



**U.S. Department of Housing and Urban
Development**

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Washington, DC 20410
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Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: Sugar Pine Village

Responsible Entity: City of South Lake Tahoe, CA

Grant Recipient (if different than Responsible Entity): The Related Companies of California, LLC

State/Local Identifier: California/HOME-PI

Preparer: Hauge Brueck Associates, 6151 Fair Oaks Blvd, Suite 108, Carmichael, CA 95608

Certifying Officer Name and Title: Joseph Irvin, City Manager, City of South Lake Tahoe

Grant Recipient (if different than Responsible Entity):

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Consultant (if applicable): Rob Brueck, Hauge Brueck Associates (775-267-7202)

Direct Comments to: Hilary Roverud (530) 542-6024

Project Location:

1860 Lake Tahoe Blvd and 1029 Tata Lane, South Lake Tahoe, El Dorado County, CA 96150. The approximately 11.62-acre project area is comprised of two state of California owned parcels (APNs 032-291-028 and 032-291-031) adjacent to Lake Tahoe Boulevard, and near its intersection with Tata and Julie Lanes. The project area consists of 10.04 acres at 1860 Lake Tahoe Boulevard (West Village location) and approximately 1.58 acres at 1029 Tata Lane (East Village location).

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

Sugar Pine Village is envisioned to be a new residential community that fits into the existing neighborhood while also preserving native species, sensitive land and providing residents with new high quality, sustainable housing designed to support active transportation, the local low income workforce and their families. The Village proposal will maximize the state of California's goal of leveraging surplus state-owned land to address the housing crisis by quickly facilitating the delivery of 248 units of affordable multi-family housing. To support the residents and non-profit entities that support affordable housing development, Sugar Pine Village will also include office space/conference rooms and childcare facilities in a clubhouse designed for residents. The housing will provide studio, one, two- and three-bedroom apartments targeted to households earning between 30 to 80 percent of Area Median Income. More details on the proposed project are provided in the Tahoe Regional Planning Agency (TRPA) Initial Environmental Checklist dated January 2021 (Attachment A).

Additional off-site improvements associated with the project were included in a grant application submitted to the California Department of Housing and Community Development (HCD) Affordable Housing and Sustainable Communities (AHSC) Program.

- Pedestrian and Shared-Use Trail Improvements: New bike lanes on Delta Street, B Street, Julie Lane; New multi-use trail on Tata Lane from Lake Tahoe Boulevard to B St.; New sidewalk on west side of Julie Lane from Lake Tahoe Boulevard to driveway at 1080 Julie Lane; New sidewalk on west side of Lake Tahoe Boulevard from Viking Way to approximately 167 ft N. On-Site Bicycle and Pedestrian Trail from Lake Tahoe Blvd. to B Street.
- Transit Passes for Residents: Each of the 59 restricted units will be provided with one discounted pass priced at no more than half of retail cost, for three years.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The Village proposal will maximize the state of California's goal of leveraging surplus state-owned land (both parcels are currently owned by the State of California) to address the housing crisis by facilitating the delivery of 248 units of affordable multi-family housing in a short time frame. It also directly responds to the acute affordable/achievable housing shortage identified in the Lake Tahoe Sustainable Communities Strategy and the Housing Tahoe Partnership's South Shore Housing Needs Assessment, specifically providing housing for Tahoe's full-time residents and workforce. The housing will provide studio, one, two- and three-bedroom apartments targeted to households earning between 30 to 80 percent of Area Median Income. About 3,290 housing units are needed to address current housing shortages for South Shore Region residents

and employees and keep up with future demand through 2026. This averages about 550 units per year, which is 5-times more than the average that has been constructed each year over the past 10-years (Tahoe Prosperity Center, South Shore Region Housing Needs and Opportunities, Oct. 2019).

Existing Conditions and Trends [24 CFR 58.40(a)]:

The West Village location is vacant with several informal user created walking trails. The East Village location contains an old, unused parking lot and an informal user created walking trail. Access to both sites is provided from Lake Tahoe Boulevard and Tata Lane. The West Village site also includes access from Julie Lane. Adjacent land uses include residential neighborhoods to the west and south, and commercial buildings to the north and east. Office/commercial uses are located between the two sites on Tata Lane. The South Y Center (to the east) includes shopping (e.g., Raley’s grocery store) and other retail uses (e.g., fast food and banking). The project area is located within the Town Center Mixed-Use Corridor (TC-MUC) District of the Tahoe Valley Area Plan (TVAP). This district is intended to facilitate the transformation of the eastern and western portions of Lake Tahoe Boulevard into a multi-modal, mixed-use corridor.

Funding Information

Grant Number	HUD Program	Funding Amount
TBD	HOME	\$24,375,000
TBD	HOME PI	\$625,000
TBD	CDBG	\$5,000,000

Estimated Total HUD Funded Amount:

\$30,000,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:

\$112,000,000

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project area is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. Lake Tahoe Airport boundary is located over 3,500 feet east of the project area. Proposed land use is consistent with the City of South Lake Tahoe's Lake Tahoe Airport Land Use Compatibility Plan (ALUCP) dated September 2019. City permit conditions require a real estate transfer disclosure that the property is situated in an airport influence area and recordation of an overflight notification document with the City. Multi-family residential development is allowed in Safety Zone 6, where the project area is located (see Attachment B, ALUCP Figure 4-4).
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	N/A. The nearest coastal zone is over 150 miles from the project area.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	N/A. The project area is not located within the 100-year floodplain. See FIRM map number 06017C0367F dated April 3, 2012 (Attachment C).
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Lake Tahoe Region is in attainment or designated as unclassified for each National Ambient Air Quality Standard (NAAQS) except CO (Maintenance), and is in attainment of all California ambient air

