

Appendix A Environmental Checklist

The following checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. The CEQA impact levels include potentially significant impact, less than significant impact with mitigation, less than significant impact, and no impact. In many cases, background studies performed in connection with the project indicate no impacts. A “no impact” under CEQA reflects this determination. Any needed discussion is in the corresponding section of the Initial Study with the same heading. Please refer to the following for detailed discussions regarding impacts:

- Guidance: Title 14, Chapter 3, California Code of Regulations, Sections 15000 et seq. (http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines/)
- Statutes: Division 13, California Public Resource Code, Sections 21000-21178.1 (http://www.ceres.ca.gov/topic/env_law/ceqa/stat/)

CEQA			
Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact

AESTHETICS - Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

AGRICULTURE RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

CEQA			
Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- d) Expose sensitive receptors to substantial pollutant concentrations?
- e) Create objectionable odors affecting a substantial number of people?

BIOLOGICAL RESOURCES - Would the project:

- a) 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 and Game or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) 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?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

COMMUNITY RESOURCES - Would the project:

- a) Cause disruption of orderly planned development?

CEQA			
Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Be inconsistent with a Coastal Zone Management Plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Affect life-styles, or neighborhood character or stability? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Affect minority, low-income, elderly, disabled, transit-dependent, or other specific interest group? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Affect employment, industry, or commerce, or require the displacement of businesses or farms? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Affect property values or the local tax base? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Affect any community facilities (including medical, educational, scientific, or religious institutions, ceremonial sites or sacred shrines)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Result in alterations to waterborne, rail, or air traffic? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Support large commercial or residential development? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| k) Affect wild or scenic rivers or natural landmarks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| l) Result in substantial impacts associated with construction activities (e.g., noise, dust, temporary drainage, traffic detours and temporary access, etc.)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

CULTURAL RESOURCES - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

GEOLOGY AND SOILS - Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

CEQA			
Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

HAZARDS AND HAZARDOUS MATERIALS -
Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

CEQA			
Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact

project result in a safety hazard for people residing or working in the project area?

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

HYDROLOGY AND WATER QUALITY - Would the project:

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

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?

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

f) Otherwise substantially degrade water quality?

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

CEQA			
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- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- j) Inundation by seiche, tsunami, or mudflow?

LAND USE AND PLANNING - Would the project:

- a) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- b) Conflict with any applicable habitat conservation plan or natural community conservation plan?

MINERAL RESOURCES - Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

NOISE - Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 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

CEQA			
Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact

project expose people residing or working in the project area to excessive noise levels?

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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POPULATION AND HOUSING - Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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PUBLIC SERVICES -

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

RECREATION -

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Does the project include recreational facilities or require the construction or expansion of recreational	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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CEQA			
Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact

facilities that might have an adverse physical effect on the environment?

TRANSPORTATION/TRAFFIC - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

UTILITIES AND SERVICE SYSTEMS - Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

CEQA			
Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact

adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Comply with federal, state, and local statutes and regulations related to solid waste?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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MANDATORY FINDINGS OF SIGNIFICANCE -

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Appendix B Tahoe Regional Planning Agency Initial Environmental Checklist

TRPA INITIAL ENVIRONMENTAL CHECK LIST

For

The Initial Determination Of Environmental Impact

Assessor Parcel Number(s): State Route (SR) 89 in Placer County

I. PROJECT NAME AND DESCRIPTION: (use additional sheets, if necessary)

Alice Richardson Roadside Access and Viewing Area: The California Department of Transportation (Caltrans) proposes to improve a degraded roadside access area along the shoreline of Lake Tahoe and State Route 89 in Placer County. The project limits extend between Elizabeth Drive and Timberland Lane (KP 7.6/8.3 (PM 4.7/5.2). The Roadside Access and Viewing Area extends 490 meters (1,600 feet) in length and 25 to 30 meters (50 to 100 feet) in width along SR 89 on the west shore of Lake Tahoe. Included within the project limits is a 8 foot wide bike trail (managed by Tahoe City Public Utility District (TCPUD)) which runs parallel to SR89. The enhancement project would develop new site elements to improve safety, scenic resources, and water quality. Specific site improvements will include; pedestrian access and parking improvement, bike trail enhancements, signage, waste management, vegetation protection and revegetation of disturbed area.

