proposed project area is within Evacuation Route B, which provides access to Interstate Highway 80. The proposed project would improve fire response and evacuation capabilities by improving traffic delay within the intersection of SR 28 and SR 267. During construction, the project-level TMP would ensure emergency response and access is maintained during construction. Therefore, the project would not impair the adopted emergency response or evacuation plan and would have a less than significant impact.

b) Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire??

Less than Significant Impact

The project is located within a relatively flat topographic area and would not construct on steep slopes or construct project features that would have the potential to exacerbate wildfire risk. The project would improve traffic delay and therefore result in an improvement to emergency response efforts. The project does not propose to construct or modify structures within the project area that could expose people to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, the project would have a less than significant impact on exacerbation of wildlife risks.

c) Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Less than Significant Impact

The proposed project features are largely non-flammable street infrastructure improvements. Native vegetation in landscaped areas would be affected by a fire coming through the area, but the project would not require the construction of ancillary facilities to protect or service the project such as fire breaks or new utility connections. Therefore, impacts would be less than significant.

d) Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact

The proposed project would be constructed in an area that is generally flat, with a slight increase in slope going north along SR 267. All construction would take place mostly within the existing roadway and within County ROW. The project would not expose people or structures to a significant risk, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope stability or drainage changes.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

4.21.1 CEQA Checklist

a) Does the project have the potential to substantially 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, substantially 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 with Mitigation Incorporated

As discussed in **Section 4.4**, Biological Resources, project construction could potentially impact protected avian species during breeding and nesting season; however, with implementation of *Mitigation Measures BIO-1 and BIO-2* impacts would be reduced to less than significant levels by requiring pre-construction surveying of the project area and establishing appropriate buffers around nests, should they be encountered.

As discussed in **Section 4.18**, Tribal Cultural Resources, tribal consultation revealed a concern for previously unknown subsurface isolated artifacts to be encountered during construction; however, implementation of **Mitigation Measures TCR-1, TCR-2, and TCR-3** would ensure impacts remain less than significant by requiring Native American monitoring during construction, and educating construction workers about potential discoveries, and halting construction should cultural resources be encountered.

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, or the effects of probable future projects.)?

Less than Significant Impact

The project proposes the construction of a transportation corridor improvements to improve mobility and safety. Without implementation of the project there is a potential for continued traffic accidents, pedestrian and cyclist safety conflicts, and existing air quality and GHG degradation associated with vehicle idling. The project would address traffic flow and safety issues by implementing a roundabout design feature, improve air quality and GHG emissions by reducing vehicle idling, improve the pedestrian and bicycle transportation network, and provide for additional opportunities for stormwater infiltration and treatment within the project area. As a result of the beneficial project impacts, the TRPA has identified that once constructed, the project would help attain the Air Quality, Recreation, Scenic Resources, Soil Conservation, and Water Quality thresholds.

The project does not result in an increase in population or growth that would require new housing, facilities, or structures that would cause environmental degradation. The project would not result in an exceedance for any criteria air pollutant for which the region is in non-attainment; therefore, there would be no cumulatively considerable net increase in criteria pollutants. It is estimated the project would have a beneficial impact on criteria pollutants and GHG emissions.

The project would be consistent with local, state, and federal regulations pertaining to the protection and mitigation of impacts to sensitive resources, and compliance with the terms of permitting conditions would ensure that adverse impacts to resources are mitigated and would not result in cumulative impacts. All identified potentially significant impacts from construction and implementation would be reduced to less than significant with the mitigation measures that have been included in the project.

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

Less than Significant Impact

All potential impacts associated with construction and implementation of the project identified in this IS are either less than significant after mitigation or less than significant and do not require mitigation. Construction controls including compliance with permits and applicable local, state, and federal regulations would ensure a less than significant impacts on human beings.

4.21.2 TRPA Checklist – Findings of Significance

TRPA 21a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threated to eliminate a plant of 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 or Nevada history or prehistory?

