



Tahoe City Public Utility District
California Environmental Quality Act
PROPOSED MITIGATED NEGATIVE DECLARATION

I. PROJECT DESCRIPTION

Date: September 30, 2015

Address of Project: Lodge Drive, Placer County, CA, 96142

Assessor's Parcel Numbers: 098-330-004

Applicant/Owner: Tahoe City Public Utility District (TCPUD)

Project Description and Location: The Tahoe City Public Utility District (TCPUD) proposes to construct a new domestic drinking water treatment plant (WTP) using Lake Tahoe surface water as its source. The proposed West Lake Tahoe Regional Water Treatment Plant (WLTRWTP) would provide increased potable water service reliability and quality for the TCPUD McKinney-Quail Water Service Area (MQWSA) and other water systems in the West Lake Tahoe region by replacing the existing Interim Surface WTP (ISWTP). The proposed project would include the following components:

- Installation of two submersible intake pumps within Lake Tahoe;
- Installation of a powerline between the intake pumps and the electrical and chemical feed room;
- Replacement of the existing lake intake pipeline;
- Installation of a raw water pipeline from the lake intake facilities to the proposed WLTRWTP;
- Construction of an intake pump station electrical and chemical feed room;
- Construction of a WTP facility;
- Installation of treated water distribution pipelines to distribute treated water from the WLTRWTP to the existing MQWSA water distribution system;
- Decommissioning and removal of the existing ISWTP;
- Decommissioning and removal of the existing lake intake pump station and associated concrete vault; and
- Land exchange between the TCPUD and California Tahoe Conservancy (CTC).

The proposed project would use a reconstructed lake intake at the Chambers Landing Beach, which is located across SR 89, approximately 0.2 mile from the WTP building site. The project would also include reconstruction of an existing water intake pump station and pipeline at Chambers Landing Beach and installation of a new water transmission pipeline between the intake station and the treatment plant building.

The proposed WLTRWTP building would be constructed on the northern portion of an approximately 6.5-acre parcel located west of State Route 89 adjacent to Lodge Drive. The project site, which is currently owned by the CTC, is located adjacent to residences and northwest of the Tahoma community.

II. DETERMINATION

In accordance with the Tahoe City Public Utility District's procedures for compliance with the California Environmental Quality Act (CEQA), TCPUD has conducted an Initial Study to determine whether the proposed WLTRWTP project could have a significant effect on the environment. On the basis of that study, TCPUD makes the following determination:

_____ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION is hereby adopted.

 X Although the project, as proposed, could have a significant effect on the environment, there will not be a significant effect on the environment in this case because mitigation measures have been added to the project and, therefore, a MITIGATED NEGATIVE DECLARATION is hereby proposed for adoption.

The Initial Study prepared for this project described above incorporates all relevant information regarding the potential environmental effects of the project and confirms the determination that an EIR is not required for the project. The following describes the areas of analysis and any mitigation measures incorporated into the proposed project in accordance with CEQA.

A. AESTHETICS.

The project could create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Mitigation Measure AES-1: All exterior lighting installed at the project site shall be placed at a maximum height of 14 feet, directed downward and shielded. The maximum light level at the property line for general night lighting of the building perimeter and entrance shall be 1 foot candle. The maximum light level at the property line for motion-sensing security lighting shall be 4 foot candles. Lighting necessary for any temporary emergency lighting shall not be subject to these maximum light levels, but

shall be directed towards the work area and temporary shielding of adjacent residential properties shall be provided where feasible. All lighting shall comply with the following design standards:

- Lighting shall be directed away from adjacent roadways and shall not interfere with traffic or create a safety hazard.
- Landscaping shall be used to screen views of on-site lighting from adjacent and proximate residences.
- Exterior lights shall not blink or flash.
- String lights, building or roofline tube lighting, and reflective or luminescent wall surfaces are prohibited.
- Exterior lighting shall not be attached to trees.
- Outdoor lighting shall be used for purposes of illumination only and shall not be designed for, or used as, an advertising display. Illumination for aesthetic or dramatic purposes of any building or surrounding landscape utilizing exterior light fixtures projected above the horizontal is prohibited.