II. ENVIRONMENTAL IMPACTS:

The following questionnaire will be completed by the applicant based on evidence submitted with the application. **All "yes" and "no, with mitigation" answers will require further written comments.**

1. Land

Will the proposal result in?

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

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?

Yes	No	No, with Mitigation	Data Insufficient
	X		

c. Unstable soil conditions during or after completion of the proposal?

Yes	No	No, with Mitigation	Data Insufficient
	X		

d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?

Yes	No	No, with Mitigation	Data Insufficient
	X		

e. The continuation of or increase in wind or water erosion of soils, either on or off the site?

Yes	No	No, with Mitigation	Data Insufficient
	X		

f. 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?

Yes	No	No, with Mitigation	Data Insufficient
	X		

g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?

Yes	No	No, with Mitigation	Data Insufficient
	X		

2. Air Quality

Will the proposal result in?

a. Substantial air pollutant emissions?

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Deterioration of ambient (existing) air quality?

Yes	No	No, with Mitigation	Data Insufficient
	X		

c. The creation of objectionable odors?

Yes	No	No, with Mitigation	Data Insufficient
	X		

d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

Yes	No	No, with Mitigation	Data Insufficient
	X		

e. Increased use of diesel fuel?

Yes	No	No, with Mitigation	Data Insufficient
	X		

3. Water Quality

Will the proposal result in?

a. Changes in currents, or the course or direction of water movements?

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. 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?

Yes	No	No, with Mitigation	Data Insufficient
	X		

c. Alterations to the course or flow of 100-year flood waters?

Yes	No	No, with Mitigation	Data Insufficient
	X		

d. Change in the amount of surface water in any water body?

Yes	No	No, with Mitigation	Data Insufficient
	X		

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

Yes	No	No, with Mitigation	Data Insufficient
	X		

f. Alteration of the direction or rate of flow of groundwater?

Yes	No	No, with Mitigation	Data Insufficient
	X		

g. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

Yes	No	No, with Mitigation	Data Insufficient
	X		

h. Substantial reduction in the amount of water otherwise available for public water supplies?

Yes	No	No, with Mitigation	Data Insufficient
	X		

i. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?

Yes	No	No, with Mitigation	Data Insufficient
	X		

j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?

Yes	No	No, with Mitigation	Data Insufficient
	X		

4. Vegetation

Will the proposal result in?

a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?

Yes	No	No, with Mitigation	Data Insufficient
	X		

c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?

Yes	No	No, with Mitigation	Data Insufficient
	X		

d. 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?)

Yes	No	No, with Mitigation	Data Insufficient
	X		

e. Reduction of the numbers of any unique, rare or endangered species of plants?

Yes	No	No, with Mitigation	Data Insufficient
	X		

f. Removal of stream-bank and/or backshore vegetation, including woody vegetation such as willows?

Yes	No	No, with Mitigation	Data Insufficient
	X		

g. 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?

Yes	No	No, with Mitigation	Data Insufficient
	X		

h. A change in the natural functioning of an old growth ecosystem?

Yes	No	No, with Mitigation	Data Insufficient
	X		

5. Wildlife

Will the proposal result in?

a. 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)?

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Reduction of the number of any unique, rare or endangered species of animals?

Yes	No	No, with Mitigation	Data Insufficient
	X		

c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?

Yes	No	No, with Mitigation	Data Insufficient
	X		

d. Deterioration of existing fish or wildlife habitat quantity or quality?

Yes	No	No, with Mitigation	Data Insufficient
	X		

6. Noise

Will the proposal result in?

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

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Exposure of people to severe noise levels?

Yes	No	No, with Mitigation	Data Insufficient
	X		

c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?

Yes	No	No, with Mitigation	Data Insufficient
	X		

7. Light and Glare

Will the proposal:

a. Include new or modified sources of exterior lighting?

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Create new illumination that is more substantial than other lighting, if any, within the surrounding area?

Yes	No	No, with Mitigation	Data Insufficient
	X		

c. Cause light from exterior sources to be cast off-site or onto public lands?

Yes	No	No, with Mitigation	Data Insufficient
	X		

d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?

Yes	No	No, with Mitigation	Data Insufficient
	X		

8. Land Use

Will the proposal:

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

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Expand or intensify an existing non-conforming use?