No, with Mitigation

Refer to discussion of CEQA item a). The project would implement measures to mitigate the potential for impacts to protected avian species and the unanticipated discovery or tribal cultural resources during project construction.

TRPA 21b. 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 would endure well into the future.)

No

Short-term construction-generated emissions are not projected to exceed applicable thresholds of significance due to the short duration required for construction and adherence to applicable County and TRPA requirements as discussed in the construction controls (**Section 3.6**, Air Quality).

Long-term operational impacts of the project are anticipated to have a beneficial impact on air quality and GHG emissions by improving mobility and traffic flow within the intersection.

As discussed throughout this document, the project has been identified as an EIP for its long-term contribution to attaining multiple environmental thresholds.

TRPA 21c. Does the project have impacts which are individually limited, but cumulatively considerable? (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 environmental is significant?)

No

Refer to discussion of CEQA item b). The project would be consistent with local, state, and federal regulations pertaining to the protection and mitigation of impacts to sensitive resources, and compliance with the terms of permitting conditions would ensure that adverse impacts to resources are mitigated and would not result in cumulative impacts.

TRPA 21d. Does the project have environmental impacts which would cause substantial adverse effects on human beings, either directly or indirectly?

No

Refer to discussion of CEQA item c). All potential impacts associated with construction and implementation of the project identified in this IS are either less than significant after mitigation or less than significant and do not require mitigation.

Section 5 Mitigation Monitoring and Reporting Plan

CEQA requires review of any project that could have significant adverse effects on the environment. In 1988, CEQA was amended to require reporting on and monitoring of mitigation measures adopted as part of the environmental review process. This Mitigation Monitoring and Reporting Plan is designed to aid the County in their implementation and monitoring of measures proposed in the IS for the proposed project.

Table 4 provides details of the MMRP. The mitigation measures are taken from the IS and are assigned the same number as in the IS. The MMRP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions.

Table 4. Mitigation and Monitoring Plan

Mitigation	Mitigation Activities	Implemented	Monitored By	Timing and	Verification of
Measure		Ву		Frequency	Compliance
BIO-1	If any construction activities (e.g., grubbing or	Placer County or	Placer County	Prior to	Verified by:
	grading) are scheduled during the bird nesting	its Consultant		Construction and	Date:
	season (typically defined by the California			During	
	Department of Fish and Wildlife (CDFW) as			Construction	
	February 1 to September 1), Placer County				
	(County) or approved construction contractor				
	shall retain a qualified biologist to conduct a				
	pre-construction survey of the project area				
	and a 100-foot buffer, as access is available,				
	to locate active bird nests, identify measures				
	to protect the nests, and locate any other				
	special status species.				
	The pre-construction survey shall be				
	conducted no more than 14 days prior to the				
	implementation of construction activities				
	(including staging and equipment storage).				
	Any active nest should not be disturbed until				
	young have fledged or under the direction				
	provided by a qualified biologist. Any special				
	status species shall not be disturbed without				
	the direction of a qualified biologist. If an				
	active nest is found during construction,				
	disturbance shall not occur without direction				
	from a qualified biologist.				
BIO-2	Tree or shrub removal shall occur during the	Placer County or	Placer County	Prior to	Verified by:
	non-breeding season (September 1 through	its Consultant		Construction	Date:
	January 31). If it is not possible to avoid tree				
	removal or other disturbances during the				

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	breeding season (February 1 through August 31), a qualified biologist shall conduct a pre- disturbance survey for nesting birds in all trees within the operation footprint and within 250 feet of the project area no more than 30 days prior to the onset of ground disturbance. If nesting birds are detected on the site during the survey, a suitable activity-free buffer shall be established around all active nests. The precise dimension of the buffer (up to 250 feet) would be determined in consultation with CDFW at that time and may vary depending on location and species. Buffers shall remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. Pre- disturbance surveys during the non-breeding season are not necessary.				
HAZ-1	Develop Lead Compliance Plan: The Contractor shall develop and implement a Lead Compliance Plan (LCP). The LCP shall outline requirements mandated in 8 CCR 1532.1, Lead, to ensure the risks of potential worker exposure to inorganic lead through inhalation of airborne dust or ingestion lead from soils contaminated with ADL are mitigated. Additional components of the LCP shall include:	Contractor	Placer County	Develop Prior to Construction and Implement Throughout Construction	Verified by: Date:
	the locations containing material classified as				