		<p>quality standards (CAAQS) except PM₁₀ (Nonattainment) as demonstrated in analysis 5.4.4-1 (page 24) and Appendix B of the TRPA Initial Environmental Checklist (Jan 2021). As demonstrated in Appendix B of the TRPA IEC (CALEEMOD air quality emission modeling results), Project construction and operation would not generate emissions that exceed applicable daily standards/thresholds (or EPA de minimis emission levels for the CO maintenance area – 100 tons/year) or deteriorate air quality or conflict with adopted air quality plans. As shown in the tables, CALEEMOD emission estimates for CO are 2.28 tons/year for construction and 4.83 tons/year for operations, well below the EPA’s 100 tons/year de minimis standard.</p> <p>As such, the project is in compliance with the Clean Air Act and no further action is required. If funded, a Capitol Corridor Joint Powers Authority grant application would provide two new buses to improve service along the bus line that runs the 109 mile long haul route between South Lake Tahoe and Sacramento for commuters and tourists. This would benefit air quality in the Lake Tahoe Region.</p>
<p>Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>N/A. The nearest coastal zone is over 150 miles from the project area.</p>
<p>Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>See analysis 5.4.10-3 (page 41) of the TRPA Initial Environmental Checklist (Jan 2021). As documented in attached maps from EnviroStor (Attachment D-1), GeoTracker (Attachment D-2) and NEPA Assist (Attachment D-3), no hazardous waste facilities or contaminated sites are identified within the project area parcels (EnviroStor, GeoTracker and NEPA Assist, 2021), nor were any sites identified during preparation of the “Update Phase I Environmental Site Assessment 1860 Lake Tahoe Boulevard and 1029 Tata Lane South Lake Tahoe, El Dorado County, California” (Attachment D-</p>

		<p>4). One previous onsite contamination site was identified in the Phase I ESA and is summarized as “The former presence of a MTBE groundwater plume mapped in 1999 beneath the Site Parcels that originated from the offsite USA Gas facility is considered a HREC (a past release mitigated to the satisfaction of a regulatory agency without land use restrictions)”. Therefore, documentation demonstrates that the project site is not contaminated and is suitable for multifamily housing.</p> <p>As documented on the NEPA Assist website, hazardous waste sites located nearby to the project site include an auto dealership north of Lake Tahoe Blvd (Jim Bagan Toyota), a Kmart Garden Shop and Pacific Bell office immediately to the east, and a Scotty’s Hardware store north of Lake Tahoe Blvd farther to the east. These sites, and others shown on the attached NEPA Assist website map, store chemicals in small quantities considered to be hazardous waste by federal and state regulators, but do not include contaminated sites that require remediation.</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>See analysis 5.4.5-10 (page 30) of the TRPA Initial Environmental Checklist (Jan 2021). Database searches identified protected species within the South Lake Tahoe quadrangle that include California Wolverine (state endangered and federal candidate), Sierra Nevada yellow-legged frog (federal endangered and state threatened), Lahontan cutthroat trout (federal threatened), and willow flycatcher (state endangered). Wolverine is considered to be a wilderness mammal and occurs in a variety of open terrain habitats at or near timberline, but hasn’t been seen in the Lake Tahoe basin since the early 1900s. The urban project site is located at an elevation of 6,275 near lake level and the nearest suitable open terrain habitats are approximately 5 miles away at elevations of 8,500 feet and above. Yellow-legged frog and willow flycatcher require wet meadow and montane riparian habitat</p>

		<p>that do not exist within the project area. Lahontan cutthroat trout only occur in Lake Tahoe and the Upper Truckee River. Therefore, because of the project location within an urban area, and the lack of suitable riparian or aquatic habitat, endangered species are not present in the Project area.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>See analysis 5.4.10-1 (page 40) of the TRPA Initial Environmental Checklist (Jan 2021). The type of land uses that will operate on the project site (residential and accessory public service) are not of the nature that would involve storage, use, and transport of large quantities of hazardous substances that would increase the risk of explosion or a wide-spread hazardous materials incident.</p> <p>The California EPA Regulated Site Portal was queried to document aboveground storage tanks located within one mile of the Project site. The attached CalEPA Regulated Sites map (Attachment E-1) documents the site locations with regulated petroleum products and chemicals within one mile of the Project site. The attached spreadsheet (Attachment E-2) documents the aboveground storage sites that contain chemicals defined to be hazardous substances under Subpart C of Part 51 – Specific Hazardous Substances.</p> <p>As shown in the spreadsheet (right most column), each existing aboveground chemical storage site is located at least 1,200 feet away from the Project site. Most of the tanks are reported to store a maximum of 2,999 gallons or less. Of the tanks greater than 3,000 gallons in size, the largest are 30,000 gallon propane tanks located at two of the propane providers. Therefore, a 30,000 gallon tank was used to calculate the acceptable separation distance (ASD) required for the Project. The ASD assessment tool, accessed online at the HUD website (Attachment E-3), indicates that 1,140 feet is the maximum ASD (Thermal Radiation for People) needed for a 30,000</p>