Yes	No	No, with Mitigation	Data Insufficient
	X		

9. Natural Resources

Will the proposal result in?

a. A substantial increase in the rate of use of any natural resources?

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Substantial depletion of any non-renewable natural resource?

Yes	No	No, with Mitigation	Data Insufficient
	X		

10. Risk of Upset

a. Does the proposal 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?

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Will the proposal involve possible interference with an emergency evacuation plan?

Yes	No	No, with Mitigation	Data Insufficient
	X		

11. Population

Will the proposal:

a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?

Yes	No	No, with Mitigation	Data Insufficient
	X		

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

Yes	No	No, with Mitigation	Data Insufficient
	X		

12. Housing

Will the proposal affect existing housing, or create a demand for additional housing?

Yes	No	No, with Mitigation	Data Insufficient
	X		

13. Transportation/Circulation

Will the proposal result in?

a. Generation of 100 or more new daily vehicle trip ends (DVTE)?

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Changes to existing parking facilities, or demand for new parking?

Yes	No	No, with Mitigation	Data Insufficient
	X		

c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?

Yes	No	No, with Mitigation	Data Insufficient
	X		

d. Alterations to present patterns of circulation or movement of people and/or goods?

Yes	No	No, with Mitigation	Data Insufficient
	X		

e. Alterations to waterborne, rail or air traffic?

Yes	No	No, with Mitigation	Data Insufficient
	X		

f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

Yes	No	No, with Mitigation	Data Insufficient
	X		

14. Public Services

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

a. Fire protection?

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Police protection?

Yes	No	No, with Mitigation	Data Insufficient
	X		

c. Schools?

Yes	No	No, with Mitigation	Data Insufficient
	X		

d. Parks or other recreational facilities?

Yes	No	No, with Mitigation	Data Insufficient
	X		

e. Maintenance of public facilities, including roads?

Yes	No	No, with Mitigation	Data Insufficient
	X		

f. Other governmental services?

Yes	No	No, with Mitigation	Data Insufficient
	X		

15. Energy

Will the proposal result in?

a. Use of substantial amounts of fuel or energy?

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

Yes	No	No, with Mitigation	Data Insufficient
	X		

16. Utilities

Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:

a. Power or natural gas?

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Communication systems?

Yes	No	No, with Mitigation	Data Insufficient
	X		

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

Yes	No	No, with Mitigation	Data Insufficient
	X		

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

Yes	No	No, with Mitigation	Data Insufficient
	X		

e. Storm water drainage?

Yes	No	No, with Mitigation	Data Insufficient
	X		

f. Solid waste and disposal?

Yes	No	No, with Mitigation	Data Insufficient
	X		

17. Human Health

Will the proposal result in?

a. Creation of any health hazard or potential health hazard (excluding mental health)?

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Exposure of people to potential health hazards?

Yes	No	No, with Mitigation	Data Insufficient
	X		

18. Scenic Resources/Community Design

Will the proposal:

a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?

Yes	No	No, with Mitigation	Data Insufficient
X			

b. Be visible from any public recreation area or TRPA designated bicycle trail?

Yes	No	No, with Mitigation	Data Insufficient
X			

c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?

Yes	No	No, with Mitigation	Data Insufficient
	X		

d. Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?

Yes	No	No, with Mitigation	Data Insufficient
	X		

e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?

Yes	No	No, with Mitigation	Data Insufficient
	X		

19. Recreation:

Does the proposal:

a. Create additional demand for recreation facilities?

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Create additional recreation capacity?

Yes	No	No, with Mitigation	Data Insufficient
	X		

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

Yes	No	No, with Mitigation	Data Insufficient
	X		

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

Yes	No	No, with Mitigation	Data Insufficient
	X		

20. Archaeological/Historical

a. Will the proposal result in an alteration of a significant archaeological or historical site, structure, object or building?

Yes	No	No, with Mitigation	Data Insufficient
	X		

b. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?

Yes	No	No, with Mitigation	Data Insufficient
	X		

c. Does the proposal have the potential to cause a physical change that would affect unique ethnic cultural values?

Yes	No	No, with Mitigation	Data Insufficient
	X		

d. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?

Yes	No	No, with Mitigation	Data Insufficient
	X		

21. Findings of Significance.

a. 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, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?