B. AGRICULTURE AND FORESTRY RESOURCES. The project will not have a significant impact on agriculture or forest resources, therefore no mitigation is required.

C. AIR QUALITY. The project will not have a significant impact on air quality, therefore no mitigation is required.

D. BIOLOGICAL RESOURCES.

The proposed project could 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 Wildlife (CDFW)_or U.S. Fish and Wildlife Service.

Mitigation Measure BIO-1: To avoid take of any nesting birds, including raptors, tree removal within the study area shall be conducted between September 1 and May 1, which is outside of the typical breeding season, where feasible.

For any construction activities, including tree removal, initiated during the typical breeding season (generally May 1 to through August 31) a pre-construction nesting bird survey shall be conducted by a qualified biologist within 15 days prior to project-related activities. The nesting survey shall be repeated every two weeks throughout any construction activities that occur during the breeding season. If any active nests are found on or within 100 feet of the proposed area of disturbance, consultation shall be initiated with CDFW to determine appropriate avoidance measures and responsibilities. Avoidance

measures typically include limited operating periods and / or a 100 to 500-foot buffer from the nest until it is determined to be inactive.

To avoid impacts to habitat for cavity-nesting wildlife species, standing snags shall not be disturbed to the extent possible.

Mitigation Measure BIO-2: A pre-construction Tahoe yellow cress survey shall be conducted to identify existing populations and confirm there are no additional populations in the project area. The construction contractor shall install high visibility avoidance fencing around Tahoe yellow cress populations where construction would occur within 25 feet of identified populations. A qualified biologist shall inspect the avoidance fencing prior to initiation of construction and periodically during construction that occurs within 25 feet of identified populations.

The proposed project could 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 Wildlife or U.S. Fish and Wildlife Service, and could 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.

Mitigation Measure BIO-3: Any impacts to wetlands, waters of the U.S., and waters of the state shall be compensated for or reduced through the establishment of replacement habitat at a minimum ratio of 1:1 and in accordance with the terms of the resource agency permits obtained to authorize such impacts. Where riparian habitat or other sensitive natural communities are to be avoided during construction, the construction contractor shall erect exclusion fencing around these areas to ensure protection. These areas shall be inspected by a qualified biologist prior to and routinely during construction. The qualified biologist shall also routinely inspect construction activities within 25 feet of Lake Tahoe and McKinney Creek to ensure that all equipment remains outside of any protected zone.

Mitigation Measure BIO-4: Prior to any ground-disturbing activities or construction within 25 feet of McKinney Creek and the associated Stream Environment Zone, exclusion fencing shall be erected at the boundary of the Stream Environment Zone. The fencing shall be inspected by a qualified biologist prior to construction and routinely throughout construction activities that occur within 25 feet of the Stream Environment Zone.

The proposed project could conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Mitigation Measure BIO-5: Prior to initiation of construction, TCPUD shall prepare a Tree Treatment Plan to address tree removal and tree protection provisions, as outlined in the Tahoe Regional Planning Agency (TRPA) Code of Ordinances Section 33.6.4. The construction contractor shall implement vegetation protection measures during construction activities, consistent with Section 33.6 of the TRPA Code of Ordinances, to minimize damage to retained trees. Protection measures for retained trees shall include:

- A. Fencing shall be placed no closer than the dripline of the tree(s) unless an alternative placement is approved by TRPA.
- B. The location and type of the protective fencing shall be shown on approved plans.
- C. No material or equipment shall enter or be placed in the areas protected by fencing or outside the construction areas without prior approval from TRPA.
- D. Protective fencing for trees shall be constructed with metal posts and industry-standard mesh fencing that is at least four feet tall, unless an alternative method is approved by TRPA. All protective fencing shall be adequately maintained to provide a functional barrier during construction.
- E. An alternative method of tree protection may be required if conditions warrant due to location of tree or the importance of the tree for visual screening.