		<p>gallon propane tank. The attached aerial map (Attachment E-4) shows the distance of the Project site from the four propane companies and one fueling station that store over 1,000 gallons. Each of the large-scale propane storage sites (storage over 1,000 gallons), and all other aboveground storage tanks with hazardous substances under Subpart C of Part 51, are a minimum of 1,200 feet from the Project site. As such, the separation distance for each aboveground storage site is acceptable and no mitigation is required.</p> <p>According to the City of South Lake Tahoe Development Services, planned aboveground storage facilities include a 500 gallon propane tank at 1140 Emerald Bay Road, located approximately 1100 feet from the Project site. A storage tank of that size requires a separation distance of 207 feet based on the HUD ASD assessment tool. Therefore, the separation distance for planned storage facilities is acceptable and no mitigation is required.</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>N/A. The project area does not include mapped farmlands of any importance, as it consists of a second-growth pine forest, typical of lands in the south shore of the Lake Tahoe Basin. Attachment F consists of the California Dept. of Conservation Farmland Finder Map dated November 2, 2021 and shows no mapped farmlands.</p>
<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>N/A. The project area is not located within the 100-year floodplain (Attachment C, FIRM map number 06017C0367F dated April 3, 2012). There are no mapped wetlands within the project area.</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>See analysis 5.4.6-1 (page 32) and 5.4.19-1 (page 64) of the TRPA Initial Environmental Checklist (Jan 2021). Within the Project area/Area of Potential Effect (APE), there is no evidence of intact, potentially significant prehistoric, archaeological or Washoe cultural sites. See the APE map and tribal</p>

		<p>consultation letters (Washoe Tribe, United Auburn Indian Community, Shingle Springs Band of Miwok Indians, and Ione Band of Miwok Indians) dated October 27, 2020 included as part of the SHPO consultation for the Project (Attachment G-1). One response to the letters was received from the United Auburn Indian Community (Attachment G-2 dated Oct 28, 2020), indicating that their records show no known tribal cultural resources in the Project area, but with a request that they be notified should any be discovered during ground disturbing activities. The City followed up with the three other tribes by email on December 20, 2021 to confirm that they have no comment or concerns regarding the Project, and to date no response has been received.</p> <p>SHPO consultation was requested via a letter sent certified mail on November 9, 2021. On December 16, 2021, SHPO replied with no objection to the City's finding that no historic properties will be affected by the Project (Attachment G-3).</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>See analysis 5.4.14-1 (page 50) of the TRPA Initial Environmental Checklist (Jan 2021). Land uses proposed for the Project are consistent with City plan documents and existing noise levels are consistent with City and TRPA noise standards. Noise levels in the project area, that currently consists of commercial and public service uses do not exceed TRPA noise standards (maximum CNEL standard of 60 dB). The most recent TRPA noise monitoring for commercial areas showed a decrease in average CNEL, down to 51 dB during the 2016-2019 reporting period from 55 dB recorded during the 2012-2015 period. Guidance from the U.S. Department of Housing and Urban Development indicates that project sites with noise levels below 65 dB CNEL are acceptable for new construction of multifamily housing.</p>

		The Project site is located over 3,500 feet from the Lake Tahoe Airport and outside of its mapped noise impact boundary (see Attachment H-1, ALUCP Figure 4-1), and there are no railroads or military airports in the Lake Tahoe Basin. US Highway 50 is approximately 800 feet to the east of the project site, but TRPA noise threshold monitoring data from January 2019 demonstrates that measured CNEL noise levels for US Highway 50 (62.5 dB) are well below the 65 dB standard at 300 feet from the roadway (Attachment H-2).
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are no sole source aquifers within the Lake Tahoe Basin, and the nearest one is mapped approximately 90 miles to the south of the project area (see Attachment I, EPA map showing Fresno Streamflow Source Zone). See analysis 5.4.11-1 through 5.4.11-8 (pages 44-46) of the TRPA Initial Environmental Checklist (Jan 2021). Existing regulations protect groundwater quality, and water supply is provided by a public utility district.</p>
<p>Wetlands Protection</p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>See analysis 5.4.8-1 (page 36) of the TRPA Initial Environmental Checklist (Jan 2021). As shown in the attached land capability verification mapping for the project area (Attachment J), there are no mapped wetlands within the project area. Mapping shows a TRPA designated stream environment zone (SEZ), but no land coverage/disturbance is proposed within the mapped land capability Class 1b (stream environment zone) lands within the West Village parcel.</p>
<p>Wild and Scenic Rivers</p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>N/A. The project area is not located adjacent to, or within boundaries of wild and scenic rivers. The nearest mapped resource is the North Fork of the American river, with headwaters approximately 30 miles northwest of South Lake Tahoe, CA (Attachment K).</p>

ENVIRONMENTAL JUSTICE		
<p>Environmental Justice</p> <p>Executive Order 12898</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project area is comprised of state owned surplus lands no longer needed to support California Tahoe Conservancy conservation and recreation goals. There are no existing uses/residential units on the site that would be demolished for project development.</p> <p>The project site is not located next to land uses (e.g., industrial, rail yards) that are incompatible with residential land use. Adjacent land uses include single family residential neighborhoods to the west and south, and commercial buildings to the north and east. Office/commercial uses (including City of South Lake Tahoe administrative offices) are located between the two sites on Tata Lane. The South Y Center (to the east) includes shopping (e.g., Raley’s grocery store) and other retail uses (e.g., restaurant and banking). The project area is located within the Town Center Mixed- Use Corridor (TC-MUC) District of the TVAP. This district is intended to facilitate the transformation of the eastern and western portions of Lake Tahoe Boulevard into a multi-modal, mixed-use corridor.</p> <p>As pointed out in the Tahoe Housing Needs Assessment, many current low income residents in the Lake Tahoe Region live in substandard condition housing, or are commuting from Nevada valley locations to the east of the Lake Tahoe Region.</p>