Yes	No	No, with Mitigation	Data Insufficient
	X		

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

Yes	No	No, with Mitigation	Data Insufficient
	X		

c. Does the project have impacts that 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 environment is significant?)

Yes	No	No, with Mitigation	Data Insufficient
	X		

d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?

Yes	No	No, with Mitigation	Data Insufficient
	X		

III CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Mike Bartlett

Date

WRITTEN COMMENTS:

Section 18a&b: The project will be visible from SR 89 and TCPUD bicycle trail is within the project limits. The most notable effects to the visual/scenic environment will be the enhancement of native vegetation, placement of the trash receptacles with associated signage, split rail fence to protect the vegetation, and wooden auto bollards (barriers).

IV DETERMINATION (TO BE COMPLETED BY TRPA)

On the basis of this evaluation:

a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure.

Yes	No

b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures that have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures.

Yes	No

c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and TRPA's Rules of Procedure.

Yes	No

Signature of Evaluator

Date

Title of Evaluator

Appendix C Public Notice

Appendix D Response To Comments

Gregory & Susan Hoffman
601 Harvard Road
San Mateo, California 94402
(650) 579-7397
(650) 579-7392

May 30, 2003

Attn: Jeff Loudon
Caltrans Environmental
Management M-1
P.O. Box 911
Marysville, CA95901

RE: Draft Initial Study/Negative Declaration
EA 414500

Dear Mr. Loudon:

I am writing to explain my total disagreement with your plans concerning the Alice Richardson Roadside Access and Viewing Area Initial Study.

Additionally, I would like to inform you that Case No. SCV01524 & SCV01526 was the State of California vs. **Gregory F. Hoffman**, Raymond Devre, Jeanice Devre, et al., *not A & M Farms, as stated in your report.*

While you do accurately explain that Alice R. Richardson granted an easement "upon, over and across" her property, specifically for highway purposes, you neglect to reveal the other terms and conditions contained in that Deed.

1. The easement was for "**highway purposes**" in 1930. At that time, there were no such purposes called "vista points or rest areas", yet the highway was constructed later in 1930. **1**
2. The Deed also restricts the "**use as a sun-bathing beach**" and or/ **campground**, which definitely excludes the manner in which this area is currently being used during the spring and summer months. **2**

Your intentions are in direct violation with the terms and conditions contained in the Deed to which you refer. I can only suggest that Caltrans can't **unilaterally** decide to make possible their own uses **despite** the express terms of other legal documents.

There are other points, which I have over the years described to your office in Marysville, which have been brushed aside and ignored.

The area to which you refer has never been maintained or policed by Caltrans. In addition, there have been numerous occasions when the general public has been observed defecating and urinating, changing clothes, littering and sleeping upon these premises. This area is also a favorite area for people to take their dogs to relieve themselves, (without a leash) and without concern for cleaning up after them. **3**

It is my personal opinion that Caltrans is abusing not only the property rights of all property owners on the west side of Highway 89, but further abusing the purpose for which Caltrans was instituted originally. **4**

While you have received a negative environmental impact report, your organization has completely ignored the most relevant and most important problems, "the way the public abuses the rights of others".

I strongly request that you **abort your plans for this area**, especially when the State of California is experiencing monumental deficits, and this one is particularly wasteful & frivolous.

Very Truly Yours,

Gregory F. Hoffman

GFH:gfh

C: Jeff Yurosek
Gray Davis, Governor

Response to Comments from Gregory and Susan Hoffman

1. The easement was for “highway purposes” in 1930.....

- **Response:** The Department is aware of the terms and conditions of the easement and has noted your position.

2. The Deed also restricts the “use of sun-bathing beach:”

- **Response:** Comment Noted.

3. The area to which you refer has never been maintained or policed by Caltrans....

- **Response:** The Department has placed signage informing the public of prohibited activities at the site. The Department will continue with regularly scheduled maintenance activity along the project area.

4. It is my personal opinion that Caltrans is abusing.....

- **Response:** Comment Noted.