Prior to initiation of construction, TCPUD shall also prepare a Revegetation Plan to establish vegetative cover on disturbed areas that will not be otherwise developed (expected to include new pipeline alignments, graded slopes, etc.), as identified in TRPA Code of Ordinances, Section 61.4. Revegetation efforts shall consider post-construction stand density, stand health, and fire safety/defensible space requirements.

- E. CULTURAL RESOURCES.** The project will not have a significant impact on cultural resources, therefore no mitigation is required.
- F. GEOLOGY, SOILS, AND SEISMICITY.** The project will not have a significant impact on geology, soils, or seismicity, therefore no mitigation is required.
- G. GREENHOUSE GAS EMISSIONS.** The project will not have a significant impact due to greenhouse gas emissions, therefore no mitigation is required.
- H. HAZARDS AND HAZARDOUS MATERIALS.** The project will not have a significant impact due to hazards and hazardous materials, therefore no mitigation is required.

- I. HYDROLOGY AND WATER QUALITY.** The project will not have a significant impact on hydrology and water quality, therefore no mitigation is required.
- J. LAND USE AND PLANNING.** The project will not have a significant land use impact, therefore no mitigation is required.
- K. MINERAL RESOURCES.** The project will not have a significant impact on mineral resources, therefore no mitigation is required.
- L. NOISE.**

The proposed project could expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, or contribute to a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Mitigation Measure NOI-1: Routine periodic testing of proposed generators, including monthly and quarterly operation of the generator units, shall only occur between 8 AM and 6 PM.

Mitigation Measure NOI-2: The proposed generator for Phase 1 of the WTP shall be enclosed within minimum 6-foot high perimeter solid walls, in addition to incorporating the Level 2 sound attenuating cabinet from the manufacturer. Any opening in the perimeter wall shall be equipped with a solid door or gates.

The proposed project could result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Mitigation Measure NOI-3: The following measures shall be implemented to minimize nuisance effects during construction:

- Construction activities shall be limited to 8 AM to 6 PM Mondays-Sundays.
- All internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Stationary noise-generating equipment shall be located as far away as possible from sensitive receptors that adjoin or are near the active construction site.
- “Quiet” air compressors and other stationary noise generating equipment shall be used where appropriate technology exists.

- The project sponsor shall designate a “disturbance coordinator” responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and require that reasonable measures warranted to correct the problem be implemented. The project sponsor shall also post a telephone number for excessive noise complaints in conspicuous locations in the vicinity of the project site. Additionally, the project sponsor shall send a notice to neighbors in the project vicinity with information on the construction schedule and the telephone number for noise complaints.
- M. POPULATION AND HOUSING.** The project will not have a significant impact on population and/or housing, therefore no mitigation is required.
- N. PUBLIC SERVICES.** The project will not have a significant impact on public services, therefore no mitigation is required.
- O. RECREATION.** The project will not have a significant recreation impact, therefore no mitigation is required.
- P. TRANSPORTATION AND TRAFFIC.** The project will not have a significant impact on transportation and traffic, therefore no mitigation is required.
- Q. UTILITIES AND SERVICE SYSTEMS.** The project will not have a significant impact on utility and service systems, therefore no mitigation is required.
- R. MANDATORY FINDINGS OF SIGNIFICANCE.** As described above, the proposed project, with the implementation of selected mitigation measures, would not have an impact on fish or wildlife habitat, nor would it impact cultural or historic resources or visual resources. The project would not contribute to cumulatively considerable impacts. There is nothing in the nature of the proposed development and property improvements that would have a substantial adverse effect on human beings, or other life or environmental impacts once mitigation is implemented to reduce potential impacts from aesthetics and noise.

PUBLIC REVIEW PERIOD

The proposed MND and draft Initial Study were circulated for public review between August 10, 2015 and September 9, 2015.



Assistant General Manager

September 30, 2015

Date

Adopted by the Tahoe City Public Utility District Board of Directors on October 7, 2015 by Resolution No. 15-29