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	Consistent. The project site is zoned in the City of South Lake Tahoe’s TVAP for mixed use commercial development that includes multi-family housing up to 25 units per acre.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The project site includes high capability lands (TRPA land capability Class 7 – highest capability) that are suitable for urban development. Standard TRPA required best management practices (temp and permanent) are included in the design plans to avoid short-term and long-term erosion and water quality impacts from stormwater runoff.
Hazards and Nuisances including Site Safety and Noise	2	All construction methods will be in compliance with current building code requirements for geologic hazards, as required by the City of South Lake Tahoe. The project site is located in an area considered at high risk for wildland fire. The site is protected by City of South Lake Tahoe Fire, as well as US Forest Service and California State wildland fire fighting services. The site is within the urbanized area of the City, and a City Fire Department station is within approximately one half mile of the parcels. Noise levels in the project area, that currently consists of commercial and public service uses, meet TRPA noise standards (maximum CNEL standard of 60 dB). The most recent TRPA noise monitoring for commercial areas showed a decrease in average CNEL, down to 51 dB during the 2016-2019 reporting period from 55 dB recorded during the 2012-2015 period (https://thresholds.laketahoeinfo.org/Indicator/ThresholdEvaluationDetail/372). No measurable increase in ambient noise levels is anticipated from the addition of multi-family residential land use to the project area, as high density residential areas average 50 dB based on TRPA reporting.
Energy Consumption	1	The project will meet or exceed applicable energy conservation requirements. Energy consumption per residential unit will be lower than comparable recent residential projects. In addition, the project is pursuing grants to provide solar power that would further reduce energy consumption and benefit the residents with lower utility bills.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	1	The project is proposed to provide affordable low-income housing to the existing South Lake Tahoe community. It will provide low-income workers an opportunity to live closer to their places of employment and improve living conditions of many existing residents who are in substandard housing or overcrowded units.
Demographic Character Changes, Displacement	1	Projections indicate that residents who move into the proposed housing will be moving from existing overcrowded and/ or substandard living conditions in the existing market area, thus the potential for a large increase in the overall population or need for expanded public services is not expected. The project site is currently vacant so no existing residents will be displaced.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	Lake Tahoe Unified School District has capacity to serve the Project. Facilities can accommodate up to 800 additional students districtwide (Chandler, Email, Jan 21, 2021). The anticipated population of the Project, including adults and children, is approximately 600 to 700 residents. Schools serving the project area include: Tahoe Valley Elementary School (1 mile away), South Tahoe Middle School (2.5 miles away), and South Tahoe High School (less than 0.5 mile away). Pedestrian and shared-use trail improvements are also part of the project proposal to improve pedestrian safety to nearby land uses and bus stops.
Commercial Facilities	2	Commercial services are located immediately east of the project site. The Project will improve the viability of existing commercial uses by adding population to the adjacent neighborhood.
Health Care and Social Services	2	The project area is adequately served by Barton Memorial Hospital and other nearby medical office complexes, located less than one mile away. Social services are provided by El Dorado County, including a location within the City of South Lake Tahoe, approximately 3.5 miles from the project area.
Solid Waste Disposal / Recycling	2	South Tahoe Refuse serves the project area and has capacity to collect and dispose of the additional waste and recycling from the Project residences (Attachment L dated February 17, 2021).
Waste Water / Sanitary Sewers	2	South Tahoe PUD provides sewer services in the community and has capacity to collect and treat additional wastewater from the Project residences (Attachment M dated March 4, 2021).
Water Supply	2	South Tahoe PUD provides water services in the community and has capacity to store and distribute additional water for the Project residences (Attachment M dated March 4, 2021).

Public Safety - Police, Fire and Emergency Medical	2	City of South Lake Tahoe Police and Fire are involved in the review of project plans as part of City approvals. Service levels will not be adversely impacted by development of the additional residential housing units. The nearest fire station is located 0.5 mile to the east of the project area on US Highway 50.
Parks, Open Space and Recreation	2	Existing park and recreation facilities and other open space amenities (e.g., beaches, trailheads, waterways) have available capacity to serve residents that will live in the proposed housing units. As documented in the City's Initial Study (2015, pages 198-201) for the TVAP, recreation opportunities in South Lake Tahoe are numerous and can meet the anticipated increase in demand from build out of Area Plan land uses. If funded, a grant application for new walkways and trails would improve outdoor recreational/fitness opportunities at the Project site.
Transportation and Accessibility	2	A traffic analysis was prepared for the Project by LSC Transportation Consultants and concludes that trip generation and vehicle miles traveled (VMT) from the proposed residential development will not result in significant impacts to area roadways, intersections, access points, or pedestrian/transit facilities. Nearby transit facilities include a bus stop on the corner of the West Village, and the Tahoe Transportation District transit center is located less than one-quarter mile away at the corner of US Highway 50 and Lake Tahoe Boulevard. If funded, a Capitol Corridor Joint Powers Authority grant application would provide two new buses to improve service along the bus line that runs the 109 mile long haul route between South Lake Tahoe and Sacramento for commuters and tourists. This would benefit accessibility to and from the Lake Tahoe Region. If funded, a grant application for new walkways and trails would improve pedestrian and bike facilities between the Project site and adjacent land uses.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The project area is located in a second-growth pine forest, typical of lands in the south shore of the Lake Tahoe Basin. No unique natural features are present on the site. The project is required to meet a variety of TRPA regulations regarding maximum impervious land coverage, stormwater management, and protection of Stream Environment Zones. The project site does not include any surface waters or designated wetlands. A small area of TRPA mapped Stream Environment Zone (SEZ) will be avoided and enjoyed by project residents as passive open space.
Vegetation, Wildlife	2	The project is located in a second-growth pine forest, typical of lands in the Lake Tahoe Basin; a few large trees are present on the site and several will be protected during project construction.