LAWRENCE L. HOFFMAN
DEBRA NICHOLSON
OF COUNSEL
LIC. CAL AND NV
A STRATEGIC ALLIANCE
WITH
WASHBURN, BRISCOE & MCCARTHY
SAN FRANCISCO • SACRAMENTO • TAHOE CITY

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INCLINE VILLAGE, NV 89451

May 27, 2003

CAL-TRANS
Attention: Mr. Jeff Loudon, Chief
Environmental Management, M-1
P.O. Box 911
Marysville, CA 95901

Re: Draft Initial Study/Negative Declaration --
Alice Richardson Roadside Access and Viewing Area (EA414500)

Dear Mr. Loudon:

This office represents several property owners who own residential homes fronting the proposed Alice Richardson Roadside Access and Viewing Area project which Cal-Trans is proposing to undertake on Highway 89 in Placer County, North Lake Tahoe. Each of those property owners have what is known as a split lakefront -- that is their properties are bisected by State Highway 89, along which the project is contemplated to be constructed. The lakeward side of their property is in fact the private beach area and waters in front of their property. The lead property owners involved are Mr. and Mrs. Jeff Yurosek, whose home is located at 2975 West Lake Boulevard, Homewood, California.

At the outset, we should state that our clients are emphatically opposed to the project as it is currently envisioned, although the details of the project are still somewhat unclear. Nevertheless, the very nature of the project -- a roadside access and viewing area -- seems to be entirely inappropriate and not at all consistent with the terms of the original right-of-way grant. This is particularly true as the so-called "access" is intended to provide the public access to utilize a section of private beach and waterfront owned by our clients, not public property.

The purpose of this letter is simply to provide brief comments in regards to the Draft Initial Studies/Proposed Negative Declaration. We find that Initial Study to be legally inadequate in terms of a number of factors which we will briefly summarize below. Further, we do not believe it will serve to justify a "finding of no significant impact" by the

CAL-TRANS
Attention: Mr. Jeff Loudon, Chief
May 27, 2003
Page 2

TRPA. To the contrary, it appears to us the only way to proceed under the circumstances is the preparation of a full environmental impact report.

The following is a very brief summary of many of the deficiencies we find within the draft document:

1. **Inadequate "Project Description."** There is virtually no meaningful "project description" included within either the initial study or the checklist. Yes, there is a project location, and a general description of the project involving pedestrian access and parking improvements, bike trail enhancement, and the like. Further, there is a nearly indecipherable exhibit appended at the back, although that hardly takes the place of a suitable project description. But there is no proper description of what is actually to be constructed. For instance, there is no indication whether or not the parking proposed will be re-graded and stabilized, or whether it will be paved, nor how the drainage from that area will be treated and/or dealt with. There is no indication of the amount of impervious coverage to be created. In brief, the project description is woefully deficient.

2. **Alternatives.** There are only two "alternatives" stated -- the "no project alternative" and the "proposed project alternative." Clearly, there are less environmentally intrusive alternatives that ought to be considered. By way of example, an obvious alternative is simply to improve the existing shoulder by revegetation and improved drainage, without adding additional impervious surfaces, parking, and run-off immediately adjacent to Lake Tahoe.

3. **Water Quality Impacts.** Without a detailed description of the amount of impervious coverage to be added over the existing compacted dirt and/or a description of the drainage and run-off facilities, it is virtually impossible to assess the water quality impacts on the adjacent Lake Tahoe. Clearly, improvement of roadside parking by installing additional compacted areas will cause the collection and channelling of run-off, which should be dealt with. Again, this is not treated in the Initial Study. The adjacent Lake waters are also "prime fish habitat" areas as designated by TRPA, and there is absolutely no assessment of potential impacts in those areas.

4. **Recreation Impacts.** The project description seems to suggest that it will "enhance recreational opportunities" by improving the public use of the adjacent beach area. Again, that is not Cal-Trans mission, it is not consistent with the right-of-way easement, and the adjacent property of course is in significant measure owned by private property owners -- not the State of California.

CAL-TRANS
Attention: Mr. Jeff Loudon, Chief
May 27, 2003
Page 3

Should the proposed Initial Study and Negative Declaration be completed in its current form without substantial adjustments and improvements and then be forwarded to the Tahoe Regional Planning Agency as part of Cal-Trans permitting process, you should be assured that we will have no other option except to vigorously object to the use of this inadequate document for the review of this project, and make our views known to the TRPA. Given the issues involved with this site, and the obvious impacts on private properties owned by our clients, hopefully Cal-Trans will reconsider its entire approach to this project, and at most will simply do a water quality improvement project along the existing roadside shoulder.