	hazardous, employees and subcontractors shall complete a safety training program which meets 29 CFR 1910.120 and 8 CCR 5192 covering the potential hazards as identified.				
	Educate employees and subcontractors in identification of contaminated soil and on contaminated soil handling, containment, and disposal procedures.				
	Hold regular meetings to discuss and reinforce contaminated soil handling, containment, and disposal procedures (incorporate into regular safety meetings and tailgates).				
TRC-1	The County shall retain a qualified archaeologist that meets or exceeds the Secretary of the Interior's (SOI) standards to prepare an Archaeological Monitoring Plan prior to ground-disturbing activities implementing the project. The monitoring plan shall describe the procedures for the appropriate identification and treatment of archaeological resources inadvertently discovered during grading or construction activities. The plan shall include provisions to halt work in the immediate area in the event of a discovery, as specified in TCR-2, and TCR-3. The plan shall also identify the need for monitoring by both an SOI-qualified archaeologist and Native American monitors provided by the Washoe Tribe of Nevada and	Placer County or its Consultant	Placer County	Prior to Construction	Verified by: Date:

MITIGATION MONITORING AND REPORTING PLAN

	California (Washoe Tribe) and the Colfax- Todds Valley Consolidated Tribe (CTVCT). Detailed guidance outlining when and for what activities monitors must be present shall be provided in the monitoring plan. The SOI- qualified archaeologist shall also prepare a report of findings after construction is completed.				
TRC-2	The County shall retain an SOI-qualified archaeological monitor and Native American monitors prior to the commencement of ground-disturbing activities to monitor such activities as prescribed by the Archaeological Monitoring Plan. The monitors shall be granted stop-work authority in the event an inadvertent discovery is made. The monitors shall immediately evaluate the discovery to determine whether additional treatment is warranted. Construction activities shall not resume in the immediate area of the discovery until authorized by the monitors.	Placer County or its Consultant	Placer County, Washoe Tribe, and the CTVCT	Prior to Construction and During Construction	Verified by: Date:
TRC-3	The contractor and key members of crews working on excavation, trenching, and grading for site preparation shall be instructed to be wary of the possibility of destruction of buried cultural and paleontological resource materials. They shall be instructed, during a pre-construction meeting, to recognize signs of prehistoric use and their responsibility to report any such finds (or suspected finds) immediately, as specified by required construction controls in Section 3.6, so	Placer County and its Contractor	Placer County	Prior to Construction and During Construction	Verified by: Date:

damage to such resources may be prevented.		
No historic properties will be affected in		
compliance with Advisory Council on Historic		
Preservation regulations (36 CFR 800).		
However, in the event that cultural resources		
are discovered during project implementation,		
project personnel will halt all activities in the		
immediate area and will notify the SOI-		
qualified archaeologist, the County Project		
Engineer, the Washoe Tribe, and the CTVCT,		
to determine the appropriate course of action.		
Archaeological resources shall not be moved		
or taken from the project area and work shall		
not resume until authorized.		

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Appendix A

TRAFFIC OPERATIONS ANALYSIS REPORT/ INTERSECTION CONTROL EVALUATION REPORT

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Appendix B

VISUAL IMPACT ASSESSMENT

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Appendix C

EMISSIONS CALCULATIONS

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Appendix D

NATURAL ENVIRONMENTAL STUDY

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Appendix E

AQUATIC RESOURCES DELINEATION REPORT

Appendix F

GREENHOUSE GAS TECHNICAL MEMORANDUM

Appendix G

HAZARDOUS MATERIALS INVESTIGATION REPORTS

Appendix H