		The site provides no habitat for sensitive plant or wildlife species. The project proposes to maximize tree preservation where possible, and provide for vegetation planting to offer project residents with enjoyable outdoor spaces.
Other Factors		N/A

Additional Studies Performed:

Tahoe Regional Planning Agency Initial Environmental Checklist, Hauge Brueck Associates, January 2021.
Traffic and Air Quality Analysis, LSC Transportation Consultants, November 12, 2020.
Parking Analysis, LSC Transportation Consultants, December 1, 2020.
Soil Investigation for Tahoe Valley Center, Davis2 Consulting Earth Scientists, August 2, 1988.
Arborist Survey, Natural Investigations Company, Inc., December 18, 2020.
CalEEMod Version 2016.3.2 Air Quality Emissions Analysis, December 15, 2020.

Field Inspection (Date and completed by):

Rob Brueck, Hauge Brueck Associates, August 6, 2020.

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

Alquist-Priolo Earthquake Fault Zoning Act. 1972. (California PRC Division 2. Geology, Mine and Mining Chapter 7.5 Earthquake Fault Zoning)
Ascent. 2013. TRPA Regional Plan Update Final Environmental Impact Statement. October 24, 2013. Stateline, Nevada.
Bailey, R.G. 1974. Land Capability Classification of the Lake Tahoe Basin, California - Nevada. U.S. Forest Service, Department of Agriculture in cooperation with the Tahoe Regional Planning Agency, 32 pages.
Bryant W.A., Hart E.W. 2007. Fault-Rupture Hazard Zone in California: Alquist-Priolo Earthquake Fault Zoning Act With Index to Earthquake Fault Zone Maps. Sacramento, California.
California Air Resource Board. 2008. Climate Change Scoping Plan: A Framework for Change. <http://www.arb.ca.gov/cc/scoping/scoping.htm>.
. 2014. First Update to the Climate Change Scoping Plan. <http://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm>.
. 2020. Air Quality Standards and Area Designations. <http://www.arb.ca.gov/desig/desig.htm> accessed on 11/25/20.
California Department of Conservation, California Important Farmland Finder. Accessible online at <https://maps.conservation.ca.gov/DLRP/CIFF/App/index.html>. Site accessed November, 2021.

California Department of Environmental Protection Agency Regulated Site Portal. Accessible online at <https://siteportal.calepa.ca.gov/nsite/map/results>. Site accessed January, 2022.

California Department of Fish and Wildlife (CDFW). 2019. California Natural Diversity Data Base. Accessed June 2019.

California, Department of Toxic Substances Control (DTSC). 2020. Hazardous Waste and Substances Site List. Accessed online at: www.envirostor.dtsc.ca.gov/public. December 2020.

California Water Resources Control Board. 2020. GeoTracker. <http://geotracker.waterboards.ca.gov>. Site accessed December 2020.

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LSC Transportation Consultants, Inc. 2020. Sugar Pine Village – Traffic and Air Quality Study. November 12, 2020.

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List of Permits Obtained:

City of South Lake Tahoe Design Review Permit (Housing CA Senate Bill 35)
Tahoe Regional Planning Agency Multi-Family Dwelling Project Permit

Public Outreach [24 CFR 50.23 & 58.43]:

Opportunities for public participation in the project development process were offered by the California Tahoe Conservancy during public meetings held to consider housing needs and solutions using Conservancy asset lands near the South Tahoe “Y” (US 50 and SR 89 intersection). The Conservancy Board designated the Project Area (1860 Lake Tahoe Boulevard and 1029 Tata Lane) as asset lands that could support sustainable development consistent with local planning. The Conservancy and its partners, which also include the City of South Lake Tahoe and the TRPA, held a public meeting in December 2019 and a virtual public meeting on April 23, 2020. On July 14, 2020, the Conservancy announced the State had selected Related California (Project proponent) to partner with Tahoe-based St. Joseph Community Land Trust to build South Lake Tahoe’s first modular multi-family housing development now known as Sugar Pine Village.

Related California, Saint Joseph Land Trust, and the Conservancy formed a Working Group that includes members from TRPA, El Dorado County, City of South Lake Tahoe, DGS, and the California Department of Housing and Community Development to coordinate public outreach and develop the proposed project. During the summer/fall of 2020, Related California and Saint Joseph Land Trust and its partners provided virtual focus group meetings for the environmental community, business community, community service non-profit organizations, and neighbors. They also provided information on the proposed project and solicited input from the Tahoe chambers, Tahoe Prosperity Center, Barton Memorial Hospital, and TRPA, City of South Lake Tahoe, and El Dorado County elected/appointed officials and staff. In addition, they provided a virtual public meeting on the project to solicit additional feedback from neighbors and community members on November 18, 2020. Feedback provided throughout the process was used to inform project design changes that have been incorporated into the proposed Sugar Pine Village project.