Sincerely,



Lawrence L. Hoffman

LLH:jr

cc: Clients
Mr. Lyn Barnett,
Chief, TRPA Project Review Division

Response to Comments from Lawrence L. Hoffman

1. Inadequate "Project Description"...

Response: The "project description" in the environmental document is meant to give the reader an overall picture of the project. The alternative description contains the different elements of the project. A Land Capability Map will be included in the Final Initial Study/ND, which will show the different elements of the project.

2. Alternative.

Response: A Initial Study/Negative Declaration does not need to consider every conceivable alternative to the project. The Department need only examine in detail the alternative(s) which feasibly attain most of the basic objectives of the project.

3. Water Quality Impacts.

Response: A Land Capability study was conducted by the Project Engineer and is on file and an associated Land Capability map is included in Appendix E. An biological assessment was conducted by the project biologist, which addresses the potential biological impacts associated with the project. The Natural Environment Study addresses these impacts and is on file and available to the public for review.

4. Recreation Impacts.

Response: Comment Noted.

Midkiff
& Associates, Inc.
CONSULTANTS

May 14, 2003

Mr. Jeffrey M. Loudon
Environmental Management
Caltrans
P.O. Box 911
Marysville, CA 95901

Re: Comments on Caltrans Draft Initial Study/Negative Declaration - Alice Richardson
Roadside Access and Viewing Area

Dear Mr. Loudon:

I have reviewed the draft Initial Environmental Study/Negative Declaration prepared by Caltrans for the modifications to the bike trail and roadside parking proposed along Highway 89 Placer County, West Shore of Lake Tahoe.

Our review indicates that many of the issues I raised at the public meeting in Tahoe City several months ago have not been addressed.

Generally, the document treats the proposed project as an environmental improvement related primarily to scenic and recreational benefits. There is no apparent consideration of the concerns of property owners for trespass on private property, no consideration of damage to private property values, no discussion of trash accumulations, or lack of appropriate permanent BMPs for the highway or bike trail and associated facilities at the time of the project construction.

The primary issues, which appear to indicate CEQA problems, as well as TRPA and Lahonton Regional Water Quality Control Board regulatory issues, include:

1. The proposed project incorporates some minor revegetation of disturbed/barren areas, and relocation of bollards for parking barriers, but fails to collect, treat, or dispose of runoff as required by the Lahonton Basin Plan and the TRPA 208 Plan. Caltrans suggests vaguely that a "future" project will pave the parking areas and provide additional BMPs. The only BMPs of any consequence incorporated into the "project" are the bollards and minor revegetation. Runoff from the bike trail and roadway will continue to go to Lake Tahoe untreated. **A**
2. Land Use Planning issues are dismissed as, "The current project will not impact any current land use plans". **B**

The document fails to even mention, much less discuss and deal with, the impacts of the proposed project on private property through which the bike trail runs. Additionally, the provision of bike pullouts and bike racks, widened and "delineated" parking areas, as well as the placement of garbage cans, will

Loudon
Caltrans
Re: Alice Richardson Biketrail/access
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Page 2

aggravate the existing problems of trespass on private property and use of private beaches without permission. Previous attempts to get pedestrians and bicyclists to use garbage cans and/or dumpsters have resulted in people coming from miles around to dump their garbage free rather than pay to have it picked up at their homes. Also of concern is the fact that placing formal parking areas in front of the residential parcels will encourage trespass and will result in degradation of quality lake views and therefore property values.

Page 16 - Section 2.6.1 - "The proposed project will not increase the amount of impervious surface for highway use; therefore, it does not seem probable that any water quality parameters administered by Federal, State, or local agencies will be adversely affected by the proposed project." **C**

I want to respectfully remind Caltrans that TRPA and Lahonton regulations require retrofit of BMPs for ALL properties in the Lake Tahoe Region, not just if there is an increase in coverage or runoff. The proposed project is clearly subject to the water quality improvement requirements of both agencies.

Page 19 - Sec. 2.9- Recreation **D**

"...project site is one of the few remaining shoreline locations on the west shore which is easily accessible by the public without fees."

This is still private property between the easement and the high water line of Lake Tahoe. Caltrans has no legal right to invite the public to trespass.

"Due to the potential beneficial impact from the project, no mitigation would be required."

We respectfully disagree that there is no obligation for Caltrans to mitigate project related impacts on private property through which the easement runs.

Page 24 - Chapter 4 - Public Involvement **E**

Although documenting the public workshop held February 18, 2003 in Tahoe City, there is no mention of the concerns expressed by the affected property owners and their representatives who attended. Further, the environmental review document fails to mention or address those issues, or discuss appropriate mitigation measures.

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CEQA Requirements - Although Caltrans argues that future projects will provide roadway improvements and BMPs, there is no discussion of these proposed projects and potential impacts/mitigation. CEQA clearly requires that "all elements and known potential elements" of a project be considered in the environmental review of a project.

F

Caltrans has failed to fulfill the minimum requirements of CEQA, TRPA, or Lahontan RWQCB and can in no way make the required findings for the project based on this clearly inadequate Initial Study and Negative Declaration. Additionally, TRPA and Lahontan cannot rely on this inadequate document for their project review requirements. This proposed project must meet the same standards as that applied to all private projects in the Tahoe Basin.

The Initial Study checklist appears to have been prepared with less than full consideration of all elements of the current and related projects as required by CEQA, NEPA, and the TRPA Compact. Neither TRPA nor Lahontan would accept this from a private project proponent, and we should not expect that they would accept it from Caltrans.

We fully expect that Caltrans will, as necessary for TRPA and Lahontan (as well as CEQA for Caltrans projects) review the project plans and re-evaluate the true impacts and required revisions to the project to address the concerns of the neighboring private property owners.

Sincerely,


Gary D. Midkiff

attachment

cc: Larry Hoffman, Esq.
Jeff Yurosek
Tom Rouse
Lyn Barnett, TRPA Project Review
Jerry Wells, TRPA Interim Executive Director

Response to Comments from Midkiff and Associates

A. The proposed project incorporates.....

Response: The Department has sought input from LRWQCB and TRPA in determining appropriate BMPs and will continue to do so if necessary.

B. Land Use Planning issues are dismissed as,.....

Response: Caltrans contends that the site in its current state is not only unattractive to adjacent property owners but represents a water quality problem; due to unregulated, unmanaged and unorganized use patterns. It is intended that the proposed improvements address many of the issues landowners have complained about over the years. Parking improvements will actually decrease the number of available parking areas to about 30 spaces along the length of the project, well below the current random parking configuration that currently exists.

C. Page 16 – Section 2.6.1.....

Response: The project scope includes many elements which promote a healthier shoreline environment including, fencing off sensitive shoreline vegetation, revegetating soft cover and disturbed soil areas. The added vegetation along the roadside will perform as bio-filtration strips (vegetation buffer strips) which are considered by Caltrans as an approved BMP.

D. Page 19-Sec. 2.9

Response: The term of access is implied to be limited to the Vista Point/Roadside Rest area for this project. As this property relates to the high and low water of Lake Tahoe, the area between the high and low water lines are held in trust as a right for commerce, navigation and fisheries by and for the public.

E. Chapter 4 – Public Involvement

Response: The document addresses pertinent environmental issues expressed in the Public Workshop held on February 18, 2003. In addition, the Hoffman Letter dated February 7, 2003 and corresponding responses are in direct response to the Public Workshop. The environmental impacts associated with this project will be mitigated and are addressed in the document. In regards to this project, TRPA has been involved with the development of this project since its inception.

F. CEQA Requirement.....

Response: The environmental document has a chapter on cumulative effects, which identifies projects planned in the area. The majority of the projects have minimal or no roadway improvements incorporated within their scope of work. As with the Alice Richardson Roadside Access and Viewing Area Project, a number of the projects have water quality improvements and enhancements as the focal point of the projects. The two projects which have roadway improvements, one (pedestrian signal project) is confined to the existing roadway and was found to be exempt from CEQA.

TO: S. POSAS
FROM: STEVE
NAWRATH

May 20, 2003
2427 CHATELAIN WAY
LIVERMORE, CA 94550

Mr. Steve Naurath
Department of Transportation
2800 Gateway Oaks Dr., Suite 100
Sacramento, CA 95833

Dear Mr. Naurath:

We are long term owners of a cabin on
the Trinchland Trail between Tabor City and Homewood.

Access to the Alvin Richardson Beach area
(Harrison Bay Beach) is one of our family's
daily walking events. We want to encourage
continued access and improvement so that
everyone can benefit from one of the few
remaining open beaches and unobstructed
panoramas.