A public hearing was held January 27, 2021 by the TRPA during the Governing Board’s consideration of proposed amendments to the TVAP and the approval of the Sugar Pine Village Project. The meeting was noticed on January 20, 2021 and was available for the public to attend online.

Cumulative Impact Analysis [24 CFR 58.32]:

The City’s adopted TVAP is a collection of both short- and long-term goals, policies, and measures designed to guide the development of the plan area and support the Region in attaining environmental thresholds and other important objectives. These goals, policies, and measures are inherently cumulative in nature as they are applied over a long-term basis, for the planning area as a whole, and in compliance with City and TRPA goals, policies, measures, and thresholds. The Project does not propose new policies or alterations to existing policies that would be cumulatively considerable. Cumulative projects contemplated in the TRPA Regional Plan Update EIS (TRPA 2012a) include Environmental Enhancement, Land Management Plans, Transportation projects and programs, and other development projects. These projects and programs also apply to the TVAP, and therefore, the Project area. Other probable future projects in the south shore vicinity include redevelopment of the Beach Retreat and Lakeshore Lodge

properties, the US 50 South Shore Community Revitalization Project (e.g., Loop Road), the Tahoe Douglas Visitor's Authority Tahoe South Events Center Project, and other affordable housing projects including Pioneer Trail/Ski Run, and 2070 Lake Tahoe Blvd.

Air Quality/GHG Emissions

Although development could occur that could increase development density compared to existing conditions, this is a localized impact and would not contribute to any increase in overall growth or associated greenhouse gas (GHG) emissions beyond what was considered for Region buildout in the TRPA Regional Plan and City's General Plan.

Traffic

Although development would increase land use density, and thereby increase vehicle trips in the project area's immediate vicinity, the area is small compared to the existing south shore built environment, and the number of units that could be developed is consistent with TVAP buildout assumptions. Consistent with the TRPA Regional Plan, for new trips that are generated (regardless of whether they are associated with an affordable housing project), TRPA requires an applicant to offset the potential regional traffic and air quality effects of the new trips by requiring an applicant either to: (1) contribute to the Air Quality Mitigation Fund, or (2) implement regional and cumulative mitigation measures equivalent or greater in cost than the calculated Air Quality Mitigation Fee. Regional and cumulative mitigation measures may include, but are not limited to transit facility construction; transportation system management measures (such as bicycle and pedestrian facilities and use of alternative fuels in fleet vehicles); or transfer and retirement of offsite development rights. The Project is partnering with state agencies on grant proposals that would fund other nearby transportation improvements, such as bike lanes, sidewalks, shared-use trails and Capitol Corridor Joint Powers Authority transit buses. The air quality mitigation fee amount would be assessed in accordance with the current or a future mitigation fee schedule in the TRPA Rules of Procedure.

As such, cumulative development that includes the Sugar Pine Village would not result in significant impacts.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

Formal alternatives to the Project have not been studied by the City or TRPA. However, in December 2019, the California Tahoe Conservancy developed a request for proposals to select an affordable housing developer and began reaching out to the surrounding neighborhood and community in order to ensure a future affordable housing project would meet identified needs for use of state-owned surplus lands. Proposals received as part of the selection process considered numerous approaches to providing affordable housing on the project site. As part of the public review process for the selection, the Related California and Saint Joseph Community Land Trust team was selected to implement their proposal for affordable housing and community serving child care and non-profit office space.

Alternative development options for the Project Site permissible under the TVAP include multi-family residential development and other land uses such as commercial, tourist

accommodation/hotel or public service. However, provision of affordable housing has been identified as one of the key goals of the state of California, the City of South Lake Tahoe and other regional agency permitting partners. As such, other non-residential land uses for the project site have been rejected for further study.

No Action Alternative [24 CFR 58.40(e)]:

The project site is owned by the state of California. Through a competitive process, the applicant was selected to develop the property for affordable housing. If this project were not implemented, it is likely that the state of California would again offer the property for affordable housing development to meet stated goals for available asset lands in the area.

Summary of Findings and Conclusions:

The Sugar Pine Village project is an infill project located in an urbanized area within the City of South Lake Tahoe's TVAP. The project will provide much-needed affordable housing for the community. All new development within the Tahoe Basin is subject to rigorous planning review and regulatory requirements, with the overall goal of protecting the water quality of Lake Tahoe. As a result of compliance with these existing regulatory programs, the project will result in no adverse environmental impacts.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

City of South Lake Tahoe Permit Conditions to be monitored by City Development Services Department Staff:

- 1) This permit approves the construction of a 248-unit affordable multi-family housing project to be located at 1029 Tata Lane (East Village) and 1860 Lake Tahoe Boulevard (West Village), City of South Lake Tahoe, California. The West Village is proposed to have 210 affordable multi-family housing units, a resident-serving "Community Building," and a community-serving "Public Service Building," which will include a childcare facility and non-profit office space. The East Village is proposed to have 38 affordable multi-family housing units.
- 2) This approval is based on the permittee's representation that all information contained in the subject application is true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, the City may rescind this approval or take other appropriate action. Approval of this permit is only for what is described in this permit based on the general planning application dated November 13, 2020 and plan sets dated November 23, 2020.
- 3) The permittee shall obtain all necessary City of South Lake Tahoe building or other applicable City improvement permits prior to commencement of any construction for this project. An encroachment permit is required for any work in the City right-of-way.
- 4) The permittee shall obtain all necessary Tahoe Regional Planning Agency permits prior to commencement of any construction.
- 5) The permittee shall revise the plans as follows:
 - a) Revise the access driveway within the setback as follows:
 - i) Reduce the access driveway from Lake Tahoe Boulevard from a width of 26 to 24 feet.
 - ii) Reduce the access driveway for the North and South parking lot in the East Village from a width of 26 feet to 24 feet.
 - iii) Reduce the access driveway from Julie Lane from a width of 30 feet to 24 feet.
 - iv) Reduce the access driveway from Tata Lane for the West Village from 26.1 feet to 24 feet.
 - b) Revise Sheet C2.1 to orient building #8 in the East Village to face Tata Lane.
 - c) Revise the parking lot on Sheet C2.0, C2.3 and C2.5 in the West Village to remove side yard setback encroachment on the eastern property line.
 - d) Revise south parking lot on Sheet C2.1 in the East Village to remove side yard setback encroachment.

- 6) The permittee shall submit a landscape documentation package consistent with Chapter 6.80 of the City Code (Water Efficient Landscape Ordinance). The landscape documentation package shall be submitted with the Building Permit Application.
- 7) The permittee shall submit lighting specifications with the Building Permit Application. All exterior lights shall have cutoff shields installed, lighting shall be directed downwards, and the light source (bulbs) shall not be visible within the fixture as seen in elevation.
- 8) All above ground utility and mechanical equipment shall be painted an earth tone color that blends with the natural setting. The permittee shall submit color samples with the Building Permit Application.
- 9) The project accessibility plan, parking plan and all accessible structures shall be designed to be consistent with the Americans with Disabilities Act.
- 10) All building materials, systems and/or assemblies used in exterior design and construction for all structures shall meet California Building Code 7A requirements for construction in a Wildland-Urban Interface Area. Prior to the issuance of a building permit, the defensible space plan shall be approved by the fire department.
- 11) The permittee shall provide real estate disclosure notification that the property is situated in an airport influence area.
- 12) The permittee shall record on the property deed an overflight notification document approved by the City of South Lake Tahoe.
- 13) The owner or authorized representative shall acknowledge this permit and the conditions contained within by satisfying all conditions of approval and signing below.

Tahoe Regional Planning Agency Conditions:

NO DEMOLITION, TREE REMOVAL, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

- (1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;
- (3) THE PERMITTEE OBTAINS A COUNTY BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
- (4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

1. This permit specifically authorizes the construction of the Sugar Pine West Village project, which includes 210 affordable multi-family housing units and a resident-serving "Community Building" and community-serving "Public Service Building." The Public Building will include a childcare facility and non-profit office space. The project will be located at 1060 Lake Tahoe Boulevard, South Lake Tahoe, California (APN 032-291-028). The project will use 210 residential bonus units, includes 311 parking spaces, and will result in a total of 255,390 square feet of Land Capability District (LCD) Class 7 coverage. Approximately 243 trees over 14 inches diameter at breast height (dbh) are proposed to be removed to accommodate the project. Temporary and permanent Best Management Practices (BMPs) will be installed as part of this project.

This permit also specifically authorizes the construction of the Sugar Pine East Village project, a 38-unit affordable multi-family housing project at 1029 Tata Lane, South Lake Tahoe, California (APN 032-291-031). The project will use 38 residential bonus units. The project includes 56 parking spaces. The project will result in a total of 39,324 square feet of Land Capability District (LCD) Class 7 coverage. Temporary and permanent Best Management Practices (BMPs) will be installed as part of this project

2. The Standard Conditions of Approval listed in the Project Permit Attachment R shall apply to this permit.
3. Prior to permit acknowledgement, the following conditions of approval must be satisfied:
 - A. The security required under Standard Condition A.3 of TRPA Permit Attachment R shall be 110 percent of the estimated construction to install BMPs. Please see Project Permit Attachment J, Security Procedures, for appropriate methods of posting the security and the TRPA Fee Schedule for the required security administration fee.
 - B. A water quality mitigation fee of \$189,725.58 shall be paid to TRPA. This fee is based on the creation of 102,003 square feet of new base allowable land coverage at a rate of \$1.86 per square foot.