With appreciation
DONALD + LINDA MILANESE
2635 QUAIL LANE
HOMEWOOD

Response to Comments from Donald & Linda Milanese

Comment noted.



"jay gaffney"
<gaffney@mlode.com>

To: <steve_nawrath@dot.ca.gov>

cc:

08/25/2003 07:50 AM

Subject: Beach near Timberland, Tahoe City, CA

Steve,

I got your address from the Timberland Homeowner's Assoc. I feel very strongly that the stretch of beach near Timberland should be kept open to the public. More and more beach access is being closed to people. Fees keep going up - i.e. Meeks is now \$5.00 instead of the \$3.00 it was for many years. I have been coming to the Lake my whole life. I am now 64 years old. I have been going to that beach for nearly all of those 64 years. I would think that would establish some type of precedent. Thank you for your attention to this matter. Sincerely, Nancy and Jay Gaffney. e-mail: gaffney@mlode.com

Response to Comment from Jay Gaffney

Comment noted.

Gregory F. Hoffman
601 Harvard Road
San Mateo, California 94402
(650)-579-7397

February 7, 2003

Jody Lonergan
District Director
California Dept. of Trans.
P.O. Box 911
Marysville, Ca 95901

RE: Alice Richardson Roadside Access

Dear Ms. Lonergan:

While I will be unable to attend the scheduled meeting on February 18, 2003, I would like to enlighten you to the years of past violations and abuses of the 1930 Alice Richardson Highway Deed in connection with your proposed project.

I have owned the property located at 3055 West Lake Blvd. for 11 years directly across from what you refer to as this project. Over this eleven-year period, I have witnessed numerous violations with express term of the Richardson Highway Deed. According to that instrument, this area was for one specific use, and only one use, that being the construction of the State Highway 89, which at that time did not exist. Since that time, The State Highway Department and later Cal Trans has expanded their interpretation "highway purpose" to include a rest area and/or vista point.

As a result, Cal Trans has never maintained this area or policed it in terms of the restrictions contained in the Deed For Instance:

1. The use prohibits campground and/or for public sunbathing, which occurs on a regular basis every summer. 1
2. The area was to be policed and maintained by the Grantee, Cal Trans. As I previously mentioned, this has never been done. 2
3. I have on numerous occasions witnessed people defecating and urinating in public view. 3
4. The leash law has never been maintained by either the Sheriff's Office or Cal Trans, and people freely allow their dogs to leave deposits on a regular basis. (This area is usually referred to as "dog shit beach" by most locals. 4
5. Unfortunately, the general public has no respect for property belonging to other, namely this property, as you only have and easement. R.E.

taxes and insurance are currently paid for by the adjacent property owners, and have been for 73 years.

6. At other times I and other property owners have witnessed numerous people using this area as a boat ramp for sailboats and jet ski's due to its proximity to the Lake.

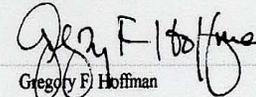
For the above reasons and many others, I believe your plans will further aggravate a bad situation and cause further congestion in the area in the summer months, despite your good intentions.

Your contention that what you intend to do will improve the vegetation or soil degradation is simply a "big lie" and another frivolous waste of public funds which you would be better using for a worthy cause, like repairing the highway which it desperately needs in many areas.

I would express my complete objection to your proposal if I were able to attend.

Kindly give some degree of thought to the situation I have tried to describe.

Very truly your,


Gregory F. Hoffman

Cc: Dave Lopez, Project Manager

P.S. - Should really intend to continue with this wasteful project, I would encourage you to properly post adequate signage to inform the Public of the restrictions contained in the Deed.

Response to Comments from Gregory F. Hoffman

1. Prohibits Camping and Sunbathing-

Response: Signage has been placed within the project area which informs the public of prohibited activity.

2. Caltrans has never policed the site.

Response: Caltrans has placed signage informing the public of prohibited activities at the site. Caltrans will also enter into a maintenance contract with Tahoe City PUD (TCPUD) to remove trash and monitor the site for illegal dumping upon project approval and completion.

3. People using site to defecate and urinate on site.

Response: Comment Noted.

4. Dogs defecating on beach.

Response: Comment Noted.