- C. The permittee shall submit an offsite coverage mitigation fee of \$26,205.50 for the creation of 3,083 square feet of land coverage in the public right-of-way in the Upper Truckee Hydrologic Area (\$8.50 per square foot).
- D. The permittee shall submit a \$288,440.30 air quality mitigation fee. This fee is based on the addition of 872 daily vehicle trip ends (DVTE) at \$325.84/trip and 119 DVTE at \$36.20/trip.
- E. The permittee shall transfer 139,078 square feet of coverage to this parcel. All coverage transfers shall be in compliance with the Tahoe Valley Area Plan and Chapter 30 of the TRPA Code of Ordinances.
- F. The final construction drawings shall have notes indicating conformance to the following design standards for color, roofs, and fences:
 - (1) Color: The color of this structure, including any fences on the property, shall be compatible with the surroundings. Subdued colors in the earthtone and woodtone ranges shall be used for the primary color of the structure. Hues shall be within the range of natural colors that blend, rather than contrast, with the existing vegetation and earth hues. Earthtone colors are considered to be shades of reddish brown, brown, tan, ochre, and umber.
 - (2) Roofs: Roofs shall be composed of non-glare earthtone or woodtone materials that minimize reflectivity.
 - (3) Fences: Wooden fences shall be used whenever possible. If cyclone fence must be used, it shall be coated with brown or black vinyl, including fence poles.
- G. A note indicating: "Dust control measures shall be in place during construction. Broadcast mulch shall not be permitted as a dust control measure within in 30 feet of structures."
- H. The permittee shall submit a landscape/revegetation plan for the project area. The landscape/revegetation plan shall be consistent with the requirements of the Tahoe Valley Area Plan, Chapter 36 of the TRPA Code of Ordinances, TRPA Handbook of Best Management Practices, and Living with Fire, Lake Tahoe Basin, Second Addition.
- I. The permittee shall submit a project construction completion schedule to TRPA prior to commencement of construction. Said schedule shall include completion dates for each item of construction, as well as BMP installation for the entire project area.
- J. All proposed combustion appliances (gas heaters, water heaters, wood heaters, etc.) shall be identified on the plans and comply with the air quality standards in TRPA Code, Section 65.1.4.
- K. Signage shall be provided for snow storage areas. The location of the snow storage signage shall be on the plans.
- L. The permittee shall submit an exterior lighting plan with specifications and/or details for all proposed exterior lighting fixtures and a proposed location plan. All exterior lighting shall be consistent with TRPA Code of Ordinances Section 36.8 Exterior Lighting Standards. Specifically, all exterior lighting shall be fully shielded and directed downward so as not to

produce obtrusive glare onto adjoining properties. Illumination for aesthetic or dramatic purposes of any building or surrounding landscape utilizing exterior light fixtures projected above the horizontal is prohibited.

- M. A BMP Inspection and Maintenance Plan shall be submitted detailing the maintenance requirements and schedules for all BMPs installed on the property.
 - N. Provide details of the proposed pervious pavers (pervious coverage), including the manufacturer's instructions for installation and maintenance to ensure 75 percent infiltration. The pervious coverage may not be placed directly onto a compacted surface, must have a base that has runoff retention capabilities, and must have redundant stormwater runoff BMPs.
 - O. TRPA will prepare a deed restriction that will restrict the use of the multi-family housing exclusively for lower-income households (income not in excess of 80 percent of El Dorado County's median income) and for very low-income households (not to exceed 50 percent of the El Dorado County's median income). Such housing units shall be made available to individuals whose median income does not exceed the recommended state and federal standards. El Dorado County's median income shall be determined according to the income limits published annually by the US Department of Housing and Urban Development and, if applicable, the California Department of Housing and Community Development. Evidence of document recordation is required prior to finalizing the permit.
 - P. The construction staging area shall be shown on the final plans.
 - Q. The location of utilities shall be shown on the final plans.
 - R. A final City of South Lake Tahoe stamped approved Defensible Space Plan shall be included with the final set of plans.
 - S. The permittee shall e-mail one final set of plans to TRPA for electronic stamping.
4. Maximum excavation depth shall not exceed five feet in depth.
 5. All recommendations in the Sugar Pine Village Substantial Tree Removal Plan, January 2021, and California Forest Practice rules shall be followed.
 6. The project shall comply with all requirements of the City of South Lake Tahoe and Lahontan Regional Water Quality Agency.
 7. The non-profit office space may be used by membership or social service organizations that provide services to residents and the general public.
 8. Metal siding shall be composed of non-glare earthtone or woodtone materials that minimize reflectivity. Metal siding shall be reviewed and approved by TRPA prior to installation.
 9. Temporary and permanent BMPs may be field fit by the Environmental Compliance Inspector where appropriate.
 10. Prior to security release, photos shall be provided to TRPA taken during the construction of any subsurface BMP's or of any trenching and backfilling with gravel.

11. All BMPs shall be maintained in perpetuity to ensure effectiveness which may require BMPs to be periodically reinstalled or replaced.
12. To the maximum extent allowable by law, the permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board, its Planning Commission, its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies, without limitation, to any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, or implementation of this permit; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation, or operation of any improvements, regardless of whether the actions or omissions are alleged to be caused by TRPA or Permittee.

Included within the Permittee's indemnity obligation set forth herein, the Permittee agrees to pay all fees of TRPA's attorneys and all other costs and expenses of defenses as they are incurred, including reimbursement of TRPA as necessary for any and all costs and/or fees incurred by TRPA for actions arising directly or indirectly from issuance or implementation of this permit. TRPA will have the sole and exclusive control (including the right to be represented by attorneys of TRPA's choosing) over the defense of any claims against TRPA and over their settlement, compromise or other disposition. Permittee shall also pay all costs, including attorneys' fees, incurred by TRPA to enforce this indemnification agreement. If any judgment is rendered against TRPA in any action subject to this indemnification, the Permittee shall, at its expense, satisfy and discharge the same.

13. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

Law, Authority, or Factor	Mitigation Measure
Tahoe Regional Planning Agency	See list above.

Determination:

Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27]
 The project will not result in a significant impact on the quality of the human environment.

Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]
 The project may significantly affect the quality of the human environment.

Preparer Signature: _____ Date: _____

Name/Title/Organization: Robert Brueck, Manager, Hauge Brueck Associates, LLC

 Certifying Officer Signature: _____ Date: _____

Name/Title: Joseph Irvin, City Manager, City of South Lake Tahoe

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).